

NOTICE OF THE REGULAR MEETING OF THE OAK BAY POLICE BOARD TO BE HELD IN COUNCIL CHAMBERS, OAK BAY MUNICIPAL HALL, 2167 OAK BAY AVENUE, OAK BAY, BC, ON TUESDAY FEBRUARY 23, 2016 AT 3:00 PM

AGENDA



CALL TO ORDER:

PRESENTATIONS:

1. Sergeant Ian Craib and Constable Rick Anthony will be presented with their thirty (30) year Exemplary Service Awards.

APPROVAL OF AGENDA

ADOPTION OF MINUTES:

2. Regular Meeting
[January 19, 2016](#)

DEPARTMENT REPORTS:

3. Overtime Reports
[January 2016](#)
4. Chief Constable's Monthly Report
[Report - Chief Brinton, February 10, 2016](#)
5. Support Services Monthly Report
[Report - Sgt Smith, February 11, 2016](#)
6. Mobile Youth Services Team (MYST) Monthly Report
[Report - Cst Gibbs, February 11, 2016](#)

COMMUNICATIONS:

7. 2016 Meetings & Conferences Schedule
[2016 Police Board Meetings & Conferences](#)

8. 2016 Workshops - Access to Information for Local Government
[Access to Information for Local Government](#)

9. Downloading DNA Analysis Costs
[Memorandum - Chief Brinton, Feb 9 2016](#)
[Attach. 1 - UBCM, Feb 21 2014](#)
[Attach. 2 - Police Services - May 6, 2015](#)
[Attach. 3 - Minister of Justice - Sept 17, 2015](#)
[Attach. 4 - Response from Public Safety Solicitor General, Jan 5, 2016](#)
[Attach. 5 - City of Abbotsford, Feb 2 2016](#)

10. Police/ER/Mental Health Subcommittee - 2015 Review
[Attach. 1 - A Year in Review](#)

11. Police Officer Commissions
[Corresp. - Public Safety & Solicitor General, January 29, 2016](#)

12. BC Association of Police Boards - 2016 AGM
[Attach. 1 - Notice of AGM](#)
[Attach. 2 - 2016 AGM draft Agenda](#)
[Attach. 3 - Call for Resolutions](#)

13. Oak Bay Police Board Manual
[Oak Bay Police Board Manual - Draft, January 2016](#)

14. March Meeting - Date to be determined

CHIEF'S ORDERS (POLICY CHANGES)

15. OB 180 Missing Persons
[Memorandum - OB 180, Chief Brinton, Feb 9 2016](#)
[Attach. 1 - Revision Draft](#)
[Attach. 2 - Existing Policy](#)

NEW BUSINESS:

ADJOURNMENT:

That the open portion of the Police Board meeting be adjourned and that a closed session be convened to discuss personnel issues, which may be dealt with in private under the Police Act.

MINUTES of the open portion of the regular meeting of the OAK BAY POLICE BOARD held in Council Chambers of Oak Bay Municipal Hall, 2167 Oak Bay Ave, Oak Bay, BC, on Tuesday, January 19, 2016 at 3:00 p.m.

PRESENT:	Board Members:	Nils Jensen, Chair
		Mary Kelly
		Brian Rendell
		Sandra Waddington
	Chief Constable:	Andy Brinton
	Deputy Chief Constable:	Kent Thom
	CAO & Police Board Secretary	Helen Koning
	Executive Assistant/Recording Secretary	Laura Lang

Chair called the meeting to order at 3:10 p.m. and formally welcomed newly sworn in Police Board member Mary Kelly and explained meeting processes.

APPROVAL OF AGENDA:

Agenda approved. Chair added one item under New Business.

ADOPTION OF MINUTES:

RESOLVED that minutes of the open portion of the regular meeting of the Oak Bay Police Board, held on Tuesday, November 24, 2015 be adopted.

Chair wishes to acknowledge & welcome the attendance of two of the Department's uniformed members at the meeting – Sergeant Rob Smith and Constable Angus Wagnell.

DEPARTMENT REPORTS:

Financial Reports (November, 2015)

Car 74 budget will be over for the year, as the conversion costs to equip the new vehicle ran higher than was budgeted. Any overage will be absorbed into the overall car accounts.

Overtime Report (November & December, 2015)

Chief Brinton wanted to clarify that on the Overtime report, the "OT Owing" figure is a fluctuating figure that shows the departmental total of banked hours at the end of the reporting month. The Finance Department is advised by way of a monthly report and any banked overtime hours are a fully funded liability.

It was also pointed out that there was a typing error on the title of the December report. It should read "Oak Bay", not "5Oak Bay".

Chief Constable's Monthly Update (January 8, 2016)

Chair Jensen spoke briefly about the first item in Chief Brinton's report. There has been a new addition of a Human Resource Manager to the District of Oak Bay. This is an extremely integral position that will provide a standardized approach to human resource and collective agreement issues to all departments within the municipality. The position has now been filled for two months.

It was pointed out that under the section titled “Budget Process”, it should read “I presented”, rather than “I represented”.

Chief Brinton reports that the Road to Mental Readiness “train the trainers” sessions will be occurring in April with the full training delivered to all members in the fall of 2016. This training is for internal mental health and prevention of any stigma attached to such issues.

School Liaison Report (November & December, 2015)

Constable Eric Payne has returned to patrol as a designated Acting Sergeant and Constable Markus Lueder is the new School Liaison Officer, effective January 1, 2016.

Community Liaison Report (November & December, 2015)

Strategic Plan Quarterly Report (December, 2015)

Chief Brinton advises that most goals have been met for the year, with some areas to be carried forward to 2016. In some areas of the plan, objectives have been fully met.

There is a group meeting tomorrow to determine the new initiatives for the next Strategic Plan process of which planning will start at the beginning of 2017 for implementation at the start of 2018.

Sandra Waddington requests any feedback as this was the first Strategic Plan process initiated by the Board, and would welcome any areas that the Board feels may be improved upon. It was suggested that for the next Strategic Plan from 2018-2022, there be a “pre-test” of the Community Survey before engaging the community, an improvement to the counting mechanism and more clarity for some of the questions. Keeping the cost reasonable and questions relevant should be maintained as well as a portion that is Police Board focused, separate from the operational focus of the current Strategic Plan.

2015 Year-End Report

The Chief contributes the police portion to the larger municipal Annual Report each year, but this is the first time that a larger scale year-end report has been presented to the Police Board. Chief Brinton created sub-categories that he felt are key areas that would form a framework for reporting each year. This report was well received and felt that it would be worthwhile on an annual basis as a way of highlighting the department’s efforts, activities and engagement with the community to the public.

Chair Jensen suggested that a one-page summary be released by the Media Liaison officer that contains a link to the entire document on the website.

RESOLVED that all of the Department Reports be received.

COMMUNICATIONS:

1. PB2016-1 CANADIAN ASSOCIATION OF POLICE GOVERNANCE, December 3, 2015
Re Request for Proposal for CAPG Conference 2018

RESOLVED that the correspondence regarding the CAPG Conference 2018 be received.

CHIEF'S ORDERS: (Policy Changes)

- OH 040 – Bean Bag Shotgun

Sergeant Rob Smith spoke to the Board regarding the increased use of this type of intermediate use of force and answered any questions the Board had regarding the use of the policy surrounding this force option. This weapon provides a significant “force presence” by the mere presence of the weapon, without having to fire. There have been no accidental deaths with the use of this type of force option that Sergeant Smith is aware of.

