

# Councillor Request Inquiry

## # 01-2020

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2020

**Please provide any information currently available on the structure of policing in the County, and on how to increase communication channels between the County, residents and the RCMP**

Dear Members of Council,

In response to Councillor Tonita's Information Request at the February 3, 2020 Council meeting (Please provide any information currently available on the structure of policing in the County, and on how to increase communication channels between the County, residents and the RCMP), Administration provides the following information:

The attachment shows when a policing committee may be established, and when a policing commission must be established. The County currently has the option to establish a policing committee, and if we were to do so, the committee would appoint a Public Complaints Director.

If the County creates a committee, that committee is then responsible for all aspects of the management of the contract between the RCMP and the County – Council will not be able to get regular updates from the RCMP on policing, or to provide direction to the RCMP on Council's priorities for policing in the County – all of those functions will be handled by the committee. Council would make its requests through the committee, and reports will be made by the committee rather than by the RCMP members or Officer in Charge.

Strathcona County has 3 types of law enforcement officers – police officers (the RCMP), Peace Officers, and Bylaw Enforcement Officers.

"Peace Officer" is the most generic term for persons who enforce laws. The duty of a Peace Officer is to "preserve and maintain the public peace" (from the *Police Act*, RSA 2000, c P-17). Peace Officers do this by enforcing all laws, where the Peace Officer is authorized to do so. In general, a Peace Officer has restrictions on their ability to enforce laws. Often there are territorial restrictions (the physical locations where the Peace Officer is authorized to enforce), or there are restrictions on which legislation the Peace Officer may enforce (for example, a Peace Officer's appointment may restrict them to enforcing legislation passed by the Provincial Government of Alberta, such as the *Gaming, Liquor and Cannabis Act*, RSA 2000 c G-1, the *Wildlife Act*, RSA 2000, c W-10, and the *Municipal Government Act*, RSA-2000, c M-26).

"Police Officer" is a term that applies to a specific subset of Peace Officers. Any person who is a Police Officer is also a Peace Officer (this is set out in both the *Police Act* and the *Royal Canadian Mounted Police Act*, RSC 1985 c R-10. As part of this appointment as a Peace Officer, Police Officers do not have territorial restrictions, nor legislative restrictions. They are authorized to enforce all laws, in all the jurisdictions where they are able to operate as a Police Officer. Police Officers also have special powers to enforce certain legislation that can only be enforced by a Police Officer, including the *Criminal Code*, RSC 1985, c C-46 and the *meat Inspection Act*, RSA 2000, c M-9.

"Bylaw Enforcement Officer" is a term that applies to persons who are only authorized to enforce the bylaws of Strathcona County. A Bylaw Enforcement Officer is only authorized to provide any enforcement that is specifically set out in a particular bylaw. In the case of Strathcona County, this typically includes issuing Municipal Tags to persons who have contravened provisions in bylaws, and to issue Orders requiring persons to comply with the requirements of bylaws. Bylaw Enforcement Officers work closely with (and are often the same individuals as) Peace Officers, as Municipal Tags cannot be prosecuted in court to compel payment. The Municipal Tag must be converted to a Violation Ticket under the *Provincial Offences Procedure Act*, RSA 2000, c P-34, which must be issued by a Peace Officer.

Under the Police Act, section 4(6), Strathcona County is required to enter into an agreement for the provision of municipal policing services. Strathcona County has done so by entering into an agreement with the RCMP to provide policing services. In addition, Strathcona County has hired its own Peace Officers to assist in enforcement of a number of provincial laws.

The duties of all three types of enforcement officer overlap. Strathcona County enforcement strategy is to integrate enforcement services. This integration means that when a member of the public contacts the RCMP and Enforcement Services office, they will be connected to an appropriate enforcement officer without being re-directed through numerous departments in order to find an officer with the correct qualifications. Those determinations are handled internally by RCMP and Enforcement Services to provide faster and more effective service to the public.

Mavis Nathoo  
Director, Legislative and Legal Services



# Alberta Police Act

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

