



Amherst Board of Police Commissioners  
Regular Meeting  
Agenda

Date: Tuesday, October 11, 2022  
Time: 3:00 pm  
Location: Council Chambers, Town Hall

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	Pages
1. Call To Order	
1.1. Amendments to Agenda	
1.2. Approval of Agenda	
1.3. Approval of Minutes	1 - 2
2. Presentation	
2.1. Advisory Committee to Reduce Poverty	
3. Discussion / Information Items	
3.1. Policy Review - Changes to Emergency Vehicle Operation	3 - 19
3.2. Queen Jubilee	
4. Reports	
4.1. Chief's Report	20 - 23
5. Next Meeting	
6. In Camera	
6.1. Approval of Agenda	
6.2. Approval of Minutes	
6.3. MGA 22(2)(h) - public security	
7. Adjournment	

**Town of Amherst**  
**Amherst Board of Police Commissioners**  
**Minutes**

**Date:** September 21, 2022  
**Time:** 3:00 pm  
**Location:** Council Chambers, Town Hall

**Members Present** Commissioner Sandy Fairbanks, Chair  
Commissioner Hal Davidson, Vice Chair  
Commissioner Sheila Christie  
Commissioner George Baker  
Commissioner Paul Calder

**Staff Present** Dwayne Pike, Chief of Police  
Tim Hunter, Deputy Chief  
Natalie LeBlanc, Deputy Clerk  
Cindy Brown, Administrative Assistant

**Members Absent** Commissioner Lloyd Bruce  
Commissioner Holly MacDonald

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**1. Call To Order**

The Chair called the meeting to order at 3:00 p.m.

1.1 **Amendments to Agenda**  
There were no amendments to the agenda.

1.2 **Approval of Agenda**  
Moved By Commissioner Christie  
Seconded By Commissioner Davidson  
That the agenda be approved as circulated.

**Motion Carried**

1.3 **Approval of Minutes**  
Moved By Commissioner Davidson  
Seconded By Commissioner Christie  
That the minutes of the May 18, 2022 and April 13, 2022 meetings be approved as circulated.

**Motion Carried**

**2. Business Arising**

2.1 **NSCPA / NSAPG Conference**  
The Deputy Clerk indicated she has registered Commissioner Davidson and Commissioner MacDonald. Commissioner Calder expressed he may be interested in attending and will contact the Deputy Clerk to confirm.

**3. Discussion / Information Items**

**3.1 Capital Budget Update**

Deputy Chief Hunter presented the capital budget update included as part of the agenda package. The Chair requested that the Deputy Chief contact the Canadian Armed Forces regarding testing and warranty of the expired Hard Body/Ballistic Armour, and report back at the next meeting.

Councillor Baker arrived to the meeting at this time.

**3.2 Homelessness Issues**

The Chief presented his report as included in the agenda package. Information item only.

**3.3 Tour Dates - Verbal Discussion**

The Committee agreed to tour the Amherst Police Department immediately following the next meeting.

**4. Reports**

**4.1 Chief's Report**

Included as part of the agenda package as an information item, no direction given or action required.

**5. Next Meeting**

The next meeting was scheduled for October 11, 2022 at 3:00 p.m. with a tour of the Amherst Police Department immediately following.

**6. In Camera**

**Moved By Commissioner Christie  
Seconded By Commissioner Baker  
To go in camera.**

**Motion Carried**

**7. Adjournment**

**Moved by Commissioner Christie to adjourn the meeting.**

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Natalie LeBlanc  
Deputy Clerk

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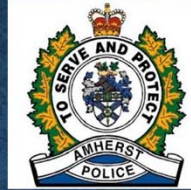
Sandy Fairbanks  
Chair

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION  
DATE: MAY 15<sup>TH</sup>, 2015  
AMENDED: NOVEMBER 9<sup>TH</sup>, 2021

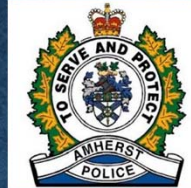
# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

- In 2015, our “Emergency Vehicle Operation” Standing Order was first drafted and approved
- It was based heavily on recent case law and policies drafted by other Police agencies including:
  - Halifax Regional Police
  - Cape Breton Regional Police
  - The Royal Canadian Mounted Police

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

It was amended several times over the years to keep in line with similar policies in other jurisdictions.

