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HAMILTON POLICE SERVICE

SEXUAL ASSAULT REVIEW & RECOMMENDATIONS REPORT

APPENDIX A



**Canadian Association of Chiefs of Police / Association
canadienne des chefs de police**

300 Terry Fox Drive, Unit 100, Kanata, ON K2K 0E3

Tel./Tél. (613) 595-1101 - Fax/Télé. (613) 383-0372 www.CACP.ca

STATEMENT

February 10, 2017

Sexual Assault Investigations

As law enforcement leaders, our focus is always to ensure the safety of our communities and the most vulnerable among us. Sexual assaults are one of the most traumatic crimes that a person may experience.

It is important that we assure Canadians, especially those who are victims of sexual assault, that we do not treat such cases lightly and that our focus is first and foremost on safety and wellbeing of the victim. Police services across Canada continue to work with victim serving agencies and victims' advocates to enhance procedures and share best practices. We understand the value of data collection and that data needs can change over time.

Victims must have confidence in going to the police knowing that we will respect their dignity and have their best interests at heart. We do so with the knowledge of how traumatic such crimes are and how reporting the crime can, at times, be almost as traumatic as the crime itself. While police services across this country are continually striving to provide the best service, we can always do more. Our goal is to provide a victim-centered response.

Moving forward, the Canadian Association of Chiefs of Police (CACP) wish to encourage all police services to review practices around sexual assault investigations as many currently are. In addition, I am requesting the CACP Victims of Crime Committee and our Crime Prevention, Community Safety and Wellbeing Committee to recommend standards for training (including trauma-informed investigation), procedures and policies based on best practices, and share them throughout the policing community,

In addition, I am requesting the Police Information and Statistics Committee examine how statistics are recorded and reported to Statistics Canada and make recommendations on how reliable and consistent statistical information may best be collected.

As we go through this evaluation, we are mindful that the core value of those serving in law enforcement is the desire to help others, in particular, victims of crime. That is why we chose this profession. We are committed to the safety and security of all Canadians and will continue

to work to earn and maintain the public's confidence and trust.

Directeur Mario Harel
President,
Canadian Association of Chiefs of Police

The Canadian Association of Chiefs of Police was established in 1905 and represents approximately 1,000 police leaders from across Canada. The Association is dedicated to the support and promotion of efficient law enforcement and to the protection and security of the people of Canada. Through its member police chiefs and other senior police executives, the CACP represents in excess of 90% of the police community in Canada which include federal, First Nations, provincial, regional and municipal, transportation and military police leaders.



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Statement

April 26, 2017

Recommendations Regarding the Collection of ‘Unfounded’ Incidents via the Uniform Crime Reporting Survey

On February 10, 2017, Directeur Mario Harel, President of the Canadian Association of Chiefs of Police (CACP) issued a statement with regards to sexual assault investigations (<https://cacp.ca/news/cacp-statement-sexual-assault-investigations.html>). One of the key requests was to have the CACP Police Information and Statistics Committee (POLIS) ‘examine how statistics are recorded and reported to Statistics Canada and make recommendations on how reliable and consistent statistical information may best be collected.’

At their April 4-5, 2017 meeting, the CACP POLIS Committee, in partnership with Statistics Canada, addressed the feasibility of reinstating collection and the need for consistent and standardized reporting of all unfounded incidents, including sexual assault. As a result of that meeting, on April 6, 2017, POLIS presented to the CACP Board of Directors a series of recommendations regarding the collection of unfounded incidents via the Uniform Crime Reporting survey. These recommendations (attached) were unanimously accepted.

“Moving forward, the recommendations provided by POLIS allow police to report such incidents in a more victim-centered manner - one that correctly conveys our belief in the victim regardless of whether or not the incident can be substantiated through the investigative process,” stated Directeur Harel.

“There are changes required throughout the criminal justice system and there is no doubt that continued improvements need to be made. Victims must have confidence in going to the police knowing that we will respect their dignity and have their best interests at heart. This is what we strive for. This is where we want to be. Police services will continue to work with victim serving agencies and victims’ advocates to enhance procedures and share best practices,” he continued.

- 2 -

“At this time, I am very pleased with the attention the CACP POLIS Committee and Statistics Canada dedicated to this effort. I am also very heartened to see the great deal of progress that has been made by police services throughout Canada in reviewing past cases of sexual assault.”

The CACP encourages all police services to follow these recommendations that adopt a more victim-centered approach for the classification and reporting of criminal incidents, including sexual assaults, going forward. More detailed information on changes to the Uniform Crime Reporting Survey will be provided to police services by Statistics Canada over the coming months.

Further information is being provided by Statistics Canada through their Media Relations group at 613-951-4636 or STATCAN.mediahotline-ligneinfomedias.STATCAN@canada.ca.

The Canadian Association of Chiefs of Police was established in 1905 and represents approximately 1,000 police leaders from across Canada. The Association is dedicated to the support and promotion of efficient law enforcement and to the protection and security of the people of Canada. Through its member police chiefs and other senior police executives, the CACP represents in excess of 90% of the police community in Canada which include federal, First Nations, provincial, regional and municipal, transportation and military police leaders.

**Recommendations Regarding the Collection of Unfounded Incidents via the
Uniform Crime Reporting Survey**

Police Information and Statistics Committee of the CACP

April 6, 2017

BACKGROUND

Statistics Canada collected data on unfounded sexual assaults beginning in 1962, with the introduction of the Uniform Crime Reporting (UCR) Survey. At the time, police services were required to submit counts of unfounded incidents along with other crime data. Over time, however, inconsistent reporting led to poor data quality. The last time unfounded incidents were published as part of an annual crime statistics publication by Statistics Canada's Centre for Canadian Justice Statistics was in December 1994. The last time rates of unfounded sexual assault were published was in July 2003.

In 2006, Statistics Canada and the Police Information and Statistics Committee (POLIS) of the Canadian Association of Chiefs of Police (CACP) conducted a review of police-reported unfounded data. It was found that not all police services were reporting unfounded incidents and among those that were, not all unfounded records were being sent. It was therefore recommended that data on all unfounded incidents, not just sexual assaults, should no longer be collected or released by Statistics Canada. The report also makes recommendations for police and Statistics Canada to improve the classification of incidents.

Following national media attention in February 2017, several police agencies across the country announced that they would review sexual assault cases investigated in the last few years that were labeled as "unfounded". The members of the POLIS committee have worked together to make a number of recommendations regarding the reinstatement of the collection of UCR data on unfounded criminal incidents.

CONSIDERATIONS

This item was a significant part of the agenda of the April 2017 POLIS meeting. The meeting addressed the feasibility of reinstating collection, processing and dissemination of unfounded incidents and reviewed definitions for unfounded and founded incidents. The objective of the meeting was to arrive at recommendations to ensure clarity, consistency and comparability in the data.

Any change to data collection and reporting of unfounded incidents will have resource and cost implications for police services as the data providers and for Statistics Canada.

RECOMMENDATIONS

The POLIS committee supports the reinstatement of the collection, analysis and dissemination of criminal unfounded incidents, including sexual assault, by Statistics Canada starting in 2018 for 2017 reference period. The committee also supports analysis of the 2016 data to determine the impact on the data of the reviews by the police services.

The POLIS committee recommends to Statistics Canada and the Canadian Association of Chiefs of Police Board of Directors that all police adopt a common approach for the classification and reporting of criminal incidents, including sexual assaults, going forward.

The POLIS committee recommends to Statistics Canada and the Canadian Association of Chiefs of Police Board of Directors that definitions of unfounded and founded criminal incidents, including those of sexual assaults, be updated to reflect the POLIS-approved definitions.

- ☐ The notion that unfounded criminal incidents should only contain cases where it has been determined through police investigation that offences reported to the police did not occur nor were attempted, will be reinforced through a simplified definition and the creation of guidelines for classification.
- ☐ The definition of founded criminal incidents should be expanded to also include third party reports and incidents where there is no credible evidence to confirm that an incident did not take place.
- ☐ Additional categories to characterize unsolved incidents should be added to enhance analysis and improve data quality.
- ☐ POLIS does not support the classification of incidents as “unsubstantiated”. POLIS recommends they be reported as founded incidents that are not cleared because police are not able to substantiate.

Going forward, the POLIS committee recognizes that the implementation of recommendations will have an impact on both clearance rates and on the number criminal incidents reported to Statistics Canada, but will improve the comparability of statistics across jurisdictions.

The POLIS committee also recognizes that the implementation of prescribed changes to the classification of criminal incidents will be phased in and will have an incremental impact on the data reported to Statistics Canada going forward.

Statistics Canada and POLIS will work in collaboration with other partners and independent experts to implement changes and develop statistical reporting training material.



HAMILTON POLICE SERVICE

SEXUAL ASSAULT REVIEW & RECOMMENDATIONS REPORT

APPENDIX C



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Juristat

Revising the classification of founded and unfounded criminal incidents in the Uniform Crime Reporting Survey

by The Canadian Centre for Justice Statistics

Release date: July 12, 2018



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Revising the classification of founded and unfounded criminal incidents in the Uniform Crime Reporting Survey

by The Canadian Centre for Justice Statistics

In 1962, as part of Canada's national crime statistics program, Statistics Canada launched the Uniform Crime Reporting (UCR) Survey. The UCR Survey collected information on both 'founded' and 'unfounded' criminal incidents. Over time, however, the use of unfounded data declined due to data quality issues. Following national media attention in 2017 regarding the use of 'unfounded' by police to classify sexual assaults, several police services across Canada announced that they would review sexual assault cases that were classified as unfounded in recent years (Doolittle 2017a; Doolittle 2017b). As part of this process, representatives of the policing community have worked with Statistics Canada to make recommendations to address data quality issues, to ensure standardized reporting and to reinstate the collection of information on unfounded criminal incidents through the UCR Survey.

The objective of this *Juristat* article is to provide information on the collection, through the UCR Survey, of unfounded criminal incidents in Canada, including sexual assaults. It will provide background on the collection of these data and an overview of the actions taken by the Canadian Centre for Justice Statistics (CCJS)—a division at Statistics Canada—and the Police Information and Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police (CACP) to revise the UCR Survey to address data quality and reporting issues, and to reinstate collection of information on unfounded criminal incidents.

Background

The Uniform Crime Reporting (UCR) Survey—managed by the Canadian Centre for Justice Statistics (CCJS)—is a national, standardized survey of official police-reported crimes in Canada. Details on criminal incidents, victims and persons accused of crime are submitted by police services across the country to CCJS for consolidation and dissemination.

