

Community Services Report to
SPC on Community and Protective Services
2020 February 12

ISC: UNRESTRICTED
CPS2020-0197

Integrated Traffic Safety Feasibility

EXECUTIVE SUMMARY

Council has directed Administration to collaborate with the Calgary Police Service (CPS) to determine the feasibility of establishing an integrated traffic enforcement strategy that would draw upon a range of law enforcement resources, including police officers, peace officers and technology to improve traffic safety in residential areas. Reducing major injury and fatality collisions among vulnerable road users is a top priority of The City's Safer Mobility Plan, which identifies enforcement as one of the five pillars of transportation safety. This report presents a comprehensive set of policy and practice changes that would be required to create an integrated traffic safety program with municipal peace officers. Due to the expected duplication of services, as well as the potential for increased costs and risks to personnel, Administration is not recommending an integrated traffic safety strategy at this time.

ADMINISTRATION RECOMMENDATION:

That the Standing Policy Committee on Community and Protective Services receive this report and presentation for the Corporate Record.

RECOMMENDATION OF THE STANDING POLICY COMMITTEE ON COMMUNITY AND PROTECTIVE SERVICES, 2020 FEBRUARY 12:

That Council receive Report CPS2020-0197 for the Corporate Record.

Excerpt of the Minutes of the Standing Policy Committee on Community and Protective Services, 2020 February 12:

“Moved by Councillor Farkas

That with Respect to Report CPS2020-0197, the following be approved **as amended:**

That the Standing Policy Committee on Community and Protective Services **recommend that Council** receive this report and presentation for the Corporate Record.

MOTION CARRIED”

PREVIOUS COUNCIL DIRECTION / POLICY

On 2019 July 29 Council directed Administration through a Notice of Motion to investigate, utilizing comparisons of other jurisdictions, the feasibility of establishing an integrated traffic safety enforcement, education and technology strategy and report back to the Standing Policy Committee on Community and Protective Services no later than 2020 Q1. Council also requested its two representatives on Calgary Police Commission (Councillors Gondek and Sutherland) to ask Calgary Police Commission and CPS to work with Administration to provide an update on the Residential Traffic Enforcement Strategy and investigate the feasibility of establishing an integrated traffic safety strategy.

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BACKGROUND

Administration

In Calgary, initiating traffic stops and enforcing moving violations under the Traffic Safety Act (TSA) is almost exclusively the jurisdiction of the CPS. In order to perform these duties, Community Peace Officers (CPOs) must be appointed as Community Peace Officer – Level 1 by the Alberta Solicitor General. Currently, most peace officers employed by Calgary Community Standards (CCS) are designated as CPO – Level 2 and are only authorized to enforce non-moving violations of the TSA. The exceptions are Livery Transportation Officers, who have CPO - Level 1 authorities and can conduct traffic stops for the purpose of an inspection pursuant to the Livery Transport Bylaw, and only on roadways with posted speed limits of less than 60 km/hr. Following recommendations set out by the Lazenby Inquiry, all CCS CPOs are currently being transitioned from Level 2 to Level 1, which will expand their authorities to cover moving violations. The transition is expected to be completed by 2022 April 30. In addition, Calgary Transit is currently working on a Traffic Safety Plan which, if approved by the Alberta Solicitor General, would allow their CPO – Level 1 officers to enforce the TSA on transit-only roadways governed by the TSA, such as 7 Avenue S in the downtown core.

Calgary Police Service

In response to a previous Council Notice of Motion, CPS proposed and established the Residential Traffic Enforcement Unit (RTEU) in 2016 to address residential traffic safety. Subsequent updates to CPS's residential traffic strategy, including an emphasis not just on enforcement, but also on evaluation, education and engagement, resulted in the RTEU being renamed the Residential Traffic Safety Unit (RTSU). CPS's response to the current Notice of Motion as well as an update to the Residential Traffic Safety Strategy are included in Attachment 1.

Provincial Government

Effective 2019 December 01, the Government of Alberta announced a temporary freeze up to two years on municipalities being able to:

- Install new photo radar equipment
- Upgrade existing photo radar devices
- Add new photo radar locations.

The provincial government announced that starting 2020 January, they will work with police services and municipalities to establish stronger data and reporting requirements including: restrictions, site selection, enhanced data collection, and enhanced traffic safety plans.

INVESTIGATION: ALTERNATIVES AND ANALYSIS

Leading Practices

An overview of the practices of other Alberta and Canadian jurisdictions is included in Attachment 2. Almost all smaller Alberta municipalities surveyed have some form of peace officer traffic enforcement. However, Administration could not find an example of a large Canadian municipality (population greater than 500,000) where municipal peace officers regularly enforce moving violations of the TSA using self-initiated traffic stops.

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Timeline

More than two years would be required to implement a peace officer moving traffic violation enforcement program due to the following:

- Peace Officer Appointments – A plan for transitioning peace officers under Calgary Community Standards from CPO – Level 2 to CPO – Level 1 is currently underway and the expected date to complete this transition is 2022 April 30.
- Peace Officer Authorities – After transition to CPO – Level 1, a request to amend the authorities on the appointment would be required to the Public Security Division of the Alberta Solicitor General. The Public Security Division may:
 - Require additional information
 - Implement new policies or procedures, and/or
 - Impose new terms or conditions on the appointment
- Memorandum of Understanding (MOU) – the Solicitor General, per the *Peace Officer Act*, requires that a formal MOU be signed between CPS and The City in order for CCS to employ peace officers in Calgary. The current MOU is in effect until 2021 December 22, and any new amendments and conditions would require sign-off by CPS and CCS.
- Traffic Safety Plan (TSP) – this plan must be created, approved by CPS, and submitted to the Public Security Division every three years, and must contain a variety of components including the most recent collision data from CPS.
- Internal Policy Amendments – Traffic enforcement would be a significant addition to CCS' current mandate of enforcing 24 municipal bylaws and 10 provincial statutes. CCS internal policy amendments would be required to integrate this new directive without compromising existing calls for service, while authorizing CCS peace officers to engage in traffic stops or moving violations.

