PEACE OFFICER REVIEW

FINAL REPORT

Prepared by: **Acting Superintendent Garry Meads**

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Acknowledgements

I would like to take the opportunity to thank the individuals who contributed to this Peace Officer Review. It was recognized and appreciated that all individuals willingly cooperated and shared their time and opinions in an effort to provide the best information. I would also like to acknowledge the cooperation of the following organizations:

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Calgary Police Service
Calgary Transit Service
Toronto Transit Commission
Ottawa Police Service
OCTranspo Special Constable Program
Carlton University Special Constable Program
BCTransit
South Coast British Columbia Transportation Authority
South Coast British Columbia Transportation Authority Police Service
Coast Mountain Bus Company

Executive Summary

In March of 2010, the City of Edmonton (COE) completed a review of the municipal peace officer (PO) programs. However, this review did not encompass the Edmonton Police Service (EPS) and its peace officer programs. Building on information from the COE report, the Edmonton Police Commission has directed a further review to be completed to determine if those services can be delivered to the citizens of Edmonton in a more effective and efficient manner.

This review seeks to answer four questions while building on the information from the COE report:

1. Taking into consideration wages and operational efficiencies (infrastructure, records management, communications systems, officer safety and intelligence sharing), what administrative structure is recommended for the COE peace officer programs?
2. In the assessment of costs, is the COE better off converting peace officer positions to police positions?
3. What opportunities exist to reduce the duplication of costs or services?
4. What further opportunities exist within the EPS for the use of peace officers in a differentiated model of service delivery?

The methodology used in the review included document examination, statistical analysis, interviews with representatives of stakeholder departments, and a best practice review through site visits of other jurisdictions in Canada. I focused my approach on what model was going to work best for the operational stakeholders (the EPS and the COE peace officer programs) while keeping in mind that costs and administrative efficiencies were priorities. It was important to have a comprehensive understanding of each PO program in order to determine, how they conducted their work, what type of work it was, and how they interacted with the EPS. This knowledge would help to inform whether there was proper delineation of roles and whether there were other opportunities to reduce the duplication of costs or services.

Findings of This Review

In the COE consultant report recommendations were put forth to increase efficiencies. Many of these recommendations have been put into place or are in different levels of completion. These changes have in turn created dependencies on the Transit/Corporate Security group that further supports a single structure model. This EPS review has concluded that the COE PO programs need to remain together under a single structure in the interests of maintaining those efficiencies and consistency of programs. In addition, that structure should remain within the COE administration and not under the EPS. The challenges faced in an EPS governance model in the areas of labour relations, financial impacts and increased risks, are significant. In order to

administer these programs under the EPS, some of the noted impacts could be mitigated by having the PO's fall under the police union. However, the necessary legislative change to the Police Officers Collective Bargaining Act will not be supported at the Provincial Government level without a more unified approach through the Alberta Association of Chiefs of Police.

The assessment of costs of PO's vs. police officers clearly shows that wages are only one aspect of the overall cost to deliver these services. Although PO's start at a higher rate of pay than police, that wage disparity in the first year or two quickly evaporates when taking into account the other costs of employing police officers, i.e. training, benefits and equipment.

Differentiated staffing opportunities to use peace officers instead of police have been researched a few times over the past six years. In those reports, there are opportunities that exist that may still have merit. Another look at those positions is warranted, as well as other opportunities that continue to arise as our business evolves and changes.

A list of the recommendations coming from this review is as follows:

1. At this point in time, the governance model for the COE peace officer programs remains within the COE administration.

2. The governance model remains flexible and continues to work towards a single structure wherever possible with emphasis on a single source for: professional standards investigations and processes; peace officer training; and uniform and equipment. This will support consistency in appearance, behaviour and accountability all of which are goals of the Peace Officer Program.

3. Enhancements to the current relationship between COE programs and the EPS be explored in the following areas:

    a. Radio and dispatch communications systems with a view of having better interoperability and intelligence sharing.
    b. The EPS identify a sworn member liaison to assist in: facilitating better communication and information exchange; maintaining consistent messaging both to and from peace officer groups; dealing with administrative issues, i.e. Memorandum of Understanding (MOU's), peace officer appointments, operational issues, etc.
    c. The EPS be given the opportunity to have representation on committees set up to manage the administration of the COE PO groups.
    d. The EPS support and assist in a COE PO application for CPIC access (category 2 user) for their programs.
    e. A report back to the EPC within a year on the enhancements to the current relationship between EPS and the COE PO programs.

4. The COE and the EPS, in conjunction with the Director of Law Enforcement work collaboratively together to initiate a public education strategy to brand and create increased awareness regarding the peace officer program, its role in law enforcement, the visual identity and authorities granted to peace officers.

5. The EPS continue to look at potential opportunities for differentiated staffing and the use of peace officers.

6. The EPS, with the support of the Edmonton Police Commission, advocate for changes to the Police Officers Collective Bargaining Act to include Peace Officers.

Introduction

Since the creation of the Alberta Peace Officer Act in 2006 a number of peace officer (PO) programs have been established within the corporate structure of the City of Edmonton (COE). These programs were established at different times and departments depending on the nature of their roles, responsibilities and operations. In March 2010, the COE contracted a consultant to review all peace officer programs within the COE [but outside of the Edmonton Police Service (EPS)]. The scope of this review was to determine the best leadership, administrative and management structure necessary to deliver efficient and effective law enforcement services to Edmontonians while maintaining alignment with the Provincial Law Enforcement Framework. The review was completed and a number of recommendations were proposed to enhance the COE programs and create efficiencies. However, this review did not encompass the EPS or any of its peace officer programs. The Edmonton Police Commission has directed the Edmonton Police Service to conduct a review of the City of Edmonton PO programs to determine if those services can be delivered to the citizens of Edmonton in a more effective and efficient manner.

