



## CACP Resolutions Status Report July, 2012

This status report summarizes CACP Committee activities between March, 2012 and June, 2012 on active 2006, 2007, 2008, 2009, 2010, and 2011 resolutions.

The following resolutions are recommended for conclusion:

1. 2011-07 National Police Services
2. 2010 - 01 National Firearms Policy
3. 2006 - 04 Scheduling of Criminal Organizations

Progress reports are attached: 2011 Resolutions pgs. 2-6; 2010 Resolutions pg. 7; 2009 Resolutions pgs. 8-9-; 2008 Resolutions pgs. 10-17; 2007 Resolutions pgs. 18-21; and 2006 Resolutions pgs. 22-25.

## 2011 Resolutions

<b>Resolution: 2011-01 Reintroduce Lawful Access Legislation to Reduce Lawful Access and Electronic Surveillance Deficiencies and Obsolescence</b>	
<b>Resolution Summary:</b> The Canadian Association of Chiefs of Police urges the Federal Government to pass legislation to amend the Criminal Code to require new telecommunications technologies to be intercept capable to prevent intercept safe havens and to modernize electronic intercept provisions.	
<b>Target Date for Completion:</b> to be determined	<b>Sponsor:</b> Law Amendments Committee <b>Champion:</b> Warren Lemcke
<b>Summary of progress since initiation:</b> To be addressed at November 2011 LAC meeting	
<b>November, 2011 - February, 2012</b> Lawful access legislation, now titled <i>Protecting Children from Internet Predators Act</i> , was tabled in the House of Commons on February 14, 2012. LAC is collecting examples from CACP members of when access or access denied helped or hindered an investigation. CACP has posted a position paper and speaking notes on lawful access for use by members.	
<b>March - June, 2012</b> The Bill was introduced but at this point it is not know what governments intentions are with regard to moving forward. Police representatives from across the country continue to speak to this highly contentious and misunderstood Bill to attempt to educate people on the need for it from a police perspective. Further response by CACP will be dictated by government actions with the Bill.	
<b>Resolution: 2011-02 Introduce Electronic Countermeasures Legislation</b>	
<b>Resolution Summary:</b> The Canadian Association of Chiefs of Police urges the Federal Government to introduce legislation pertaining to Electronic Countermeasures that will restrict the possession and use of this technology, and should give law enforcement officials the usual powers of arrest and detention with the accompanying provisions for the search and seizure of this technology when necessary.	
<b>Target Date for Completion:</b> to be determined	<b>Sponsor:</b> Law Amendments Committee <b>Champion:</b> Warren Lemcke
<b>Summary of progress since initiation:</b> To be addressed at November 2011 LAC meeting.	
<b>November, 2011 - February, 2012</b> E Division in BC has asked all RCMP and municipal agencies in the province to submit examples of member contact or experiences with individuals or groups found to be in possession of "jamming" devices. It is hoped that the compellation of this information will help to bolster the need for legislation prohibiting these devices. Cont'd on next page	

**Resolution: 2011-02 Introduce Electronic Countermeasures Legislation continued**

**March - June, 2012**

Discussions continue around legislative changes to the Radio Communications Act and the Criminal Code at the FPT level. On March 28, 2012, the Standing Committee on Justice and Human Rights released a report which included a call for the federal government to examine the possibility of creating an CC offence regarding the use, possession, sale, manufacturing and importing of jamming devices. In April the matter was discussed at the Coordinating Committee of Senior Officials (CCSO) within the Organized Crime working group. Public Safety Canada presented a paper which contained 4 possible options including creation of a CC offense, amendment of the Radio Communications Act. The options will now be taken back for further refinement before they are taken out to stakeholders for consultation.

**Resolution: 2011-03 Provide 911 Cell Phone Call Customer Name and Address**

**Resolution Summary:** The Canadian Association of Chiefs of Police urges the Federal Government of Canada to move forward with legislation that would require wireless service providers to immediately provide public safety answering points with subscriber name and address on all 911 calls and urges the Canadian Radio-Television and Telecommunications Commission to take immediate steps to amend Telecom Decision 05-053 by making it mandatory for wireless service providers to provide subscriber name and address on all 911 calls from cell phones.

**Target Date for Completion:** to be determined

**Sponsor:** Law Amendments Committee

**Champion:** Warren Lemcke

**Summary of progress since initiation:**

To be addressed at November 2011 LAC meeting.

**November, 2011 - February, 2012** No change in status

**March - June, 2012**

Caroline Madill, Alberta Justice and Solicitor General, coordinated Alberta (Calgary PS, Edmonton PS and RCMP) efforts to gather data and statistics on Alberta PSAP operations. This information, along with similar from British Columbia, will form the basis of the Public Safety Canada's White Paper on 911 cell phone issues, with a specific focus on problems in accessing real-time subscriber information during 911 calls.

The data was submitted to Public Safety Canada and scrutinized by federal government analysts who determined they required context around some of the issues. Experts from the three services participated in a teleconference on May 28, 2012 in order for the analysts to ask specific question on process and procedures for obtaining subscriber information. They also solicited suggestions to improve subscriber information requests. Based on the feedback from that teleconference, Public Safety Canada analysts identified several key issues.

Caroline Madill will facilitate a teleconference between CPS, EPS, RCMP and federal government analysts on Thursday June 21, 2012. Completion of the Public Safety Canada's White Paper on 911 cell phone issues is tentatively scheduled for early fall 2012.

**Resolution: 2011-04 Amendment to the Criminal Code of Canada and the DNA Identification Act**

**Resolution Summary:** The Canadian Association of Chiefs of Police urges the Federal Government to move forward with amendments to the Criminal Code and DNA Identification Act to allow for the collection of DNA samples from any person lawfully charged for a primary designated offence as defined in Section 487.04(a) of the Criminal Code and the removal of that sample from the DNA Databank should the accused not be convicted of the offence.

**Target Date for Completion:** to be determined

**Sponsor:** Law Amendments Committee  
**Champion:**

**Summary of progress since initiation:**

To be addressed at November 2011 LAC meeting.

**November, 2011 - February, 2012**

President addressed this issue with Minister Toews in the fall of 2011.

**March - June, 2012**

No change in status.

**Resolution: 2011-05 Unexecuted DNA Orders**

**Resolution Summary:** The Canadian Association of Chiefs of Police urges the Federal Government to move forward with amendments to the Criminal Code to provide that DNA orders are valid until executed, and unexecuted DNA orders may be executed anywhere in Canada.

**Target Date for Completion:** to be determined

**Sponsor:** Law Amendments Committee  
**Champion:**

**Summary of progress since initiation:**

To be addressed at November 2011 LAC meeting.

**November, 2011 - February, 2012**

No change in status.

**March - June, 2012**

No change in status.

**Resolution: 2011-06 Building on Financial Intelligence in Organized Crime Investigations through FINTRAC**

**Resolution Summary:** The Canadian Association of Chiefs of Police calls on all Canadian law enforcement agencies to include financial intelligence in their investigations, and share with FINTRAC their provincial and national enforcement targets.

**Target Date for Completion:** to be determined

**Sponsor:** Organized Crime

**Champion:** Mike Cabana

**Contact:** Sandy Harvey

**Summary of progress since initiation:**

To be discussed and a course of action determined at the OCC is meeting on November 2, 2011.

