

Text of Legislative File BL-16-036

TAMRMS#: B06

Bylaw 28/2017 - Policing Committee Bylaw
Presented by: Aaron Giesbrecht, Manager

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RECOMMENDATION(S)

1. That Bylaw 28/2017, being a Bylaw to establish a Policing Committee within the City of St. Albert, be read a first time.
2. That Bylaw 28/2017, be read a second time.
3. That unanimous consent be given for consideration of third reading of Bylaw 28/2017.
4. That Bylaw 28/2017, be read a third and final time.
5. That Administration add \$18,300 into the 2017 Operating Budget, funded from the Stabilization Reserve in order to add a .56 fte, effective July 1, 2017, to the Policing Services department to provide the necessary administrative support required for the new Policing Committee. Ongoing funding for this position shall be built into the future operating budgets.
6. That \$10,000 be added to the 2017 Operating Budget, funded from the Stabilization Reserve, to support operating expenses related to the Policing Committee activities for things such as, expense reimbursement, travel, advertising, promotion, training and development. An annual and ongoing \$20,000 budget shall be built into future operating budgets.
7. That Administration review City Council Policy C-PS-02, Policing Services to ensure that the policy is in line with the new policing committee oversight processes established in the Bylaw and bring back any recommended amendments to Council by the end of Q2 2018.

PURPOSE OF REPORT

Council has directed Administration to draft and present a Bylaw for the establishment of a formal Policing Committee. This report is being presented to share the proposed Bylaw as well as recommended motions to properly resource the new committee.

COUNCIL DIRECTION

On November 28, 2016 Council passed the following motions:

(C236-2016)

That Administration use: the guiding principles as outlined in the October 17, 2016 agenda report entitled "Policing Committee Update Report" as amended; and the approved Alberta Policing Oversight Standards for Policing Committees when released, when drafting the Policing Committee Bylaw for Council consideration.

BACKGROUND AND DISCUSSION

On April 18, 2016, Council received background information related to a Council motion on the establishment of a policing committee. The backgrounder listed three (3) main options for decision. They were:

1. Direct that work begins on a formal Policing Committee pursuant to Section 23 of the Alberta Police Act,
2. Direct that work begins on the re-establishment of an informal Advisory Committee, or
3. Do nothing and remain status quo in relation to the Administration and public engagement related to policing matters.

Council passed a motion for Administration to begin work on a Bylaw or Terms of Reference for the establishment of a formal Policing Committee.

On October 17, 2016, Administration provided Council with some guiding principles for the drafting of the Policing Committee Bylaw. On November 28, 2016, Council debated those principles and made three key changes. Those changes were to decrease the size of the committee membership from eleven (11) to nine (9), that the committee membership not be limited to one (1) member of the public having a law enforcement background and that the scope of the committee shall include Municipal Enforcement/Community Peace Officer matters.

During the process of drafting the bylaw and looking very closely at this matter, Administration found that this is a complex matter due to:

- Inconsistency among formal Alberta Policing Committees and informal RCMP Advisory Committees that currently exist; and
- Discrepancies and often contradictory provisions among the governing legislation and agreements (Alberta Police Act, Municipal Police Service Agreement, RCMP Act, Municipal Government Act, etc.).

Taking this into consideration, Administration has completed the proposed Bylaw as directed, working within the guiding legislation and agreements as best as possible. The end product, if passed, will establish a formal Policing Committee as per the Alberta Police Act. Below is a summary of the key governance changes if this Bylaw is passed:

1. Transfers some of the authority under the Municipal Police Service Agreement from the Council spokesperson (Mayor) to the chair of the Policing Committee, namely:
 - a) RCMP Officer in Charge would now act under the direction of the Chair of the Policing Committee rather than the Mayor for “*aiding in the administration of justice in the Municipality and in carrying into the effect the laws in force in the Province and Municipality*”; (7.1 MPSA)
 - b) The RCMP Officer in Charge would now implement the objectives, priorities, goals and report as reasonably required on those priorities to the Chair of the Policing Committee rather than the Mayor; (7.2 MPSA)
 - c) The RCMP before appointing an Officer in Charge will consult with the Chair of the Policing Committee rather than the Mayor; (7.3 MPSA).
 - d) The Chair of the Policing Committee rather than the Mayor will be able to submit requests to the RCMP for the removal of a RCMP officer from the detachment. The RCMP still retains the authority for the final decision. (7.4 MPSA)
 - e) The RCMP will provide annual statements (or additional statements from time to time) in relation to the current RCMP human resource make up including organizational charts, job functions, and vacancies to the Chair of the Policing Committee instead of the Mayor. (8.1 MPSA).
2. Establishes a Public Complaint Director, so members of the public who may not be comfortable initially going directly to the RCMP or the Federal Independent (non-RCMP) Civilian Review and Complaints Commission, have a person to seek advice from. The local Public Complaints Director will also receive basic information from the RCMP in relation to public complaint statistics. This is a limited role guided by RCMP policy and the Civilian Review and Complaints Commission processes.
3. Establishes an “advisory/information sharing” relationship between the newly formed Policing Committee and the City Manager in relation to Municipal Enforcement/Community Peace Officer matters.
4. Replaces Council’s role in directly communicating Council’s and the public’s interests and concerns:
 - a) to the RCMP in relation to police matters; and
 - b) to the City Manager in relation to Municipal Enforcement matters.
5. Establishes a public policing committee to research and make recommendations to Council on policing and community related matters.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Administration has not done any formal public engagement on this matter, however it is important to note that Administration is aware of a local public group (with unknown numbers) that is supportive of a Policing Committee. The group is called “St. Albert

Citizens for a Policing Committee” and according to their website www.policingstalbert.ca <<http://www.policingstalbert.ca>> and through some informal correspondence with one of their representatives, they are a small informal group with the core being made up of retired police officers. As indicated on their website they are a group of *“long-term St Albert residents that has been formed in response to a perceived lack of police visibility, lack of traffic enforcement and absence of civilian oversight.”*

Administration has worked with both RCMP and Alberta Justice and Solicitor General in the drafting of the attached Bylaw. Both agencies have seen the final draft Bylaw and have not advised Administration of any concerns on the way it is currently written. The RCMP have explicitly expressed their willingness to work with the new Policing Committee as Council desires, but it is important to note that they have also expressed that they can only do so in a way that is compliant with their Federal policies and procedures.

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

If the recommended motions pass, there will be a draw from the stabilization reserve in the amount of \$28,300 for adding to the 2017 operating budget. This made up of \$18,300 for a part-time administrative assistant effective July 1, 2017 and a \$10,000 operating budget for the committee members to receive training, travel as required and be able to fund public engagement, promotional and advertising activities.

Ongoing annual operating expenses that will get built into the future budgets will be \$56,600 made up of \$36,600 for the part-time administrative assistant and the annual \$20,000 expense account for the Committee use.

Legal / Risk:

The Policing Committee is not a stand alone legal entity and therefore the Municipality may bear liability for actions of the policing committee and its individual members. However, the City’s insurance policies extend liability coverage to committees of Council.

A unique aspect of the current MPSA is that, in its standard template form, it allocates specific administrative powers and functions to the City’s Chief Executive Officer (defined as the Mayor or other chief elected official). Generally, the City is not party to agreements that allocate operational tasks and functions to individual elected officials, and the MPSA is an anomaly in that regard. Under the MPSA, the CEO may designate an individual to direct the Member in Charge in reference to the administration of justice in the community. It appears that the RCMP intends to consider the Policing Committee, established and functioning in accordance with the draft Bylaw, as the Mayor’s designate with specific powers and functions enumerated within the Bylaw.

Program or Service:

There are some benefits to the establishment of a formal Policing Committee, most notably would be an increased public engagement mechanism that could be drawn upon. Because of the way the municipal policing agreement, Council policy on policing and RCMP operations work, there is no room for any political inference with RCMP investigations or operations; however, this additional layer of civilian oversight could help reduce any further perceptions of such.

Through discussion with the Solicitor General and through review of other formal Policing Committee meeting minutes, it is clear that a Policing Committee will require constant maintenance and support for it to be effective and efficient and to ensure that it is following the mandated Police Act, Policing Committee Standards as well as working within the parameters of the Municipal Policing Agreement.

Organizational:

The establishment of a Policing Committee will have some impact to the organization that will likely last a few years, until such time as corporate processes related to annual department reports, plans, budget requests, as well as the Council Policies, are adjusted to fit the added layer of local civilian oversight. The added work and adjustments that are required will result in some impacts on the Policing department's action planning, because of the anticipated time commitments required from the Policing Services Manager to recruit a support position and get the committee started and trained. There will also be an additional workload created for Legislative Services to provide training and support to the Committee support position to ensure continuity with established processes, procedures and standards for City committees, and recruitment of committee members.

It is important to highlight that the establishment of this new committee will likely increase the number of information requests which could result in increased workload for the Policing Services area in general, or other areas of City Administration. This added layer of oversight and process may have compounding impacts and could result in a need for increased resources in the future.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendations, the following alternatives could be considered:

- a) Alternative 1: Direct Administration to stop any further work on a formal Policing Committee and instead begin work on an Advisory Committee as outlined in Administrative Backgrounder provided to Council on April 18, 2016.
- b) Alternative 2. Direct Administration to stop any further work on a formal Policing Committee or Advisory Committee. Administration would then continue to work with the RCMP under existing processes to draft a Council Policy on Policing Services.
- c) Refer the matter back to Administration for further consideration, as per the

general discussion held by Council, and direct that a revised report be brought back to Council at a future date.

STRATEGIC CONNECTIONS

a) City of St. Albert Strategic Plan (Policy C-CG-02)

Pillars of Sustainability

SOCIAL - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.

1.1. Educate residents on the impact of crime and promote opportunities for residents to become positively involved in addressing the issue.

Governance Strategy

Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.

Service Delivery Strategy

Council is committed to ensuring that the City of St. Albert is engaging residents to identify opportunities to improve delivery of services to the community.

- b) Long Term Plans (e.g. MDP, Social Master Plan, Cultural Master Plan, etc.)
 - Policing Services Long Term Department Plan (2014)
- c) Corporate Objectives (See Corporate Business Plan)
 - Deliver programs and services that meet or exceed our standards
 - Exercise strong fiscal management
 - Ensure our customers are very satisfied
- d) Council Policies, Bylaws or Federal/Provincial statutes
 - Council Policy C-PS-02 Policing Services (2015)
 - Municipal Policing Agreement (2012)
 - Police Act, Alberta
- e) Other Plans or Initiatives (Business Plans, Implementation Strategies, etc.)
 - Policing Services Department Action Plan

Report Date: May 1, 2017

Author(s): Aaron Giesbrecht

Committee/Department: Policing Services

Acting General Manager: Glenn Tompolski

City Manager: Kevin Scoble

CITY OF ST. ALBERT

BYLAW 28/2017

Being a Bylaw to establish a Policing Committee within the City of St. Albert.

WHEREAS

- i. the City of St. Albert and the Government of Canada have entered into an agreement for the provision of municipal policing services by the Royal Canadian Mounted Police;
- ii. the *Police Act* provides that a municipality which has entered into an agreement with the Government of Canada for the provision of municipal policing services by the Royal Canadian Mounted Police may, by bylaw, establish a Policing Committee;
- iii. the Municipal Police Service Agreement indicates that the RCMP Officer in Charge will act under the direction of the Mayor, or other person as the Mayor may designate in writing, in aiding of the administration of justice in the Municipality and in carrying into effect the laws in force in the Province and Municipality; and
- iv. Council deems it desirable to establish a Policing Committee to advise of local policing matters.

NOW THEREFORE the Municipal Council of the City of St. Albert hereby ENACTS AS FOLLOWS:

PART 1

DEFINITIONS

1. This Bylaw may be referred to as "The Policing Committee Bylaw".
2. In this Bylaw
 - (a) "Annual Performance Plan" means the annual business/action plan that is administered and developed by the RCMP in consultation with all community stakeholders;
 - (b) "Chair", means, the member of the Committee so elected in accordance with this Bylaw;
 - (c) "City" means the City of St. Albert, a municipal corporation of the Province of Alberta, and includes, where the context so requires, the area contained within the boundaries of the City of St. Albert;
 - (d) "City Manager" means the City's chief administrative officer or person delegated to act on his/her behalf;
 - (e) "Committee" means the St. Albert Policing Committee established hereunder;
 - (f) "Council" means the City's municipal council;
 - (g) "CRCC", means the Civilian Review and Complaints Commission that is Federally legislated as the independent (Non-RCMP) civilian oversight committee that has the mandate to jurisdiction to oversee and review all public complaints about RCMP member conduct in Canada;

- (h) "FOIP" means the *Freedom of Information and Protection of Privacy Act* RSA 2000, cF-25;
- (i) "Mayor" means the City's chief elected official;
- (j) "MGA" means the *Municipal Government Act* RSA 2000 c.M-26 and regulations;
- (k) "MPSA" means the Municipal Police Service Agreement between the City of St. Albert and the Government of Canada, which details police services to be provided for the City by the RCMP;
- (l) "Municipal Enforcement Service" means the working unit of the Policing Services Department that provides Bylaw Enforcement and Community Peace Officer services to the community, as directed by the City Manager;
- (m) "Officer in Charge" means the Officer in Charge of the St. Albert RCMP Detachment;
- (n) "PCD" means the Public Complaint Director who receives complaints from the public, acts as liaison between the Committee, the Officer in Charge and the complainant;
- (o) "Police Act" means the *Police Act* RSA 2000 C-P-17 and regulations;
- (p) "Policing Services Department" means the City department that administers services in the area of RCMP, Municipal Enforcement, Emergency and non-emergency call taking and dispatch, general policing support, or other services as directed by the City Manager;
- (q) "RCMP" means the Royal Canadian Mounted Police service or any member of that police service as the case may require; and
- (r) "Vice-Chair", means the member of the Committee so elected in accordance with this Bylaw.

PART 2

COMMITTEE ESTABLISHMENT, DELEGATIONS AND SCOPE

- 3.
 - (1) The St. Albert Policing Committee is hereby established.
 - (2) The Committee is hereby delegated the authority to act on the Mayor's behalf regarding provisions 7.1, 7.2, 7.3, 7.4 and 8.1 of the MPSA.
 - (3) For greater certainty and clarification, as per section 7.1 of the MPSA, where the Mayor may designate another person to act on his/her behalf, that person will be the Committee Chair who speaks for, signs off and represents the Committee in an official capacity.
 - (4) Should any conflict arise between the Municipal Police Service Agreement and this Bylaw, the Municipal Police Service Agreement shall be considered the authoritative document.
- 4.
 - (1) In accordance with the MPSA,
 - (a) the Committee can not set any policing objectives, priorities or goals:

- (i) that are inconsistent with those of the Provincial Minister,
 - (ii) more frequently than annually, and
 - (iii) that are not in harmony with the annual RCMP planning cycle and format.
 - (b) the internal management of the RCMP including its administration and the determination and application of professional police standards and procedures, will remain under the control of Canada; and
 - (c) the RCMP will not be required to perform any duties or provide any services that are not appropriate to the effective and efficient delivery of police services in the City.
- (2) In accordance with the MGA and City Manager Bylaw,
- (a) nothing in this Bylaw shall be interpreted as authority for the Committee or Committee members to have control over or to direct City Administrative matters including but not limited to:
 - (i) giving direction to any City employee;
 - (ii) establishing any policies or procedures that govern the actions of City employee's units or departments;
 - (iii) hiring, appointing, suspending, removing, terminating, or reviewing the performance of any City employee;
 - (iv) establishing or directing organizational structures or assignments; and
 - (v) authorizing any expenditure of City funds or pledging the credit of the City.
 - (3) Notwithstanding any provision within this Bylaw, the City Manager, may establish a memorandum of understanding, terms of reference or working protocol that specifically relates to the release and/or providing of City information to the Committee to ensure that there is no conflict of between Committee direction/requests and City Manager authority.

PART 3

COMMITTEE PURPOSE, DUTIES AND RESPONSIBILITIES

- 5. (1) The overall purpose of the Committee is to maintain a proper balance between the independence and authority of the RCMP and accountability to the community and civilian authority through community input, increased transparency regarding policing operations, removal of political interference perceptions and assistance with dealing with local complaints.
- (2) The overall objective of the Committee is to act as a liaison between City Council, the RCMP Detachment, the Policing Services Department and City residents to foster responsible community actions towards the creation of a safe and secure community.
- 6. (1) The Committee is responsible for:
 - (a) working collaboratively with the RCMP Officer in Charge on setting and approving the local RCMP objectives, priorities and goals in harmony with the RCMP Annual Performance Planning cycle and format;
 - (b) complying with the standards that are established by the Alberta Justice and Solicitor General for Policing Committees in accordance with the

Alberta Police Act, including the establishment of an all-encompassing Policing Committee Policy and Procedures manual;

- (c) reporting to Council and community at large on the approved Annual Performance Plan, implementation and progress;
- (d) reviewing statements and information that they receive from the RCMP Officer in Charge as well as City Manager;
- (e) overseeing the administration of the MPSA;
- (f) acting on behalf of the Mayor to assist in the selection of the RCMP Officer in Charge in accordance with the RCMP's policies;
- (g) communicating the interests and concerns of the public members and Council to:
 - (i.) the Officer in Charge in relation to RCMP matters; and
 - (ii.) the City Manager in relation to Municipal Enforcement Service matters.
- (h) assisting the RCMP Officer in Charge in resolving public complaints;
- (i) appointing a Public Complaints Director;
- (j) cooperating and liaise with community groups as necessary; and
- (k) upon the request of Council or as the Committee may deem appropriate from time to time, making recommendations to Council relating to policing matters or related community issues.

PART 4

RCMP AND CITY MANAGER RESPONSIBILITIES

- 7. (1) Subject to the limitations and reservations noted elsewhere in the Bylaw, the MPSA and the RCMP policies, the RCMP will:
 - (a) work collaboratively with the Committee and consider feedback on matters related to RCMP Services in order to foster responsible community actions towards the creation of a safe secure community;
 - (b) implement the objectives, priorities and goals as determined by the Committee;
 - (c) report as reasonably required to the Committee on matters of law enforcement in the city and on implementation of the objectives, priorities and goals set and approved by the Committee;
 - (d) provide information and statistics to the Public Complaints Director related to RCMP member code of conduct matters such as total numbers, basic categories and investigation outcomes that are in accordance with and permitted by RCMP policy;
 - (e) provide information and statements to the Committee as may be reasonably requested from time to time on the composition of the St.

Albert RCMP member contingency including such information as organizational charts, location and function of the federal employees, vacancies, surplus to the establishment and when required explanations of changes since previous statements;

- (f) consult with the Committee prior to the appointment of a permanent Officer in Charge; and
 - (g) review and receive and give full consideration to any written request from the Committee regarding the removal of a member of the RCMP from the local detachment.
- (2) Subject to the limitations and reservations noted elsewhere in the Bylaw, the MGA, the City Manager Bylaw, and any agreement established under section 4(3) the City Manager will:
- (a) work collaboratively with the Committee as well as consider feedback on matters related to Municipal Enforcement Services, to foster responsible community actions towards the creation of a safe secure community;
 - (b) report as reasonably required to the committee on Municipal Enforcement Service matters such as action planning, calls for service and enforcement statistics;
 - (c) provide information and statistics to the Public Complaints Director related to Community Peace Officer code of conduct matters such as total numbers, basic categories and investigation outcomes that are in accordance with and permitted by City and Alberta Justice and Solicitor General policy;
 - (d) provide information and statements to the Committee as may be reasonably requested from time to time on the composition of the Policing Services Department, including such information as organizational charts, location and function of the employees, vacancies and when required explanations of changes since previous statements.

PART 5

COMPOSITION AND OPERATION OF THE POLICING COMMITTEE

Members

8. The Committee shall consist of a maximum of nine (9) members who shall be appointed by resolution of Council as follows:
- (a) Voting members:
 - (i) one (1) member of Council;
 - (ii) six (6) volunteer public members who are residents of the City.
 - (b) Advisory Non-Voting members:
 - (i) the St. Albert RCMP Officer in Charge;
 - (ii) the City Manager.

Administrative Assistance

9. The City Manager shall provide administrative assistance to the Committee as necessary, including appointing a recording secretary to attend the Committee meetings in a non-voting capacity to provide administrative support services to the Committee.

Voting Membership Term

10. (1) The term of the public members shall be a maximum of three (3) years with the effective date as designated by Council resolution.
- (2) A public member may not serve no more than three (3) terms.
- (3) Appointments of two (2), or three (3) years may be made at the discretion of Council in order to stagger the public member's terms of office.
- (4) Notwithstanding subsection (3), a majority of the public members appointed to a newly established Committee shall be appointed for three (3) years and the remaining public members shall be appointed for two (2) years.
11. The Council member appointed to the Committee shall serve two (2) years commencing on the date of appointment.

Voting Membership Qualifications / Requirements

12. (1) To be eligible for appointment to the Committee as a voting member, an individual must:
- (a) other than the appointment Council member, not be an employee of, or contracted with or to, the City, the RCMP, any Provincial or Municipal Police or Peace Officer service/agency, or the Department of Justice and Solicitor General of Alberta;
- (b) be a Canadian Citizen or landed immigrant and resident of the city for at least six (6) consecutive months immediately preceding the date of advertising for applications;
- (c) be of the full age of eighteen (18) years;
- (d) undertake and present a clean criminal record check;
- (e) undertake and present a favorable suitability screening assessment through the St. Albert RCMP;
- (f) be recommended as a suitable candidate by the City Manager, in consideration of the above-referenced requirements along with reference checks and interview results; and
- (g) take the oath of office prescribed by the *Police Act*.
- (2) When appointments are considered for membership on the Committee, in accordance with the Alberta Department of Justice and Solicitor General Policing Committee Standards, cultural diversity of the community shall be considered.
- (3) The Committee member that is appointed Public Complaints Director must successfully obtain and maintain a RCMP Enhanced Security Clearance or as otherwise deemed necessary by the RCMP Officer in Charge.

- (4) All voting members must take an Oath of Office prior to taking office as a member of the Committee.

Vacancies / Removals

13. (1) If, for any reason, a voting member of the Committee vacates his or her membership on the Committee part of the way through that member's term, Council shall appoint as a replacement member
- (a) a resident of St. Albert; or
 - (b) a Councillor, if the vacating member is a Councillor.
- (2) The replacement Member referred to in subsection (1) shall serve the remainder of the vacating member's term.
14. Council may terminate a member's appointment to the Committee at any time if that member,
- (a) violates written Committee policy;
 - (b) fails to attend three (3) consecutive meetings of the Committee, unless that absence is due to illness or authorized in advance by the Chair;
 - (c) ceases to be a resident of the City;
 - (d) fails to maintain the qualifications listed in section 12; or
 - (e) fails to observe the Oath of Office, or discloses any information that jeopardizes a police operation, or police/public safety, or confidentiality associated with the nature of policing, including personnel, conduct, contracts with the RCMP and the security of police operations.

