



## TRANSIT POLICE

### POLICY DIRECTION

Effective Date: September 12, 2005

Revised Date: June 21, 2013

Reviewed Date:

Review Frequency: As Required

Office of Primary Responsibility: Manager Strategic Services

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## POLICY

### Definitions

Chief Officer – The Chief Officer or delegate.

Designated Constables – The Transit Police police officers appointed by the Police Board.

Deputy Chief Officer – The Deputy Chief Officer or designate.

Police Act – The BC *Police Act*, RSBC 1996, c. 367, and the regulations thereto, including the Transit Police Operations Regulation, all as amended from time to time.

Police Board – The South Coast British Columbia Transportation Authority Police Board.

SCBCTA – The South Coast British Columbia Transportation Authority commonly referred to as “TransLink”.

Transit Police – The South Coast British Columbia Transportation Authority Police Service.

Transit Police Personnel – Sworn police officers and civilians who work for the Transit Police.

TSML – The TransLink Security Management Limited, a subsidiary of the South Coast British Columbia Transportation Authority and legal entity/employer for the Transit Police.

### Authority

1. The Transit Police is a Designated Policing Unit in British Columbia established pursuant to s. 4.1 of the *Police Act*. The Transit Police is governed by the Police Board and under the *Police Act*, the Police Board is to make rules consistent with the *Police Act* and the regulations thereto respecting:
  1. standards, guidelines and policies for the administration of the Transit Police;
  2. the prevention of neglect and abuse by the Designated Constables; and

3. the efficient discharge of duties and functions by the Transit Police and its Designated Constables.
2. The legal entity and employer for the Transit Police is the TSML. The TSML has authority over and responsibility for its employees and Transit Police Personnel are required to comply with the policies and procedures of the TSML, unless such policies and procedures are in conflict with legal, Police Board requirements, or operational direction/authority of the Chief Officer. Since TSML is a SCBCTA subsidiary, TSML employees will also be required to comply with SCBCTA enterprise level policies, subject to the same proviso above.

### **General**

3. The Transit Police will be required to file its written police service rules (policies) with the Ministry of Justice (Police Services Division).
4. The development, administration, and dissemination of policy direction will be coordinated by a designated policy manual administrator, and under the supervision of the Manager Strategic Services or such person otherwise so determined by the Chief Officer.
5. Policy direction within the Transit Police will be:
  1. contained in a police service Policies and Procedures Manual;
  2. clearly explained in a readable manner;
  3. contained in an accessible and consistent format;
  4. kept current through the involvement of appropriate Transit Police Personnel; and
  5. made available to all Transit Police Personnel.
6. Policy direction within the Transit Police will be developed and maintained in a current manner through a maintenance process that includes:
  1. an approval process;
  2. an amendment process; and
  3. a review process.

### **Legal Entity Policy**

7. Where the TSML creates or amends its policies or procedures and those policies apply to the Transit Police, the Transit Police will review and adopt the policy unless the policy conflicts with relevant legislation and common law (e.g., *Police Act*, case law). Where such new or amended TSML policy requires amendment to the Transit Police Policies and Procedure Manual, the regular Transit Police policy amendment

process will be followed, including obtaining of approval from the Chief Officer and Police Board.

## **PROCEDURES**

### **Approval Process**

8. The Transit Police policy approval process will:
  1. create a means for the initiation and amendment of policies and procedures;
  2. ensure Transit Police Personnel have the opportunity for input;
  3. provide a means for appraisal, consideration and approval;
  4. allow dissemination for consideration by affected parties, including the TSML and the SCBCTA, as appropriate; and
  5. ensure only approved policies and procedures are entered into and contained within the Policies and Procedures Manual.

### **Initiation**

9. Transit Police Personnel, the Police Board, the TSML and others may propose new or amended policies and procedures.
10. Transit Police Personnel are encouraged to propose policy amendments or additions through their immediate Supervisor, including rationale for the suggested policy (e.g., compliance with legislation or collective agreement, new case law, changing operational needs). The Supervisor will review the recommended policy and, if appropriate, submit it to the policy manual administrator for analysis and consideration within the regular policy development process.