**November, 2011 - February, 2012**

The implementation of this resolution was discussed at the OCC on November 2<sup>nd</sup>, 2011. It was agreed that:

- FINTRAC will report at each OCC meeting on the progress and gaps in terms of reporting based on monthly statistics that are being gathered;
- communication of the CACP Resolution will be coordinate by the OCC (lead by the FINTRAC representative
- promote the importance of financial information and the mandate/role of FINTRAC to provincial and municipal law enforcement agencies;
- explore other venues to assistance in the sharing of operational priorities (i.e. CIROC), and;
- determine what mechanisms are in place to facilitate information sharing (CISC and FINTRAC).

**March - June, 2012**

No change in status.

**Resolution: 2011-07 National Police Services**

**Resolution Summary:** The Canadian Association of Chiefs of Police recommend that the Federal Government, represented by Public Safety Canada, adequately resource and appropriately fund the National Police Services and that an NPS Advisory Committee, representing the regions of Canada, be formed to assist with the governance and future direction of NPS.

**Target Date for Completion:** to be determined

**Sponsor:** Special Sub-Committee on National Police Services

**Champion:** Peter Henschel and Rick Hanson

**Summary of progress since initiation:**

**November, 2011 - February, 2012**

Committee to be replaced by a national NPS Advisory Board with provincial representation, reporting to the commissioner of the RCMP. January 2012 Presidents Council recommended that the NPS Committee and the NPS Special Purpose Committee be dissolved. To be actioned at Board of Directors meeting in March 2012.

**March - June, 2012**

The original NPS Committee was dissolved in March 2012. The new NPS National Advisory Committee is working on the issue of sustainability and will eventually make recommendations to the F/P/T Policing and Public Safety Steering Committee. Recommended for conclusion per Peter Henschel.

**Resolution: 2011-09 Evolution of the Canadian Law Enforcement Strategy to Combat Organized Crime (CLES)**

**Resolution Summary:** The Canadian Association of Chiefs of Police fully endorses the modernized CLES under the governance of the National and Provincial Executive Committees, and demonstrates its support by endorsing the CLES Statement of Commitment, which outlines the expectations of the CLES partnership and the roles and responsibilities of CLES stakeholders and recommends that all CACP members in Canada support the modernized CLES and adopt the roles and responsibilities outlined in the CLES Statement of Commitment.

**Target Date for Completion:** to be determined

**Sponsor:** Director General, CISC on behalf of the CISC National Executive Committee's NEC Group of Five

**Champion:** Director General Mike Aubin

**Contact:** Insp. Karen Munro, RCMP

**Summary of progress since initiation:**

An action plan has been developed and is with the National Executive Committee's Permanent Working Group for review.

**November, 2011 - February, 2012**

Canadian Law Enforcement Strategy The Permanent Working Group (PWG) reviewed the proposed action plan in November 2011. As a result of the review it was decided to proceed with a SWOT Analysis as the first step in establishing a strategic plan for the National Executive Committee (NEC).

The next NEC meeting is scheduled for April 19th, 2012. The Provincial Executive Chairs (PEC) will be reporting on the status of the implementation of their provincial operational priority setting mechanisms.

Reviews of the CISC and CIROC constitutions have been started to incorporate the adoption of the Canadian Law Enforcement Strategy and the governance model.

**March - June, 2012**

With the adoption of the Canadian Law Enforcement Strategy to Combat Organized Crime (The Strategy) all provinces are moving forward with the implementation. This includes the implementation at the provincial level of a target selection committee which relies on the Provincial Threat Assessments (PTA), National Threat Assessment (NTA), and other information to select organized crime groups for enforcement action. Provincial Executive Committee chairs reported at the recent NEC meeting in April 2012 on their provincial efforts to implement the Strategy.

From a national perspective, CISC has moved to quarterly updates of the NTA to assist CIROC in their discussions at the national level on targeting organized crime. CIROC has started to coordinate operational efforts between provinces to address a number of Category 1 NTA criminal organizations. Some provincial bureaus are also moving to more frequent updating of their PTA's to assist their provincial targeting enforcement committees in selecting and monitoring their enforcement action against organized crime groups at the local and provincial level.

A strategic plan for the National Executive Committee is currently being developed. The strategic plan will focus on the further implementation of The Strategy. Consultations with key stakeholders, CISC and CIROC, are currently taking place.

## 2010 Resolution

<b>Resolution: 2010-01 National Firearms Policing Strategy</b>	
<b>Resolution Summary:</b> The Canadian Association of Chiefs of Police urges its members to adopt the National Firearms Policing Strategy as a foundation and guiding document enabling the Law Enforcement Community's ability to enhance community and officer safety.	
<b>Target Date for Completion:</b> to be determined	<b>Sponsor:</b> Canadian Law Enforcement Forum <b>Champion:</b> S/Supt. Mike Federico
<p><b>Summary of progress since initiation:</b></p> <ul style="list-style-type: none"> <li>• Developed a framework for the National Firearms Policing Strategy that includes vision and mission. Identified 5 risk areas: Communication, Operation, Training, Intelligence/Information, and Legislation.</li> <li>• Worked with CACP executives to advocate for Bill C 391. Bill has been rejected, however efforts continue</li> <li>• Oct 23 and Nov 8, 2010 - Jean-Guy Gagnon and Bill Blair meet to establish orientations and deliverables of CACP Special Purpose Sub Committee on Firearms</li> <li>• Nov 9, 2010 - Jean-Guy Gagnon and Pierre Perron, RCMP National Registry Officer meet to discuss participation at CACP SPSF, national registry issues, case history, risk areas, champions, and increasing use, coordination and quality of the Registry</li> <li>• January 10, 2011: CACP – SPSF meeting in Toronto</li> </ul> <p><b>November 2010 – February 2011</b> No change in status.</p> <p><b>March – June 2011</b> March and April – Works and progress on risk areas: communication, training, and operations.</p> <p>March 30<sup>th</sup> Conference Call of special purpose committee on National Firearm Strategy - evaluation, strategy and orientation development relating to May and possibility of majority Conservative Government and its impact on the Long Gun Registry.</p> <p>April 17<sup>th</sup> CACP Board meeting - presentation by Jean-Guy Gagnon to the board about March 30<sup>th</sup> discussion and orientation and discussion on how best to mitigate the impacts of the dismantling of the long gun registry.</p> <p>May 5<sup>th</sup> 2011 – Following election of majority Conservative government, the Special purpose committee met and made the following decisions:</p> <ol style="list-style-type: none"> <li>1. Write letter with recommendations to Minister Toews to mitigate the impact of dismantling the long gun registry.</li> <li>2. Develop presentation at CACP Annual Conference to inform Police Chiefs on impacts of changes to the registry and provide information about tools and training.</li> </ol> <p>May 19<sup>th</sup> 2011 – President Blair sent a letter to Minister Toews – letter posted on CACP website. June 8<sup>th</sup> 2011 – Meeting of Jean-Guy Gagnon, Pierre Perron and Geoff Francis to evaluate project and prepare presentation for the CACP Annual Conference on August 22<sup>nd</sup>.</p> <p><b>July - October 2011</b> No change in status.</p> <p><b>November, 2011 - February, 2012</b> Final reading to abolish the Long Gun Registry occurred in February 2012. File is before Senate for final reading. CACP position is not to engage in discussion.</p> <p><b>March - June, 2012</b> CACP appeared twice before the Senate - once for the Bill itself and a second time on the regulation that removes the requirement for vendors to keep a ledger on sales.</p>	