Methodology and Requirements

In contemplation of how I would approach this review, it was immediately apparent there were many complicating and competing factors which have resulted in a complex picture of how the COE delivers law enforcement services. It was necessary to focus my approach on what model was going to work best for the operational stakeholders (the EPS and the COE PO programs) while keeping in mind that costs and administrative efficiencies were very high on the priority list.

This review will answer the following questions:

1. Taking into consideration wages and operational efficiencies (infrastructure, records management, communications systems, officer safety and intelligence sharing), what administrative structure is recommended for the COE PO programs?
2. In the assessment of costs, is the COE better off converting peace officer positions to sworn police positions?
3. What opportunities exist to reduce the duplication of costs or services?
4. What further opportunities exist within the EPS for the use of peace officers in a differentiated model of service delivery?

The approach taken for the review, involved document reviews, peace officer program reviews, and interviews with stakeholders/program managers as well as conducting a best practice examination of similar operations across Canada. In order to answer the above noted questions with respect to the COE programs, it was necessary to understand each of the groups in the following areas:

- What was their authority and designation?

- What union affiliation did they have?
- What was the scope of their work?
- What was their workload?
- How was that work captured as far as information management?
- What geographical jurisdiction did they operate in?
- What was their pay scale?
- What uniforms and vehicles did they use?
- How did they interact and communicate with the EPS?
- What officer safety needs did they have?
- How did they share information with EPS?

This knowledge would also help to inform whether there was proper delineation of roles and whether there were other opportunities to reduce the duplication of costs or services.

Provincial Law Enforcement Framework

The delivery of law enforcement services in the Province of Alberta has undergone a number of refinements over the years. The Province of Alberta published a document called The Law Enforcement Framework, which was developed to assist in defining the structure and responsibilities of stakeholders in the delivery of law enforcement services. This document illustrates that the creation of peace officers adds flexibility to the delivery of law enforcement services by providing a continuum of personnel with varied levels of training and authorities. This approach recognizes that many enforcement roles, such as regulatory compliance, do not require highly trained police officers. The use of peace officers for these roles enables police officers to remain focused on more complex and more serious criminal enforcement activities[1].

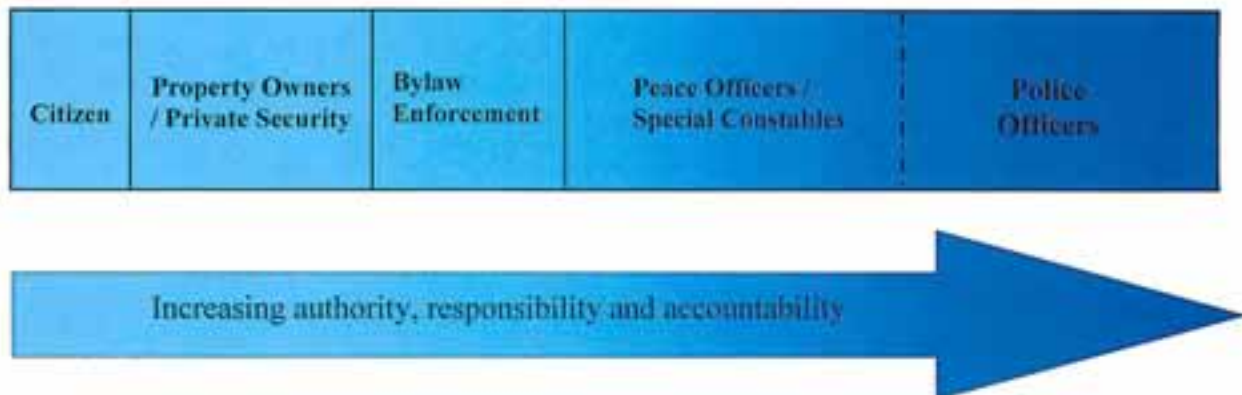## *Law Enforcement Continuum*

In Alberta, different approaches to law enforcement have created options where the role of community safety and security is no longer solely the responsibility of the police. The law enforcement continuum is supported by legislation through the Police Act and the Peace Officer Act and creates a model which allows the most efficient and effective use of community resources. Through this model, sworn police officers are retained for those tasks which require particular authorities and/or specialized training, such as the use of deadly force or arrest without warrant under the Criminal Code of Canada. However, opportunities exist lower down on the continuum for personnel with the appropriate training and authorities to assume a complimentary role in community safety and security.

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[1] Government of Alberta - *Law Enforcement Framework, p. 15*

Figure 1 - The Continuum of Law Enforcement

As one progresses through the continuum, more authorities and responsibilities are afforded to these groups, i.e. powers of arrest, use of force, enforcement options and accountabilities. It should be stated that police officers can perform any of the functions along the continuum, however, one should also question whether this would be the most efficient and effective use of highly trained police officers. The continuum provides for a division of responsibilities and allows other qualified individuals to assume roles that are complimentary and important to community safety and security.

Generally speaking, the roles of each of these groups are well defined in law, however the dotted line in Figure 1 between the peace officers and police officers is meant to indicate that this delineation is not clearly defined. There is a wide range of authorities and responsibilities that can be afforded to different peace officer groups by way of designations. In Alberta, for example, the Peace Officer Program allows for a broader scope of authorities. At one end of the spectrum you have the 'Community Peace Officer Level 2' where the scope and responsibilities can be extremely narrow with limited training requirements, no requirement to wear a uniform and authorities may be limited to merely one section of an Act. At the other end, you have the 'Alberta Peace Officer Level 1' where there are full uniform and equipment standards (including a firearm), training standards and authorities that allow for the enforcement of Provincial and Federal legislation. It can be stated that a peace officer may be granted full police-like powers in a given situation through their designation. Although the continuum, itself, does not define the roles clearly, the Memorandum of Understanding that PO groups have with the local police services does, and should clearly outline the roles and responsibilities based on the authorities afforded by the Province.