Officers of the Committee

15. (1) At the first regular meeting of each year the voting members shall elect, from the public members of the Committee, a Committee Chair and Vice-Chair.
- (2) In addition to any roles specified throughout this Bylaw, the role of the Chair is to administer the meetings of the Committee and act as the Committee spokesperson.
- (3) The Vice-Chair shall act in the Chair's absence.
- (4) The Mayor is not an ex officio member of this committee.
- (5) If the City Manager delegates all or parts of his/her authority to another City employee to act on his/her behalf, he/she may still attend the Committee meetings and act in an advisory capacity.

Public Complaints Director

16. The Public Complaints Director may be:
- (a) a public member; or

- (b) the City Manager.
17. (1) In accordance with the *Police Act* and in relation to RCMP complaints only, the Public Complaints Director shall:
- (a) receive complaints from the public and refer them to the Officer in Charge;
 - (b) act as a liaison between the Committee, the RCMP Officer in Charge and the complainant;
 - (c) perform the duties assigned by the Committee in regards to public complaints;
 - (d) provide complaint reports to the Committee as required.
- (2) Notwithstanding section 17(1), in consideration of current established RCMP and CRCC policies and procedures on receiving, reviewing and communicating details regarding public complaints, the Public Complaints Director shall,
- (a) consult with the Officer in Charge in order to ensure interactions involving public complaints are in compliance with all RCMP and CRCC policies; and
 - (b) acknowledge that due to the existing framework for RCMP and CRCC public complaint reporting and procedures, some details and responsibilities surrounding public complaints may preclude information being permitted to be shared by the RCMP.

Meetings

18. The Committee shall hold no less than six (6) regular meetings per year, at such times and locations determined by the Chair.
19. Special meetings may be called by the Chair by providing all Committee members with twenty-four (24) hours' notice, unless such notice is waived by unanimous consent.
20. Five (5) voting members at a Committee meeting shall be considered quorum.
21. The precedence of the rules governing the procedures of the Committee is as follows, from high to low:
- (a) the *Municipal Government Act*, associated Regulations or other applicable legislation;
 - (b) this Bylaw;
 - (c) the Procedure Bylaw;
 - (d) Committee terms of reference, if any;
 - (e) Council-approved policies, procedures and guidelines specifically applicable to the Committee;
 - (f) Robert's Rules of Order, Newly Revised.

22. Meetings of the Committee shall be open to the public, except where the Committee is authorized under FOIP or an act of Parliament to close the meeting to the Public.

Meeting Records

23. Meeting Agenda shall be made available to the Committee members at least three (3) days prior to a meeting, and made available to the public at least one (1) day prior to a meeting.
24. Meeting minutes shall be prepared for every Committee meeting and contain the following:
- (a) the date, time and location of the meeting;
 - (b) the names of all committee members present and those absent;
 - (c) the name of any other person who participated in the Committee meeting; and
 - (d) any motions made at the meeting, along with the results of the vote on the motion.
25. Minutes may, at the discretion of the Committee members, include action items agreed upon by unanimous consent, including but not limited to, action items accepted by individual committee members.
26. Questions and debate shall not be recorded in the Committee meeting minutes.
27. The Committee shall follow the City records management processes and procedures for maintaining Committee files including retention and disposition schedules.

Conflict of Interest

28. No member shall participate in any discussion nor vote upon any matter that may involve a pecuniary interest as defined in the *Municipal Government Act*.
29. Members of the Committee shall not be held personally liable for any actions or claims arising out of the exercise of the powers granted to the Committee pursuant to this Bylaw.

Notices

30. The City Manager must inform the Department of Justice and Solicitor General of Alberta when a Committee has been established in accordance with this Bylaw or dissolved thereafter including the reasons for the dissolution.

Remuneration

31. Public Committee members act as such on a voluntary basis, however will be reimbursed for out-of-pocket expenses in accordance with Council policy.

Member Education and Training

32. The Committee Chair shall ensure that the Committee members receive education and training as follows:
- (a) orientation of policing oversight online training program provided the Department of Justice and Solicitor General of Alberta;

- (b) RCMP and City complaint processes, administrative process and statistical reporting; and
- (c) orientation to RCMP Professional Standards, *Freedom of Information and Privacy Act*, the *Peace Officer Act* or other areas deemed necessary by the Department of Justice and Solicitor General of Alberta.

Planning and Reporting

- 33. The Committee shall, in consultation with the Officer in Charge and City Manager, prepare a work plan for the proposed activities of the Committee.
- 34. The Committee shall communicate/share its work plan with Council and the community at large.
- 35. The Committee shall annually report progress on its activities and accomplishments with Council and the community at large.
- 36. The Committee shall report as required to the Department of Justice and Solicitor General of Alberta.

Purchasing and Expense Authority

- 37. Neither the Committee nor any voting member shall have the power to pledge the credit of the City or RCMP in conjunction with any matters whatsoever, nor shall the Committee or any member thereof have any power to authorize any expenditure to be charge against the City or RCMP.

PART 6

BYLAW COMING INTO EFFECT

- 38. This Bylaw shall take effect upon third and final reading.

READ a first time this ____ day of _____, 2017.

READ a second time this ____ day of _____, 2017.

READ a third and final time this ____ day of _____, 2017.

SIGNED AND PASSED this ____ day of _____, 2017.

MAYOR

CHIEF LEGISLATIVE OFFICER

Final August 2016

ALBERTA POLICING OVERSIGHT STANDARDS FOR POLICING COMMITTEES

Previously Distributed

Alberta Justice and
Solicitor General
August 2016

Alberta Policing Oversight Standards

Policing Oversight: Standards

Branch: Law Enforcement and Oversight, Policing Oversight and Funding Section and Policing Standards and Audits Section.

Product/Process: Police oversight; policy and procedure development; risk management; audit

Prepared By

Document Owner(s)	Organization Role
Policing Oversight and Funding Section (POF)	Owner / Lead
Policing Standards and Audits Section (PSAS)	Subject matter expert: Auditing
Policing committee Subject Matter Experts (SME)	Subject matter expert: Oversight Committee Member

Guidelines Version Control

Version	Date	Author	Change Description
0.0	2012	POF	Document created for police commissions
1.0	2014	POF / SME	Edits completed to be more relevant for committees
2.0	2015	POF / SME	Added a Standard relating to the Municipal Police Service Agreement (MPSA) Articles 7 and 8
3.0	2016	POF / SME	Further edits from AAPG for better clarification

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POLICING OVERSIGHT STANDARDS

PREAMBLE

The first section in this document relates to the municipality and not the policing committee. As defined in the Alberta *Police Act*, [Section: 23(2)] a municipality that has entered into an agreement for RCMP as their municipal police service MAY establish a policing committee (PC) through bylaw. The municipality shall appoint committee members, and prescribe the rules governing the operations of the policing committee.

STATEMENT

Alberta Justice and Solicitor General will continually review and modify the Policing Oversight Standards (the Standards) in consultation with policing oversight agencies and the Alberta Association of Police Governance (AAPG) to ensure they reflect appropriate benchmarks.

AUTHORITY

The Policing Oversight Standards (Standards) were created under the authority of Section 3.1 of the Alberta *Police Act* (Act). The Standards were developed in consultation with stakeholders to facilitate the provision of adequate and effective policing through community oversight and input into local policing.

COMPLIANCE

The Policing Standards and Audits Section (SAS) of Alberta Justice and Solicitor General will conduct compliance reviews to evaluate the structure and function of Alberta's policing oversight agencies against the Alberta Policing Oversight Standards. The SAS was created under the authority of section 3.1 of the Act and is responsible to the Director of Law Enforcement under section 8(2). Each policing oversight agency will be assessed against the Standards on a 4-year cycle.

Compliance reviews serve two purposes:

- Provide a vehicle that allows the oversight agency to demonstrate accountability to the community they serve, and;
- Promote a consistent standard of practice among oversight agencies throughout the province.

Once the standards are in place, oversight agencies will maintain a set of records—termed compliance files—that demonstrate compliance with the standards. Compliance files consist of folders that contain evidence demonstrating compliance with each standard. The required compliance is determined by the nature of the standard. For example, compliance with a standard that requires an agency to have policy related to a practice would be a file that contains a copy of the related policy document. A file that demonstrates compliance with a standard that requires an agency to produce a report (i.e.; business plan; statistical report) must contain a copy of that report.

The compliance review would include all or some of the following:

- A tour of policing committee offices (if applicable);
- An interview with the Chair and Public Complaint Director;
- Interviews with other members of the policing committee as necessary; and
- Review of documents supporting compliance such as: annual policing plan, policies and procedures manual; and police complaint reports.

POLICING OVERSIGHT STANDARDS

Compliance reviews will be conducted by members of the Alberta Policing Standards and Audits Section and the Manager of Policing Oversight and Funding Programs. In accordance with the established review cycle, each policing committee Chair will be contacted to coordinate dates for the compliance review to take place.

Well in advance of the review date, the Manager of Policing Oversight and Funding Programs will provide the chair a detailed schedule for the review. On the day of the review, the team will meet with the chair or his/her representative to discuss any last minute issues and answer questions. During the review the team will work with the chair/representative to correct any minor issues. When complete the team will conduct an exit interview with the chair/representative to discuss the findings and any recommendations.

As soon as possible after the compliance review, the Manager of Policing Oversight and Funding Programs will forward a draft copy of the compliance report to the chair for review (accuracy). The Chair and policing committee will have an opportunity to review and provide any further feedback in response to the draft compliance report. After final edits, the Manager of Policing Oversight and Funding Programs will forward a copy of the final report to the chair indicating which standards have been met (i.e. in compliance) and those that have not been met. If necessary, the report will include plans to address any standards that have not been met as well as a schedule to re-evaluate those standards.

The final report may also include recommendations for the oversight agency to consider for future improvements and compliance.

An Oversight Standards Compliance Certificate will be presented to the policing committee when the compliance review is finalized and all outstanding matters have been complied with.

LEGISLATIVE FRAMEWORK

PREAMBLE

The *Canadian Charter of Rights and Freedoms* states Canada is founded upon the "rule of law" which essentially means:

- We are governed by public rules made by constitutionally authorized lawmakers;
- We recognize the processes set out in the law; and
- No one is above the law.

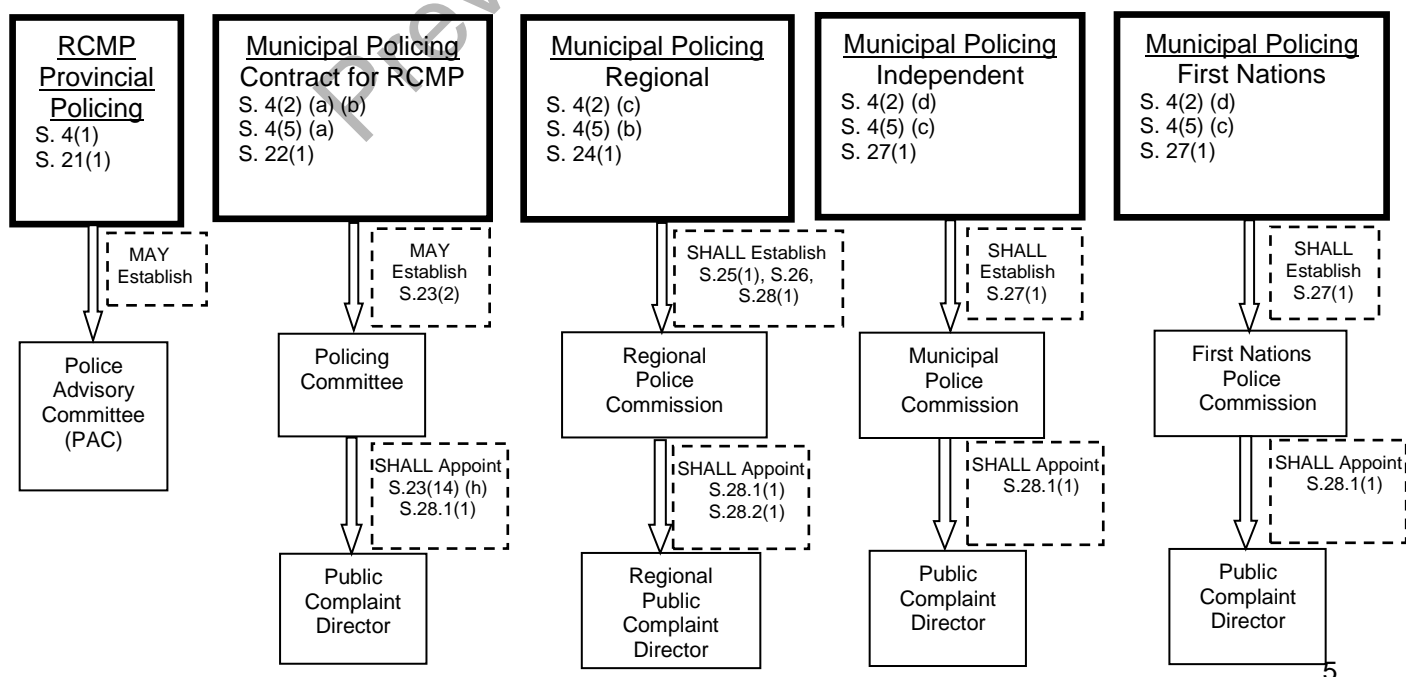
The Charter sets out a variety of legal rights, including: "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

Under the Canadian constitution, the responsibility for enacting criminal law rests with the federal government, while responsibility for the administration of justice rests with the provinces. In conducting their duties, the police must ensure their actions are consistent with:

- The provisions of the Charter of Rights and Freedoms;
- Federal and provincial legislation;
- Any agreements governing the police service, such as the Municipal Police Service Agreement (MPSA); and
- The provisions of statutes including, for example, those related to freedom of information, protection of privacy and human rights.

Alberta *Police Act*

The Alberta *Police Act* mandates the Government of Alberta to ensure adequate and effective policing is maintained throughout Alberta. The *Police Act* sets out requirements and responsibilities of municipalities, police services, police commissions, policing committees, and the Public Complaint Director.



OVERSIGHT OF POLICE SERVICES

PREAMBLE

A variety of processes are used to oversee Alberta police services. Along with legislative requirements described in the *Alberta Police Act*, a priority for the Ministry is for police organizations to have forums in place that facilitate meaningful community input into local policing needs and priorities; and that they have credible oversight mechanisms for addressing concerns regarding the conduct of personnel.

STATEMENT

1. Provincial Police Service

The Province provides policing services to every municipal district and Métis settlement, as well as towns, villages and summer villages that have populations not greater than 5,000. The Province provides this through the RCMP Provincial Police Service Agreement (PPSA). Community advisory groups for the provincial police service may be established by local council in collaboration with the Detachment Commander. These community groups will be called Police Advisory Committees (PAC's).

PAC's provide advice and input into policing priorities, keep the Detachment Commander informed of emerging trends and/or issues within the community and assists in the development of the yearly plan of priorities and strategies for local policing. PAC's do not have an oversight role and therefore not involved with handling complaints from the public.

2. Municipal Police Services

Municipalities that have populations greater than 5,000 must assume responsibility for establishing and maintaining their own police service. The *Police Act* provides the following options for municipal policing:

a) Contract Policing: Municipal Police Service Agreement (MPSA)

A contract with the federal government for the provision of municipal policing services which typically involves entering into a contractual agreement. A municipality that has entered into an agreement with the Government of Canada to provide municipal policing by the RCMP **may** establish a policing committee.

b) Independent Municipal Police Service

Establish an independent municipal police service. A municipality that has established an independent municipal police service **shall** also establish a municipal police commission.

c) Regional Police Service

The *Police Act* allows for councils of two or more municipalities to enter into an agreement to be policed by one regional police service. Municipalities that have established a regional police service **shall** also establish a regional police commission.

3. First Nations Police Services

The RCMP provides policing services to most of Alberta's First Nations communities. Some First Nations communities have, however, made other policing arrangements through agreements with the provincial and federal governments. These are typically through a Tripartite Agreement (TA) or a Community Tripartite Agreement (CTA).

- A Tripartite Agreement (TA) is between Canada, Alberta, and the First Nation permitting the creation of an independent First Nation police service operating only on their Nation. The independent First Nation police service shall be overseen by a First Nation police commission. The responsibilities of the commission, which are defined in the Tripartite Policing Agreement, mirror those found in the Police Act for the establishment of a municipal police commission.
- A Community Tripartite Agreement (CTA) is an agreement between Canada, Alberta, and the First Nation to provide dedicated RCMP members, devoting 100% of their working hours to the policing needs of the First Nations community they are stationed. Community Consultative Groups (CCG's) are established through the agreement for input into local policing priorities, keeping the Detachment Commander informed of emerging trends and/or issues within the community and assists in the development of the yearly plan of priorities and strategies for local policing. CCG's do not have an oversight role and therefore not involved with handling complaints from the public.

FEDERAL OVERSIGHT OF THE RCMP:

The Civilian Review and Complaints Commission (CRCC) for the RCMP is an agency of the federal government, distinct and independent from the RCMP. Their Vision is "*Excellence in policing through accountability*". Their Mission is "*to enhance the accountability of the RCMP by providing civilian review of RCMP activities and member conduct*".

Parts VI and VII of the *Royal Canadian Mounted Police Act*, describes the mandate of the CRCC, as follows:

- receive complaints from the public about the conduct of RCMP members;
- conduct reviews when complainants are not satisfied with the RCMP's handling of their complaints;
- initiate complaints and investigations into RCMP conduct when it is in the public interest to do so;
- review specified activities; and
- report findings and make recommendations.

In Alberta, a person dissatisfied with the services provided and/or conduct of the RCMP can submit a formal complaint in writing to either:

1. The local Public Complaint Director (if one is in place in their community);
2. The local RCMP detachment;
3. The Alberta RCMP Headquarters (K-Division in Edmonton);
4. The Provincial Minister of Justice and Solicitor General;
5. The Provincial Public Complaint Director; or
6. The Civilian Review and Complaints Commission (CRCC)

The complaint is registered at that time and forwarded to the RCMP detachment commander of jurisdiction for action. The detachment commander will most likely talk directly with the complainant to get a better understanding of their dissatisfaction and if necessary, an investigation will be conducted. The RCMP is responsible for handling the complaint through to completion, including providing status update letters to the complainant every 30 days. A disposition letter will be provided to the complainant with details about the CRCC's review

mandate. If the complainant is still not satisfied with the way the RCMP handled their complaint, they can request a review by the CRCC.

If the complainant requests a review, the CRCC will contact the RCMP, advise it of the request for a review and request all relevant information regarding the complaint. Once all relevant material is received, a Reviewer Analyst will thoroughly review the complaint, the RCMP's response and all other relevant material such as witness statements, transcripts, police reports and notes and RCMP policies and procedures.

If the CRCC determines, after a review of all information, that the RCMP responded satisfactorily to the complaint, the complainant will receive a report stating why the CRCC considers it was dealt with properly; and that will be the final step in dealing with the complaint. If the CRCC decides that the RCMP did not deal with the complaint in a satisfactory manner, it will send an interim report to the Minister of Public Safety and Emergency Preparedness and the RCMP Commissioner.

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Part I

Roles and Responsibilities (RR)

Previously Distributed

ROLES AND RESPONSIBILITIES (RR)

RR.1 – ESTABLISHING A POLICING COMMITTEE

PREAMBLE

Although the *Police Act* assigns the Minister responsibility for ensuring that policing is adequate and effective, it also requires governing/oversight bodies to oversee policing provided to their citizens. Albertans expect their police services to be responsive and accountable as well as operating with integrity, fairness and transparency.

The core principles for oversight of policing in Alberta are:

- The participation of the public in determining the priorities of the police service;
- The police service must be accountable to the public; and
- The police service must operate in the absence of political influence.

STATEMENT

Pursuant to the *Police Act* and to guidance provided by the Ministry of Justice and Solicitor General, local governments should establish a police oversight agency that will facilitate meaningful community input into local policing needs and provide credible mechanisms to address concerns regarding the conduct of police officers serving their local area.

The *Police Act* allows for the creation of an oversight agency based on the relationship between the local government and the means by which the police service is funded. Oversight agency types are described in the following sections of the Act:

- Policing Committees: Section 23(1) (RCMP as the municipal service)
- Police Commission: Sections 25(1) 27(1) and 28(1) (independent municipal police service, regional police service and First Nations police service)

RR.1.1 Policing Committee

Municipalities that have entered into an agreement for the provision of municipal policing services by the RCMP **may** establish, by means of a municipal bylaw, a policing committee in accordance with the provisions of the Alberta *Police Act*.

The municipal bylaw should have the following:

- a. Prescribe the rules governing the operation of the policing committee;
- b. Describe how members of the policing committee are appointed;
- c. Outline number of, and any special considerations of members (non-voting, council representatives, youth representatives, other organizations etc.);
- d. Describe the length of committee member appointments;
- e. Describe procedures for resignations and removal of members;
- f. Describe the procedure for informing the ministry when a policing committee is established and when it is dissolved;
- g. If applicable, describe how any remuneration/gratuity/allowance is provided to members of the policing committee.
- h. Guidelines for input into the selection of the Officer in Charge (OIC) / Detachment Commander.

All persons appointed to the policing committee take the Oath (Schedule 2 found in the *Police Act*).

Compliance: Bylaw that includes all items listed above (*a to h*), or relevant sections of the policing committee's policy.

Verification:

- Copy of signed and dated bylaw

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RR.2 – SELECTING AND APPOINTING POLICING COMMITTEE MEMBERS

PREAMBLE

Once a municipal police service has been contracted to the RCMP, the second requirement, if Council decides, is to establish a policing committee that will oversee the local RCMP police service. To fulfill this requirement, the municipality **shall** select and appoint qualified policing committee members through a process sensitive to the principles of openness and equity. Preferably using a competency-based recommendation to Council.

STATEMENT

The recruitment and appointment of committee members is the responsibility of the municipality. Evidence of recruitment notices will be found in external communications of the municipality. Appointments to the policing committee are often documented in Council minutes.

RR 2.1 Cultural diversity

The municipality shall have a selection and appointment policy in place that considers the cultural diversity of the community.

Compliance: Municipality's policy for recruiting and appointing volunteer committee members

Verification:

- Volunteer advert for committee members, pamphlet or equivalent
- Evidence of the recruitment and appointment process of committee members

RR 2.2 Informing applicants

The municipality shall, at the time of application, provide written information to applicants about the application process as well as details of the time and workload commitments required for fulfilling the duties of the policing committee position.

Compliance: Sample copy (or website link) of application information package or equivalent.

Verification:

- Evidence of the committee member application process informing applicants of time and workload commitments

RR 2.3 Security checks

The municipality shall conduct a background check/security clearance of each successful candidate (including those council-appointed members and employees of the municipality) before confirmation of his/her appointment to the policing committee, including at a minimum:

- a. Criminal record check;
- b. Reference checks;
- c. Interview of applicant (including an assessment of overall suitability);
- d. PCD shall successfully complete an RCMP Enhanced Security Clearance.

Compliance: Sample copy (or website link) of application information package or equivalent informing applicants of the requirement for a criminal records check.

Verification:

- Evidence of the completed background, security and reference checks.