Brian Rendell took the full training that is provided to all police officers and was very impressed with the level of training and the member’s professionalism. All but four members have completed the training in all intermediate use of force options. There are three (3) operational Bean Bag Shotguns in use in the department.

MOTION by Sandra Waddington that Policy OH 040 be approved.

SECONDED by Brian Rendell.

CARRIED

NEW BUSINESS:

Governance project for the Integrated Units within the Capital Regional District:

There have been several meetings held to date and although there is a significant process in place, it will likely slow down until summer time. There was discussion around the current status of the project and that continued meetings with the CRD Police Boards may be necessary to keep the process moving. Chief Brinton reports that until there is a unified, decision-making body in place taking reports from the CRD policing agencies, the issue will also be stalled at the executive level of the various police departments.

MOTION by Sandra Waddington for the Oak Bay Police Board to stay committed to the review of the governance of the integrated units, while awaiting a resolution of the matters presently before the Victoria/Esquimalt Police Board before moving forward.

SECONDED by Brian Rendell.

CARRIED

ADJOURNMENT:

RESOLVED that the open portion of the meeting be adjourned and that a closed session be convened to discuss personnel issues, which may be dealt with in private under the *Police Act*.

The open portion of the meeting adjourned at 4:25 p.m.

Chief Brinton, Deputy Chief Thom and Recording Secretary Laura Lang left the meeting.

Certified Correct:

Secretary, Oak Bay Police Board

Chairman, Oak Bay Police Board

**OAK BAY POLICE DEPARTMENT
MONTHLY OVERTIME REPORT
Month of: January, 2016**

Overtime Type	Overtime hours worked	Year to Date (hours)	Previous YTD (hours)
Investigation	2	2	8.5
Court	8	8	6
Sick Relief	142	142	50
WCB Relief	-	-	-
Shift Coverage	-	-	2
Special Duty	-	-	-
Training	-	-	2.5
Meetings	8	8	-
Total	160	160	69
Hours Banked	62	62	21
OT Bank balance (hours)	n/a	981	918.75

OT Hours Paid	Current \$ Amt	Year to Date \$ Amount	Previous Year to Date \$ Amount
98	\$9,829.10	\$9,829.10	\$3,937.53



OAK BAY POLICE DEPARTMENT MEMORANDUM

DATE: 2016-02-10
TO: Oak Bay Police Board
FROM: Chief Constable Brinton
RE: Chief's Monthly Update – January 2016

Legal Training

The Deputy Chief and I attended training with other area executive officers and have now been designated as Senior Officers as it pertains to Sec. 25.1 of the Criminal Code.

Area Chiefs and the BC Association of Municipal Chiefs of Police

January saw the initial meetings of these groups for 2016. This allowed the attendees to get up to speed after the holiday season break. Some key items were a review of some practices around domestic violence investigations and an update on the CREST roll out of the new 700 MHz radio system.

Business Bylaw Discussions

OBPD worked closely with the District of Oak Bay staff on some questions around business licencing. There was good communication and relevant information brought to the table.

Vancouver Island Integrated Major Crime Unit

I sit as part of the Joint Management Team for VIIMCU. We were updated on current activities of the unit and discussions around updating the Memorandum of Understanding that all partner agencies are party to.

RCMP Protective Policing Consulate Liaison Team

The Deputy Chief and I met with representatives from Protective Policing as part of their annual visit to police of jurisdiction where consul posts are located. Oak Bay is home to

the Saint Kitts and Nevis Consular General. No issues were identified but lines of communication were established and a general update was received.

Oak Bay PD Strategic Plan Meeting

A meeting was held with department members to review the initiatives supporting the 2013-2017 Strategic Plan. This resulted in determining which activities we will be carrying from 2015 into 2016 and what new initiatives will be implemented.

BC Crime Stoppers

I took part in a teleconference as part of my work on the BCACP Crime Prevention Committee. This is the umbrella organization that all independent Crime Stopper programs operate under. There were discussions primarily around changes in structure in an effort to support the small organizations in the Province.

Cultural Diversity in Policing Forum - JIBC

I attended a one day forum at the JIBC in New Westminster. There were 4 topics of discussion during the day:

- The importance of, and how the police connect with, the diverse cultures within the communities they serve. Presenters came from the Surrey School District, diverse culture advocacy groups, and the police. The Greater Victoria Police Diversity Advisory Committee spoke and the activities undertaken in the CRD to reach into the various groups was very well received.
- The dynamics of why domestic violence is often under-reported from some cultures and what measures can be taken to overcome this was discussed.
- Unconscious Bias was discussed including how it is conditioned, how to recognize it, and how to take steps to overcome it.
- The RCMP, Vancouver PD, and Victoria PD presented on their recruiting initiatives to attract people from diverse cultures.

BC Municipal Undercover Program

I attended a meeting as a member of the BCMUP Joint Management Team. We were updated on their activities in 2015 and some upcoming changes in the Memorandum of Understanding each partner agency is party to.

Andy BRINTON
Chief Constable



Support Services Section

Monthly Activity Report

January 2016

With the plethora of Special Events now completed for the winter months, the members of the Support Services Section (SSS) have been able to put our minds to some necessary housekeeping items and the welcoming of our new School Resource Officer, Markus Lueder, to the fold.

In this document, I hope to highlight some of the more “substantial” activities focused on by the section with the hope of providing a more complete overall picture of what has been (or is being) accomplished by those in the following roles:

Admin Sergeant	Sgt Rob Smith
Community Liaison Officer	Cst. Rick Anthony
School Resource Officer	Cst. Markus Lueder
Mobile Youth Services Team	Cst. Jennifer Gibbs
Reserve Constable Program	

Admin Sergeant

As you are aware, aside from my duties as the Admin Sergeant I am also the department’s Use of Force Coordinator and with that position comes all aspects of the department’s UoF training, record keeping and associated equipment maintenance.

Having completed the Fall Training sessions in Use of Force Theory, Conducted Energy Weapon requalifications and the roll out of the new Bean Bag Shotgun (BBSG) systems, I can report that all but 4 of Oak Bay’s operational members are fully caught up in all aspects of UoF qualifications including the provincially mandated 3 year Crisis Intervention and De-escalation (CID) refresher. The remaining four will be caught up in the near future.

Saanich PD released their training schedule early in January and I have been working to get our members signed up for Spring Training. Five dates in March and April will see our members qualified in the use of their pistols and five more dates in May and June will see Intermediate Weapons and Reality Based Training accomplished. We will be setting aside dates later in the fall to re-qualify in CEW, BBSG and to take the new R2MR (Road to Mental Readiness) training.

Cst. Brian Lucas, currently seconded to CFSEU, has been chosen to attend the next Standardized Use of Force Instructor Course. The 3 week course begins in February and I have been mentoring him through the physical and educational components of the prerequisites.

Updating of our policy manual is an ongoing task. The new Missing Persons policy was completed this month with much help from Cst. Wagnell and drafts have been completed for policy as it surrounds Social Media, Internet and cell phone use. The Domestic Violence policy is in review and forms have been obtained with regard to a video recording waiver in accordance with the Provincial Police Standards.