When the UCR Survey was launched in 1962, counts of unfounded incidents were collected to measure the proportion of all incidents reported to the police where it was "determined through police investigation that the offence reported did not occur, nor was it attempted" (Statistics Canada 2016). Over time, however, inconsistent reporting of unfounded incidents led to poor data quality. Statistics on unfounded incidents overall were last published by CCJS as part of the annual crime statistics publication in 1994. Rates of unfounded sexual assaults were last published in 2003 as part of a special report on sexual offences (Kong et al. 2003).

In 2006, CCJS and the Police Information and Statistics Committee examined police-reported data on unfounded incidents. It was determined that not all police services were reporting information on unfounded incidents and, of those that were, not all unfounded records were being submitted to CCJS through the UCR Survey. It was suggested that variations in rates of unfounded incidents may have been attributable to inconsistent classification of calls for service that were deemed non-criminal. It was therefore recommended that data on all unfounded incidents, not only sexual assaults, no longer be disseminated by CCJS.

National media attention in 2017 regarding rates of unfounded sexual assault incidents focused concern on the police response to victims and the quality of investigations for this type of crime. These data were obtained by the media directly from police services. Self-reported data indicate that sexual assault is one of the most under-reported crimes. According to the General Social Survey (GSS) on Canadians' Safety (Victimization), in 2014, 5% (use with caution) of sexual assaults against individuals aged 15 and older were reported to the police, a proportion that remained unchanged since 2004. In comparison, over one in three (38%) physical assaults were reported to the police (Conroy and Cotter 2017; Perreault 2015). The most common reasons for not reporting sexual assault to the police were that the victim felt the crime was minor and not worth taking the time to report (71%), that the incident was a private or personal matter and it was handled informally (67%), and that no one was harmed during the incident (63%) (Conroy and Cotter 2017). Some victims expressed concerns regarding the justice system itself, including not wanting the hassle of dealing with police (45%), the perception that police would have not considered the incident important enough (43%), and that the offender would not be convicted or adequately punished (40%).

As a result of the commitment by CCJS and the policing community to review and reinstate the collection of information on unfounded incidents, a number of factors related to inconsistent reporting were identified. These factors, in addition to a review of international standards for data collection, were considered when revisions were made to the classification of both founded and unfounded incidents in the UCR Survey.

Text box 1**Timeline of events related to unfounded criminal incidents**

1962: The Uniform Crime Reporting (UCR) Survey launched, and it included the collection of counts of unfounded incidents.

December 1994: Statistics on unfounded incidents (all types) were last published by the Canadian Centre for Justice Statistics (CCJS) as part of the annual crime statistics publication.

July 2003: Rates of unfounded sexual assaults were last published as part of a special report on sexual offences.

April 2006: CCJS and the Police Information and Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police (CACP) examined police-reported data on unfounded incidents. It was determined that not all police services were reporting information on unfounded incidents and, among those that were, not all unfounded records were being submitted to CCJS through the UCR Survey. It was therefore recommended that data on all unfounded incidents, not only sexual assaults, no longer be disseminated by CCJS.

February 2017: A report on unfounded sexual assaults—based on data retrieved through access to information requests from individual police services—was published in *The Globe and Mail*. The president of the CACP encouraged all police services to review practices around sexual assault investigations and asked POLIS to review how these data were being collected in order to make recommendations for standardization.

Spring 2017: CCJS reviewed literature and led consultations with a number of police services to establish best practices for reporting criminal incidents.

April 2017: POLIS recommended resuming the collection, analysis and dissemination of unfounded criminal incidents, including sexual assaults, by CCJS. Recommendations for a common approach to reporting incidents to the UCR Survey were made and endorsed by the CACP Board of Directors. Work continued through 2017 to determine the specific changes to the UCR Survey and scoring standards.

January 2018: A new definition of ‘unfounded’ and new standards for reporting incidents by clearance status were established for the UCR Survey and disseminated to all police services.

January to April 2018: CCJS delivered regional training workshops across the country and, with the support of Public Safety Canada, developed an online training module.

Revising the Uniform Crime Reporting Survey and reinstating collection of unfounded incidents: Actions taken

In February 2017, the president of the Canadian Association of Chiefs of Police (CACP) encouraged all police services to review practices around sexual assault investigations, as many had already started to do. In addition, Police Information and Statistics (POLIS) Committee was tasked with examining how data are collected and reported to the Canadian Centre for Justice Statistics (CCJS). The POLIS Committee was also directed to make recommendations on best practices for the collection of reliable and consistent statistical information (Canadian Association of Chiefs of Police 2017a).

To arrive at a set of recommended changes to the Uniform Crime Reporting Survey, CCJS and POLIS undertook the following actions:

1. Reviewed in detail what other countries were doing with respect to defining and classifying criminal incidents, including sexual assaults.
2. Consulted with POLIS agencies to learn best practices and their constraints in reporting. Issues raised by other police services during their reviews of unfounded incidents were also considered.
3. Consulted extensively with the police services on POLIS and other police services, including those located in provinces where pre-charge approval by the Crown is required in order for police to lay charges (i.e., New Brunswick, Quebec and British Columbia).
4. Consulted with academics and independent experts outside of policing to seek feedback and endorsement of the proposed changes to the UCR Survey.

CCJS and POLIS found that the varying application of unfounded was partly attributable to differences in the way police were classifying incidents, and not only associated with the depth of investigation. These included:

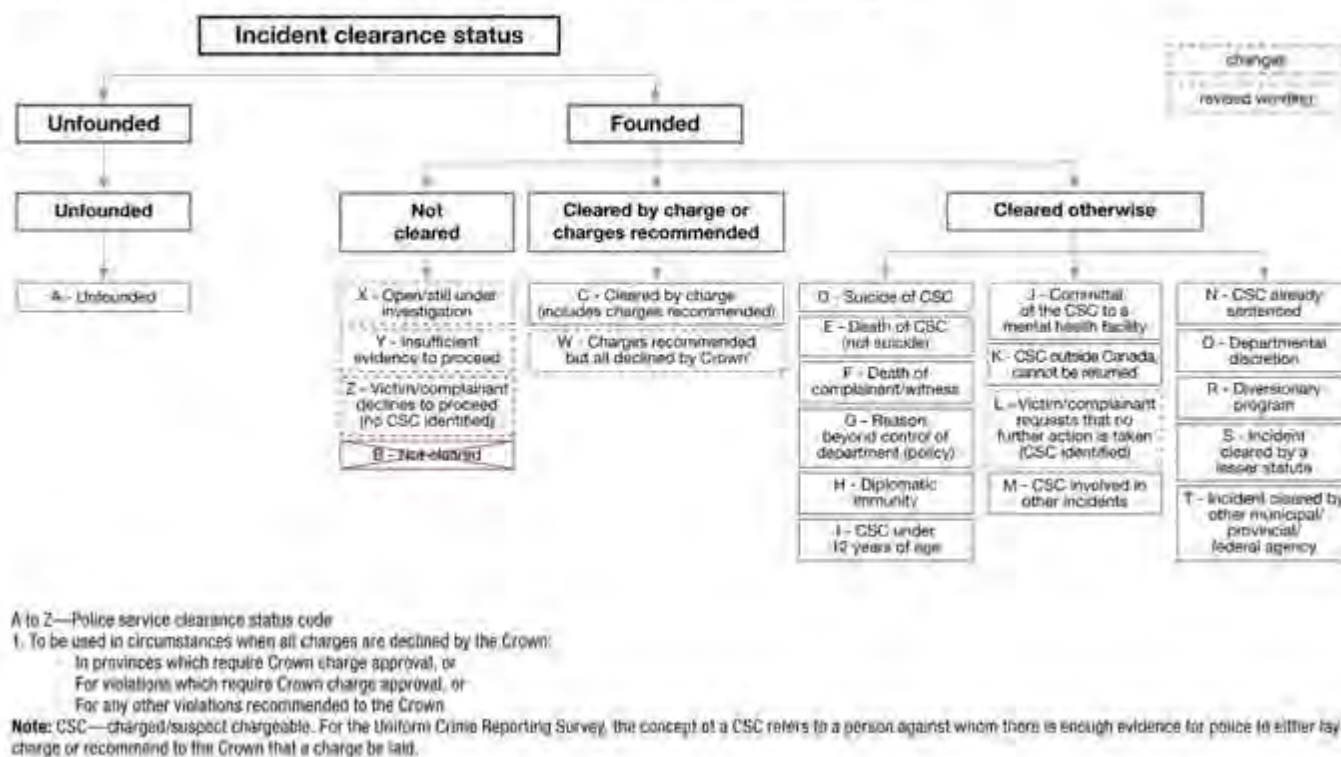
- The classification of incidents reported to the police by a third party (i.e., by someone other than the victim) as unfounded where it could not be determined whether or not the incidents occurred. It was also found that some police services were classifying these to a code internal to police service record systems (and therefore not reported to CCJS).

- The erroneous classification of incidents as unfounded by some police services where the Crown decided not to pursue charges even when, based on police investigation, there was enough evidence to classify them as founded.
- The erroneous classification of incidents as unfounded by some police services where the victim did not want to pursue charges or go to court even when, based on police investigation, there was enough evidence to classify them as founded.
- The erroneous classification of incidents as unfounded by some police services where police decided not to lay charges because they did not feel they would stand up in court. This was done even when, based on police investigation, there was enough evidence to classify them as founded.
- The erroneous classification of incidents as unfounded by some police services where accused persons were under 12 years of age. This was done even when, based on police investigation, there was enough evidence to classify them as founded.
- Variations in the application of a 'victim-centred' approach across police services.¹

CCJS and POLIS made a number of recommendations related to statistical classifications and standard definitions that would address inconsistencies in reporting crime statistics. In addition to updating the definition of a founded incident, several of these revisions related to increasing the options for police to categorize an incident as "not cleared", "cleared by the laying of a charge or recommending the laying of a charge" or "cleared otherwise" (Figure 1). It is expected that with these revisions, the use of 'unfounded' as a classification will decline as it will be clearer to police how to classify incidents based on the information from investigations.

The recommendations were endorsed by the CACP Board of Directors (Canadian Association of Chiefs of Police 2017b). In addition, the recommendations were supported by experts who responded to the CCJS consultation on the matter.

Figure 1
Modifications to the Uniform Crime Reporting Survey Incident clearance status options



Updating the definition of 'founded'

Until recently, an incident was deemed founded according to the UCR Survey if, "after police investigation it has been determined that a *Criminal Code* or other federal statute violation has occurred even if the charged/suspect chargeable (CSC) is unknown" (Statistics Canada 2016). For the UCR Survey, the concept of a CSC refers to a person against whom there is enough evidence for police to either lay a charge or recommend to the Crown that a charge be laid.