## 2009 Resolutions

<b>Resolution: 2009-03 Improving Airport Security through the Coordination and Integration of Policing Services at Canada's Airports</b>	
<b>Resolution Summary:</b> The CACP resolves that there be an integration of stakeholders involved in the safety and security of airports, that the necessary security clearances be provided for key, identified stakeholders to share intelligence, and that a unified and single chain of command be established to ensure consistent enforcement and security approach to airport policing.	
<b>Target Date for Completion:</b> to be determined	<b>Sponsor:</b> Organized Crime and Aviation Security <b>Champion:</b> Supt. Mike MacMullan
<b>Summary of progress since initiation:</b> <ul style="list-style-type: none"> <li>Resolution approved in August, 2009. Plan of action to be determined at next Committee meeting.</li> </ul> <p><b>November 2009 – February 2010</b></p> <ul style="list-style-type: none"> <li>Security documents have been forwarded to Departmental Security for review in order for partner agencies to facilitate the sharing of information. The next Committee meeting is scheduled for the 12th April.</li> </ul> <p><b>March – June, 2010</b></p> <ul style="list-style-type: none"> <li>At a meeting on April 12 in St John's we discussed moving forward with information sharing. The security clearances have not been completed due to deployment to G8/20. With the retirement of Commissioner Fantino in July, new leadership is required to ensure committee continues to progress. Our next meeting will be held in August.</li> </ul> <p><b>July – November, 2010</b></p> <ul style="list-style-type: none"> <li>Committee members were briefed by Transport Canada on proposed amendments to the Canadian Aviation Security Regulations. Included in the proposed amendments is a requirement for Airport Authorities to invite safety and security organizations present at Class 1 and Class 2 airports to participate on Multi-Agency Advisory Committees (MAACS). Specifically, CSIS, CBSA, RCMP, police service of local jurisdiction, Transport Canada, CATSA and others as appropriate. The primary purpose of the MAACS committee is to advise the Airport Authority on the development of airport security plans.</li> <li>Supt. Mike MacMullen, Peel Regional Police, Airport Division (PIA) is new Committee Chairperson</li> <li>Conference call with Transport Canada and committee members. Discussion on progress of proposed amendments to the Canadian Aviations Security Regulations. Areas of interest included phased approach to implementation, information sharing, aviation security threat levels and multi-agency involvement.</li> <li>Committee meeting scheduled for November 25<sup>th</sup> at Peel Regional Police – Airport Division at Toronto International Airport. Agenda will include discussions with respect to this resolution as well as establishing new committee priorities for 2011.</li> </ul> <p><b>December 2010 – February 2011</b></p> <ul style="list-style-type: none"> <li>No change in status. Committee will review resolution at strategic planning session March 9, 2011.</li> </ul> <p><b>March – June 2011</b></p> <ul style="list-style-type: none"> <li>Committee held a strategic planning session on March 9th. Resolution 2009-03 discussed.</li> <li>Proposed amendments to the Regulations under the Aeronautic Act require Airport Authorities to designate an Airport Security Official/Officer and establish Multi-Agency Advisory Committees (MAACS), so Committee will consider conclusion or withdrawal of resolution. MAACS will be comprised of representatives from CSIS, CBSA, RCMP, police service of local jurisdiction, Transport Canada, CATSA and others. Focus of the MAACS will be to develop and implement Airport Security Plans to mitigate identified risks.</li> <li>The next committee meeting is scheduled for June 23rd in Calgary. The agenda includes further discussion on future direction with respect to Resolution 2009-03.</li> <li>Consultation with the Organized Crime Committee is required following discussions at the June 23rd meeting</li> </ul>	



**Resolution: 2009-03 Improving Airport Security through the Coordination and Integration of Policing Services at Canada's Airports continued**

**July - October 2011**

- The CACP – Aviation Security Committee recognizes that there must be an effective integration of law enforcement and security stakeholders working within the airport environment. Further, that the effective and efficient sharing of intelligence information is a foundational prerequisite to success.
- The ASC has established an Information Sharing sub-committee comprised of Supt. Robert Davis – RCMP, Supt. Chris Kellett – Edmonton P.S. and Mr. Gilles Charette – Air Canada Security. Information sharing protocols, legislative/regulatory constraints and best practices are being researched. An interim report to the committee is pending.
- A Risk and Threat Assessment initiative is being lead by committee member Mr. Martin Dengis – CSIS. A work plan template is being developed for review by committee members. It is anticipated that all committee members will support the research phase of this initiative. Further that a variety of threat types and risks sources will be identified and assessed.
- Deputy Chief Ken Leendertse – Hamilton P.S. is a member of the CACP – Organized Crime Committee. Ken has also joined the ASC and will act as a liaison between the two committees.

**November, 2011 - February, 2012**

- No change in status. Committee meeting planned for March 7, 2012

**March - June, 2012**

- The ASC has established an Information Sharing sub-committee comprised of representatives from the RCMP, Edmonton P.S. and Canada Security. Information sharing protocols, legislative and regulatory constraints and best practices have been researched. Findings are included in a draft information sharing matrix presented to the committee for review at their March meeting. The draft has gone back to the contributors to ensure accuracy and also to RCMP legal for review prior to it being finalized.
- Under the direction of Chief Supt. Joe Oliver, RCMP, an on-line basic airport policing course targeted at uniformed police officers at Canada's eight Class 1 airports has been developed and will be made available via the Canadian Police Knowledge Network (CPKN) during the summer of 2012. The course will describe historical threats to aviation, explain the roles and responsibilities of the various agencies at the airports, and provide an overview of more common offences the officers may deal with in the airport environment. In having officers trained in how they and other airport security actors can function together, it is anticipated that this overall security and coordination at the Class 1 airports will be enhanced.
- Integrated threat assessments and security plans are being developed at the Class 1 airports as mandated by Transport Canada. The police community will be invited to participate in these processes.
- The ASC's risk and threat assessment initiative has been put on hold pending the completion of a similar initiative being conducted by Transport Canada to ensure that efforts are not duplicated and how the results of the Transport Canada initiative can be incorporated into the ASC's.
- The committee, via the RCMP, has obtained security clearances for all committee members to the Government of Canada's Secret level to better facilitate the exchange of information at the committee's meetings.