A grant received by the BC Crime Prevention Association saw that agency able to deliver “Abuse of Older Adults Awareness Training” around the province. Oak Bay was offered the opportunity to host the Victoria area incarnation. Municipal Council chambers was secured as the venue and January 27th saw approximately 20 people from various South Island agencies (police, restorative justice, victim services, adult guardianship) come together to learn from each other and BCCPA’s educator. Lunch was provided by the Red Barn Market at no charge to the OBPD.

The twitter account @oakbaycop was created this month and I am earnestly trying to learn the intricacies of this increasingly important aspect of Community Outreach.

On January 19th, I attended the Police Board meeting and answered questions on the BBSG and invited any who might like to attend a training session and see what this new Intermediate weapon is capable of.

On January 20th, I attended the Family Court and Youth Justice Committee meeting at Victoria City Hall. This was that committee’s AGM and also a forum for debate on the merits of a Secure Custody model for at-risk-youth, an initiative being spear headed in part by our own Cst. Jennifer Gibbs.

Also on January 20th, members of the Support Services Section met with the Chief and Deputy to discuss the strategic plan and ways in which this section might help to bring the various strategic priorities to fruition. We have re-committed our efforts to such initiatives as a Seniors Scooter Rodeo, Elder Abuse education and Speed Watch among others.

On January 28th, Cst. Gibbs, Cst. Martin and I attended to CFB Esquimalt for a morning long session on the new Provincial Police Standards as they relate to Missing Persons Investigations. The role of the Provincial Missing Persons Centre, the Provincial Prostitution Unit and the Unidentified Human Remains section were explained as well.

Community Liaison Officer

Cst. Anthony continues to be a regional voice and advocate for all things to do with Senior Safety, fraud prevention and resources available to families who have concerns regarding an older family member.

- Jan 5th meet with Cst. Kathi Brown, VicPD Community Resource Officer re: seniors safety presentation
- Jan 19th meeting / interview at Family Care Givers Network
- Jan 20th seniors safety talk at Monterey Centre
- Jan 27th abuse of older adults awareness training

As our Media Relations Officer, Cst. Anthony continues to be the first point of contact for news outlets with questions regarding emergent events in Oak Bay. As part of that role, Cst. Anthony

also routinely drafts and approves the weekly media release for distribution to our partners at Black Press and inclusion on our [website](#). In January, Cst. Anthony created and delivered a presentation to members of our patrol division on “media orientation and familiarization” during which he passed on some best practices and tips of the trade complete with a special guest speaker, Jim Beatty recently of CHEK and CTV News.

Cst. Anthony attended the Residential Tenancy Branch (RTB) on Jan 7th and brought back plenty of good information for members who may get caught in the middle of a tenancy issue and provided information on the “Advocacy Line” that police can use for inquiries. Plans have been set to have the RTB’s Public Education Team present to patrol members at muster in the coming weeks.

Other Community Liaison functions are as follows:

- Jan 13th meet with Municipal officials to discuss a business bylaw strategy
- Jan 20th Housing Integrated Team Information Session for District of Saanich
- Jan 20th Strategic Planning Meeting
- Jan 26th meet with Granite St residents re: street closures
- Jan 26th Greater Victoria Police Victim Services Board Meeting

Ongoing projects and files being monitored are as follow:

- High Visibility Residential Address project: A proposal to re-visit a 1948 bylaw that requires residents to have visible addresses for the purposes of emergency responders. This bylaw has not been revised or enforced in about 50 years. **ONGOING research**
- Operation Head Start:
- Operation Lumiere:
- Retail Merchant emergency contact info updates (*will resume in the spring due to a shortage of Reserve Officer resources*)
- Marine Watch / “Dock It or Lose It” program

School Resource Officer

Cst. Markus Lueder took over this position from Cst. Payne at the beginning of the year and then promptly injured his leg in a soccer game in his first week. The injury didn’t slow Cst. Lueder down as he was back in no time albeit not in a position to wear his uniform.

Cst. Lueder is already proving himself a valuable member of the Support Services Section (SSS). In his short time in the School Resource Officer (SRO) position, he has begun to forge many strong relationships and has reached out to every school, private school, international school, pre-school and daycare in the municipality. He is a regular fixture at the High School’s “School Based Team” meetings and has been instrumental in several interventions with youths already.

Cst. Lueder, previously with the RCMP, is very familiar with the SAFE (School Action For Emergencies) program and has begun the rather comprehensive task of putting such plans together for our schools. A main component of the program is ensuring that any officer responding to an emergency issue at a school has immediate access to blue prints and as much information as possible about the area of the school that they will be attending. Plans with integrated photos, muster areas, and the like are already being compiled.

Members of the OBPD were invited to join the Oak Bay Chapter of the Canadian Power Squadron in their most recent VHF Radio Operator's Course. The invite came about after a member of the squadron witnessed OBPD, OBFD and ambulance on the shore of Cattle Point last summer attempting to deal with a rescue in the water and having no way to communicate with the boats involved. Cst. Lueder has completed that training as of January 28th.

- Jan 12th Patrol back-fill
- Jan 13th Marine Patrol
- Jan 28th District wide SRO meeting

Mobile Youth Services Team (MYST)

Please see attached.

Reserve Constable Program

With no Special Events planned for the month of January, the Reserves largely took the month off. R/Cst. Jordan Carrie was sworn *back* into the OBPD Reserve Program on January 14. Jordan first came to Oak Bay in July 2013 and had been very active in serving this community prior to his departure for new experiences. In 2014, Jordan represented us in the Tour de Rock and is very excited to be coming back "home".

Rob Marshall is nearing the end of his training and will be sworn in as a Special Municipal Constable on March 16th with a graduation ceremony planned for March 26th.

Discussions are well underway for the re-implementation of the Speed Watch Program, Cell Watch Program and the Bicycle Registration Initiative. Our Speed Watch board was non-functioning and has been returned to ICBC for repair. The first deployment should occur before the end of February.



Oak Bay Police Department MYST Monthly Log

Member:

**Cst. Jennifer GIBBS
Mobile Youth Services**

Month of:

JANUARY 2016

Files	Dates	Comments
SPD 15-28938 CS 16-66	JAN 4	-assisted Saanich police with a missing young male -picked up an at risk female from SJ Willis School and transported to VicPD SVU for an interview, monitored interview and transported back to Esquimalt -liaised with youth horizons regarding an at risk youth -assisted Central Saanich with an 18 yr. old girl thinking of prostituting herself
16-69	JAN 5	-Youth Court -Integrated Case Management (ICM) meeting at Surrounded by Cedars -created file for curfew checks for a troubled youth
	JAN 6	- Outreach Meeting - visited with a youth at youth detox centre - Assisted with issues surrounding Tent City
	JAN 7	- ICM at MCFD office - met up with a concerned foster parent - connected with youths downtown with partner from Pacific Centre Family Services Association
SPD 16-747 WS 16-93 VicPD 16-973	JAN 11	- attended youth horizons to pick up and meet a chronic missing at risk youth - assisted SPD with a missing - assisted West Shore RCMP with an at risk youth who has severe brain damage - assisted VicPD in connecting with a troubled youth making bad choices
16-151 16-388 SPD 16-936	JAN 12	- Capital Region Action Team (CRAT) meeting - Picked up an at risk youth from Belmont High School and connected - Visited with a youth sectioned under the mental health act at VGH - Assisted SPD with a file
VicPD 16-1756	JAN 13	- Assisted VicPD in obtaining a witness statement from a youth - visited a youth at VGH - West Shore Community Meeting
	JAN 14	- Media Briefing Training at Oak Bay - Met at VicPD to discuss high risk youth and helping with their Risk, Threat Assessment Team - Connected with youth downtown with partner from Pacific Centre Family Services Association
WS 16-677/851 SPD 16-1134 SPD 16-1110	JAN 18	- assisted WS RCMP with a file and met with troubled youth - requested by SPD to connect with a young girl believed to be sexually exploited by escort agencies and possible boyfriend - request from SPD to connect with a low functioning girl hooking up with an older male in the US - attended an address to check on the welfare of a youth with a worker from the Native Friendship Centre
VicPD 16-2559	JAN 19	- youth court - meeting with an worried foster parent - Meeting at VicPD to discuss game plan for youth in tent city with MCFD, Inspectors and community officers - supported youth involved in a sexual assault file
	JAN 20	- Outreach Meeting - Victoria Family Court Youth Justice Committee at City Hall regarding Secure Care panel