City of Edmonton Peace Officer Programs

The Edmonton Transit PO's are the largest of the five groups. They are responsible for the safety and security of all transit customers, infrastructure and facilities in the City of Edmonton. Their role can primarily be described as disorder maintenance (over 90%) with a large portion of the overall work being bylaw enforcement (76%). In addition, Transit PO's promote customer and community relations and fulfill a preventative function by promoting public safety within their areas of responsibility.

Until recently, the peace officers within Corporate Security operated as a separate group. The Transit PO's and Corporate Security PO's have since amalgamated (Oct. 2010) under a common structure. They are responsible for safety and security of staff, assets and property primarily in the downtown core, focusing on City Hall and Sir Winston Churchill Square. They conduct foot patrols in these areas while promoting public safety and providing a high level of customer service. Their role can also be described as disorder maintenance (over 90%) with pedestrian violations, trespassing, liquor and smoking offences topping the list. Although approximately 10% of their work is classified as criminal, the majority of those events (over 50%) are drug related and are often dealt with without criminal charges or police involvement.

The Community Standards PO's are responsible for enforcement of various acts and bylaws that deal primarily with insecure loads, littering, smoking, excessive noise and parking in the COE.

The Animal Control PO role is primarily dealing with the regulations and licensing around dogs, cats and other domestic animals. The nature of their work is more focused on education than enforcement which is evident by the 90/10 ratio of warnings to tickets.

The Park Rangers role is broken down into five areas: Enforcement / Compliance; Environmental Stewardship; Asset Protection & Park Operations; Education and Special Events. The nature of their work is primarily Parkland bylaw related (74%). The Park Rangers also focus their efforts on education rather than enforcement which is evident from the low enforcement numbers for 2010, most of this traffic related.

See Appendix "A" for a table of information containing some basic information on the five peace officer programs that exist within the COE corporate structure. All statistics provided are in relation to the 2010 calendar year.

Analysis of COE Peace Officer Programs

There are a number of similarities between the programs as outlined below:

- Designations are all CPO Level 1 with the exception of Animal Control (Level 2)
- Uniforms and equipment are standard with a slightly modified shoulder flash. The Animal Control PO's do have a slight difference in uniform color. They are not required to wear a uniform because of their Level 2 designation, but choose to wear one which is slightly different than the Level 1 uniform. This is allowed under the program policy. In addition, they don't carry a baton or OC Spray but are allowed to carry dog spray.
- All groups are using the City of Edmonton EDACS[2] radio system. Some have direct access to police dispatch channels while others use mutual talk groups to achieve interoperability.
- Wages are all very close with a $58K-$62K starting point which is in the same range as a 2nd year police constable ($59,345). A 3rd year police constable wages are $69,376.
- Records management is facilitated through the POSSE[3] system except for Park Rangers who are using SAP[4].

We need to look at these programs from different operational perspectives in order to address the following points and ultimately determine the best structure for the groups:

- Is the EPS interested in or will they benefit from having access to the information created by these groups? (Intelligence)
- Would COE PO groups benefit from having easy access to EPS intelligence and information? (Officer Safety and Intelligence)
- Does the work these groups do align closely with the police work done by the EPS? (Intelligence)
- Will a more direct connection to the EPS enhance these groups' ability to perform their job? (Intelligence and Officer Safety)
- Will a more direct connection to these groups enhance the EPS's ability to perform its job? (Intelligence, crime and disorder maintenance)

In addressing these points we come closer to determining the most appropriate governance model.

Transit PO's and Corporate Security PO's appear to be the two groups that align closest to the work of the EPS. The types of individuals they deal with are often the same people the police deal with on a fairly regular basis, primarily because of the disorder maintenance

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[2] EDACS - Enhanced Digital Access Communications System
[3] POSSE is a records management system for the City of Edmonton and stands for Public One Stop SErvice
[4] SAP is the business management software used by the City of Edmonton

responsibilities we both share. Having access to information would be an asset to both organizations, and officer safety for these PO groups would be enhanced by this access.

The other three groups: Animal Control; Community Standards; and Park Rangers, are more categorized as regulatory compliance and public education. The clientele they deal with are generally not the same individuals who police deal with on a regular basis. Criminal work is almost non-existent, and the intelligence and/or information generated by these groups would be of little value to the EPS.

These points address the operational efficiencies but don't take into account financial impacts. It has been pointed out that peace officers start at a wage that is equivalent to or slightly higher than a second year police constable, so based on this wage differential, wouldn't it be cheaper to just hire police? Although this is true from purely a wage perspective; the savings quickly evaporate when one takes into account the increased cost in benefits, equipment and training. For example, the first year cost to hire and train a peace officer is approximately $92,000[5]. Training for peace officers is the 4-6 weeks, depending on the role, and then a period of time in the field with a coach. The first year costs for a police officer, on the other hand, are approximately $188,600[6]. The training for a police officer is 46 weeks in length. The disparity in training costs alone pushes the costs for police significantly higher in both the short and long term. In addition, the pay steps in the peace officer programs are very limited, and setting a lower wage with little upward mobility makes recruiting potentially qualified candidates significantly more difficult.

After reviewing these programs and speaking with managers there were a few things that became more evident. Of the five programs reviewed, Transit Security and Corporate Security were clearly the only two programs where the following criteria were met:

- People interacting with these groups were often the same people that police deal with quite regularly (panhandlers, intoxicated individuals, public disorder type complaints)
- Closely aligned with police work and police response was more frequent
- Information shared between groups would be beneficial to both not only for intelligence but also for officer safety reasons
- Having a closer connection would enhance operations for both

The other three programs, as I stated earlier, were more about regulatory compliance and education. The narrower scope of work, the little requirement for police presence and the unique specialization of the roles made alignment with police more difficult.