More recently, however, definitions of founded incidents have evolved to account for the complexities of certain offences such as sexual assault, family violence and intimate partner violence. A victim-centred approach to recording crimes is

emerging and puts forth that, unless there is concrete evidence to prove the crime did not happen, it is to be believed that the crime occurred (Her Majesty's Inspectorate of Constabulary 2014; Government of United Kingdom 2016; Human Rights Watch 2013). For instance, the International Association of Chiefs of Police recommends the following standard:

The determination that a report of sexual assault is false can be made only if the evidence establishes that no crime was committed or attempted. This determination can be made only after a thorough investigation. This should not be confused with an investigation that fails to prove a sexual assault occurred. In that case the investigation would be labeled unsubstantiated. The determination that a report is false must be supported by evidence that the assault did not happen (International Association of Chiefs of Police 2005).

Recognition of third party reporting of criminal incidents is emerging. Third party reporting occurs when someone other than the victim reports the crime to the police, and it can be done officially or unofficially. Third party reporting also allows victims who do not want to personally report the incident to ensure that police are notified about the crime. Third party reporting allows official agencies to report suspected incidents to the police. Official third parties could include community-based victim service programs, child protective services and other municipal, provincial/territorial and federal agencies who report an incident to the police on behalf of the victim. Officials may collaborate with police without giving them the personal information of victims. Non-official third parties could include family members, teachers and witnesses. Some jurisdictions are exploring ways to expand programs which allow victims to report incidents of sexual assault and to get the assistance they need without having to approach the police (Government of British Columbia 2018; Canadian Association of Police Governance 2014).

Accounting for developments in definitions and reporting options for victims, the definition of 'founded' incidents was updated in January 2018 to read: "An incident is founded if, after police investigation, it has been determined that the reported offence did occur or was attempted (even if the charged/suspect chargeable (CSC) is unknown) or there is no credible evidence to confirm that the reported incident did not take place. This includes third party reports that fit these criteria."

Discontinuing the classification of incidents as 'unsubstantiated'

Due to previously strict definitions of 'founded' and 'unfounded' incidents, police services had been using different methods to categorize incidents when they were unable to determine if a crime occurred. One such method was the classification to an internal category of 'unsubstantiated' (or equivalent internal code), which was not reported to CCJS. For two main reasons, POLIS recommended that police services no longer categorize incidents as such. First, there was little international evidence to support the collection and reporting of 'unsubstantiated' incidents (or equivalent). Second, the emergence of the victim-centred approach to recording incidents means that it is to be believed that the crime occurred unless there is concrete evidence that proves the incident did not take place. The elimination of the use of 'unsubstantiated', with the addition of appropriate clearance categories below, supports standardized reporting by police services.

New detailed options to classify founded incidents that are not cleared

Historically, the UCR Survey only allowed police to classify a founded incident that was not cleared (or solved) as just that—not cleared. As a result of consultations led by CCJS in 2017 with POLIS and other police services, it was determined that the lack of specificity in reasons for not clearing an incident may have contributed to varying rates of unfounded. It became evident that more options were needed in order for police to report more accurately and to produce a better statistical understanding of the reason why founded incidents may not be cleared (see Figure 1). Based on consultations, it was recommended that the classification of 'not cleared' be separated into three new types of categories. These are:

- Clearance status code X – **Open/still under investigation:** This clearance option is to be used for all open investigations and for those where action has yet to be taken on the reported incident. It includes incidents that cannot be classified as "Insufficient evidence to proceed" or "Victim/complainant declines to proceed (no charged/suspect chargeable (CSC) identified)."
- Clearance status code Y – **Insufficient evidence to proceed:** This clearance option is to be used for incidents where there is insufficient or conflicting evidence for the police service to substantiate laying a charge or recommending a charge to the Crown. This clearance category not only responds to the challenges in some investigations but also complements the new definition of founded incidents.
- Clearance status code Z – **Victim/complainant declines to proceed (no charged/suspect chargeable (CSC) identified):** This clearance option is to be used for incidents where an accused cannot be identified either because the victim/complainant or other witnesses do not want to identify the CSC or they do not want to actively participate in the investigation. This category addresses some of the challenges in investigations where a victim wants the incident to be reported, but may not be ready to identify the accused. It also responds to the need for police to at times explain relatively low clearance rates for incidents related to gangs and organized crime groups where victims and witnesses can be reluctant to cooperate.

Added option to classify founded incidents as “cleared by charge” or “charges recommended by police”

Previously, for the UCR Survey, there was only one category for incidents where police either laid charges or recommended charges to the Crown. Through consultations in 2017 by the CCJS with POLIS and other police services, it was determined that there were variations in the use of this category and ‘unfounded’ as a result of views of the role of the Crown in crime statistics, particularly in provinces that require the Crown to approve charges.

While some police services consulted were correctly using this category when charges were recommended to the Crown, others were coding as “cleared otherwise” or “unfounded” when the Crown would decline the charges. It was clear that another category was needed in order to address the varied way that incidents that should be founded were being classified as a result of the relationship between the police and the Crown. The scope of the UCR Survey is to capture police-level information and decisions. For a variety of reasons, some incidents cleared by police may not be pursued by the Crown. Therefore, to render data more comparable across jurisdictions, a new clearance option was added to the UCR Survey that will allow police to classify incidents where they recommend the laying of a charge, but the Crown declines to proceed.

The new category of “Charges recommended but all declined by Crown” (clearance status code W) is to be used when police have recommended to the Crown that charges be laid, but the Crown declines to proceed with **all** of the charges.² It is to be used in the following circumstances when all charges are declined by the Crown: 1) in provinces which require Crown charge approval, 2) for violations which require Crown charge approval according to legislation, or 3) for any other violations recommended to the Crown (see Figure 1).

The following is an example to illustrate where this would be used. Police in British Columbia recommend a charge of motor vehicle theft to the Crown. Because the Crown does not believe they will be likely to obtain a conviction in court, they decline to lay charges. From a policing perspective, an accused is identified and there is credible evidence to support the laying of a charge. As such, the final coding for this incident should be “Founded—Charges recommended but all declined by Crown.”

Key update to classifications for incidents that are “cleared otherwise”

There are instances where police may clear (or solve) an incident, but do not lay criminal charges or recommend such charges to the Crown. For an incident to be “cleared otherwise,” the incident must meet two criteria: 1) there must be at least one charged/suspect chargeable (CSC) identified, and 2) there must be sufficient evidence to lay a charge in connection with the incident³ but the person identified is processed by other means.

In the UCR Survey, there are 15 options for police to report why a CSC is not charged with a criminal offence (see Figure 1). As a result of consultations in 2017, one key update was made: the wording for the option category “Victim/complainant declines to lay charges” was revised to “Victim/complainant request that no further action is taken by police.” The previous option label did not accurately reflect the role of the victim/complainant in the process.

This revised category is to be used in incidents where the CSC is known and sufficient evidence has been obtained to support the laying of an information, but the victim/complainant requests that no further action is taken by police and as a result police decide not to lay or recommend a charge.

It is important to note that police are expected to update the clearance categories as appropriate. For instance, once a thorough investigation is completed, it is expected that the clearance status will change from, for instance, “Open/still under investigation” to “Insufficient evidence to proceed” or “Victim/complainant declines to proceed (no charged/suspect chargeable (CSC) identified)”. Further, a thorough investigation may mean that the clearance will change from “Open/still under investigation” to “Founded—cleared by charge” or “Founded—Charges recommended but all declined by Crown,” or one of the 15 options under ‘cleared otherwise.’ Over time, new information may come to light that will change the clearance status of the incident. The objective is that the final update to the incident as reported to CCJS reflects the final outcome of the police investigation.

Moving forward

Throughout 2018, police services are implementing the new standards according to the schedule at which their systems are updated. As such, police services are adopting the new standards at different points in time. It is anticipated that all police services in Canada will have the new reporting requirements in their systems by the end of calendar year 2018. As a result, it is expected that 2019 will be the first year of complete data that follows the new reporting standards. The 2019 data will be released in July 2020.

Given the new definition of founded, the recommendation for police to cease the use of ‘unsubstantiated and the additional clearance categories,’ it is expected that fewer criminal incidents will be classified as ‘unfounded.’ It is also expected that as police services implement these new revisions into their respective records management systems, the number of founded incidents for certain types of crimes, including sexual assaults, will likely increase and clearance (or solve) rates will likely decrease. As police services adopt the new standards, data should become increasingly more comparable. Further, the new standards will generate new information which will allow for a better understanding for why incidents may or may not be cleared (or solved).

To assist police services transition to the new standards for reporting, the Canadian Centre for Justice Statistics (CCJS) delivered a number of in-person regional training workshops from January to April 2018 and has made materials available to police services to incorporate in their own training. Further, with funding from Public Safety Canada, CCJS developed an online training course on the new standards which policing personnel can access free of charge for 2018/2019.

Finally, one of the recommendations adopted in 2018 was for CCJS to publish data on unfounded criminal incidents with the release of the 2017 annual crime statistics publication, scheduled for July 2018.⁴ However, it is important to note that these data do not follow the new standards for founded and unfounded criminal incidents, as they have not yet been fully adopted. In light of police services conducting reviews and to establish a starting point for data reporting, the 2017 data on unfounded criminal incidents will be published in July 2018.

Acknowledgements

The content of this report is a reflection of research, consultations, input and analysis by:

- members of the Canadian Centre for Justice Statistics, namely Warren Silver, Sara Dunn, Lindsay Porter, Manon Dupuis and Kathryn Keighley;
- the 2017 members of the Police Information and Statistics (POLIS) Committee of the Canadian Association of Chiefs of Police;
- members of police services not represented on POLIS, and;
- experts in the areas of gender-based violence and justice.

The work was realized under the leadership of the POLIS co-chairs Rebecca Kong, Canadian Centre for Justice Statistics, and Commander Mary Silverthorn, Ontario Provincial Police.

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Notes

1. A "victim-centred" approach to responding to victims includes having training and standards in place that ensure a systematic focus on the needs and concerns of the victim to ensure the compassionate and sensitive delivery of service or approach to investigation in a manner that is free of judgement or bias (Alvarez and Cañas-Moreira 2015; Human Rights Watch 2013; State of New Jersey 1998). Globally, this approach is most relevant in instances of certain types of crime such as sexual assault, hate crimes and human trafficking.

2. The Uniform Crime Reporting Survey is an incident-based survey. As such, if the Crown proceeds with any charges, the entire incident is cleared by charge; therefore, the use of clearance category W will apply only when all charges are declined by the Crown.