## 2008 Resolutions

<b>Resolution: 2008-04 First Nations Policing</b>	
<b>Resolution Summary:</b> The CACP urges the Federal Government to ensure its policies support community vision and to commit to and maintain support for the provision of First Nations policing that is adequately funded for sustainability	
<b>Target Date for Completion:</b> ongoing	<b>Sponsor/Champion:</b> Chief Stan Grier and C/Supt. Brenda Butterworth-Carr
<b>Summary of progress since initiation:</b> Association has sent letters outlining CACP resolutions and issues to the Ministers of Public Safety and the Minister of Justice and Attorney General.	
<b>October 2008 – February 2009</b> No change in status.	
<b>March – July 2009</b> President Steven Chabot met with Public Safety Minister Van Loan on May 25, 2009 to discuss this issue. The Minister's recommended that the President meet with the Parliamentary Secretary to continue discussions.	
<b>August - October 2009</b> Ontario government committed \$4 million annually over next five years to fund 40 additional officers for First Nations Police Services from its share of the federal Police Officers Recruitment Fund. Ontario's Safer Communities -- 1,000 Officers Partnership Program has provided First Nations Police Services with \$1.6 million in funding to hire an additional nine (9) police officers.	
<b>November 2009 – February 2010</b> The First Nations Policing Program is currently undergoing a comprehensive review which is being led by Public Safety Canada through the Aboriginal Policing Directorate. This review will look at many of the issues raised in the resolution and may lead to some resolve. Next meeting of the Committee is scheduled for April 12-13, 2010 in Calgary, AB.	
<b>March – June, 2010</b> The comprehensive review of the First Nations Policing Program, led by the Aboriginal Policing Directorate of Public Safety Canada is ongoing. The review has included extensive consultations with stakeholders across the country and a final report is expected the fall of 2010. It is not known at this time if this particular resolution will be addressed until the report is completed and available for the public at large.	
<b>July – November 2010</b> No change in status.	
<b>November 2010 – February 2011</b> No change in status	
<b>March – June 2012</b> No change in status.	
<b>July - October 2012</b> No change in status.	
<b>November, 2011 - February, 2012</b> The comprehensive review of the First Nations Policing Program, led by the Aboriginal Policing Directorate of Public Safety Canada is ongoing. The review has included national stakeholder consultations. A final report was submitted to Cabinet in the fall of 2011. It is not yet available for the public. It is hoped that Cabinet will address the report in the 2012 Throne Speech and federal budget. The President met with Minister Fantino on this issue in the fall of 2011.	
<b>March - June, 2012</b> No change in status. Chief Stan Grier and FNCOP (Dave Whitlow) met with Conservative Law Enforcement Caucus, Senator Vern White and Public Safety Canada's ADM Shawn Tupper to assist in developing relationships and to improve direct communication between the groups.	

**Resolution: 2008-06 CACP Support of Coordinated Multi-Province (National) Approach in the Development of a Single Analytical Software Program (Database) to House Information Pertaining to Both Missing Persons and Unidentified Human Remains**

**Resolution Summary:**

The CACP urges the Federal Government to provide program development, implementation and maintenance costs required to support the integrated multi-province (national) adoption of a single analytical software program (database) and the establishment of a consistent program of best practices in the resolution of missing persons and unidentified human remains investigations, and

The CACP supports the adoption of a coordinated multi-province (national) approach in the development of a single analytical software program (database) to house information pertaining to both missing persons and unidentified human remains.

**Target Date for Completion:** ongoing

**Sponsor/Champion:** Commissioner Chris Lewis  
Ontario Provincial Police

**Contact:** Supt. Dave Truax

**Summary of progress since initiation:**

Association has sent letters outlining CACP resolutions and issues to the Ministers of Public Safety and the Minister of Justice and Attorney General. An Executive Steering Committee is in place that is chaired by Deputy Commissioner Vince Hawkes of the OPP oversees the project working group consisting of five sub-committees – project implementation, stakeholder liaison, policy and procedure, freedom of information, and technical sub-committees.

**October 2008 – February 2009**

No change in status.

**March – July 2009**

A Steering Committee that includes A/Commr. Vince Hawkes, OPP, A/Commr. Bruce Rogerson, RCMP, D/Chief Sue O'Sullivan, Ottawa Police Service representing the CACP, Dr. Kent Stewart, Saskatchewan Chief Coroner/Medical Officer representing chief coroners and chief medical examiners of Canada, Inspecteur Ronald Boudreault, Sûreté du Québec was struck,, and established, under the leadership of the OPP, a working group consisting of five sub-committees – project implementation, stakeholder liaison, policy and procedure, freedom of information, and technical sub-committees.

These committees have:

- Drafted a letter to solicit feedback from CACP members
- Established contact with the Federal/Provincial/Territorial Ministers Working Group on Missing Women
- Explored public website needs, privacy impact assessment models
- Made recommendations for a cost benefit analysis of a new system
- Identified issues and concerns that will require further examination, especially those related to duplication of data entry, existing and required CPIC infrastructure and upgrades, human costs of implementation, and specifically the impact on front line investigators, training, and procedures.

**August – October 2009**

The Steering Committee now includes Deputy Chief Kim Derry of Toronto Police. CACP Informatics Committee has adopted leadership of this project. Informatics Committee soliciting analysis and feedback from two vendors, Niche & Versaterm. Information to be reviewed at next Informatics Committee meeting. Application made to Canadian Police Research Centre for funding (business analyst consultant).

**Resolution: 2008-06 CACP Support of Coordinated Multi-Province (National) Approach in the Development of a Single Analytical Software Program (Database) to House Information Pertaining to Both Missing Persons and Unidentified Human Remains continued**

**November 2009 – February 2010**

- CACP Informatics Committee reviewed the findings of this project, identified issues and concerns that required further examination, especially those related to duplication of data entry, existing and required CPIC infrastructure and upgrades, human costs of implementation, and specifically the impact on front line investigators, training, and procedures.
- Received approval from Canadian Police Research Centre for business analyst consultant to assist project.
- Project Committee now includes RCMP Chief Supt. Byron Boucher of National Police Services
- Project Committee completed review of feedback from two vendors, Niche & Versaterm
- Project Committee drafting additional report and further recommendations to CACP Informatics Committee.
- Statement of work and Request for Services being completed to utilize funding from the Canadian Police Research Centre.
- Information will be reviewed at the scheduled Informatics Committee meeting March 4-5. Further analysis has suggested that CPIC, with several identified modifications, may be able to serve needs of police, coroners and medical examiners. Additional analysis and consultation required, upon approval of CACP Informatics Committee.

**March – June 2010**

- No change in status.

**July – November 2010**

A total of 28 additional/upgraded fields to CPIC for missing persons and unidentified human remains have been approved by CPIC authorities. First six (6) upgrades completed in November 2010, followed by two additional software upgrades in May and November 2011.

The CSMPUR Project Implementation Team struck a sub-committee to look at Coroner and Medical Examiner access to CPIC issues, specifically to determine if there is a possibility of Coroners/Medical Examiners that are part of larger provincial justice enterprise systems can leverage that existing infrastructure to reduce the cost of including Coroners/Medical Examiners on the CPIC network. Canadian Police Information Centre (CPIC) officials have advised initial connection costs of \$10K followed by annual costs. This is cost prohibitive for Coroners and Medical Examiners and therefore majority have agreed to continue existing relationships with law enforcement for CPIC data entry and queries. Other solutions for CPIC connectivity still being examined.

Project team has been working with RCMP since January 2010 in the preparation of a Memo to Cabinet for funding a National Missing Persons Centre.

In October 2010, federal government announced funding in the amount of \$10M. A total of \$4M of the announced program funding will allow the RCMP to establish the National Police Support Centre for Missing Persons as part of a renewed focus on cases such as these, and also bolster the Canadian Police Information Centre's ability to capture additional data. A new website also will be created to allow the public to provide tips and information on missing persons cases and unidentified human remains.

Cont'd on next page . . . . .

**Resolution: 2008-06 CACP Support of Coordinated Multi-Province (National) Approach in the Development of a Single Analytical Software Program (Database) to House Information Pertaining to Both Missing Persons and Unidentified Human Remains continued**

**Key Issues:**

Improvements to CPIC are viewed to achieve the goal of one single system for the collection of missing persons and unidentified remains. In total, 28 new or improved data fields have been required in order to achieve proper functionality. These amendments scheduled to be completed by November 2011.