- Proof of enhanced security clearance for the PCD

RR 2.4 Oath of office

Pursuant to the *Police Act*, upon appointment, successful applicants shall:

- **Take the Oath of Office**

To educate new committee members, at a minimum, the following documents should be provided:

- a) The Alberta *Police Act* and the Police Service Regulation;
- b) The Municipal Policing Committee Bylaw
- c) The Municipal Police Service Agreement (MPSA);
- d) A Conduct/Ethics policy that the policing committee will follow; and
- e) The policing committee's orientation handbook, if available.

Compliance: Copy of a signed and dated Oath of Office

Verification:

- Sample copy of a policing committee members' signed and dated Oath of Office;
- Sample copy of a policing committee members' signed and dated Conduct/Ethics;
- Policing committee member orientation handbook, if available.

RR.3 – POLICING COMMITTEE ROLE

PREAMBLE

The delicate balance between the independence and authority of police services on one hand, and their accountability to the public and the civilian authority, on the other, is a vital part of our democratic society. Oversight and governing bodies need to strike this balance between police independence to conduct investigations and maintain order without undue political or other influence, with the need for accountability to the public.

Policing oversight agencies in Alberta are required to ensure efficient and effective policing and provide a local mechanism for receiving and monitoring public complaints against the police service.

STATEMENT

This standard is intended to ensure that the role, responsibilities and expectations of the policing committee, the municipality, the municipal police service and the community are met.

RR 3.1 Policing Committee Responsibilities

The policing committee shall elect, from amongst its members, a Chair and one or more Vice-Chairs. Additionally the policing committee shall, carry out its responsibilities as follows:

3.1.1 Pursuant to the *Police Act*, the MPSA and the relevant Bylaw, oversight responsibilities of the policing committee include:

- a. Elect, from amongst its members, a Chair and one or more Vice Chairs (Bylaw);
- b. Oversee the administration of the policing agreement (MPSA);
- c. Assist in selecting the officer in charge;
- d. Represent the interests of the council to the officer in charge of the municipal police service;
- e. In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing;
- f. Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan;
- g. Represent the interests and concerns of the public to the officer in charge;
- h. Assist the officer in charge in resolving complaints; and
- i. Appoint a Public Complaint Director to fulfil the duties set out in the *Police Act*.

Compliance: Policing Committee Policy and Procedures manual

Verification:

- Documentation regarding the election of Chair and Vice Chair;
- Copy of the established policing plan of priorities;
- Evidence of consultations with the community for input into priorities;
- Policing Committee Member interviews and observation for knowledge of duties, attendance and participation in meetings, identifying community needs, bringing issues forward, understanding of policing committee goals and objectives.

RR 3.2 Member Contact Information

For good business practice, the policing committee should maintain current membership contact information of its members. Suggested contact information as follows:

Name	Home Address	Phone Number	Email Address	Term (commencement & expiry)	Position (if held)
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Compliance: Policing Committee Policy and Procedures

Verification:

- Copy of current Policing Committee Membership list

Previously Distributed

RR.4 – MUNICIPAL POLICE SERVICE AGREEMENT (MPSA)

PREAMBLE

The MPSA is a contractual agreement between the local Municipality and the Federal Ministry of Public Safety and Emergency Preparedness. An MPSA outlines the duties and responsibilities of the RCMP and the municipality in financial, operational and administrative areas within the provisions of the provincial and municipal policing services. The policing committee legislated responsibilities are outlined in the Alberta *Police Act*, Section 23(14). Additionally, the Municipal Police Service Agreement, Article 7.0 – **Operation of the Municipal Police Service**, also references similar responsibilities for the CEO/Mayor, such as:

- Subsection 7.1 states that the Member in Charge will act under the direction of the CEO/Mayor, or such other person as the CEO/Mayor may designate in writing, in aiding the administration of justice and in carrying into effect the laws in force in the Province and municipality.
- Subsection 7.2 states that the Member in Charge will implement the objectives, priorities and goals as determined in the yearly plan; AND report to either the CEO/Mayor or his/her designate on the matter of law enforcement within the municipality and on the implementation of those objectives, priorities and goals.
- Subsection 7.3 states that before appointing the Member in Charge of the local detachment, the CEO/Mayor may request that the community be consulted. In this case, such consultation will be undertaken in accordance with the RCMP's Community Participation policy.
- The RCMP's Community Participation policy allows for one community representative to participate as a member of the Community Participation Interview (CPI) Committee (i.e. direct involvement).
- All expenses related to direct involvement, including the costs of the CPI, will be borne by the Municipality.

STATEMENT

This standard is to ensure that the provincially legislated authority and responsibilities of the policing committee overseeing the municipal RCMP is provided by Mayor and Council to the Policing Committee as his/her designate of the MPSA.

RR 4.1 Delegation of Responsibilities to the Policing Committee

The municipality shall designate **in writing** the duties outlined in Article 7.0 and Article 8.0 of the MPSA to the policing committee.

Article 7.0: The Member in Charge of the local detachment will act under the direction of the policing committee regarding setting objectives, priorities and goals for the yearly plan of policing priorities and report on the progress and implementation of those annual objectives, priorities and goals.

Article 8.0: The Member in Charge of the local detachment will provide information / statements as may be reasonably requested from time to time, the composition of the municipal police service that show or include a current organizational chart, location and function of all Members and support staff including casual or temporary employees. As well as the number of vacancies, special leaves, backfill positions, and surplus, and an explanation of changes since the previous statement.

Compliance: Policing Committee Bylaw, or Policy and Procedure Manual

Verification: Copy of the written delegation of Articles 7.0 and 8.0 of the MPSA to the Policing Committee from the CEO/Mayor

Part II

Personnel Administration PA)

Previously Distributed

PERSONNEL ADMINISTRATION (PA)

PA.1 – EDUCATION AND TRAINING POLICING COMMITTEE MEMBERS

PREAMBLE

Policing committee members shall be supported by formal and informal education, training and professional development. This should begin on appointment and continue throughout their term.

STATEMENT

This standard addresses the minimum requirements for maintaining predictable and consistent competency in policing oversight in Alberta. A learning plan provides for regular education and training regarding developments in legislation and policy and should not limit any policing committee from designing, delivering or participating in enhanced learning to meet the needs of their community.

At a minimum, committee members must be familiar with the policing committee's policy manual that includes policies for the provincial oversight standards (see OM1.1).

PA 1.1 Member Education and Training

The policing committee shall ensure education and training is provided that meets the needs of its members. Suggested inclusions are:

- a. Orientation to policing oversight in Alberta online training program (Justice and Solicitor General)
- b. Legislated roles and responsibilities (*Police Act*)
- c. Public complaints process and reporting (the Provincial/K-Division Protocol)
- d. Provincial policing oversight standards (Justice and Solicitor General)
- e. Orientation to RCMP Professional Standards (through the Detachment Commander)

Compliance: Policing Committee learning plan or equivalent.

Verification:

- Sample copy of a learning plan or equivalent;
- Record of education and training completed by policing committee members;
- Policing committee member interviews and observation for knowledge of oversight duties (i.e. good understanding of the role of the policing committee, how the committee functions, and any particular functions performed)

PA.2 – Policing Committee - Public Complaint Director

PREAMBLE

Albertans expect equitable access to oversight mechanisms and processes that ensure timely and transparent investigation of public complaints regarding police conduct. Police services in Alberta are required to thoroughly and promptly investigate complaints relating to officer conduct, service delivery and/or police service policy. When a complaint is made, police services must ensure all affected parties are fully informed, on an ongoing basis, as to the status of the complaint investigation.

STATEMENT

Oversight agencies in Alberta that are identified as either police commissions or policing committees under the *Police Act* shall appoint a **Public Complaint Director (PCD) or Regional Public Complaint Director (RPCD)** to receive complaints and monitor complaint investigations as they proceed through the complaint process. The PCD shall offer a dispute resolution process to resolve matters if, and when, appropriate.

PA 2.1 Administering public complaints

The policing committee policy for the administration and review of complaints shall comply with the Alberta *Police Act* and the Alberta Protocol to ensure the PCD meets the requirements established within the Policing Oversight Standards. In 2011, the Ministry of Justice and Solicitor General along with RCMP K-Division jointly developed the Alberta Protocol specifically for Public Complaint Directors (PCDs) in RCMP jurisdictions to assist them in processing complaints against the RCMP, following federal policies and procedures.

The PCD shall be knowledgeable about the RCMP public complaint processes and ensure the information provided by the RCMP or material approved by the Provincial Public Complaint Director to explain the RCMP complaint process is made available to the public.

Compliance: Policing Committee Policy and Procedures

Verification:

- Review of the policing committee's policy & procedure for the administration and review of public complaints (i.e. the Protocol and use of the ROCA form for submitting complaints).
- Review of the Town/City Website, pamphlets, brochures, handouts, forms etc. detailing the RCMP complaints process; if available.
- PCD interview for knowledge of the RCMP complaints process and their specific duties within that process.

PA 2.2 Processes to receive and refer complaints

The policing committee shall have clearly defined processes to receive and refer a public complaint to the RCMP for investigation. This includes consideration and offer of alternative dispute resolution (ADR) rather than a formal investigation, if and when applicable (PLEASE NOTE: both parties MUST consent to ADR).

Compliance: Policing Committee Policy and Procedures

Verification:

POLICING OVERSIGHT STANDARDS

- Review of the policing committee's policy & procedure for the administration and review of public complaints (i.e. the Protocol and use of the ROCA form for submitting complaints).
- Sample copy of the RCMP Record of Complaint or Advice (ROCA) form;
- PCD interview for knowledge of the RCMP complaints process and the ADR process (if considered and used).

PA 2.3 Access to complaints related information

The PCD shall collaborate with the Detachment Commander or designate for access to RCMP complaint records (detachment-specific only). Records shall include, but are not limited to, the following information:

- a. Pertinent dates,
- b. Timelines,
- c. Allegations,
- d. Findings,
- e. Dispositions, and
- f. Status of all complaints received at the detachment level, whether brought directly to the PCD or arriving through the detachment, K-Division or the Civilian Review and Complaints Commission (CRCC).

Compliance: Policing Committee Policy and Procedures

Verification:

- Evidence that the PCD has access to a summary report of all public complaints received regarding their local RCMP detachment.
- Evidence of an organized system for tracking/monitoring public complaints.

PA 2.4 Complaint statistics and reporting

In partnership with the Detachment Commander, the PCD shall submit a monthly summary report to the policing committee of public complaints and their current status (i.e. public complaints received directly by the PCD or by another mechanism). The policing committee along with the Detachment Commander shall provide an annual report of public complaints relating to their local detachment to their municipal council and to the public.

Compliance: Policing Committee Policy and Procedures for handling complaints

Verification:

- Evidence that the PCD has access to a summary report of all public complaints received regarding their RCMP detachment.
- Evidence that complaint report(s) are provided to the policing committee on a regular basis;
- Evidence that complaint statistics have been submitted to the municipality and made available to the public.

Part III

Organizational Management (OM)

Previously Distributed

ORGANIZATIONAL MANAGEMENT (OM)

OM.1 - POLICING COMMITTEE STRUCTURE AND ADMINISTRATION

PREAMBLE

The policing committee shall operate efficiently and effectively and in the best interests of the community it represents. All members and personnel must have a clear understanding of their authority in carrying out their duties in accordance with legislation, regulations, written policy, and procedures.

STATEMENT

These standards are intended to ensure the policing committee establishes a formal structure to organize, define, direct and coordinate its responsibilities.

OM 1.1 Policies and procedures manual

The policing committee shall have a written policy and procedures manual addressing provincial oversight standards that includes, at a minimum, the following sections:

- | | |
|--|--|
| a. Intent of the Policy/Procedural Manual | f. Education and Training of New |
| b. Legislative Obligations of the Policing committee | policing committee members |
| c. Role and Responsibilities of Oversight Members | g. Public Complaints Process |
| d. Roles and Responsibilities of Chair and Vice-Chair | h. Conduct/Ethics and Conflict of Interest |
| e. Roles and Responsibilities of the Public Complaint Director | i. Oversight Member Remuneration (if any) |
| | j. Communication and Media Relations |

It is expected that the policy and procedures manual be kept up-to-date.

Compliance: Policing Committee Policy and Procedure Manual

Verification:

- Review of the policy and procedure manual with indication of an update review within the last 3 years.

OM.2 – POLICING COMMITTEE INFORMING STAKEHOLDERS

OM 2.1 Announcing public meetings

The policing committee shall make available to the public a meeting schedule, clearly identifying where and when open policing committee meetings will take place.

Compliance: Policing Committee Policy and Procedures

Verification:

- Evidence that the policing committee's meeting schedule has been communicated to the public (i.e. website, pamphlets, notice boards or equivalent)

OM 2.2 Access to meeting records

The policing committee shall make available to the public (respecting *Freedom of Information and Protection of Privacy* guidelines) records of open meetings including:

- a. Agenda;
- b. Minutes; and
- c. Supplementary material from the meeting (non-confidential).

Compliance: Policing Committee Policy and Procedures

Verification:

- Evidence that the above documents are made available to the public (i.e. via a website or equivalent)

OM.3 – RECORDS MANAGEMENT OF THE POLICING COMMITTEE

PREAMBLE

To meet management and information needs, the policing committee must ensure a system is in place for keeping records organized and easily retrievable. Privacy and security precautions shall be in accordance with any relevant policy and/or relevant legislation (i.e. FOIP and Records Management).

STATEMENT

The records management system shall be designed to ensure access to the records as well as proper control, storage, retrieval, security and disposition of records.

OM 3.1 Responsibility for records management

The policing committee shall have written policies that address responsibility and procedures for the records management function within their control.

PLEASE NOTE: Most likely, the policing committee will use the Town/City's Administration office to maintain all of its records in accordance with relevant legislation and policies.

Compliance: Policing Committee Policy and Procedures

Verification:

- Observation of the policing committee's (Town/City) records management system for:
 - All records are indexed for quick retrieval;
 - All records have schedules for retention and disposition;
 - All records are securely filed and adhere to *Freedom of Information and Protection of Privacy Act*.

OM.4 – MEDIA RELATIONS OF THE POLICING COMMITTEE

PREAMBLE

The policing committee should have a positive and open working relationship with the news media.

STATEMENT

Guidelines are needed to ensure a balance between the public's right to be informed and the police service's need to manage information that affects police investigations. The policing committee shall determine who is responsible for interacting with the media.

OM 4.1 Release of information

The policing committee shall have a policy that governs the release of information, such as, who, what and when information can be released to the media and public.

In particular, who will talk to the media if there is a crisis or a public safety concern? (i.e. Mayor, Local RCMP Detachment Commander, Policing Committee Chair)

Compliance: Policing Committee Policy

Verification:

- **Copies of any information released publicly by the policing committee**

OM.5 – PLANNING AND REPORTING OF THE POLICING COMMITTEE

PREAMBLE

Planning and reporting processes are essential for effective leadership and management. The policing committee should operate openly and transparently. One way to achieve this is to have clearly written strategic goals and objectives documented in a plan, as well as mechanisms in place for reporting achievements to stakeholders.

STATEMENT

It is recommended that a policing committee prepare a 3-5 year strategic plan for the proposed activities of the committee. Such plan should be established in consultation and collaboration with the municipality, stakeholders and the community. The plan should be reviewed annually by the committee and updated as appropriate. Timely and accurate information must be shared with all stakeholders, including the public, regarding the business of the policing committee and the goals set out in their plan.

OM 5.1 Policing Committee planning

By way of a plan, the policing committee may set priorities for themselves, and should:

- a. Establish goals and objectives for the policing committee; and
- b. Communicate those goals and objectives to Municipal Council, the Detachment Commander and the public

Compliance: Policing Committee Policy and Procedures

Verification:

- Copy of the policing committee's plan which has been formally endorsed by the policing committee;
- Evidence that the policing committee's plan has been communicated to its stakeholders.

OM 5.2 Policing Committee reporting

The policing committee should have a mechanism in place for the annual reporting of achievements to its stakeholders. The policing committee should produce an annual report of its activities and accomplishments relating to the goals in its plan.

Compliance: Policing Committee Policy and Procedures

Verification:

- Copy of the document outlining the policing committee's yearly activities and accomplishments;
- Evidence that the policing committee's yearly activities and accomplishments have been communicated to its stakeholders.

DEFINITIONS

Adequate and Effective Policing:

Adequate means policing is efficient:

- Efficient: Balancing community specified needed and desired level, and standard of service against the cost.

Effective means policing meets specified goals developed by the community and police:

- Community specified level and standard of service.

Community Consultative Group (CCG)

A group of community members established in First Nation communities that have RCMP policing services to provide input into local policing priorities.

Compliance:

Conformity and adherence to policies, plans, procedures, laws, regulations and contracts or other requirements.

CPIC:

Canadian Police Information Centre, a nationwide computerized police information database.

Detachment Commander:

The member in charge of the local detachment, similar to a chief of police. May also be called the Officer in Charge (OIC).

Efficient and Effective:

Efficient: Balancing community specified needed and desired level, and standard of service against the cost.

Effective: Policing meets specified goals developed by the community and police.

May:

Shall be construed as permissive and empowering (not mandatory).

Ministry:

The Ministry of Alberta Justice and Solicitor General.

Municipal Police Service Agreement (MPSA):

RCMP Contract Policing is provided through a Municipal Police Service Agreement (MPSA). These Agreements are negotiated between the federal government and provinces, territories and municipalities. MPSAs outline the duties and responsibilities of the RCMP in financial, operational and administrative areas within the provisions of the provincial and municipal policing services

Municipal District (M.D.):

A municipal district, also called a county, is a government form in rural areas of the province.

Municipalities:

A general term used in this document for all areas – Municipal District, Urban Municipality, Rural Municipality, or a Specialized Municipality.

Officer in Charge:

The member in charge of the local detachment, similar to a chief of police. May also be called the detachment commander.

Oversight Agency:

A term used in this document for all police commissions and policing committees.

Police Advisory Committee (PAC):

PACs are established to ensure community input into policing priorities is obtained and that the local police (RCMP) is responsive to the community's public safety needs.

Police Commission:

Provides oversight, and governs the municipal police service. Police commissions are mandated by legislation for independent municipal police services (i.e. Regional, Stand-Alone, First Nations).

Police Service:

A police service is any of the following:

- 1) the provincial police service (e.g. *the RCMP*).
- 2) a regional police service.
- 3) a municipal police service (e.g. *Calgary Police Service, Edmonton Police Service or under a Municipal Police Service Agreement – Fort Saskatchewan RCMP*).
- 4) a First Nation police service established under a tripartite agreement (e.g. *Blood Tribe Police Service*).

Policing Committee:

Established by council pursuant to the *Police Act*, provides oversight of policing for municipalities that contract the RCMP for municipal policing. Policing committees are not mandated by legislation. One role of the Policing Committee is to oversee the MPSA. In this regard, committees provide oversight of local policing and ensure community input is provided to the detachment commander. Additionally, they ensure the local police (RCMP) is responsive to the community's public safety needs and expectations.

Policy:

A set of guidelines or rules that determine a course of action.

Province:

The Government of Alberta.

Public Complaint Director (PCD):

A person designated by the oversight agency to assist with, and receive complaints from the public about the police service.

Rural Municipality:

A municipal district/county, Métis settlement, or an area of a specialized municipality.

Shall:

Is to be interpreted as mandatory.

Specialized Municipality:

Specialized municipalities are unique municipal structures that allow urban and rural communities to coexist in a single municipal government.

Standard:

A rule or measure, as directed by the Government of Alberta.

Urban Municipality:

A city, town, village, summer village or urban service area of a specialized municipality.

Previously Distributed

Self-Audit Check List for Compliance

C – In Compliance, N/C – Not In Compliance, P – Pending, N/A – Not Applicable

Standard	C	N/C	P	N/A
RR.1.1 Policing Committee Municipalities that have entered into an agreement for the provision of municipal policing services by the RCMP may establish, by means of a municipal bylaw, a policing committee in accordance with the provisions of the <i>Alberta Police Act</i> . The municipal bylaw should have the following:				
a. Prescribe the rules governing the operation of the policing committee;				
b. Describe how members of the policing committee are appointed;				
c. Outline number of, and any special considerations of members (non-voting, council representatives, youth representatives, other organizations etc.);				
d. Describe the length of committee member appointments;				
e. Describe procedures for resignations and removal of members;				
f. Describe the procedure for informing the ministry when a policing committee is established and when it is dissolved;				
g. If applicable, describe how any remuneration/gratuity/allowance is provided to members of the policing committee.				
h. Guidelines for input into the selection of the Officer in Charge (OIC) / Detachment Commander.				
RR 2.1 Cultural Diversity The municipality shall have a selection and appointment policy in place that considers the cultural diversity of the community.				
RR 2.2 Informing Applicants The municipality shall, at the time of application, provide written information to applicants about the application process as well as details of the time and workload commitments required for fulfilling the duties of the policing committee position.				
RR 2.3 Security Checks The municipality shall conduct a background check/security clearance of each successful candidate (including those council-appointed members and employees of the municipality) before confirmation of his/her appointment to the policing committee, including at a minimum:				
a. Criminal record check;				
b. Reference checks;				
c. Interview of applicant (including an assessment of overall suitability);				
d. PCD shall successfully complete an RCMP Enhanced Security Clearance.				
RR 2.4 Oath of Office Pursuant to the <i>Police Act</i> , upon appointment, successful applicants shall:				
<ul style="list-style-type: none"> Take the Oath of Office To educate new committee members, at a minimum, the following documents should be provided:				
a. The Alberta <i>Police Act</i> and the Police Service Regulation;				
b. The Municipal Policing Committee Bylaw				
c. The Municipal Police Service Agreement (MPSA);				
d. A Conduct/Ethics policy that the policing committee will follow; and				
e. The policing committee's orientation handbook, if available				
NOTES:				

Standard	C	N/C	P	N/A
RR 3.1 Police Commission Responsibilities The policing committee shall elect, from amongst its members, a Chair and one or more Vice-Chairs. Additionally the policing committee shall, carry out its responsibilities as follows: <u>3.1.1 Pursuant to the <i>Police Act</i>, the MPSA and the relevant Bylaw, oversight responsibilities of the policing committee include:</u>				
a. Elect, from amongst its members, a Chair and one or more Vice Chairs (Bylaw);				
b. Oversee the administration of the policing agreement (MPSA);				
c. Assist in selecting the officer in charge;				
d. Represent the interests of the council to the officer in charge of the municipal police service;				
e. In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing;				
f. Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan;				
g. Represent the interests and concerns of the public to the officer in charge;				
h. Assist the officer in charge in resolving complaints; and				
i. Appoint a Public Complaint Director to fulfil the duties set out in the <i>Police Act</i> .				
RR 3.2 Member Contact Information For good business practice, the policing committee should maintain current membership contact information of its members. Suggested contact information as follows: Name/Home Address/Phone Number/Email Address/Term/Position				
RR 4.1 Delegation of Responsibilities to the Policing Committee The municipality shall designate <u>in writing</u> the duties outlined in Article 7.0 and Article 8.0 of the MPSA to the policing committee. This can be through the by-law or another document providing authority to the policing committee regarding: Article 7.0 “setting the objectives, priorities and goals for the yearly plan of policing priorities as well as receiving reports from the RCMP on the progress of and implementation of those objectives, priorities and goals”. AND Article 8.0 “receiving information / statements as may be reasonably requested from time to time, the composition of the municipal police service that show or include a current organizational chart, location and function of all Members and support staff including casual or temporary employees. As well as the number of vacancies, special leaves, backfill positions, and surplus, and an explanation of changes since the previous statement”.				
NOTES:				

