



TOWN POLICY

ADMINISTRATION POLICY:

Municipal Enforcement Privacy, Notebook and Notes Policy

DEPARTMENT: Municipal Enforcement

POLICY NUMBER: ME-123

EFFECTIVE DATE: November 15, 2018

SUPERSEDES: New

UPDATED: January 24, 2024

UP FOR REVIEW: January 24, 2029

Policy Statement:

Notes are one of the most important investigative tools. They aid in Peace Officer and Bylaw Officer memory; may assist when interviewing witnesses, victims and suspects; aid in report writing and accurate testimony; are reviewed by Crown Counsel for the purpose of screening/vetting the charges; and reviewed by Defence Counsel as part of the disclosure process.

The purpose of this policy is to:

The purpose of this Policy is to provide direction to Community Peace Officers and Bylaw Enforcement Officers employed by the Town of Cardston with clear directive on the use and retention of Notebooks (and supporting notes), and to ensure the disclosure of the Notebooks and notes will be consistent with the provisions of the Criminal Code, the Peace Officer Act, and the Freedom of Information and Protection of Privacy Act.





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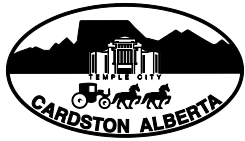
DEFINITIONS

1. In this Policy,
 - (a) "*FOIP*" means Freedom of Information and Protection of Privacy Act RSA 2000 c. F-25;
 - (b) "*CAO*" means The Town of Cardston Chief Administration Officer;
 - (c) "*Member*" means A Community Peace Officer or Bylaw Enforcement Officer employed by the Town of Cardston;
 - (d) "*Peace Officer Act*" means Peace Officer Act RSA 2006, c. P-3.5;
 - (e) "*Notebook*" means A Standard bound notebook with numbered pages issued by the Town of Cardston Municipal Enforcement for the specific purpose of recording notes related to Municipal Enforcement duties;
 - (f) "*Municipal Enforcement*" means The Town of Cardston Municipal Enforcement department.
 - (g) "*AFRRCS*" means the Alberta First Responders Radio Communication System.
 - (h) "*Encrypted Channels*" means the RCMP channels on AFRRCS.
 - (i) "*Radio*" means the equipment owned or leased by an Authorized Employer of Peace Officers use by its Community Peace Officers to communicate with the RCMP over AFRRCS, including handheld and in-car units.
 - (j) "*Information*" means any content shared over radio, and maintained in written materials, reports and record management systems, between a Community Peace Officer and the RCMP including information maintained in the Canadian Police Information Centre System, a National Police Services administered by the Royal Canadian Mounted Police, or any other police service database.
 - (k) "*Authorized Employer*" means the Authorized Employer of Peace Officers as designated under section 5 of the Alberta *Peace Officer Act*.
 - (l) "*Policy*" refers to the mandatory Authorized Employer privacy policy, on file with the Peace Officer Program.
 - (m) "*Peace Officer Code of Conduct*" refers the Authorized Employer of Peace Officer's code of conduct per section 13(1) and 13(2) of the Peace Officer (Ministerial) Regulation and on file with the Alberta Public Safety and Emergency Services, Peace Officer Program.

GENERAL

2. All Members will take careful, accurate and contemporaneous notes during their investigations. Members will maintain a Notebook within which a written record of daily enforcement activities,





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events and information will be kept. Notebooks and notes are the personal records of the Member but will remain the property of the Town of Cardston. The original Notebook is to be available for production in court when given evidence.

3. Members will produce his/her Notebooks for Supervisor inspections and at the request of a superior officer, in response to a FOIP request or any other instance where production is required for law, including Crown Counsel disclosure and the Peace Officer Act proceedings.
4. Information that is contained in a Member's notes must be treated as confidential and must receive the degree of protection necessary to prevent any disclosure to unauthorized agencies or persons.
5. Notebooks will only be accessed in accordance with the Town of Cardston policy and when access is required by law.
6. Members will surrender their Notebooks upon directive of the CAO (or their designate) or upon separation from the Town of Cardston Municipal Enforcement.

