

# Office of the Police Commissioner



## Annual Review Minister's Directives *Police Act*

### Charlottetown Police Services 2018

#### Findings of compliance with Ministerial Directives.

Review conducted by Phil Pitts, Office of the Police Commissioner, on February 12, 2019 with Chief Paul Smith.

**Appointment records** – A total of seven files were reviewed; five files of sworn full time officers, one part-time officer and one summer officer.

Item Reviewed	Record on File?	Description	Recommendation
1. Proof of age 19 years of age or more:	Yes: 7 No: 0	Copies of birth certificates or Dr. License on file	
2. Proof of Canadian Citizenship or having landed immigrant status	Yes: 7 No: 0	Birth certificate, Cdn. Passport or Citizenship Certificate.	
3. Either: Proof of graduation from the Atlantic Police Academy or from a similar program at an approved police training agency. <b>OR</b> Proof of having at least three (3) years of satisfactory full time service as a member of any police service in Canada.	Yes:5 No: 2	Two were hired prior to <i>Police Act</i> (2010). All others had copies of Atlantic Police Academy (APA) Certificates on file.  Deputy Chief had not completed senior management course prior to appointment as per <i>Police Act</i> , General	D/Chief is scheduled for senior management course in June of 2019.  Any future appointments comply with the <i>Police Act</i> , General Regulation 7(1) (b).

Item Reviewed	Record on File?	Description	Recommendation
		Regulation 7(1) (b).	
4. Proof of a criminal record and background checks including testing and interviews	Yes: 5 No: 2	Two full time officers hired in 2014 did not have proof of these on file. References would have been through the APA as Cadets.	New Ministerial Directive regarding Security Clearance will address this issue for all future hires.
5. Proof of not having been found guilty of an offence under the <i>Criminal Code</i> or the <i>Controlled Drug and Substances Act</i> , or if found guilty, has received a pardon	Yes: 5 No: 2	Two full time officers hired in 2014 did not have proof of this on file. CR checks would have been through the APA as Cadets.	New Ministerial Directive regarding Security Clearance will address this issue for all future hires.
6. Proof of having a valid class 5 driver's license issued under the <i>Highway Safety Act</i>	Yes: 7 No: 0	Copies of PEI driver's licenses on file. File updated annually.	
7. Proof of being of good moral character (references)	Yes: 6 No: 1	One full time officers hired in 2014 did not have proof of these on file. References would have been through the APA as a Cadet.	New Ministerial Directive regarding Security Clearance will address this issue for all future hires.
8. Form 2B on File	Yes: 7 No: 0	On file	
9. Oath or Affirmation of Office on file	Yes: 7 No: 0	On file.	
10. Proof Identification Card issued upon appointment	Yes: 7 No: 0	On file. (Computerized master list denoting service number and expiry date.)	
11. Proof the appointee was provided with a copy of the <i>Police Act</i> and Regulations (a) <b>and</b> reasonable steps were taken to confirm the appointee has reviewed and understands the provisions of the <i>Police</i>	Yes: 6 No: 1  Yes: 6 No: 1	Each new police services employee has to fill out the "Police Services Orientation Checklist" with a supervisor and given a package that includes the Police Act, Code of Professional Conduct	That immediate steps be taken ensure the officer is provided with the noted documents, understands them and acknowledges this in writing.

Item Reviewed	Record on File?	Description	Recommendation
<p><i>Act</i> and Regulations ;            (b) <b>and</b>, in particular, ensure the appointee was provided a copy and reasonable steps are taken to ensure the appointee understands the provisions of the:</p> <p>a. Code of Professional Conduct and Discipline;</p> <p>b. adopted Use of Force Model;</p> <p>c. Minister’s Directives</p>	<p>Yes: 6 No: 1</p> <p>Yes: 6 No: 1</p> <p>Yes: 6 No: 1</p>	<p>and Discipline and the adopted Use of Force Model. The completed form is then kept on employee’s file.</p> <p>One full time officer did not have proof on file.</p>	
<p>12. Appointee entered into the Register</p>	<p>Yes: 7 No: 0</p>		
<p>13. Appointee current status updated into the Register</p>	<p>Yes:7 No: 0</p>		

**Training Records** – A total of seven files were reviewed; five files of sworn full time officers, one part-time officer and one summer officer.

Item Reviewed	Record on File?	Description	Recommendation
<p><b>1. Firearms</b></p> <p>a. Re-qualification documented</p> <p>b. Instructor: Vessey/Kennedy</p> <p>c. Instructors certification was current at time of qualification</p>	<p>Yes: 7 No: 0</p> <p>Yes</p>	<p>Instructor certification was on file and verified as current.</p> <p>This training is completed ‘in house’ by a CPS instructor.</p>	