Standard	C	N/C	P	N/A
PA 1.1 Member Education and Training The policing committee shall ensure education and training is provided that meets the needs of its members. Suggested inclusions are: <ol style="list-style-type: none"> Orientation to policing oversight in Alberta online training program (Justice and Solicitor General) Legislated roles and responsibilities (Police Act) Public complaints process and reporting (the Provincial/K-Division Protocol) Provincial policing oversight standards (Justice and Solicitor General) Orientation to RCMP Professional Standards (through the Detachment Commander) 				
PA 2.1 Administering Public Complaints The policing committee policy for the administration and review of complaints shall comply with the Alberta <i>Police Act</i> and the Alberta Protocol to ensure the PCD meets the requirements established within the Policing Oversight Standards. The PCD shall be knowledgeable about the RCMP public complaint processes and ensure the information provided by the RCMP or material approved by the Provincial Public Complaint Director to explain the RCMP complaint process is made available to the public.				
PA 2.2 Processes to receive and refer complaints The policing committee shall have clearly defined processes to receive and refer a public complaint to the RCMP for investigation. This includes consideration and offer of alternative dispute resolution (ADR) rather than a formal investigation, if and when applicable				
PA 2.3 Access to complaints related information The PCD shall collaborate with the Detachment Commander or designate for access to RCMP complaint records (detachment-specific only). Records shall include, but are not limited to, the following information: <ol style="list-style-type: none"> Pertinent dates, Timelines, Allegations, Findings, Dispositions, and Status of all complaints received at the detachment level, whether brought directly to the PCD or arriving through the detachment, K-Division or the Civilian Review and Complaints Commission (CRCC). 				
PA 2.4 Complaint statistics and reporting In partnership with the Detachment Commander, the PCD shall submit a monthly summary report to the policing committee of public complaints and their current status (i.e. public complaints received directly by the PCD or by another mechanism). The policing committee along with the Detachment Commander shall provide an annual report of public complaints relating to their local detachment to their municipal council and to the public.				
NOTES				

Standard	C	N/C	P	N/A
OM 1.1 Policies and procedures manual The policing committee shall have a written policy and procedures manual addressing provincial oversight standards that includes, at a minimum, the following sections: <ol style="list-style-type: none"> Intent of the Policy/Procedural Manual Legislative Obligations of the Policing committee Role and Responsibilities of Oversight Members Roles and Responsibilities of Chair and Vice Chair Roles and Responsibilities of the Public Complaint Director Education and Training of New policing committee members Public Complaints Process Conduct/Ethics and Conflict of Interest Oversight Member Remuneration (if any) Communication and Media Relations 				
OM 2.1 Announcing public meetings The policing committee shall make available to the public a meeting schedule, clearly identifying where and when open policing committee meetings will take place.				
OM 2.2 Access to meeting records The policing committee shall make available to the public (respecting <i>Freedom of Information and Protection of Privacy</i> guidelines) records of open meetings including: <ol style="list-style-type: none"> Agenda; Minutes; and Supplementary material from the meeting (non-confidential). 				
OM 3.1 Responsibility for records management The policing committee shall have written policies that address responsibility and procedures for the records management function within their control. PLEASE NOTE: Most likely, the policing committee will use the Town/City's Administration office to maintain all of its records in accordance with relevant legislation and policies				
OM 4.1 Release of information The policing committee shall have a policy that governs the release of information, such as, who, what and when information can be released to the media and public. In particular, who will talk to the media if there is a crisis or a public safety concern? (i.e. Mayor, Local RCMP Detachment Commander, Policing Committee Chair)				
OM 5.1 Policing Committee planning By way of a plan, the policing committee may set priorities for themselves, and should: <ol style="list-style-type: none"> Establish goals and objectives for the policing committee; and Communicate those goals and objectives to Municipal Council, the Detachment Commander and the public 				
OM 5.2 Policing Committee reporting The policing committee should have a mechanism in place for the annual reporting of achievements to its stakeholders. The policing committee should produce an annual report of its activities and accomplishments relating to the goals in its plan.				
NOTES:				

Extra Notes (if required):

Previously Distributed



CITY COUNCIL AGENDA REPORT

Subject: COUNCIL MOTION – POLICING COMMITTEE

On February 22, 2016 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that he intended to bring forward the following motion:

In order for Council to debate the motion, the motion must be formally moved.

(Councillor Russell)

“That City Council establish an RCMP Policing Committee.”

Attachments:

1. Administrative Backgrounder
2. Previously Distributed Administrative Backgrounder

Appendix A - Terms of Reference

Appendix B - Termination of the Community Advisory Committee Letter

Appendix C – Alberta RCMP Policing Committee Handbook

Legislative Services

B. Gaskarth, Legislative Officer

City Manager Signature:

Date:

Administrative Backgrounder Policing Committee

On February 22, 2016 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that he intended to bring forward the following motion:

In order for Council to debate the motion, the motion must be formally moved.

(Councillor Russell)

“That City Council establish an RCMP Policing Committee.”

BACKGROUND:

On September 21, 2015 Councillor Russell provided a notice of motion that's stated “That Council Reinstate the Policing Committee”.

On October 5, 2015, Councillor Russell postponed his motion to allow time to further collect information.

On October 19, 2015 Councillor Russell gave notice that he would like to revise his motion as follows: “That Council establish a Policing Committee.”

On November 2, 2015 Councillor Russell requested that this matter be postponed to December 7, 2015.

On November 10, 2015, Council Russell advised that he would not be proceeding with his motion.

Administration has attached the previously distributed background information related to the establishment of a formal Policing Committee in St Albert which includes the estimated impacts and costs and can confirm that the information contained in the backgrounder is still accurate and up to date.

Report Date	April 18, 2016
Committee/Department	Policing Services
General Manager Review (Electronic Initials)	Chris Jardine

Administrative Backgrounder Policing Committee

On September 21, 2015 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that he intended to bring forward the following motion:

(Councillor Russell)

That Council reinstate the Policing Committee.

On October 19, 2015 Councillor Russell gave notice that he would like to revise his motion as follows:

In order for Council to debate the motion, the motion must be formally moved.

“That Council establish a Policing Committee.”

BACKGROUND:

History

Throughout the years of 1997 and 1999, City Council debated motions at the time relative to the establishment of a formal Policing Committee and ultimately Council of the day defeated it.

Up until 2015, there was a “RCMP Community Advisory Committee” which was a community based committee that was formed in 1992 to advise the St. Albert RCMP Detachment Commander on community interests, concerns, and trends in relation to policing, social, safety, security and crime prevention issues. This committee was formed under the authority of, and in control of, the RCMP. It was not a City or Council Committee, although Council did always designate one Councillor to sit on the committee to represent Council. The latest Terms of Reference for the Detachment Commanders Advisory committee have been attached for information (Appendix A).

In March of 2015, the Detachment Commander of the day, Inspector Kevin Murray, after consultation with the City Council representative as well as the existing committee members, made the decision to terminate the committee because it was not fulfilling its mandate to “advise the Detachment Commander”. The termination supported article 2.0 of the Municipal Policing Agreement with respect to the effective and efficient delivery of Policing Services. In addition, the “Strategy and Mobilization (SAM) Committee” had since been formed and was bringing in some of the key stakeholders on a much timelier basis, as well as

providing the Detachment Commander with the important feedback on policing matters. This was in essence filling the need. A copy of the letter explaining the termination of this committee has been attached (Appendix B).

Options and Implications

1. Pass the motion which directs Administration to establish a formal Policing Committee.

According to the Alberta Police Act, a municipality which has a contract for the RCMP to provide municipal policing **may** establish a formal Policing Committee which would be comparable to a Policing Commission that the City of Edmonton or City of Calgary would have.

The Alberta Solicitor General in partnership with the Alberta Association of Police Governance has assembled a handbook that explains a Policing Committee in detail. It has been attached as Appendix C to this report, as provided by Councillor Russell.

A formal Policing Committee would:

- be established by Council
- represent Council to the Police service and vice versa
- appoint a Public Complaints Director
- oversee the Municipal Policing Agreement (RCMP Contract)
- in consultation with Officer in Charge, develop a yearly plan of priorities and strategies for municipal policing
- represent the interests of Council to the Officer in Charge
- represent the interests and concerns of the public to the Officer in Charge
- assist in the selection of the Officer in Charge.

A Policing Committee would not oversee the daily operations of the Police Service. This is the responsibility of the Detachment Commander; however it would place Council and Administration at arm's length from the RCMP.

Civilian oversight in the context of a contract for RCMP Municipal policing is much more complex than a stand-alone police service. The RCMP is bound by federal legislation and policies. Because of this, there does not seem to be any legal requirement (through Federal legislation or through the Municipal Policing Agreements) for the RCMP or Officer in Charge to consult with a formal Policing Committee on either general administration or complaint issues. However, Administration has been made aware that the Province of Alberta and the RCMP have a working protocol for Municipalities who wish to establish a formal Policing Committee.

City Administration has been advised by the Solicitor General that there are currently only two (2) municipalities (Fort Saskatchewan and Canmore) in Alberta that are running a formal "Policing Committee". Moving St. Albert in this direction would require considerable administrative time to establish such a committee.

Without doing any further research on this matter, Administration believes it would take no less than one new full-time employee to be able to coordinate and maintain this type of formal committee.

If this motion is passed, Administration would require all of 2016 to have discussions with the RCMP and the Solicitor General and to better understand resource requirements. Administration would bring back a Bylaw for Council consideration to establish the Committee in the year 2017.

2. Direct Administration to work with the RCMP to re-establish an Advisory Committee

The Solicitor General has advised that some municipalities have elected to establish an advisory committee through the passing of a Bylaw or Terms of Reference. This would be similar to the Advisory Committee that was terminated by the previous Detachment Commander; however in this case, it would be an expressed desire of Council that such a committee exist and would only be able to be terminated if Council elected to do so. The Solicitor General has advised that these types of committees that have the following objectives are typically established in municipalities that are governed by Provincial Policing Agreements.

- Identify the issues, projects, or events that may be occurring in the community.
- Provide suggestions, ideas or information that will help address issues or that will support upcoming projects or events.
- Bring the community's policing priorities to the attention of the RCMP and work with them to resolve such concerns.
- Share issues raised by the RCMP with the community, should the need arise.
- Assist in developing community policing objectives, priorities and goals and collaborate on any special projects or community events.
- Offer advice regarding gaps in policing services or identify specific policing requirements.
- Raise issues pertaining to other problems, complaints or priorities identified by the community to the RCMP and/or County Council.
- Enhance RCMP officers' cultural sensitivity and awareness, thus fostering greater understanding between community members and police officers.
- Encourage other service providers in your community to have a collaborative approach to policing and public safety. Such as: health care

support agencies, victim services, crime prevention agencies, youth and family services, business associations, high school groups, etc.

Some municipalities have also had an advisory committee such as this to advise on Peace Officer/Municipal Enforcement matters.

The Solicitor General has advised Administration that if Council does desire to have a formal advisory committee in place that they, along with an RCMP K division representative, would assist in establishing one and could meet with Council discuss the various options if desired.

If Council were to desire this type of advisory committee to be established the following motion is recommended, "That Administration work with the RCMP and the Solicitor General on the establishment of an Advisory Committee and bring back a Bylaw or Terms of Reference as appropriate for Council consideration".

Administration would require 2016 to work on this with implementation target in 2017. This type of committee would have less resource implications but may still require a small budget and resources dedicated towards meeting coordination.

3. Defeat the Motion

If the motion is defeated, the Detachment Commander will continue to consult and communicate directly with Council, as per the Municipal Policing Agreement, and will continue to gather information and feedback on policing matters through various methods including the City Council, the Strategy and Mobilization Committee, City Administration, internal resources, outside agencies, residents and other community groups as needed.

Appendix A - Terms of Reference

Appendix B - Termination of the Community Advisory Committee Letter

Appendix C – Alberta RCMP Policing Committee Handbook

Report Date	November 2, 2015
Committee/Department	Policing Services
General Manager Review	Chris Jardine

ST. ALBERT RCMP COMMUNITY ADVISORY COMMITTEE

TERMS OF REFERENCE

November 2012

1) Definitions

- a) CAC refers to the St. Albert RCMP Community Advisory Committee.
- b) City refers to the City of St. Albert.
- c) Officer in Charge refers to the Detachment Commander of the St. Albert RCMP Detachment.

2) Background

The Community Advisory Committee was formed in November 1992, and since that time, has advised the St. Albert RCMP Detachment on policing concerns of the community in terms of social, safety, security, and crime prevention. The CAC has also assisted and supported several crime prevention programs within the community. In 2005, with the support of the members of the CAC and City of St. Albert, the Officer in Charge initiated a review of the terms of Reference for the CAC to determine and articulate its mandate, role, and relationship to the St. Albert RCMP Detachment and community.

3) Type of Committee

The role of the CAC is advisory only.

4) Mandate

- a) The CAC advises the St. Albert RCMP Detachment on community interests, concerns, and trends in relation to policing, social, safety, security, and crime prevention issues in order to create a safer community.

5) Authority for Establishment

The RCMP and the City of St. Albert City Council recognize that community input is an integral part of policing in each community; and therefore the Officer in Charge of the St. Albert RCMP Detachment has the authority to establish a Community Advisory Committee as part of his/her duties given to him/her through the regulations of the RCMP.

6) Roles and Responsibilities

- a) The CAC will provide advice to the Officer in Charge of the St. Albert RCMP on concerns, pressures, trends, and possible solutions in the St. Albert community in relation to policing, social, safety, security, and crime prevention issues.
- b) The CAC will actively seek perspectives and opinions from citizens and organizations in St. Albert on the above issues and convey to the Officer in Charge.

7) Actions by CAC

In relation to community policing, social, safety, security, and crime prevention issues, CAC members:

- a) Will provide personal and individual opinions on topics identified by the Officer in Charge and presented to the CAC for its input,

- b) Will obtain information and feedback from the organization, demographic group, or community sector that they represent regarding policing interests and concerns, and convey to Officer in Charge,
- c) Will obtain input on policing interests and concerns from the citizens of St. Albert and convey to Officer in Charge,
- d) May advise the Officer in Charge on yearly plan of strategies and priorities for municipal policing,
- e) May advise the Officer in Charge regarding the implementation and operation of the yearly plan,
- f) May use a variety of methods to gather information on policing topics from the citizens of St. Albert. Methods may include but are not limited to individual conversations, meetings with affected and interested groups, door knocking, surveys, and public meetings. The CAC members will inform the Officer in Charge of the methods to be used in each situation.

8) Membership

The Community Advisory Committee consists of twelve (12) volunteer members who are residents of the City of St. Albert. The composition of the CAC should reflect the St. Albert community in terms of age, ethnicity, gender, socio-economic status, and business and non-profit sectors. Composition will include the following members:

- a) 1 City Councillor appointed by the City of St. Albert Council
- b) 1 representative of the Ministerial Association
- c) 1 Representative of the Greater St. Albert Catholic Separate School District No. 734
- d) 1 Representative of the St. Albert Public School District No. 5565
- e) 1 Representative of the Regional Authority of the Greater North Central Francophone Education Region No. 2
- f) 1 representative of Social Service Organizations
- g) 1 representative of the St. Albert Chamber of Commerce
- h) 1 representative of the Perron Street Business Association (St. Albert)
- i) 1 representative of the 50 + Club
- j) 1 representative of the St. Albert Community Services Advisory Board
- k) 2 representatives of the Public-At-Large
- l) A member of the RCMP Detachment
- m) RCMP Detachment Commander (Officer in Charge)
- n) 1 representative of the Youth Justice Committee

9) Alternate Members

- a) Organizations may pre-designate an alternate member to serve on the CAC, in the event that the appointed member is not able to attend a meeting. Such appointments will be communicated to the Officer in Charge, and are subject to security clearance requirements.
- b) The Officer in Charge will communicate only with the primary representative who, in turn, is responsible to communicate with the alternate member.

10) Appointment of Members

- a) The City Councillor will be appointed annually by the City of St. Albert Council.

- b) If the representative of a school board is a school trustee, the representative will be appointed annually by its board.
- c) Representatives of community organizations will be appointed by the following process:
 - i) A written request will be submitted by the Officer in Charge to the president or chair of the organization.
 - ii) The organization will select and appoint the representative, and advise the Officer in Charge of the representative.
- d) Public-at-large representatives will be appointed by the following process:
 - i) The City will include a request for interest in service on the CAC in the annual advertisement for public representation on City Committees.
 - ii) The RCMP Officer in Charge will interview and select representatives, and may request other RCMP members or a City representative to assist with the interviews.
- e) Representative from social service organizations
 - i) The Officer in Charge will consult with the Director of Family and Community Support Services of the City of St. Albert, in the Province of Alberta, to identify appropriate individuals, and will appoint a representative.

11) Terms of Appointment

- a) Members will serve for a term of two (2) years. Members have the option to resign at any time by written communication to the Officer in Charge and Chair of the CAC.
- b) The Councillor's appointment to the CAC terminates on that person ceasing to be a member of the City of St. Albert Council.
- c) Should the representative appointed by a School Board be a school trustee, then that representative's appointment to the CAC terminates on that person ceasing to be a member of the School Board.
- d) A member is subject to termination from serving on the CAC if the member has been absent from three (3) consecutive CAC meetings, without prior valid explanation conveyed to the Officer in Charge or RCMP Liaison.

12) Meetings

- a) Meetings will be held on the first Thursday of months Feb, May, Sept and Nov.
- b) Agendas for meetings will be prepared by the CAC Chair or the Officer in Charge. Topics for CAC meetings will be placed on the agenda by the RCMP through the Officer in Charge and by CAC members through the Chair.

13) Voting

- a) The CAC is not required to reach decisions by consensus or majority vote, as members are responsible to provide personal and individual opinions, and to convey opinions from community organizations and St. Albert citizens.

14) Executive

- a) At the November meeting each year, the CAC will elect from amongst its members, an executive consisting of a Chair and Vice-Chair.
- b) The Chair will:
 - i) Call CAC meetings in consultation with the Officer in Charge,
 - ii) Prepare agendas in consultation with the Officer in Charge,

- iii) Preside over the CAC meetings,
 - iv) Facilitate discussion at CAC meetings,
 - v) Discuss the input, decisions, and functioning of the CAC with the RCMP Liaison and Officer in Charge as required, and
 - vi) Be the official representative, as required, of the CAC.
- c) The Vice-Chair will act as Chair whenever the Chair is absent.

15) Recording Secretary

- a) The Officer in Charge will be responsible for identifying and providing a Recording Secretary who is not a member of the CAC.
- b) The Recording Secretary will attend all meetings of the CAC and record the minutes.

16) Remuneration and Expenses

- a) Members of the CAC will not receive remuneration for service on the CAC.
- b) Members of the CAC may be provided funds, or reimbursed for expenses incurred, to implement public information gathering activities, if such activities and expenses have prior authorization from the Officer in Charge.

17) Relationship of the CAC to the Officer in Charge

- a) The Officer in Charge has the authority to appoint and terminate the CAC.
- b) The CAC's primary function is to provide advice on policing interests and concerns, from a community perspective, to the Officer in Charge.
- c) Any requests for advice from the CAC by any member of the St. Albert RCMP Detachment will be authorized by the Officer in Charge.
- d) The Officer in Charge will provide responses to the CAC on actions taken in response to their input on policing interests and concerns.
- e) The Officer in Charge is responsible to validate concerns and take appropriate action regarding the conduct and suitability of a member of the CAC. The Officer in Charge may consult with, or advise the organization that appointed the CAC member, about the action, dependent on the nature of the concerns.
- f) The Officer in Charge will be responsible for the final decision on the termination of a member of the CAC, except for the Council member appointed by the City.
- g) The Officer in Charge is responsible to validate concerns and take appropriate action regarding the conduct and suitability of the RCMP Liaison and the recording secretary.

18) Relationship of the CAC to the City of St. Albert

- a) The City will appoint a member of Council to the CAC.
- b) City Administration may obtain advice from the CAC on a policing matter, subject to prior authorization from the Officer in Charge.

19) Amendment to the Terms of Reference

- a) The Officer in Charge may amend the Terms of Reference for the CAC in consultation with the current members of the CAC.



Royal Canadian Gendarmerie royale
Mounted Police du Canada

Security Classification/Designation

Non-sensitive

Insp. Kevin MURRAY, Officer in Charge
St. Albert RCMP Detachment
96 Bellerose Drive
St. Albert, AB
T8N 7A4

Your File

Mayor and Council
City of St. Albert

Our File

2015-03-16

To Mayor and Council,

Termination of the Community Advisory Committee (CAC)

Since my arrival at St. Albert Detachment in April 2012, I have been hosting quarterly Community Advisory Committee meetings. During that time, I have observed that the committee has not been fulfilling the mandate as described within the Terms of Reference. The mandate is to "advise the St. Albert RCMP Detachment on community interests, concerns, and trends in relation to policing, social, safety, security and crime prevention issues in order to create a safer community." The common theme of each meeting was that the group came together for the purpose of *receiving* an update from the RCMP with respect to policing activities undertaken within the community, rather than providing input. Over the past three years, I have provided gentle reminders on the spirit and intent of the committee. Recently I met with Council Representative Tim Osborne to discuss my observations and concerns with the committee. It was determined that a committee review of the Terms of Reference was necessary to refocus efforts and purpose.

On March 12th, 2015, I hosted the CAC meeting at the detachment. The participants, including Councillor Tim OSBORNE, were advised ahead of time that the sole agenda item for the meeting was to review the Terms of Reference. At the meeting I read through the Terms of Reference which include multiple references to the committee *providing advice* to the Officer in Charge. A healthy discussion with all participants led to some key observations on what has changed since the inception of the committee, which has led to a perception of redundancy. Most notably, there has been a significant change in technology which has provided multiple mediums for engaging the community on policing matters. Also, specific to St. Albert, was the creation of the Strategy and Mobilization (SAM) Committee several years ago that brought together many of the key stakeholders represented at the CAC meetings. SAM meetings are held monthly providing a more timely source of feedback on policing issues. Additionally, there were stakeholders identified for CAC that were inherently unable to provide a representative. This resulted in the Officer in Charge finding other ways of engaging that particular group.

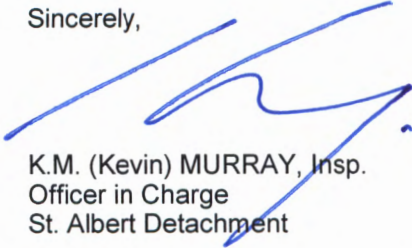
At the conclusion of the meeting, based on an inability of the committee to find fulsome reasoning for the continuation of the committee, I made the decision to terminate the CAC at this time. I remain committed to a periodic review of the stakeholder landscape to ensure that the St. Albert RCMP is receiving appropriate and necessary feedback to align its policing activities with the priorities of the community.