Recently announced federal funding was a key success and also will bolster the Canadian Police Information Centre's ability to capture additional data. The measures will improve law enforcement and the justice system through a new National Police Support Centre for Missing Persons to help police forces across Canada by providing coordination and specialized support in missing persons investigations; a national "tip" Web site for missing persons; and enhancing the Canadian Police Information Centre database to capture additional missing persons data.

**November 2010 – February 2011**

The funding for the RCMP to build the National Police Support Centre for Missing Persons addresses the intention of Resolution 2008-06, with 18 improvements and/or additional fields in CPIC to improve data queries involving missing persons and unidentified remains. The public website of the Centre is expected to be operational in 2011/2012 and the Centre fully operational and staffed in 2013/2014.

**March – June 2011**

Through the research and recommendations of the Strategy and Project Teams, the RCMP operated National Police Support Centre for Missing Persons is presently being designed/built/rolled out. A letter to stakeholders outlining the Canadian Strategy on Missing Persons and Unidentified Remains (CSMPUR) is attached as Appendix 1, in English and in French. Report has been released to the CACP membership.

**July - October 2011**

The RCMP Chief Information Office is currently building the Missing Children/Person Unidentified Remains (MC/PUR) database. Subject matter experts (SME) from across Canada are currently compiling Best Practices for missing persons and unidentified remains investigations. The total number of improvements now made to CPIC in support of this initiative now total 28. This will greatly assist the number of fields that can be searched (and subsequently matched) when conducting these investigations. The name of the new Centre is the "National Centre for Missing Persons and Unidentified Remains" internally known by the acronym NCMPUR.

**November, 2011 - February, 2012**

No change in status.

**March - June, 2012**

No change in status.

**Resolution: 2008-08 Support for the Canadian Criminal Intelligence Model (CCIM)**

**Resolution Summary:**

The CACP recommends that all CACP members in Canada fully endorse the efforts of the CCIM Project Team to develop a detailed project plan, objective statement and business case to ensure the successful implementation of the Canadian Criminal Intelligence Model to strategically align intelligence and operations at the municipal, provincial and federal levels across Canada.

**Target Date for Completion:** ongoing

**Sponsor/Champion:** CCIM Project Team, sponsored by Criminal Intelligence Service Canada (CISC) National Executive Committee (NEC)

**Contact:** Insp. Karen Munro

**Summary of progress since initiation:**

Association has sent letters outlining CACP resolutions and issues to the Ministers of Public Safety and the Minister of Justice and Attorney General.

**October 2008 – February 2009**

- Completion of stakeholder consultation. (November 2008)
- Final report (with recommendations) produced and forwarded to Project Champions. (December 2008)
- Project Champions reviewed report and provided CCIM project team with direction for next steps. (December-January 2009)
- CCIM project team is preparing the project plan and objective statement (referred to in the August 2008 resolution) to execute project direction. (January-February 2009)
- CCIM project team is concurrently conducting research required to support project objectives. (January - June 2009)
- CCIM project plan to be presented to CACP for endorsement via a new resolution. (August 2009)

**March – July 2009**

- The CCIM project team has continued research in support of CCIM standards and has completed a new project scope statement and project plan.
- The RCMP has recently stood up a new office of the Chief Criminal intelligence Executive. This will result in an alignment between the RCMP Criminal Intelligence program and CISC. The impact of the pending realignment on the CCIM project is not known at this time. The project team with therefore not be able to proceed with the planned CCIM resolution at the 2009 conference.

Submitted by Carol Ann Gendre, Project Manager, CCIM

**August – October 2009**

- The CCIM project scope statement and project plan were presented via resolution to the CISC National Executive Committee (NEC) in August 2009.
- Discussions during the NEC raised concerns about funding and the lack of a CCIM governance structure included in the project's plan.
- Recognizing the value of the CCIM project, NEC decided to hold their vote on the resolution in abeyance pending receipt of additional information.
- In light of NEC discussions, the project team has changed its focus from research in support of standards development to developing an integrated governance structure and revisiting the proposed sequence of CCIM's development. The text of the NEC resolution was presented in August 2009 will be amended to reflect these changes and presented to NEC for a vote at their next meeting, which is anticipated to take place by late winter 2010.

**Resolution: 2008-08 Support for the Canadian Criminal Intelligence Model (CCIM) continued**

**November 2009 – February 2010**

- CCIM Project Team efforts focused on research to examine concerns raised by the CISC National Executive Committee (NEC) in August 2009 about CCIM governance and costs/funding.
- Project team conducted research in support of newly identified requirements for the CCIM model, such as defining the business process of intelligence-led policing and initiating work on a criminal intelligence/information sharing strategy for the Canadian law enforcement community.
- A discussion paper on CCIM governance was completed in December 2009. The paper examines the principles of partnership and good governance and states that the successful implementation of CCIM will require a strong partnership between law enforcement agencies. The paper recommends the establishment of a dedicated Advisory Board, under the auspices of NEC, with a proposed composition that reflects the diversity of law enforcement in Canada. This proposal is being considered during ongoing consultations between the Director General, CISC and senior executives in the law enforcement community.
- CCIM and CCIS project teams (Canadian Criminal Intelligence System) continued to liaise to maximize mutual efforts and ensure alignment between projects.
- A presentation on the CCIM project will be provided at a CISC partners meeting scheduled for March 3. The goal of this meeting is to enhance the awareness of senior executives of agencies engaged in the investigation of serious and organized crime of CISC national initiatives, such as CCIM.
- NEC will meet on March 25, 2010 at which time an update on CCIM project progress will be provided.
- A revised project plan is under development, and will be presented to NEC via Resolution at their August 2010 meeting

**March – June 2010**

CCIM is recognized as a long-term strategic initiative to develop and implement a common approach to intelligence-led policing in Canada. To be sustainable, CCIM will need to transition from a project to a permanent, national program. The project team has developed a revised scope statement and project plan focused on providing the project sponsor (NEC) with information to facilitate a better informed decision about the future of CCIM.

The scope statement and project plan focus on three deliverables:

1. Intelligence-led policing (ILP) model - to achieve the goal of CCIM there first needs to be a common understanding of intelligence-led policing. The ILP model defines how intelligence and operations should interact with one another in order for policing to be more effective, consistent and efficient. The model will be circulated over the coming months for law enforcement community consultation. The outcomes of this review will help finalize the version that will go to NEC and CACP for resolutions of endorsement.
2. Pilot study - to develop, test and evaluate one CCIM standard with community participation. The topic of the pilot study to be confirmed by the CISC Supervisory Committee.
3. Program plan - to outline the requirements to establish a permanent, national program. We intend to present the scope statement and program plan to NEC for approval in Fall 2010. Outcomes of the project will be presented to NEC in Fall 2011 for a decision on whether or not to establish a national program.

**July – November 2010** No change in status.

**November 2010 – February 2011** No change in status.

**March – June 2011** No change in status.

**July - October 2011**

The CCIM project is currently in abeyance owing to the governance review and the Canadian Law Enforcement Strategy. It is possible that in future, CCIM will be revisited.

**Resolution: 2008-08 Support for the Canadian Criminal Intelligence Model (CCIM) continued**

**November, 2011 - February, 2012**

The CCIM project remains in abeyance subsequent to the adoption of the Canadian Law Enforcement Strategy and its implementation. The matter will be brought forward to the National Executive Committee at its next in person meeting with a recommendation that this resolution be concluded.

**March - June, 2012**

With the adoption of the Canadian Law Enforcement Strategy to Combat Organized Crime (The Strategy) all provinces are moving forward with implementation of same. The Director General CISC is currently moving forward a review of the CCIM project with the CISC supervisory committee.