The most recent amendment was completed in September 2022

Recent amendments echo language and policies utilized by the Truro Police Service and the review process for hazardous pursuits and incidents when drivers flee police

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Some definitions:

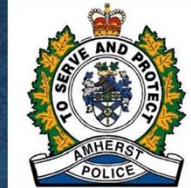
**Emergency Vehicle Operation:** the operation of police vehicles in emergency situations which includes emergency vehicle response, routine pursuits, closing the distance and hazardous pursuits.

**Emergency Vehicle Response:** The operation of a police vehicle when responding to an emergency when there is an increased urgency in arrival time based on the nature of the incident.

**Hazardous Pursuit:** Develops when a police officer is attempting to stop a fleeing vehicle, regardless of speed, whose driver is apparently resisting apprehension by ignoring emergency equipment or other signals to stop.

**Best Conditions:** includes clear visibility and a cushion of safety, dry paved roads surface free of debris, moderate to low traffic presence, sparse and visible pedestrian presence

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Some definitions:

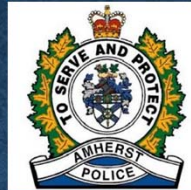
**Cushion of Safety:** The distance your vehicle will travel in time (seconds). You should be looking 12 seconds ahead of your vehicle. This provides time to recognize and react to potential hazards

**Closing the Distance:** means catching up to a vehicle, but does not include a pursuit.

**Routine Pursuit:** Involves normal surveillance activity, intercepting and stopping vehicles for occupant checks, clocking speeders or apprehending law breakers.

**Termination of Pursuit:** By decision of the driver of a pursuing vehicle or a supervisor, termination of pursuit is the physical stopping of the pursuit vehicles and ending the pursuit.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



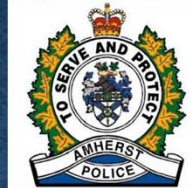
STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Main Points:

Hazardous pursuits and Emergency Response are 2 separate things, but they have several things in common:

- All patrol vehicle emergency equipment, including emergency lights, siren and In-Car Video shall be activated when engaged in emergency vehicle operation which includes emergency vehicle response, closing the distance, routine pursuits, and hazardous pursuits unless otherwise specified in this Standing Order;
- The emergency operation of police vehicles and the decision to engage in hazardous pursuits require both discretion and prudence by Police Officers.
- Before and while responding to an emergency, a continuous risk assessment of public and police safety shall be applied.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



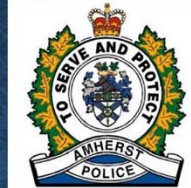
STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Main Points:

### Emergency Response/Closing the distance:

- There may be circumstances where it is impractical to have the siren engaged and officer discretion relied upon. In these cases, articulation will be required as to why use of the police siren was impractical. This may include, but is not limited to:
  - Covert response to an in-progress crime;
  - Routine traffic stops which cover short distances
- Under “*best conditions*”, officers can use their judgement to travel up to 20km/h over the posted speed limit when in emergency vehicle response.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Main Points:

### Emergency Response/Closing the distance/Hazardous Pursuits:

- All controlled intersections must be traversed using 'Stop and Go' procedure while clearing each lane; stop for the traffic control and when traffic is determined to be clear, then proceed. Recommended changing tone of siren while passing intersection;
- Police vehicles will not pass any school bus with lights that are flashing, but will wait until the school bus operator pulls over and stops. Overtaking and passing must be done slowly and with extreme care as the ends of the bus are approached

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Main Points:

### Hazardous Pursuits:

- Hazardous pursuits shall not be initiated for Provincial Statute offences
- The emergency operation of police vehicles and the decision to engage in hazardous pursuits require both discretion and prudence by Police Officers.
- The member involved in a hazardous pursuit shall govern the speed of his/her pursuit vehicle to take into account factors such as road conditions, weather, location of pursuit, density of people, vehicles and buildings in the area in which the pursuit occurs, and shall be guided by the direction of the supervisor or senior member. The fact a member is engaged in a pursuit of a violator **does not provide the member involved in a hazardous pursuit protection** from the consequences of wanton or reckless disregard for the lives and safety of any person or civil litigation
- No departmental criticism shall be leveled against a police officer involved the emergency operation of a police vehicle whose judgement dictates the need to discontinue or terminate a pursuit.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Main Points:

### Hazardous Pursuits:

- Any member becoming involved in a hazardous pursuit shall immediately notify his/her dispatcher of the matter and request that the supervisor or senior member on the shift be immediately notified.
- The supervisor or senior member notified shall immediately take command of the situation and shall have overall authority to terminate the pursuit subject to assessment of the situation and meeting policy and procedure
- The discharging of firearms as a method of disabling a pursued vehicle is strictly prohibited.
- The use of tire deflation devices shall only be deployed by trained police personnel and falls under Section 7 of this Standing Order.
- Roadblocks may only be utilized as per Section 8 of this Standing Order.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Hazardous Pursuits – Risk Assessment

Before initiating or continuing a hazardous pursuit, the following shall be considered:

- If the subject is known or can be identified, whether apprehension can be affected at some later time;
- the age of the driver and the manner in which he/she is operating the vehicle;
- apprehension by other means, e.g., requesting assistance from neighboring units, roadblocks, etc.;
- the seriousness of the offence;
- Risk to the public if the offender is not apprehended;
- the apparent condition of the vehicle being pursued;
- the weather and road condition;
- the volume of pedestrian or vehicle traffic that is or might reasonably be expected in the area;
- the location of the pursuit, i.e., urban or rural area;
- the length of time/distance involved in the pursuit;
- whether there are any limits on the member's ability to operate the police vehicle

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW

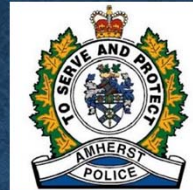


STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Hazardous Pursuits – Terminating a pursuit

- All pursuits are to cease when the degree of danger to the public and participants exceeds the need to immediately apprehend the suspect or if the vehicle is lost.
- The decision to terminate can be made by the driver of the primary vehicle or the Supervisor or Senior member in command.
- The decision to terminate a pursuit is final and must be immediately broadcast to all members. All members will acknowledge the broadcast.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## Hazardous Pursuits – Terminating a pursuit

Once the decision has been made to terminate the Pursuit, all members, when safe to do so, will:

- Pull over to the roadside and stop their vehicle;
- Deactivate all emergency equipment;
- Notify the supervisor and dispatch that the pursuit has been terminated and they are stopped at roadside.
- Remain at that location pending additional instructions from the supervisor.

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

## GENERAL RULE OF THUMB:

Unless it is ABSOLUTELY NECESSARY to attempt to stop the vehicle, we DO NOT engage in hazardous Pursuits.

The primary responsibility of a vehicle pursuit is the *apprehension* of the suspect vehicle without unnecessarily endangering any person.

Hazardous pursuits shall be initiated and continued only when the *seriousness* of the offence and the necessity of immediate apprehension is judged to outweigh the level of danger created by the pursuit.

**No departmental criticism shall be leveled against a police officer involved in a hazardous pursuit whose judgement dictates the need to discontinue or terminate a hazardous pursuit!**

# AMHERST POLICE DEPARTMENT STANDING ORDER REVIEW



STANDING ORDER 2015-0001  
EMERGENCY VEHICLE OPERATION

- All hazardous pursuits are subject to an in-depth review to ensure that policy and statutes are followed. As a result, an administrative file is created;
- Reviews include:
  - Review of in-car video
  - Review of radio transmissions
  - Comparisons to policy and case law
  - Review of reports and possible interviews with members/staff involved
  - Recommendations (discipline, training, performance management, policy change, etc)
- In instances when police do not 'pursue', members are required to send a PROS task to the Staff Sergeant who will create an admin file and review the incident. This enables us to track data on pursuits.