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[5] $92,000 is the first year costs to hire and train a Transit peace officer and includes wages, benefits and training costs. Training is 4-6 weeks.
[6] $188,600 is the first year costs to hire and train an EPS constable. This includes costs for Block's 1, 2, and 3 training as well as uniform and equipment outfitting, wages and benefits, staffing and facilities for the first year.

As for a governance model for these programs, there could be value in having a closer alignment with the Transit and Corporate security. The COE consultant report, done in 2010, highlighted and made recommendations around a single structure for all COE programs. This was to take advantage of operational and administrative efficiencies. Since that report came out, some strategies have been put into place in order to respond to the recommendations. For example, both Transit and Corporate Security have amalgamated under one structure; the MOU's with the EPS are being modified into one addressing all programs; radio systems are being modified to achieve better interoperability. Transit security, being the largest group, have taken on a lead role for many of the PO needs such as: ordering and stocking of uniforms and equipment; providing standardized training when needed; and offering professional standards investigative services.

These changes, while beneficial and aligned with recommendations coming out of the COE report, also create a dependency on Transit to supply these services (and others that are being planned). If the Edmonton Police Service were to take on the responsibility for the governance of Transit and Corporate Security, removing these groups from the current infrastructure would leave the other groups at a big disadvantage. This would force those groups to incur significant costs to recreate this infrastructure.

Another factor to consider with respect to Transit involves the fact that their peace officer program only represents about 40% of their safety and security operations. If the peace officers were moved under a different governance structure, little infrastructure savings could be realized as the Transit Inspectors and Surface Operations still require that infrastructure, i.e. control center, radio systems, closed circuit television (CCTV) systems, and emergency operations plans.

Governance Model

In light of some of the above noted challenges, a governance model that includes all the peace officer programs under one structure makes the best sense. To consider whether that structure would be best under the COE administration or under the Edmonton Police Service, several factors have to be taken into consideration: labour relations, financial impacts and risks.

Labour Relations

From the labour relations perspective, the five groups belong to two different unions: Canadian Union of Provincial Employees (CUPE) Local 30 and the Amalgamated Transit Union (ATU) Local 569. These two unions are already working within the COE administration and, although there are some challenges around having more than one union, the current situation is established within the COE administration. The EPS, on the other hand, has neither of these unions within

its current working environment. To bring two more unions into our working environment increases the costs to manage collective bargaining and grievances, not to mention the employment equity issues that would arise.

The COE civic union, Civic Service Union (CSU) 52, has previously received a decision through an arbitration hearing ruling that peace officers doing security type work should belong to CUPE Local 30, and not CSU 52. The other option is to bring all of the peace officers into the EPS union (Edmonton Police Association). Currently, the Police Officers Collective Bargaining Act does not allow police associations to bargain for anyone other than police officers, so a legislative change would be required to the Act.

This situation puts Police Services at a disadvantage as they cannot hire peace officers for these types of roles and take advantage of differential staffing opportunities without bringing in additional unions. This is different than the current peace officer compliment employed by the EPS; as these roles are all CPO Level 2's where they have narrow scoped authorities and have been afforded status within their current job function and union. This type of role is outside the definition referred to in the above noted arbitration hearing as it is not security type work.

In 2010, the EPS approached the Provincial Government to look at changing the Act to allow police associations to bargain for peace officers. The Provincial Government responded by saying they may look at it, however, only if the request was supported across the Province by other police services and was submitted by way of an endorsement through the Alberta Association of Chief's of Police (AACP). In anticipation of any future needs, it would be beneficial to continue our efforts towards these legislative changes with support from the AACP and the Alberta Association of Police Governance (AAPG) in order to put forward a more unified approach.

Financial Impacts

The financial impacts of keeping the PO groups under the COE administration are limited to what efficiencies can be realized by coordinating the services, which had been highlighted in the COE consultant report. This review will also make some recommendations to enhance the operational working relationship with the EPS, which may have some financial considerations when we look at better coordination of radio systems, records management and MOU's.

If the PO groups were brought under the EPS administration, the financial impact could potentially be quite significant, depending on whether they stayed within their own unions or were brought under the police association. The option of using the police association is not feasible at this time as it requires legislative changes. In light of that, I will highlight issues that arise from having the PO's stay within their unions. In highlighting these issues, certain assumptions in areas like wages, benefits, vehicles, radios, training and other standard costs associated with having an additional employee, are assumed to be transferred over to the EPS and are impact neutral. What have been highlighted are the potential additional costs over and above those standard costs.

Potential increased costs in the following areas:

- Communications systems: Current infrastructure is unable to accommodate additional dispatch and evaluation positions, which would be required to manage these groups. It is estimated that an increase of 1-2 dispatchers and 4-6 evaluator positions would be required.
- Legal and Regulatory: increased exposure to civil liability for the actions of peace officers; increased obligation on the EPS to investigate complaints of conduct that are made against the peace officers; increased obligation on EPS Professional Standards to investigate criminal complaints rather than Divisional CIS's.
- Human Resources: increased costs to manage collective bargaining and grievances; increased costs to manage payroll processes with two new union groups; enhanced security clearances and the impacts around those that don't pass; increased costs with respect to the requirement to develop policy around discipline and code of conduct specific to peace officers; increase in employment equity issues.
- Information Technology: increased costs with respect to system administration, security permissions, records management, CCTV systems and modifications to allow for a new user group with distinct access provisions and requirements.
- Facilities and Materials Management: Depending on whether the PO groups continue to work out of their existing facilities or not has a significant impact on facility costs as well as increased costs around EPS Material Management be required to manage additional clothing contracts and stock an additional uniform set.
- Management: depending on what management would come over with the PO's, a new Branch or Division would need to be created to provide management to this group.