3. The Uniform Crime Reporting Survey establishes that in order to clear an incident 'otherwise,' a charged/suspect chargeable (CSC) must be identified and there must be evidence to link the CSC to the crime. The evidence must pass the reasonable person test, meaning: confirmation from a reliable source, police information, an admission of guilt, physical evidence or other substantiation which would allow for the police service to proceed with a charge. Police may believe an individual is responsible for other incidents, but must have reasonable grounds to proceed and not simply a belief that the CSC is responsible.

4. See Statistics Canada. 2017. "Statistics Canada will collect and publish data on unfounded criminal incidents." *Statistical Announcements*. April 26, 2017.

Unfounded criminal incidents

Statistics Canada's path to new data collection

Founded: An incident is ‘founded’ if, after police investigation, it has been determined that the reported offence did occur or was attempted (even if the charged/suspect chargeable is unknown), or there is no credible evidence to confirm that the reported incident did not take place. This includes third-party reports that fit these criteria.

Unfounded: An incident is “unfounded” if it has been determined through police investigation that the offence reported did not occur, nor was it attempted.

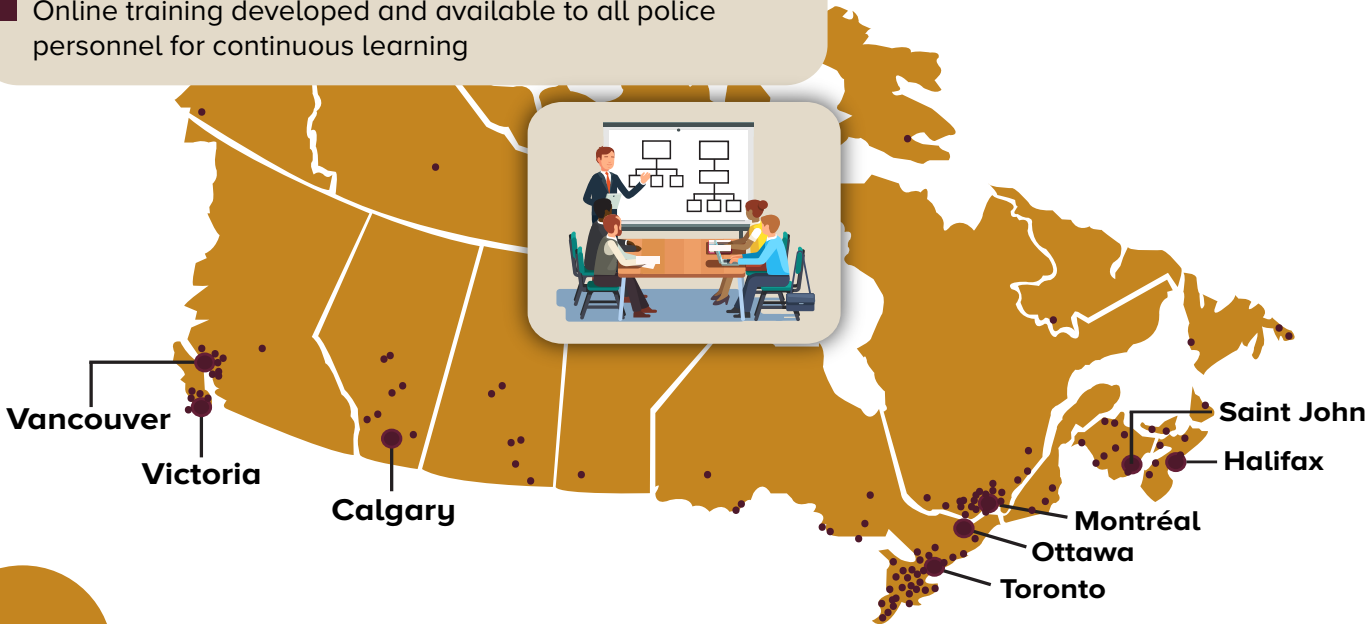
Unfounded data: Key points in time

- 1962**
The Uniform Crime Reporting Survey, Canada’s national database for crimes reported by police, is launched and includes unfounded incidents.
- 2006**
Due to poor data quality, Statistics Canada stops publishing data on unfounded incidents.
- 2017**
Based on renewed interest in these data, Statistics Canada and the policing community announce the commitment to review and standardize collection and to release data on unfounded incidents in July 2018.

Consulted across Canada



- Over **400 personnel** from almost **130** police services
- 8** workshops over 4 months, from January to April 2018
- Online training developed and available to all police personnel for continuous learning



- Release of unfounded incidents in **official crime statistics**
- Clear definition of founded and unfounded incidents will provide **reliable data** across the country
- Allow police services to provide details why an incident is cleared (**solved**) or not cleared (**unsolved**)
- Allow police to report that a charge was recommended but later **declined by the Crown**

Source: Juristat article Revising the classification of founded and unfounded criminal incidents in the Uniform Crime Reporting Survey



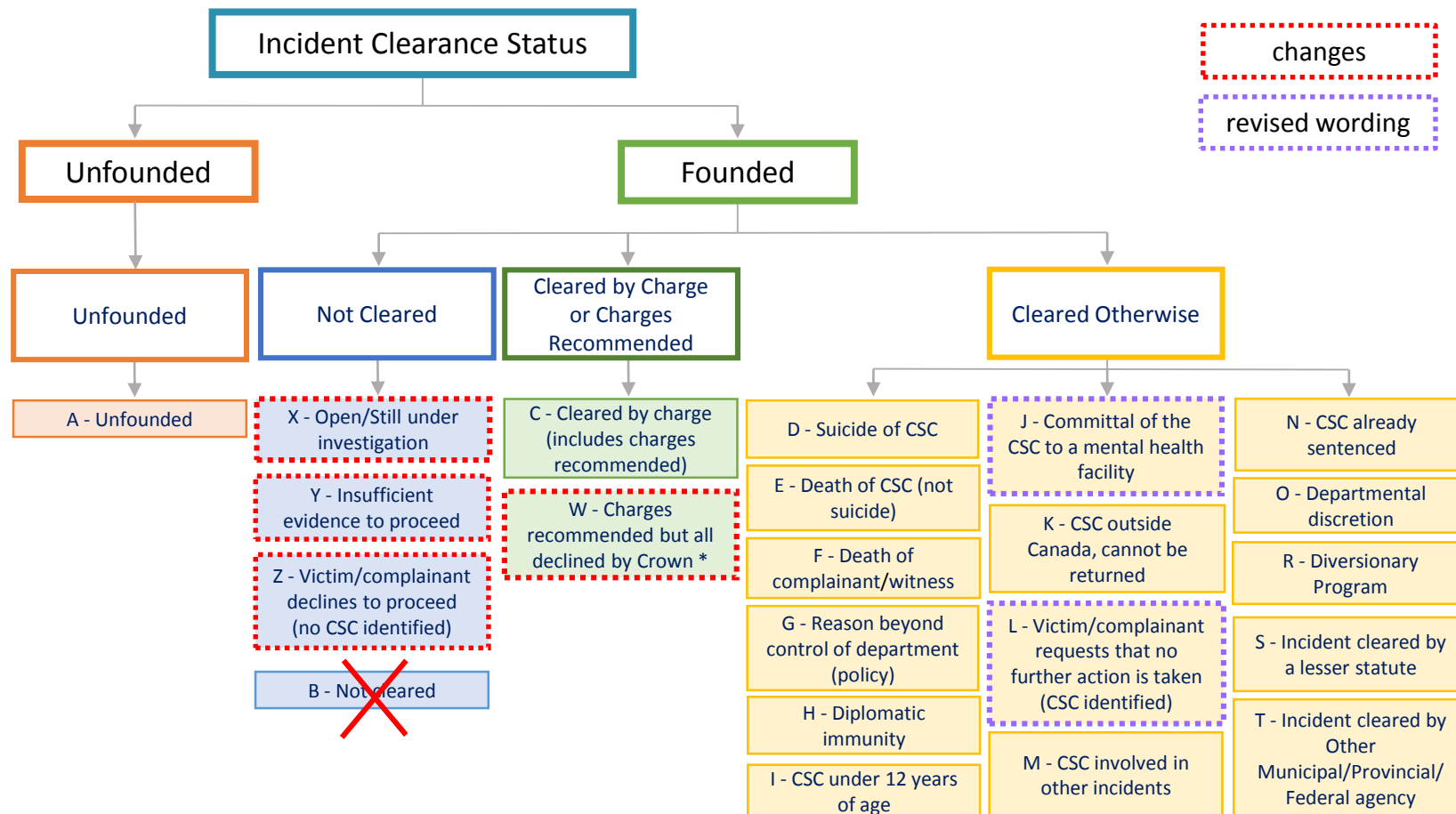
HAMILTON POLICE SERVICE

SEXUAL ASSAULT REVIEW & RECOMMENDATIONS REPORT

APPENDIX D



UCR Incident Clearance Status Options as decided by POLIS



* To be used in circumstances when all charges are declined by the Crown:

- 1) In provinces which require Crown charge approval, or
- 2) For violations which require Crown charge approval, or
- 3) For any other violations recommended to the Crown



HAMILTON POLICE SERVICE

SEXUAL ASSAULT REVIEW & RECOMMENDATIONS REPORT

APPENDIX E



UPDATED

New Standards for Reporting Founded and Unfounded Incidents:



Changes to the Uniform Crime Reporting (UCR) Survey

May, 2018

Statistics Canada, Canadian Centre for Justice Statistics

Introduction

In January 2018, the New Standards for Reporting Founded and Unfounded Incidents document was sent out to all police services and RMS vendors. After much consultation during on-site workshops and subsequent meetings, the information has been updated. The purpose of this revised document is to provide you with the final specifications. In summary, the following changes were made:

- 1) The X category has been renamed to X – Open/Still under investigation
- 2) The X category definition has been updated to: This clearance option is to be used for all open investigations and for those where action has yet to be taken on the reported incident. It includes incidents that cannot be classified as “Y - Insufficient evidence to proceed” or “Z - Victim/complainant declines to proceed (no CSC identified)”
- 3) The W category has been amended to add the word “all”. It now reads: W - Charges recommended but all declined by Crown
- 4) The text box in the flow chart referring to W has been amended to read: To be used in circumstances when all charges are declined by the Crown
 1. In provinces which require Crown Charge approval, or
 2. For violations which require Crown charge approval, or
 3. For any other violations recommended to the Crown

Background

On April 4-5, 2017, the Police Information and Statistics Committee (POLIS) of the Canadian Association of Chiefs of Police (CACP) developed recommendations addressing the feasibility of reinstating collection and the need for consistent and standardized reporting of all founded and unfounded incidents, including sexual assault. These recommendations from the POLIS committee were endorsed by the CACP Board of Directors on April 10, 2017¹.