**Resolution: 2008-09 Chronic Offenders**

**Resolution Summary:**

The CACP calls upon the Federal Minister of Justice to amend the Criminal code to: establish a definition for the term "chronic offender" based on a threshold number of offences committed over a distinct period of time; establish the principle in bail hearings that being a chronic offender is prima facie proof that section 515(10)(b) and (c) of the Criminal Code have been satisfied; place the onus on a chronic offender who is facing a bail refusal application to show cause why they should be given judicial interim release; remove the sentencing principle established in the Criminal Code that requires sentencing judges to consider alternatives to incarceration if the case in questions relates to the sentencing of a chronic offender, and mandate every increasing sentences of incarceration in cases involving chronic offenders for the specific purpose of decreasing victimization.

**Target Date for Completion:** ongoing

**Sponsor/Champion:** Law Amendments Committee and D/C Warren Lemcke

**Summary of progress since initiation:**

Association has sent letters outlining CACP resolutions and issues to the Ministers of Public Safety and the Minister of Justice and Attorney General.

**October 2008 – February 2009**

Discussed at January Justice symposium with judiciary and heads of prosecutions. A report is being prepared by the Vancouver Police Department.

**March – July 2009**

The Vancouver Board of Trade recently made a presentation to the Justice Committee in Ottawa and sent a letter to Minister Nicholson expressing their concerns around the issue of Chronic Offenders. They received a letter back indicating FPT ministers are still looking at the issue.

The Vancouver Police Department Planning and Research Section, along with Sergeant Ruben Sorge are continuing to look at this issue to develop wording for a recommended legislative change to 718 of the Code to provide a legislative framework by which Judges can consider and apply "escalating sentencing".

**August – October 2009** No change in status.

**November 2009 – February 2010** Issue to be discussed at the CACP Criminal Justice System Conference, April 19-20, 2010



**Resolution: 2008-09 Chronic Offenders continued**

**March – June 2010**

No change in status.

**July – November 2010**

VPD Chronic Offender Unit was created to work with prosecutors to prevent prolific offenders from being released on bail, and obtaining “escalating sentences”. Preliminary evidence indicates that when chronic offenders are in jail, the crime rate goes down in relation to specific property crimes.

A Criminal Code amendment is required to provide a legislative avenue by which the Court can more effectively sentence chronic offenders. In particular, a specific amendment related to sentencing pursuant to s. 718.2-Other Sentencing Principles and/or s.727-Previous Conviction needs to be developed and reviewed. The CACP can provide the necessary leadership to facilitate a viable amendment and to bring that amendment before the Federal Government and Ministry of Justice for consideration.

**November 2010 – February 2011**

The VPD Chronic Offenders Unit utilizes significant resources to closely monitor its offenders and lobby for escalating sentences. Although this has been a resource intensive process, a noticeable increase in sentencing results has been observed. However, in the absence of this intensive monitoring, an expectation that sentencing results would return to previous levels remains. A more concrete legislative formulation addressing the long term criminality that typifies these offenders may provide a more adequate and long term solution that is not dependent on exhaustive resource requirements. Work continues in this area as results are analyzed.

**March – June 2011**

No change in status.

**July - October 2011**

No change in status.

**November, 2011 - February, 2012**

No change in status.

**March - June, 2012**

No change in status.

## 2007 Resolutions

<b>Resolution: 2007-06</b> <b>Lawful Access to Encrypted Electronic Media</b>	
<b>Resolution Summary:</b> <p>The Canadian Association of Chiefs of Police calls upon the Government of Canada through the Minister of Justice and Attorney-General to amend the Criminal Code to provide a requirement which would compel parties to provide electronic encryption keys to data under their care and control during the execution of a lawful search, and;</p> <p>Further, that the Canadian Association of Chiefs of Police calls upon the Government of Canada through the Minister of Justice and Attorney-General to amend the Criminal Code of Canada so as to create an offence for failing to comply with an order to provide a password or encryption key as aforesaid, which offence would be punishable by the same penalty as the subject offence under investigation.</p>	
<b>Target Date for Completion:</b> ongoing	<b>Sponsor:</b> e Crime and Law Amendments <b>Champion:</b> S/Sgt. Marc Moreau, RCMP
<b>Summary of progress since initiation:</b> <ul style="list-style-type: none"> <li>▪ The Law Amendments Committee, the Organized Crime Committee and the National Security Committee continue their advocacy efforts at every opportunity. The LAES (Lawfully Authorized Electronic Surveillance) sub-committee continues to liaise with officials at Public Safety Canada.</li> <li>▪ Efforts to raise awareness in the context of internet child exploitation underway through E-Crime Committee</li> <li>▪ The initiative, because of its complexity and several related components, poses significant challenges from a public communication perspective.</li> <li>▪ The present minority government environment means that the MITA Bill (or its equivalent) is unlikely to be introduced in this Parliament. Even when introduced considerable public and private advocacy will be required to address expected privacy, industry and civil society concerns</li> <li>▪ At the January meeting of the LAC, committee members agreed that this initiative required an infusion of expert advice to assist in reinvigorating government enthusiasm and creating a comprehensive communication strategy in support of the initiative. Recommendation made to the Board of Directors made to consider retaining the services of a government relations/communications strategist to work with the committees relevant to the Lawful Access initiative on a project basis.</li> <li>▪ LAC appeared as an intervenor on R v Tele-Mobile. The Supreme Court of Canada s dismissed the appeal by Telus. The Court determined that the existing scheme permits ex parte applications for production orders. Furthermore, the Court concluded that a Judge may only have regard to the financial cost of complying with the production order on a subsequent motion for exemption. Finally, the Court agreed with the decision of the original application judge that an exemption should only be granted if compliance with the production order would be unreasonable.</li> </ul> <p><b>April – July 2008</b></p> <ul style="list-style-type: none"> <li>▪ Issue paper on lawful access prepared for CACP membership</li> <li>▪ Letter sent to Ministers Nicholson and Day requesting government to announce its intention to introduce Lawful Access legislation in the next session of Parliament.</li> </ul> <p><b>August – October 2008</b></p> <ul style="list-style-type: none"> <li>▪ Issue paper distributed and is under discussion to determine the best way to move this issue forward.</li> </ul> <p style="text-align: right;">Cont'd on next page</p>	

**Resolution: 2007-06 Lawful Access to Encrypted Electronic Media continued**

**October 2008 – February 2009**

- CACP position paper on lawful access finalized and presented to the Board of Directors in November 2008.
- Engaged Board approved communications advisor to provide guidance on publicizing this issue
- BC Solicitor General and Minister of Public Safety, John van Dongen briefed on issue by Clayton Pecknold. Has advised he will be taking issue forward to federal government.
- Letters sent to Ministers Van Loan and Nicholson

**March – July 2009**

On June 18, 2009, the government introduced lawful access legislation in two bills. The first, Bill C-46, is titled *Investigative Powers for the 21<sup>st</sup> Century (IP21C) Act*, and the second, Bill C-47, is titled *Technical Assistance for Law Enforcement in the 21<sup>st</sup> Century Act*.

**August - October 2009**

The Investigative Powers of the 21st Century (IP21C) Act (introduced as Bill C-46) will ensure that law enforcement have the tools to fight crime in today's modern environment by updating certain existing offences as well as creating investigative powers to effectively deal with crime in today's computer and telecommunications environment.