Risk

In a status quo model, risk to the organization does not change from what it is currently. Although a complete risk assessment on the model has not been done, a risk assessment will generally provide a number of strategies that can be implemented to mitigate the risk to an acceptable level.

In a model where the EPS takes over the administration of these PO groups, the risk increases in a number of areas:

- Legal and Regulatory: the increased exposure and accountability around the actions of the peace officers, both civilly and criminally; the distinct roles and authorities of police officers and peace officers will be eroded due to the increased exposure of peace officers to police work; increased risk to peace officers who will be more frequently seen as being police officers.

- Human Resources: managing the risk associated to new and different union affiliations; risk associated to current peace officers not being able to pass enhanced security clearances for the EPS.

See Appendix "B" for a summary of risks.

Comparative Agencies

In looking to other agencies for comparison and best practices, it was difficult to find similar programs to Edmonton due to the way special constable/peace officer programs are governed in other provinces. The largest and most common groups were the special constable/peace officer groups that worked within the Transit environments. Therefore most programs reviewed outside of Alberta were Transit programs.

Other Alberta Peace Officer Programs

City of Calgary

The City of Calgary is similar in size, scope and governing legislation. Calgary Transit has modeled their transit peace officer program after Edmonton's. Over the past few years, Calgary Transit has faced a number of challenges from one city councilor. His opinion is that, the Calgary Police Service (CPS) should police the transit system and not utilize peace officers. There has not been much city council support for this viewpoint and thus all attempts to date have been unsuccessful. This may be, in no small part, due to the successes the peace officer program has achieved. Although modeled after Edmonton, they have continued to enhance their program by including direct access to the Canadian Police Information Centre (CPIC) (Category 2 User designation) and a comprehensive Memorandum of Understanding with the CPS which covers off access to their records management system (RMS) and police facilities in order to be more efficient in their work. Their program is slightly larger than Edmonton's with 72 peace officers and another 28 coming onboard with the west extension of the C-Train.

Other peace officer programs within the city are completely separate from transit and are operated in the various departments they belong to. They are currently in the initial stages of assessing ways to gain efficiencies by coordinating some of those groups. Overall their transit peace officer program is running very well.

City of St. Albert

The City of St Albert uses a more unified structure. Their peace officers report within one department of the city administration. They do, however, all work out of the RCMP detachment and have a very good working relationship. Their enforcement peace officers perform multiple duties but their programs are all similar to Edmonton's. They have also utilized peace officers for working front counters in the RCMP stations, photo enforcement and

as part of their Court Liaison Section. This model seems to work well because the size of the community requires a more multifunctional enforcement officer. The RCMP and the peace officers work jointly on a more frequent basis.

Ontario Special Constable Programs

The Province of Ontario utilizes special constables but the term is synonymous with peace officers. The programs in Ontario have been in existence for many years. Special Constable status is granted through local police boards with the approval of the Solicitor General. Despite their history in Ontario, there are still areas where they have challenges. In 2010, the Ontario Association of Chiefs of Police completed a review of the Special Constable programs in Ontario. What the report outlines is that there is still a void in the legislation which governs special constables. This void includes the training, use of force options, accountability mechanisms, and branding or marketing schemes for the identification purposes that are distinct from policing[7]. In that report, Alberta is identified as the only Canadian province to have introduced legislative standards through the Alberta Peace Officer Act which remedy some of the shortcomings being experienced in Ontario[8]. This speaks well for the Alberta model and the peace officer legislation. The special constable programs in Ontario have dealt with this legislative deficiency through very large and comprehensive MOU's that cover all aspects of the programs.

City of Ottawa Special Constable Programs

In the City of Ottawa, the Ottawa Police Service (OPS) only has two external special constable programs: the Ottawa Transit Special Constables (OCTranspo) and the Carleton University Special Constable Program. These programs work independently of the OPS, however, there is a strong connection with the OPS through a comprehensive MOU which speaks to all aspects of the program. Within OCTranspo, for example, day to day operational issues fall under the direction of Transit management. However, matters that speak to professional standards or complaints are reviewed by transit, but are administered by the police service. The Carleton University Special Constable Program operates in the same fashion. The OPS has a liaison for the special constable programs that serves as the point of contact for any administrative or operational issues.

In addition to these two external programs, there are a few OPS internal special constable programs which are similar to ones in Edmonton, such as arrest processing, document service and court security. These programs are administered completely by the OPS in a similar fashion to Edmonton. It was interesting to learn that other enforcement functions within the City of Ottawa are not required to have special constable status within their provincial framework.

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[7] Ontario Association of Chiefs of Police – *Report on Special Constables in Ontario, p.1*
[8] Ibid. p. 6

Unlike Edmonton, functions like animal control or park rangers are able to function and conduct enforcement within their areas of legislation, but do not require special constable status. This would explain the small number of special constable programs within the City of Ottawa. There were many similarities between Ottawa's special constable programs and Edmonton's. All stakeholders interviewed were pleased with how the program is working and the excellent relationship peace officer programs have with the OPS.

City of Toronto – Toronto Transit Commission

I had a few email exchanges with the Chief Special Constable Terry ANDREWS of the Toronto Transit Commission (TTC). She declined the invitation for me to come out to Toronto on a site visit due to their current situation. The Toronto Police Board had just recently pulled their Special Constable status and therefore she did not feel she could answer my questions with any amount of certainty. She did, however, confirm for me that the Toronto Police and the TTC operate in the same fashion as the Ottawa Police and OCTranspo as they are both governed by the Police Services Act.

I was able to determine through other sources that the Toronto Police Service (TPS) was involved in a process (over the past year) to take over the responsibility of special constable group at the TTC but the logistics proved to be unmanageable and therefore a decision was made to replace their program with police from TPS. Depending on who you talk to, this new model may or may not be permanent. There is a new request before the police board from the TTC to enter into another special constable arrangement.