Oak Bay Police Department MYST Monthly Log

Member:

**Cst. Jennifer GIBBS
Mobile Youth Services**

Month of:

JANUARY 2016

		- attended VGH to visit two at risk youths both for mental health issues
VicPD 16-2918 VicPD 16-136	JAN 21	- assisted VicPD with a domestic - assisted VicPD with a troubled family - picked up worker from Native Friendship Centre to check on wellbeing of a youth - Reconnect Meeting - Met a youth at the courthouse for support - met up with Insp. McGregor and Colin Brown at VicPD re: tent city - assisted SPD in locating missing
SPD 16-1599		
SPD 16-1875/3379	JAN 25	- assisted SPD with a couple missing youths - liaised with a very worried mother of a troubled youth - met up with four troubled youths - Assisted with issues regarding tent city
	JAN 26	- picked up a youth from school - connected with youth downtown with partner from Pacific Centre Family Services Association
SPD 15-27806	JAN 27	- assisted SPD with information regarding a child pornography file - attended residence in Saanich to speak with a girl communicating on line with an older male
	JAN 28	- Attended/presented at Missing Persons Symposium - assisted a probation officer in having a youth with warrants checked up Island

**Oak Bay Police Board
2016 Meetings & Conferences**

Date		Time
January 19	Meeting, Council Chambers	3:00 pm
January 23	Police Board Orientation, JIBC New Westminster	9:30 am
January 26	Cultural Diversity & Policing Forum, JIBC New Westminster	8:30-4:30
February 23	Meeting, Council Chambers	3:00 pm
March 22	Meeting, Council Chambers	3:00 pm
April 26	Meeting, Council Chambers	3:00 pm
May 24	Meeting, Council Chambers (conflict with Council?)	3:00 pm
May 26-28	2016 BCAPB Conference & AGM, Nelson	
June 28	Meeting, Council Chambers	3:00 pm
<i>No regularly scheduled meetings in July & August</i>		
Aug 12-14	2016 CAPG Conference, Ottawa	
Sept 27	Meeting, Council Chambers	3:00 pm
Oct 25	Meeting, Council Chambers	3:00 pm
Nov 22	Meeting, Council Chambers	3:00 pm

No regularly scheduled meeting in December



Access to Information for Local Government

2016 Workshops

Cenera, in partnership with the Office of the Information and Privacy Commissioner for British Columbia, presents a series of one-day training workshops on managing access to information under the *Freedom of Information and Protection of Privacy Act* (FIPPA).

The intensive course is specifically designed for local governments in BC, including municipalities, regional districts, improvement districts, local trusts, water users communities, municipal police boards, and library boards.

Courses are scheduled for Vancouver, Victoria, Kelowna and Prince George between March and November, 2016. Fee for the one-day course is \$290, including lunch and refreshments.

For more information on locations, dates, and to register, go to: <http://cenera.ca/accesstraininginbc/> or phone 800.387.8797

Rick Klumpenhouwer
Partner

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Access to Information for Local Government

Genera, in partnership with the Office of the Information and Privacy Commissioner for British Columbia, presents a series of one-day training workshops on managing access to information under the Freedom of Information and Protection of Privacy Act (FIPPA).

The intensive course is specifically designed for local governments in BC, including municipalities, regional districts, improvement districts, local trusts, water users communities, municipal police and emergency services boards, and library boards. Besides FIPPA Coordinators, the content is relevant to the work of a wide range of local government officials, including elected officials, department managers, communications staff, legal or regulatory officials, and information managers.

The workshops will provide detailed description and analysis of the legislative right of access standards, allowable exceptions, search and severing procedures, fees and response logistics, personal information access requests, requests for correction, and third party notices. We will identify and deal with specific records and analysis challenges that municipalities must commonly face when processing FIPPA requests, such as:

- Relationships between FIPPA and BC municipal government legislation;
- Determining when records of meetings can be withheld;
- Request for law enforcement information;
- Distinguishing between personal and municipal information of elected officials and employees;
- Identifying privacy or business interests when disclosing development permits or planning documentation;
- Requests for landowner information;
- Establishing interests of third parties supplying reports and recommendations to a municipality;
- Open government initiatives and proactive disclosure;
- Withholding complaints, concerns, or questions submitted by residents.

Class Time: 8:30am – 4:30pm

Cost: \$290.00 + GST (lunch and refreshments included)

Dates

16/03/2016 – [Access to Information for Local Government](#) – Vancouver

17/03/2016 – [Access to Information for Local Government](#) – Victoria

18/05/2016 – [Access to Information for Local Government](#) – Vancouver

19/05/2016 – [Access to Information for Local Government](#) – Victoria

25/05/2016 – [Access to Information for Local Government](#) – Kelowna

21/09/2016 – [Access to Information for Local Government](#) – Vancouver

22/09/2016 – [Access to Information for Local Government](#) – Victoria

28/09/2016 – [Access to Information for Local Government](#) – Prince George

16/11/2016 – [Access to Information for Local Government](#) – Vancouver

17/11/2016 – [Access to Information for Local Government](#) – Victoria

Space is limited, so please register early!

On-site Training

We can also come to you. Consider staging this workshop anytime at your own facilities for your own staff or in conjunction with other local municipalities. Up to 30 participants can attend for a flat fee of \$3,000 plus travel expenses. Contact Cenera at 800.387.8797 or training@cenera.ca.

Cancellation Policy

If you need to cancel your registration, the cancellation deadline is **15 calendar days prior to the date of the scheduled course**.

Refunds will only be provided if written notice is received by Cenera prior to the cancellation deadline. After this, participants may send a substitute in their place, or choose another eligible course in the current Training Calendar.

Collection, Use and Disclosure Purposes

The personal information requested is being collected under the authority of the Personal Information Protection and Electronic Documents Act (Canada) (PIPEDA). Personal information will be collected, used and disclosed only to register you for the courses selected, to provide details about preparations and locations for the course, and to process payments for the course using PayPal. If you voluntarily provide us with personal information in this process, we consider that you have provided implicit consent to collect, use and disclose information for these purposes only, as provided under PIPEDA Schedule 1, s. 4.3.5.

We will also use your contact information to inform you of upcoming courses and services. You may unsubscribe to these the first time you receive one of these notices, or you can unsubscribe now by adding a note in the comments box below.