As a result of these recommendations, the Canadian Centre for Justice Statistics (CCJS) and POLIS have been working in collaboration with other partners and independent experts in order to finalise and implement the changes to the Uniform Crime Reporting Survey (UCR) and to develop material to help train police to apply the new changes.

Police services were invited to attend training workshops in early 2018. These sessions were held in a number of cities across Canada to ensure accessibility to all police services. Along with the in-person training sessions, CCJS has also prepared an on-line training module available to all police services through the Canadian Police Knowledge Network www.cpkn.ca. The objective of these training sessions and accompanying materials is to ensure a common approach for the classification and reporting of criminal incidents, including sexual assaults, is adopted by all police services going forward.

This document outlines all related changes to the UCR survey. The UCR survey is ready to now accept these changes (as of January 1, 2018). Police services will be able to make use of the new codes as their

¹ Link to announcement: <https://cacp.ca/news/statement-april-26-2017-recommendations-regarding-the-collection-of-%E2%80%98unfounded%E2%80%99-incidents-via-the-un.html>

records management systems (RMS) are updated to allow them to do so. Your RMS vendor will have information with regards to the timelines for your systems update.

As was agreed upon with POLIS and the CACP Board of Directors, in July 2018 Statistics Canada will publish the first set of results on unfounded criminal incidents for 2017, including sexual assaults. This was announced by Statistics Canada on April 26, 2017². Due to timing, these data will be based on the original UCR scoring rules and not the new changes being communicated in this document. As part of the verification process for annual crime statistics, police services were provided their 2017 unfounded counts with their 2017 verification package in May 2018.

For questions or comments, police services may contact their UCR Analyst at the Canadian Centre for Justice Statistics, or the Information and Client Services Program of the Canadian Centre for Justice Statistics at statcan.ccjs-ccsj.statcan@canada.ca, or call toll free toll-free 1-800-387-2231.

² Link to announcement: http://www.statcan.gc.ca/eng/about/smr09/smr09_074

Contents

Changes to Incident Clearance Status 4

Overview: 4

 Updated definition of Unfounded: 4

 Updated Definition of Founded: 4

 Note on the use of “unsubstantiated”:..... 4

Summary of Changes..... 5

 Retired code:..... 5

 New codes:..... 5

 Label changes:..... 6

Definitions for new codes 6

Definitions for existing codes with new labels 6

UCR Requirements 7

POLIS Recommendations regarding role codes 7

Changes to Incident Clearance Status

Overview:

The definitions for both founded and unfounded have been updated as per the recommendations from POLIS. The improvement to these definitions will help police services across Canada report incidents to Statistics Canada in a consistent fashion.

Updated definition of Unfounded:

An incident is “unfounded” if it has been determined through police investigation that the offence reported did not occur, nor was it attempted.

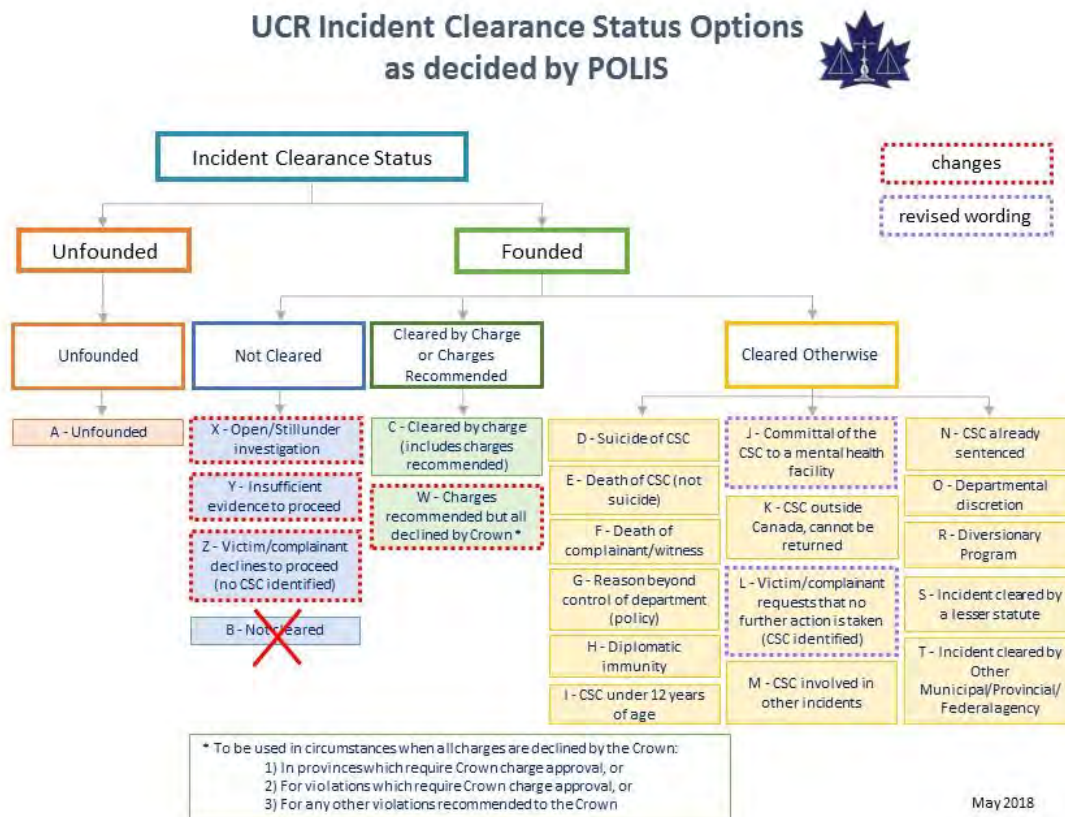
Updated Definition of Founded:

An incident is “founded” if, after police investigation it has been determined that the reported offence did occur or was attempted (even if the charged/suspect chargeable (CSC) is unknown) or there is no credible evidence to confirm that the reported incident did not take place. This includes third party reports that fit these criteria.

Note on the use of “unsubstantiated”:

The POLIS committee of the CACP recommended that police services no longer categorize incidents as “unsubstantiated”. This recommendation was endorsed by the CACP Board of Directors in April 2017. With the new definitions of founded and unfounded, as well as the changes to clearance categories, there should no longer be any unsubstantiated incidents. Police service reviews of unfounded sexual assault incidents revealed differences in the use of “unsubstantiated” was a partial source for a varying rates of unfounded across police services.

The UCR survey incident clearance status options have been revised and will now respect the following structure (changes are noted):



Summary of Changes

Retired code:

This code will be removed entirely from the UCR survey:

- 1) B - Not cleared (replaced by new codes X, Y and Z)

Note: Code B will continue to be accepted while police services update their record management systems to reflect the new changes.

New codes:

Three new codes will replace 'B – Not Cleared' under 'Not Cleared':

- 1) X – Open/Still under investigation
- 2) Y - Insufficient evidence to proceed
- 3) Z - Victim/complainant declines to proceed (no CSC identified)

One new code will be added under 'Cleared by Charge or Charges Recommended':

- 1) W - Charges recommended but all declined by Crown

Label changes:

Two existing codes have been assigned new labels:

- 1) J - Committal of the CSC to a mental health facility
Previously: "Committal of the CSC to a mental hospital"
- 2) L - Victim/complainant requests that no further action is taken (CSC identified)
Previously: "Complainant declines to lay charges"

Definitions for new codes

X – Open/Still under investigation

This clearance option is to be used for all open investigations and for those where action has yet to be taken on the reported incident. It includes incidents that cannot be classified as "Y - Insufficient evidence to proceed" or "Z - Victim/complainant declines to proceed (no CSC identified)".

Y - Insufficient evidence to proceed

This clearance option is to be used for incidents where there is insufficient or conflicting evidence for the police service to substantiate laying a charge or recommending a charge to the Crown.

Z - Victim/complainant declines to proceed (no CSC identified)

This clearance option is to be used for incidents where an accused cannot be identified either because the victim/complainant or other witnesses do not want to identify a CSC or they do not want to actively participate in the investigation.

W - Charges recommended but all declined by Crown

This clearance option is to be used when police have recommended to the Crown that charges be laid, but the Crown declines to proceed with any of the charges. This clearance will largely apply to provinces that require Crown charge approval (i.e., New Brunswick, Quebec and British Columbia), but can be used by police in other provinces where an incident involves a recommendation to the Crown.

Definitions for existing codes with new labels

J - Committal of the CSC to a mental health facility (note: The only change is the use of "mental health facility" to replaced "mental hospital")

The CSC is not available for prosecution because: a) they are committed to a mental health facility without the hope of early release or b) as per conditions set by the court or Review Board under C.C. 672.54(b).

L - Victim/complainant request that no further action is taken (CSC identified)

The accused person is known and sufficient evidence has been obtained to support the laying of an information, but the victim/complainant request that no further action is taken by police and as a result police use discretion to not lay or recommend a charge.

UCR Requirements

A - Unfounded

Incidents coded as clearance status 'A' will only be checked for basic edits. These include:

- Respondent Code: must be a valid code for an active police service
- Incident File Number: must be unique code (20 characters in length)
- Violation 1 (MSV): must be a valid UCR code
- Report Date: must be a valid date (YYYYMMDD)
- CSC record: not accepted

X –Open/Still under investigation, AND

Y - Insufficient evidence to proceed, AND

Z - Victim/complainant declines to proceed (no CSC identified)

Incidents coded as clearance statuses 'X', 'Y' or 'Z' will follow the same UCR requirements as retired code 'B - Not cleared'. These requirements include:

- Clearance date: must be 99999999 "not applicable"
- CSC record: not accepted

W - Charges recommended but all declined by Crown

Incidents coded as clearance status 'W' must follow the same requirements as existing incident clearance status 'C - Cleared by charge'. These requirements include:

- Clearance date: must contain a valid date (YYYYMMDD), for clearance status W this is the date that charges were recommended to the Crown
- CSC record: at least one must be submitted
- CSC status: must = 1 "charges laid or charges recommended" for at least one CSC

J - Committal of the CSC to a mental health facility, AND

L - Victim/complainant request that no further action is taken (CSC identified)

The UCR requirements for incidents coded as clearance statuses 'J' or 'L' remain the same.