British Columbia Special Constable Programs

The Province of British Columbia has a completely different transit model than any other jurisdiction I visited. The responsibility for delivering transit services and the associated safety and security falls to two main groups. I will speak to both groups separately with the first being the South Coast British Columbia Transportation Authority who are responsible for the Greater Vancouver Area (GVA) and the 22 municipalities within.

Greater Vancouver Area (GVA)

The GVA utilizes their own transit police service called the South Coast British Columbia Transportation Authority Police (Transit Police). The Transit Police were established in 2005 after having special constable status for a period of time. They have full police powers and authorities in the Province, however, due to their limited numbers (161 police officers), their work is now targeted within the light rail train system.

There are three train lines that run into the downtown Vancouver area. Outside of the train system, the buses serve the rest of the GVA and are operated by the Coast Mountain Bus Company. Prior to 2005, the bus company worked in the same building as the special constables and provided security services for the entire GVA. When the new police service was formed they had to split away from the bus company due to access to information restrictions. Since the split, these two organizations have not worked well together due to jurisdictional issues.

The Transit police have full police powers but have no jurisdictional responsibilities. This means that any geographical area they work in already has a jurisdictional police service (JPS) which is responsible for that area. They are classified as a supplemental police service in the GVA that has been restricted to working on or in relation to transit train properties. This type of arrangement has resulted in much confusion and inefficiencies. When the Transit Police respond to an event, they will usually be dispatched with the corresponding JPS. At the scene, certain factors are taken into account in order to determine whether the Transit Police will investigate or the JPS. The factors taken into account are things like:

- the event location - on or off transit property
- seriousness of the criminal offence - summary conviction or indictable
- support units required – Dog unit, Ident, Tactical
- Which JPS is involved – some police departments don't want any involvement by the Transit Police

Taking all these factors into consideration, a negotiation happens and an agreement is reached on which service takes the call. There have been a number of leadership changes in the Transit Police over the past year or two which have resulted in differing philosophies with respect to their deployment. All of these factors have contributed to a level of frustration expressed by many stakeholders. I came to a conclusion after speaking with a variety of stakeholders regarding this transit police model. When you put fully trained police officers in a transit environment, and restrict their work area to transit properties, they realize fairly quickly that transit crime and disorder work is not that interesting for a police officer. This would sometimes result in members looking outside of their designated work areas to expand their policing experience. This also reinforced the jurisdictional confusion because each JPS had differing opinions about the Transit police working in their areas. The inefficiencies in this model are quite obvious. It had been mentioned to me that this type of police service designation will not likely ever be repeated in the Province.

The Coast Mountain Bus Company does not have any special constables or designated security people. They operate with street supervisors who provide a certain level of security and when they need a police response, they call the JPS. Interestingly enough, there are times when the JPS will refuse to take the call because of the existence of a Transit Police group, which further complicates the system and reinforces the confusion over jurisdictional boundaries.

City of Victoria – BC Transit

In the rest of the Province of British Columbia (BC), transit is provided for by BCTransit. They currently don't use special constables within the transit environment and use a similar system to the Coast Mountain Bus Company with the presence of street supervisors. The City of Victoria is the largest center they operate in as the rest of the province is made up of smaller communities. The street supervisors respond to any events and, if police are required, they call in the JPS.

Because of the challenges faced with this model, BCTransit is presently contemplating submitting a proposal to take over the entire province with the intention of looking at a special constable model for the major centers. This proposal is still in the initial discussion phases at this point and it is not known what level of support currently exists for it.

Conclusions

Before making final recommendations there are conclusions that can be drawn from this review, as well as information that was gathered from other agencies during my best practice review. The conclusions assist in answering the questions posed at the beginning of this report.

Taking into consideration wages and operational efficiencies (infrastructure, records management, communications systems, officer safety and intelligence sharing), what administrative structure is recommended for the COE Peace Officer programs?

The current model of management of COE peace officer programs has undergone a number of changes in the past 6-9 months. Some of those changes were to start addressing the recommendations coming out of the COE consultant report. However, the current model also creates a dependency on the Transit/Corporate Security peace officer program to provide: uniforms and equipment; communications; and some training. Any new governance model would have to include all five groups otherwise additional costs would be incurred to recreate systems and infrastructure that gets split up.

I have highlighted many challenges in this review with respect to having the peace officer programs fall under the EPS administration. Based on this information, the only structure that I can recommend is the status quo model. This direction has the least impact on issues surrounding human resources, operations, financial, legal, facilities and risk. A single structure model takes advantage of administrative and operational savings, and I believe is the most efficient. Having that structure working within the COE administration is best practice at this time, even as we compare to other jurisdictions across Canada. Supporting this position are all the numerous challenges and financial impacts of situating it under an EPS governance model. This is not to say that improvements to the current model cannot be made in order to enhance both the model and the operational effectiveness. Enhancements will be highlighted later in this report.

In the assessment of costs, is the COE better off converting peace officer positions to police positions?

The Continuum of Law Enforcement has existed for many years, and in Alberta, with the introduction of peace officers in 2006, this new role added flexibility to how the Province delivers law enforcement services. In answering the question; (Is it cheaper to use police officers?) I believe that looking at this issue from purely a wage perspective is short-sighted when compared to viewing the total picture of financial impacts. The additional costs associated to training, benefits and equipment far outweigh the overall cost to deliver services with a peace officer.

However, a person also needs to look at the appropriate delineation of current roles, for both peace officer and police officers. The MOU helps to define those roles but doesn't speak to whether PO's are doing work that is better suited for a police officer. After reviewing each of the peace officer programs within the COE I was satisfied that work being done at the peace officer level is not only well defined but appropriately assigned to the peace officer level.