PROCEDURES

7. Notebook Entry and Maintenance:

- 7.1. All members will properly use and maintain issued Notebooks, indexed in chronological order with the start and completion date and the member's name and Regimental Number on the first page or the front cover.
- 7.2. An entry will be made for each day of duty and will include, but not limited to:
 - 7.2.1. Date, shift times, duty assignment(s), partner's name, vehicle number and equipment assigned, call sign, weather conditions, road conditions; and
 - 7.2.2. A chronological record of the Member's activities, including calls attended, foot patrol times and locations, traffic enforcement/education activities, persons arrested or interviewed and details of any incident or event that is deemed important (for the purpose of assisting the Member's later recollection of the incident), and including notation of when a person is chattered and cationed.
- 7.3. Members shall only use one Notebook at a time, unless authorized by the CAO, or as otherwise permitted by this policy.
- 7.4. Each Member will:
 - 7.4.1. Write, in pen, their own notes regarding each incident or event (what each Member heard, observed or did);
 - 7.4.2. Include the exact words spoken by an individual as accurately as possible, and if the conversation is verbatim, then quotation marks used;
 - 7.4.3. Not leave unnecessary blank spaces, and leave no more than two lines to separate subject matter and that a diagonal line is drawn through that space and initialed;





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- 7.4.4. Not erase or use any correction fluid or tape to remove or correct inaccurate or inadvertent entries in their Notebook;
- 7.4.5. Cross out any wrong entry with a single line and initial the line, and then record the correct entry;
- 7.4.6. Not remove any pages from the Notebook; and,
- 7.4.7. Not make entries not relevant to their duties.

8. Notebook Storage:

- 8.1. When off-duty; Members shall store their Notebooks in a secured location, or in the same location the Member stores their tools/weapons, in a locked safe.
- 8.2. When on-duty; Members shall always have their Notebook on their person.

9. Other Notes:

- 9.1. All notes made on pieces of paper, other than in Notebooks, will be preserved by the Member even if the information is subsequently transferred into their Notebook. These notes will be attached to the Case Report (both in Digital Media on Report Exec and originals on a hard file).
- 9.2. All notes made by the Member on a computer will be printed, dated, signed and attached to the investigative file. The Member will ensure that the File Number is recorded on the notes when feasible.

10. Notebook Inspections:

- 10.1. Supervisors must inspect Member's Notebooks on a regular basis to ensure they are up-to-date and properly maintained. Following inspection, the Supervisor will sign the Notebook. The frequency of Notebook inspections is at the discretion of the applicable Supervisor, but at a minimum must occur at least one per year.

11. Loss, damage or destruction of Notebooks:

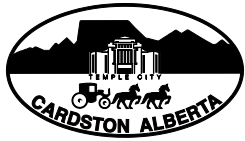
- 11.1. Members are responsible for promptly reporting in writing any lost, damaged, or destroyed Notebooks to the CAO.

12. Disclosure of Investigative Notes:

- 12.1. Members submitting a Court Brief will scan all relevant information from their notes, and any other involved officer's notes, into the Digital Media section of the Report Exec Case Report. This scanned copy of the notes will be provided to the Crown Prosecutor or Bylaw Prosecutor amongst the Court Brief.
- 12.2. Members shall never release anything directly to a Defence Counsel. All items must be forwarded to the Crown Prosecutor or Bylaw Prosecutor for review prior to being disclosed.

13. Retention of Notebooks:





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- 13.1.** The Town of Cardston recognizes the operational need for Members to access completed Notebooks as an investigative technique. For this reason, Notebooks will be retained by each Member for the duration of their career.
- 13.2.** Upon retirement or termination of employment, all Notebooks, notes, drawings or audio recordings made during the course of their duties will be turned over the Town of Cardston, and will be stored within the Town of Cardston Municipal Enforcement secure lock-up, and only accessible by the Senior Community Peace Officer.
- 13.3.** When a Member is away from duties for an extended period of time or under suspension, the Member may, upon directive of the CAO, be required to surrender their Notebooks for temporary storage. In such cases, the Notebooks will be returned to the Member upon authorization of the CAO.
- 13.4.** When required for court, the former member will retrieve their Notebooks, notes and related items from the Senior Community Peace Officer.
- 13.5.** Notebooks, notes, and related items will be held by the Town of Cardston Municipal Enforcement (following the Member’s submission upon retirement or termination of employment) on a ten-year retention schedule and then be destroyed, unless still required for court or legal purposes.

14. Notebook Security and Audits:

- 14.1.** The Town of Cardston Municipal Enforcement must retain Members’ Notebooks in the Secure Lock-Up and have a written procedure for maintaining Notebook security, including recording of all retrieval, storage and destruction respecting those records.
- 14.2.** The CAO or he Senior Community Peace Officer will ensure that regular audits are conducted to ensure proper retention, retrieval and destruction of Notebooks.

REVISION HISTORY

Date	Description
November 15 th , 2018	New Policy
October 3 rd , 2023	Added Privacy to title and information privacy to the policy
January 1 st , 2024	Added new definitions and AFRRCS info to policy

APPROVAL: **DATE:**

Chief Administrative Officer, Jeff Shaw *(signed copy kept in CAO policy binder)*