Non-sensitive

As you know, this decision was communicated to Mayor and Council by Councillor OSBORNE at the most recent Council meeting ,dated March 16th, 2015, during the Annual Performance Plan feedback session.

I remain committed to open, honest and transparent communication with all partners and stakeholders within the City of St. Albert.

Sincerely,



K.M. (Kevin) MURRAY, Insp.
Officer in Charge
St. Albert Detachment

cc: C/Supt. Lesley BAIN, District Officer, Central Alberta District
Chris JARDINE, General Manager, Community and Protective Services, City of St. Albert
Aaron GIESBRECHT, Municipal Manager, Policing Services, City of St. Albert

Previously Distributed

Alberta RCMP Policing Committee Handbook

The Ministry of Justice & Solicitor General (JSG), in partnership with the Alberta Association of Police Governance (AAPG), has assembled this handbook in order to assist you in your new role on the local RCMP policing committee. Thank you for accepting the appointment to the committee; we appreciate the interest and commitment you have shown by undertaking this role on behalf of your community. Committee members who follow the advice in this handbook can be assured that they are successfully meeting their responsibilities to the community.

Introduction

Effective policing in your community hinges on the maintenance of a proper balance between the independence and authority of the RCMP and accountability to the public and civilian authority. The role of the policing committee is to help maintain that balance by:

- Improving community input and guidance
- Assisting in dealing with local complaints and concerns
- Increasing transparency regarding the operations of the RCMP in the community
- Removing the pressures associated with the appearance (perception or reality) of political interference

In Alberta, urban municipalities with populations of more than 5,000 persons must provide for their own municipal policing. In this respect, they have the option of contracting with Canada for the services of the RCMP. If a municipality chooses to contract its municipal service as the RCMP, it signs a Municipal Police Service Agreement (MPSA) with the federal government, which provides the services of the RCMP. Under this agreement, the cost of policing is shared between the municipality and the federal government (70/30 percent respectively, until a population threshold of 15,000 is reached at which point the cost share moves to 90/10). The operations of the RCMP are governed by the *RCMP Act* and are subject to the contractual agreements between the various levels of government.

Policing committees do have a voice and a responsibility to represent their communities, and many have established excellent working relationships with local RCMP Detachments and their staff. These efforts are to be commended and encouraged.

1. Participate in the *Roles and Responsibilities of Policing Oversight Committee Members* Training

JSG offers orientation training, at no cost, that covers the key duties of committee members and encourage all new members to attend within the first year of tenure. The training highlights:

- the history of governance and oversight in Canada;
- a governance model;
- the roles and responsibilities of a policing committee and its members;
- an overview of policing in the province; and
- a review of key legislation influencing the policing committee.

Costs to the participant for orientation training are travel, accommodation and meals which may be covered by your policing committee. This learning opportunity will be advertised in the AAPG newsletter and the quarterly newsletter from JSG. For additional information contact the Manager of Policing Oversight and Funding Programs with JSG. Contact information is provided at the end of this handbook.

2. Review the Alberta *Police Act* and your local Policing Committee Bylaw

Sections 23(14) and 28.1(1-3) of Alberta's *Police Act* refer to policing committees (see key sections in Appendix A). The policing committee shall, with respect to the municipality for which it is established:

- (a) oversee the administration of the municipal police service agreement made with the federal government for services from the RCMP;
- (b) assist in selecting the officer in charge (OIC)¹;
- (c) represent the interests of the council to the OIC;
- (d) in consultation with the OIC, develop a yearly plan of priorities and strategies for municipal policing;
- (e) issue instructions to the OIC respecting the implementation and operation of the yearly plan²;
- (f) represent the interests and concerns of the public to the OIC;
- (g) assist the OIC in resolving public complaints; and
- (h) appoint a Public Complaint Director.

Note: As long as a policing committee and its members act according to their legislated authority, municipal council will indemnify the policing committee.

The *Police Act* states that a council that establishes a policing committee shall prescribe the rules governing its operation, as well as select and appoint its members. The process generally used to establish the policing committee is for council to move or resolve to form a policing committee. The resolution is then enacted by creating a corresponding bylaw. The bylaw must be in accordance with the *Police Act* and will be tailored to the individual nature of the municipality. A policing committee policy manual will further establish the "rules" by which the policing committee operates.

Note: While the *Police Act* pertains strictly to policing, some policing committees also work with municipal enforcement or peace officers. The formal or informal reporting

¹ OIC refers to the Officer in Charge of the municipal RCMP Detachment. This individual could be a non-commissioned officer (a sergeant or staff sergeant) or a commissioned officer (inspector or superintendent). Currently, municipalities can participate in structured interviews for municipal detachment commanders at the staff sergeant level. The municipal must request interviews and have the discretion to appoint a panel member.

² "Issue instructions" refers to the ability for policing committees to work collaboratively with the OIC on the yearly plan. The manner in which day to day operations of a detachment are conducted remains the responsibility of the OIC of the police service.

relationship between the committee and municipal enforcement should be clarified for the benefit of all parties in the bylaw. For example, does the committee have the authority to provide direction to the peace officers or do they report through the CAO? Even if municipal enforcement does not report through the policing committee, it can be valuable to include municipal enforcement in the strategic planning process. It can also be useful to determine exactly what information the committee would like to receive from municipal enforcement in order to better understand the broader law enforcement dynamic, the interaction between agencies, and the best use of law enforcement resources within its community.

3. Create and Continually Update your Policing Committee Policy Manual

Every policing committee should have a policy manual that delineates the general structure and function of the organization. Such policy will help ensure the committee is operating in an ethical, informed, transparent and timely manner.

A sample policy manual template has been developed by JSG and is available electronically upon request. The policy manual will clarify such things as:

- Selection and appointment of policing committee members;
- Policing committee responsibilities;
- How and when policy should be reviewed;
- Expected policing committee member conduct;
- Dealing with conflict of interest;
- How the committee works to orient and train new members;
- Roles and responsibilities of the Chair and Vice-Chair;
- Role of the local Public Complaint Director and the role of the committee regarding complaints against the police;
- The nature and frequency of committee meetings and who attends;
- How information is communicated internally and externally; and
- The expectations of the Policing Committee's Annual Plan.

Committee members are advised to pay attention to the sections on behavioral expectations for committee members and conflict of interest (see Appendix B).

4. Represent the Interests of the Community

In order for a policing committee to perform its function effectively, it must continually represent the interests of the community. Committee members must ensure that the community is at the heart of the mission, vision and values of your policing committee and any action proposed or undertaken. To this end, committee members must create as many opportunities as possible for two-way communication with a cross-section of the community they represent. There are many ways to accomplish this, such as:

- Policing committee meetings advertised and open to the public;
- Private and published mailing address and phone number;
- Contact information for the Chair and the Public Complaint Director;
- Members representing the policing committee at public/community events;

- Information pamphlets on policing priorities and the public complaint process;
- Citizen surveys; and
- Hosting or sponsoring community events related to public safety.

✖ 5. Contribute to the RCMP Annual Plans and Priorities Document

As directed by the Municipal Police Service Agreement, the Chief Executive Officer (Mayor or other head of the municipality, however designated) may set objectives, priorities and goals for the Municipal Police Service which are not inconsistent with those of the provincial Minister for policing in the Province. Where a policing committee has been established, it will work with the officer in charge (OIC) to determine the annual plans and priorities for policing in the community. The Chair of the policing committee together with the OIC presents the annual plans and priorities to mayor and council.

Good governance has been described as “nose in / fingers out”, meaning that it is appropriate for committee members to seek answers to questions about how well police are serving the community while leaving the day-to-day management of the police service to the OIC.

The annual planning process should be collaborative between the policing committee and the RCMP Detachment. This provides more structure and focus to the expectations of both. It also allows for future planning (i.e. industrial expansion) and provides a vehicle for evaluation. The following are examples of the types of governance questions that could be a part of developing and reviewing the police service annual plan and priorities for policing:

- Does the annual plan serve the community well?
- What more does the community need from police?
- What are the community policing strengths, weaknesses, opportunities, threats?
- Was the previous annual plan followed; were targets met and, if not, why not?
- What systemic management or personnel issues need to be addressed?
- What other resources does the OIC require?
- How well is the OIC collaborating with other agencies in order to get best results for the community?
- What efficiencies can be achieved, e.g. through technology, contracting services, training?
- What urgent needs have arisen that were not considered in the budget?
- How can the community tap into other resources for policing, e.g. grants for crime prevention?
- What has the OIC done to identify, assess, prioritize, manage, and monitor risk?
- What resources does the OIC need in order to better manage risk in the future?

6. Prepare and Review the Policing Committee Annual Plan

Similar to the police service annual plan, policing committees should prepare a plan outlining their own activities and objectives for the year. As the policing committee is responsible to the public, the policing committee's annual plan must be created with input from its stakeholders and the committee must report at least annually to the public on the committee's progress and achievements as set out in the annual plan.

7. Be Prepared for and Participate in Committee Meetings

In order to meet legislated responsibilities, a committee must meet regularly on its own, with the OIC, and with other stakeholders to address issues and/or priorities related to policing in the community.

For regular meetings, pre-reading material should be sent to members well in advance of committee meetings in order for members to be prepared to discuss the information during the meeting. As a result of informed discussion, a committee will then determine what course of action is appropriate in order to accomplish its goals and then take steps to effect those goals.

Effective policing committees will meet with council and other community leaders, police agencies, peace officers, and special interest groups, and will garner perspective by reviewing research, reports from police, reports from external agencies, benchmarking with other municipalities, and surveys.

8. Appoint and Support a Public Complaint Director

Two of the committee responsibilities set out in the *Police Act* are to appoint a Public Complaint Director (PCD) and to assist the OIC in resolving public complaints.

Before appointing a PCD, the committee should consider how their PCD can best serve the community and what skills and training the PCD needs in order to perform that function well.

Note: JSG provides PCD-specific training as well as PCD meetings at least twice a year to share experiences, best practices, etc.

The PCD is best served by an independent citizen, however, it may be a municipal employee whose role is limited to providing an avenue of information for the public regarding the process of filing a complaint against the police service. If comfortable in the role and with the support of the OIC, the PCD could informally resolve complaints that are at the low end of the spectrum.

As many small communities receive a low number of complaints, these communities may wish to consider appointing a regional PCD that serves more than one community, (*Police Act* Section 28.2)

Once a PCD is appointed, the committee will also need to consider a communications plan – informing the public on the role of the PCD and how to file a complaint against the police service.

Committees should receive regular reports from the PCD on the number of complaints received (identifying/personal information may not be shared with the committee due to confidentiality) and what trends, if any, are being observed from these complaints.

With respect to very minor complaints that can be resolved informally, the committee should discuss with the OIC what was learned in the complaints process. For complaints that must be referred to the Commission for Public Complaints about the RCMP, the PCD should follow-up on the result of the investigation and report to the committee on how it was resolved. For all complaints, the committee may request the OIC determine what systemic problems, if any, were identified and prepare a plan to correct those problems, as appropriate.

9. Seek out More and Relevant Information

- Read up on board governance to become a more effective committee member
- Read your RCMP Municipal Police Service Agreement
- Talk to policing committee members in other communities
- Talk to members of your community
- Visit recommended websites regarding governance, oversight and the RCMP
 - https://www.solgps.alberta.ca/programs_and_services/public_security/law_enforcement_oversight/policing_oversight_complaints/Pages/default.aspx
 - <http://www.cacole.ca/home-accueil-eng.shtml>
 - <http://www.capb.ca/Home>
 - <http://www.nacole.org/>
- Stay in tune with local/provincial news reports regarding policing incidents
- Review *the Alberta Police Act*
 - <http://www.canlii.org/en/ab/laws/stat/rsa-2000-c-p-17/latest/rsa-2000-c-p-17.html>
- Look at the *RCMP Act*
 - <http://laws.justice.gc.ca/en/R-10/index.html>
- Review the Solicitor General and Public Security website
 - <http://justice.alberta.ca/jsgr/Pages/default.aspx>

10. Attend Additional Training and Events

- Become a member of and participate in the Alberta Association of Police Governance
 - <http://www.aapg.ca/AAPG/Home.html>
 - Attend the annual AGM and Conference held each spring
 - Become involved in the direction of the provincial organization
 - Submit one or more resolution for consideration

- Seek out other training opportunities
 - Suggest training topics to JSG and AAPG
 - Watch for training announcements in AAPG and JSG newsletters
 - Seek relevant training in the community (e.g. Community Spirit Volunteer Sessions, tour the RCMP detachment and local court)

Contact Information

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Policing Oversight and Funding Programs
Public Security Division
Justice and Solicitor General
780-415-8333 (office)
lesley.kelly@gov.ab.ca

Jennifer Freund
Executive Director
Alberta Association of Police Governance
587-888-0386
admin@aapg.ca

Previously Distributed

Text of Legislative File AR-16-244

TAMRIMS#: B06

Policing Committee Update Report

Presented by: Aaron Giesbrecht, Manager

..label

RECOMMENDATION(S)

That Administration use the guiding principles as outlined in the October 17, 2016 agenda report entitled "Policing Committee Update Report", when drafting the Policing Committee Bylaw for Council consideration.

PURPOSE OF REPORT

Council passed a motion for Administration to begin work on a Bylaw or Terms of Reference for the establishment of a formal Policing Committee and this report is being presented to share the guiding principles that will be used to draft the Bylaw and help clarify the role of such a committee. It is also intended to outline a number of the mandatory requirements, provisions and resource implications that are associated to ensure that the work being done is inline with Council's desire and direction.

COUNCIL DIRECTION

On April 18, 2016 Council passed the following motion:

(C236-2016)

That Administration work with the RCMP and the Solicitor General on the establishment of a Policing Committee and bring back a Bylaw or Terms of Reference as appropriate for Council Consideration.

BACKGROUND AND DISCUSSION

On April 18, 2016 Council received background information related to a Council motion on the establishment of a policing committee. This previously distributed background information has been attached.

In essence Council had 3 main options for decision. They were:

1. Direct that work begins on a formal Policing Committee pursuant to Section 23 of the Alberta Police Act;
2. Direct that work begins on the re-establishment of an informal Advisory Committee; or
3. Do nothing and remain status quo in relation to the Administration and public

engagement related to policing matters.

Council passed a motion for Administration to begin work on a Bylaw or Terms of Reference for the establishment of a formal Policing Committee and this report outlines the guiding principles and provisions for the future work.

In 2012 the City signed a Municipal Policing Agreement with Public Safety Canada establishing that the Royal Canadian Mounted Police (RCMP) would be the Municipal Police service for the community.

When the City entered into the Municipal Policing Agreement it agreed on a number of provisions. Two key provisions in the agreement that are linked to Council's debate on this matter are:

1. *"6.1 The CEO may set the objectives, priorities and goals of the Municipal Police Service which are not inconsistent with those of the Provincial Minister and document those objectives, priorities and goals no more frequently than annually, and in concert with the annual RCMP planning cycle."* (CEO means the elected head of the municipality).
2. *"6.2 The internal management of the Municipal Police Service, including its administration and the determination and application of professional police standards and procedures, will remain under the control of Canada."*

In 2015 City Council updated its Policing Services Policy that is linked to the Municipal Policing Agreement and sets out how the policing objectives, priorities and goals are established through the RCMP Annual Performance Plan process.

The administration of the Municipal Policing agreement is currently coordinated by City Administration working collaboratively with the RCMP Officer in Charge while reporting and communicating to Council in accordance with the Council Policing Services Policy.

Section 23 of the Alberta Police Act states that if a municipality chooses to establish a formal Policing Committee it is legislatively mandated to follow very specific regulations. The establishment of a Policing Committee would essentially delegate a number of the Council authorities related to the Municipal Policing Agreement to the new Policing Committee. Some of the key sections of the Alberta Police Act are summarized in the attachment titled Alberta Police Act Excerpts. It must be noted though that the Police Act can not be interpreted on its own without taking the Municipal Policing Agreement into consideration. In some cases this can cause misunderstandings on roles and authorities.

The Police Act, the Municipal Policing Agreement as well as the Alberta Solicitor General Policing Committee guidelines and sample Policy manual has been used to help form the below guiding principles/provisions for the Policing Committee Bylaw.

Policing Committee Guiding Principles/Provisions for Draft Bylaw

1. Overall purpose and role of a Committee is to maintain a proper balance between the independence and authority of the RCMP and accountability to the community and civilian authority through community input, increased transparency regarding RCMP operations, removal of the political interference perceptions and assistance with dealing with local complaints.

Discretionary, however this is the overall purpose of committees as communicated by the Alberta Solicitor General.

2. Committee shall oversee the administration of the Municipal Policing Agreement.

Mandatory - Sec 23(14)(a) of the Police Act

3. Committee will replace Council's current role in communicating with the RCMP and shall represent the interests of Council directly to the RCMP Officer in Charge.

Mandatory - Sec 23(14)(c) of the Police Act

4. Committee shall consult with the RCMP Officer in Charge to develop and implement an annual plan of priorities and strategies.

Mandatory - Sec 23(14)(d)/(e) of the Police Act

5. Committee shall represent the interests and concerns of the public to the RCMP Officer in Charge.

Mandatory - Sec 23(14)(f) of the Police Act

6. Committee shall appoint a Public Complaints Director and assist the RCMP Officer in Charge in resolving complaints.

**Notwithstanding complaints made against members of the RCMP shall be resolved in accordance with the Federal laws governing complaints and discipline within the RCMP.

Mandatory - Sec 23(14)(g)/(h) and 49 of the Police Act

7. Committee will assist in the selection of the RCMP Officer in Charge.

Mandatory - Sec 23(14)(b) of the Police Act

8. Committee membership will be 11, including 1 Councilor and 1 Municipal Employee (Manager of Policing Services).

Police Act section 23(5) mandates a maximum of 12 members and minimum of 3 members. If the Committee is made up of 4 or fewer members, 1 member may be a councilor or employee. If the Committee is made up of 5 or more members, 2 members

may be a councilor and/or employee.

9. Committee membership shall be limited to 1 member of the public having a law enforcement background.

Discretionary

10. Committee role will only be related to RCMP matters and will not include the other Municipal policing units including the 911 centre and Municipal Enforcement/Community Peace Officers.

Discretionary. Other areas can be included if desired by Council but clear boundaries and authority must be established to ensure that it is in line with the Municipal Government Act and City Manager Bylaw.

11. RCMP Officer in Charge will communicate with the Policing Committee on resource matters including requests for new positions. The Policing Committee and the RCMP Officer in Charge will present these requests to Council for debate and decisions.

Discretionary however - Sec 23(14)(a) and (c) of the Police Act and Article 5 of the Municipal Policing Agreement would imply that resourcing requests should have input from the Policing Committee.

12. Committee will present and report to Council on Policing activities.

Discretionary

Examples of a formal Policing Committee role

Below are some Questions and Answers outlining some real life examples of RCMP operations and what the role of a formal Policing Committee would or would not be.

1. Q: Can a Policing Committee direct the RCMP where to set up or not set up speed/traffic enforcement operations?

A: No. Section 6.2 of the Municipal Policing Agreement is clear that administration and application of police standards and procedures remain under the control of Canada.

2. Q: Can a Policing Committee direct the RCMP how to investigate or handle domestic violence matters?

A: No. Section 6.2 of the Municipal Policing Agreement is clear that administration and application of police standards and procedures remain under the control of Canada.

3. Q: Can a Policing Committee communicate concerns that they have heard from

Council or the community on a speeding problem in a neighbourhood?

A: Yes. Section 23(14)(c) and (f) state that representing the community and Council interests and communicating this to the RCMP Officer in Charge is within their purview. However, they can not direct what the RCMP will do with that information.

4. Q: Can a Policing Committee increase or decrease the service/resource level (approved RCMP members)?

A: No. Article 5 of the Municipal Policing Agreement requires that the Mayor (representing Council) has the authority to increase or decrease the resource level and there is no authority delegated down to the Policing Committee to commit municipal funds to policing resources.

5. Q: Can a Policing Committee perform crime prevention activities such as going door to door providing educational material such as theft or fraud prevention?

A: Yes. There is nothing in law that would prevent this, however this is not the purpose or reason for a Policing Committee's existence and may duplicate similar services provided by the RCMP through volunteer Auxiliary Constables or not for profit organizations like Neighbourhood Watch or Citizens on Patrol.

6. Q: Can a Policing Committee investigate a complaint about a RCMP Officer?

A: No. Although the Police Act requires a public complaints director to be appointed section 49 of the Police Act is clear that complaints made against the RCMP will follow the Federal law that governs it. The role of the Public Complaints director would be to educate the resident and redirect any complaints received to the RCMP Officer in Charge, to the independent Federal Civilian Review and Complaints Commission, or the Alberta Solicitor General. Another role of the public complaints director may be to review the number and types of Public Complaints received and discuss and trends with the Officer in Charge.

7. Q: Can a Policing Committee set the objectives, priorities and goals of the local RCMP Detachment?

A: Yes. This is a function of the committee pursuant to section 23(14)(d) and (e) however Article 6 of the Municipal Policing Agreement also applies and any objectives, priorities and goals can not be inconsistent with those of the Alberta Solicitor General and can not be set more frequently than annually in concert with the normal RCMP planning cycle (Annual Performance Plan).

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

Administration has not done any formal stakeholder communications or engagement on this matter. If the recommendation is passed, Administration would begin work on the draft Bylaw for Council consideration in 2017 at which time public communications

would be increased in order to recruit committee membership. Once the committee is established, it is recommended that the Committee would take the lead on coordinating and planning public communications in relation to their activities

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

The total estimated annual financial impact related to the recommendation is \$50,000. This is made up of:

1. A part-time (.56 fte, 20 hrs/week) administrative support position being established to support the management and coordination of the committee. The estimated annual salary and benefit cost is \$30,000.
2. A \$20,000 annual operating budget for that would pay for costs related to holding and advertising public meetings, distributing information to the public and attend trade fairs, attending Police Committee training and membership in the Alberta Association of Police Governance.

Legal / Risk:

A Policing Committee is not a stand alone not for profit entity and therefore the Municipality is liable for the actions of, and liability incurred by, the Policing Committee.

Program or Service:

There are some benefits to the establishment of a formal Policing Committee, most notably would be an increased public engagement mechanism that could be drawn upon. Because of the way the municipal policing agreement, Council policy on policing as RCMP operations work there is no room for any political inference with RCMP investigations or operations; however this additional layer of civilian oversight could reduce any further perceptions of such.

Through discussion with the Solicitor General and through review of other formal Policing Committee meeting minutes, it is clear that a Policing Committee will require constant maintenance and support for it to be effective and efficient and to ensure that is following the mandated Police Act requirements as well as working within the parameters of the Municipal Policing Agreement.