POLIS recommendations regarding role codes

For incidents not cleared and assigned the new categories of Y (Insufficient evidence to proceed) and Z (Victim/complainant declines to proceed), there is no CSC identified officially, therefore no accused record is reported to the UCR Survey. However, to assist police with their internal management of records that are founded and meet the criteria of Y or Z, POLIS recommends the creation within Records Management Systems of a new role code entitled "Subject of Complaint". This role code was recommended by POLIS as some police services are currently using this terminology for such incidents. Each agency can then determine their own threshold for disclosure of the information (e.g., for criminal record checks) by taking into account the circumstances of the file, the reasons for request for disclosure and whether or not the individual has a previous and/or related criminal history.

HAMILTON POLICE SERVICES BOARD
- INFORMATION -

DATE: 2018 November 8

REPORT TO: Chair and Members
Hamilton Police Services Board


FROM: Lois Morin
Administrator

SUBJECT: *Board Member Travel and Expense Reimbursement Report*
PSB 18-090(c)

BACKGROUND:

The Hamilton Police Service at its meeting of October 19, 2017, approved the Board Member Travel and Expense Reimbursement Policy which provides the guidelines for attendance, travel, eligible expenses and reimbursement of expenses for Board Members who attend various conferences, seminars and other meetings related to their duties with the Board. The policy further outlines that the Administrator will provide a written report which will include the members that attended and a brief synopsis of the conference.

Attendance at the International Association of Chiefs of Police was approved by the Board at its meeting of July 26, 2018. Member Patricia Mandy attended the Conference which was held at the in Orlando Florida, from Friday, October 5 to Wednesday, October 9, 2018. Information sessions covered a number of topics which are included in the Conference Findings Report attached as Appendix A.



Lois Morin
Administrator

LM/lm

Attachment: Appendix A- Conference Findings

Conference Findings

Board Member: Pat Mandy _____
Event (and dates attended): October 5 - 9, 2018 _____
Location: Orlando Florida _____
Total Cost: \$14,700.94 ⁹⁴/_{xx} _____

Describe in one or two paragraphs (or in point form) one or more findings from your attendance at this event that should be shared with the Board.

I attended over ten sessions on topics that included Opioids and the Law Enforcement Response, Body Worn Cameras, Bias Awareness, Keeping Protests Peaceful, Emerging Issues and the Impact of Reform on Policing. There were common themes across the sessions. Strong leadership, role modelling and building and maintaining trust are essential in building relationships internally and externally to the service. Projects, policy and directions should always start with the "why" rather than the "what and how" to facilitate implementation and buy in from Officers and Public. Police reform, or better called evolution requires data driven management and decision making. Internal and external engagement in sharing knowledge and implementing programs are the key to success. We need to hear directly from communities to hear their suggestions for ways police services can make a difference. Every person holds attitudes and beliefs (Bias) that can influence their perceptions of others and influence their interaction with others. This might be with employer/employee relationships, relationships with the public and with colleagues. Cultural competencies are essential and each of us must have an understanding of our own cultural concepts that impact our world view. In summary the main themes in most session included the importance of data, leadership, trust, engagement and cultural competency. One big take away for me was the statement that the Police Service is the social safety net. When things fall through the cracks the Police end up dealing with it. We need to work with partners to intervene and break the cycles that lead to crime.

I also attended several networking sessions and met and talked with attendees from other countries and across Canada. Many issues are similar and are in different stages of being addressed. The Exhibits and those working in the area provided much information on equipment technology and best practice.

Will this information help the Board achieve their goals, and if so, which goals in particular?

I don't know how long I can say that I am new. I am still learning some of the fundamentals of Policing and the organizational challenges. However, I did learn about critical issues facing Police Services. Key messages to me were the importance of ethical behaviour and decision making by the leadership (Board), the idea of being the social safety net and understanding culture and bias in all relationships.

Please rate the Conference (1 is very poor, 10 is excellent)

Value for money spent	1	2	3	4	5	6	7	8	9	x
Conference content	1	2	3	4	5	6	7	8	9	x

Recommended future attendance by self or others	<u>YES !</u>	NO
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Please fill out this form to evaluate business travel when overnight accommodation is required.

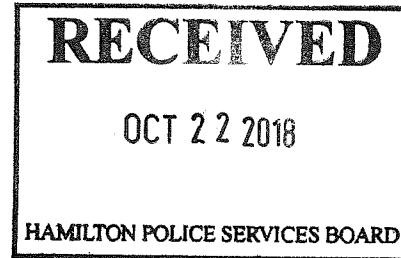


Hamilton-Wentworth Catholic District School Board
Believing, Achieving, Serving

4.4(d)

October 15, 2018

Mr. Eric Girt, Chief of Police
Hamilton Police Services
155 King William St.
Hamilton, Ontario
L8R 1A7




Dear Police Chief Girt:

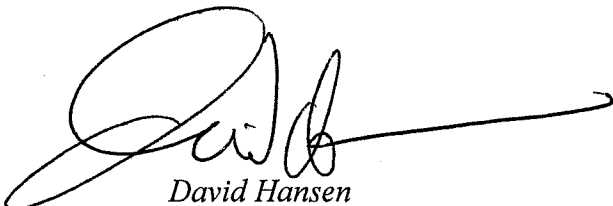
On behalf of the Hamilton-Wentworth Catholic District School Board, we wish to thank and commend the Hamilton Police Services for the excellent service and assistance it provided to us during our 15th Annual Pilgrimage "Walk with Christ, Justice for the Poor". Police presence was very much appreciated.

We thank you and your department for kind, wise and pleasant assistance and ask you to express our gratitude to all the officers that were present on this memorable day.

God Bless!

Yours truly


Patrick J. Doherty
Chairperson of the Board


David Hansen
Director of Education

/kab

cc ✓ Councillor Lloyd Ferguson, Chair
Hamilton Police Services Board

**Safety, Licensing Appeals and
Standards Tribunals Ontario**

**Tribunaux de la sécurité, des appels en
matière de permis et des normes Ontario**

4.4(e)

*Ontario Parole Board
Ontario Civilian Police Commission
Licence Appeal Tribunal
Fire Safety Commission
Animal Care Review Board*

*Commission ontarienne des libérations
conditionnelles
Commission civile de l'Ontario sur la police
Tribunal d'appel en matière de permis
Commission de la sécurité-incendie
Commission d'étude des soins aux animaux*



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Website: www.slasto-tsapno.gov.on.ca

Tél. : 416-327-6500
Télé. : 416-327-6379
Tél. sans frais : 1-844-242-0608
Site Web: www.slasto-tsapno.gov.on.ca

Le français suit.

DATE: October 29, 2018

MEMORANDUM TO: All Stakeholders

FROM: Lori Coleman, Director of Operations

SUBJECT: SLASTO's Public Hearing Rooms

We are writing to inform you about our upcoming change of location for public hearing rooms in Toronto and what it means for you as you access our services.

Background

In June 2018, we announced a change of address and co-location of the five tribunals within the Safety, Licensing Appeals and Standards Tribunals Ontario. We also announced that construction was under way for new public hearing rooms.

While the new public hearing rooms are not yet completed at 15 Grosvenor Street, SLASTO will open an interim public hearing centre until construction is complete. Please note that this will not result in a change to our mailing address.

Change of Hearing Room Location

Effective November 5th 2018, SLASTO's hearings will no longer be convened at 20 Dundas Street West, Toronto. Hearings in Toronto from November 5th, 2018 will be convened at:

777 Bay Street, 6th floor
Toronto, Ontario
M5B 2H4

Please note that the hearing room space at 777 Bay will not have front counter service. A Commissionaire will be available onsite to assist parties. Hearing room schedules and updated signage will also be available to help parties quickly and efficiently find their assigned hearing rooms. Any person who requires accommodation to file an application or to drop off materials in person may contact us at 1.844.242.0608 to make special arrangements.

How to Find Us

The nearest TTC subway station is College Station.

The nearest TTC bus stop is College St at Bay St (Bus #306, Streetcar #506).

The nearest Impark Parking lot is at 700 Bay St.

Accessibility Information:

- barrier free
- wheelchair and companion seating
- on-site assistance (commissionaire)

Support

During this period of transition, we ask that parties with upcoming hearings pay close attention to the hearing location listed on their Notice of a Hearing.

If you have any questions or concerns please contact your Case Management Officer (CMO) or email us at SLASTOinfo@ontario.ca.

Mailing Address

Our mailing address remains the same:

Safety, Licensing Appeals and Standards Tribunals Ontario
77 Wellesley St. West, Box 250
Toronto, Ontario Canada M7A 1N3

4.4(f)

Morin, Lois

From: Redirected Emails
Sent: October-29-18 10:24 PM
To: Morin, Lois
Subject: FW: Message

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]
Sent: October 29, 2018 9:19 PM
To: Morin, Lois <Lois.Morin@hamilton.ca>
Subject: Re: Message

Ms.Morin

I appeal to you humbly to put it on the November 8, 2018, agenda please.

Respectfully requested by a private citizen

Shekar

From: Shekar Chandrashekar <shekarfamily@hotmail.com>
Sent: October 9, 2018 11:18 AM
To: Morin, Lois
Subject: Re: Message

Good Morning Ms.Morin

Thank you.

Yes, I did provided the following. For the record they are:

- There should be public consultation before HPSB approves the 2019 operational budget excluding the Capital budget
- There should be an unbiased outside auditor, not KPMG of Hamilton,
- In my opinion, there is no accountability or transparency in providing financial information to HPSB.
-
- I have reconciled Budget and Actual from 2013 to December 31, 2017, and I have found amazing results.
- I still stand by my position that I can reduce the budget by over \$6 Million,

- I am not interested in the operational side of policing and I am not interested in confidential information,
- The Chief can find new approaches to fight crime an increase in the HPS budget. It requires good leadership,
- I have a legal opinion from a well reputed firm, that Current and Capital budgets are separate responsibilities and the City Manager of Capital budgets confirmed this is the case. Capital budget is strictly separate and must not be confused with the current operational budget. Furthermore, HPS's capital budget is 100% the City's responsibility.
- Etc

Ms. Morin, I am always respectful. Hopefully you will put this before the up-coming HPSB meeting for the record.

Concerned Citizen

From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: October 9, 2018 8:50 AM
To: Shekar Chandrashekar (shekarfamily@hotmail.com)
Subject: RE: Message

Good morning.

As you stated earlier, you did not want to meet with the budget subcommittee. As a result, a meeting will not be scheduled.

