



## CACP Resolutions Status Report July 2009

This status report summarizes CACP Committee activities between March and July, 2009 on active 2006, 2007, and 2008 resolutions. One resolution, 07-2006 *Missing Persons Policies*, has been concluded. All other resolutions remain open.

During the period February – July, 2009, The CACP National Office received a letter from the Hon. Rob Nicholson, Minister of Justice and Attorney General indicating support for the progressive policing principles set out in Resolution 2008-7. He also suggested that the CACP consider communicating with the provincial jurisdictions who have not enacted their own Uniform Law Conference of Canada (ULCC) legislation to advocate that they enact that legislation. He also highlighted how various government ministries have, and continue to support of various resolutions.

On May 25, President Chabot met with the Minister of Public Safety Canada, the Hon. Peter Van Loan to address interoperability, the National Framework for Progressive Policing, lawful access and First Nations Policing and Civil unrest.

Letters were sent to the Prime Minister and the Ministers of Justice and Public Safety reinforcing the need to introduce effective lawful access legislation that balances the needs of law enforcement and national security investigations with the privacy rights of Canadians. The new lawful access legislation was introduced to the House of Commons June 23, 2009. A letter thanking the Ministers for the efforts was sent shortly thereafter.

The CACP received a letter from Minister Rick Bartolucci, Ontario Ministry of Community Safety and Correctional Services. He highlighted efforts of his Ministry in support of CACP resolutions and indicated his Ministry's ongoing support for the CACP's efforts.

Also of note, the Major City Mayors developed and submitted to the Federal and Provincial Governments, a resolution in support of the CACP resolution on chronic offenders.

## 2008 Resolutions

**Resolution: 01-2008 Improving Public Safety Voice Communications Interoperability**

**Resolution Summary:**

The CACP requests that the Government of Canada recognize the Canadian Interoperability Technology Interest Group (CITIG) as the national representative of public safety personnel whose mandate it is to improve public safety voice communications interoperability, and requests the Government, through Public Safety Canada, to fully support the Canadian Interoperability Technology Interest Group within the federal government in developing a national strategy, and

The CACP requests that the Government of Canada commit financial, policy, and other human resources in Public Safety Canada in partnership with the Canadian Interoperability Technology Interest Group to provide vision and leadership as required to accomplish voice communications interoperability amongst public safety agencies across Canada.

**Target Date for Completion:** April 30, 2009

**Sponsor/Champion:** Informatics Committee  
Clive Weighill & Eldon Amoroso

**Summary of progress since initiation:**

The resolution has now been passed by the all three participant organizations - CACP (August 26, 2008); EMSCC (May 28, 2008); (September 24, 2008). We plan to work with the CPRC and CITIG to develop an approach that is acceptable to Police, Fire and Emergency Services. Our approach will be made to Public Safety Canada once the re-elected government has a chance to stabilize and set directions.

**October 2008 – February 2009**

- Over 300 individuals have registered to become members of CITIG.
- CITIG has become a forum for stakeholders to contribute their knowledge and expertise to the development of an "Interoperability Roadmap" for Canada. Funding from Public Safety Canada will enable the creation of a DRAFT Canadian Communications Interoperability Plan by March 31, 2009.
- A Vendor Outreach Forum (VOF) was held at the Toronto Conventions Centre on October 8 and 9, 2008, in partnership with the Canadian Advanced Technology Alliance ([www.cata.ca](http://www.cata.ca)). The Forum, with speakers from a broad spectrum of Public Safety, addressed all aspects of interoperability (voice, data, emergency management, in building location, etc.).
- CITIG is the first organization to become an international member of the National Public Safety Telecommunications Council (NPSTC) in the United States.
- CITIG has won both National and International awards (Canadian Wireless Telecommunications Association & International Association of Chiefs of Police).
- Organizations partnered to bring approximately 20 first responders from EMS, fire, police, provincial agencies and federal departments to begin developing the Canadian Communications Interoperability Plan.
- The Second National Voice Interoperability Workshop was held in Toronto in December 2008. The Joint Resolution was signed and the first draft of the Canadian Communications Interoperability Plan unveiled.

