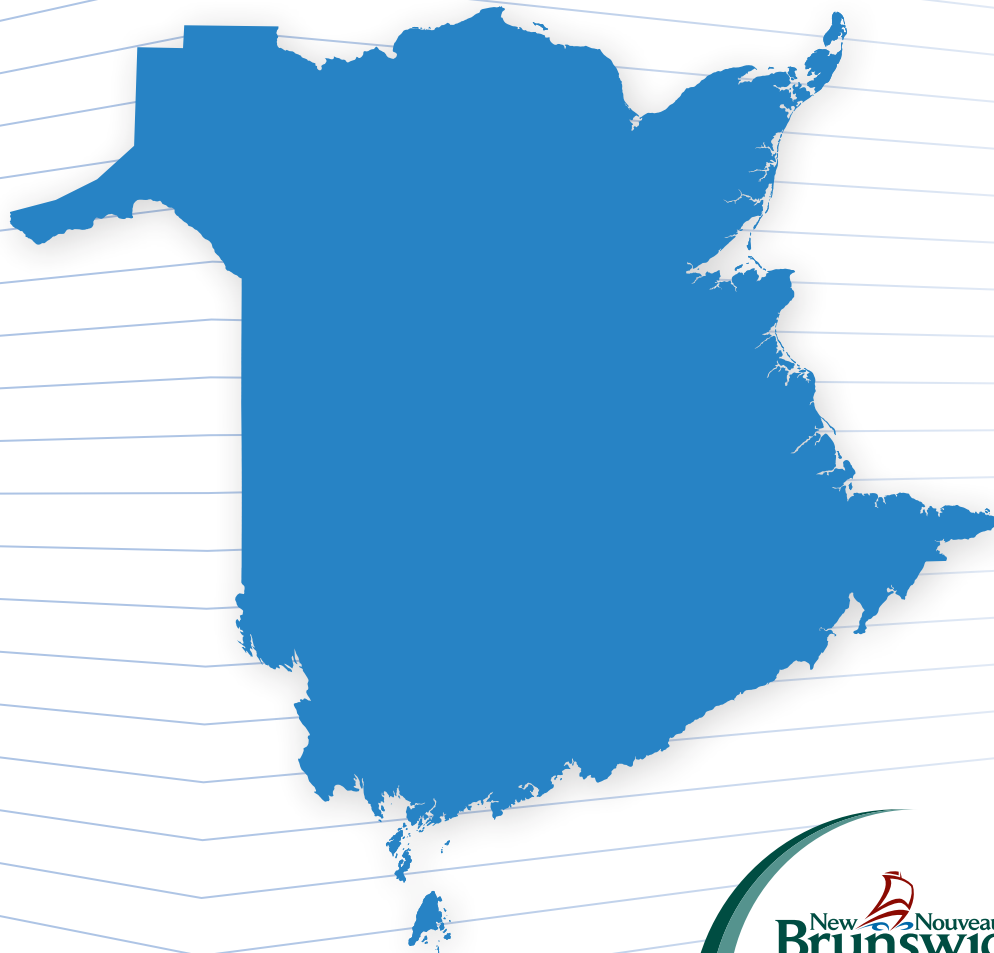


Policing Standards



DEPARTMENT OF JUSTICE AND PUBLIC SAFETY

MINISTERIAL DIRECTIVE

NEW BRUNSWICK POLICING STANDARDS

SECTION 1.1 OF the New Brunswick *Police Act*

Whereas the *Police Act* empowers the Minister to promote the preservation of peace, the prevention of crime, the efficiency of police services and the development of effective policing and to co-ordinate the work and efforts of police forces and the Royal Canadian Mounted Police within the Province;

Whereas the *Police Act* enables the Minister to issue guidelines and directives to any police force within the Province for the attainment of the above mentioned purposes;

Whereas the document entitled *Policing Standards – Province of New Brunswick* has been prepared as a collaborative effort of the policing community, in consultation with the Department of Justice and Public Safety;

And Whereas the *Policing Standards – Province of New Brunswick* apply to all police services in New Brunswick;

Therefore, I hereby direct that the *Policing Standards – Province of New Brunswick* replace and supersede the *New Brunswick Policing Standards 2nd Edition* released in 2004.

February 15, 2017


Denis Landry
Minister of Justice and Public Safety and Solicitor General

Acknowledgements

The Department of Justice and Public Safety, specifically, the director of the Policing Standards and Contract Management Branch, is responsible for maintaining and updating this manual, *Policing Standards – Province of New Brunswick*.

The department thanks all police forces, especially the original members of the Policing Standards Advisory Committee and its successor, the Policing Standards Implementation Committee, for their important contributions.

The department also thanks the Alberta Ministry of Justice and Solicitor General for its valued assistance in the development of these standards.

Introduction

In accordance with the New Brunswick *Police Act*, the Minister of Justice and Public Safety “shall promote the preservation of peace, the prevention of crime, the efficiency of police services and the development of effective policing, and coordinate the work and efforts of police forces and the Royal Canadian Mounted Police within the Province.”

The *Police Act* stipulates that “every municipality shall be responsible for providing and maintaining adequate police services within the municipality.” Changes in policing service providers require the approval of the Minister.

Under the Act and its regulations, the Minister is empowered to issue guidelines and directives to any police force in New Brunswick to attain any of the purposes mentioned above.

This manual is a fluid and living document. The development and refinement of policing standards are an active process, given the advances in training, equipment and technology. The Policing Standards and Contract Management Branch continues to be vigilant in continuing to consult stakeholders to ensure these standards remain current and are articulated to reflect the intent of the *Police Act*.

To enable police forces to deliver a professional and consistent service, reflective of the fact that the cornerstone in New Brunswick is contemporary community policing, the standards in this manual are designed to ensure uniformity, high quality and cost-effective policing throughout the province.

The standards apply to all police forces in New Brunswick. In keeping with the *Police Act*, the determination of the level of compliance to the standards shall be through “a system of inspection and review of Police Forces.” Should it become necessary to address serious indicators of non-compliance with the standards, the Act empowers the Minister to entertain corrective measures.



Policing Standards

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Roles and responsibilities (RR)

RR 1 – Legislative framework

Preamble

The *Canadian Charter of Rights and Freedoms* states that Canada is founded on 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 this basic one: “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 *Constitution Act (1982)*, the responsibility for enacting criminal law rests with the Government of Canada, while the responsibility for administering justice lies with the provincial governments. In conducting their duties, the police must ensure that their actions are consistent with:

- the *Charter*;
- any agreements governing the police service; and
- the provisions of an array of federal and provincial statutes including; e.g., those governing freedom of

information, protection of privacy and human rights.

New Brunswick Police Act

In keeping with Part 1, subsection 1.1(1) of the *Police Act*, the Minister of Justice and Public Safety “shall promote the preservation of peace, the prevention of crime, the efficiency of police services and the development of effective policing.” In addition, the Act empowers the Minister to issue guidelines and directives to any police force in the province for the attainment of the above mentioned purposes.

Furthermore, the *Police Act* at Part 1, subsection 3(1) states that: “Subject to subsection (1.1), every municipality shall be responsible for providing and maintaining adequate police services within the municipality.” Municipalities may explore varying options in acquiring policing services for the communities they serve; they require, however, the approval of the Government of New Brunswick to make any changes to their police service provider.

Application of the standards

The standards apply to all public police forces in New Brunswick. The process to assess the level of compliance to the standards is through the conducting of Policing Standards evaluations. The Minister has the authority to address any issues of non-compliance.

RR 2 – Statement of principles

Preamble

Police officers are the “front line” of the criminal justice system. They are responsible for enforcing federal, provincial and municipal laws; protecting life and property; preventing and detecting crime; and keeping the peace. Law enforcement is a major component of a police officer’s broad range of duties and roles. Police officers investigate occurrences, arrest offenders and bring evidence of criminal conduct before the court. The police provide a variety of community services, including, but not limited to: crime reduction and prevention; education programs; assistance in locating missing persons; dealing with lost property; traffic control; victim assistance; and traffic collision investigations.

Although legislation and the common law define the authority of the police, the ability of the police to perform their duties also depends on the public’s approval, support and willing co-operation.

To be effective, the delivery of policing services must be based on the principles of partnership, ownership, problem-solving and quality service.

The police strive to maintain a relationship with the public that lives up to the historic tradition: “The police are the public, the public are the police.” Police officers are members of the public who are specially authorized to perform policing duties on behalf of the public. Developing, nurturing and sustaining a partnership between the community and the police are essential to success in addressing crime, disorder and other community problems.

The police must seek and preserve public trust, confidence and support by exercising impartial service to the law and by providing service to all people without regard to race, colour, religion, national origin, ancestry, place of origin, age, physical disability, mental disability, marital status, sexual orientation, sex, social condition or political belief or activity.

Statement

Police forces as part of the criminal justice system and in accordance with the *Charter*, are responsible for maintaining peace and order, protecting lives and property; preventing and investigating crime; and providing policing services responsive to community needs.

Policing services should be provided throughout New Brunswick in accordance with the following principles. Policing services are to be:

- delivered effectively, efficiently and impartially to all persons;
- delivered on the basis of a partnership between the police and the community, and responsive to community needs;
- sensitive to the needs of victims of crime and all other users of policing services;
- sensitive to and strive to represent the diverse character of the community being served; and
- conducted in a manner that maintains the trust and respect of the public (through adherence to strict ethical standards).