If you have any questions about the collection, use, and disclosure of your personal information in this process, please contact Rick Klumpenhower, Privacy Officer, at 800.387.8797.

About the Instructors

Kelly Harms, BA, MAS has been an information management professional for over 17 years, working extensively with BC municipalities in developing and managing access and privacy and record management programs. He is an experienced and effective speaker and training, and for many years has delivered freedom of information and privacy (FOIP) seminars to public bodies throughout BC.

Joan Dunlop, BA, LLB, CIAPP/P has been a FOIP analyst with a major police service and now works with a wide range of provincial and local government bodies as a FOIP consultant and expert, assessing and developing access and privacy programs, providing program support, and leading FOIP training sessions in BC, Alberta and Saskatchewan.

Rick Klumpenhower, MA, MAS, CIAPP/M brings over 16 years of experience as a FOIP Director in a major health region, and as a FOIP expert, consultant, educator, and speaker, for governments, businesses, and non-profit organizations in BC, Alberta, Saskatchewan, across Canada and internationally.



OAK BAY POLICE DEPARTMENT MEMORANDUM

DATE: 2016-02-09
TO: Oak Bay Police Board
FROM: Chief Constable Brinton
RE: Downloading DNA Analysis Costs

There has been a change in the funding of DNA analysis with the introduction of a user pay model.

Background:

In May 2015 Police Services announced that the Province had concluded negotiations with Public Safety and Emergency Preparedness (Canada) regarding the delivery of DNA analysis services to police agencies in British Columbia. This led to the new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* that has been endorsed by the provincial Minister of Justice and the federal Minister of Public Safety and Emergency Preparedness. We were told that all provinces and territories that receive these services from the RCMP have endorsed similar agreements.

The Province has historically contributed a flat rate of \$1.366 million towards DNA analysis services. This amount has not kept up with the true costs as demand for the service has grown. Under this new agreement the Province will continue to provide this fixed rate of \$1.366 million and the federal government will contribute 46% of the actual costs. The Province sees DNA as an operational policing expense and police agencies will be expected to contribute funding beyond the Province's contribution to meet the true costs of DNA analysis. This will be done by a user pay model. The Province has established a cost to the police agencies of \$1,637 per case.

Oak Bay PD Costs:

The Province has delegated the Organized Crime Agency of British Columbia (OCABC) and their Board to administrator the new BCAA which includes a billing mechanism. The OCABC is using a billing scheme based on the previous year's usage for each agency. Invoices went out in November, 2015.

Oak Bay PD was not included in the billing as there was no baseline of usage. OBPD has DNA work processed through the Saanich PD Forensics as part of our Service Agreement. Saanich PD had not historically separated the Oak Bay cases as there had not been any cost associated. Saanich PD will honor the Service Agreement for the remainder of 2016 which expires at the end of 2016. We have not begun the Service Agreement renewal discussions yet.

Oak Bay PD has approximately 5 cases per year representing a cost of \$8,185 per year.

Attachments:

- Letter from the UBCM to the Minister of Public Safety and Emergency Preparedness dated February 21, 2014 discussing the federal government's intention to demand further funding from the Province or see a reduction in DNA analysis capacity.
- Letter from Police Services to the police chiefs dated May 6, 2015 discussing the BCAA and the new funding model.
- Letter from Suzanne Anton to the Vancouver Police Board dated September 17, 2015 responding to their position that the Province should be assisting further with the matter of increased costs associated to DNA analysis.
- Letter from the City of Abbotsford dated Feb. 02, 2016 raising concerns with increased costs. This letter includes related material from the District of Kent.

Andy Brinton
Chief Constable
Oak Bay Police



Union of BC Municipalities
Suite 60 10551 Shellbridge Way
Richmond, BC, Canada V6X 2W9

Phone: 604.270.8226
Email: ubcm@ubcm.ca

February 21, 2014

The Honourable Steven Blaney, PC, MP
Minister of Public Safety & Emergency Preparedness
House of Commons
Ottawa ON K1A 0A6

Dear Minister Blaney:

The Union of British Columbia Municipalities (UBCM) is writing on behalf of all local governments in the province to strongly urge that the Government of Canada reach an agreement with the Province of British Columbia on a number of ongoing financial issues related to the RCMP police services agreement. While we recognize there are significant issues to be sorted out between the parties (e.g. Green Timbers), we find it most disappointing that Public Safety Canada has indicated that if the Province does not agree to certain federal proposals, the result will be a reduction in police services. We do not see these bargaining tactics as conducive to building an ongoing partnership as envisioned in the 2012 RCMP police services agreement.

More specifically, Public Safety Canada has advised us to expect a reduction in DNA analysis, if their proposal is not accepted. From our perspective, the federal government has an obligation to fund National Police Services and work with the Provinces to economize in all areas, without threatening to reduce services that have been deemed critical to law enforcement. It is not appropriate for Public Safety Canada to make assertions about service reductions when service delivery is the responsibility of the RCMP and when the Province is constitutionally responsible for ensuring adequate and effective policing.

Local government would remind you the intent of the new agreement is to work collaboratively toward the common goal of providing professional, efficient and cost effective policing services. In order to do so, we need to fully understand the cost of the policing services delivered.

Local government requires financial certainty around the costs of policing in these fiscally challenging times. We need to ensure that the delivery of police services is founded on a climate of public trust, transparency, and accountability.

The Honourable Steven Blaney, PC, MP
February 21, 2014
Page 2

In conclusion, we are confident that you appreciate the very sensitive political and economic climate in which the RCMP operate in British Columbia and that you and your federal colleagues will give this issue your immediate attention.

Sincerely,



Director Rhona Martin
President
UBCM



Mayor Dianne Watts
Co-Chair
UBCM Local Government Contract
Management Committee

cc: *Clayton Pecknold, Assistant Deputy Minister, Policing & Security Branch,
Ministry of Justice*
François Guimont, Deputy Minister, Public Safety Canada
Bob Paulson, Commissioner, RCMP

1425/006/ Letter-Public Safety Minister Blaney



May 6, 2015
Ref: 508876

Chief Constables of Independent Municipal Police Departments
Chief Officer, SCBCTA Police Services
Chief Officer, CFSEU BC
Chief Officer, Stl'at'imx Tribal Police Service

Dear Sirs and Madams:

As you may be aware, the Province has concluded negotiations with Public Safety and Emergency Preparedness (Canada) regarding the provision of DNA analysis services to police agencies in British Columbia (BC). The new *Agreement Respecting Biology Casework Analysis 2014-2024* (BCAA) has been endorsed by both the provincial Minister of Justice and the federal Minister of Public Safety and Emergency Preparedness. All other provinces and territories that receive these services from the RCMP's Forensic Science and Identification Services (FS&IS) lab have endorsed similar agreements.

For more than a decade, the Province has contributed a flat rate of \$1.366 million towards the DNA analysis services provided by the RCMP's FS&IS lab to police agencies in BC. For some time the flat rate has not covered the actual costs of providing the services as demand for the services has increased over the past decade. Under the new agreement, after a three year escalation period, DNA analysis services will be charged based on a calculation that reflects the actual costs of providing the service and the proportionate usage of service recipients. It will no longer be limited to a flat rate. Going forward, the Province will continue to fund the analysis at the historic level of \$1.366 million, and, after a de-escalating phase-in period, the federal government will contribute 46% of the actual total costs.