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## Resolution: 01-2008 Improving Public Safety Voice Communications Interoperability cont'd

### March – July, 2009

The CITIG has been working with the Canadian Council of Emergency Measures Organizations (CCEMO) and the Senior Officials Responsible for Emergency Management (SOREM) — asking them to take responsibility for governance of the CCIP.

The first Canada-US Cross Border Interoperable Communications Workshop was held May 13-15 in Niagara Falls, NY, in collaboration with the U.S. Department of Homeland Security's Office of Emergency Communications (OEC) and Public Safety Canada. Efforts focused on finalizing the draft CCIP, and addressing administrative, operational and organizational barriers and opportunities to improve cross-border interoperability and public safety practices in both countries.

On May 25<sup>th</sup>, 2009 a delegation from the CACP, led by President Steven Chabot, met with the Minister of Public Safety, Peter Van Loan and providing a briefing on interoperability and related issues to the Minister.

A draft CITIG Strategic Plan is under review by CACP, CAFC and EMSCC. The document identifies strategies to guide CITIG's efforts in the foreseeable future, including:

- establish the CITIG as the key facilitator and catalyst to improve public safety interoperability in Canada.
- facilitate the implementation of the Canadian Communications Interoperability Plan on behalf of Public Safety Canada and Canadian responders.
- Identify the governance structure to make CITIG a sustainable, appropriately resourced and formalized entity (i.e. transitioning from genesis phase to a more sustainable structure that includes a clear governance structure).

Regional forums were held in Victoria and Winnipeg. Another regional forum is planned for Whitehorse, YK on September 24<sup>th</sup>, 2009.

The Third National Voice Interoperability Workshop will be held Nov 15 - 18, 2009 in Halifax, Nova Scotia.

**Resolution: 02-2008 National Responsibility Centre for Community Safety, Health & Wellbeing**

**Resolution Summary:**

The CACP calls upon the federal/provincial/territorial governments to collaborate in creating a new national responsibility centre for community safety, health and well-being, with a mandate to harness existing evidence-based knowledge, serve as a policy coordination body for all orders of government and a resource centre to support community based strategies and partnerships to achieve safe and healthy communities

**Target Date for Completion:** not yet established

**Sponsor/Champion:** Crime Prevention Committee

**Summary of progress since initiation:**

Resolution sent to Minister of Public Safety. Provincial/territorial Ministers Responsible for Justice, members of Coalition on Community Safety, Health and Well-being. No response to date.

**October 2008 – February 2009**

- An article on 09 February 2009 by Tonda MacCharles, Ottawa Bureau, *The Star*, reported that less than half of the \$43 million budgeted for 2007-2008 for crime prevention projects was not spent by Public Safety Canada. The Crime Prevention Committee is planning to make representations to the Opposition parties and the Minister of Public Safety and will work with the National Office to arrange appropriate meetings.

**March – July, 2009**

- No response from the federal government. Crime Prevention Committee has draft a resolution, also calling for a responsibility centre, to be considered by CACP members at the CACP AGM 2009.

**Resolution: 03-2008 National Poverty Reduction Strategy**

**Resolution Summary:**

The CACP calls upon all levels of government to collaborate in developing a comprehensive, multi-faceted national poverty reduction strategy as a key plank in creating safe, healthy, inclusive communities in which our citizens can reach their potential as parents, community members and contributors to Canada's economic and social fabric.

**Target Date for Completion:** ideally included in 2009 budget

**Sponsor/Champion:** Crime Prevention Committee

**Summary of progress since initiation:**

Resolution sent to Minister of Public Safety, provincial/territorial Ministers Responsible for Justice, members of Coalition on Community Safety, Health and Well-being. No response from governments to date. The Canadian Council on Social Development, Church Council on Justice and Corrections and other Coalition partners further disseminated the resolution with their covering messages of support for resolution and CACP position.

**October 2008 – February 2009**

- No change in status.

**March – July, 2009**

- No response from governments. Crime Prevention Committee members attended and spoke to the issue of poverty and its links to crime and victimization at the Canadian Council on Social Development's Social Forum on Poverty in Calgary in May 2009. This item will form part of the 2009 Conference programme.

