

Police Street Checks

PURPOSE

The purpose is to collect relevant and reliable information to achieve the statutory and common law duties of policing. When collecting information, police officers must respect their statutory and common law powers and limits, in full compliance with the Canadian Charter of Rights and Freedoms, Alberta Bill of Rights, and Freedom of Information and Protection of Privacy Act. Police officer interactions that lead to the collection, recording and retention of personal information must have a clear policing purpose. Arbitrarily targeting identifiable groups based on prohibited grounds of discrimination including, but not limited to, race, ethnicity, gender, or other personal characteristics is prohibited.

POLICY

LRPS police officers and civilian employees will adhere to strict standards of control and dissemination of the collection of information (Street Checks).

PROCEDURE

Authority

1. Sec. 38.1 of the Police Act provides the authority for police officers to collect, record, retain, store, use and disclose information collected voluntarily from a member of the public. This section of the Police Act does not give officers the authority to force a member of the public to provide information nor do officers have the authority to retaliate in any way if a member of the public decides not to provide information.
2. This policy does not apply where a police officer or civilian employee has other authorities, responsibilities, or duties to collect, record, retain, store, use or disclose information from a member of the public. Other authorities include any Enactments in Alberta, Federal Statutes, or common law authorities.
3. Collecting information in the following situations is **not** conducting Street Checks:
 - a. public-generated calls for service
 - b. person is required to provide information through other lawful authorities
 - c. wellness/vulnerable persons checks (including minors) and/or community safety initiatives involving strategies to assist marginalized or vulnerable persons
 - d. self-initiated information volunteered by a person
 - e. direct contact with a police officer initiated by a person
 - f. person is a victim of a crime
 - g. person matches the description of a missing person or a victim of human trafficking
 - h. through observation (that is, no interaction with the person)
 - i. person is lawfully being detained or arrested
 - j. through the execution of a warrant

- k. person is engaged in the administration of justice (that is, other law enforcement officers, such as bylaw officers)
- l. interactions with confidential informants

Police Officer Responsibilities

1. When there are no other lawful authorities, responsibilities, or duties, police officers may conduct a Street Check for the following activities as listed in Sec. 38.1(4) of the Police Act:
 - a. crime prevention
 - b. gathering information for the purpose of intelligence related to individuals known or reasonably suspected to be engaged in illegal activities
 - c. inquiring into offences that may have been or might be committed
 - d. inquiring into suspicious activities that may lead to detecting illegal activities
 - e. another lawful law enforcement activity
2. When conducting a Street Check, police officers will:
 - a. inform the person:
 - i. the reason they are asking for information
 - ii. that he/she is under no obligation to provide any information
 - iii. that the interaction is voluntary, and the person has the right to discontinue the interaction and is free to leave at any time
 - b. not force the person to provide information or retaliate if the person chooses to discontinue the interaction