As DNA analysis is an operational policing expense, police agencies will be required to contribute funding beyond the Province's historic level starting in fiscal 2015/16 in order to continue receiving the services from the RCMP FS&IS lab.

As part of this renewal, the Province will be implementing a new service delivery model that involves the Organized Crime Agency of British Columbia (OCABC) and its Board as administrators of the new BCAA. Ministry staff will work with the OCABC Board to develop the appropriate administrative mechanisms to carry out this new function.

... /2

Ministry of Justice

Policing and Security Branch

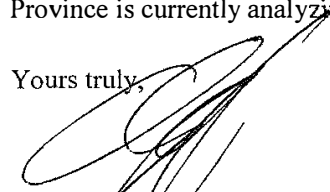
Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 387-1100
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

Page 2

The Province continues to explore options to ensure that the service being provided to BC police agencies by the RCMP FS&IS lab is the most cost effective available, and to that end has recently undertaken a Request For Information process regarding DNA analysis services. The Province is currently analyzing the submissions made as a result of that process.

Yours truly,



Clayton J.D. Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch

pc: Ms. Kimberley McLean, Director, Governmental Relations, Policing and Security Branch



BRITISH
COLUMBIA

SEP 17 2015

His Worship Gregor Robertson
Chair
Vancouver Police Board
2120 Cambie Street
Vancouver BC V5Z 4N6

Dear Mayor Robertson:

Your August 4, 2015 letter, regarding funding for DNA Analysis in British Columbia, addressed to Premier Christy Clark, has been referred to me.

As you are aware, the new Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA) between the Province of British Columbia and the federal government was negotiated as a result of the federal government informing the Province that it would no longer provide DNA analysis through the RCMP at the historical flat rate. In December 2013, the federal government informed the Province that if BC did not agree to pay considerably more for the service, as of April 1, 2014, the RCMP would significantly reduce the forensic DNA analysis services provided to law enforcement agencies in BC. Under the new BCAA, after a three-year escalation period (which began in fiscal 2014/15), DNA analysis services will be charged based on a calculation that reflects the two-year average of the actual cost to Canada to provide the service, and the two-year average of proportionate usage of service recipients. After the three-year escalation period, Canada will contribute 54 percent of the total costs.

During the negotiations for the agreement, your senior executives were informed in a number of venues, including the various associations of Chiefs of Police meetings, that the federal government was seeking to increase recovery for DNA analysis and that negotiations were underway. In fact, on March 11, 2014, Deputy Chief Warren Lemke, on behalf of the BC Association of Chiefs of Police, wrote to the federal government regarding federally-threatened service cuts if a BCAA funding agreement was not reached. It was also made clear that the Province would be required to ensure that law enforcement agencies funded the incremental costs above the historical flat rate contribution. It is important to note that under the *Police Act*, municipalities with 5000 population or more are responsible for providing policing and law enforcement in the municipality, and for bearing the expenses necessary to generally maintain law and order.

.../2

Ministry of
Justice

Office of the
Minister of Justice
and Attorney General

Mailing Address:
PO Box 9044 Stn Prov Govt
Victoria BC V8W 9E2
e-mail: JAG.Minister@gov.bc.ca
website: www.gov.bc.ca/Justice

Telephone: 250 387-1866
Facsimile: 250 387-6411

His Worship Gregor Robertson
Page 2

Additionally, on April 30, 2014, the Director of Police Services met with a group of police representatives, including Chief Constable Adam Palmer, at VPD Gravely to discuss the status of the BCAA negotiations and the resulting budget impacts.

At the BC Association of Police Boards meeting in April 2015, the attendees were informed that the Province would continue to provide the historical contribution of \$1.366 million and that, as DNA analysis is an operational policing expense, police agencies would be required to contribute funding beyond the Province's historical contribution starting in fiscal 2015/16. Then, again, in June 2015, the Director informed the BC Association of Chiefs of Police that as DNA analysis is an operational expense, police agencies will be required to fund their usage beyond the Province's historic funding of \$1.366 million. This is consistent with the obligations under the *Police Act*.

In order to assist police agencies with the transition to paying for a portion of their DNA analysis usage, the Province paid \$1.2 million, in addition to the historical funding of \$1.366 million for the first year of the phase-in period for 2014/15. For the second year of the phase-in, the Province has committed to paying for the first three quarters of the fiscal year to accommodate police agencies, whose budgets operate on a calendar year. The billing of police agencies will be effective January 2016. The Organized Crime Agency of British Columbia will be responsible for billing and administering the BCAA.

I appreciate that this decision by the federal government has had financial impacts on our governments. I can assure you that every effort to mitigate this decision was made. You may wish to raise your concerns with the federal government.

Finally, I would note that the Province makes significant contributions to policing in the City of Vancouver, including traffic fine revenue in the amount of \$14.2 million in 2015 and \$60 million annually to provincial integrated teams which support policing efforts across the province.

Yours very truly,



Suzanne Anton QC
Attorney General
Minister of Justice

pc: The Honourable Christy Clark

JAN 08 2016



BRITISH
COLUMBIA

January 5, 2016

Mr. Al Richmond
President
Union of British Columbia Municipalities
60-10551 Shellbridge Way
Richmond BC V6X 2W9

Dear Mr. Richmond:

I am responding to your December 2, 2015 letter, address to my colleague, the Honourable Suzanne Anton, Attorney General and Minister of Justice, regarding funding for DNA Analysis in British Columbia.

The new Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA) between the Province of British Columbia (BC) and the federal government was negotiated as a result of the federal government informing the Province that it would no longer provide DNA analysis through the RCMP at the historical flat rate. In December 2013, the federal government informed the Province that if BC did not agree to pay considerably more for the service, as of April 1, 2014, the RCMP would significantly reduce the forensic DNA analysis services provided to law enforcement agencies in BC. Under the new BCAA, after a three-year escalation period (which began in fiscal 2014/15), DNA analysis services will be charged based on a calculation that reflects the two-year average of the actual cost to Canada to provide the service, and the two-year average of proportionate usage of service recipients. After the three-year escalation period, Canada will contribute 46 per cent of the total costs.

It is important to note that under the *Police Act*, municipalities with 5,000 population or more, are responsible for providing policing and law enforcement in the municipality, and for bearing the expenses necessary to generally maintain law and order. As per s. 15 (1) of the *Police Act*, in British Columbia, police agencies are responsible for bearing expenses necessary to maintain law and order, to adequately enforce criminal law, and to provide adequate equipment and supplies for the operations of and use by the police. DNA analysis is one of those operational policing expenses for which police agencies are responsible. However, in order to reduce the cost to police agencies, the Province will continue to contribute its historical funding of \$1.366 million, thereby leaving municipalities to pay a portion of their DNA analysis costs. Additionally, as you may be aware, the Province will pay the DNA analysis costs for all communities in British Columbia with a population under 5,000.

Ministry of
Public Safety
and Solicitor General

Office of the Minister

Mailing Address:
Parliament Buildings
Victoria BC V8V 1X4

Mr. Al Richmond
Page 2

In order to assist police agencies with the transition to paying for a portion of their DNA analysis usage, the Province paid \$1.2 million, in addition to the historical funding of \$1.366 million for the first year of the phase-in period for 2014/15. For the second year of the phase-in, in addition to the historical contribution, the Province has committed to paying for the first three quarters of the fiscal year to accommodate police agencies, whose budgets operate on a calendar year.