### **Review and Signatory Approval Process**

11. Review of policies and circulation of draft policies for comment will include involvement of, as appropriate to the policy issue:
  1. representatives of Transit Police Personnel directly affected by the policies;
  2. Transit Police Senior Management;
  3. representatives of the TSML and/or SCBCTA (e.g., Human Resources, Risk and Legal Departments);
  4. SCBCTA operating companies directly affected by the policies;
  5. Jurisdictional Police Departments (JPDs); and
  6. External Legal Counsel.

12. The policy manual administrator, after circulating the draft proposal for review and comments, and subsequent endorsement from the Deputy Chief Officer(s), will submit the proposal to the Chief Officer for consideration and signatory approval.
13. The Chief Officer may:
  1. reject the proposal, giving written notification of the reasons for doing so;
  2. return the proposal for revision, giving written instructions regarding proposed changes;
  3. approve the proposal by signatory acknowledgement.
14. Upon review and approval by the Chief Officer, the Chief Officer will be responsible for requesting policy approval from the Police Board.
15. The Transit Police will follow any guidelines from the Police Board with respect to submitting proposed policy for preliminary review by one of its standing committees.
16. Following Police Board approval of the policy, the policy manual administrator will be responsible for preparing the official version of the approved policy and for distributing the policy in accordance to this policy chapter.

### **Distribution**

17. The new or amended Transit Police policy will be:
  1. forwarded electronically to the Ministry of Justice - Police Services Division for official filing;
  2. posted in the master policy manual on the designated central records system (electronic) for ongoing access by Transit Police Personnel;
  3. issued as a Bulletin (or another order mechanism as otherwise determined by the Chief Officer) to Transit Police Personnel; and
  4. distributed electronically to the SCBCTA's Risk Management/Claims Unit for risk and claim background information and to TSML and SCBCTA representatives where appropriate.
18. A limited number of paper Policies and Procedures Manual will be maintained for access by Transit Police Personnel, unless otherwise so determined by the Chief Officer.

### **Communication**

19. Transit Police Personnel will be expected to read all new and amended policies issued (electronic and/or paper copy) by the Chief Officer.

20. Notwithstanding direct notification to Transit Police Personnel, Supervisors will be responsible for follow-up communication of the policy amendments to their reports in a timely manner and recording the date, content and method of such communication when so directed. Where required by the Chief Officer, the Supervisor will also record the names of those staff present during such communication (staff signatures may be required in some circumstances).
21. Where new or amended policy requires detailed training, the responsibility to communicate the information in a timely manner rests with the Supervisors who will also record the date and content of policy training and forward this information to the Training Section, or as otherwise instructed by the Deputy Chief Officer Support Services.

**[See also: AB130 – Training]**

### **Regular Policy Review**

22. The Policies and Procedures Manual will identify a review frequency for each policy chapter, and the review schedule will be followed by the designated Office of Primary Responsibility.
23. The policy chapter review frequency may be adjusted from time to time to take into account Transit Police resources and other considerations, including but not limited to, risk, safety and security matters. Additional Policy Chapter review may also be required by request of the senior management.

### **Format and Content**

24. The Policies and Procedures Manual will be maintained in an easy to read and consistent format with each distinct category having a separate section. A chapter index and alphabetical topical index will be included to facilitate locating information.
25. Each policy must include the date it was approved (the effective date) and amended by the Police Board.

### **Paper Copies**

26. Common paper copies of the Policies and Procedures Manual will be inspected periodically to ensure that each is being maintained in a current and complete manner.
27. New or amended policy will be forwarded promptly to designated individuals for inclusion in the paper Policies and Procedures Manuals held in their section.
28. Paper copies of the Policies and Procedures Manual is provided as a convenience to Transit Police Personnel only. The electronic version of the Policies and Procedures Manual is considered the official manual for the Transit Police.

### **Policy History/Archiving**

29. An archival system containing a copy of each and every policy existing at any point in time must be maintained and preserved in a manner that permits historical policies to be easily accessed and retrieved.

#### **Key References**

BC Police Act [RSBC 1996, Chapter 367]  
BC Provincial Policing Standards  
Police Board Governance Manual