## Hazardous Pursuit Reviews – Amherst Police Department

Date	Officer	Results	Recommendations	Notes
2022-09-19		No pursuit	None	Driver ID'd no lic. Fled. Did not pursue
2022-09-18		No pursuit	None	ATV with youth. Blew by PC1 and PC1. Lights, but did not pursue
2022-09-13		No pursuit	None	ATV with 2 youths. Would not stop for PC. Did not pursue
2022-09-13		No Pursuit	None	Vehicle, susp youth. Would not stop for 2 PC's. Neither one pursued.
2022-09-08		No pursuit	None	Vehicle with exp reg. When PC turned on lights – fled. No pursuit
2022-05-13		Terminated	None	Harassment complaint. Sub spotted and flees in a vehicle. Terminated
2022-04-10		Terminated	Reviewed with Officer	Sub appr police, spits on officer and flees in car. Pursued but later term
2022-01-18		terminated	Reviewed for good judge	Veh with no plate. Flees when Emerg lights activated. Terminated quickly
2021-12-29		Stopped	Reviewed/noteworthy	Youths driving wrecklessly, police pursued and stopped outside town. NW
2021-12-25		Stopped	Reviewed with staff	Impaired on an MC – coms issue reviewed and all emerg equipment
2021-11-30		Stopped	Review – SCEU Policy	SCEU takedown operation. Vehicle fled & boxed in and struck unmarked
2021-11-27		Did not pursue	None	Lights activated for MVA infraction (tail-light) driver fled. Did not engage
2021-11-06		Lost vehicle	Reviewed with officer	Susp vehicle that fled. PC followed but unable to catch up
2021-11-21		Did not Pursue	None	Vehicle fled as soon as it seen police turn on lights. Did not engage
2021-11-07		Terminated	None	Report of driver with no license. Vehicle fled. Terminated
2021-09-15		Terminated	Review with officers	Stolen vehicle. Short pursuit then terminated
2021-09-19		Terminated	Review with officer	ATV – closed distance and then terminated
2021-08-02		Terminated	None	Susp vehicle, pulled out and struck PC and then left at very high rate
2021-07-09		Terminated	None	Vehicle did not stop. Terminated by Coach officer who was in car
2021-06-09		Terminated	Reviewed with officer	ATV – Terminated quickly and ATV not located.
2021-03-15		Terminated	None	MV Act – closed distance but no stop. Terminated by JDW
2020-10-23		Terminated	None	MV Act – closed distance but no stop. Terminated by ANV
2020-06-10		Terminated	None	ATV blew by him. Did not stop for lights. Later ID'd
2020-06-09		Terminated	None	Red Truck – Hazardous. JCG terminated
2019-09-22		Terminated	None	MV Act – closed distance but no stop. Terminated by CLJ
2020-01-26		Terminated	None	MV Act – closed distance but no stop. Terminated by TLE
2020-03-11		Terminated	None	Stolen Vehicle did not stop – Terminated by TLE
2020-03-19		Terminated	None	MV Act – closed distance but no stop. Terminated by CLJ
2019-07-13		Terminated	None	MV Act – closed distance but no stop. Terminated by TLE
2019-09-14		Terminated	Review with JAG	MV Act – closed distance but no stop. Terminated by JAG
2019-06-18		Terminated	None	MV Act – closed distance but no stop. Terminated by RYB
2018-09-16		Lost vehicle	Reviewed with staff	ATV on road. Continued to pursue, siren not used.
2018-02-12		Terminated	None with staff	MV Act – closed distance but no stop. Terminated by TSH
2018-06-09		Terminated	None	MV Act – closed distance but no stop. Terminated by JCG
2017-11-05		Terminated	None	Stolen Vehicle – very short. Terminated by RYB
2017-06-28		Terminated	None	MV Act – motorcycle - no stop. Terminated by CLJ
2017-04-04		Terminated	None	MV Act – closed distance but no stop. Terminated by RYB