Thank you.
Lois Morin

Lois Morin

Administrator
Hamilton Police Services Board
155 King William Street
Hamilton, ON L8N 4C1
Phone: 905-546-2727
Fax: 905-546-4720
E-mail: lois.morin@hamilton.ca / www.hamiltonpolice.on.ca

The contents of this email and any attachments are confidential. It is intended for the named recipient(s) only. If you have received this email in error please notify the system manager or the sender immediately and do not disclose the contents to any one or make copies.

This email has been scanned for viruses, vandals and malicious content.

From: Redirected Emails
Sent: October-06-18 11:26 PM
To: Morin, Lois
Subject: FW: Message

From: Shekar Chandrashekar [<mailto:shekarfamily@hotmail.com>]
Sent: October 4, 2018 10:12 AM
To: Morin, Lois <Lois.Morin@hamilton.ca>
Subject: Re: Message

Good Morning Ms.Morin

Any further development?

shekar

From: Morin, Lois <Lois.Morin@hamilton.ca>
Sent: August 24, 2018 3:23 PM
To: Shekar Chandrashekar (shekarfamily@hotmail.com)
Subject: Message

Good afternoon Mr. Chandrashekar.

I have received your voice mail messages and am looking at further dates. I will also be discussing your messages with Vice Chair MacVicar. After discussions, I will be in contact with you.

Thank you.
Lois Morin

Lois Morin

Administrator
Hamilton Police Services Board
155 King William Street
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HAMILTON POLICE SERVICES BOARD

OUTSTANDING ISSUES as of November 8, 2018

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
1. Other Business	May 26, 2016	That Member Whitehead work with the Board Administrator to implement the use of Electronic devices for monthly agendas.	PSB 16-001 – Ongoing	
2. Body-Worn Camera Steering Committee Second Year Report (PSB 16-127)	November 16, 2017	That the Board approve that continued investigation occur prior to accepting, rejecting or engaging in a Body Worn Camera pilot deployment program.	Ongoing	
3. Statistics on Sexual Assault Data Collection	February 9, 2017	The Hamilton Police Services to review all unfounded sexual assault cases dating back to 2010, and that Chief Girt be requested to report back to the Board as soon as possible on the findings	Ongoing	

4.4(g)

HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2018 November 8

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Lease Amendment and Renewal 7 Innovation Drive
PSB 11-112b (See also PSB 11-112 and PSB 11-112a Community
Policing Centre / Patrol Officer Office Relocation to the Hamilton
Technology Centre in Flamborough)*

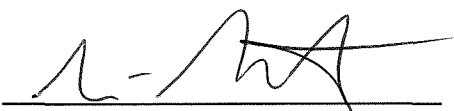
RECOMMENDATIONS:

- a) That the Hamilton Police Services Board approve the renewal of the Lease Agreement between the City of Hamilton (Tenant) and 2563789 Ontario Inc. Hamilton Technology Centre (HTC), (Landlord) for the purposes of providing a location for the Hamilton Police Service (HPS) to operate a Patrol Officer office located at 7 Innovation Drive, Flamborough, Suite 235;
- b) That the Hamilton Police Services Board request that the Mayor and the City Clerk, of the City of Hamilton, execute a Lease Agreement renewal between the City of Hamilton (Tenant) and 2563789 Ontario Inc. Hamilton Technology Centre (HTC), (Landlord) in a form satisfactory to the City of Hamilton Legal Services, for the premises located at 7 Innovation Drive, Flamborough, Suite 235.

Area: Approximately 278 square feet of space for use as a Patrol Officers' report writing office and lunch room

Term: A period commencing on December 1, 2018 and expiring November 30, 2019 with two (2) one year options to renew.

Rental Rate: \$7,182.00 per annum plus H.S.T. The payments will be made from Account #55358-376614.



Eric Girt
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – The payments will be made from Account #55358-376614. The cost of this lease agreement is \$7,182.00 per year / \$598.50 per month. HTC initially provided a subsidized rent of \$3,150.00 per year after purchasing the facility from the City of Hamilton in 2016. HTC is currently aligning the rates charged for the use of the HPS space with the rates charged to the other tenants in the facility.

STAFFING – n/a

LEGAL – The present lease has expired, however police have been allowed to stay on a month by month basis at the current rate.

BACKGROUND:

The Waterdown Community Policing Center was located in the old municipal offices on Highway #5 in Waterdown. In June, 2011, the municipal offices were closed, leading to the closure of the Waterdown CPC as well as the Flamborough beat officer's office. The City made a commitment to find a new location for the policing centre. The Hamilton Technology Centre at 7 Innovation Drive, Flamborough had two vacant suites and it was determined that this location would be an excellent venue for police beginning in 2012.

A one year lease agreement was initially executed for the lease of two adjoining suites in 2012. HPS enjoyed the use of this space rent free until the facility was sold in 2016. In the most recent lease agreement, it was determined that only the smaller suite needed to be retained. Suite 235 is approximately 278 square feet and is used as a beat patrol office for the officers working in the Flamborough and Waterdown areas. Without this space, officers would have to travel to Dundas or back to the Division 3 headquarters at 400 Rymal Road. There is no public reporting at this location.

HTC is currently offering a one year lease with two, one year options to renew. The yearly cost is \$7,182.00 per year/\$588.50 per month/\$25.83 per square foot vs. the previous \$3,150.00 per year/\$263.00 per month/\$11.35 per square foot. The current proposed lease rate is post negotiations from an even higher initial offering from HTC.

Division 3 Command staff and Facilities staff are recommending the approval of this lease.

EG/D.Bowman

cc: Dan Kinsella, Deputy Chief – Operations
Anna Filice, Chief Administrative Officer
Will Mason, Superintendent – Division 3
John Randazzo, Chief Accountant – Finance
Real Estate, City of Hamilton

HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2018 November 8

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Reward for Information - Ongoing Homicide Investigation–
Angelo Musitano
PSB 18-104*

RECOMMENDATIONS:

- a) That the Board authorizes a Reward in the amount of \$50,000.00 for information leading to the arrest and/or conviction of persons both known and unknown, who were responsible for the death of Angelo Musitano.
- b) That 20% of the reward money offered be transferred to Police Reward Reserve Account #11225, for a total of \$10,000.00.



Eric Girt
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – See recommendations above.

STAFFING – n/a

LEGAL – n/a

BACKGROUND:

The Board previously approved that only 20% of the total reward money offered for public rewards is held in reserve (*see PSB #09-052*).

On Tuesday, May 2, 2018, at 3:55 p.m., police and emergency medical services responded to a 911 call to 14 Chesapeake Drive in Waterdown. The victim, Angelo Musitano, was found at that location suffering from gunshot wounds to the torso. Angelo Musitano was transported to the Hamilton General Hospital but pronounced dead a short time later.

The investigation revealed that this was a well-planned murder involving a sophisticated and lengthy surveillance of the victim prior to the murder. To date, investigators have identified Michael Cudmore, Daniel Tomassetti and Jabril Abdalla as being directly involved in the murder. Angelo Musitano was member of Hamilton's Traditional Organized Crime scene and it is known that other persons were involved in the ordering of this murder and the investigation remains ongoing.

Jabril Abdalla was arrested in September, 2018, and is currently remanded in custody. Michael Cudmore and Daniel Tomassetti both fled to the Cancun area of Mexico. Michael Cudmore left Canada in May, 2017 and Daniel Tomassetti left Canada in January, 2018. Neither of them has returned to Canada, and Mexican authorities advised they have no record of either of them having left that country. Canada-wide warrants have been obtained for both Cudmore and Tomassetti. In addition, they have been flagged with Interpol and Provincial Arrest Warrants have been instigated.

Michael Cudmore's family has not heard from him since February, 2018. This is uncharacteristic of Cudmore so his family has reported him as a Missing Person. Daniel Tomassetti's parents are aware of his jeopardy and have shown no signs of concern for his wellbeing.

Investigators believe that both Michael Cudmore and Daniel Tomassetti are aware they are wanted and are choosing not to return to Canada. It is believed that friends, family or associates of Michael Cudmore and Daniel Tomassetti are aware of their current whereabouts and that a financial reward will motivate them to provide the information to investigators to aid in their arrests. The reward may also lead to information on the identification of others involved in this murder.

EG/Supt. R Diodati

cc: Dan Kinsella, Deputy Chief - Operations
John Randazzo, Chief Accountant - Finance

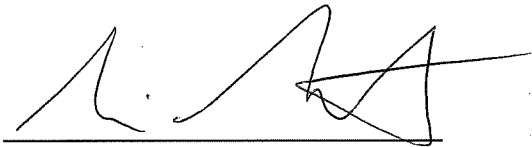
HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2018 November 8
REPORT TO: Chairman and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *2019-2021 Business Plan*
PSB 18-106

RECOMMENDATION:

That the Board adopts the *2019-2021 Business Plan* as presented, so implementation can begin on January 1, 2019.



Eric Girt
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – n/a

STAFFING – n/a

LEGAL – Compliance with the Adequacy Standards Regulation (AI-001) to develop a Business Plan at least once every three (3) years and include cost projections for implementing the Business Plan.

BACKGROUND:

The Adequacy Standards Regulation Framework for Business Planning (AI-001) requires every Board, in partnership with the Chief of Police, to prepare a Business Plan for its police service at least once every three (3) years.

On January 18, 2018, the Police Services Board approved the *2019-2021 Business Planning Proposal* (PSB #18-005). In preparation for the Business Plan Refit, various scanning initiatives were conducted to ensure we have a thorough understanding of the challenges confronting our Service and plan for the future. These included a Patrol Workload Study, Community Survey, Member Survey and various operational and statistical reports.

On June 1, 7, and 8, 2018, over 80 participants took part in the Business Planning Conference at St. Joseph's Healthcare Hamilton. The participants included members of the Police Services Board, community members representing different Hamilton organizations and Hamilton Police Service members, both sworn and civilian. A consultant, twelve in-house trained facilitators and four planning team members guided the process.

From June until October, the Professional Development Division consulted with the refit participants to confirm the strategic directions and goals, and subsequently turned the deliberations into a draft plan. Upon revision, the draft plan was presented to the Business Plan refit participants on October 3, 2018 for their input. The feedback was gathered and the draft plan was edited once again to reflect the recommendations. The draft plan was presented to Senior Management for review and approval on October 24, 2018.

Enclosed is a copy of the draft 2019-2021 Business Plan. The recommendation is that the Police Services Board adopts the Plan as presented so implementation can begin on January 1, 2019.

