

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



COURSE OUTLINE

COURSE TITLE: Enforcement Officer Powers

CODE NO. : NRL 250 **SEMESTER:** 2

PROGRAM: Natural Resource/ Environmental Legislation

AUTHOR: Bruce Tomlinson

DATE: January 2014 **PREVIOUS OUTLINE DATED:** N/A

APPROVED: Sherri Smith **Jan 2017**

	CHAIR	DATE
TOTAL CREDITS:	3	
PREREQUISITE(S):	NONE	
HOURS/WEEK:	3	

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For additional information, please contact Sherri Smith, Chair
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I. COURSE DESCRIPTION:

The students will interpret and apply Federal and Provincial Statutes with respect to enforcement powers of arrest, inspection, search and seizure authorities. They will also examine the various methods of compelling the defendant to appear in court.

II. LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:

Upon successful completion of this course, the student will demonstrate the ability to:

1. Have a working knowledge of legal requirement and to maintain an enforcement officer's notebook.Potential Elements of the Performance:

- State standard requirements for making entries in an enforcement officer's notebook
- Discuss the various key pieces of Case Law in relation to the use of notebooks for the purpose of testifying in court
- Make notebook entries describing student's activities during scheduled college days.

This learning outcome will constitute approximately 15% of the course grade.

2. Locate, interpret and apply the use of enforcement officer powers involving provisions and offences related to any Federal and Provincial StatutesPotential Elements of the Performance:

- State statutory authorities which allow stopping of conveyances, requesting identification, arrest, inspection, search and seizure
- Discuss various principles and concepts of the Canadian Charter of Rights and Freedoms and the impact they have on enforcement procedures, specifically sections 7, 8, 9, 10 and 11
- Discuss various principles and concepts of the Canadian Charter of Rights and Freedoms and the impact they have on Natural Resources Enforcement procedures in relation to dealing with aboriginal peoples, specifically section 35
- Discuss the ability to articulate the actions taken under the authorities

This learning outcome will constitute approximately 15% of the course grade

3. Assess the use of enforcement powers with regards to pre- and post-

arrest**Potential Elements of the Performance:**

- State statutory authorities which allow arrest
- Discuss the concept which must be considered before effecting an arrest
- Discuss the steps in effecting a proper arrest
- Discuss the options that are available when considering the release of a suspect or an arrested person
- Discuss the use of force that may be used to perform a lawful arrest

This learning outcome will constitute approximately 15 % of the course grade

4. Assess the use of enforcement powers with regards to inspection, search and seizure without a search warrant**Potential Elements of the Performance:**

- State statutory authorities which allow inspection, search and seizure without a search warrant
- State common law authorities which allow search and seizure without a search warrant
- Discuss the difference between an inspection and a search

This learning outcome will constitute approximately 10 % of the course grade.

5. Assess the use of enforcement powers with regards to search and seizure with a search warrant**Potential Elements of the Performance:**

- State statutory authorities which allow search and seizure with a search warrant
- Articulate the circumstances under which exigent circumstances may be used to execute a search which would normally require a warrant
- State the criteria to be considered in order to acquire a Provincial search warrant
- State the criteria to be considered in order to acquire a Federal search warrant
- State the necessary steps in properly obtaining a search warrant
- Demonstrate the preparation of a Provincial and Federal "Information to Obtain A Search Warrant, Search Warrant and Return documents

- State the necessary steps to properly execute a search warrant

This learning outcome will constitute approximately 15% of the course grade

6. Interpret the Provincial Offences Act and being able to determine what offence has been committed and complete either a Part I or Part III Provincial Offence Notice

Potential Elements of the Performance:

- Discuss the methods of commencing Provincial offences proceedings against an individual
- List and describe the various documents commonly used by enforcement officers
- Complete a Part I Provincial Offence Notice
- Complete a Part III Provincial Offence Information

This learning outcome will constitute approximately 15 % of the course grade

7. Based on a staged scenario, produce applicable documentation for Court purposes. Attend and participate in a mock court trial

Potential Elements of the Performance:

- Based on a scenario, prepare applicable documents compelling the individual to attend court
- Demonstrate the Service of the documents
- Prepare applicable documents for court (for example Crown Brief, Subpoena to a Witness)
- Attend court and testify as an officer or witness

This learning outcome will constitute approximately 15 % of the course grade

III. TOPICS:

1. Protocol with regards to and maintaining an Officer's Notebook
2. Understanding Treaty and Aboriginal Rights in relations to Natural Resource law Enforcement
3. Enforcement Officers Powers of Arrest
4. Enforcement Officers Powers of Inspection, Search and Seizure
5. Enforcement Officers Powers of Search and Seizure with a Search Warrant
6. How to execute a Search Warrant
7. Provincial Offence Act Part I-III
8. Preparation and presentation in Court

IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:

- Enforcement Officer's Notebook
- Provincial legislation from NRL 120
- Federal legislation from NRL 130
- Provincial Offences Act
- Liquor Licence Act

V. EVALUATION PROCESS/GRADING SYSTEM:

Authorities Assignment	- 20%
Mid term	- 25%
Part I and Part III	- 15%
Practical Field Exercise	- 15%
Final exam	- 25%

“VERY IMPORTANT”

The following semester grades will be assigned to students:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	4.00
B	70 - 79%	3.00
C	60 - 69%	2.00
D	50 - 59%	1.00
F (Fail)	49% and below	0.00
CR (Credit)	Credit for diploma requirements has been awarded.	
S	Satisfactory achievement in field /clinical placement or non-graded subject area.	
U	Unsatisfactory achievement in field/clinical placement or non-graded subject area.	
X	A temporary grade limited to situations with extenuating circumstances giving a student additional time to complete the requirements for a course.	
NR	Grade not reported to Registrar's office.	
W	Student has withdrawn from the course without academic penalty.	

VI. SPECIAL NOTES:Attendance:

Sault College is committed to student success. There is a direct correlation between academic performance and class attendance; therefore, for the benefit of all its constituents, all students are encouraged to attend all of their scheduled learning and evaluation sessions. This implies arriving on time and remaining for the duration of the scheduled session.

VII. COURSE OUTLINE ADDENDUM:

The provisions contained in the addendum located on the portal form part of this course outline