2017-02-18		Accident	Reviewed with staff	MV Act – Quick, and into snowbank. No siren. Very short
2017-07-05		Terminated	None	Driver warrants and stuck PC's and fled. Terminated by LSW
2016-07-16/17		Accident	Noteworthy	MV Act – Multiple cars involved, sirens and other issues
2017-11-23		Terminated	None	MV/MHA – Known driver. Terminated. Later located
2015-10-15		Lost in woods	None	ATV on road. Went into woods and located.
2017-10-08		Came to APD	None	Vehicle stop, driver fled and drove to APD where arrested.
2015-06-18		Accident	Policy change	Very dangerous driver in downtown. SiRT review as well. Resulted in acc
2015-05-21		Terminated	None	MV Act – closed distance but no stop. Terminated by CLJ quickly
2014-10-19		Terminated	None	MV Act/Dangerous driving – Terminated by members
14-09-23		Accident	JAP – no Siren	MVA Act – Vehicle drove into the ditch and foot pursuit
14-04-26		Boxed in	Review pursuit policy	Susp Impaired - TV was boxed in and stopped, backed into another PC.
14-07-20		Caught	None	Not a pursuit. Vehicle followed to their residence and stopped there.
13-12-23		Terminated	None	Assisted RCMP as second vehicle. RCMP called off
12-01-14		Caught	Reviewed with officers	ATV's. Pursued low speed and then followed. Caught them at home
11-09-14		Caught	Within policy at the time	MVA start and caught in Springhill – Stolen vehicle
10-09-25		Terminated	Reviewed with staff	MVA start, very short in duration. Terminated by member
10-09-12		Caught	Reviewed with staff	TV on wrong side of the road. Pulled into a res. - siren not always on
09-09-27		Terminated	Reviewed with staff	TV on wrong side. Pursued towards SH and terminated
10-12-11		Terminated	None	Loud muffler. TV accelerated and pursuit terminated.

**Chief's Report**  
**Amherst Board of Police Commissioners**  
**October 11<sup>th</sup>, 2022**  
This report covers the month of September 2022

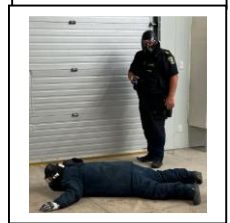


**TRAINING**

**Firearms/Carbine Training:** Most members have completed their annual firearms/carbine training, including 2 new classes of Carbine Trained Officers. For newly trained carbine members they are required to complete three (3) twelve-hour days of training to provide them with a thorough and complete understanding of the carbine and how to utilize it in the field. Much of the training surrounds maneuvers relating to containment and other types of high-risk scenarios. During the training members also utilize and qualify on the 9mm pistol and shotgun. One last training day is scheduled to have the remaining members trained and qualified.



**CEW Training/Annual Qualifications:** Members have completed their annual CEW/TASER qualifications and training for the 2022/23 year. Training on CEW includes in-class instruction as well as active scenarios used to qualify candidates in relation to their ability to de-escalate matters during a critical incident and articulate their decisions and actions when utilizing use-of-force tools. Members who carry the Taser are required to certify/qualify once a year.



**Firearms Analyst:** Sergeant Jason Galloway was selected to attend Firearm's Analyst Training in Dartmouth from September 12 to the 16<sup>th</sup>. Hosted by Halifax Regional Police, The Royal Newfoundland Constabulary, the RCMP and NWest, this program provided candidates with instruction on the examination of firearms for investigative and court purposes so that they could provide expert witness evidence in relation to firearms and weapons charges. With our own qualified analyst, we would not need to rely on NWest and other agencies for expert testimony or reports for our files and investigations.