Item Reviewed	Record on File?	Description	Recommendation
<p><b>Carbines</b></p> <p>d. Re-qualification documented</p> <p>e. Instructor: Vessey/Kennedy</p> <p>f. Instructors certification was current at time of qualification</p>	<p>Yes: 4 No: 3</p> <p>Yes</p>	<p>Instructor certification on file and current</p> <p>Training completed in house by CPS instructors.</p> <p>CPS policy is that only trained officers use the carbines.</p>	<p>That all officers be trained in the use of carbines.</p>
<p><b>2. Conducted Energy Weapon (CEW)</b></p> <p>a. Re-qualification documented</p> <p>Instructors: Vessey/Kennedy</p> <p>b. Instructors certification was current at time of qualification</p>	<p>Yes: 5 No: 2</p> <p>Yes.</p>	<p>All full time employees qualified. Instructor certification was on file and verified as current.</p> <p>CPS policy is that only trained officers use the CEWs</p> <p>This training is completed 'in house' by a CPS instructor.</p>	<p>That part-time and summers officers be trained or re-certified prior to employment.</p>
<p><b>3. First Aid</b></p> <p>a. Re-qualification documented.</p> <p>b. Instructor: Cst Ross Davis</p> <p>c. Instructors certification was current at time of qualification</p>	<p>Yes: 6 No: 1</p> <p>Yes</p>	<p>Instructor certification was on file and verified as current.</p> <p>Summer officer reviewed had First Aid and CPR expire in June of 2018</p> <p>This training is completed 'in house' by a CPS instructor.</p>	<p>That a valid First Aid/CPR certificate be a mandatory requirement for employment.</p>

Item Reviewed	Record on File?	Description	Recommendation
<p><b>4. Cardio Pulmonary Resuscitation</b></p> <p>a. Re-qualification documented</p> <p>b. Instructor: Cst. Ross Davis</p> <p>c. Instructors certification was current at time of qualification</p>	<p>Yes: 6 No: 1</p> <p>Yes</p>	<p>Instructor certification was on file and verified as current. Summer officer reviewed had First Aid and CPR expire in June of 2018</p> <p>This training is completed 'in house' by a CPS instructor.</p>	<p>That a valid First Aid/CPR certificate be a mandatory requirement for employment.</p>
<p><b>5. Domestic Violence</b></p> <p>a. Attendance documented</p> <p>b. Instructor:</p> <p>c. Instructors certification was current at time of qualification</p>	<p>Yes: 0 No: 7</p>	<p>Training was not offered this year.</p>	<p>That Domestic Violence training is updated as soon as it becomes available.</p>
<p><b>6. Law and Legal Procedure</b></p> <p>a. Attendance documented</p> <p>b. CPKN component completion documented</p> <p>c. Instructor: _____</p> <p>d. Instructors certification was current at time of qualification</p>	<p>Yes: 7 No: 0</p> <p>APA Instructors</p> <p>APA</p>	<p>APA on line training current.</p>	

<b>Item Reviewed</b>	<b>Record on File?</b>	<b>Description</b>	<b>Recommendation</b>
<b>7. Use of Force</b> a. Attendance documented  b. Instructor: Kennedy/ Vessey  c. Instructors certification was current at time of qualification	Yes: 6 No: 1  CPS Instructors  Yes	Summer Officer did not have this documented.  This training is completed 'in house' by a CPS instructor	Future summer hires have this completed prior to commencing duties.
<b>8. Motor Vehicle Pursuit and Emergency Vehicle Operation</b> a. Attendance documented  b. Instructor.  c. Instructors certification was current at time of qualification	Yes: 7 No: 0  APA  APA	All within the 5 year on training.	

**Annual Review of Production of Identification Cards upon Request**

Number of officers sampled	Identification Card Produced	Identification Card Not Produced
<b>5</b>	<b>5</b>	<b>0</b>

**SUMMARY:**

**Appointment**

Overall there is a good level of documented compliance with Ministerial Directives with the following exceptions:

1. Deputy Chief had not completed senior management course prior to appointment as per *Police Act, General Regulation 7. (1)(b)*.

2. There was no record on file of reference checks being done on one of the five officers hired after the enactment of the *Police Act* in 2010.
3. There was no record of Criminal Records and background checks on two officers hired after the enactment of the *Police Act* in 2010.
4. There was no record on file on one officer's file that they had been provided with copies and understood the *Police Act* and regulations.

### **Training**

Overall mandatory training requirements are being met. The following exceptions were noted:

1. One officer hired for the summer months had their first aid/CPR certification expire during their term of employment and did not have current documented Use of Force training.
2. The Domestic Violence training was not offered in 2018 due to a number of reasons but has been scheduled for April and May of 2019.
3. A review of the *Annual Training Report to the Minister 2018* provided by Chief Smith also surfaced some gaps in annual training and recertification for full time officers that occurred for a number of reasons such as unscheduled duty requirements, sick leave etc. It also did not include training for the summer staff other than firearms certification.

### **Identification Cards**

Officers are carrying their identification cards for production on demand as required.

### **Recommendations:**

1. Recognizing that for a number of legitimate reasons training may not be completed when originally scheduled that, when at all possible, training be planned and take place in the early part of the calendar year. This would allow for training in the later months to make up any shortcomings.
2. That all identified lapsed training and re-certification be updated as soon as possible
3. That all future summer or part-time officers have completed all training requirements prior to commencing duties as a police officer and this be documented on the *Annual Training Report to the Minister*.

4. That the provisions of *Police Act*, General Regulation 7. (1)(b) be brought to the attention of the Chief Administration Officer of the City of Charlottetown to ensure compliance in any future appointment of a Chief Officer or Deputy Chief.

Respectfully submitted,

P.W. (Phil) Pitts,  
Manager, Office of the Police Commissioner