What opportunities exist to reduce the duplication of costs or services?

To answer this question, one simply has to look at the model that currently exists within the COE and provide feedback on where we can enhance the operation to produce efficiencies. I believe that the current peace officer model compliments the work of police. This then allows police the flexibility to concentrate on more complex issues requiring the full authorities of a police officer. As stated earlier there have been a number changes made in the past 6-9 months with the view to make COE operations more efficient.

What further opportunities exist within the EPS for the use of peace officers in a differentiated model of service delivery?

The Edmonton Police Service has researched differentiated staffing models a number of times in the past six years. In the 2004 Organizational Review, a report on Differentiated Staffing Opportunities was completed. In that report, three sworn positions were identified that could be converted to a special constable (peace officer). None of those positions were converted at that time and, to date; those opportunities have still not been realized.

In 2007 another report was completed on the impact of the newly created Peace Officer Act and 9 roles were identified as opportunities for peace officers to replace police officers. These 9 roles potentially impacted up to 15-20 positions. Three of these roles have been converted to peace officers thus far. In addition, another 7 roles were identified that could be considered in the future, of which none have been realized.

The scope of this review was to include a preliminary look at what other opportunities exist for the use of peace officers within the EPS. Although a comprehensive review of differentiated staffing opportunities is not within the scope of this project, a review of existing documentation as described above to see if those opportunities are beneficial and still exist would be a starting point. The Edmonton Police Service will continue to look at opportunities for differentiated staffing on an ongoing basis.

Recommendations

It should be noted that some of these recommendations are consistent with, or are in support of, the outcomes of the COE consultant report.

1. At this point in time, the governance model for the COE peace officer programs remains within the COE administration.

2. The governance model remains flexible and continues to work towards a single structure wherever possible with emphasis on a single source for: professional standards investigations and processes; peace officer training; and uniform and equipment. This will support consistency in appearance, behaviour and accountability all of which are goals of the Peace Officer Program.

3. Enhancements to the current relationship between COE programs and the EPS be explored in the following areas:

   a. Radio and dispatch communications systems with a view of having better interoperability and intelligence sharing.
   b. The EPS identify a sworn member liaison to assist in: facilitating better communication and information exchange; maintaining consistent messaging both to and from peace officer groups; dealing with administrative issues, i.e. Memorandum of Understanding (MOU's), peace officer appointments, operational issues, etc.
   c. The EPS be given the opportunity to have representation on committees set up to manage the administration of the COE PO groups.
   d. The EPS support and assist in a COE PO application for CPIC access (category 2 user) for their programs.
   e. A report back to the EPC within a year on the enhancements to the current relationship between EPS and the COE PO programs.

4. The COE and the EPS, in conjunction with the Director of Law Enforcement work collaboratively together to initiate a public education strategy to brand and create increased awareness regarding the peace officer program, its role in law enforcement, the visual identity and authorities granted to peace officers.

5. The EPS continue to look at potential opportunities for differentiated staffing and the use of peace officers.

6. The EPS, with the support of the Edmonton Police Commission, advocate for changes to the Police Officers Collective Bargaining Act to include Peace Officers.

Appendix 'A'

Appendix A
Table 1a - City of Edmonton Peace Officer Programs

Program	# of Peace Officers	Designation	Union Affiliation	Wages	Budget	Vehicles
Transit Security	Total 51 7 Supervisors 44 Frontline	Community Peace Officer Level 1 (CPO 1)	Amalgamated Transit Union (ATU Local 569)	$60,691-$65,522/yr	6 million	6 marked vehicles
Corporate Security	Total 15 2 Supervisors 13 Frontline	Community Peace Officer Level 1 (CPO 1)	Canadian Union of Provincial Employees (CUPE Local 30)	$60,691-$65,522/yr	1.1 million	No Vehicles
Community Standards	Total 10 8 Fulltime 1 Supervisor 1 Coordinator	Community Peace Officer Level 1 (CPO 1)	Canadian Union of Provincial Employees (CUPE Local 30)	$58,319-$66,799/yr	1.1 million	5 marked vehicles
Park Rangers	Total 13 8 Fulltime 3 Seasonal 2 Supervisors	Community Peace Officer Level 1 (CPO 1)	Canadian Union of Provincial Employees (CUPE Local 30)	$62,738-$64,855/yr	978K	3 marked vehicles, 2 quads, boat, snowmobile and bicycles
Animal Control	Total 21 18 Frontline 2 Supervisors 1 Coordinator	Community Peace Officer Level 2 (CPO 2)	Canadian Union of Provincial Employees (CUPE Local 30)	$62,738-$64,855/yr	2 million	13 marked vehicles