**Crisis Negotiator Training:** We hosted a Crisis Negotiator course during the week of October 3<sup>rd</sup> to the 7<sup>th</sup> with the assistance of Monique Rollins and CCI (Canadian Critical Incident Inc). Crisis negotiators are an essential part of the critical incident team and play an important role in de-escalating incidents and in planning operations. By hosting this course, we were able to share the cost of the training among many other police agencies who are attending with our members including, Fredericton Police, Kennebecasis Regional, Westville Police, Charlottetown Police and Stellarton Police. We are training 5 of our members.



**OPERATIONAL**

**Hurricane Fiona:** Police were very busy during the night of September 23<sup>rd</sup> and into the 24<sup>th</sup> during the hurricane that hit the area causing widespread damage and power outages. Our members worked closely with public works in identifying various spots in town where downed wires, trees and poles created risks for the public. Such issues were reported to public works and NS Power for their follow up. Police also worked with public works to place barricades in areas of risk, which, at times, became an issue when motorists drove around the barricades.

**Missing Person:** On September 12<sup>th</sup> Amherst Police started a missing person investigation when a stay-at-home check was conducted and it was revealed that the family had not seen nor heard from the 28-year-old female since September 5<sup>th</sup>. Police did numerous checks and prepared a social media post looking for assistance from the public. Throughout the investigation Police had indications that the female was not missing and was still in the local area. She was located safely on September 29<sup>th</sup>.

**Fraud/Identity Fraud:** The APD Major Crime Unit oversaw and ran an operation on Thursday, September 29<sup>th</sup>, in relation to an ongoing fraud and identity fraud complaint. A purse had been reported stolen in June from a local business and it was later learned that suspects were using the stolen identification to apply for credit to purchase a vehicle. With the assistance of 2 members from the Truro Police Service, an operation was conducted that resulted in 4 people being arrested when they came to take possession of the ordered vehicle. As a result of the operation a warrant was granted and executed at a residence on York Street where 2 additional people were arrested. During the search there were several items seized to support the fraud/identity fraud charges as well as charges relating to drugs and controlled substances as police located suspected fentanyl, suspected crystal meth and other substances. The investigation is continuing as there are numerous exhibits to be examined which will result in additional charges being laid.

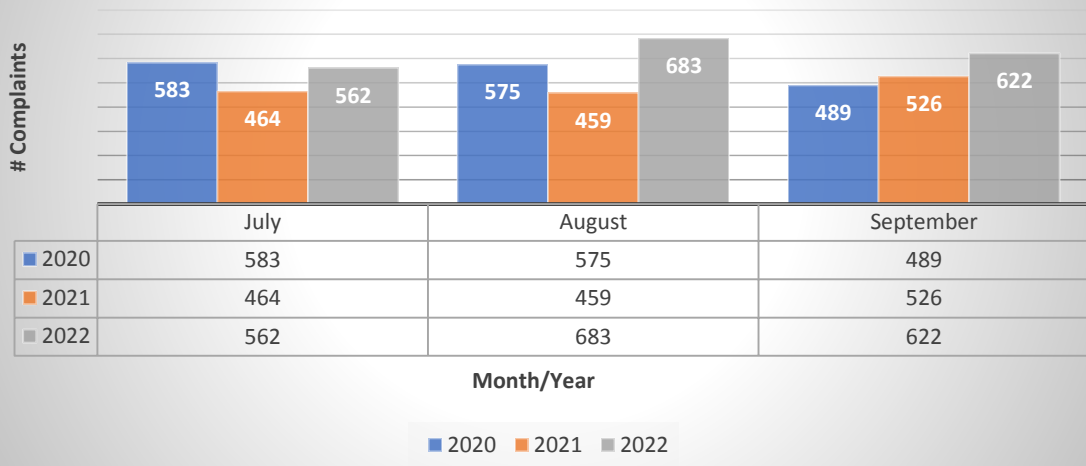
**High Occurrence Numbers:** Once again we experienced a high number of occurrences in September 2022 with 622 occurrences. In August 2022, we had an all time high of 683 occurrences. September 2022 is the second highest month for occurrences dating back as far as 2014 (as far back as our records exist). Compare these to our all-time lowest occurrences in 2015 during the months of January (275), February (236) and March (276). Our annual averages of calls per month have increased dramatically this past 9 months to 513.6 per month as compared to 447.7 in 2021, 456.9 in 2020, 486.8 in 2019 and 418.3 in 2018. In August 2022 (31 days) we averaged 22 complaints per day. In September 2022 we averaged 20.7 occurrences per day. There have been many cases in recent weeks when the Staff Sergeant, D/Chief and the Chief have had to drop their administrative duties to answer calls or assist the platoon working because of the influx of priority calls. This becomes especially difficult when training has been scheduled and people are unavailable for call-outs. Of the 622 files for September, 96 were related to homelessness, with most of these dealing with a small number of specific persons, often multiple times during a shift.