During the negotiations for the agreement, police agencies and the UBCM were informed in a number of venues, including the various Associations of Chiefs of Police meetings, that the federal government was seeking to increase recovery for DNA analysis and that negotiations were underway. Senior officials with the Union of British Columbia Municipalities (UBCM), UBCM's Public Safety Committee and UBCM's Local Government Contract Management Committee were also briefed. On February 21, 2014, UBCM President Rhona Martin and the co-chair of UBCM Local Government Contract Management Committee Dianne Watts wrote to the federal government strongly urging them to reach an agreement with the Province on a number of issues, including DNA analysis. They made the point that it was not appropriate for Public Safety Canada to make assertions about possible service reductions when service delivery is the responsibility of the RCMP.

At the BC Association of Police Boards meeting in April 2015, the attendees were informed that the Province would continue to provide the historical contribution of \$1.366 million and, because DNA analysis is an operational policing expense, police agencies would be required to contribute funding beyond the Province's historical contribution starting in fiscal 2015/16. In June 2015, the Director again informed the BC Association of Chiefs of Police that as DNA analysis is an operational expense, police agencies will be required to fund their usage beyond the Province's historic funding of \$1.366 million. This is consistent with the obligations under the *Police Act*.

As you are aware, the Organized Crime Agency of British Columbia (OCABC) will be responsible for billing and administering the BCAA. In regards to your question about OCABC administering the BCAA, it was felt that it would be more appropriate for a designated policing unit (in this case OCABC) to administer the agreement because police agencies operate at arm's length from government and it is important that the Province and Local Governments are not seen to be making decisions regarding criminal investigations in British Columbia.

Finally, I would note that the Province makes significant contributions to policing in British Columbia, including more than \$70 million annually for over 20 integrated teams (including IHIT and CFSEU) and a total of \$38.6 million in traffic fine revenue in 2014 (and \$38.4 million in 2013) which can be contributed to municipal policing costs.

Mr. Al Richmond
Page 3

I appreciate that this decision by the federal government has had financial impacts on our local governments. I can assure you that every effort to mitigate this decision was made. You may wish to raise your concerns with the federal government.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Morris", with a long horizontal flourish extending to the right.

Mike Morris
Minister of Public Safety
and Solicitor General

pc: The Honourable Peter Fassbender

PSPB PECKNOLD/MCLEAN/LENZ

C/513267

Councillors

Les Barkman
Sandy Blue
Kelly Chahal
Brenda Falk



CITY OF ABBOTSFORD

Mayor, Henry Braun

Councillors

Moe Gill
Dave Loewen
Patricia Ross
Ross Siemens

February 2, 2016

File: 7550-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC, V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, the City of Abbotsford only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities that require these services.

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. A copy of staff report CM 001-2016 including background information is attached. The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force.

The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs. The shift in this responsibility, and costs, continues to add to the continuum of downloading to municipalities from senior levels of government, of which the tax burden is passed on to the taxpayer.

The City of Abbotsford supports the position of the District of Kent (copy of its letter attached to the above referenced staff report) requesting that the Province consider its position on this matter, the detrimental effects to municipalities, and an affordable resolution to DNA Analysis program.

Yours truly,

A handwritten signature in black ink, appearing to read "Henry Braun", written over a horizontal line.

Henry Braun
Mayor

Attachment

- c. Premier Christy Clark
Honourable Michael de Jong, Minister of Finance, MLA, Abbotsford-West
Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Simon Gibson, MLA, Abbotsford-Mission
Darryl Plecas, MLA, Abbotsford South
UBCM Member Municipalities
Fraser Valley Regional District
Council Members
George Murray, City Manager



COUNCIL REPORT

Report No. CM 001-2016

EXECUTIVE COMMITTEE

Date: January 18, 2016
File No: 0400-30-20

To: Mayor and Council
From: George M. Murray, City Manager
Subject: Downloading of DNA Analysis

RECOMMENDATION

THAT the Mayor send a letter to the Honourable Suzanne Anton, Minister of Justice and Attorney General to share the City's concerns regarding the downloading of DNA analysis costs to municipalities.

SUMMARY OF THE ISSUE

At its Regular meeting of Council on January 11, 2016, Council received a copy of correspondence dated December 2, 2015, from the District of Kent to the Honourable Suzanne Anton, Minister of Justice and Attorney General, which outlined their concerns regarding the introduction of a "user pay" model for the costs of DNA analysis services (**Attachment A**). In their letter, the District of Kent states the following:

"This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula municipalities with a population less than 5,000 are not billed or factored into the formula."

Council referred this matter to staff for a report.

BACKGROUND

The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force. The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs.

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, we only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities.

DISCUSSION

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. Currently, it is estimated that the increased costs to the City (through the APD budget) is \$86,000.

The District of Kent goes to great extent to reference the increased costs are detrimental to small/smaller municipalities. Regardless of the size of municipalities receiving these additional costs, this shift in policy will once again create yet another "downloading" of costs from one of the senior levels of government.

The Federation of Independent Business releases a report annually criticizing municipalities for passing tax increases which exceed the rate of "inflation and population growth". Cities continue to have costs downloaded as well as are being asked to provide services beyond their original mandate (e.g. Homelessness) and as such are having a difficult time keeping their budget increases within inflationary and population increase.

Based on the foregoing, staff recommend that the Mayor write to the Honourable Suzanne Anton, Minister of Justice and Attorney General, and reinforce the District of Kent's concerns regarding the continuing downloading of costs without additional grants and/or offsetting revenues.

FINANCIAL PLAN IMPLICATION

Downloading of costs makes it difficult for municipalities to support their spending on services and programs provided to the residents. The redistribution of responsibilities without the ability to set program standards and control costs, places a lot burden on the municipality without the mechanism for the municipality to procure an alternative service provider. The financial implications related to a "user pay" model for DNA analysis has not been included in the 2016-2020 Financial Plan.



Lisa Pleadwell, Chief Financial Officer

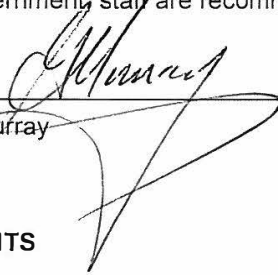
IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The increase in costs, or service requirements, downloaded from senior levels of government continues to put pressure on Council's Strategic Cornerstone "Fiscal Discipline" without sacrificing one of the City's other objectives.

SUBSTANTIATION OF RECOMMENDATION

This report supports the District of Kent's position that the downloading of the costs associated with DNA testing needs to be reconsidered by the Provincial Government. As municipalities are

fairly consistently experiencing the downloading of costs and/or additional services from senior levels of Government, staff are recommending support be provided for Kent's position.



George M. Murray
City Manager

ATTACHMENTS

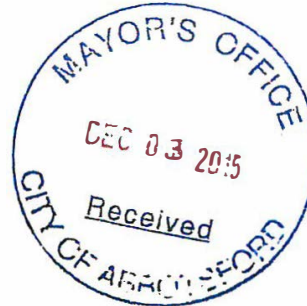
Attachment "A": Correspondence from the District of Kent to the Honourable Suzanne Anton regarding Downloading of DNA Analysis Costs.



