



# Sarnia Police Service Board Policy

Issue Number:  AI-020
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Subject: <b>Code of Conduct Police Officers and Special Constables</b>	Effective Date:
Replaces: <b>New</b>	Distribution:
Last Reviewed:	Expiration Date:
Approved By:  <b>Board Chair</b>	Signature:

## A Legislative Authority

*Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by **Section 10** of the *CSPA*.

**O. Reg. 392/23: Adequacy and Effective Policing (General)** prescribes standards for adequacy and effectiveness of police services.

**Ontario Regulation 407/23 Code of Conduct for Police Officers and Ontario Regulation 410/23 – Code of Conduct for Special Constables**, under the *Community Safety and Policing Act, (CSPA) 2019*

## B Policy Statement

1. It is the policy of the Sarnia Police Services Board that the Chief of Police will establish a Code of Conduct for police officers and special constables.

## C Board Policy

1. It is the policy of the Sarnia Police Services Board with respect to the Code of Conduct,

that the Chief of Police or designate will ensure members know that the Code of Conduct applies to police officers including chiefs of police, deputy chiefs of police or other senior officers, as well as special constables.

2. All officers and special constables:
  - (a) Shall comply with the **CSPA** and the regulations made under it;
  - (b) Shall comply with the **Special Investigations Unit Act, 2019** and the regulations made under it;
  - (c) Are considered to have contravened this code of conduct if they are found guilty of an offence under the **Criminal Code** (Canada), the **Controlled Drugs and Substances Act** (Canada) or the **Cannabis Act** (Canada).
3. A police officer or special constable shall not, in the course of their duties, treat any person in a manner that the officer/special constable at the time, knows or reasonably ought to know would contravene the **Human Rights Code**.
4. A police officer or special constable shall not, by act or omission, do anything that the officer or special constable, at the time, knows or reasonably ought to know would infringe or deny a person's rights or freedoms under the **Canadian Charter of Rights and Freedoms**.
5. A police officer or special constable shall not make an arrest if, at the time of the arrest, the officer/special constable knows or reasonably ought to know that the arrest is unlawful.
6. A police officer or special constable shall not authorize or make a physical or psychological detention if, at the time of the detention, the officer or special constable knows or reasonably ought to know that the detention is unlawful.
7. A police officer or special constable shall not neglect the health or safety of any individual who is in their custody as a result of the officer's/special constable's duties.
8. A police officer shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in policing.
9. A special constable shall not conduct themselves in a manner that undermines, or is likely to undermine, public trust in the delivery of services by special constables.
10. A police officer or special constable shall not use force unless,
  - (a) The force is used for the purpose of carrying out a duty;

- (b) The officer/special constable is entitled, by statute or common law, to use force for the purpose of carrying out that duty;
  - (c) The officer/special constable is acting on reasonable grounds; and
  - (d) The force used is no more than is necessary given the circumstances.
11. A police officer or special constable shall not, in the course of their duties, use abusive language with any person or otherwise treat any person in a manner that is abusive.
12. A police officer shall not deliberately conceal any of the following information that is part of their uniform or is otherwise required to be displayed:
- (a) The officer's name;
  - (b) The officer's badge number;
  - (c) The name of the officer's police service.
13. While acting in the course of their duties, a special constable shall, upon request, provide their name and the name of their employer to any member of the public in a manner reasonable in the circumstances that allows the member of the public to identify the special constable, unless the special constable has reason to believe that doing so would undermine the safety of an individual.
14. A police officer or special constable shall not solicit, offer or take a bribe.
15. A police officer or special constable shall not accept a gratuity or present of more than nominal value from any person or entity if the gratuity or present could influence or could be perceived to influence the performance of the officer's duties.
16. A police officer or special constable shall not use their position as a police officer/special constable to do any of the following:
- (a) Benefit themselves or one or more persons with whom they have a personal relationship;
  - (b) Interfere with the administration of justice.
17. A police officer or special constable shall not disclose to the public information obtained or made available in the course of their duties as a police officer except as authorized in accordance with the procedures established by their Chief of Police, as necessary for the performance of the officer's duties or as required by law.
18. A police officer or special constable shall not access, collect, use, disclose, alter, retain

or destroy information obtained or made available in the course of their duties as a police officer if, at the time, they know or reasonably ought to know that doing so would be contrary to law.

19. A police officer or special constable shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.
20. A police officer shall take notes in accordance with the duties of a constable and the procedures established by their Chief of Police.
21. A police officer shall not perform or attempt to perform duties as a police officer while their ability to perform duties is impaired by alcohol or drugs.
22. A police officer or special constable shall report conduct of another member of the police service in accordance with the procedures described in **subsection 183 (1), (2) or (3)** of the **CSPA**, as applicable, or to the Inspector General in accordance with **section 185** of the **Act**, if the officer reasonably believes, or reasonably ought to believe, that the member's conduct constitutes misconduct.
23. A special constable shall not deceive or mislead any person in relation to the special constable's duties, the special constable's employment or the administration of justice through any act or omission, except to the extent required or authorized for the purpose of carrying out the special constable's duties.
24. A police officer shall not leave an area, detachment, detail or other place of duty except as authorized in connection with performing duties as a police officer or as required by law.
25. A police officer shall not purport to speak on behalf of their police service to the media about a matter connected with their police service, except as authorized by their Chief of Police.
26. A police officer shall not be absent without authorization from or late for any duty without reasonable excuse.
27. A police officer shall comply with every lawful order from a superior and shall not otherwise be insubordinate toward a superior.
28. A police officer shall comply with the procedures established by their Chief of Police.
29. A police officer shall not lose or cause damage to clothing, equipment or other property issued to them, or obtained or made available to them, in the course of their duties, except as may be necessary to perform their duties as a police officer.

30. A police officer shall report any loss or damage to clothing, equipment or other property to their supervisor as soon as practicable.
31. A police officer shall not engage in workplace violence or workplace harassment, including workplace sexual harassment, as those terms are defined in the ***Occupational Health and Safety Act***.
32. A police officer shall not deceive or mislead any person in relation to the officer's duties, the officer's employment or the administration of justice through any act or omission, except to the extent required or authorized for the purpose of carrying out the officer's duties.