RR 3 – Adequacy and effectiveness

Preamble

The development and refinement of these standards are a dynamic process. The Department of Justice and Public Safety continually reviews and modifies them in consultation with police forces, the Royal Canadian Mounted Police (RCMP) and other stakeholders to ensure they accurately reflect the delivery of adequate and effective policing.

Statement

A police service will be deemed adequate and effective if the legislative requirements and standards are met and:

- measures and indicators of adequate and effective policing services may include, but are not limited to: legal requirements; compliance with standards; compliance with municipal / regional police forces operational and administrative manuals; and efficiency and timeliness; and
- once legislative requirements and standards are fulfilled, the civic authority determines the level of enhanced services that addresses the local policing priorities balanced against the costs for service delivery beyond core policing functions.

RR 4 – Guidelines and directives

Preamble

The Minister provides advice and direction to police forces in response to new legislation or changes in law, or to address emerging policing issues.

Statement

Direction to police forces can take the form of guidelines or directives, depending on the issue, thus:

Standard

RR 4.1 Police forces shall comply with issued guidelines and directives, regardless whether they are specifically referenced in these standards.

RR 5 – Shared services / liaison with other agencies

Preamble

There is a strong spirit of co-operation among New Brunswick police forces. They help each other and share expertise, even when there are no formal agreements for doing so. Joint planning and the development of formal aid agreements enhance effective police service delivery. Written agreements clearly establish the roles and responsibilities of the respective parties; enhance communication; and remain viable regardless of changes in personnel or changes that could impact arrangements. Formal agreements among police forces provide effective options for addressing specific organizational needs such as training or providing specialized expertise.

Statement

These standards have been developed to provide for flexible implementation at the local level. The resource limitations of police forces vary from one community to the next. To ensure that the required resources are available to meet a particular standard, a police force shall provide the service directly or enter into a mutual aid or shared service agreement with another police force or the RCMP.¹

Standards

RR 5.1 Any agreement / contract for service, or Memorandum of Understanding (MOU), shall be with the concurrence of the chief of police of the contracting police force and the civic authority, and it will clearly describe any mutual aid or other specialized police services that they either provide to, or receive from another police force or the RCMP.²

RR 5.2 The following specialized services shall require this type of documentation:

- a) polygraph services;
- b) police dog service;
- c) forensic identification services;
- d) scenes of crime officer (SOCO) or crime scene investigator;
- e) crowd control / public order unit;
- f) collision reconstructionist, or collision analyst;
- g) major / serious crime investigations (including but not limited to special investigations);
- h) explosives disposal;
- i) Emergency Response Team (ERT);
- j) incident commander;
- k) hostage negotiator;
- l) marine operations; and
- m) Underwater Recovery Team (URT).

RR 5.3 Personnel involved in the delivery of specialized police services shall be trained by a recognized training facility or institution as approved by the chief of police.

RR 5.4 Written agreements entered into by a police force, such as contracts, MOUs or agreements for specialized police services that involve fee for services or cost recovery arrangements are to be provided to the Department of Justice and Public Safety.

RR 5.5 Police forces with territorial boundaries abutting other police force or RCMP boundaries shall make every effort possible to cooperate in the sharing of certain specialized policing functions.

RR 5.6 Police forces shall establish a working relationship through an MOU with a ground search and rescue organization closest to the jurisdiction of the police force capable of providing assistance in lost or missing person incidents. Policy in this regard shall be consistent with municipal / regional police forces operational and administrative manuals.

RR 5.7 Police forces shall maintain liaison with criminal justice agencies including, but not limited to:

- a) local courts for adults and young persons;
- b) Crown prosecutors;
- c) probation and parole agencies;
- d) correctional facilities for adults and young persons;
- e) Safer Communities and Neighbourhoods (SCAN) Unit;
- f) Off-Road Vehicle Enforcement Unit;
- g) Commercial Vehicle Enforcement (CVE);
- h) Victim Services;
- i) Contraband Enforcement Unit (CEU); and
- j) regional coroner.

RR 5.8 Police forces shall adhere to the requirements of the New Brunswick *Coroner's Act* as per municipal / regional police forces operational and administrative manuals.

¹ Refer to OPS 3.11

² Refer to OPS 3.11

RR 6 – Provincial police force

Preamble

Pursuant to the *Police Act*, the Government of New Brunswick is ultimately responsible for policing and ensuring that adequate and effective policing is maintained throughout the province and “shall co-ordinate the work and efforts of Police Forces and the Royal Canadian Mounted Police.”

Statement

Provincial police service agreement

The *Provincial Police Service Agreement* (PPSA) between the Government of New Brunswick and the Government of Canada establishes the RCMP as the provincial police force. The agreement states that, “the internal management of the Provincial Police Service, including its administration and the determination and application of professional policing procedures, will remain under the control of Canada.”

The agreement further provides that, “in determining the professional police standards or procedures in respect of the Provincial Police Service, the Commissioner will harmonize those standards or procedures to be substantially similar to or exceed the comparable professional police standard or procedure applicable to all other police services in the Province.”

RR 7 – Accountability and compliance

Preamble

These standards apply to all police forces in New Brunswick. Police forces shall comply with them.

Statement

Police forces may be inspected and reviewed at any time against any or all of these standards as directed by the Minister.

Standards

RR 7.1 The chief of police shall ensure that the services of the police force meet all of these standards.

RR 7.2 The chief of police shall ensure that any contracts, mutual aid agreements or integration of specialized services with other police forces meet all of the standards within the service delivery area.

RR 7.3 Should a police force be found to be non-compliant with any of these standards, it shall take corrective action to achieve compliance within a specified period.

RR 7.4 The chief of police shall review any concerns resulting from a review or an inspection with the review team leader. If this fails to resolve the concerns to the chief’s satisfaction, he or she may request that the assistant deputy minister of justice and public safety, responsible for the Policing Standards and Contract Management Branch, attempt to mediate a resolution to the dispute.

RR 7.5 If mediation is unsuccessful, the chief may request the Deputy Minister of Justice and Public Safety review the matter. The Deputy Minister may act independently or, on a case-by-case basis, establish a committee to review the matter and make recommendations. The decision of the Deputy Minister is final and binding.

RR 8 – Official Languages

Preamble

The *Official Languages Act* and the *Constitution Act (1982)* with the *Charter*, provide that English and French are the Official Languages of New Brunswick and have equality of status as well as equal rights and privileges as to their use in all institutions of the Legislature and Government of New Brunswick.

Statement

Police force service delivery must adhere to the New Brunswick *Official Languages Act*. The Act guarantees that members of the public can exercise the right to communicate with all police services in the Official Language of choice.

Standards

RR 8.1 Pursuant to subsection 31(1) of the *Official Languages Act*, "Members of the public have the right, when communicating with a peace officer, to receive service in the official language of their choice and must be informed of that right."

RR 8.2 Pursuant to subsection 31(2) of the *Official Languages Act*, "If a peace officer is unable to provide service in the language chosen under subsection (1), the peace officer shall take whatever measures are necessary, within a reasonable time, to ensure compliance with the choice made under subsection (1)."

Organization (ORG)

ORG 1 – Community policing

Preamble

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 the community. Advancing community policing requires ongoing dialogue with the community, taking a collaborative and proactive approach and identifying community needs.

Statement

The police force service delivery model is contemporary community policing. Strategies to implement community policing will vary according to community needs and available resources.

Standards

ORG 1.1 Police forces in the delivery of their services shall:

- a) identify communities in their territory;
- b) establish community consultative committees as deemed appropriate and necessary;
- c) work with community organizations;
- d) develop community based policies for the police force consistent with municipal / regional police forces operational and administrative manuals;
- e) inform all personnel of their role and responsibilities to achieve the police force's community based objectives;
- f) empower police officers to make decisions and take action;

- g) make patrol, enforcement and investigation work effective and directed;
- h) identify training needs through interviews with citizen representatives, conferences with supervisors and consultation with the Department of Justice and Public Safety and those involved in internal investigations; and
- i) evaluate the effectiveness of the police force's community based initiatives.

ORG 1.2 Police forces shall formally consult with the community every four years (at a minimum) to identify community needs, concerns and expectations regarding policing. The process shall address:

- a) the performance of the police force;
- b) how police are perceived to conduct themselves while performing their duties;
- c) the involvement of police with their community and residents;
- d) public perceptions regarding safety and security in the community;
- e) recommendations for improvement; and
- f) the level of satisfaction among the public.

ORG 1.3 Police forces shall take appropriate steps to address identified community needs, concerns and expectations.

ORG 1.4 Police forces shall liaise with school officials in support of promoting community-based policing and ensuring that safe school plans are in place.

ORG 2 – Organization and direction

Preamble

These standards are intended to ensure that the police force establishes a formal structure to organize, define, direct and coordinate its components and functions. The standards also relate to direction and supervision.

Statement

All personnel shall have a clear understanding of their powers in carrying out their duties in accordance with written police procedures, rules and regulations.

Standards

ORG 2.1 Police forces shall ensure that all personnel have access to a current organizational chart and written description of the organization's structure.

ORG 2.2 Police forces shall have policy describing each organizational component or function.

ORG 2.3 Police forces shall address command protocol:

- a) in the absence of the chief;
- b) involving personnel in a joint forces operation;

- c) integrated services; and
- d) day-to-day operations.

ORG 2.4 Lawful orders from all levels of management shall be obeyed. Receiving any conflicting or unlawful orders shall be addressed in appropriate policy.

ORG 2.5 Police forces shall have formal written policies and procedures (hereinafter referred to as a “policy”). Policies and procedures shall be reviewed, updated and amended regularly and shall be consistent with municipal / regional police forces operational and administrative manuals.