Table 1b - City of Edmonton Peace Officer Programs

Program	Authorities	Bylaws	Budget	Vehicles
Transit Security	The Enviromental Protection and Enhancement Act, Part 9 Div 2 The Gaming and Liquor Act (Sec's 83, 84, 87, 89, 107, 108, and 115) The Petty Trespass Act The Prevention of Youth Tobacco Use Act The Provincial Offences Procedues Act The Traffic Safety Act (Non-Moving Violations Only) The Trespass to Premises Act	Traffic Bylaw #5590 Public Places Bylaw #14614 Conduct of Transit Passengers Bylaw #8353	6 million	6 marked vehicles
Corporate Security	The Enviromental Protection and Enhancement Act, Part 9 Div 2 The Gaming and Liquor Act The Petty Trespass Act The Prevention of Youth Tobacco Use Act The Provincial Offences Procedues Act The Traffic Safety Act The Trespass to Premises Act	Traffic Bylaw #5590 Public Places Bylaw #14614 Parkland Bylaw #2202	1.1 million	No Vehicles
Community Standards	Traffic Safety Act Environmental Protection and Enhancement Act Animal Protection Act Dangerous Dogs Act Gaming and Liquor Act Municipal Government Act POPA Stray Animals Act Tobacco Reduction Act Prevention of Youth Tobacco Use Act Trespass to Premises Act	Community Standards Bylaw #14600 Public Places Bylaw #14614 Business Licence Bylaw #13138 Traffic Bylaw #5590 Waste Management Bylaw #13777 Parkland Bylaw #12308 City Streets Development Contorl Bylaw #12513 City Streets Access Bylaw #13521	1.1 million	5 marked vehicles
Park Rangers	The Enviromental Protection and Enhancement Act, Part 9 Div 2 The Gaming and Liquor Act (Sec's 83, 84, 87, 89, 107, 108, and 115) The Petty Trespass Act The Prevention of Youth Tobacco Use Act The Provincial Offences Procedues Act The Traffic Safety Act The Trespass to Premises Act	Parkland Bylaw #2202 Traffic Bylaw #5590 Public Places #14614	978K	3 marked vehicles, 2 quads, boat, snowmobile and bicycles
Animal Control	Animal Protection Act Stray Animals Act Dangerous Dogs Act Agricultural Pests Act (rats) Provincial Offences Procedures Act	Animal Licencing and Control #13145	2 million	13 marked vehicles

Table 1c - City of Edmonton Peace Officer Programs

Program	Records Management	Communications	Type and Amount of Work (2010)
Transit Security	POSSE	City of Edmonton EDACS Radio System Network Monitored by Transit Control Center Emergency declares go to Transit Control EPS contacted by phone Mutual talk group available	13,903 reported events broken down as follows: **Municipal Bylaw Offences 76%** (Fare evasion, loitering and parking) **Provincial Statute Offences 13%** (Liquor, trespassing and smoking) **Criminal Offences 7%** (Mischief, assault, fraud and thefts) **Nuisance Type Offences 4%** (Trouble with person, disturbances)
Corporate Security	POSSE	City of Edmonton EDACS Radio System Network Monitored by City Hall Emergency declares go to City Hall EPS contacted by phone Mutual talk group available	1893 events broken down as follows: **Municipal Bylaw Offences 29%** (Pedestrian violation) **Provincial Statute Offences 39%** (Trespassing, liquor and smoking violations) **Criminal Offences 10%** (Drugs, mischief, assault, fraud and thefts) **Nuisance Type Offences 22%** (Trouble with person, disturbances)
Community Standards	POSSE	City of Edmonton EDACS Radio System Network Monitored by own control center Access to all EPS dispatch channels Work on separate channel Emergency declares go to EPS Dispatch	3300 citizen complaints and 3500 officer initiated complaints 4200 warnings, 1300 municipal tags and 42 violation tickets Litter, dumping, snow, noise, insecure loads and parking 92% Bylaw enforcement 8% Provincial enforcement
Park Rangers	SAP	City of Edmonton EDACS Radio System Network Monitored by their own staff Emergency declares go to Transportation dispatch EPS contacted by phone Work on their own channel Mutual talk group available	3044 Events broken down as follows: 74% Parkland Bylaw 8% Vehicle Related (Bylaw 5590) 5% Liquor related 5% Safety related 0% Miscellaneous
Animal Control	POSSE	City of Edmonton EDACS Radio System Network Monitored by their own control center Access to all EPS dispatch channels Work on separate channel Emergency declares go to EPS Dispatch	17,093 events responded Issued 15,189 warnings 1840 tickets <1% provincial acts

Appendix "B"

Appendix "B"

Summary of Risks

Category	Risk #	HIGH	MED	Risk Description
Legal and Regulatory	1.	■		**Health and Safety** - This risk relates to the potential for endangered lives, fines, and reputational damage associated with the failure to address health and safety laws and issues.
	2.	■		**Litigation and Liability** - This emanates from our failure to identify, assess and appropriately address legal issues
External	3.		■	**Clients and Taxpayers** – risk that the public perceive that the EPS is failing to provide effective and responsive services to clients.
	4.	■		**Media Relations** - our failure to leverage media relations to effectively communicate the benefits and added-value of the activities and operations of the EPS.
	5.	■		**Politics** - The risk that changes to federal, provincial, and/or municipal governments agenda may adversely impact the ability of the EPS to achieve its objectives.
	6.	■		**Reputation** - The risk exists of not managing our reputation, which could lead to a loss of the public's confidence in the ability of the EPS to protect their interests and a loss of client's confidence in the ability of the organization to deliver services consistent with their needs and expectations.
Strategic	7.	■		**Partnerships and Relationships** - This speaks to the risk of not leveraging the experience, skills, and competencies of partners and stakeholders to ensure the achievement of expected results with a citizen-focus.
	8.	■		**Risk Management** - The failure to appropriately identify, assess, mitigate, and monitor risks that may threaten the achievement of strategic and business objectives.
Operational	9.		■	**Detention** - Risk that the safety and security of people arrested and detained for various crimes and offences are being compromised while in custody of the Peace Officers.
	10.		■	**Enforcement** - The risk relative to the potential failure by PO's to appropriately respond to Criminal Code violations and other offences.
	11.		■	**Investigation** - The risk related to the failure to appropriately conduct the initial stages investigations surrounding Criminal Code violations and other offences.
	12.		■	**Safeguarding of Assets** - Risk that members' safety and security are compromised, including loss of life in the conduct of police operations and activities.
Information	13.		■	**Access, Protection Communication and Privacy** - Risk that the information is not accessible or available in support of the decision-making process.
Human Resources	14.	■		**Labor relations** - The risk surrounding the management of labour relations in a timely, constructive, and fiscally responsible manner while maintaining good employee relationships.
Technology	15.		■	**Security and physical protection** - Risk that systems may not be adequately secured and physically protected against unauthorized access which could compromise the quality, integrity, or confidentiality of the data.