**Major Crime Unit:** Major Crime is dealing with a very high number of tasks and are extremely busy. Both MCU members are running with an excessive number of investigations and tasks which are placing stress on the unit. As a result, we are planning to temporarily assign a third member from the patrol unit to MCU who can assist with many of the tasks which include writing multiple warrants, completing interviews, reviewing investigative materials, preparing and organizing court files, documents and exhibits and other MCU responsibilities. With the current resources to MCU, we are able to respond to most complaints, but it is very difficult to be proactive.

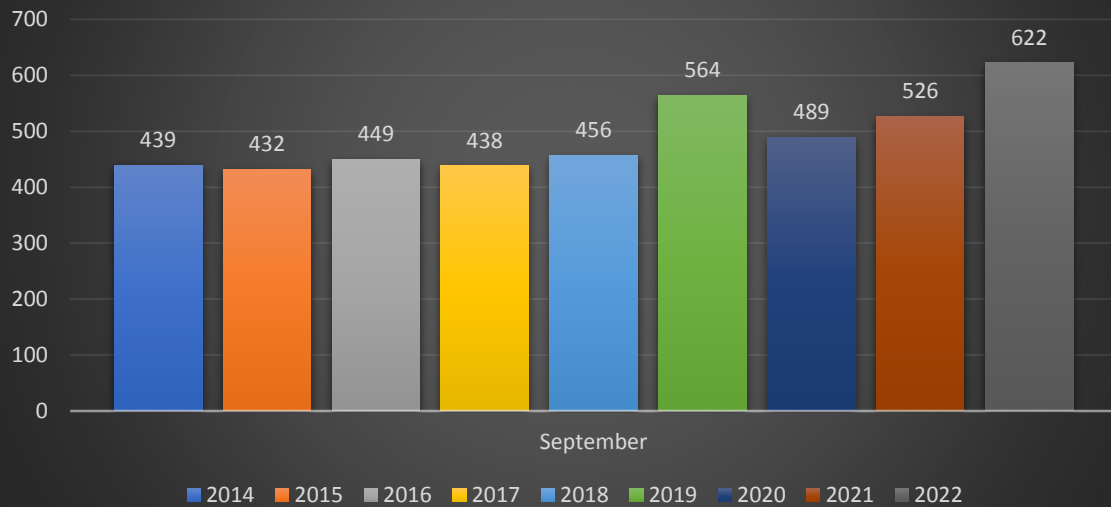
**OPERATIONAL STATS – September 2022**

Occurrences:	622	Criminal Code Charges:	84
Impaired by Alcohol:	4	CDSA:	0
Impaired by Drug:	0	CBCA:	0
Traffic Tickets:	11	PPA:	2
HPA:	0	Traffic Written Warnings:	8
Vehicle Checks:	61	LCA:	0
Foot Patrol Hours:	26hrs 17 min	Bike Patrol Hours:	0

## APD Occurrences Months of July, August and September



## September Occurrences 8 Years 2014 - 2022



## August Occurrences 8 Years 2014 - 2022