ORG 2.6 Police forces shall have and display a mission / values statement.

ORG 2.7 Police forces may have policy in addition to the *Police Act*, its Code of Professional Conduct Regulation and municipal / regional police forces operational and administrative manuals.

Administrative forms

ORG 2.8 Forms are an integral part of police work. Police forces shall ensure that all employees are familiar with and have knowledge of the forms used by them.

ORG 2.9 Forms created by the New Brunswick Association of Chiefs of Police (NBACP) Policing Standards Policy Committee are designated by the letter “P” and shall be used by all police forces.

ORG 3 – Planning

Preamble

Planning process is essential to effective management. Police forces should have clearly written goals and objectives and a plan for achieving them.

Statement

A plan should cover successive years beyond the current budget and should contain provisions for frequent evaluation and updating.

Standards

ORG 3.1 Police forces shall develop multi-year plans that include, but are not limited to:

- a) operational goals and objectives;
- b) consideration of population growth and migration;
- c) future staffing requirements;
- d) future capital improvements and equipment requirements; and

- e) review plans annually.

ORG 3.2 Police forces shall submit a report annually to the Minister. The report shall include, but is not limited to:

- a) identified measures of performance and results;
- b) complaints against the force and / or its members;
- c) financial statements of cost associated with the police force;
- d) highlights of significant community policing consultations; and
- e) an overview of staffing levels that includes, but is not limited to:
 - i) the number of vacancies;
 - ii) the number of retirements;
 - iii) the number of new hires; and
 - iv) the breakdown of language, gender and experience.

ORG 4 – Financial management

Preamble

The accounting system(s) used by police forces should mirror the system(s) used by the civic authority.

Statement

Accounting systems should follow accepted accounting principles. Formal financial control procedures establish authority and responsibility, and they alert management to problems that may require remedial action.

Standards

Budget and accounting

ORG 4.1 Police forces shall have an accounting system that complies with generally accepted accounting principles.

ORG 4.2 The chief of police is responsible for presenting detailed annual budget projections based on functional goals and objectives. He or she submits the budget recommendations to the civic authority for approval.

ORG 4.3 Police force policy, consistent with municipal / regional police forces operational and administrative manuals, shall outline:

- a) the budget process;
- b) responsibility for budget preparation;
- c) responsibilities for fiscal management;
- d) amount limits for purchasing equipment / supplies and procedures; and
- e) other budgetary requirements involving unexpected serious incidents.

Purchasing

ORG 4.4 Civic authorities should have an established policy that controls maintenance of all cash funds handled by its police force and the police force shall abide by the policy.

ORG 4.5 Civic authorities should have an established policy pertaining to external fundraising activities by the police force that generates funds for the good of all employees or charitable organizations. All such funds should be recorded as separate from any other municipal account and a minimum of two signatories, other than the chief of police, having signing authority on behalf of the police force for any such funds.

Disbursements

ORG 4.6 A civic authority's finance department is responsible for all disbursements other than petty cash and investigative fees paid to confidential informants, which are completed through the chief of police, or designate, who is reimbursed by the finance department.

ORG 4.7 Receipts of expenditures paid out by petty cash shall be available for municipal audits.

Police equipment

ORG 4.8 Civic authorities should have a policy for their police force that stipulates internal procedures for acquisition, disposal and control of police equipment and other assets assigned to the police force. Thus, the police force shall identify and list all police equipment as assets of the civic authority.

ORG 4.9 The issuing of police equipment and policy for its maintenance shall be controlled by the chief of police.

ORG 4.10 The chief of police shall ensure that issued equipment, sanctioned by a collaborative committee as approved by the Minister, is maintained in a state of operational readiness.

ORG 5 – Quality assurance

Preamble

The purpose of quality assurance is to ensure objective reviews of facilities, property, equipment, personnel and activities outside the normal supervisory procedures and the chain of command. Quality assurance is a shared responsibility between the chief of police and the Minister of Justice and Public Safety.

Statement

Responsibility for a quality assurance program shall be outlined in the police force's policy. Responsibility for the Department of Justice and Public Safety's Quality Assurance program shall be outlined in municipal / regional police forces operational and administrative manuals.

Standards

ORG 5.1 Written policies, consistent with municipal / regional police forces operational and administrative manuals, are required. They shall describe the authority and state the requirement for an internal quality assurance program, including the necessity to:

- a) develop a risking process for quality assurance assessment; and
- b) have directives on how, when and who will take responsibility in insuring any corrective measures are completed.

ORG 5.2 Police forces shall have policy facilitating the review / audit of the standards conducted by the Department of Justice and Public Safety.

ORG 5.3 Police forces shall comply with the requests of the Department of Justice and Public Safety for the submission of all documentation related to the provincial Quality Assurance program.

Personnel (PER)

PER 1 – Recruitment and selection of police officers

Preamble

Police forces shall provide adequate and effective policing that meets the needs of the community and encourages diversity. To assist in achieving this requirement, police forces must recruit police officers through a process sensitive to the principles of transparency and equity. For adequate and effective policing, police forces are required to select qualified individuals.

Statement

The following standards, which reflect those principles, are intended to ensure that both organizational needs and community expectations are met. To ensure that best practices in the selection process of police officers are met, police forces shall abide by the *Police Act* and its Qualifications Regulation.

Standards

PER 1.1 Responsibility for the recruitment of candidates as police officer shall be outlined in the police force's policy.

PER 1.2 Police forces shall ensure that persons responsible for recruitment have the skills and competencies required to fulfil their duties.

PER 1.3 Police forces shall have a recruiting plan that includes, but is not limited to:

- a) police force personnel requirements, including consideration of community diversity;
- b) written strategies for acquiring personnel to fulfil the requirements;
- c) defined and documented special requirements or restrictions for employment, including level of fitness, education, knowledge and integrity;
- d) a documented description of the recruiting process; and
- e) a documented process for evaluating the recruitment plan.

PER 1.4 Police forces shall, at the time of receiving an application, provide written information to the applicant about the recruiting process and any costs associated with the application process that must be borne by the applicant.

PER 1.5 Police forces shall select qualified individuals and have a selection process based on the principles of fairness and transparency.

PER 1.6 Police forces shall have policy ensuring that their recruit selection process complies with the *Police Act* and its Qualifications Regulation.

PER 1.7 Police forces shall have a written selection process that includes, but is not limited to:

- a) pre-requisites to be met prior to selection; list of pre-requisites are available to the public;
- b) written procedures for rewriting, reapplying or having test results re-evaluated, if permitted;
- c) a procedure for notifying unsuccessful candidates of their ineligibility, and;
- d) a thorough background investigation of applicants, including, at minimum:
 - i) fingerprinting;
 - ii) CPIC criminal records checks;
 - iii) local indices checks;
 - iv) references;
 - v) interview of applicant; and
 - vi) an assessment of the applicant's overall suitability.

PER 1.8 Responsibility for the selection of personnel shall be outlined in the police force's policy.

PER 1.9 Police forces shall ensure that staff responsible for the selection process, including those conducting background investigations of applicants, have the skills and competencies they require to complete their duties.

PER 1.10 Police forces shall ensure that all candidates selected to serve as a police officer meet the standards in the *Police Act* and its Qualifications Regulation.

PER 2 – Training

Preamble

Police forces shall provide induction training, in-service training and professional development to personnel to ensure that they have the skills and competencies to discharge their duties effectively. This training commences on hiring and continues throughout the careers of sworn, civilian and volunteer personnel. Police forces have various duty functions within their establishments. Some are permanent; others are staffed on a rotation basis; and still others are staffed temporarily to address a particular situation or condition that requires a need for a specialized assignment.

Statement

Training addresses the minimum requirements for promoting professional and consistent skill development in police forces in New Brunswick and recognizes the variety of duties of personnel as well as the unique demands of police work. All police forces have a need for police officers to be assigned to certain functions, secondments and specialized duties. The training standards provide for regular education and training about developments in statute and case law as well as changes in technology and changing demographics. The standards do not limit any police force from designing and delivering enhanced training to meet the needs of the community it serves. Training must also be consistent with the force's goals and objectives.

Standards

PER 2.1 Police forces shall maintain a training function that includes, but is not limited to:

- a) planning and developing training programs;
- b) informing personnel of required training and available courses;
- c) maintaining training records of personnel;
- d) managing attendance at required training sessions;
- e) implementing training courses;
- f) selecting instructors and participants; and
- g) coordinating and evaluating training programs.

PER 2.2 To support the training function, police forces shall:

- a) specify a person within the force who will be responsible for the training function;
- b) establish an annual process for re-evaluating, updating and revising all of the force's in-house training programs;
- c) create policy governing employee reimbursements for those attending training programs;

- d) include within the training policy, a determination for the use of the resources of public and private organizations in the force's training programs;
- e) police forces shall maintain training standards for each course and the standards will include provisions for, but is not limited to:
 - i) goals and objectives of the training course;
 - ii) guidelines and format for lesson plans;
 - iii) statement of performance objectives;
 - iv) content overview of the course;
 - v) recommended instructional methodology;
 - vi) compliance with case law requirement of the *Charter*, where applicable;
 - vii) policy that specifies the approval process for lesson plans and use of testing for all in-house training;
 - viii) policy governing corrective or remedial training which will also include the circumstances and criteria used to decide on the need for further instruction, the timetables under which the training is provided and the consequences of non-participation in such training;
 - ix) training records of each in-house training course and, at minimum, such records are to include the course content, names of participants and their performance where tests are administered; and
 - x) ensure that the police force's directives identify the qualifications required for instructors conducting in-house training.

