

## Summary and Rationale of the Proposed Changes

Section	Current Terms of Reference	Proposed NEW Bylaw	The rationale for update - (why is this change being proposed?)
Committee Name	Calgary Transit Public Safety Citizen Oversight Committee	Community Peace Officer Oversight Committee	Removal of the business unit name to reflect the expansion of the mandate to include all Emergency Management & Community Safety (EMCS) peace officers.
Mandate – scope of investigations/ complaints reviewed	Review all <b>public use of force complaints</b> , after the conclusion of the investigation; Oversight of <b>employer initiated use of force investigations</b> ;	Review the following types of investigations conducted by City administration: (a) investigations into <b>alleged Peace Officer Code of Conduct violations</b> by its peace officers; and (b) <b>investigations into use of force</b> by its peace officers.	The proposed bylaw confirms the Committee's mandate to oversee use of force complaints investigations and expands it to include oversights over investigations into alleged Peace Officer Code of Conduct violations. This will enhance transparency and build public confidence in the investigative process.
Mandate – review of investigations	to ensure that the investigation was conducted in a proper, and professional manner	to ensure that such investigations were conducted in a proper, <b>transparent</b> , and professional manner	Transparency is a key requirement throughout the review process to ensure that appropriate oversight can be conducted.
Reports To	Director, Calgary Transit	Council	The proposed change reflects the current practice that the Committee submits an annual report to Council.
Training	Committee members will receive training in <b>use of force issues</b>	Members will receive training provided by EMCS in <b>peace officer roles and responsibilities under the relevant legislation and the Peace Officer Code of Conduct requirements established by The City.</b>	Committee members will be provided additional training under the proposed bylaw to understand the Peace Officer Code of Conduct requirements to support the Committee's mandate.
Qualifications	Members should have: - Experience with law enforcement; - <b>A good understanding of governance and oversight</b> ; - A good understanding of the <b>role of law enforcement</b> in modern society; - A good understanding of the <b>challenges faced by law enforcement</b> ; and	Council will appoint members based on the following qualifications: (a) <b>knowledge and experience</b> in law enforcement, or knowledge and experience in <b>governance and oversight of law enforcement.</b>	The qualifications remain the same; language is streamlined for ease of readability.

	- A good understanding on <b>how to oversee a law enforcement body.</b>		
Procedure/ Specific Responsibilities	<p>Upon receipt of the investigative results regarding the complaint, the committee will evaluate the process to determine:</p> <ol style="list-style-type: none"> <li>1.If the <b>elements of the complaint were addressed.</b></li> <li>2.Related policies were adhered to</li> <li>3.Force used was reasonable, necessary, and proportional.</li> <li>4.Recommend follow-up, such as escalation procedures as outlined in the Peace Officer Act including: <ul style="list-style-type: none"> <li>-further investigation by Calgary Police Service of possible criminal charges;</li> <li>-advise the Provincial Peace Officer Program they may have to investigate;</li> <li>-advise the City of Calgary Law Department of possible litigation, if they have not already been briefed;</li> <li>-suggest training and policy revisions that may be necessary.</li> </ul> </li> </ol>	<p>The Committee may:</p> <ol style="list-style-type: none"> <li>(a) receive and review information provided by City administration on its concluded investigations;</li> <li>(b) evaluate the investigation procedures used by City administration to determine whether <b>elements of an alleged misconduct occurred;</b></li> <li>(c) evaluate adherence to policies;</li> <li>(d) evaluate whether any use of force was reasonable, necessary, and proportional;</li> <li>(e) recommend escalation of a matter as outlined in the Peace Officer Act, S.A. 2006, c. P-3.5, including referral to the Calgary Police Service or the Public Security Peace Officer Program;</li> <li>(f) recommend a peace officer receive additional training;</li> <li>(g) recommend policy revisions and educational materials to City administration; and</li> <li>(h) monitor recommendations made by fatality inquiries, court rulings, or other oversight bodies in relation to law enforcement.</li> </ol>	<p>The proposed bylaw reflects the expansion of the mandate to include peace officer misconduct allegations.</p>