Organizational:

The establishment of a policing committee will have some impact to the organization that will likely last a few years until such time as corporate processes related to annual department reports, plans, budget requests as well as the Council Policies are adjusted to fit the added layer of civilian oversight. The added work and adjustments that are

required will result in some short term impacts on the Policing department's action planning because of the anticipated time commitments required from the Policing Services Manager to recruit a support position and get the committee started and trained.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

If Council does not wish to support the recommendation, the following alternatives could be considered:

- a) Alternative 1: Direct Administration to stop any further work on a formal Policing Committee and begin work on an Advisory Committee as outlined in Administrative Backgrounder provided to Council on April 18, 2016
- b) Alternative 2. Direct Administration to stop any further work on a formal Policing Committee or Advisory Committee. Administration would then continue to work with the RCMP under the status quo processes as per Council Policy on Policing Services.
- c) Refer the matter back to Administration for further consideration, as per the general discussion held by Council, and direct that a revised report be brought back to Council at a future date.

STRATEGIC CONNECTIONS

- a) City of St. Albert Strategic Plan (Policy C-CG-02)

Pillars of Sustainability

SOCIAL - We are a friendly and inclusive community of passionate equals, where everyone feels a sense of belonging. We believe that community starts with the person next door.

Governance Strategy

Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.

Service Delivery Strategy

Council is committed to ensuring that the City of St. Albert is engaging residents to identify opportunities to improve delivery of services to the community.

- b) Long Term Plans (e.g. MDP, Social Master Plan, Cultural Master Plan, etc.)
 - Policing Services Long Term Department Plan (2014)
- c) Corporate Objectives (See Corporate Business Plan)
 - Deliver programs and services that meet or exceed our standards

- Exercise strong fiscal management
 - Ensure our customers are very satisfied
- d) Council Policies, Bylaws or Federal/Provincial statutes
- Council Policy C-PS-02 Policing Services (2015)
 - Municipal Policing Agreement (2012)
 - Police Act, Alberta
- e) Other Plans or Initiatives (Business Plans, Implementation Strategies, etc.)
- Policing Services Department Action Plan

Report Date: November 28, 2016

Author(s): Aaron Giesbrecht

Committee/Department: Policing Services

General Manager: Chris Jardine

Interim City Manager: C. Jardine

Previously Distributed



CITY COUNCIL AGENDA REPORT

Subject: COUNCIL MOTION – POLICING COMMITTEE

On February 22, 2016 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that he intended to bring forward the following motion:

In order for Council to debate the motion, the motion must be formally moved.

(Councillor Russell)

“That City Council establish an RCMP Policing Committee.”

Attachments:

1. Administrative Backgrounder
2. Previously Distributed Administrative Backgrounder

Appendix A - Terms of Reference

Appendix B - Termination of the Community Advisory Committee Letter

Appendix C – Alberta RCMP Policing Committee Handbook

Legislative Services

B. Gaskarth, Legislative Officer

City Manager Signature:

Date:

Administrative Backgrounder Policing Committee

On February 22, 2016 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that he intended to bring forward the following motion:

In order for Council to debate the motion, the motion must be formally moved.

(Councillor Russell)

“That City Council establish an RCMP Policing Committee.”

BACKGROUND:

On September 21, 2015 Councillor Russell provided a notice of motion that's stated “That Council Reinstate the Policing Committee”.

On October 5, 2015, Councillor Russell postponed his motion to allow time to further collect information.

On October 19, 2015 Councillor Russell gave notice that he would like to revise his motion as follows: “That Council establish a Policing Committee.”

On November 2, 2015 Councillor Russell requested that this matter be postponed to December 7, 2015.

On November 10, 2015, Council Russell advised that he would not be proceeding with his motion.

Administration has attached the previously distributed background information related to the establishment of a formal Policing Committee in St Albert which includes the estimated impacts and costs and can confirm that the information contained in the backgrounder is still accurate and up to date.

Report Date	April 18, 2016
Committee/Department	Policing Services
General Manager Review (Electronic Initials)	Chris Jardine

Administrative Backgrounder Policing Committee

On September 21, 2015 Councillor Russell provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that he intended to bring forward the following motion:

(Councillor Russell)

That Council reinstate the Policing Committee.

On October 19, 2015 Councillor Russell gave notice that he would like to revise his motion as follows:

In order for Council to debate the motion, the motion must be formally moved.

“That Council establish a Policing Committee.”

BACKGROUND:

History

Throughout the years of 1997 and 1999, City Council debated motions at the time relative to the establishment of a formal Policing Committee and ultimately Council of the day defeated it.

Up until 2015, there was a “RCMP Community Advisory Committee” which was a community based committee that was formed in 1992 to advise the St. Albert RCMP Detachment Commander on community interests, concerns, and trends in relation to policing, social, safety, security and crime prevention issues. This committee was formed under the authority of, and in control of, the RCMP. It was not a City or Council Committee, although Council did always designate one Councillor to sit on the committee to represent Council. The latest Terms of Reference for the Detachment Commanders Advisory committee have been attached for information (Appendix A).

In March of 2015, the Detachment Commander of the day, Inspector Kevin Murray, after consultation with the City Council representative as well as the existing committee members, made the decision to terminate the committee because it was not fulfilling its mandate to “advise the Detachment Commander”. The termination supported article 2.0 of the Municipal Policing Agreement with respect to the effective and efficient delivery of Policing Services. In addition, the “Strategy and Mobilization (SAM) Committee” had since been formed and was bringing in some of the key stakeholders on a much timelier basis, as well as

providing the Detachment Commander with the important feedback on policing matters. This was in essence filling the need. A copy of the letter explaining the termination of this committee has been attached (Appendix B).

Options and Implications

1. Pass the motion which directs Administration to establish a formal Policing Committee.

According to the Alberta Police Act, a municipality which has a contract for the RCMP to provide municipal policing **may** establish a formal Policing Committee which would be comparable to a Policing Commission that the City of Edmonton or City of Calgary would have.

The Alberta Solicitor General in partnership with the Alberta Association of Police Governance has assembled a handbook that explains a Policing Committee in detail. It has been attached as Appendix C to this report, as provided by Councillor Russell.

A formal Policing Committee would:

- be established by Council
- represent Council to the Police service and vice versa
- appoint a Public Complaints Director
- oversee the Municipal Policing Agreement (RCMP Contract)
- in consultation with Officer in Charge, develop a yearly plan of priorities and strategies for municipal policing
- represent the interests of Council to the Officer in Charge
- represent the interests and concerns of the public to the Officer in Charge
- assist in the selection of the Officer in Charge.

A Policing Committee would not oversee the daily operations of the Police Service. This is the responsibility of the Detachment Commander; however it would place Council and Administration at arm's length from the RCMP.

Civilian oversight in the context of a contract for RCMP Municipal policing is much more complex than a stand-alone police service. The RCMP is bound by federal legislation and policies. Because of this, there does not seem to be any legal requirement (through Federal legislation or through the Municipal Policing Agreements) for the RCMP or Officer in Charge to consult with a formal Policing Committee on either general administration or complaint issues. However, Administration has been made aware that the Province of Alberta and the RCMP have a working protocol for Municipalities who wish to establish a formal Policing Committee.

City Administration has been advised by the Solicitor General that there are currently only two (2) municipalities (Fort Saskatchewan and Canmore) in Alberta that are running a formal "Policing Committee". Moving St. Albert in this direction would require considerable administrative time to establish such a committee.

Without doing any further research on this matter, Administration believes it would take no less than one new full-time employee to be able to coordinate and maintain this type of formal committee.

If this motion is passed, Administration would require all of 2016 to have discussions with the RCMP and the Solicitor General and to better understand resource requirements. Administration would bring back a Bylaw for Council consideration to establish the Committee in the year 2017.

2. Direct Administration to work with the RCMP to re-establish an Advisory Committee

The Solicitor General has advised that some municipalities have elected to establish an advisory committee through the passing of a Bylaw or Terms of Reference. This would be similar to the Advisory Committee that was terminated by the previous Detachment Commander; however in this case, it would be an expressed desire of Council that such a committee exist and would only be able to be terminated if Council elected to do so. The Solicitor General has advised that these types of committees that have the following objectives are typically established in municipalities that are governed by Provincial Policing Agreements.

- Identify the issues, projects, or events that may be occurring in the community.
- Provide suggestions, ideas or information that will help address issues or that will support upcoming projects or events.
- Bring the community's policing priorities to the attention of the RCMP and work with them to resolve such concerns.
- Share issues raised by the RCMP with the community, should the need arise.
- Assist in developing community policing objectives, priorities and goals and collaborate on any special projects or community events.
- Offer advice regarding gaps in policing services or identify specific policing requirements.
- Raise issues pertaining to other problems, complaints or priorities identified by the community to the RCMP and/or County Council.
- Enhance RCMP officers' cultural sensitivity and awareness, thus fostering greater understanding between community members and police officers.
- Encourage other service providers in your community to have a collaborative approach to policing and public safety. Such as: health care

support agencies, victim services, crime prevention agencies, youth and family services, business associations, high school groups, etc.

Some municipalities have also had an advisory committee such as this to advise on Peace Officer/Municipal Enforcement matters.

The Solicitor General has advised Administration that if Council does desire to have a formal advisory committee in place that they, along with an RCMP K division representative, would assist in establishing one and could meet with Council discuss the various options if desired.

If Council were to desire this type of advisory committee to be established the following motion is recommended, "That Administration work with the RCMP and the Solicitor General on the establishment of an Advisory Committee and bring back a Bylaw or Terms of Reference as appropriate for Council consideration".

Administration would require 2016 to work on this with implementation target in 2017. This type of committee would have less resource implications but may still require a small budget and resources dedicated towards meeting coordination.

3. Defeat the Motion

If the motion is defeated, the Detachment Commander will continue to consult and communicate directly with Council, as per the Municipal Policing Agreement, and will continue to gather information and feedback on policing matters through various methods including the City Council, the Strategy and Mobilization Committee, City Administration, internal resources, outside agencies, residents and other community groups as needed.

Appendix A - Terms of Reference

Appendix B - Termination of the Community Advisory Committee Letter

Appendix C – Alberta RCMP Policing Committee Handbook

Report Date	November 2, 2015
Committee/Department	Policing Services
General Manager Review	Chris Jardine

ST. ALBERT RCMP COMMUNITY ADVISORY COMMITTEE

TERMS OF REFERENCE

November 2012

1) Definitions

- a) CAC refers to the St. Albert RCMP Community Advisory Committee.
- b) City refers to the City of St. Albert.
- c) Officer in Charge refers to the Detachment Commander of the St. Albert RCMP Detachment.

2) Background

The Community Advisory Committee was formed in November 1992, and since that time, has advised the St. Albert RCMP Detachment on policing concerns of the community in terms of social, safety, security, and crime prevention. The CAC has also assisted and supported several crime prevention programs within the community. In 2005, with the support of the members of the CAC and City of St. Albert, the Officer in Charge initiated a review of the terms of Reference for the CAC to determine and articulate its mandate, role, and relationship to the St. Albert RCMP Detachment and community.

3) Type of Committee

The role of the CAC is advisory only.

4) Mandate

- a) The CAC advises the St. Albert RCMP Detachment on community interests, concerns, and trends in relation to policing, social, safety, security, and crime prevention issues in order to create a safer community.

5) Authority for Establishment

The RCMP and the City of St. Albert City Council recognize that community input is an integral part of policing in each community; and therefore the Officer in Charge of the St. Albert RCMP Detachment has the authority to establish a Community Advisory Committee as part of his/her duties given to him/her through the regulations of the RCMP.

6) Roles and Responsibilities

- a) The CAC will provide advice to the Officer in Charge of the St. Albert RCMP on concerns, pressures, trends, and possible solutions in the St. Albert community in relation to policing, social, safety, security, and crime prevention issues.
- b) The CAC will actively seek perspectives and opinions from citizens and organizations in St. Albert on the above issues and convey to the Officer in Charge.

7) Actions by CAC

In relation to community policing, social, safety, security, and crime prevention issues, CAC members:

- a) Will provide personal and individual opinions on topics identified by the Officer in Charge and presented to the CAC for its input,

- b) Will obtain information and feedback from the organization, demographic group, or community sector that they represent regarding policing interests and concerns, and convey to Officer in Charge,
- c) Will obtain input on policing interests and concerns from the citizens of St. Albert and convey to Officer in Charge,
- d) May advise the Officer in Charge on yearly plan of strategies and priorities for municipal policing,
- e) May advise the Officer in Charge regarding the implementation and operation of the yearly plan,
- f) May use a variety of methods to gather information on policing topics from the citizens of St. Albert. Methods may include but are not limited to individual conversations, meetings with affected and interested groups, door knocking, surveys, and public meetings. The CAC members will inform the Officer in Charge of the methods to be used in each situation.

8) Membership

The Community Advisory Committee consists of twelve (12) volunteer members who are residents of the City of St. Albert. The composition of the CAC should reflect the St. Albert community in terms of age, ethnicity, gender, socio-economic status, and business and non-profit sectors. Composition will include the following members:

- a) 1 City Councillor appointed by the City of St. Albert Council
- b) 1 representative of the Ministerial Association
- c) 1 Representative of the Greater St. Albert Catholic Separate School District No. 734
- d) 1 Representative of the St. Albert Public School District No. 5565
- e) 1 Representative of the Regional Authority of the Greater North Central Francophone Education Region No. 2
- f) 1 representative of Social Service Organizations
- g) 1 representative of the St. Albert Chamber of Commerce
- h) 1 representative of the Perron Street Business Association (St. Albert)
- i) 1 representative of the 50 + Club
- j) 1 representative of the St. Albert Community Services Advisory Board
- k) 2 representatives of the Public-At-Large
- l) A member of the RCMP Detachment
- m) RCMP Detachment Commander (Officer in Charge)
- n) 1 representative of the Youth Justice Committee

9) Alternate Members

- a) Organizations may pre-designate an alternate member to serve on the CAC, in the event that the appointed member is not able to attend a meeting. Such appointments will be communicated to the Officer in Charge, and are subject to security clearance requirements.
- b) The Officer in Charge will communicate only with the primary representative who, in turn, is responsible to communicate with the alternate member.

10) Appointment of Members

- a) The City Councillor will be appointed annually by the City of St. Albert Council.

- b) If the representative of a school board is a school trustee, the representative will be appointed annually by its board.
- c) Representatives of community organizations will be appointed by the following process:
 - i) A written request will be submitted by the Officer in Charge to the president or chair of the organization.
 - ii) The organization will select and appoint the representative, and advise the Officer in Charge of the representative.
- d) Public-at-large representatives will be appointed by the following process:
 - i) The City will include a request for interest in service on the CAC in the annual advertisement for public representation on City Committees.
 - ii) The RCMP Officer in Charge will interview and select representatives, and may request other RCMP members or a City representative to assist with the interviews.
- e) Representative from social service organizations
 - i) The Officer in Charge will consult with the Director of Family and Community Support Services of the City of St. Albert, in the Province of Alberta, to identify appropriate individuals, and will appoint a representative.

11) Terms of Appointment

- a) Members will serve for a term of two (2) years. Members have the option to resign at any time by written communication to the Officer in Charge and Chair of the CAC.
- b) The Councillor's appointment to the CAC terminates on that person ceasing to be a member of the City of St. Albert Council.
- c) Should the representative appointed by a School Board be a school trustee, then that representative's appointment to the CAC terminates on that person ceasing to be a member of the School Board.
- d) A member is subject to termination from serving on the CAC if the member has been absent from three (3) consecutive CAC meetings, without prior valid explanation conveyed to the Officer in Charge or RCMP Liaison.

12) Meetings

- a) Meetings will be held on the first Thursday of months Feb, May, Sept and Nov.
- b) Agendas for meetings will be prepared by the CAC Chair or the Officer in Charge. Topics for CAC meetings will be placed on the agenda by the RCMP through the Officer in Charge and by CAC members through the Chair.

13) Voting

- a) The CAC is not required to reach decisions by consensus or majority vote, as members are responsible to provide personal and individual opinions, and to convey opinions from community organizations and St. Albert citizens.

14) Executive

- a) At the November meeting each year, the CAC will elect from amongst its members, an executive consisting of a Chair and Vice-Chair.
- b) The Chair will:
 - i) Call CAC meetings in consultation with the Officer in Charge,
 - ii) Prepare agendas in consultation with the Officer in Charge,

- iii) Preside over the CAC meetings,
 - iv) Facilitate discussion at CAC meetings,
 - v) Discuss the input, decisions, and functioning of the CAC with the RCMP Liaison and Officer in Charge as required, and
 - vi) Be the official representative, as required, of the CAC.
- c) The Vice-Chair will act as Chair whenever the Chair is absent.

15) Recording Secretary

- a) The Officer in Charge will be responsible for identifying and providing a Recording Secretary who is not a member of the CAC.
- b) The Recording Secretary will attend all meetings of the CAC and record the minutes.

16) Remuneration and Expenses

- a) Members of the CAC will not receive remuneration for service on the CAC.
- b) Members of the CAC may be provided funds, or reimbursed for expenses incurred, to implement public information gathering activities, if such activities and expenses have prior authorization from the Officer in Charge.

17) Relationship of the CAC to the Officer in Charge

- a) The Officer in Charge has the authority to appoint and terminate the CAC.
- b) The CAC's primary function is to provide advice on policing interests and concerns, from a community perspective, to the Officer in Charge.
- c) Any requests for advice from the CAC by any member of the St. Albert RCMP Detachment will be authorized by the Officer in Charge.
- d) The Officer in Charge will provide responses to the CAC on actions taken in response to their input on policing interests and concerns.
- e) The Officer in Charge is responsible to validate concerns and take appropriate action regarding the conduct and suitability of a member of the CAC. The Officer in Charge may consult with, or advise the organization that appointed the CAC member, about the action, dependent on the nature of the concerns.
- f) The Officer in Charge will be responsible for the final decision on the termination of a member of the CAC, except for the Council member appointed by the City.
- g) The Officer in Charge is responsible to validate concerns and take appropriate action regarding the conduct and suitability of the RCMP Liaison and the recording secretary.

18) Relationship of the CAC to the City of St. Albert

- a) The City will appoint a member of Council to the CAC.
- b) City Administration may obtain advice from the CAC on a policing matter, subject to prior authorization from the Officer in Charge.

19) Amendment to the Terms of Reference

- a) The Officer in Charge may amend the Terms of Reference for the CAC in consultation with the current members of the CAC.



Royal Canadian Gendarmerie royale
Mounted Police du Canada

Security Classification/Designation

Non-sensitive

Insp. Kevin MURRAY, Officer in Charge
St. Albert RCMP Detachment
96 Bellerose Drive
St. Albert, AB
T8N 7A4

Your File

Mayor and Council
City of St. Albert

Our File

2015-03-16

To Mayor and Council,

Termination of the Community Advisory Committee (CAC)

Since my arrival at St. Albert Detachment in April 2012, I have been hosting quarterly Community Advisory Committee meetings. During that time, I have observed that the committee has not been fulfilling the mandate as described within the Terms of Reference. The mandate is to "advise the St. Albert RCMP Detachment on community interests, concerns, and trends in relation to policing, social, safety, security and crime prevention issues in order to create a safer community." The common theme of each meeting was that the group came together for the purpose of *receiving* an update from the RCMP with respect to policing activities undertaken within the community, rather than providing input. Over the past three years, I have provided gentle reminders on the spirit and intent of the committee. Recently I met with Council Representative Tim Osborne to discuss my observations and concerns with the committee. It was determined that a committee review of the Terms of Reference was necessary to refocus efforts and purpose.

On March 12th, 2015, I hosted the CAC meeting at the detachment. The participants, including Councillor Tim OSBORNE, were advised ahead of time that the sole agenda item for the meeting was to review the Terms of Reference. At the meeting I read through the Terms of Reference which include multiple references to the committee *providing advice* to the Officer in Charge. A healthy discussion with all participants led to some key observations on what has changed since the inception of the committee, which has led to a perception of redundancy. Most notably, there has been a significant change in technology which has provided multiple mediums for engaging the community on policing matters. Also, specific to St. Albert, was the creation of the Strategy and Mobilization (SAM) Committee several years ago that brought together many of the key stakeholders represented at the CAC meetings. SAM meetings are held monthly providing a more timely source of feedback on policing issues. Additionally, there were stakeholders identified for CAC that were inherently unable to provide a representative. This resulted in the Officer in Charge finding other ways of engaging that particular group.

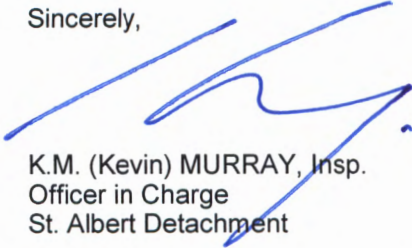
At the conclusion of the meeting, based on an inability of the committee to find fulsome reasoning for the continuation of the committee, I made the decision to terminate the CAC at this time. I remain committed to a periodic review of the stakeholder landscape to ensure that the St. Albert RCMP is receiving appropriate and necessary feedback to align its policing activities with the priorities of the community.

Non-sensitive

As you know, this decision was communicated to Mayor and Council by Councillor OSBORNE at the most recent Council meeting ,dated March 16th, 2015, during the Annual Performance Plan feedback session.

I remain committed to open, honest and transparent communication with all partners and stakeholders within the City of St. Albert.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K.M. MURRAY', is written over a light blue rectangular background.

K.M. (Kevin) MURRAY, Insp.
Officer in Charge
St. Albert Detachment

cc: C/Supt. Lesley BAIN, District Officer, Central Alberta District
Chris JARDINE, General Manager, Community and Protective Services, City of St. Albert
Aaron GIESBRECHT, Municipal Manager, Policing Services, City of St. Albert

Previously Distributed

Alberta RCMP Policing Committee Handbook

The Ministry of Justice & Solicitor General (JSG), in partnership with the Alberta Association of Police Governance (AAPG), has assembled this handbook in order to assist you in your new role on the local RCMP policing committee. Thank you for accepting the appointment to the committee; we appreciate the interest and commitment you have shown by undertaking this role on behalf of your community. Committee members who follow the advice in this handbook can be assured that they are successfully meeting their responsibilities to the community.

Introduction

Effective policing in your community hinges on the maintenance of a proper balance between the independence and authority of the RCMP and accountability to the public and civilian authority. The role of the policing committee is to help maintain that balance by:

- Improving community input and guidance
- Assisting in dealing with local complaints and concerns
- Increasing transparency regarding the operations of the RCMP in the community
- Removing the pressures associated with the appearance (perception or reality) of political interference

In Alberta, urban municipalities with populations of more than 5,000 persons must provide for their own municipal policing. In this respect, they have the option of contracting with Canada for the services of the RCMP. If a municipality chooses to contract its municipal service as the RCMP, it signs a Municipal Police Service Agreement (MPSA) with the federal government, which provides the services of the RCMP. Under this agreement, the cost of policing is shared between the municipality and the federal government (70/30 percent respectively, until a population threshold of 15,000 is reached at which point the cost share moves to 90/10). The operations of the RCMP are governed by the *RCMP Act* and are subject to the contractual agreements between the various levels of government.

Policing committees do have a voice and a responsibility to represent their communities, and many have established excellent working relationships with local RCMP Detachments and their staff. These efforts are to be commended and encouraged.