The Technical Assistance for Law Enforcement in the 21s Century Act (introduced as Bill C-47) will require service providers to include interception capability in their networks. Requirements to obtain court orders to intercept communications will not be changed by this Act, which will require service providers to supply basic subscriber information to law enforcement agencies and the Canadian Security Intelligence Service on request.

Bills C-46 and C47 do not address this Resolution. The proposed legislation would not compel parties to provide electronic encryption keys to data under their care and control during the execution of a lawful search or make it an offence for those who fail to comply with an order to provide a password or encryption key.

**November 2009 – February 2010** No change in status.

**March – June 2010**

The FPT (Federal, Provincial and Territorial) CyberCrime working group has been tasked with determining the impact of encryption when investigating an offence. The Deputy Ministers have placed this research report on a fast track system. The subcommittee will be developing a new survey to collect information from police and prosecutors on this issue.

**July – November 2010**

On September 30, 2010 Vince Westwick and Peter Cuthbert met with A/Deputy Minister Richard WEX and Justice officials on Bills C46 and C47. New contacts established within government departments

On November 5, 2010 Chief William Blair participated in a media event in Ottawa with Public Safety officials and Minister Nicholson to announce the renewal of Bills C-46 and C-47.

**November 2010 – February 2011**

Government has not responded with a legislative solution to the problem of encryption in Canada. This issue remains a high priority for the LEAS subcommittee of LAC.

**March – June 2011** No change in status.

Continued on next page

**Resolution: 2007-06 Lawful Access to Encrypted Electronic Media continued**

**July – October 2011**

Discussed at the recent e-Crime Committee meeting October 6/7, 2011. This matter will be further discussed at the upcoming FPT Cyber Crime working group meeting in November.

**November, 2011 - February, 2012**

This matter was raised at the FPT Cybercrime meetings in Halifax in November, 2011. It was decided that a preliminary summary document of the impacts of encryption on criminal investigations be prepared and further work be conducted to determine what information could be collected through existing systems to support this initiative.

**March - June, 2012** No change in status.

**Resolution: 2007-10 Disposition of Property Seized under the CDSA**

**Resolution Summary:**

The Canadian Association of Chiefs of Police recommends that the Minister of Health and the Minister of Justice continue to move the legislative amendment process forward as a priority in order to allow for safer, faster, more efficient handling and disposition of goods seized under the CDSA, including a provision to allow Law Enforcement to authorize the expedited destruction of goods, other than drugs, seized from illicit drug production operations.

**Target Date for Completion:** ongoing

**Sponsor:** Drug Abuse Committee

**Champion:** Chief Barry MacKnight & Thomas Bucher, RCMP

**Summary of progress since initiation:**

HC Working Group has been meeting over the last 2 years and it appears that the feedback and suggestions from the police community are being reflected in the amendment proposals to date.

Office of Controlled Substances is the division within HC that has been handling the file. The file has not progressed since the last consultations in October of 2007 due to internal resource issues. DAC will be sending a letter to the Minister to reiterate the importance of the issue and to request that the matter be properly resourced

**April – July 2008** No change in status.

**August – October 2008** No change in status.

**October 2008 – February 2009** Letter sent to Health Minister Tony Clement. No response to date.

**March – July 2009**

Letter sent to Minister Aglukkaq requesting update and meeting on this issue and others.

**August – October 2009**

No change in status. Chief MacKnight will be raising this issue again with the HC technical advisor at the DAC meeting in Toronto on Nov 25, 2009.

**November 2009 – February 2010**

DAC sub-committee formed at 25 Nov 09 meeting in Toronto to address this priority. Action plan developed at 25 Nov meeting. Action plan currently being addressed

**March – June 2010**

- DAC Subcommittee will be presenting a report to the DAC in August

Cont'd on next page

**Resolution: 2007-10 Disposition of Property Seized under the CDSA cont'd**

**July – November 2010**

Some interest has been generated by the FTP committee on Organized Crime. Public Safety Canada has agreed to try to advance the issue from their perspective. We will be briefed on the issue at the Nov 22-23, 2010 DAC meeting in Ottawa.

**November 2010 – February 2011**

Public Safety Canada and Health Canada have agreed that this issue will be advanced by Public Safety Canada in preparation for a legislative amendment.

**March – June 2011**

Letter sent to Minister of Public Safety in appreciation of their action in moving this issue forward.

**July - October 2011** No change in status.

**November, 2011 - February, 2012** No change in status.

**March - June, 2012**

Public Safety provided funds to Health Canada in 2011 for a research report to assess the costs to law enforcement and other agencies for the storing and disposition of offense-related property under the CDSA. This work was completed in December. The final document provided a general snapshot of the issues surrounding this regime from a number of perspectives.

Public Safety is gathering information from CBSA to supplement the report. At the same time, Health Canada is working to refine the document to share with a working group for the development of options. This issue may be considered as part of anticipated "modernization" reforms to the CDSA more generally.

## 2006 Resolutions

<b>Resolution: 2006 -02 Non-returnable Warrants</b>	
<b>Resolution Summary:</b> The Canadian Association of Chiefs of Police urges the Minister of Justice to create or amend legislation to provide for the return of offenders for who warrants of arrest are issued to originating jurisdictions.	
<b>Target Date for Completion:</b> Ongoing	<b>Sponsor:</b> Organized Crime and Law Amendments <b>Champions:</b> Chief Jim Chu and D/C Warren Lemcke
<b>Summary of progress since initiation:</b> <ul style="list-style-type: none"><li>▪ Minister of Justice briefed in 2006 by LAC Chairs and Chief Ewatski</li><li>▪ Minister of Public Safety briefed by Chief Graham in 2006</li><li>▪ Matter raised by F/P/T Ministers</li><li>▪ F/P/T working group examining</li><li>▪ BC Solicitor General supporting with Federal Colleagues</li><li>▪ Chief Chu briefed Minister of Justice and Minister of Public Safety in 2007</li><li>▪ Community policing centers have launched a petition drive</li></ul>	
<b>April – July 2008</b> Vancouver Police Department has developed and implemented model policies and procedures	
<b>August – October 2008</b> The Vancouver Police Department continues to return people to the jurisdiction that issued the warrant. They are soliciting funding from the Provincial Government to continue the program. The Victoria PD has been very active as well and has sent several people back, using funds donated by the private sector. The program is expanding in BC with several other jurisdictions expressing interest.	
<b>October 2008 – February 2009</b> No change in status.	
<b>March – July 2009</b> No change in status.	
<b>August – October 2009</b> The Conair nonreturnable warrant program continues to expand. The Province of BC recently provided \$40,000 in funding to the VPD for the program. Victoria Police are an active participant.  B.C and Alberta have developed an MOU with regard to dealing with non returnable warrants between the 2 provinces. Other agencies across Canada are getting involved and cooperating in bringing these fugitives to Justice.  The government has proposed legislation to deal with the issue of persons fleeing a jurisdiction when they know they have a warrant for their arrest.	
<b>November 2009 – February 2010</b> The Conair program achieved a significant milestone in January with its 50 <sup>th</sup> arrest. The program continues to proceed in the Vancouver area, Victoria and with interest in other Lower Mainland jurisdictions. Alberta and BC are aggressively dealing with these matters.	
Cont'd on next page	

## Resolution: 2006 -02 Non-returnable Warrants continued

### March – June 2010

BC has established a working group and has held initial meetings to study the implementation of the Con Air program province wide. It is encouraging to see that agencies and detachments from throughout the province will potentially be able to participate in the program. The program continues to be successful, with other Lower Mainland agencies now participating and returning offenders to justice. It is also encouraging to note that when contacted about offenders wanted on their non-returnable warrants, many agencies in the country are assessing and expanding the radius of warrants to allow for an expeditious return.