EG/tm

Attachment: Draft 2019-2021 Business Plan

cc: Frank Bergen, Deputy Chief – Support
Treena MacSween, Inspector – Professional Development Division



HAMILTON POLICE SERVICE

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ERIC GIRT CHIEF OF POLICE
DAN KINSELLA DEPUTY CHIEF - OPERATIONS
FRANK BERGEN DEPUTY CHIEF - SUPPORT
ANNA FILICE CHIEF ADMINISTRATIVE OFFICER

Business Plan

DRAFT

Vision

To be a trusted partner in delivering public safety.

Mission

To serve and protect in partnership with our communities.

Our Values

Compassionate

We act with empathy, sensitivity and compassion to support our members and victims of crime.

Dedicated

We are relentless in our pursuit of offenders and committed to delivering quality service.

Inclusive

We embrace the principles of diversity and inclusion by demonstrating respect and reflecting the communities we serve.

Integrity

We act with integrity in everything we do.

Innovative

We believe in continuous education, growth, and the implementation of innovative solutions to address the changing needs of our communities and our service.

Professional

We are committed to providing the highest standard of service to ensure public safety and trust.

Teamwork

We are committed to collaboration with our members and our communities.



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ANNA FILICE CHIEF ADMINISTRATIVE OFFICER

COMMUNITY SAFETY

To ensure the safety of the communities we serve.

Goals

- Identify and address emerging crime trends.
- Implement effective means to address all crime through education, analytics and enforcement.
- Implement effective prevention and enforcement to improve traffic safety.
- Manage legislative and regulatory changes to emerging issues.
- Address community concerns that affect public safety.
- Maximize communication with our community as it relates to services and supports, as well as crime prevention, public safety and harm reduction.

ENGAGEMENT AND PARTNERSHIPS

To foster effective relationships with all our communities.

Goals

- Collaborate and encourage participation within communities and organizations to help implement solutions and manage public safety needs.
- Provide meaningful volunteer opportunities and continue the development of future ambassadors for the Hamilton Police Service.
- Identify funding opportunities available to police services and community groups for the implementation of new programs and the continuation of existing effective programs.
- Engage in strategic organizational partnerships.
- Enhance communication with our communities to promote information sharing and mutual respect.



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ANNA FILICE CHIEF ADMINISTRATIVE OFFICER

PEOPLE AND PERFORMANCE

To increase organizational capacity and effectiveness by attracting, developing and retaining our members.

Goals

- Ensure recruitment and retention of high quality internal and external candidates to serve in the Hamilton Police Service.
- Implement organizational programs that enable leadership development and succession planning.
- Ensure that our members' behaviours are aligned with our service values through performance management and career development.
- Implement effective delivery of internal and external training.
- Continue to implement employee wellness programs and strategies that focus on prevention, intervention and a supportive return to work.
- Ensure continuous workload analysis and evaluation to support effective deployment strategies.
- Improve and enhance timely communication with our members through various platforms.

TECHNOLOGY AND ASSET MANAGEMENT

To ensure we have the necessary plans in place to address facilities, fleet and technology needs.

Goals

- Provide a long-term management plan for technology, facilities and fleet.
- Research and implement relevant technologies to enhance Hamilton Police operations and programs.
- Remain current on uniform and equipment needs for all HPS members.
- Implement processes and systems to improve and increase the effectiveness of the organization.
- Leverage technology to enhance service to the community.

HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2018 November 8

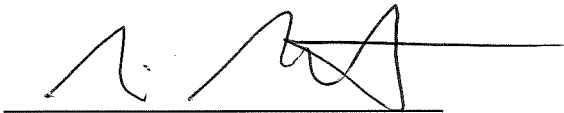
REPORT TO: Chairman and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *HPS Projected Capital Expenditures: 2019 – 2028*
(PSB 15-002, PSB 15-002a, PSB 15-002x, PSB 16-113, PSB 17-122)
PSB 18-108

RECOMMENDATIONS:

1. That the Hamilton Police Service Board approves the list of 2019-2028 Projected Police Capital Expenditures.
2. That the Hamilton Police Service Board approves Items 2 and 3 to be considered by the City of Hamilton for funding in 2019.
3. That the Hamilton Police Service Board forward the approved plan to the City of Hamilton for inclusion in the 2019-2028 Capital Budget Plan.



Eric Girt
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – See details below.

STAFFING – n/a

LEGAL – n/a

BACKGROUND:

Each year the City of Hamilton (the City) requests that the Hamilton Police Service (HPS) identify major capital projects for the next 10 years. These projects are submitted to the City for consideration, priority and funding approval through the City's annual capital budget process.

The following is projection of expected capital expenditures for the next ten years. This report includes a brief description of each item, the recommended year of acquisition, as well as the estimated total cost for each project.

1. 2019 – Computer Aided Dispatch (CAD) Upgrade: \$500,000

HPS will be required to upgrade to the latest CAD software version to remain current for support. This upgrade includes the Computer Aided Dispatch (CAD) system for the radio room and the application that runs in patrol vehicles. The cost of the upgrade includes all professional services (implementation, training, and support after cut-over). The upgrade will also be required to coincide with the move to Windows 10. HPS deployment strategy will be \$300,000 in 2019 and \$200,000 in 2020.

2. 2019 – 2022 – Roof Replacement – Police Stations - \$1,350,000

The roofing systems at Central, East End, and Mountain Police Stations have exceeded or are approaching their life expectancy. At Central Station, there are significant leaks during inclement weather.

HPS requested the City to include police facilities as part of the City's Building Condition Assessment Program. Stantec Consulting was retained to complete the work. As a result, a Facilities Condition Report (July 2016) was issued which identified a need to replace and/or repair the roofs due to age and condition. The following table shows the projected repairs required and the year of the repairs:

Police Station	2019	2020	2021	2022
Central Station – Division 1	\$250,000	\$200,000	\$250,000	\$250,000
East End Station – Division 2	\$200,000	\$0	\$0	\$0
Mountain Station – Division 3	\$0	\$0	\$0	\$200,000

3. 2019 - Roof-Top HVAC Units – Mountain Station - \$400,000

The roof-top HVAC units are the original units of the facility from its opening in 2004 and have exceeded their life expectancy of 10 years. The units are constantly failing and parts are difficult to obtain. The new units will be more energy efficient.

4. 2019 – Conducted Energy Weapons (CEWs) - \$335,700

Currently, HPS deploys X26 CEWs to its front-line officers. They are being discontinued and, therefore, there is a need to move to the new X2 model. HPS needs to begin training and transitioning to the X2 CEW model in 2019. The costs include holsters, warranty, and cartridges for training, re-certification and operational needs.

5. 2020-2023 – Personal Issued Portable Radio Replacement (PIPRs): \$6,000,000

Personal issued portable radios and the mobile communications devices in each vehicle will need to be replaced. The XTS 2500 series portable radios will reach their expected useful life of 10 years in 2019. Though some units may have extended life, failures and repairs will escalate as the equipment ages. Since support for these radios will cease in 2019, the cost of repair will also increase and be expensive to maintain.

Mobile Communication Devices which are fixed to each patrol vehicle which enable voice communications in the vehicle will also need to be replaced. HPS is looking at replacement strategies to confirm final costs of this in 2019.

6. 2020 - 2023 – Radio Geo-Redundant Master Site: Total Cost - \$3,000,000

It is recommended that the HPS, along with its partners (Fire, Public Works) who rely on the Radio Communication Infrastructure, consider current Master site upgrade. HPS is partnering Fire who are currently leading the discussions with the vendor, Motorola.

7. 2020 – Mobile Command Centre: \$750,000

Due to the population growth in the City, as well as an increase in special events, a new Mobile Command Centre is needed as the older vehicle is insufficient in size and does not meet the demand. The new Command Centre will be used for large-scale incidents that require extended time demand (those requiring a number of officers and public-service agencies), including hostage situations, active shooter calls, mass-casualty incidents, task-force operations, major homicide and missing persons investigations. Mobile Command also requires specialized equipment, TV monitors, tactical gear and supplies. It is to be used as a centralized place for agency officials to meet/talk on scene (EMS, Hydro, Gas, Fire Marshall, etc.), and is the hub for managing major events at the actual scene.

8. 2020 - Ice Rescue Equipment: \$80,000

With the Waterfront renewal at the Harbour, there is growth and increased popularity of recreational ice usage. The City also has a number of conservation areas with bodies of water that are used in winter months. During the winter months ice rescue is performed by the HPS Marine Unit. The Marine Unit is responsible for all bodies of water within the City. The necessity to respond rapidly and appropriately is required. To optimize HPS' ability to meet these requirements, the Marine Unit would require a vessel/vehicle capable of immediate deployment for both water and land terrain. The best suited tool that meets these requirements is a two to three person hovercraft. The vehicle is able to travel on land, water and ice and has the ability to reach speeds that would allow officers to access victims in a timely manner. In addition, it would be a valuable tool for ground search and rescue.

9. 2020 – Communications / 9-1-1 Center Expansion: \$500,000

With the continued population growth in the City and its surrounding areas, along with the proposed new Police Station, the HPS will require an expansion to the Communications Centre in order to respond to the increasing request for Police service calls. The current Communications Center was designed around the needs and technologies of the mid-1970s. The "Police Radio Room" has evolved to become the "Public Safety Answering Point" (PSAP) for all 911 calls for Police, Fire and Ambulance for both cellular and hard line telephone calls for the City and the surrounding traffic corridors. Additionally, the introduction of the "Next Generation 911" system will incorporate text messaging and video messaging into the traditional voice only technology of the PSAP. A space study is currently being conducted of all HPS locations to determine overall needs in the next several years. A plan detailing the outcomes and recommendations from this study will come forward in 2019 to confirm the costs of the Communications / 9-1-1 Center Expansion and any other space needs that may arise.

10. 2025 - Police Station 40 (New Division 4): \$25,000,000

Due to current and anticipated population growth in rural areas of the Hamilton escarpment, there is an anticipated need for a new patrol division and the construction of a new station (Division 4, Station 40). This is identified in the HPS Business Plan and is based on current and projected rural population growth in Binbrook, the Hamilton Airport/Mount Hope, Ancaster, Dundas, Waterdown and Flamborough. Division 3 currently covers the largest geographic area in the City. It stretches from the borders of Halton Region, Wellington County, Brant County, Haldimand Region to Stoney Creek mountain. This project, which was originally planned for 2020, was requested and approved by the Board to be moved to 2025.

E.Girt/D.Bowman, R. Memmolo, J. Randazzo

cc: Dan Kinsella, Deputy Chief – Operations
 Frank Bergen, Deputy Chief – Support
 Anna Filice, Chief Administrative Officer
 John Randazzo, Chief Accountant – Finance
 Dan Bowman, Manager – Fleet and Facilities
 Ross Memmolo, Manager – Information Technology