<b>Resolution: 04-2008 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> Commissioner Julian Fantino Ontario Provincial Police
<p><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.</p> <p><b>October 2008 – February 2009</b> No change in status.</p> <p><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.</p>	
<b>Resolution: 05-2008 Ontario Sex Offender Registry Legislation and Software Application be Considered as a Model at the National Level</b>	
<b>Resolution Summary:</b> The CACP urges the Federal Government to provide the program development, implementation and maintenance costs required to support Municipal and Provincial Police Services in implementing the National Sex Offender Registry, using Ontario as a model, and calls upon the Minister of Justice and Attorney-General and the Minister of Public Safety to conduct a review and consider adoption of Ontario's Sex Offender legislation and software application as a model to maximize public safety in all of Canada's provinces.	
<b>Target Date for Completion:</b> ongoing	<b>Sponsor/Champion:</b> Commissioner Julian Fantino Ontario Provincial Police
<p><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.</p> <p><b>October 2008 – February 2009</b> No change in status.</p> <p><b>March – July, 2009</b> In June, 2009, the Public Safety Minister, the Hon. Peter Van Loan and the Hon. Jean-Pierre Blackburn, Minister of National Revenue noted that police and victim groups had identified significant shortcomings in the current sex offender registry, and announced proposed legislative amendments to strengthen the National Sex Offender Registry and the National Data Bank.</p>	

**Resolution: 06-2008 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 Julian Fantino  
Ontario Provincial Police

**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**

No change in status.

**March – July, 2009**

A Steering Committee that includes C/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.

**Resolution: 07-2008 The Six Principles of Modern Policing: Establishing the Foundation for a National Framework for Progressive Policing in Canada**

**Resolution Summary:**

The CACP urges its members and their agencies to collectively adopt the six principles of the National Framework for Progressive Policing in Canada, and calls upon the policy makers at all three levels of government to consider the six principles as the foundation upon which all discussions and reviews of current legislation and policies related to policing, public safety and criminal justice administration should proceed in the future, and that the Board of Directors of the CACP be immediately empowered, in the manner and timing which it may deem appropriate, to undertake such subsequent steps as: public communication of the six principles; identification of current and projected obstacles to their realization; the engagement of policing stakeholders at all levels toward resolving these barriers; working with policy makers to interpret the ongoing legislative and policy implications of the six principles, and whatever additional steps it deems necessary to advance the application of the six principles toward the development of a sustainable National Framework for Progressive Policing in Canada.

**Target Date for Completion:** ongoing

**Sponsor/Champion:** NFPP Special Purpose Body  
Chief Jack Ewatski (Rtd), Chair

**Summary of progress since initiation:**

The NFPP Special Purpose Body is meeting on November 13th to draft a strategy for next steps which will be presented to the CACP Board of Directors on November 29th. If accepted at this Board meeting the strategy will be initiated.

The Chairman anticipates it will entail a strategy to communicate this issue, including the confirmed principles, to the three levels of government, governance bodies, and other interested parties

**October 2008 – February 2009**

- Presentation made to Board of Directors.
- Issue discussed at meetings with CAPB, CPA, and FCM.
- The Special Purpose Body is planning a May 2009 Summit.

**March – July, 2009**

- NFPP Summit was held in Ottawa May 12 with representatives from the CACP, CPA, CAPB, FCM and Public Safety Canada in attendance. A full day discussion took place regarding development of a strategy for moving the NFPP onto the agenda of the three levels of government. The working group established to work on this strategy will meet on July 28 and will report back to the Summit group in the fall of 2009.

**Resolution: 08-2008 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, a sub-committee of the Criminal Intelligence Service Canada (CISC) National Executive Committee (NEC)

**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 have 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 will therefore not be able to proceed with the planned CCIM resolution at the 2009 conference.

Submitted by Carol Ann Gendre, Project Manager, CCIM



**Resolution: 09-2008 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 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 with an eye to developing wording for a recommended legislative change. We are looking to develop a strategy to address legislative change in relation to 718 of the Code. We would be looking to do this in order to provide a legislative framework by which Judges would be able and willing to enter into "Escalating Sentencing" in the case of incorrigible offenders.