1. Participate in the *Roles and Responsibilities of Policing Oversight Committee Members* Training

JSG offers orientation training, at no cost, that covers the key duties of committee members and encourage all new members to attend within the first year of tenure. The training highlights:

- the history of governance and oversight in Canada;
- a governance model;
- the roles and responsibilities of a policing committee and its members;
- an overview of policing in the province; and
- a review of key legislation influencing the policing committee.

Costs to the participant for orientation training are travel, accommodation and meals which may be covered by your policing committee. This learning opportunity will be advertised in the AAPG newsletter and the quarterly newsletter from JSG. For additional information contact the Manager of Policing Oversight and Funding Programs with JSG. Contact information is provided at the end of this handbook.

2. Review the Alberta *Police Act* and your local Policing Committee Bylaw

Sections 23(14) and 28.1(1-3) of Alberta's *Police Act* refer to policing committees (see key sections in Appendix A). The policing committee shall, with respect to the municipality for which it is established:

- (a) oversee the administration of the municipal police service agreement made with the federal government for services from the RCMP;
- (b) assist in selecting the officer in charge (OIC)¹;
- (c) represent the interests of the council to the OIC;
- (d) in consultation with the OIC, develop a yearly plan of priorities and strategies for municipal policing;
- (e) issue instructions to the OIC respecting the implementation and operation of the yearly plan²;
- (f) represent the interests and concerns of the public to the OIC;
- (g) assist the OIC in resolving public complaints; and
- (h) appoint a Public Complaint Director.

Note: As long as a policing committee and its members act according to their legislated authority, municipal council will indemnify the policing committee.

The *Police Act* states that a council that establishes a policing committee shall prescribe the rules governing its operation, as well as select and appoint its members. The process generally used to establish the policing committee is for council to move or resolve to form a policing committee. The resolution is then enacted by creating a corresponding bylaw. The bylaw must be in accordance with the *Police Act* and will be tailored to the individual nature of the municipality. A policing committee policy manual will further establish the "rules" by which the policing committee operates.

Note: While the *Police Act* pertains strictly to policing, some policing committees also work with municipal enforcement or peace officers. The formal or informal reporting

¹ OIC refers to the Officer in Charge of the municipal RCMP Detachment. This individual could be a non-commissioned officer (a sergeant or staff sergeant) or a commissioned officer (inspector or superintendent). Currently, municipalities can participate in structured interviews for municipal detachment commanders at the staff sergeant level. The municipal must request interviews and have the discretion to appoint a panel member.

² "Issue instructions" refers to the ability for policing committees to work collaboratively with the OIC on the yearly plan. The manner in which day to day operations of a detachment are conducted remains the responsibility of the OIC of the police service.

relationship between the committee and municipal enforcement should be clarified for the benefit of all parties in the bylaw. For example, does the committee have the authority to provide direction to the peace officers or do they report through the CAO? Even if municipal enforcement does not report through the policing committee, it can be valuable to include municipal enforcement in the strategic planning process. It can also be useful to determine exactly what information the committee would like to receive from municipal enforcement in order to better understand the broader law enforcement dynamic, the interaction between agencies, and the best use of law enforcement resources within its community.

3. Create and Continually Update your Policing Committee Policy Manual

Every policing committee should have a policy manual that delineates the general structure and function of the organization. Such policy will help ensure the committee is operating in an ethical, informed, transparent and timely manner.

A sample policy manual template has been developed by JSG and is available electronically upon request. The policy manual will clarify such things as:

- Selection and appointment of policing committee members;
- Policing committee responsibilities;
- How and when policy should be reviewed;
- Expected policing committee member conduct;
- Dealing with conflict of interest;
- How the committee works to orient and train new members;
- Roles and responsibilities of the Chair and Vice-Chair;
- Role of the local Public Complaint Director and the role of the committee regarding complaints against the police;
- The nature and frequency of committee meetings and who attends;
- How information is communicated internally and externally; and
- The expectations of the Policing Committee's Annual Plan.

Committee members are advised to pay attention to the sections on behavioral expectations for committee members and conflict of interest (see Appendix B).

4. Represent the Interests of the Community

In order for a policing committee to perform its function effectively, it must continually represent the interests of the community. Committee members must ensure that the community is at the heart of the mission, vision and values of your policing committee and any action proposed or undertaken. To this end, committee members must create as many opportunities as possible for two-way communication with a cross-section of the community they represent. There are many ways to accomplish this, such as:

- Policing committee meetings advertised and open to the public;
- Private and published mailing address and phone number;
- Contact information for the Chair and the Public Complaint Director;
- Members representing the policing committee at public/community events;

- Information pamphlets on policing priorities and the public complaint process;
- Citizen surveys; and
- Hosting or sponsoring community events related to public safety.

✖ 5. Contribute to the RCMP Annual Plans and Priorities Document

As directed by the Municipal Police Service Agreement, the Chief Executive Officer (Mayor or other head of the municipality, however designated) may set objectives, priorities and goals for the Municipal Police Service which are not inconsistent with those of the provincial Minister for policing in the Province. Where a policing committee has been established, it will work with the officer in charge (OIC) to determine the annual plans and priorities for policing in the community. The Chair of the policing committee together with the OIC presents the annual plans and priorities to mayor and council.

Good governance has been described as “nose in / fingers out”, meaning that it is appropriate for committee members to seek answers to questions about how well police are serving the community while leaving the day-to-day management of the police service to the OIC.

The annual planning process should be collaborative between the policing committee and the RCMP Detachment. This provides more structure and focus to the expectations of both. It also allows for future planning (i.e. industrial expansion) and provides a vehicle for evaluation. The following are examples of the types of governance questions that could be a part of developing and reviewing the police service annual plan and priorities for policing:

- Does the annual plan serve the community well?
- What more does the community need from police?
- What are the community policing strengths, weaknesses, opportunities, threats?
- Was the previous annual plan followed; were targets met and, if not, why not?
- What systemic management or personnel issues need to be addressed?
- What other resources does the OIC require?
- How well is the OIC collaborating with other agencies in order to get best results for the community?
- What efficiencies can be achieved, e.g. through technology, contracting services, training?
- What urgent needs have arisen that were not considered in the budget?
- How can the community tap into other resources for policing, e.g. grants for crime prevention?
- What has the OIC done to identify, assess, prioritize, manage, and monitor risk?
- What resources does the OIC need in order to better manage risk in the future?

6. Prepare and Review the Policing Committee Annual Plan

Similar to the police service annual plan, policing committees should prepare a plan outlining their own activities and objectives for the year. As the policing committee is responsible to the public, the policing committee's annual plan must be created with input from its stakeholders and the committee must report at least annually to the public on the committee's progress and achievements as set out in the annual plan.

7. Be Prepared for and Participate in Committee Meetings

In order to meet legislated responsibilities, a committee must meet regularly on its own, with the OIC, and with other stakeholders to address issues and/or priorities related to policing in the community.

For regular meetings, pre-reading material should be sent to members well in advance of committee meetings in order for members to be prepared to discuss the information during the meeting. As a result of informed discussion, a committee will then determine what course of action is appropriate in order to accomplish its goals and then take steps to effect those goals.

Effective policing committees will meet with council and other community leaders, police agencies, peace officers, and special interest groups, and will garner perspective by reviewing research, reports from police, reports from external agencies, benchmarking with other municipalities, and surveys.

8. Appoint and Support a Public Complaint Director

Two of the committee responsibilities set out in the *Police Act* are to appoint a Public Complaint Director (PCD) and to assist the OIC in resolving public complaints.

Before appointing a PCD, the committee should consider how their PCD can best serve the community and what skills and training the PCD needs in order to perform that function well.

Note: JSG provides PCD-specific training as well as PCD meetings at least twice a year to share experiences, best practices, etc.

The PCD is best served by an independent citizen, however, it may be a municipal employee whose role is limited to providing an avenue of information for the public regarding the process of filing a complaint against the police service. If comfortable in the role and with the support of the OIC, the PCD could informally resolve complaints that are at the low end of the spectrum.

As many small communities receive a low number of complaints, these communities may wish to consider appointing a regional PCD that serves more than one community, (*Police Act* Section 28.2)

Once a PCD is appointed, the committee will also need to consider a communications plan – informing the public on the role of the PCD and how to file a complaint against the police service.

Committees should receive regular reports from the PCD on the number of complaints received (identifying/personal information may not be shared with the committee due to confidentiality) and what trends, if any, are being observed from these complaints.

With respect to very minor complaints that can be resolved informally, the committee should discuss with the OIC what was learned in the complaints process. For complaints that must be referred to the Commission for Public Complaints about the RCMP, the PCD should follow-up on the result of the investigation and report to the committee on how it was resolved. For all complaints, the committee may request the OIC determine what systemic problems, if any, were identified and prepare a plan to correct those problems, as appropriate.

9. Seek out More and Relevant Information

- Read up on board governance to become a more effective committee member
- Read your RCMP Municipal Police Service Agreement
- Talk to policing committee members in other communities
- Talk to members of your community
- Visit recommended websites regarding governance, oversight and the RCMP
 - https://www.solgps.alberta.ca/programs_and_services/public_security/law_enforcement_oversight/policing_oversight_complaints/Pages/default.aspx
 - <http://www.cacole.ca/home-accueil-eng.shtml>
 - <http://www.capb.ca/Home>
 - <http://www.nacole.org/>
- Stay in tune with local/provincial news reports regarding policing incidents
- Review *the Alberta Police Act*
 - <http://www.canlii.org/en/ab/laws/stat/rsa-2000-c-p-17/latest/rsa-2000-c-p-17.html>
- Look at the *RCMP Act*
 - <http://laws.justice.gc.ca/en/R-10/index.html>
- Review the Solicitor General and Public Security website
 - <http://justice.alberta.ca/jsgr/Pages/default.aspx>

10. Attend Additional Training and Events

- Become a member of and participate in the Alberta Association of Police Governance
 - <http://www.aapg.ca/AAPG/Home.html>
 - Attend the annual AGM and Conference held each spring
 - Become involved in the direction of the provincial organization
 - Submit one or more resolution for consideration

- Seek out other training opportunities
 - Suggest training topics to JSG and AAPG
 - Watch for training announcements in AAPG and JSG newsletters
 - Seek relevant training in the community (e.g. Community Spirit Volunteer Sessions, tour the RCMP detachment and local court)

Contact Information

Lesley Kelly, Manager
Policing Oversight and Funding Programs
Public Security Division
Justice and Solicitor General
780-415-8333 (office)
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Jennifer Freund
Executive Director
Alberta Association of Police Governance
587-888-0386
admin@aapg.ca

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Excerpts of:

POLICE ACT

Chapter P-17

Policing Committees

23(1) In this section, “officer in charge” means the officer in charge of the unit of the police service that is providing policing services to a municipality under section 22.

(2) A council that has entered into an agreement under section 22 may establish a policing committee.

(3) A council that establishes a policing committee shall, subject to the regulations,

- (a) prescribe the rules governing the operation of the policing committee, and
- (b) appoint the members of the policing committee.

(4) A policing committee shall consist of not fewer than 3 nor more than 12 members.

(5) If

- (a) 4 or fewer members are appointed under subsection (3), one of them may be a member of the council or an employee of the municipality, or
- (b) 5 or more members are appointed under subsection (3), 2 of them may be members of the council or employees of the municipality.

(6) The council may provide for the payment of reasonable remuneration or of a gratuity or allowance to members of the policing committee.

(7) The term of office of a person appointed to a policing committee is

- (a) 3 years, or
- (b) a term of less than 3 years, but not less than 2 years, as may be fixed by bylaw.

(8) Notwithstanding subsection (7), a majority of the members appointed to a newly established policing committee shall be appointed for 3 years, and the remaining members shall be appointed for 2 years.

(9) The members of a policing committee shall, at the first meeting of the policing committee in each year, elect from among their members a chair and one or more vice-chairs.

(10) A member who is a member of the council or an employee of the municipality is not eligible to be elected as chair or vice-chair of the committee.

(11) A member of a policing committee is eligible for reappointment if the reappointment does not result in more than 10 consecutive years of service by that member.

(12) If a person who is a member of a council is a member of the policing committee, that person's appointment to the policing committee terminates on that person's ceasing to be a member of the council.

(13) The appointment of a member to the policing committee may not be revoked by the council except for cause.

(14) A policing committee shall, with respect to the municipality for which it is established,

- (a) oversee the administration of the agreement made under section 22,
- (b) assist in selecting the officer in charge,
- (c) represent the interests of the council to the officer in charge,
- (d) in consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing,
- (e) issue instructions to the officer in charge respecting the implementation and operation of the yearly plan,
- (f) represent the interests and concerns of the public to the officer in charge,
- (g) assist the officer in charge in resolving complaints, and
- (h) appoint a Public Complaint Director.

(15) All persons appointed to a policing committee shall take the oath set out in Schedule 2.

Complaints re RCMP

49 Notwithstanding sections 43 to 48 and subject to any agreement entered into between the Government of Canada and the Government of Alberta or a municipality, as the case may be, any complaints in Alberta with respect to members of the Royal Canadian Mounted Police shall be resolved in accordance with the laws governing complaints and discipline within the Royal Canadian Mounted Police.

Schedule 2

Oath of Office

(Members of Policing Committees)

I, _____, swear that I will diligently, faithfully and to the best of my ability execute according to law the office of a member of the _____ Policing Committee and will not, except in the discharge of my duties, disclose to any person any matter or evidence brought before me as a member of the _____ Policing Committee, so help me God.

Sworn before me in the _____ of)
_____, in the Province of Alberta, this)
____ day of _____)
_____) _____
(Commissioner for Oaths) Signature
in and for the Province of Alberta))

RSA 2000 cP-17 s23;2005 c31 s12;2010 c21 s7

Police Act in its entirety can be viewed at:

http://www.qp.alberta.ca/1266.cfm?page=P17.cfm&leg_type=Acts&isbncln=9780779787777&display=htm

Sample
Policy Manual
For
Policing Committees

Updated April 2013

Previously Distributed

[Policing Committee Name]
Address
City, Alberta
Postal Code

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Section 1: Framework

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1.1 Intent

The manual includes policies designed to assist the policing committee in:

- conducting its own business as effectively, efficiently, and as transparently as possible; and
- providing direction to the detachment commander.

While the [Police Act](#) outlines the legal obligations of the policing committee, as a “local government body”, the policing committee may be subject to a variety of other pieces of legislation/regulations depending on the nature of police service agreement. A limited alphabetical list includes:

- a. *Alberta Employment Standards Code*
- b. *Alberta Labour Relations Code*
- c. *Alberta Municipal Government Act*
- d. *Alberta Peace Officer (Ministerial) Regulation*
- e. *Alberta Peace Officer Act,*
- f. *Alberta Peace Officer Regulation*
- g. *Canadian Charter of Rights and Freedoms*
- h. *Criminal Code of Canada*
- i. *Freedom of Information and Protection of Privacy Act*
- j. *Freedom of Information and Protection of Privacy Regulations*
- k. *Municipal Bylaw*
- l. *Municipal Policing Agreement*
- m. *Provincial Policing Standards and Evaluations and*
- n. *RCMP Act*

Please forward any suggested amendments to the:

Chair, Policing Committee

Telephone: (XXX) XXX-XXXX

Facsimile: (XXX) XXX-XXXX

E-Mail: abc@xyz.ab.ca

For questions regarding the application of this information to the development of policies and procedures for your policing committee, please contact:

Chair, Policing Committee

Telephone: (XXX) XXX-XXXX

Facsimile: (XXX) XXX-XXXX

E-Mail: abc@xyz.ab.ca

1.2 Policing Committee Legislative Obligations

The policing committee is an independent organization established by council pursuant to **Section 23(2)** of the [Police Act](#).

Council, in the *Policing Committee Bylaw*, has

- Prescribed the rules governing the operations of the policing committee; and
- Allowed for the appointment of members to the policing committee.

1.3 Mission Statement

To work in partnership with the citizens to ensure transparent, effective, and responsive policing throughout the municipality.

1.4 Vision Statement

To become a model of the civilian oversight of policing for municipal stakeholders contracting with the Federal Government for the services of the RCMP.

1.5 Values

- **Respect:** We respect our people and the community we serve.
- **Accountability:** We are accountable to each other and those we serve.
- **Honesty:** We are forthright, direct and honest with our community and ourselves.
- **Integrity:** We conduct ourselves in an ethical manner; maintaining confidentiality, trust and objectivity.

Section 2: Policies for the Policing Committee

Policies, adopted by the policing committee, to govern its members, relationships, staff and activities and guidelines used by members and staff of the policing committee in carrying out the committee's responsibilities and obligations under the [Police Act](#), the *Freedom of Information and Protection of Privacy Act* and *Policing Committee Bylaw*.

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2.1 Selection and Appointment of Policing Committee Members

In the selection and appointment of policing committee members, municipal council and the policing committee adheres to **Section 23(1-15))** of the [Police Act](#). Applicable portions of this information are taken directly from the *Policing Committee Bylaw*.

- (1) The policing committee will have [seven] members, two of which may be either council members or employees of the municipality.
- (2) All those appointed to the policing committee shall take the oath set out in **Schedule 2** of the [Police Act](#), and undergo a security clearance/background check or a municipal equivalent.
- (3) Members may be appointed for a term of three years and cannot serve longer than 10 consecutive years on the policing committee. Staggered appointment by council is desired for succession planning.
- (4) Members of the policing committee shall be disqualified from their position if the member is:
 - (a) hired in any capacity with the police service, the RCMP, or other position that could be considered to be in conflict with the oversight policing committee membership;
 - (b) no longer residing within the municipality limits; or
 - (c) convicted of any offence under the *Criminal Code of Canada*.
- (5) A former member is eligible for reappointment.
- (6) When a vacancy occurs, council may appoint a successor to begin a new three year term.
- (7) Membership can be revoked by council for just cause.
- (8) Members may be entitled to remuneration as outlined in **Appendix A**.
- (9) The policing committee will appoint a public complaint director (PCD) as per **Section 28.1(1-2)** of the [Police Act](#).
- (10) Council shall appoint an employee of the municipality to assist the policing committee as administrative support who shall:
 - (a) attend all meetings and keep a complete record of the minutes of the meetings;
 - (b) maintain all records, correspondence, orders and decisions of the policing committee;
 - (c) carry out such other functions of the policing committee as may be delegated; and
 - (d) not vote.

2.2 Policing Committee Responsibilities

As per **Sections 23(14)** and **28.1(1,3)** of the [Police Act](#), the policing committee shall, with respect to the municipality for which it is established:

- a) Oversee the administration of the policing agreement (MPSA);
- b) Assist in selecting the officer in charge;
- c) Represent the interests of the council to the officer in charge of the municipal police service;
- d) In consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing;
- e) Issue instructions to the officer in charge respecting the implementation and operation of the yearly plan;
- f) Represent the interests and concerns of the public to the officer in charge;
- g) Assist the officer in charge in resolving complaints; and
- h) Appoint a Public Complaint Director.

Note: Municipal council is liable for any legal liability incurred by the policing committee.

2.3 Policy Review

Policies and procedures of the policing committee shall be reviewed annually. Modifications must receive policing committee approval.

2.4 Policing Committee Member Conduct

- (1) Members of the policing committee must perform their official duties and functions and arrange their private affairs in such a manner that public confidence and trust in the integrity, objectivity, and impartiality of the policing committee are maintained and enhanced.
- (2) All members will abide by their oath of office.
- (3) Policing committee member actions will respect the dignity of individuals in accordance with the:
 - *Alberta Human Rights, Citizenship and Multiculturalism Act*;
 - *Canadian Charter of Rights and Freedoms*; and
 - *Freedom of Information and Protection of Privacy Act*.
- (4) Policing committee members will not share information deemed sensitive or confidential. Such information will not be used for personal gain, or to benefit friends, relatives or associates. Breaches may be cause for dismissal from the policing committee.
- (5) Policing committee members are required to attend all scheduled meetings of the policing committee and all sub-committee meetings on which they are serving. Absences should be reported to the chair prior to meetings. In-attendance may be cause for dismissal from the policing committee.
- (6) The policing committee will use the municipality's purchasing policy to purchase goods and services.
- (7) Policing committee members will follow the municipal policies regarding the acceptance of personal and corporate gifts.
- (8) Inappropriate conduct may result in dismissal from the policing committee as recommended by a majority of the policing committee and ratified by council.

2.5 Conflict of Interest

Conflict of interest refers to a conflict between a member's personal and/or business interests and the member's responsibility as a policing committee member. This conflict may exist whether or not there is financial gain.

- (1) Policing committee members, personally or in relation to their colleagues, must declare all potential or perceived conflicts of interest. The policing committee will decide whether or not the member in question will be excluded from voting or discussion of the matter.
- (2) All conflicts and actions taken regarding the conflict must be entered into the minutes.
- (3) Conflicts brought to the attention of the chair must be resolved in a manner that conserves and enhances public confidence and trust in the integrity, objectivity and impartiality of the policing committee.
- (4) Undisclosed conflict of interest may result in dismissal from the policing committee as per the final decision of council.

2.6 Remuneration

- (1) Policing committee members may receive remuneration for meetings and events attended as per **Appendix A**.
- (2) Expenses will be reimbursed using the municipal travel and expense policy.
- (3) Money for remuneration will be obtained from the policing committee's annual budget as granted by council following the municipal budgetary cycle.

2.7 Orientation of New Members

- (1) New policing committee members will participate in an orientation session regarding their roles and responsibilities. This orientation shall take place as soon as practicable upon appointment.
- (2) New policing committee members will be given copies of (alphabetical):
 - *Freedom of Information and Protection of Privacy Act*;
 - *Municipal Policing Agreement*;
 - *Police Act*;
 - *Policing Committee Bylaw*; and
 - *Policing Committee Policy and Procedures Manual*.
- (3) Policing committee members will receive an overview from the chair or designate regarding (alphabetical):
 - Communication strategies and policies (with members, policing committee staff, external services, media, public, police service, etc.);
 - Current goals of the policing committee;
 - Event schedules and expected attendance;
 - Meeting procedures and schedules;
 - Mission and vision of the policing committee;
 - Organizational structure of council;
 - Organizational structure of the RCMP detachment;
 - Past annual reports (policing committee and RCMP);
 - Policing committee budget;
 - Policy regarding personal and corporate gifts;
 - Roles and responsibilities of policing committee staff;
 - RCMP detachment business plan;
 - Structure and function of sub-committees;
 - Time commitments; and
 - Travel and expense policy.
- (4) Policing committee members will participate in ongoing developmental opportunities as time permits including but not limited to (alphabetical):
 - Attendance at conferences;
 - Introduction to community societies and non-profits;
 - Meeting council;
 - Mentoring (including for succession planning);
 - RCMP detachment tour;
 - Reviewing Provincial Policing standards and Oversight standards;
 - Ride along;
 - Overview of victims of crime services; and
 - Training provided by Alberta Justice and Solicitor General or other provincial partners

2.8 Roles and Responsibilities of Chair and Vice-chair

- (1) The chair ([Police Act Section 23\(9\)](#)) as elected by the membership at the commencement of each year, presides over policing committee meetings. Should the chair not be present, or vacate the position either temporarily or permanently, the vice-chair ([Police Act Section 23\(9\)](#)) will act in the chair's place.
- (2) Neither a member of council nor an employee of the municipality may be chair or vice-chair. ([Police Act Section 23\(10\)](#))
- (3) Should neither the chair nor vice-chair be available, the policing committee shall elect an acting chair for the meeting until such time the chair or vice-chair is available.
- (4) The chair is to be advised of a breach/potential breach of the oath or these policies by a member or detachment commander. Breaches by the chair should be referred to the vice-chair.
- (5) The chair/vice-chair as the case may be may engage an outside agency as required to investigate allegations of the breach. The policing committee will review findings and recommend (or not) the revocation of the appointment to council.
- (6) The chair will designate a member, in the absence of the council appointed employee of the policing committee, to record minutes during all meetings, hearings or inquiries.
- (7) The chair is the signing authority for all contracts representing the business of the policing committee.
- (8) The chair and vice-chair have signing authority for budgeted items on behalf of the policing committee to an amount not exceeding \$500.00. Non-budgeted amounts require prior policing committee approval.
- (9) The chair and vice-chair are responsible for coordinating the selection, hiring, evaluation and paying of employees of the policing committee via the funds allocated by the municipality.