PER 2.3 Police forces shall have policy in regard to a field training program for probationary constables and cadets with provisions for:

- a) the selection process for field trainers / coaches;
- b) the supervision of field trainers / coaches;
- c) all required training for field trainers / coaches;
- d) rotation of probationary constables and cadets in assignments; and
- e) evaluation guideline for probationary constables to be used by field trainers / coaches, and reporting responsibilities for field trainers / coaches.

PER 2.4 Police forces shall maintain a training program for all police officers that include, but is not limited to, the delivery of professional development training to ensure police officers remain current in the following:

- a) First Aid and CPR;
- b) use of force weapons qualification / certification, requalification / recertification;

- c) *Criminal Code* authorities and restrictions on the use of force;
- d) a use of force model approved by the Canadian Association of Chiefs of Police (CACP);
- e) reporting on the use of force incidents;
- f) officer safety;
- g) motor vehicle pursuits;
- h) arrest and detention;
- i) diversity awareness;
- j) multicultural awareness;
- k) intimate partner violence (IPV);
- l) provincial protocols;
- m) victim assistance concepts and programs;
- n) integrity and ethics;
- o) respectful workplace;
- p) problem solving and risk assessment;
- q) contemporary community policing;
- r) quality of service;
- s) evolving changes in statute and case law;
- t) evolving changes in organizational procedure and policy;
- u) search and seizure;
- v) preparing and presenting evidence in court;
- w) interviewing and interrogation techniques; and
- x) investigation of motor vehicle collisions, levels 1 and 2.

PER 2.5 Police forces shall maintain a training program for all officers who may be assigned to investigate criminal offences of a varying degree of complexity.

PER 2.6 Police forces shall establish an orientation training program for personnel being hired, transferred or promoted with provisions for:

- a) familiarization with force policies; facilities and equipment, and duties and responsibilities;

- b) performance expectations; and
- c) initiation of orientation training within 30 days of assignment.

PER 2.7 Police forces shall establish policy that will describe the procedure for application to any rotating or temporary assignment, including naming the available positions, their duration, qualifications and criteria.

PER 2.8 Policy shall dictate that the chief of police controls the appointments and secondments to specialized duties, and he or she conducts periodic reviews to determine the ongoing validity, need for, and time limit for same.

PER 2.9 The police force shall ensure that proper notice is provided to all members of the force in relation to any upcoming secondments or specialized duty in anticipation of applying for the above.

PER 2.10 Police forces shall maintain a training program for civilian members of the force to include, but is not limited to:

- a) for new personnel, an orientation to the force's role, purpose, goals, policies, procedures, working conditions and employee responsibilities; and
- b) internal training for personnel being transferred or promoted, or as deemed necessary.

PER 2.11 Police forces shall maintain a training program for volunteers of the force to include an orientation of the force's role, purpose, goals, policies, procedures and volunteer responsibilities.

PER 2.12 Police forces shall create policy that identifies requirements and qualifications for application purposes to all training in their training programs.

PER 3 – Annual performance appraisal

Preamble

Police forces shall appraise the performance of their personnel annually. Appraisals are conducted to reinforce and reward positive performance, acknowledge and rectify marginal performance and address unacceptable performance in a timely fashion.

Statement

Standards related to performance appraisals are intended to promote a performance appraisal system that responds to the needs of the police force while ensuring fairness and equity.

Standards

PER 3.1 A performance appraisal system shall measure observable and relevant behaviour, and it shall be applied fairly and equitably.

PER 3.2 Police forces shall have policy citing the requirement for an annual appraisal of every employee. For new, entry level employees, appraisals shall be completed every three months during the probationary period.

PER 3.3 Police forces shall adopt policies to ensure the completion of performance appraisals and will include, but is not limited to:

- a) providing training for evaluators;
- b) ensuring that appraisals are properly documented;
- c) ensuring that appraisals are duly signed by both the evaluator and the employee;
- d) briefing employees on the conclusion of their appraisal;
- e) documenting outstanding, as well as unsatisfactory appraisals in comments and addressing corrective measures to improve unsatisfactory or marginal performance within the terms of the *Police Act* and its regulations;
- f) including proposals for advancement, specialization or enhanced training;
- g) providing a copy of the appraisal to the employee; and
- h) stating the appeal process.

PER 4 – Promotion

Preamble

The diverse career of policing provides opportunities for advancement and promotion within a police force. A police officer's experience, policing knowledge and performance are to be considered in a candidate's eligibility for promotion. Thus, a promotional routine shall be established based on the principles of fairness, equity and transparency.

Statement

All employees should have a clear understanding of the process involved for advancement within the police force.

Standards

PER 4.1 The responsibility for the administration of the police force's promotional routine shall be outlined within its policy.

PER 4.2 Police forces shall establish in writing the criteria for advancement in the promotional routine and will include, but is not limited to:

- a) selection of police officer who have clearly demonstrated the skill, knowledge and capability to perform at a higher level;
- b) selection of the most suitable candidate;
- c) selection of police officers who have demonstrated the potential to assume additional responsibility;
- d) evaluation of candidates through their annual performance appraisals;
- e) an appeals process whereby unsuccessful candidates can resort to and seek redress; and
- f) the control of promotional evaluation documents.

PER 4.3 A police force's promotional routine shall require that all promotional opportunities are posted.

PER 4.4 Police forces shall define promotional eligibility, including, but not limited to:

- a) criteria for meeting eligibility requirements, with a weighted value for each;
- b) the impact of seniority; and
- c) the process used to select successful candidates.

PER 4.5 Police force policy shall include a term of probation for all newly promoted members.

PER 4.6 Police forces shall have policy noting the requirement for newly promoted police officers to complete successfully appropriate training courses within a stated time frame agreed to by the chief of police and the selected candidate. Supervisory courses shall be sanctioned by the NBACP.

PER 4.7 Police force policy shall include a system for conducting an analysis, evaluation and amendments, as required, of its promotional routine.

PER 5 – Grievances

Preamble

Police forces shall respond to employee grievances. Conflict resolution shall adhere to the principles of fairness, equity, consistency and predictability.

Statement

The following standards address the needs of the police force as a whole, as well as the needs and expectations of its employees. The responsibility for grievance resolution shall be outlined in police force policy.

Standards

PER 5.1 If a police force has not articulated a comprehensive grievance process in its collective agreement, or it is not included in relevant legislation, the police force shall describe its grievance procedures in policy. The procedures shall include, but are not limited to:

- a) matters that may be filed as a grievance;
- b) procedures used to resolve a grievance, including mediation;
- c) limitation of action on the grievance process;
- d) conditions for employee representation;
- e) procedures for appeal;
- f) remedies available as a consequence of submitting a grievance; and
- g) the responsibility of supervisors in the grievance process.

PER 6 – Professional standards

Preamble

Police officers shall administer the law in a just and impartial manner. They shall exercise self-discipline and protect the dignity of all persons.

Police forces shall maintain public confidence by identifying and effectively responding to any unacceptable conduct by its members.

Statement

The following standards provide for the effective administration and investigation of complaints against a police force or its members by meeting the reasonable expectations of the public, the police force and the members affected. They ensure that the principles of timeliness, equity and openness are an integral component of the police force's response to complaints. The standards also assign responsibility for modifying behaviour.

Standards

Complaints

PER 6.1 Police forces shall thoroughly and promptly investigate complaints relating to officer conduct, service delivery and policy to maintain public confidence.

PER 6.2 The police force shall have policy consistent with municipal / regional police forces operational and administrative manuals outlining the responsibility for the administration and investigation of complaints against members.

PER 6.3 Police force policy shall clearly define a complaint process that complies with applicable legislation, including but not limited to the *Police Act* as well as its Code of Professional Conduct Regulation.

PER 6.4 Police forces shall produce and provide sufficient written information to explain the complaint process to the public and its members, and make that information available in public areas of all police facilities as well as in any arrest processing area.

PER 6.5 Police forces shall have policy stating that every police officer is required to inform the chief of police of the conduct of another police officer, whether the conduct occurs on or off duty, when such conduct is likely to constitute a breach of: discipline, professional ethics, a statutory offence, the *Police Act* or its Code of Professional Conduct Regulation.

PER 6.6 Police forces shall have policy stating that a police officer acting in a capacity of a designated union or association representative may be informed of the non-criminal conduct of another police officer as it relates to a contravention of disciplinary regulations or the failure to perform duties.

PER 6.7 Police forces shall have policy to ensure that no person may discriminate or retaliate against any police officer who makes a complaint about the conduct of another police officer or who acts in the capacity of a designated union or association representative.

PER 6.8 Police forces, when processing complaints, shall adhere to *Police Act*, Part III –Complaints and Discipline and the Code of Professional Conduct Regulation – *Police Act*.

PER 6.9 Police forces shall maintain a file on the nature and resolution of all complaints.

PER 6.10 Police forces shall provide an annual analysis of all complaints regarding either the conduct of an individual member or the quality of service delivered by the police force. The results of the analysis shall be included in the Police force's annual report to the Minister³.

Investigations

PER 6.11 Police forces shall confirm that persons assigned to investigate the conduct of any member or the quality of police service, have the skills, knowledge and competencies required to fulfil their responsibilities.

³ Refer to ORG 3.2

PER 6.12 Police forces shall inform fully the parties, on an ongoing basis, as to the status of the investigation.

