Peterborough Police Service Board

Policy
Search and Seizure
2026-LE-036

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1.0 Authority

1.1 Subsection 37(1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1,* ("CSPA") provides that a Board shall provide adequate and effective policing in the in the area for which it has policing responsibility as required by section 10 of the CSPA;

1.2 Subsection 38 (2) of the CSPA provides that a police service board may establish policies respecting matters related to the police service or the provision of policing;

1.3 O. Reg. 392/23: Adequate and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;

1.4 The Board has deemed it appropriate and consistent with the principles set out in section 1 of the CSPA, with its objectives and priorities determined pursuant to sections 37 and 38 of the CSPA, to establish policies with respect of search of premises and search of persons.

NOW THEREFORE THE PETERBOROUGH POLICE SERVICE BOARD APPROVES AND ADOPTS THE FOLLOWING:

2.0 Definitions

In this Policy:

2.1 **"Act" or "CSPA"** means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, as amended;

2.2 **"Board"** means the Peterborough Police Service Board;

2.3 **"Chief"** means the Chief of the Peterborough Police Service;

2.4 **"Member"** means a member of the Peterborough Police Service;

2.5 **"Search and Seizure"** means search of the person and search of the premises;

2.6 **"Service"** means the Peterborough Police Service.

3.0 Board Policy

3.1 The Board recognizes that issues relating to search and seizure are of paramount importance in the investigation and prosecution of criminal offences, and it is therefore the policy of this Board that such issues be dealt with in a professional and thorough manner, and in accordance with procedures established by the Chief as directed in this Policy.

4.0 Direction to the Chief

4.1 Search of the Premises

4.1.1 The Chief shall establish procedures on search of premises that require compliance by Members with the legal, constitutional and caselaw requirements relating to search of the premises.

4.2 Search of Persons

4.2.1 The Chief shall establish procedures on search of persons that address:

i. the compliance by Members of the Service with the legal, constitutional and case law requirements relating to when and how searches of the persons are to be undertaken;
ii. the circumstances in which an officer may undertake a search of person;
iii. frisk/field searches;
iv. strip/complete searches;

v. body cavity searches;
vi. consent searches;
vii. supervision of searches of persons; and
viii. the documentation of searches of persons.

4.3 **Training**

4.3.1 The Chief shall ensure that Members are trained on and kept informed of changes in the law relating to Search and Seizure.

5.0 Report to the Board

5.1 The Chief shall report to the Board on the Service implementation of this Policy as follows:

5.1.1 In response to questions from the Board regarding Service procedures developed pursuant to the policy, either verbally at a meeting when the question is asked, or in writing at the next regularly scheduled Board meeting, as directed by the Board; and

5.1.2 Within thirty days of the Chief becoming aware of a breach of Service procedures developed pursuant to this policy that the Chief in his sole discretion determines to be a significant breach that is likely to result in liability for or reputational damage to the Board or the Service, the Chief shall:

a) report to the Board verbally regarding the matter at its next regularly scheduled meeting;

b) provide periodic verbal updates as directed by the Board at subsequent meetings pending completion of internal and external proceedings regarding the matter; and

c) after the conclusion of all internal and external proceedings regarding the matter, provide a written report to the Board explaining:

i) the breach;
ii) the circumstances surrounding the breach;
iii) the Chief's liability or reputational concerns; and
iv) the corrective measures taken, including amendments to the procedure to guard against future breaches.

6.0 Implementation

6.1 That the Board approves and adopts this Policy #2026-LE-036 Search and Seizure which shall come into force on October 21, 2026.

6.2 That Policy #LE-011 Search of Premises, enacted on October 20, 2014, is hereby repealed effective October 21, 2026.

6.3 That Policy #LE-012 Search of Persons, enacted on October 20, 2014, is hereby repealed effective October 21, 2026.

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Mary ten Doeschate, Chair
Peterborough Police Service Board

Date

_____ _____

Lisa Wilson, Executive Assistant
Peterborough Police Service Board

Date