

Policy Type: **EXECUTIVE LIMITATIONS**



Policy Title: **Sharing of Operational Information**

Policy Statement

The Durham Regional Police Service Board is committed to nurturing and maintaining a cooperative, transparent relationship with the Chief of Police premised upon open, reciprocal communication. The Board recognizes that the appropriate exchange of information between the Board and the Chief of Police supports effective decision making, enhances accountability and strengthens community confidence in policing.

The Board is responsible, under Provincial legislation, for ensuring the provision of adequate and effective policing within its jurisdiction. In order to fulfill its statutory obligation effectively and meaningfully, the Board must be equipped with sufficient, accurate, timely and relevant operational information on policing matters that reach the threshold of a “critical point”. This information enables the Board to determine priorities and objectives for policing in consultation with the Chief of Police, to assess progress in achieving these priorities and objectives, and to establish policies with respect to the matters related to the provision of policing.

The Board acknowledges there are limits to the direction that the Board may give to the Chief of Police, and the importance of respecting those limits. The Board is prohibited from directing the Chief of Police with respect to specific investigations or the conduct of specific operations. Therefore, while the Board may provide direction on the policing outcome it desires to be achieved, the Chief of Police has the authority to determine the methods for how the objective, priority, or outcome will be realized.

This policy shall not prevent or restrict the Service from exercising its policing powers and authorities, in emergent circumstances, to protect community safety.

Policy Application

1. A critical point is defined as the following: *a policing operation, event, or organizationally-significant issue for which:*

- significant advance planning and/or approval at the command level (i.e. by the Chief of police or Deputy Chief of Police) is required.

- unexpected financial or other resources are required
- legal/democratic principles or rights must be balanced with policing priorities or practices
- significant jurisdictional issues are raised
- operations that may impact, in a material way, the Service's reputation or its effectiveness.

This list is not exhaustive or exclusive but intended to establish a framework to allow for the meaningful exchange of information.

2. Prior to determining whether a situation meets the threshold of a critical point, the Chief of Police is invited to initiate verbal consultations with the Chair and/or Vice-Chair of the Board. Should such discussions occur, the Chair or Vice-Chair, as appropriate, shall inform the other Board members of the content of the discussions.

3. In situations where the Chief of Police assesses that a critical point is reached, or will be reached, the Board shall be provided, at the earliest possible stage, with sufficient operational and other information to allow it to understand details of the operation, event or issue. The following considerations should be addressed in the information provided to the Board in order for the Board to fulfill its duties:

- The general nature of the critical point;
- The elevated risk(s) posed by the critical point;
- Relevant operational and other information necessary for the Board to understand the details of the critical point, the operational plans, and continuity of service plans to ensure adequate and effective will continue to be provided throughout the Region;
- Any plans to involve other organizations, including, in the case of other law enforcement agencies, recommendations to the Board to make requests of other boards or the Ontario Provincial Police;
- An estimate of the financial impact;
- Relevant legislation and other legal requirements that may apply; and
- Any ongoing considerations, including resources needed, or policy impacts.

4. The Board will determine the appropriate objectives for the operation or event, in consultation with the Chief of Police, upon considering the information described in paragraph 3. For precision, the Board will be provided with sufficient information to allow it to ensure that operational plans:

- a. are consistent with the objectives defined by the Board;
- b. are consistent with applicable Board policies; and
- c. no additional policies are required to provide guidance to the Police Service.

5. The Board shall be provided with regular updates, defined by the Board, on the progress of the Service's execution of the operational plans.

6. If, during the operation, the Board concludes that the objectives and priorities are not being achieved, the Board will inform the Chief of Police of its conclusion. However, the Chief of Police will remain autonomous in determining the appropriate execution of the Plan in order to achieve the defined objectives.

7. The Chief of Police shall ensure that training is provided to Service Members from the rank of Inspector and above to enable them to recognize the circumstances that may lead to a critical point, and to inform the Chief of Police and Command when a potential critical point is identified.

Reporting

The Board is committed to exercising maximum transparency to the community in situations where a critical point, as defined in this policy, is reached. In circumstances where the provisions of this policy are invoked, the Board will disclose, in accordance with any relevant legislation, and subject to operational considerations:

- The nature of the operational matter
- The community safety objectives defined by the Board in relation to the matter
- Any directions given to the Chief of Police