PER 6.13 Police forces shall have policy detailing procedures for investigating all complaints. These shall include, but are not limited to:

- a) the nature and type of complaint available for informal resolution;
- b) the complainant's preference for a method of resolution;
- c) the member's preference for a method of resolution;
- d) the nature and type of complaint to be investigated by a supervisor; and
- e) the nature and type of complaint to be investigated by another force.

Corrective action

PER 6.14 Police forces shall have policy outlining the procedure for assigning authority and accountability to administer corrective action for specified occurrences, in accordance with applicable legislation.

PER 6.15 The police force shall embrace a variety of strategies to modify the behaviour of members, including counselling, training and discipline.

PER 6.16 All of the parties shall understand the degree and nature of sanctions.

PER 6.17 Members of a police force who are responsible for modifying behaviour shall be given the authority to discharge their duties.

PER 7 – Employment conditions

Preamble

Police forces are required to provide clearly defined compensation plans and conditions for employment. They are also required to ensure the provision of professional and confidential assistance with a broad range of personal work-related programs that meet employee needs, insofar as those needs affect the ability of the employee to discharge the responsibilities of his or her employment.

Statement

The following standards necessitate that employees are aware of the conditions of their employment as well as the range of programs available to respond to their personal needs.

Standards

PER 7.1 If there is no collective agreement, the police force shall have comprehensive policy describing the benefits available to employees. The policy shall include, but is not limited to:

- a) pay and compensation;
- b) leave and vacation entitlement;
- c) health care benefits;
- d) disability benefits;
- e) insurance benefits;
- f) education benefits; and
- g) retirement benefits.

PER 7.2 Police forces shall have an employee assistance program or available services to respond effectively to these employee needs but is not limited to:

- a) critical incident stress management;
- b) anger management;
- c) substance abuse management; and
- d) physical and mental wellness.

PER 7.3 Police forces shall have policy in relation to off-duty and extra duty employment. The policy shall include, but is not limited to:

- a) conflict of interest guidelines for off duty employment; and
- b) provisions for extra duty employment.

PER 8 – Volunteers

Preamble

Volunteers play an important role in the delivery of police services. The use of volunteers is, as well, not intended to replace employees or diminish their roles.

Auxiliaries are volunteers who have been chosen by the police force to assist in a myriad of functions not requiring a sworn police officer. Auxiliaries receive training and instruction from the police force and are supervised by its sworn police officers. Auxiliaries are members of the community with a sincere interest in working with the police force to advance the ideals of community policing.

The police force shall be responsible for liability issues that might arise from the participation of auxiliaries or volunteers.

Statement

Auxiliaries and especially volunteers are crucial to a professional service delivery. There is an expectation that auxiliaries and volunteers will carry out their duties ethically and with integrity. The following standards are intended to ensure that the needs of the police force and the community are met.

Standards

PER 8.1 The police force shall establish policy giving a description of its auxiliary program, ensuring training is conducted to meet any performance needs in relation to any duty an auxiliary may be called on to perform.

PER 8.2 Police forces, when recruiting auxiliaries, shall take into account the cultural diversity of the community.

PER 8.3 Police forces shall conduct an appropriate screening process prior to the appointments of auxiliaries, consistent with municipal / regional police forces operational and administrative manuals.

PER 8.4 Should auxiliaries be required to wear a uniform, a proper designation shall be worn by the auxiliary member identifying him or her as an auxiliary.

PER 8.5 Police forces, when recruiting volunteers, shall take into account the cultural diversity of the community, the nature of the program for which they are being recruited for and the availability of the volunteers.

PER 8.6 Police forces shall conduct an appropriate screening process prior to an association with a volunteer who will be working with it, consistent with municipal / regional police forces operational and administrative manuals.

PER 8.7 Should a volunteer position require training to fulfil any requirement, the police force shall provide the volunteer with sufficient training to ensure he or she can perform his or her role in an acceptable manner.

Operations (OPS)

OPS 1 – Preventing and reducing crime

Preamble

Preventing and reducing crime are the most effective ways to promote safe communities. Consistent with the philosophy of contemporary community policing, crime prevention extends beyond the concepts of home security and personal safety. Preventing and reducing crime engages the whole community in defining issues, establishing priorities, building problem-solving coalitions and accepting responsibility for enhancing public safety. Effective initiatives produce results that support a spectrum of approaches designed to diminish crime opportunities while addressing the root causes of a criminal activity.

All police force personnel are responsible for achieving the force's short-term and long-term crime prevention and reduction goals.

Standards

OPS 1.1 Police forces shall have policy that states that they are committed to the development and advancement of community crime reduction strategies and crime prevention initiatives or programs that promote crime prevention for all residents.

OPS 1.2 Police forces shall have policy, consistent with municipal / regional police forces operational and administrative manuals, establishing their crime reduction and crime prevention priorities and provide for the following:

- a) addressing prolific and chronic offenders based on an analysis of data;
- b) addressing community perceptions of crime; and
- c) establishing crime prevention and crime reduction goals, objectives and evaluation criteria.

OPS 2 – Primary response

Preamble

Primary response is used to refer to the uniformed front line service delivery component of the police force. It means primarily a law enforcement function with police officers employed in many policing activities.

Statement

Police officers assigned to primary response actively participate in crime reduction and prevention, community policing, traffic enforcement and criminal investigations. The functions of primary response, as related to these separate activities, are addressed in various sections of these standards.

Standards

OPS 2.1 Police forces shall establish procedures for communication, coordination and cooperation between primary response and other support services.

OPS 2.2 Police forces shall provide the public access to their service 24 hours / day, and have police on duty a minimum of 16 hours / day, excluding stand-by status.

OPS 2.3 Police forces shall have policy detailing procedures for responding to routine, urgent and emergency calls for service, with provisions for:

- a) In situations where there is a threat of personal injury or a crime in progress:
 - i dispatch is immediate;
 - ii response is immediate taking all conditions into consideration.
- b) In situations where damage to or loss of property is likely or, if a crime has just occurred, a quick response contributes to successful apprehension of the perpetrator:
 - i dispatch is at the first opportunity;
 - ii response is as soon as practicable, taking all conditions into consideration.
- c) In situations where neither a) nor b) exists:
 - i dispatch and response as deemed appropriate by the police force in accordance with community based policing concepts.

OPS 2.4 Police forces shall ensure that all aspects of a request for service of legal documents are adequately documented.

OPS 2.5 Police forces shall have policy describing the circumstances that will require the presence of a supervisor at the scene of a complaint for the purposes of taking command.

OPS 2.6 Police forces shall ensure that every police officer engaged in primary response has access to radio communication.

OPS 2.7 Police forces shall ensure that vehicles used in routine or general patrol, whether noticeably marked or not, are equipped with emergency lighting and siren.

OPS 2.8 Police force policy shall specify the equipment to be included in every police vehicle to address safety and liability issues for police officers and the public.

OPS 2.9 Police forces shall designate specifications for all authorized personal equipment and apparel of primary response and auxiliaries.

OPS 2.10 Police force policy shall specify the personal protective equipment to be available for all sworn personnel and auxiliaries, which, at a minimum, shall include body armour and guidelines for wearing that equipment.

OPS 2.11 Police forces that allow ride-along participants shall have policy outlining responsibility for the administration of the ride-along program addressing:

- a) participant eligibility and screening procedures;
- b) ride-along program procedures;
- c) confidentiality issues; and
- d) liability issues.

OPS 3 – Investigations

Preamble

A core function of a police force is the ability to investigate crime. These standards are based on the idea that police forces have options and some degree of discretion in determining the degree of specialization. The standards identify elements that are common to every investigation.

Statement

The following standards relate to investigation functions. A police force may enter into a mutual aid or shared service agreement with another police force or the RCMP to ensure the availability of resources required to meet provincial standards.⁴

Standards

OPS 3.1 Police forces shall maintain an operational records management system approved by the director of Policing Standards and Contract Management that addresses:

- a) types of records to be maintained;
- b) administrative format;
- c) accessibility to the files;
- d) purging of files; and
- e) submission to the provincial archivist⁵.

OPS 3.2 Police forces shall establish an investigative diary date control system for all investigations.

OPS 3.3 Police forces shall have policy that specifies accountability for conducting preliminary and follow-up criminal investigations.

OPS 3.4 Police forces shall designate a single person as principal investigator or case coordinator to each investigation.

OPS 3.5 Police forces shall establish procedures to be used in criminal investigations that include, but are not limited to:

- a) initial information gathering;
- b) interviews and interrogations;
- c) protection of the crime scene;
- d) collection, preservation and use of physical evidence;
- e) surveillance;
- f) use of electronic monitoring; and
- g) use of tracking devices.

OPS 3.6 Police forces shall have policy for assuring compliance with the *Charter* during investigations, and in particular, with respect to the arrest and detention of any individual.

OPS 3.7 Police forces shall establish steps to be followed in conducting preliminary and follow-up investigations and shall provide checklists to aid in the investigation of criminal cases when required.

OPS 3.8 Police forces shall have an investigative component whereby police officers have been trained to investigate criminal offences of a varying degree of complexity than those more appropriately handled by the primary response officer.

⁴ Refer to RR 5.1 & RR 5.2

⁵ Refer to SS 7

OPS 3.9 Police forces shall ensure that a major case investigator and / or a duty officer is / are contacted for consultation or attendance at crime scenes 24 hours a day.

OPS 3.10 Police forces shall ensure that any person identified as responsible for a major investigation is certified to a level approved by the chief of police.