**Resolution: 10-2008 Drug Evaluation and Classification Program**

**Resolution Summary:**

The CACP recognize the Drug Evaluation and Classification (DEC) Program currently under the stewardship of the RCMP as being the sole approved training for SFST, DRE, and DRE Trainers for Canadian police personnel.

**Target Date for Completion:** ongoing

**Sponsor/Champion:** Traffic Committee

**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**

**Background**

On July 2, 2008 the drug impaired driving provisions of Bill C-2 came into effect. The regulations regarding this Bill outline the program and training requirements based on the IACP Drug Recognition Program.

DEC Program oversees all Canadian training for Drug Recognition Experts (DRE) and Standard Field Sobriety Testing (SFST). This training is all conducted in Canada, with the exception of the DRE Certification Training which is carried out at the Maricopa County Detention Centre in Phoenix, Arizona. This facility is also utilized by numerous American police agencies for DRE certification.

**CURRENT STATUS:**

There are currently 321 certified DRE police officers in Canada representing more than 50 police agencies from all provinces. There are nearly 3,000 Canadian police officers trained in SFST techniques.

Currently there are 190 drug impaired driving charges before the courts. To date, only 1 charge has been settled by way of a guilty plea.

In order to improve the collection of data concerning drug impaired driving and to facilitate research to combat this problem, the DEC Program is working with the RCMP Chief Information Office to develop an electronic data capture tool for all Canadian police agencies to utilize. It is anticipated that this tool will be on-line in April 2009.

The DEC Program National Coordinator is working through the CACP Traffic Committee with the Ontario Provincial Police in hopes of identifying a Canadian site in Ontario for DRE certification training.

**March – July, 2009**

No change in status.

## 2007 Resolutions

<b>Resolution: # 03-2007</b> <b>Resolution Calling Upon the Federal Government to Increase Funding For DNA Analysis</b>	
<b>Resolution Summary:</b> The Canadian Association of Chiefs of Police urges the Minister of Public Safety to fund the Forensic Science and Identification Section (FS & IS) of National Police Services to a level that will enable them to achieve a capacity to meet the demands placed upon it by Canadian Police officers carrying out their duties of protecting life and apprehending criminals and meeting the initiative of the Government of Canada.	
<b>Target Date for Completion:</b> ongoing	<b>Sponsor:</b> National Police Services <b>Champion:</b> Derek Egan
<b>Summary of progress since initiation:</b> <ul style="list-style-type: none"> <li>▪ We held an NPS Committee meeting in Ottawa in February. We are addressing two significant issues: Firearms Revocation and Computer Forensics. Either or both may result in recommended resolutions, but considerable more background development is required. We intend to hold a teleconference in April and a face to face meeting in May at which time if we are proceeding with a resolution it will be available to meet the 1 June deadline.</li> </ul> <p><b>April – July 2008</b>          The Federal Government has released funding to meet the C13/18 legislation requirements. At this time, we (FS&amp;IS and Department of Public Safety) are working on a Memorandum to Cabinet (MC) which will address funding issues for all DNA related activities within the RCMP and other jurisdictions.</p> <p><b>August – October 2008</b>          Government preparing Memorandum to Cabinet. Delays anticipated due to election.</p> <p><b>October 2008 – February 2009</b>          No change in status.</p> <p><b>March – July, 2009</b>          No change in status. Due to retirement of Derek Egan, Gerry Lynch will be i/c until the August meeting.</p>	

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

**Resolution Summary:**

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;

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.

**Target Date for Completion:** ongoing

**Sponsor:** e Crime and Law Amendments  
**Champion:** Clayton Pecknold

**Summary of progress since initiation:**

- 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.
- Efforts to raise awareness in the context of internet child exploitation underway through E-Crime Committee
- The initiative, because of its complexity and several related components, poses significant challenges from a public communication perspective.
- 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
- 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.
- 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.

**April – July 2008**

- Issue paper on lawful access prepared for CACP membership
- Letter sent to Ministers Nicholson and Day requesting government to announce its intention to introduce Lawful Access legislation in the next session of Parliament.

**August – October 2008**

- Issue paper distributed and is under discussion to determine the best way to move this issue forward.