Pilot/Comprehensive Program

Administration examined two potential scenarios to evaluate feasibility. The first is a pilot program comprising one sergeant and nine peace officers. This pilot scenario would approximate the current RTSU overseen by CPS. The expected coverage for a pilot scenario would be three peace officers available for each day shift and one available for each evening shift, city-wide. It is important to note that CPS's RTSU program currently employs photo radar but due to the provincial suspension photo radar would not be available to a potential program with CCS.

The second scenario proposed would be a comprehensive residential traffic safety program with 36 officers, three sergeants and one inspector. This program would allow for the deployment of 12 peace officers for each day shift, and six for each evening shift. Under this scenario, at least one peace officer could be assigned to each Ward per day. For both scenarios Administration included consideration of a body worn camera program for peace officers. This would be a new program for CCS staff that would mirror the current practice of CPS.

Costs

Costs associated with implementing a peace officer moving violation enforcement program, even on a pilot scale, would be substantial. A breakdown of estimated costs is included in Attachment 3. In total, a comprehensive program comprising 36 officers would result in a net

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cost \$5.5M in the first year and have ongoing net costs of at least \$4.1M annually. A pilot program of nine officers would be expected to cost almost \$1.7M in the first year and have ongoing costs of at least \$1.2M annually.

Benefits

In addition to the noted costs, Administration investigated the potential for savings to the combined budgets of CCS and CPS. However, an integrated traffic enforcement program is expected to increase costs beyond those currently incurred by CPS to enforce moving traffic violations. As noted in Attachment 1, salaries for CPOs and CPS constables are roughly equivalent, and the establishment of an integrated traffic safety program would also require training and initialization costs. In addition to these costs, integrated traffic enforcement would result in duplication of service. CPOs are not capable of enforcing most criminal code violations, including impaired driving and outstanding criminal warrants. As a result CPS officers would still be required to respond to situations involving the criminal code. In these instances, both a CPO and a CPS officer would be required to address a situation which is currently addressed by one CPS officer.

Stakeholder Engagement, Research and Communication

Administration has worked extensively with CPS to understand the current Residential Traffic Safety Strategy, as well as internally with Finance, Law, and Transit to understand the feasibility of an integrated traffic safety approach. Administration contacted several other Albertan and major Canadian municipalities to gain an understanding of approaches to similar concerns across the country.

A communications plan would be essential for an integrated traffic safety project to ensure that Calgarians understood the change in traffic enforcement. It would be critical for all Calgarians to understand the change in traffic safety approaches and that Community Peace Officers would have the authority to conduct moving traffic violation enforcement.

Strategic Alignment

This report aligns with the Citizen Priority of A Well-Run City. Specifically, Council's directive to "work on improving the value of municipal services delivered by simplifying and streamlining processes and procedures, cutting red tape, eliminating service silos, and discontinuing those services that The City should not be providing."

Social, Environmental, Economic (External)

Traffic safety continues to be a high priority for Council and for Calgarians. As indicated in Attachment 1 the Traffic Safety Plan (2018-2021) was created to deliver a coordinated response to traffic safety issues in Calgary. The report indicates some early initial successes, including record low year-end totals for reportable fatal collisions in 2017 and 2018. CPS has expressed a willingness to work collaboratively to enhance CPS response under the framework of the traffic safety strategy.

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Financial Capacity

Current and Future Operating Budget:

A chart outlining the estimated current and future operating budget for implementing a pilot program for integrated traffic safety is included in Attachment 3.

Current and Future Capital Budget:

A chart outlining the estimated current and future operating budget for implementing a pilot program for integrated traffic safety is included in Attachment 3.

Risk Assessment

Multiple risks were identified [by CPS] in Attachment 1 including physical risks to officers conducting moving traffic violation enforcement. There is also a potential for criminal code offences to be non-enforceable if they occur during a traffic stop conducted by a peace officer. Extensive training would be required for an Integrated Traffic Safety program both for the safety of the officers conducting enforcement as well as the general public.

The City could also face a reputational risk with integrated traffic enforcement. A public education campaign would be required to mitigate any potential confusion from the general public. Transparent reporting would also be required to help mitigate concerns of this enforcement approach being used as a method of generating municipal revenue.

REASON(S) FOR RECOMMENDATION(S):

Given the duplication of resources and systems, coupled with the Calgary Police Service's willingness to address traffic safety concerns through reinforcement of existing strategies, Administration is not recommending an integrated traffic strategy at this time. Establishing a municipal peace officer traffic enforcement program would increase risks and costs.

ATTACHMENT(S)

1. Attachment 1 – Calgary Police Commission Report and Residential Traffic Safety Strategy Update - 2019
2. Attachment 2 – Leading Practices of Canadian Municipalities
3. Attachment 3 – Estimated Costs to Calgary Community Standards of Integrated Traffic Safety Program