

OC INVESTIGATION

OC 150 CONTACT INTERVIEWS WITH THE PUBLIC

NEW: Revision # 13, [DATE]

1.0 STATEMENT OF PRINCIPLES:

Community safety is most effectively achieved and enhanced when police and communities work together as partners to pursue common objectives. The public expect members of a police service to engage with the people of the communities they provide service to, to become familiar with the community and its residents and to continuously communicate with them. For that reason, police services throughout Saskatchewan and the Saskatchewan Police Commission remain committed to Community Policing as their approach to serving our communities effectively.

In order to maintain public confidence in policing, members of a police service must ensure that when their contacts with residents of the community are more than normal social interaction, they are conducted in a manner that is diligent in its respect for the law and the fundamental freedoms and human rights of the public.

2.0 DEFINITION - CONTACT INTERVIEW:

For the purposes of this policy, "**contact interview**" means a contact with the public initiated by a member of a police service with the intention of gathering information not related to a specific known incident or offence. The information being sought must be more than general information common to the community. It does not include, nor does this policy apply to:

- normal social interaction or general conversation with the public where the member has no cause for concern in regard to the purpose, behaviour, demeanor or welfare of the person they are speaking to;
- contact initiated by a member of a police service working in an undercover capacity;
- visual observations made by a member of a police service where no actual contact with the public is initiated;
- circumstances in which investigative detention is authorized by law; or
- contact initiated pursuant to specific statutory authority such as checks authorized under *The Traffic Safety Act* or other provincial or federal statutes.

Where contact is initiated pursuant to specific statutory authority, this policy applies to the extent that the information requested by a member of a police service exceeds that statutory authority and such portion of the contact constitutes a "contact interview".

Contact interviews may only be conducted in a manner that respects and protects the rights of the public under the *Canadian Charter of Rights and*

Freedoms, the Canadian Bill of Rights, The Saskatchewan Human Rights Code, the Canadian Human Rights Act, and similar federal and provincial human rights legislation, and may not be conducted by members of a police service on a random or arbitrary basis.

Contact interviews are appropriately conducted by members only where the subject's behaviour or the circumstances of the contact cause the member to have a concern as to the subject's purpose or for the subject's safety. Circumstances which should be considered and which may give rise to a concern would include:

- there is no apparent reason for the subject's presence in a particular area, such as being present in a commercial or industrial area late at night when everything in the area is closed;
- the subject's actions, behaviour or demeanor raise a concern as to his/her purpose or for his/her safety; or
- the subject appears to be lost, confused, frightened or in need of assistance.

In the absence of actions, behaviour, demeanor or circumstances giving cause for concern as set out above, contact interviews may not be conducted based solely on the subject's:

- location in an area known to experience high levels of criminal activity and / or victimization;
- actual or perceived race, ethnicity or national origin;
- colour;
- religion;
- age;
- gender, gender identity or sexual orientation;
- physical or intellectual disability or impairment;
- mental disorder;
- any other ground of discrimination prohibited at law;
- socio-economic circumstances;
- medical condition; or
- other personal characteristic of a similar nature.

3.0 CONDUCT OF CONTACT INTERVIEWS:

When conducted properly, contact interviews can provide police with a valuable tool that can effectively prevent and solve crime and enhance community safety. This can only occur, however, when members ensure their actions meet community expectations and legal requirements and safeguard police legitimacy and public confidence and trust.

In conducting contact interviews, members must always be conscious of the fact that they are a voluntary interaction between the public and the member.

Citizens have no obligation to answer questions or provide identification during contact interviews and are free to leave at any time. They are not subject to detention or arrest nor are they chargeable for declining to answer questions or for departing the location.

In conducting a contact interview, members may approach a person and initiate a conversation, however the decision whether to stop and engage in a conversation with the member must be made by the person freely and on a voluntary basis. Should the person choose not to engage in conversation and continue walking away, members may not stop or impede their movement.

The effective conduct of contact interviews will therefore depend upon the members' ability to establish a rapport with the public through approach, demeanor and communications skills. In conducting contact interviews members' communication with the public must be informal, professional, fair, impartial, free of any element of physical or psychological intimidation, responsive to public concerns and of a nature that inspires public trust and confidence in and safeguards the legitimacy of policing.

Members will document in detail their reasons for initiating a contact interview by recording it in their notebook and entering it in police service records management systems.

3.1 INFORMATION REQUESTED DURING CONTACT INTERVIEWS:

The information that members should seek to determine during contact interviews will vary depending on the nature of the contact and the members' concern. Members must use judgment and discretion in collecting information during contact interviews and must seek to collect only such information as is necessary to address the members' concerns as set out in section 2.0 hereof.

Information learned during contact interviews should be recorded in the members' notebook and entered in police service records management systems in accordance with police service policy. Information recorded in the members' notebooks is subject to the relevant retention period for notebooks and journals. Contact interview information recorded in police service records management systems will be retained in accordance with police service policy but in any case not for a period exceeding five years and thereafter will be purged from the system.

3.2 USE OF CONTACT INTERVIEW INFORMATION

Contact interview information obtained and entered in police service records management systems may only be accessed by members in the conduct of lawful investigations or to the extent necessary for the purpose of preparing statistical reports for the Saskatchewan Police Commission.

4.0 STATISTICAL INFORMATION:

Police services will maintain statistical records of the number of and reason for contact interviews conducted by members and will report those statistics to the

Saskatchewan Police Commission annually in the format attached hereto as Appendix "A". The information gathered by members during contact interviews beyond that statistical information will not be reported to the Saskatchewan Police Commission.

5.0 TRAINING:

All members of a police service will complete training in the conduct of contact interviews including effective communications, community engagement and the requirements of this policy and local police service policy for contact interviews as developed and delivered by the Saskatchewan Police College and the police service.

6.0 POLICE SERVICE POLICY:

The Chief of Police shall develop local service policies and procedures related to contact interviews. Those local policies and procedures shall include:

- establishing requirements and procedures for the recording and maintenance of statistical records required by this policy and reporting to the Saskatchewan Police Commission;
- establishing procedures for recording, access to and storage of information gathered during contact interviews and the removal of contact interview information from police service records management systems;
- requiring that members receive training in regard to contact interviews; and
- the maintenance of training records in relation to contact interviews.

AUTHORITIES:

Canadian Charter of Rights and Freedoms
Canadian Bill of Rights
The Saskatchewan Human Rights Code
Canadian Human Rights Act

APPENDIX "A"

**SASKATCHEWAN POLICE COMMISSION
Contact Interview Annual Statistical Report**

CALENDAR YEAR: _____

POLICE SERVICE: _____

NUMBER OF CONTACT INTERVIEWS INITIATED BY MEMBERS: _____

NUMBER OF PERSONS WHO SPOKE WITH MEMBERS: _____

NUMBER OF PERSONS WHO DECLINED TO SPEAK WITH MEMBERS: _____

Number of Contact Interviews Initiated by Reason	
Reason for Initiation	Number
No apparent reason for person's presence in area	
Person's actions, behaviour or demeanor raised concern as to purpose	
Person appeared to be in need of assistance	