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**Resolution: # 06-2007 Lawful Access to Encrypted Electronic Media cont'd**

**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*.

**Resolution: # 08-2007  
Organized Crime Law Reform**

**Resolution Summary:**

The Canadian Association of Chiefs of Police support the efforts of the AG of Manitoba and Urge the Government of Canada to endorse the Manitoba proposals for federal law reform targeting Organized Crime.

**Target Date for Completion:** ongoing

**Sponsor:** Organized Crime & Law Amendments  
**Champion:** Mike Cabana and Clayton Pecknold

**Summary of progress since initiation:**

- In November 2007 the issues identified were presented to FPT Ministers who endorsed the recommendations regarding first degree murder for gang-related homicides; reform of the gang recognizance provisions under section 810.01 of the Criminal Code; creation of a new drive-by shooting offence with a mandatory minimum penalty of 4 years imprisonment for a first offence; and dealing with gang recruitment through targeted use of the amended 810.01 orders and further monitoring of existing provisions in the Criminal Code (e.g., the criminal organization participation offence).
- Ministers unanimously urged quick action by the federal Minister to implement these recommendations.
- The remaining issues identified in the Resolution have been tabled for the next meeting of the FPT working group on Organized crime scheduled for April 08.

**August – October 2008**

- No change in status.

**October 2008 – February 2009**

- No change in status.

**March – July, 2009**

- Joint meeting held with Organized Crime Committee. Bill C-14 received Royal Assent June 23, 2009

**Resolution: # 09-2007**

**Canadian Law Enforcement Strategy to Combat Organized Crime**

**Resolution Summary:**

That the Canadian Association of Chiefs of Police support the efforts of the CACP OCC, via the Council on Public Security, in the development and implementation of the integrated intelligence-led Canadian Law Enforcement Strategy to Combat Organized Crime.

**Target Date for Completion:** Ongoing

**Sponsor:** Organized Crime & Law Amendments

**Champions:** A/Commr. Mike Cabana, RCMP

**Summary of progress since initiation:**

- 2005: Development of the CACP Organized Crime Committee (OCC) Canadian Law Enforcement Strategy to Combat Organized Crime (OC)
- 2006: CISC NEC Support the Development of a Canadian Criminal Intelligence Model (CCIM) to Enhance Integration and Intelligence-Led Policing; CISC NEC supports operationalizing the Integrated Provincial Threat Assessments and National Threat Assessment as an Integral Part of the CACP OC Strategy.
- In March 2006, provincial chiefs selected a senior law enforcement official to represent their respective provinces on an Intelligence-Led Enforcement Priorities Group called the Council on Public Safety.
- C/Supt. Derek Ogden, RCMP selected as chair of the Council of Public Safety
- 2007: Implementation of the Canadian Law E Strategy at all Levels Across Canada: Municipal, Regional, Provincial and National levels.
- The CACP OCC fully endorsed the position paper and a time line for the implementation of the OCC Strategy on August 20, 2006.
- Implementation of the Canadian Law Enforcement Strategy to Combat Organized Crime endorsed by CISC National Executive Committee: March 1, 2007 and adopted by the CACP in August 2007.
- Three meetings of the Council on Public Safety were held: (1) June 2007 (Ottawa); October 2007 (Montréal) and February 2008 (Vancouver). The next meeting is scheduled for June 2008 (Toronto)
- Accomplishments to date include: a CoPS' Constitution (being finalized); Draft Regulations (currently being reviewed by membership); A template for operationalizing Intelligence and Tactical Enforcement Priorities (being revamped); Guidelines for the preparation of a framework for the CoPS' Annual Report and a CoPS Communications Strategy (being reviewed by CoPS members).

**April – July 2008**

- No change in status

**August – October 2008**

- No change in status.

**October 2008 – February 2009**

- No change in status.