2.9 Role of Public Complaint Director

- (1) The public complaint director (PCD) receives complaints from the public on behalf of the policing committee. The PCD is delegated the authority by the chair to receive complaints, liaise with the detachment commander and perform other duties on behalf of the policing committee as per **Section 28.1(3 (a,b,c))** of the [Police Act](#).
- (2) Complaints are recorded in writing by the PCD and forwarded on behalf of the complainant to the detachment commander who decides if the complaint should be managed by the police service or the policing committee as per **Section 43(1)** of the [Police Act](#).
- (3) The PCD monitors the complaints process of the police service.
- (4) The PCD provides reports monthly to the policing committee.
- (5) The PCD attends meetings as coordinated by the provincial public complaint director from Alberta Justice and Solicitor General.
- (6) The PCD consults with the municipality's FOIP coordinator with regard to file/record management including storage and destruction.

2.10 Policing Committee Personnel

- (1) The policing committee may hire staff. They will be salaried employees of the committee.
- (2) Employees will be given official job descriptions and are subject to all applicable Federal and Provincial Legislation including, but not limited to:

-
- *Alberta Employment Standards Code*; and
 - *Alberta Labour Relations Code*.
- (3) Policing committee staff do not have the right to vote on policing committee decisions.
 - (4) Employees will be evaluated on a yearly basis by the policing committee.

2.11 Formation of Sub-Committees

- (1) The function of a sub-committee is to assist the policing committee in completing its responsibilities.
- (2) The policing committee may form either standing or ad hoc sub-committees to examine and report on issues that fall under the authority and responsibility of the policing committee.
- (3) The policing committee sets the terms for the sub-committee, appoints its chair and participating members. Any policing committee member may attend a sub-committee meeting.
- (4) The policing committee may appoint subject matter experts from the public or policing committee staff to assist in sub-committee business.
- (5) The sub-committee must provide copies of its agenda and minutes of its meetings for storage by the policing committee.
- (6) The sub-committee provides options and recommendations for the policing committee to consider.
- (7) The sub-committee may not speak or act for the policing committee unless it has formally been given authority and then only for a specific or time-limited purpose.
- (8) The sub-committee shall report regularly to the policing committee, the schedule to be determined by the policing committee.

2.12 Legal and Professional Services

- (1) Legal and other professional service contracts must be approved in advance by the policing committee and are only provided at the request of the policing committee.
- (2) Fees are paid by the policing committee.

2.13 Meetings

- (1) At the first meeting of the year, the chair shall schedule all meetings occurring in that year. The yearly schedule is made public. The meetings generally occur the [day] of each month. Unless notified one (1) week in advance, all meetings begin at [time], at the [location and room number]. The policing committee may choose to hold meetings at different locations within the community.
- (2) A majority of policing committee members shall form a quorum. Each member has one vote. The detachment commander, staff and other attendees have an advisory capacity only and therefore no voting privileges. In the event of a tie, the chair will vote to maintain status quo.
- (3) Meetings shall be open to the public. However, in-camera sessions may be held respecting *Freedom of Information and Protection of Privacy Regulation* items (FOIP) when issues deal with:
 - Security of the policing committee's property;

-
- Personal information of an individual, including an employee of the policing committee or police service;
 - Labour relations or employee negotiations;
 - A law enforcement matter (as per FOIP definition), litigation or potential litigation, including appeals to the policing committee or matters before administrative tribunals affecting the policing committee; or
 - The consideration of a request for access to information under (FOIP).
- (4) The conduct of all participants will be respectful, using appropriate language and following the rules as outlined by the chair. Attendees displaying poor conduct may be asked by the chair to leave the meeting.
- (5) The agenda for each meeting is set by the chair in consultation with policing committee staff, the detachment commander, and policing committee members and is to be finalized 5 working days before the meeting. In-camera items are to be clearly marked.
- (6) The agenda is distributed to all policing committee members and staff, the detachment commander, other attendees and the public, five (5) working days before the meeting. In general, no items will be added to the agenda after this notification. All support material (reports, briefs, letters, last session minutes, etc.) needs to be included. **It is expected that members review all material prior to the meeting and be prepared to discuss in detail at that time.**
- (7) Members of the public (delegation) who wish to address the policing committee must request permission from the chair seven (7) working days prior to the meeting. The delegation must detail the names of those attending and the subject to be discussed. Presentations are limited to 5 minutes unless otherwise indicated by the chair. Complaints about officer conduct are not topics for this forum.
- (8) During the meeting, the chair may coordinate requests from the audience to address the policing committee regarding items on the agenda. Complaints about officer conduct are not topics for this forum.
- (9) The general order of business for policing committee meetings as coordinated by the chair is as follows:
- Call the meeting to order
 - Regrets
 - Adoption of the Agenda
 - Approval of previous Minutes
 - Executive/Sub-Committee Reports (correspondence)
 - Other new business
 - Delegations
 - Old business
 - Closing question period
 - Adjournment
- (10) Minutes of meetings are an honest expression of the group's opinions and a summary of what was discussed and decided. Unbiased, accurate minutes will include:
- Time the meeting was called to order;
 - Names of attendees and those sending regrets (and if only attending part of the meeting);
 - Persons who motioned and seconded adoption of the agenda and approval of previous minutes, and all decisions made during the meeting;
 - Concise summaries regarding discussions and presentations;
 - Items that have been held over to another meeting (for tracking) with deadlines; and
 - The time the meeting adjourns.

-
- (11) Notes kept to prepare the official minutes of the policing committee are considered transitory records and are destroyed upon approval of the minutes.
 - (12) All records of the policing committee are stored and archived as per the policies and procedures of the municipality.
 - (13) The policing committee, as a public body must comply with *Freedom of Information and Protection of Privacy* (FOIP) Legislation. The FOIP coordinator for the municipality has been designated in Bylaw as responsible for ensuring that personal information is managed in accordance with FOIP legislation including the destruction of information following meetings or terms of members. Requests for information involving the policing committee should be directed to the FOIP Coordinator for the municipality subject to their fees and policies.

Note: The RCMP is subject to federal legislation that differs from provincial FOIP.

2.14 Communication

- (1) The chair of the policing committee is the official spokesperson for the policing committee and represents the policing committee in all matters before municipal, provincial and federal government.
- (2) All correspondence addressed to the chair that is not a public complaint under the [Police Act](#) is processed by the chair.
- (3) All correspondence sent or received directly by the chair or policing committee members are forwarded to the policing committee for response and filing.
- (4) Formal communication between the police service and the policing committee is conducted through the chair and the office of the detachment commander.
- (5) The chair is the media spokesperson for the policing committee.

2.15 Policing Committee Annual Plan

This section refers only to the annual plan for the policing committee only. The RCMP Annual Plans and Priorities is dealt with under Section 3.3 of this policy manual.

- (1) The policing committee, in consultation with the detachment commander, will write an annual plan that at a minimum contains:
 - Priorities, goals and objectives;
 - Implementation strategies;
 - Benchmarks for success; and
 - A budget.
- (2) The plan will be submitted to council for amendments, ratification, and provision of funds.
- (3) Changes to the plan and/or budget need approval from the policing committee and council. All changes must be recorded in policing committee minutes and reported on in the next quarterly report.
- (4) The policing committee will report quarterly to council on the status of the plan including financial statements.
- (5) The financial records of the policing committee may be audited at any time by auditors appointed by the municipality.

-
- (6) The policing committee will prepare a final annual report for submission to both council and made available to the public. At a minimum the report will contain:
- Introduction;
 - Overview;
 - Composition of the policing committee;
 - Sub-Committee summaries (as they exist);
 - Statistical information regarding meetings and activities (such as: attendance, activities, training and development, membership, conference attendance etc.);
 - Initiatives;
 - Self-Evaluation;
 - Public complaint summary; and
 - Concluding comments.

2.16 Complaints

- (1) Complaints of the following three (3) types are to be managed using the Public Complaint Director Protocol developed in partnership by RCMP "K" Division and Alberta Justice and Solicitor General:
- assistance to the general public;
 - public complaints and or statutory allegations; and
 - service delivery complaints.

(2) **Serious Incidents and Complaints**

Serious incidents or complaints (including issues of a sensitive nature), as defined by Alberta Justice and Solicitor General are managed according to **Section 46.1** and **Section 46.2** of the [Police Act](#). **Note:** The RCMP complies with this provincial legislative directive.

- (a) The criminal operations officer (CROPS Officer) shall notify the Minister as soon as practicable of incidents or complaints involving serious injury or death of any person that may have resulted from the actions of a police officer as per **Section 46.1(1)** of the [Police Act](#). The detachment commander shall inform the policing committee of same as soon as practicable.
- (b) The CROPS Officer shall notify the Minister as soon practicable of situations of a serious or sensitive nature that may have related to the actions of a police officer as per **Section 46.1(1)** of the [Police Act](#). The detachment commander shall inform the policing committee of same as soon as practicable.
- (c) The Minister via his/her designate, the Director of Law Enforcement, will decide how the matter is investigated as per **Section 46.1(2)(a-d)** of the [Police Act](#). This may include:
- assistance of a police officer from another police service;
 - investigation by another police service;
 - appointing of the public as overseers; or
 - as per **Section 46.2** of the [Police Act](#), direct the Alberta Serious Incident Response Team to investigate, assist in the investigation, or take over the investigation.
- (d) Copies of documentation provided to the complainant during the investigation will also be provided to the policing committee in the spirit of **Section 46.1(8)** of the [Police Act](#). The investigation findings will be shared with the policing committee in the spirit of **Section 46.1(4)** of the [Police Act](#).

(e) **Complaint Analysis**

As per the *Provincial Policing Standards*, **Section PA 7.9** the police service shall analyze all complaints annually to evaluate and resolve any trends that may adversely affect public confidence in either the conduct of an individual member or the quality of service delivered. The results of the analysis shall be reported annually to the policing committee by the detachment commander with identification of strategies to address concerns.

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Section 3: Policies for the Governance and Oversight of the Police Service

Guidelines, policies and directions for the provision of efficient and effective police services.

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3.1 Approach to Policing

- (1) The policing committee endorses a community-based approach to policing based on the following definition:

Community policing, which is based on the principles of partnership, ownership, problem solving and quality service, allows police services to respond to the unique policing needs of their communities. Implementing community policing requires ongoing dialogue with the community, taking a collaborative and proactive approach and identifying community needs.
- (2) The detachment commander must manage the police service in a manner that upholds the policing committee's commitment to community-based policing.

3.2 Management of the Police Service

- (1) For the purposes of the Municipal Policing Services Agreement (MPSA), the Officer in Charge will act under the direction of the CEO, or policing committee if the CEO has designated in writing (i.e. the policing committee's by-law).
- (2) The detachment commander has command of the police service subject to the policies and general supervision outlined in the Municipal Policing Service Agreement (MPSA).
- (3) If the detachment commander is unable to fulfill his or her assigned duties, the RCMP shall be responsible for appointing an interim detachment commander.
- (4) Each year, the policing committee (as the designate of CEO/council), in consultation with the detachment commander set the objectives, priorities and goals of the municipal police service in concert with the annual RCMP planning cycle (**MPSA Article 6.1**).
- (5) The municipal police service will follow the professional police standards and procedures as determined by the RCMP (**MPSA Article 6.5**).

3.3 Operation of the Police Service

- (1) The detachment commander (**MPSA Article 7.2**) will:
 - a. implement the objectives, priorities and goals as determined; and
 - b. report as reasonably required on matters of law enforcement in the municipality and on the implementation of the objectives, priorities and goals that have been set.
- (2) When applicable, and as requested by CEO/council, the policing committee will be consulted and participate in the appointment of the detachment commander (**MPSA Article 7.3**).
- (3) The policing committee will discuss the removal of any particular member of the municipal police service with the detachment commander. A written request for such removal will be forwarded to the Commanding Officer by the CEO/council (**MPSA Article 7.4**).
- (4) Each year, the detachment commander will provide annual statements including an explanation of changes since the previous statement, of the composition of the municipal police service that show or include (**MPSA Article 8.1**):
 - a. A current organizational chart of the police service;
 - b. The location and function of all members and support staff;
 - c. The location and function of all casual employees and temporary employees;

-
- d. The number of vacancies which represents positions with no-one assigned to the positions (vacant, special leave, backfill, etc);
 - e. The number of members being deployed in surplus to the established strength.
- (5) The detachment commander will consult with and obtain approval, or approval in principle, from the policing committee and CEO on or prior to June 1st each year, for the number of members required to maintain the level of policing service provided by the municipal police service as determined by the CEO/council pursuant to sub-article 6.3 of the MPSA (**MPSA Article 8.2**).
 - (6) The detachment commander will provide the policing committee with any additional information, to the extent possible, relating to human resource and organizational planning of the police service (**MPSA Article 8.3**).

3.3 Annual Plans and Priorities

- (1) The detachment commander will present to the policing committee, the annual policing plan detailing police services, programs and priorities designed to best meet the community needs.
- (2) In consultation with the policing committee, the detachment commander determines if community conditions and general community welfare warrant the addition, elimination, reduction, continuation or expansion of specific programs or the level of police service for the municipality.
- (3) The policing committee chair along with the detachment commander presents the final annual policing plan and budget to council for approval.
- (4) The detachment commander will present quarterly reports on the implementation of the annual policing plan and priorities, as well as the budget of the police service to the policing committee. The policing committee chair along with the detachment commander will present the same quarterly report to council as required.

3.4 Police Service Policies

The policies and procedures for the police service must adhere to provincial policing standards developed by Alberta Justice and Solicitor General. The policing committee is responsible for ensuring that the police service has policies that address the provincial policing standards. Attached is the table of contents to the **Provincial Policing Standards Manual**.

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City of St. Albert
CITY COUNCIL POLICY

Policing Services

AUTHORITY	APPROVED	Res. No.	mm dd	REVISED	Res. No.	mm dd
City Council		C402 and C403-2005	08 23		C566-2015	11 23

Purpose

To establish the policing service levels and standards for the community.

Policy

The City is committed to ensuring that residents live in one of the safest communities in Canada.

The City believes that Policing plays a vital role in community safety.

The City believes that providing and maintaining appropriate resource allocations towards policing is required in order to ensure that St Albert continues to be a safe community.

Definitions

“Annual Performance Plan” means the annual business/action plan that is administered and developed by the RCMP in consultation with all community stakeholders.

“Commissioner” means the person who holds the position of Commissioner of the RCMP.

“Municipal Enforcement Service” means the working unit within the City Administration that is primarily responsible for the enforcement of the municipal bylaws and/or select provincial statutes as determined by the City Manager.

“Municipal Policing Agreement” means the agreement/contract that the City has signed with the Government of Canada for the provision of policing services by the RCMP.

“OIC” means the person who holds the position of Officer in Charge of the St. Albert RCMP Detachment.

“Provincial Minister” means the Provincial Minister that is responsible for Policing Services within Alberta.

“Support Staff” means municipal employees’ within City Administration who are assigned to the Policing Services department and provide support to the RCMP and the Municipal Enforcement Service. These include positions such as crime analysts, 911



operators/dispatchers, court liaisons, administrative assistants, reception and records clerks, supervisors etc.

Responsibilities

City Council is responsible to:

- Adhere to and follow the established procedures and processes within the Municipal Policing Agreement.
- Actively participate in the RCMP Annual Performance Planning process in order for Policing objectives, priorities and goals to be set.
- Review resource levels and requests through the budget process and ensure that levels are working towards or maintained in accordance with the standards listed in this policy.

The City Manager is responsible to:

- Ensure Administration adheres to and follows the established procedures and processes within the Municipal Policing Agreement.
- Bring forward for Council consideration during the budget process any policing resource requests.
- Establish, maintain and modify as necessary the Municipal Enforcement and support staff unit structures after giving due consideration to the necessary supports and resources levels approved by Council.
- Set the objectives, goals and priorities for the Municipal Enforcement and Support Staff units, giving due consideration to Council and RCMP objectives, goals and priorities.
- Ensure that the Policing Long Term Department Plan is updated at least every five years.
- Ensure that this policy is reviewed at least every five years.
- Ensure that an annual presentation on Policing is made to Council that incorporates reporting on key policing related statistics and measures such as Crime Severity, Criminal Code incidents, human resource levels, financial information and Community policing activities.

The Officer in Charge (as per the Municipal Policing Agreement) is responsible to:

- Establish, maintain and modify as necessary the RCMP Operational unit structures and call response model(s), in consultation with the Mayor, Council and City Manager, to address the type of crime or disorder issues facing the community, after giving due consideration to the effective and efficient delivery of policing services in the City.
- Set the objectives, goals and priorities for the Police Service, that are not inconsistent with those of the Provincial Minister, in consultation with the Mayor, Council, City Manager and other Community stakeholders through the RCMP Annual Performance Plan process.



Standards

1. The RCMP, through the Municipal Policing Agreement with the Government of Canada, is hereby the Police agency of choice to provide and maintain policing services for the community of St. Albert.
2. The internal management of the RCMP, including call response priority and its administration will remain under the control of the RCMP, in accordance with their application of professional police standards and procedures giving due consideration to the number of officers and resources that are approved by Council.
3. The City will support a multi-pronged approach to addressing community safety issues through varying response models and services. This will include strong investment and support in pro-active crime prevention, reduction and education.
4. The City will use a blend of resources including Police Officers, Community Peace Officers, Bylaw Officers, specialized civilian employees and general support, to ensure that we are as efficient and effective as possible when addressing crime and disorder.
5. The City will provide all necessary Support Staff for the RCMP, as determined by the RCMP Commissioner.
6. To adequately resource and maintain policing services, the City will endeavor to meet the resource allocations as noted in the Policing Services Long Term Department Plan, after giving due consideration to the “ability to pay” in the interest of all stakeholders.
7. The City will strive to ensure that 100% of policing service requests are addressed in an appropriate fashion.





CITY OF ST. ALBERT ADMINISTRATIVE BACKGROUNDER

TITLE: Policing Committee Update

On October 17, 2016 Councillor Hughes provided notice in accordance with Section 23 of Procedure Bylaw 35/2009 that she intended to bring forward the proposed motions below.

In order for Council to debate the motions, the motions must be formally moved.

That the Police Committee Guiding Principles is amended in Section 8, Committee membership, from 11 members to 9.

That section 9 is removed from proposed Police Committee Guiding Principles.

That section 10 of the Police Committee Guiding Principles is amended to state "Committee role will only be related to RCMP matters and Municipal Enforcement/Community Peace Officers and will not include other Municipal policing units, including the 911 centre.

BACKGROUND:

Administration can provide the following additional information in relation the postponed motions:

1. That the Police Committee Guiding Principles is amended in Section 8, Committee membership, from 11 members to 9

Reducing the committee membership from 11 to 9 members does not create any significant issues from Administrations perspective. The only potential negative impact is that there may be less of an opportunity for segments of the community to be represented. When the previous Police Advisory Committee was established there were 14 members representing the following groups:

- | | |
|---|--|
| - City Council | - Ministerial Association (Church) |
| - Greater St. Albert Catholic Schools | - St Albert Public Schools |
| - Greater North Central Francophone Sch | - Social Service Organizations |
| - St Albert Chamber of Commerce | - Perron Street Business Association |
| - 50+ Club | - St. Albert Community Services Advisory Board |
| - (2) Public at Large | - Youth Justice Committee |
| - RCMP Detachment Commander | |

2. That section 9 is removed from proposed Police Committee Guiding Principles.

Section 9 of the guiding principles states, *“Committee membership shall be limited to 1 member of the public having a law enforcement background”*.

By removing this as a guiding principle Administration understands that if passed, the intent is such that there would be no limit to the number of members on the committee that would have a law enforcement background. This is a discretionary matter for Council debate and it was originally proposed to Council as Administration felt that it would be important to ensure that there is balanced community representation with various backgrounds providing diverse perspectives. It was also administrations perspective that given that the role of a Policing Committee is around “civilian oversight” strong parameters should be put in place to limit the populating of the committee with too many that would not necessarily be fully considered or representative of unbiased civilians.

The proposed limit of 1 member of the public having a law enforcement background is intended to ensure that there is an ability to have as broad and diverse representation on the committee.

If council is wishing to allow more than 1 member having a law enforcement background being permitted administration would recommend that the restriction be expanded as opposed to eliminated completely.

3. That section 10 of the Police Committee Guiding Principles is amended to state "Committee role will only be related to RCMP matters and Municipal Enforcement/Community Peace Officers and will not include other Municipal policing units, including the 911 centre.

Section 10 of the guiding principles states, *“Committee role will only be related to RCMP matters and will not include the other municipal policing units including the 911 centre and the Municipal Enforcement/Community Peace Officers”*.

By amending this guiding principle, Administration understands that the Municipal Enforcement/Community Peace Officer activities is to be included in the scope of the committee’s civilian oversight role. This is a discretionary matter for Council but Administration believes there are some restrictions on how involved the committee can be in municipal enforcement operations. The Policing Committee roles and responsibilities as set forth by the Police Act does not include authority for Community Peace Officer activity oversight. Oversight for Community Peace Officers is regulated through and in accordance with the Peace Officer Act. There are formal processes for public complaints, reporting to the Alberta Solicitor General and program audits by the Solicitor General. Community Peace Officers in the Municipal Enforcement section are also City of St Albert employees; and as such, the Municipal Government Act and the City Manager Bylaw establishes that the Chief Administrative Officer is the administrative head of the municipality and responsible for all administrative matters including employee oversight, performance and direction. If Council wishes there to be a link between Municipal Enforcement/Community Peace Officer activities and a new Policing Committee, Administration would recommend that it would be limited to an

advisory role only. More specifically it would not be recommended to include committee responsibilities that would have a public complaint involvement/oversight, or yearly plan and priority setting. However, having the Manager of Policing Services answer questions, report on general statistical information and consider feedback on Municipal Enforcement matters from the Policing Committee membership would be possible.

Report Date: November 21, 2016
Author(s): Aaron Giesbrecht
Committee/Department: Policing Services
Acting General Manager: Diane Enger
Interim City Manager: Chris Jardine

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