OPS 3.11 Police forces shall provide or have access to specialized services on a 24-hour basis and shall include, but is not limited to⁶:

- a) polygraph services;
- b) police dog service;
- c) forensic identification services;
- d) scenes of crime officer (SOCO) or crime scene investigator;
- e) crowd control / public order unit;
- f) collision reconstructionist, or collision analyst;
- g) major / serious crime investigations (including but not limited to special investigations);
- h) explosives disposal;
- i) Emergency Response Team (ERT);
- j) incident commander;
- k) hostage negotiator;
- l) marine operations; and
- m) Underwater Recovery Team (URT).

OPS 3.12 Police forces shall ensure that any personnel involved in the delivery of a specialized police service are trained by a recognized training facility or institution as approved by the chief of police.

OPS 3.13 Police forces shall participate, communicate and collaborate with an organized crime investigation unit approved by the Minister of Justice and Public Safety.

OPS 3.14 Police forces shall have policy governing joint forces investigations and the sharing of information with other police agencies.

OPS 3.15 Police forces shall have policy on the Utilization of Human Sources as per municipal / regional police forces operational and administrative manuals.

OPS 3.16 Police forces that have a fund for paying informants shall have policy that establishes controls for the fund, including, but is not limited to:

- a) accessibility;
- b) criteria for use;
- c) accounting; and
- d) auditing.

OPS 3.17 Police forces shall maintain an expenditure code within their budgets in accordance with their civic authority's accounting processes, to support confidential operations of major crime functions. The maintenance of the expenditure code shall include, but is not limited to:

- a) authorization of one person as being responsible for the system;
- b) submission of request for funds prior to payment;
- c) submission of receipt after payment to include the amount and purpose of payment, officer's name and information or material purchased;
- d) approval by the chief of police for payments in excess of a specified amount;
- e) annual audits of expenditures by the municipal treasurer or external auditor with report to the municipality; and
- f) at least two police members witnessing the payments of funds.

OPS 3.18 Police forces shall cooperate and make available any documentation necessary to a person or persons directed by the director of the Policing Standards and Contract Management Branch to conduct a review of Human Sources.

OPS 3.19 Police forces shall have policy in respect to the Violent Crime Linkage Analysis System (ViCLAS) as per municipal / regional police forces operational and administrative manuals.

OPS 3.20 Police forces shall have policy governing the investigation of hate/bias motivated crime, which is defined as crime motivated by bias, prejudice or hate based on race, national or ethnic origin, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor.

OPS 3.21 Police forces shall adhere to the New Brunswick *Cross Border Policing Act*, and any force policy shall be consistent with municipal / regional police forces operational and administrative manuals.

⁶ Refer to RR 5.1

OPS 4 – Disclosure

Preamble

Police forces shall conduct investigations in such a way as to enable evidence to be properly admitted into court.

Statement

The preparation and submission of timely and complete prosecution packages and other documentation supports quality prosecutions and can enhance the opportunity for early case resolution, in appropriate circumstances.

Standards

OPS 4.1 Police forces shall have established formal and informal mechanisms to ensure:

- a) effective liaison between the police force and the office of the Crown prosecutor;
- b) early identification of investigations that may present challenges to the Crown prosecutor; and
- c) a consultative process with the Crown prosecutor in cases of a complex or serious nature.

OPS 4.2 Police forces shall have policy requiring them to:

- a) provide the Crown with timely, complete and well organized documentation to enable proper Crown preparation, disclosure and prosecution, as per the *New Brunswick Disclosure Protocol*; and
- b) participate with the Crown prosecutor in the pre-charge screening process before charges are laid.

OPS 5 – Youth Criminal Justice Act

Preamble

The special, legal status of young persons requires clear policy and procedures be developed in accordance with the *Charter* and legislation, including the *Provincial Offences Procedure for Young Persons Act* and the *Youth Criminal Justice Act*.

Statement

All local written policy shall be compatible with municipal / regional police forces operational and administrative manuals.

Standards

OPS 5.1 Police forces shall establish a review process of their policy and procedures in relation to any changes, updates or amendments to the *Provincial Offences Procedure for Young Persons Act* and the *Youth Criminal Justice Act*.

OPS 5.2 Police forces shall have policy and procedures consistent with municipal / regional police forces operational and administrative manuals when detaining a young person, which will include, but is not limited to:

- a) notifying the young person immediately of his or her rights;
- b) as soon as is practicable, notifying the youth's parents / guardian; and
- c) ensuring youth are not detained with adult detainees.

OPS 5.3 Police forces shall establish procedures for the collection, dissemination and retention of fingerprints, photographs and other forms of identification pertaining to young persons.

OPS 5.4 Police forces shall have policy to prevent the unlawful disclosure of information related to any youth involved in an investigation.

OPS 5.5 Police forces shall assume a leading role in promoting, supporting and applying all measures of the *New Brunswick Youth Diversion Model*.

OPS 6 – Arrest and use of force

Preamble

Police forces shall provide officers with an understanding of the legal parameters for the lawful application of force. The Minister works in collaboration with the NBACP in the appropriate use of force and the approved equipment to carry out police duties.

Statement

A police officer's duty to enforce the law may require the use of force. Guidance and references for use of force initiatives can be found in course training standards provided during police training and the *National Use of Force Framework*.

Standards

Arrest

OPS 6.1 Police forces shall ensure that all policy on arrest complies with the requirements of the *Charter*, including, but not limited to:

- a) reasonable grounds;
- b) detaining;
- c) arresting;
- d) reason for arrest notification;
- e) right to counsel; and
- f) police warning.

Use of force

OPS 6.2 Police forces shall have policy with respect to the use of force as per municipal / regional police forces operational and administrative manuals. The policy shall cover, but is not limited to:

- a) general use of force procedures;
- b) responding to medical and mental health events⁷;
- c) use of force procedures for devices, weapons and firearms;
- d) use of force reporting procedures; and
- e) *National Use of Force Framework* current awareness by all members.

Training and qualification

OPS 6.3 Police forces shall have policy that addresses the following:

- a) A police officer must successfully complete an approved competency training course as approved by the chief of police, prior to being issued with a firearm or conducted energy weapon, or being authorized to carry or use a firearm or conducted energy weapon while on duty;
- b) A police officer shall not use any gas, chemical or aerosol weapon, less-lethal weapon or technology or any other prohibited weapon unless he or she has successfully completed a training course as approved by the chief of police;
- c) All police officers who carry a service firearm in the course of their duties are required to complete an annual requalification test successfully;
- d) All police officers issued with a conducted energy weapon shall receive annual certification or re-certification training based on a course training standard consistent, insofar as is practical, with the manufacturer's guidelines;
- e) Remedial firearm training and administrative steps are to be taken when a police officer does not requalify; and
- f) The maintenance of records of all training courses taken by police officers on the use of firearms, and any other authorized weapon used in the *National Use of Force Framework*, in the operations of a force.

Reporting

OPS 6.4 All police officers shall, upon the discharge of an issued firearm (except when participating in an authorized firearms training program), or deployment of a conducted energy weapon, immediately notify their supervisor, in every instance.

OPS 6.5 The police force shall forward a report to the director of the Policing Standards and Contract Management Branch of the Department of Justice and Public Safety when use of force is applied as per municipal / regional police forces operational and administrative manuals.

OPS 6.6 Police forces shall have policy that requires a timely review of every use of force incident and conduct an annual analysis of total incidents.

7 Refer to OPS 12

OPS 7 – Motor vehicle pursuits

Preamble

A motor vehicle pursuit occurs when a police officer follows a vehicle with the intent to stop or identify the driver, and the driver, being aware of the police action, fails to stop, initiates evasive action or ignores directions to stop / avoid apprehension. Motor vehicle pursuits present dangers to the public, to the driver being pursued and to the police officers involved.

Statement

There are limited circumstances where a motor vehicle pursuit is necessary and at a minimum a driver and or passenger of a vehicle being pursued must have committed, or is about to commit, an indictable (dual procedure) offence and immediate apprehension is required to prevent imminent harm to a person.

Standards

OPS 7.1 Police forces shall have policy governing the hazardous pursuit of motor vehicles and the use of roadblocks as per municipal / regional police forces operational and administrative manuals. The policy shall address:

- a) evaluation of the circumstances;
- b) management and control of the pursuit;
- c) responsibilities of police officers, dispatchers and supervisors;
- d) forcible stopping;
- e) ending the pursuit; and
- f) inter-jurisdictional and intra-jurisdictional pursuits.

Reporting

OPS 7.2 Police forces shall forward a report to the director of the Policing Standards and Contract Management Branch of the Department of Justice and Public Safety when a hazardous pursuit incident occurs as per municipal / regional police forces operational and administrative manuals.

OPS 7.3 Police forces shall have policy that requires a timely review of every hazardous pursuit incident and shall conduct an annual analysis of total incidents.

OPS 8 – Intimate partner violence

Preamble

The Government of New Brunswick has defined Intimate Partner Violence (IPV) as occurring when a person who is currently or was previously in an “intimate personal relationship” used abusive, threatening, harassing, or violent behaviour as a means to psychologically, physically, sexually or financially coerce, dominate and control the other member of the relationship.

IPV also occurs in the context of intimate personal relationships when a partner, or ex-partner, resorts to abusive, threatening, harassing or violent behaviour toward the other partner’s or ex-partner’s relatives, friends or new partners as a mean to psychologically dominate and control the other person.

Statement

The definition of IPV applies to individuals who were previously or who are currently involved in an intimate / romantic relationship with each other (married, common-law or dating) regardless of whether this relationship was between same-sex or different-sex couples and whether the couple cohabited.