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**Resolution: #09-2007 Canadian Law Enforcement Strategy to Combat Organized Crime cnt'd**

**March – July, 2009**

- In an effort to better reflect its purpose, CoPs has amended its name to that of the *Canadian Integrated Response to Organized Crime*.
- This year, three (3) meetings were held. These three meetings were respectively held in Quebec City in February 2009 and in Ottawa in June 2009.
- Amendments to the CIROC Constitution was ratified in June 2009. The Constitution identifies that CIROC is to provide an annual report to the NEC.
- CIROC has requested CISC to prepare a resolution amending CISC Constitution to provide for the Chair and Co-Chair of CIROC having a seat at the NEC. If adopted by NEC, CIROC's Constitution will be amended accordingly.
- The 2009 Annual report is currently undergoing final editing and translation. Publication and dissemination is scheduled for August 7, 2009 in Charlottetown, PEI.
- CIROC is presently coordinating a pilot project to test a reporting template. This pilot covers the Province of Ontario and CISC has funded a position to specifically coordinate the implementation of the template.
- CIROC has also initiated a Strategy Planning Session to clearly define its objectives, the underlying initiatives and yearly deliverables for the provincial coordinators. At the June meeting, CIROC adopted a mission statement and three main objectives (accountability, operations, and intelligence).

**Resolution: 10-2007 Disposition of Property Seized under 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:** Frank Elbers, OPP

**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.

## 2006 Resolutions

<b>Resolution: # 02-2006</b> <b>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>Champion:</b> Chief Jim Chu
<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> <p><b>April – July 2008</b></p> <p>Vancouver Police Department has developed and implemented model policies and procedures</p> <p><b>August – October 2008</b></p> <p>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.</p> <p><b>October 2008 – February 2009</b></p> <p>No change in status.</p> <p><b>March – July, 2009</b></p> <p>No change in status.</p>	



**Resolution: # 03-2006**  
**Arrest of Persons in Correctional Facilities**

**Resolution Summary:**  
The Canadian Association of Chiefs of Police urges the federal government to amend section 529 of the Criminal Code by making it applicable to prisons and other correctional facilities.

**Target Date for Completion:** Ongoing

**Sponsor:** Law Amendments and Organized Crime  
**Champion:** Clayton Pecknold

**Summary of progress since initiation:**

- CSC officials and their counsel met with members of the LAC in November 2007 to discuss the issue. The issue of arresting an inmate and removing the person from a correctional facility is difficult and continues to be legally complicated.
- CSC officials continue to have dialogue with interested parties in an attempt to resolve the issues internally; however it does not appear that an internal solution is viable.
- Discussions to continue with the federal government to amend section 529 of the Criminal Code

**April – July 2008**

- No change in status.

**August – October 2008**

- No change in status.

**October 2008 – February 2009**

- No change in status.

**March – July, 2009**

- No change in status.

**Resolution: # 04-2006**  
**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:** Clayton Pecknold & Mike Cabana

**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.

**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 that;

- 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
- 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, 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.

**Resolution: # 05-2006**  
**National Community Action Plan**

**Resolution Summary:**

The Canadian Association of Chiefs of Police

- calls upon the federal government to continue its leadership role through the National Crime Prevention Strategy
- endorses a robust role for the provinces-territories and municipalities so that Canada's national strategy is realized in practical and lasting ways in our diverse communities, and
- seeks federal-provincial-territorial and municipal commitment to assist communities through the development of a National Community Safety Framework for Action, to guide local communities in developing crime prevention action plans that contain the required ingredients and proven methods.

**Target Date for Completion:** ongoing – dependent on government

**Sponsor:** Crime Prevention  
**Champion:**

**Summary of progress since initiation:**

- Government of Canada announced, in Budget 2008, the additional of \$30M per year to the base budget of the National Crime Prevention Centre, which administers the National Crime Prevention Strategy.
- Federal/provincial-territorial governments continue to receive policy advice from the FPT Working Group on Community Safety and Crime Prevention, co-chaired by the Government of Canada and the Government of Manitoba. The content of the agenda of this FPT body is not within the purview of the CACP.
- Committee has approached private industry seeking their support for the Coalition, which if resourced could undertake development of a National Community Safety Framework for Action.
- MP Mike Wallace has written to the Minister of Public Safety urging flexibility in NCPC funding to allow the Government to support the Coalition and work its members have identified.

**April – July 2008**

- Co-Chair and two other members of the Crime Prevention Committee, met with the Minister of Public Safety in April 2008 to urge support for the Coalition and a National Community Safety Framework for Action.

