

Policy Title: PEACE OFFICER NOTEBOOK POLICY	Policy #: PO-8-1
Authority Approval: Mayor and Council	Resolution #: 115-2019-05-27
	Effective Date: May 27, 2019
Distribution:	
<input checked="" type="checkbox"/> Master	<input type="checkbox"/> Fire Department
<input checked="" type="checkbox"/> Administration	<input type="checkbox"/> Library
<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Public Works
<input type="checkbox"/> FCSS	<input type="checkbox"/> Recreation

1. General

- a) Investigator's notes serve to refresh memory, justify decisions made, and record evidence. Well-documented notebook entries lend credibility to testimony and can substantiate information years after the original entry was made. Inadequate and inaccurate entries in a notebook can compromise an investigation and subsequent criminal, civil, and/or administrative proceedings.
- b) Members must make written and/or electronic notes, as soon as practicable, in order to prepare accurate, detailed, and comprehensive notes articulating observations made and actions taken during the course of their duties. See [Wood vs. Schaeffer](#).
- c) All notes made during an investigation are an integral part of an operational file.
- d) Investigator's notes are subject to disclosure and examination by the courts in criminal, civil, and/or administrative proceedings, and may be accessed under the [Access to Information Act](#) and/or the [Privacy Act](#).
- e) A Member's notebook is the property of the Town of Beaverlodge, Enforcement Services and will be provided to the Chief Administrative Officer for review at the mid-year and end-of-year performance review or upon request.
- f) Contents of forms, either written or electronic, which are not made contemporaneously to an event, are not considered notes and are not a substitute for an investigator's notebook.

2. Definitions

- a) **Wireless communication device** means any hand-held wireless device that has a telephone function and electronic media capabilities and applications including, but not limited to: electronic mail, text or related functions, and internet-based access.

3. Format and Content of Notes

- a) Investigator's notes should thoroughly describe the details of the occurrence and answer: who, what, when, where, why, and how.
- b) Notes should contain professional language, unless documenting verbatim comments.
- c) Notes should be factual and descriptive enough to explain decisions made.

- d) Sketches and measurements enhance the quality of notes and should be included where practicable.
- e) Notes should be taken in dark ink, e.g. black or blue ink.
- f) Deletion of notes should be stroked out with a single line and initialed.
- g) Portions of a notebook not used should have a "Z" line through the blank portion of the notebook page, e.g. end of a page not used.

4. Roles and Responsibilities: Officer

- a) Use notebooks that are bound with printed, pre-numbered pages. Loose-leaf pages are not permitted. External pieces of paper are not to be added to the notebook.
- b) External pieces of paper must either be added to the paper file or scanned into the electronic file and the original retained on the paper file, including member's name, date, and associated occurrence, if known.
- c) Use one notebook at a time, unless working on a major investigation where you may be required to use an additional notebook specific to that investigation.
- d) Write your name, regimental number, work location, and the day the notebook is started on the front cover of each notebook. When the last entry in the notebook is made, add the end date to the cover of the notebook, e.g. Started: 2010-01-01; Ended: 2010-10-01.
- e) Use a consecutive numbering system to record the number of notebooks used throughout your service and/or project/investigation.
- f) Provide your notebook for inspection and verification upon request by the Chief Administrative Officer.
- g) Do not erase entries or remove any pages from your notebook.
- h) Electronic notes can be made on a Town of Beaverlodge issued wireless communication device and must be transferred into an operational notebook as soon as practicable, e.g. notebook not readily available.
- i) The use of personal wireless communication devices for the purpose of note taking and/or as an investigational tool, e.g. audio taping of statements, video recording, picture taking, is not permitted.
 - i. NOTE: Where circumstances dictate and issued equipment is not available, electronic notes may be made on a personal wireless communication device and must be transferred into an operational notebook soon as practicable.
 - ii. CAUTION: If a personal wireless communication device is used for operational needs, depending on its use, it may potentially result in the requirement to disclose personal records, and surrender the device and/or the memory card, for court proceedings.

- j) Separate the parts of the notebook which refer to the investigation or were identified for redaction before disclosure, to ensure that defence counsel reviews only the notes that pertain to the event, e.g. by using elastic bands to separate unrelated notes and/or covering the parts that were redacted before disclosure.
- k) Prior to giving evidence before a court, refer to pertinent documentation in your written and/or printed electronic notes to refresh your memory of the event.
- l) Bring all notes and related supplemental documents to all court proceedings.
- m) Before referring to your notes during court proceedings, request the court's approval.
- n) If any agency requests copies of your notes, ensure that a supervisor reviews the package being forwarded prior to disclosing the notes.
- o) Notebooks will be safely and securely stored at all times, by each member during the course of their employment.
 - i. It is suggested that notebooks remain with the officer or locked in their locker while off duty.
 - ii. Minimizing opportunities for accidental disclosure or loss is critical.
 - iii. Full or completed notebooks must be retained and locked up at the employee's place of employment.
- p) Upon retirement or discharge, immediately surrender all notebooks and other notes made in the course of employment in your possession to the Chief Administrative Officer or delegate.

5. Roles and Responsibility: Chief Administrative Officer

- a) Inspect members' notebooks and/or electronic notes regularly and document annually, during the member's performance assessment review and document this in their review.
- b) Corrective action for non-compliant notebooks or electronic notes may include, but is not limited to, verbal guidance and/or written direction.
- c) If corrective feedback is necessary, do not put comments in the member's notebook.

6. Record Retention and Disposition

- a) Retain notebooks and electronic notes are retained or a minimum of five years.
- b) Town of Beaverlodge retention and destruction policy will also apply to all aspects of investigations, reports and notes.

7. Disclosure of Notebooks

- a) Hardcopies of all written and/or electronic notes and the original reference notes used to make them, e.g. napkin, scrap paper, must be included in the disclosure package.

- b) Enforcement Services will disclose to the Crown all evidentiary material or information in its possession or control that is potentially relevant to the prosecution of a case, which includes notes both written and electronic.
- c) Failure to promptly disclose all potentially relevant information may lead to a number of negative consequences, including but not limited to, adverse findings by the trial judge, e.g. credibility, judicial stay of proceedings.

Date: <i>May 27, 2019</i>	
	
Mayor	Chief Administrative Officer