Standards

OPS 8.1 Police forces shall have policy outlining the response and investigation of IPV as per municipal / regional police forces operational and administrative manuals.

OPS 8.2 Police forces shall have policy on the use of Police Based Risk Assessments for IPV investigations and will use the Police Based Risk Assessment Tool for the evaluation of risk as per municipal / regional police forces operational and administrative manuals.

OPS 8.3 Police forces shall follow the established New Brunswick protocols for the investigation of IPV and for the Police Based Risk Assessment for IPV.

OPS 9 – Traffic safety and enforcement services

Preamble

Police forces have the primary responsibility to provide general and dedicated traffic services by enforcing traffic laws, investigating traffic collisions and facilitating traffic flow.

The 3 E's – enforcement, engineering and education – are central strategies for improving public safety on roadways. Related issues include impaired driving, intersection safety, seatbelt usage, distracted driving, aggressive driving, and speeding. Traffic enforcement practices must be designed to encourage compliance with the laws to reduce collisions.

Statement

Police forces should strive to establish partnerships with traffic safety stakeholders to solve road safety issues effectively. For example, provincial and local government authorities can assist by providing collision and road engineering information that the police can use to establish sound traffic services plans. Police forces can help other stakeholders by participating in engineering road design to address problem areas and by working with others to develop awareness campaigns that enhance efforts to enforce traffic laws.

Standards

OPS 9.1 Responsibility for the traffic safety and enforcement function shall be outlined in police force policy.

OPS 9.2 Police forces shall have an efficient and effective traffic law enforcement program that includes the requirements of municipal / regional police forces operational and administrative manuals. This program shall include, but is not limited to:

- a) a selective traffic enforcement function;
- b) the use of approved speed measuring, and breath testing instruments and devices;
- c) access to a trained traffic collision investigator (levels 1, 2 and 3); and
- d) access to a trained collision reconstructionist.

OPS 9.3 Police forces shall establish partnerships with traffic safety stakeholders to solve road safety issues effectively.

OPS 9.4 Police forces shall have policy requiring the response to the scene of a collision involving:

- a) death or injury;
- b) fail to remain at the scene of a collision;
- c) impairment due to alcohol or drugs;
- d) hazardous materials;
- e) major traffic congestion as a result of a collision; and
- f) possible criminal charges.

OPS 9.5 To establish road safety priorities, police forces shall evaluate, review annually and update as necessary the following criteria:

- a) enforcement;
- b) education;
- c) research and evaluation;
- d) communication and awareness;
- e) engineering and technology; and
- f) related stakeholders.

OPS 10 – Criminal intelligence

Preamble

Police forces shall collect, analyse, evaluate and exchange information relating to criminal activity.

Statement

Responsibility for the criminal intelligence function shall be outlined in the police force's policy and shall be consistent with municipal / regional police forces operational and administrative manuals.

Standards

OPS 10.1 All New Brunswick police forces are members of the Criminal Intelligence Service New Brunswick (CISNB) and shall have a criminal intelligence program consistent with the CISNB mandate.

OPS 10.2 Police forces shall use and abide by the *Security Classification and Protection of Information* system as described in the CISNB policies.⁸

⁸ Refer to SS 3

OPS 10.3 Police forces shall participate in regional meetings of the CISNB and maintain liaison with federal, provincial and municipal / regional police agencies for the exchange of intelligence information.

OPS 10.4 Police forces shall have policy that ensures the protection of information sources.

OPS 10.5 Police forces shall ensure that information collected be shared only with authorized recipients and exchanged in a timely fashion.

OPS 10.6 Police forces shall ensure that the “Third Party Rule” is used to control the release of all criminal information / intelligence.

OPS 10.7 Police forces’ policy shall ensure that persons responsible for the analysis of criminal intelligence have the training and experience necessary to collect, collate and analyse the intelligence information received.

OPS 10.8 The police force policy, which shall be in compliance with municipal / regional police forces operational and administrative manuals, shall ensure their intelligence program will:

- a) maintain a human source management system;
- b) complete and maintain approved human source debriefing reports for all confidential human sources;
- c) share a vetted copy of all serious organized crime source debriefing reports utilizing the Automated Criminal Intelligence Information System (ACIIS) as supported by CISNB and its Provincial Executive Committee (PEC); and
- d) designate a criminal intelligence officer.

OPS 11 – Disaster and emergency planning

Preamble

Police forces shall respond to natural and other disasters.

Statement

Police forces shall act in accordance with the New Brunswick *Emergency Measures Act*, the applicable regulations, the provincial emergency measures plan and / or the affected municipality’s emergency measures plan. In the event of a declared state of emergency or a declared local state of emergency, the chief of police or designate will collaborate with the Minister, the Emergency Measures Organization (EMO) or the municipal emergency measures organization. The province follows the Incident Command System, wherein an incident commander would be designated with overall incident management responsibility by the appropriate jurisdictional authority.

Standards

OPS 11.1 Police forces shall have policy designating a position or positions responsible for coordinating their response to natural and other disasters, emergencies and civil disturbances.

OPS 11.2 Police forces shall maintain policy regarding disaster / emergency planning.

OPS 11.3 Police forces shall maintain policy for responding to emergency measures plans prepared in consultation with the municipality, any First Nations communities with policing agreements and EMO.

OPS 11.4 Police forces shall review, and amend as required, its emergency measures plans annually and following activations for real events, or exercises.

OPS 11.5 Police forces shall have policy for responding to civil disturbances, consistent with municipal / regional police forces operational and administrative manuals.

OPS 12 – Mental health

Preamble

The *Charter* is explicit in that: “Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”

Police officers have an obligation to protect the safety and welfare of the public and as such, the responsibility to protect persons with disabilities such as persons with mental illness.

Statement

When dealing with persons with mental health issues, the police shall exercise discretion in choosing the most appropriate disposition.⁹

Standards

OPS 12.1 Police forces shall have policy with respect to the care and protection of persons with mental illness as per municipal / regional police forces operational and administrative manuals.

OPS 12.2 Police forces shall follow the established New Brunswick Protocols to address the needs of persons with mental illness effectively.

⁹ Refer to OPS 6.2.b

OPS 13 – New Brunswick AMBER Alert Program

Preamble

The New Brunswick AMBER Alert Program partners with the law enforcement community, the media and the public in locating an abducted child or an individual with a proven mental or physical disability when it is believed that the missing individual's life could be in imminent danger.

Statement

The AMBER Alert Program disseminates a widespread emergency alert to solicit the public's assistance in the safe and swift return of a child or individual.

Standard

OPS 13.1 Police forces shall have policy with respect to the AMBER Alert Program as per municipal / regional police forces operational and administrative manuals.

Support services (SS)

SS 1 – Victim / witness assistance

Preamble¹⁰

Victim / witness assistance shall ensure public safety through the provision of quality services for victims of crime, reduce harm done to victims and establish a continuum of services for victims.

Statement

Police forces shall ensure that victims are informed of the rights and remedies available to them. The Department of Justice and Public Safety operates the Provincial Victim Services Program under the *Victim Services Act*. Coordination and co-operation are essential in the interest of ensuring timely and appropriate responses in relation to the circumstances and needs of victims.

¹⁰ Refer to the Woman Victims of Abuse Protocols

Standards

SS 1.1 Police forces shall have policy on Victim / Witness Assistance that is consistent with municipal / regional police forces operational and administrative manuals and shall include, but not be limited to, the *New Brunswick Interdepartmental Victim / Witness Protocol*.

SS 1.2 Police forces shall provide appropriate assistance to victims / witnesses who have been threatened or who, in the judgement of the police force, express specific, credible reasons for fearing intimidation or further victimization.

SS 1.3 Police forces shall refer all victims of crime to the police-based Victim Assistance Coordinator, where operational. If a police force does not operate a police-based victim assistance program, the investigating officer shall refer the matter to the Department of Justice and Public Safety's Provincial Victim Services Program.

SS 2 – Communications

Preamble

A communications system shall meet the needs of the police force during the course of its routine daily activities and during emergencies.

Statement

Police officers require the means to communicate with the police force at all times to enhance officer safety. The public must also be able to contact the police force whenever necessary for information or assistance. Information received and communicated by police forces such as radio transmissions and emergency telephone conversations are an indispensable source of information for all types of investigations.

Standards

SS 2.1 Those police forces that do not operate a communications centre must enter into an agreement with an established communications centre to provide this service.

SS 2.2 Police forces shall have policy on communications as per municipal / regional police forces operational and administrative manuals.

SS 2.3 Police forces shall have access to 24-hour police dispatch service.

SS 2.4 Police forces shall ensure that employees assigned to communications have the skill and competencies they require to fulfil their responsibilities.

SS 2.5 Police forces shall have a two-way radio capability providing continuous communication between police officers on duty and the communications centre.

SS 2.6 Police forces shall have the ability to communicate quickly and effectively with other emergency responders.

SS 2.7 Police forces shall have policy for capturing and recording police force radio transmissions and emergency telephone conversations within the communications centre that includes the capability for playback of recordings.

SS 2.8 Police forces shall have policy that specifies security measures for the communications centre.

SS2.9 Police forces shall ensure that their communications centre has an alternate source of electrical power to ensure continued operation of emergency communication equipment.

SS2.10 Police forces shall maintain a telephone system capable of handling multiple emergency and non-emergency calls for service.

SS 3 – Crime analysis

Preamble¹¹

An analysis of crime and crime trends by police forces plays a crucial role in suppressing, removing opportunities for and preventing crime. Modern police strategies and tactics should be evidence based and intelligence led.

