

	Abbotsford Police Department Policy and Procedure	
	Administration	Administration
	II.D.080	Arrest and Detention

POLICY

- (1) Abbotsford Police Department (“AbbyPD”) police officers (“Officers”) will carry out arrests and detentions in accordance with applicable legislation and case law, specifically that which relates to the right to equal treatment, protection and benefit under the law, including the *Canadian Charter of Rights and Freedoms*.
- (2) Officers are responsible for:
 - (a) understanding applicable statutes and the scope of the law, including the framework for common law powers; and
 - (b) understanding, applying and complying with relevant training and procedures provided by AbbyPD.
- (3) Officers must consider policy II.D.310 Vulnerable Communities when making detention and arrest decisions.

PROCEDURE

- (4) Guidance to Officers regarding the following is provided in the “Charter” unit of both the Constable Increment Exam Study Guide and the NCO Qualifying/Increment Study Guide (the “Guide”). Relevant sections of the Guide are reviewed annually and updated as needed to reflect legislative changes and applicable case law.¹ The Guide addresses:
 - (a) informing persons of the reason for their arrest or detention;
 - (b) informing a detained or arrested person of their right to counsel and providing that person with access to the same;
 - (c) detaining a person;
 - (d) obtaining confessions and admissions from a person; and
 - (e) gathering of evidence, including search and seizure.

¹ BCPPS 6.1.1(5)

- (5) Officers are provided interim updates regarding changes to legislation, applicable case law and related procedures through a variety of mechanisms, including but not limited to AbbyPD-issued bulletins, briefings, directives and legal training.