

**SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY**

**SAULT STE. MARIE, ONTARIO**



**SAULT  
COLLEGE**

**COURSE OUTLINE**

**COURSE TITLE:** Enforcement Officer Powers

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

**PROGRAM:** Natural Resources Law

**AUTHOR:** Roch Delorme  
(Update 2016) Bruce Tomlinson

**DATE:** January 2016 **PREVIOUS OUTLINE DATED:**  
January 2016

**APPROVED:** Colin Kirkwood **Jan 2016**

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**CHAIR** **DATE**

**TOTAL CREDITS:** 3

**PREREQUISITE(S):** NONE

**HOURS/WEEK:** 3

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**For additional information, please contact Colin Kirkwood,**  
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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 and accused 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. Locate, interpret and apply the use of enforcement officer powers involving provisions and offences related to any Federal and Provincial Statutes

Potential Elements of the Performance:

- State statutory authorities which allow 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 20 % of the course's grade*

2. 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 20 % of the course's grade*

3. 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 20 % of the course.*

4. 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
- 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
- State the necessary steps to properly execute a search warrant

*This learning outcome will constitute approximately 20 % of the course's grade*

5. 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 20% of the course's grade*

**III. TOPICS:**

1. How to maintain an Evidence 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

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**IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:**

- Basic Police Powers: Arrest and Search Procedures
- Martin's Annual Criminal Code
- Provincial legislation from NRL 120
- Federal legislation from NRL 130
- Provincial Offences Act
- Liquor Licence Act

**V. EVALUATION PROCESS/GRADING SYSTEM:**

Authorities Assignment -	15%
Mid term -	20%
Part I and Part III –	10%
Practical Field Exercise -	15%
Notebooks	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