



REPORT TO THE EDMONTON POLICE COMMISSION

DATE: November 15, 2018

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SUBJECT: EPC Policy Revisions

RECOMMENDATION(S):

That the Commission approve the revisions to the following EPC policies:

1. 2.3.1 Information Requests
2. 2.3.3 Reporting Requirements
3. 2.3.4 Reporting of Serious Incidents
4. 2.3.5 Reports to City Council

BACKGROUND:

The Governance Committee reviewed the policies listed on November 8, 2018 and recommends that the updated policies be approved by the Commission.

(Attach)

(REVISED)

Effective: Nov. 30, 2007	Revised:
Repealed:	

2.3 INFORMATION REQUESTS AND REPORTING REQUIREMENTS

2.3.1 INFORMATION REQUESTS

In order to meet legislative requirements and to enhance transparency, Edmonton Police Commission members acting in their capacity as members of the Edmonton Police Commission and in the performance of their official duties shall have timely access to information under the control of the Edmonton Police Service.

Guidelines:

1. All requests for information and related advice shall be directed through the Office of the Chief of Police, or as otherwise determined in consultation with the Chief.
2. Formal information inquiries coming out of Edmonton Police Commission meetings that require resource time and/or research to be undertaken by the Service be requested by formal motion by the Commission.
3. All Edmonton Police Commission public and closed meeting agendas shall contain a standing item to facilitate Commissioners requests for information.
4. Informal inquiries that arise between Commission or Committee meetings must be brought to the attention of the Executive Director to determine, in consultation with the Service, the best format to provide the information.

(REVISED)

Effective: Nov. 30, 2007 Repealed:	Revised: April 19, 2012 September 17, 2015
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2.3.3 REPORTING REQUIREMENTS

Reporting processes are essential to the effective management of the Edmonton Police Service (the “Service”) and assists in obtaining the oversight objectives of the Edmonton Police Commission (the “Commission”) in operating in an open and transparent fashion.

Timely and accurate information must be shared with all stakeholders, including the public, regarding the business and service objectives of the Edmonton Police Service.

Guidelines:

1. Reports may be placed on a meeting agenda, referred to a Commission committee and/or circulated to Commissioners for information.
2. The Chief of Police (or designate) will indicate if the report(s) is/are for information purposes and/or for discussion indicating that the report is intended to generate feedback and/or the report requires a formal decision by the Commission.
3. The Chief of Police will provide reports to the Commission on all instances of the following:
 - A. Control tactics, such as:
 - a) Firearm deployment or discharge;
 - b) Conducted energy weapon (CEW) deployments;
 - c) canine deployments;
 - d) baton deployments;
 - e) oleoresin capsicum deployments; or
 - f) any other exceptional use of force.
 - B. Criminal flight;
 - C. Proposed additions or significant modifications to existing lethal and non-lethal weapons used by the service;
 - D. Edmonton Police Service officers that are being investigated for misconduct and/or facing criminal and/or disciplinary charges, including the outcome(s) of these proceedings;
 - E. Complaints about the policies and/or service provided by the Edmonton Police Service as well as the outcome(s) of any such complaints; and

- F. Other information as requested by the Commission.
- 4. The Commission will have a process in place for reporting both the Commission's and Service's achievements to its stakeholders.

Procedures:

- 1. The Commission administration will track all reports requested by the Commission and will update the list as necessary.

Effective: Nov. 30, 2007	Revised: September 17, 2015
Repealed:	

2.3.4 REPORTING OF SERIOUS INCIDENTS

In accordance with the *Police Act, Section 46.1(1)*, the Chief of Police shall as soon as practicable notify the Edmonton Police Commission (the “Commission”) and the Minister of Alberta Justice and Solicitor General where

- a) An incident occurs involving serious injury or the death of any person that may have resulted from the actions of an Edmonton City police officer, or
- b) A complaint is made alleging that
 - i. Serious injury to or death of any person may have resulted from the actions of an Edmonton City police officer, or
 - ii. There is any matter of a serious or sensitive nature related to the actions of a police officer.

Definitions:

SERIOUS INJURY: When the victim is admitted to hospital, suffers a fracture to a limb, rib or vertebrae or to the skull, suffers burns to a major portion of the body or loses any portion of the body or suffers loss of vision or hearing, or alleges sexual assault.

SERIOUS OR SENSITIVE MATTER: May be defined as any matter alleged to be connected with the actions of a police officer which may result in criminal charges against a police officer or that has the potential to bring the Edmonton Police Service into disrepute or undermines public confidence in the police.

Guidelines:

1. Serious injury shall initially be presumed when the injuries are likely to interfere with the health or comfort of the victim and includes all of the scenarios listed in the definition of serious injury.
2. Identifying complaints of a serious or sensitive nature will require the exercise of judgment by the Chief of Police taking into account the following contextual factors:

- a. Nature of alleged incident;
- b. Allegation of sexual assault by officer;
- c. Extent of alleged loss or damage;
- d. Impact on alleged victim;
- e. Number of alleged victims;
- f. Number or frequency of similar allegations;
- g. Potential for perception of significant conflict of interest;
- h. Impact on community and/or on police and/or on justice system;
- i. Impact on public confidence in police; and,
- j. Potential for bringing police or justice system into serious disrepute.

Procedures:

1. Pursuant to section 46.1 of the *Police Act*, within 24 hours of any incident or complaint or as soon as is practicable under the circumstances, the Chief of Police shall notify the Commission Chair, or designate, and the Commission's Executive Director, or designate.
2. The Executive Director, or designate, shall then notify the Commission's Public Complaint Director as soon as practicable thereafter.
3. Either the Executive Director or the Public Complaint Director will then notify all other Commissioners of the incident or complaint as soon as practicable thereafter.
4. The Commission administration shall retain a record of all notifications and related communications as required by the Commission's record retention schedule.

References:

1. *Police Act, RSA 2000, c P-17.*

Effective: Nov. 30,2007	Revised: Sept. 17, 2015
Repealed:	

(REVISED)

2.3.5 REPORTS TO CITY COUNCIL

The Edmonton Police Commission (the “Commission”) is committed to upholding the working relationship between the City of Edmonton Council (“Council”) and the Commission. The Commission acknowledges that communication is an essential element in this working relationship.

Guidelines:

1. The Commission will provide information as required or requested by Council or as directed by the Commission for Council’s consideration.
2. The Commission shall approve any reports tabled with Council or any of its committees.
3. The Chief of Police will ensure that the Commission is aware of, and informed, about any Edmonton Police Service presentations to City Council or any of its committees.

Procedures:

1. The Chief shall notify the Commission as early as possible in advance of a sworn or non-sworn member of the Service appearing before Council or any of its committees.
2. The Chief will ensure that Commission representatives are briefed prior to attending duly scheduled Service presentations.