Statement

The intent of these standards is to ensure that relevant criminal data are collected in a timely manner, analysed and distributed to affected personnel and, if required, to members of the community.

¹¹ Refer to OPS 10

Standards

SS3.1 Police forces shall have policy that outlines responsibility for the collection, analysis and dissemination of crime data and information.

SS3.2 Police forces shall analyze crime trends. Results and observations may be included their annual report.¹²

SS3.3 Police forces with employees assigned to crime analysis shall ensure that reports and analytical products shared with other police forces, agencies or municipalities has clearly stated the research method(s) used and limitations on the findings.

¹² Refer to ORG 3.2

SS 4 – High risk incident response

Preamble

Police force preparedness to deal with any situation requires a professionally trained workforce. Police forces capable of dealing with high risk incident response situations may involve the use of one or more of the following: an emergency response team / tactical team, hostage / barricaded persons negotiators, special purpose vehicles, explosive disposal unit or public order units.

Statement

Not every police force has high risk incident response capability, but every police force must have timely access to such units through collaboration, cooperation and mutual agreement on the deployment of these specialized units.

Standards

SS4.1 Every police force shall be prepared to respond to and resolve any high risk incident by using specially trained personnel and units maintained by the police force or enter into a mutual aid and / or shared service agreement with another police force or the RCMP.

SS4.2 Every chief of police who enters into any agreement regarding High Risk Incident Response will ensure that the agreement is in writing and that a copy of the agreement is provided to the Minister.

SS4.3 If High Risk Incident Response services are provided by another police force, the requesting chief of police shall have policy specifying command and control.

SS4.4 Every police force shall have policy and procedures that articulates a response to a high risk incident such as, but not limited to:

- a) active shooter;
- b) hostage taking;
- c) barricaded persons;
- d) bomb threats and disposal;
- e) security for visiting dignitaries;
- f) labour unrest and civil disorder; and
- g) the handling of major, special events.

SS 4.5 Police forces shall establish procedures for cooperation and coordination between tactical units and other operational units.

SS 4.6 Police forces with the following units – emergency response team / tactical team, hostage or barricaded person negotiator(s), explosive disposal or public order units – shall have policy to govern:

- a) the use of, deployment of and responsibility of the unit;
- b) command control and structure;
- c) criteria for the selection and appointment of members;
- d) training of members;
- e) the use and operation of specialized equipment; and
- f) the use and operation of any special purpose vehicle.

SS 5 – Forensic identification services

Preamble

To investigate criminal acts fully and effectively and to prosecute offenders, a police force shall obtain information through the application of scientific knowledge and methods.

Statement

Laboratory support resources can only be used effectively when the physical evidence has been properly identified, collected, preserved and transported. Forensic identification services include collecting, processing and preserving physical evidence. Not every police force has forensic identification service, but every police force must have timely access to such services through collaboration, cooperation and mutual agreement.

Standards

SS 5.1 Every police force shall be prepared to collect, process and preserve physical evidence by utilizing specially trained forensic identification personnel and services maintained by the police force or, entering into a mutual aid and / or shared service agreement with another police force or the RCMP for forensic identification services.¹³

13 Refer to RR 5.1 and RR 5.2

SS 5.2 Every chief of police who enters into any agreement regarding forensic identification services shall ensure that agreement is in writing and that a copy of the agreement is provided to the Minister.¹⁴

SS 5.3 A police force that has its own forensic identification service shall have policy governing:

- a) criteria for the selection and appointment of members to the forensic identification services unit;
- b) training for members of forensic identification services;
- c) the use and deployment of, and responsibility for, forensic identification services; and
- d) the use and deployment of forensic identification equipment.

SS 5.4 If forensic identification services are provided by another police force, the requesting force shall have policy on the appropriate circumstances for requesting the service.

14 Refer to RR 5.1 and RR 5.2

SS 6 – Care and handling of detainees

Preamble

Police officers will be called on to exercise their powers of arrest and detain persons when performing their duties.

Statement

The standards in this chapter apply to those police forces that operate short-term holding facilities (cells), which are designed to hold persons under detention for periods usually not exceeding 24 hours, excluding weekends and holidays.

Standards

Organization, management and administration

SS 6.1 Those police forces that do not operate a holding cell shall enter into an agreement with another police force or the RCMP to provide this service.

SS 6.2 Every chief of police who enters into any agreement regarding the care and handling of detainees shall ensure that the agreement is in writing and that a copy of the agreement is provided to the Minister.

SS 6.3 Police forces, which operate facilities that provide for the detention of persons under arrest, shall conform to the policies as contained in municipal / regional police forces operational and administrative manuals. Policy shall include, but is not limited to:

- a) the administration and operations of the holding facility;
- b) identifying a position within the force responsible for the operation of the holding facility;
- c) specifies the responsibilities of facility staff and training requirements;
- d) provides conditions for detainees as described in federal, provincial, municipal acts and regulations which pertain to lighting, fire regulations, circulation and purification of air, heating, personal hygiene requirements, safety, security and legal rights; and

- e) ensures the safety and security of staff and detainees and the storage of equipment, including emergency equipment.

Transportation of persons in custody

SS 6.4 When transporting a person(s) in custody for any reason, police forces shall have policies that include, but are not limited to¹⁵:

- a) minimum equipment standards for vehicles used;
- b) vehicle search procedures before and after transport;
- c) detainee search procedures before transport;
- d) use of seatbelts; and
- e) procedures governing the transport of young persons.

¹⁵ Once the detainee appears in court, if remanded or sentenced to serve a period of incarceration, transportation of the detainee becomes the responsibility of Sheriff Services.

SS 7 – Information management

Preamble

To meet its administrative, operational and information needs, a police force must use systems for keeping control of records, insuring the system is well organized, searchable and is governed by rules for record retention and destruction. Privacy and security precautions shall be in accordance with police force policy and applicable legislation.

Statement

All records systems shall be designed to ensure control and access to records as well as adequate control, storage, retrieval, security and disposition of records.

Standards

SS 7.1 Police forces shall identify a position responsible for records management.

SS 7.2 Police forces shall have an operational records management system approved by the director of Policing Standards and Contract Management.

SS 7.3 A police force's records management system shall ensure that:

- a) privacy and security precautions exist;
- b) system accounts for occurrences status, either "open", "closed" or "inactive";
- c) access to records is quick and efficient; and
- d) a retention and archival schedule is adhered to.

SS 7.4 A police force's records management system shall be governed by policy, and files containing reports and documents, electronic or hard copy, shall be secured at all times.

SS 7.5 Police forces shall have policy addressing the maintenance of the "disposition" of records pursuant to the *Archives Act*, the *Public Records Act*, and records retention and disposition schedules approved by the Minister.

SS 8 – Management of evidence and property in police control

Preamble

The seizure and safeguarding of property and evidence is integral to public confidence in law enforcement. Police forces shall have a system of policies and procedures that ensure evidence gathered for criminal prosecutions is exemplary.

Statement

The care and control of evidence and property in police custody shall be catalogued, secured and handled in a safe, effective and efficient manner.

Standard

SS 8.1 Police forces shall have policy consistent with municipal / regional police forces operational and administrative manuals governing:

- a) procedures for maintaining an inventory of property;
- b) the transferring of possession of physical evidence;
- c) the return of property to its rightful owner; and
- d) disposal of property.

SS 9 – Facilities and equipment

Preamble

For a police force to operate effectively and efficiently, facilities and equipment must be properly maintained and controlled.

Statement

A police force shall be located in facilities conducive to the work being done and that help police officers fulfil their responsibilities effectively. All equipment and apparel worn and used by police personnel shall be approved by the chief of police or the Minister as indicated in the policing standards of the Government of New Brunswick. Approval of equipment / apparel shall take into consideration public and police personnel safety.

Standards

SS 9.1 A police force facility shall have, but is not limited to:

- a) adequate interview rooms;
- b) suitable access for the public, including persons with disabilities; and
- c) security for critical / sensitive operations, such as communications centres, records, holding facilities and property evidence storage.

SS 9.2 Police forces shall have policy that governs, but is not limited to:

- a) sign-out procedures for service controlled equipment such as vehicle, weapons, radios and clothing;
- b) regular maintenance of service controlled equipment to ensure operational readiness; and
- c) scheduled evaluations of all service-related equipment.

SS 10 – Release of information to the public

Preamble

Independent media outlets and social media Internet sites are often used by police forces as the conduit to provide information to the public. The relationship between a police force and the media works best when lines of communication are clear, concise, respectful and timely. The release of information must balance the right of the public to be informed, while taking into account the personal information provisions and the intent of privacy legislation.

Statement

The chief of police / delegate should establish, maintain and promote a professional working relationship with media outlets. Police forces may release information requesting the assistance of the public in advancing police investigations and solving crime. The release of information must not interfere with police operations or portray bias toward any person.

Standards

SS 10.1 The chief of police or delegate shall be responsible for informing the public of investigations and activities undertaken by the police force, having regard to protecting the privacy of all persons and the integrity of the investigation.

SS 10.2 The chief of police or delegate shall act as the media spokesperson, be knowledgeable in the field of media relations and have a working knowledge of policy and procedure.

SS 10.3 The chief of police shall have policy that specifically addresses the following:

- a) confidentiality and *The Right to Information and Protection of Personal Information Act*;
- b) protecting sources of information;
- c) personnel authorized to release information;
- d) nature of information that can be released;
- e) media access to police controlled crime or collision scenes; and
- f) integrity of investigators.