**August – October 2008**

- The call for a National Community Safety Framework for Action is contained within the policy document entitled "Community Safety, Health and Well-being: vision of a national strategy", approved by the CACP Board of Directors. It has been disseminated to the Coalition on Community Safety, Health and Well-being, members of the FPT Working Group on Community Safety and Crime prevention and to the leaders of the Conservative, Liberal and New Democratic Parties. No response from governments.

**October 2008 – February 2009**

- The Crime Prevention Committee will provide this document to Opposition critics and the Minister of Public Safety in the context of a planned meeting to discuss the direction of the National Crime Prevention Strategy.

**March – July, 2009**

- No response from governments. The Crime Prevention Committee was a member of the Institute for the Prevention of Crime Working Group on Crime Prevention and obtained CACP support for the Institute's May 2009 release of Action Briefs designed for use by municipal leaders. There remains a gap at the national level to facilitate policy consistency, provide implementation guidance and coordinate crime prevention efforts across jurisdictions within Canada.

**Resolution: # 09-2006**  
**National Mass Marketing Fraud Strategy**

**Resolution Summary:**

The Canadian Association of Chiefs of Police calls upon the Government of Canada, together with its provincial and territorial partners through the federal-provincial-territorial process, law enforcement, the private sector and other partners to support the requirement for a National MMF Strategy to dismantle, disrupt, and neutralize Canadian-based MMF operators, involving:

- The establishment of mechanisms for increased coordination and collaboration;
- The identification of strategies to increase the effectiveness of law enforcement initiatives;
- Tougher sanctions and targeted legislation;
- National harmonized data collection on MMF complaints and incidents to be housed at the PhoneBusters National Call Centre (PNCC), a joint program of the Ontario Provincial Police, Royal Canadian Mounted Police, and the Competition Bureau Canada;
- Prevention and awareness initiatives to decrease the susceptibility of victims (Canadians and foreign) through existing fora like the Fraud Prevention Forum, chaired by the Competition Bureau Canada.

**Target Date for Completion:** December 2009

**Sponsor:** Private Sector Liaison

**Champion:** Brian Mullan

**Summary of progress since initiation:**

- A working group led by Denis Constant, continues to work on this.
- Articles published in CACP Publications: Identity Theft: a Chameleon of a Crime (2006); Controlling Mass Marketing Fraud in Canada ((2007); CACP Private Sector Liaison Committee: Working to Share Information and Best Practices (2008)
- An information and resource guide, directed to credit card retailers and credit card users, was developed to increase public awareness on this issue. This was a partnership with the Ontario Provincial Police, the Royal Canadian Mounted Police, the Canadian Bankers Association and the PSLC.

**April – July 2008**

- The sub-committee, led by C/Supt. Denis Constant presented a report to PSLC at is April 2008 meeting. More work required. Anticipate draft implementation plan to be presented at the November meeting. Members who took a leadership role in this initiative, Goodall and Constant, retired during 2008. This has led to a slowdown in activity to achieve completion.

**August – October 2008**

- No change in status. Meeting planned for November 2008.

**October 2008 – February 2009**

- No change in status

**March – July, 2009**

- C/Supt Steven White (RCMP) completed significant work on the establishment of the PNCC. C/Supt White developed a needs analysis/business case that was reviewed by the committee and served as the foundation for a proposal submitted to RCMP senior management for approval. A decision on that submission is pending.

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**Resolution: # 09-2006 National Mass Marketing Fraud Strategy cont'd**

The proposal calls for \$5 million in funding and the dedication of 45 members to create an expanded Phone Busters Centre in North Bay. The Centre, in addition to the normal reporting task, will analyze information to assist police services in the development of intelligence led collaborative enforcement efforts against organized crime organizations who specialize in fraud related offenses.

In an effort to enhance the ability of the private sector and police services to work together, the Committee has developed a PSLC Best Practices web page that highlights the joint initiatives undertaken by the partners, contact information and a brief description of the programs. The pages are now accessible to our members.

The PSLC will be making a presentation titled *Retail Organized Crime* at the 2009 CACP Conference, which will highlight the impact of organized crime, including fraud related activity on the retail sector.