### July – November 2010

- The CACP is as a key stakeholder in developing Bill C -315 which, as a proposed amendment to the Criminal Code, addresses fugitives who leave a province to avoid a warrant of arrest or committal.
- The VPD has continued to arrest fleeing fugitives and return them to the jurisdiction issuing the warrant. Over the past 2 years the VPD has conducted over 100 arrests and 70 offenders have been returned. Other police agencies have also conducted arrests and transports. The legal viability of the arrest process pioneered by the VPD has been firmly established.
- The BC/Alberta Return of Fugitives Pilot Project has demonstrated that, through formalized cooperation and communication, arrests and transportation of fugitives between provinces can be efficiently conducted in a cost effective manner.
- A BC Provincial Con Air program is being developed with the support of the RCMP and Municipal police agencies, along with Crown, Sheriffs and BC Police Services to ensure that patrol officers across BC have an arrest "tool" available to them when they meet fleeing fugitives wanted for serious crimes in other provinces.
- Bill C-315 remains before Parliament. The arrest and transport process continues to be refined. A more robust national transportation process and a formalized arrest protocol focusing on cooperation and communication between police agencies across Canada is still required. The CACP can provide the necessary leadership and policy direction required to potentially resolve these two significant impediments.

### November 2010 – February 2011

As part of a continued commitment to arrest and return fleeing fugitives the VPD continues to spearhead two initiatives:

- BC Provincial Fleeing Fugitives Initiative: The RCMP (E Division) and all Municipal Police Departments are working to implement a provincially funded program to identify, arrest and transport offenders from across British Columbia. A Committee continues to meet and discuss rollout, training and identification of key positions including a funded RCMP coordinator.
- An Alberta/BC Fleeing Fugitive Initiative also demonstrated that arrests and transport of offenders can be achieved between provinces in a cost effective and efficient manner and a 1 year review report has been submitted. This successful initiative is premised on strict adherence to agreed upon arrest criteria (violent crime, serious crime, gang crime) and on ensuring robust partnerships and cooperation among all police agencies (Calgary, Edmonton, Victoria and Vancouver) and respective Crown Counsel agencies.
- Work continues towards fully implementing an arrest and return process for fleeing fugitives in BC while also continuing to expand the program into Alberta and other provinces, thereby enhancing community safety and public support.
- Bill C-315, An Act to amend the Criminal Code (leaving province to avoid warrant of arrest or committal), remains in first reading before the house.

### March – June 2011

- No change in status.

Cont'd on next page

## Resolution: 2006 -02 Non-returnable Warrants continued

### July - October 2011

The VPD continues to work with the RCMP (E Division) on the development of the BC Provincial Fugitive Return Program (FRP). The FRP coordinator is now in place. The VPD and other stakeholders on the committee are working with the RCMP and the FRP coordinator to develop an MOU and other policies and procedures. The VPD CONAIR Unit is providing assistance to the FRP. The VPD CONAIR Unit has to date transported 91 persons wanted on "non-returnable warrants."

Bill C-315, An Act to amend the Criminal Code (leaving province to avoid warrant of arrest or committal), has to date received first reading in four sessions of Parliament, the last in 2009. The Bill has not been presented in Parliament since. Further discussions on this issue will occur at the Law Amendments Committee.

### November, 2011 - February, 2012

The government of BC has now developed a province wide program for the return of fugitives wanted in other jurisdictions on limited radius warrants. This program, based on the success of the Vancouver PD Conair program, will allow police officers from across the province to arrest and process these criminals for return, based on a preset criteria. The success of the program will be evaluated and information will be provided to other agencies across the country. As well, a key component of the program will be a focus on changes to legislation to prevent people from fleeing jurisdictions to avoid justice.

### March - June, 2012

The BC Provincial Fugitive Return Program is running very well with people with warrants who have fled the originating jurisdiction now be located and returned from throughout the province. They will be looking at legislative issues in the future

## Resolution: 2006-04 Scheduling of Criminal Organizations

### Resolution Summary:

The Canadian Association of Chiefs of Police urges the Minister of Justice to create or amend legislation to provide for the scheduling of proven criminal organizations within the *Criminal Code of Canada*.

**Target Date for Completion:** Ongoing

**Sponsor:** Law Amendments and Organized Crime

**Champion:** Vince Westwick & Mike Cabana

**Contact:** Sandy Harvey

### Summary of progress since initiation:

- The FPT working group on organized crime discussed this Resolution in February 2008 and will be meeting in April 2008 to commence the analysis of scheduling of criminal organizations in the Criminal Code and other organized crime law reforms proposed by the CACP and the Government of Manitoba.

### April – July 2008

- The Scheduling initiative was presented to the FPT Ministers as part of the larger Organized Crime law reform process. They have agreed to the concept in principle and have moved the item forward as part of phase 2 of their law reform initiatives. It is anticipated that dialogue on implementation of the phase two items will take place at the fall 08 meeting.



**Resolution: 2006-04 Scheduling of Criminal Organizations continued**

**August – October 2008** No change in status.

**October 2008 – February 2009** No change in status

**March – July 2009**

On May 26th, 2009 Lt Serge Vandal, SQ, officer in charge of the Organized Crime Intelligence Unit, Jocelyn Latulippe, SQ, Chief Inspector and Director of the Criminal Investigation Services Branch, Insp. Gary Shinkaruk, RCMP, Officer in Charge Project E-Pandora, and Supt Michel Aubin, RCMP, Director Federal & International Operations appeared before the Standing Committee of Justice and Human Rights to discuss the scheduling or listing of criminal organizations.

Currently, courts require the tying of the offence to the criminal organization and further the need to adduce the evidence pertaining to the crime itself; the need to demonstrate the criminal organization is a criminal organization as per 467 CC; and the need to link the offence to the criminal organization. The law enforcement representatives suggested that once a criminal organization has been designated as such through a criminal trial, that this designation be recognized nationally so as to avoid having to repeat the process in future.

Christopher Mainella, Public Prosecution Service of Canada did not support the scheduling of criminal organizations and suggested alternative options, including:

- Include the presentation of evidence from a previous judicial finding about a particular group for a judge to consider as evidence for an ongoing trial.
- Having Parliament declare that the issue of whether a group is a criminal organization is a question of law, so that at least a jury would not have to be tied up listening to such evidence for days or weeks. Such matters could be decided by a judge prior to trial under subsection 645(5) of the Criminal Code."

Professor Kent Roach (Pritchard-Wilson Chair, Faculty of Law, and University of Toronto) also did not support the scheduling of criminal organizations. He suggested that recommendations by Lesage and Code would remedy the problems identified by the law enforcement representatives in regards to lengthy, complex criminal organization trials. Further study is planned for the fall of 2009.

**August – October, 2009** No change in status

**November 2009 – February 2010** No change in status.

**March – June 2010** No change in status.

**July – November 2010** No change in status

**November 2010 – February 2011** No change in status

**March – June 2011** No change in status.

**July - October 2011** No change in status.

**November, 2011 - February, 2012** No change in status.

**March - June, 2012** Concluded. Per Warren Lemke.