7170 Cheam Avenue
P.O. Box 70
Agassiz, British Columbia
Canada V0M 1A0

Tel: (604) 796-2235
Fax: (604) 796-9854
Web: www.district.kent.bc.ca

December 2, 2015



File: 0400-20
7400-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

We are in receipt of the letter dated October 31, 2015 from the *Organized Crime Agency of British Columbia* (OCABC) regarding Cost Recovery on DNA analysis services (attached as Appendix 'A'). Specifically, a new Agreement *Respecting Biology Casework Analysis 2014-2024* (BCAA) has been endorsed by the Provincial Minister of Justice and Attorney General, and the Federal Minister of Public Safety and Emergency Preparedness, introducing a "user pay" model for the costs of DNA analysis services.

Our Council has now had the opportunity to review the letter from the OCABC, along with the DNA Analysis Fact Sheet, prepared by the Ministry of Justice and we have some serious concerns.

When signing the updated Municipal Police Unit Agreement in 2012, the District of Kent Council expressed our concerns regarding rising policing costs, hidden costs and financial uncertainty affecting the District's budget. As we predicted at that time, policing costs have risen substantially every year since, resulting in significant tax increases for our community. Every year we are presented with additional costs and new expenditures, of which we have little or no control. The downloading of the DNA analysis services is just the latest example of costs that have been shifted to our municipality.

Local governments in British Columbia (with a population over 5,000) have begun to receive invoices for DNA analysis services. This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula,

municipalities with a population less than 5,000 are not billed or factored into the formula. Further, the October 31st letter from OCABC advises that our total invoice amounts include costs resulting from partnering in an Integrated Team where DNA costs have been identified. As a municipality with a population between 5,000 and 15,000, our integrated team costs are billed to the municipality at 70%. Therefore, although we are totally opposed to further downloading; at the very least, we would not expect to be billed for than our normal 70% share of all but accommodation costs.

With respect, we remind you, as we did in 2012, that our Council entered into the policing agreement in 2009 under protest with the Province incorporating 470 (federal) prisoners from the Kent/Mountain Institutions. We are a relatively small town and continuing increases to the Policing budget has an adversarial effect on our operating budget and tax rates.

We ask you, Honorable Minister Anton, to review our concerns and reconsider the funding of the DNA costs to determine a solution affordable to communities such as ours.

Sincerely yours,



John Van Laerhoven
Mayor

Pc: Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Premier Christy Clark
Laurie Throness, MLA
UBCM Member Municipalities



ORGANIZED
CRIME
AGENCY
of
BRITISH COLUMBIA

APPENDIX 'A'

Mailing Address:
Mailstop #408/409
14200 Green Timbers Way
Surrey, B.C., V3T 6P3
(778) 290-2040

October 31, 2015

District of Kent
C/O – Cpl. Darren Rennie
Kent Detachment
6869 Lougheed Hwy
Agassiz, BC
VOM 1A0

Dear Cpl. Darren Rennie,

Re: Cost Recovery on DNA Analysis Services

A new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been endorsed by the Provincial Minister of Justice, Attorney General and the Federal Minister of Public Safety and Emergency Preparedness. While the Province of British Columbia will continue to contribute the historical annual amount of \$1.366 million dollars and Public Safety Canada will pay 46% of ongoing costs; a "user pay" model has been introduced.

Police Services has created a cost sharing model calculated on the total cost for DNA analysis in British Columbia, minus the provincial contribution, distributed proportionally based on your agency's two year average usage compared to the usage of other law enforcement agencies in British Columbia.

The Organized Crime Agency of British Columbia's (OCABC) mandate has been expanded by the Minister of Justice. As a result, OCABC will now act in the capacity of Financial Administrator for the new Biology Casework Analysis Agreement (BCAA). OCABC is providing all users of the DNA Analysis Services, including the RCMP and Municipal Police Agencies, an invoice detailing the apportioned costs for the last quarter of the 2015/16 Federal Government Fiscal year. Full payment can be made to OCABC prior to * February 28, 2016.

Moving forward OCABC will be providing all users of the DNA Analysis Services an annual invoice. This annual process will start on April 1, 2016. Payment will be due by June 30 of each year also starting in 2016.

.../2

GAG
 Dir. Eng.
 Building
 PEP
 Agenda Date _____
 Corp S.
 Inv. Fin.
 Bylaw
 RCMP
 In Camera Date Dec. 14/2015
 Dev S.
 Dep. Fin.
 GIS / HR
 FIRE
 Agenda Place A
 MAYOR
 Council
 Ext. Rec.
 Other _____
 Page 140 of 173
 Page 46 of 268

ORIGINAL



RECEIVED
-11- 12 2015
AGASSIZ RCMP

In addition, please be advised that should your Department or Detachment be involved/partnered in an Integrated Team where DNA costs have been identified, these costs have been included in your total invoice amounts.

You will find three attachments: an OCABC invoice for your last quarterly use of DNA Analysis for the 2015/16 year, a BC Police Services DNA Fact Sheet, and a Billing Calculations explanation sheet.

Should you have any questions about your invoice or this new process, please contact Superintendent John Grywinski at 778-290-3003 for further information.

Yours truly,



Kevin Hackett, C/Supt.
Chief Officer

Attachments

Billing Calculation for Agencies

The first three years of the Biology Casework Analysis Agreement include an escalation period which uses fixed costs to graduate to British Columbia from the historical payment amount of \$1.366 million to paying 54% of actual costs. The Federal Government pays the costs for British Columbia's DNA analysis each year after the escalation period. The remaining 54% of the costs will be the contribution and formulas outlined below.

Escalation Period

2014/2015 (Year 1 Fixed Amount \$2.5M)

The Province paid the bill for all Agencies for the first year of the escalation period.

2015/2016 (Year 2 Fixed Amount \$3.6M)

The Province will pay its historical contribution of \$1.366 million plus (75%) three quarters of the bill (i.e. April to December) in the second year.

Agency's cost is =

Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia.

X

[(Fixed cost of \$3.6M) - (Historical Contribution)]

Province's cost is \$ x = $(\$3.6M - 1.366M) \times 75\%$

2016/2017 (Year 3 Fixed Amount \$4.9M)

The Province will pay its historical contribution (\$1.366 million). The rest of the cost to British Columbia will be invoiced to each of their proportionate two year average usage compared to the two year average usage for British Columbia as a whole.

Agency's cost will be \$x = Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia. X [(Fixed cost of \$4.9M) – (Historical Contribution of

Integrated Teams

Partner Agencies involved in an Integrated Team where DNA costs have been identified; these costs are included in your total. Splits are based on the respective MOU split formula and applied pro-rata to participating agencies.

Integrated Detachments

Usage and cost split is based on Member Establishment for Integrated Detachments.
RCMP Municipal Establishment is based on Annex Letters.
RCMP Provincial Establishment is based on RCMP HRMIS system.



DNA Analysis Fact Sheet

Background:

- Biological Casework Analysis (DNA) for police agencies in British Columbia is provided by the RCMP Forensic Sciences and Identification Services (FS&IS) lab under the National Police Services (NPS).
- NPS is a federally funded program operated under the stewardship of the RCMP. It provides services (such as the FS&IS Lab, the Canadian Firearms Program, the Violent Crime Linkage Analysis System, the National Sex Offender Registry, etc.) directly to police agencies across Canada.
- In 2004, provinces and territories agreed to contribute to Biological Casework Analysis and entered into Contribution Agreements with Canada.
- Historically, the Province of BC has contributed \$1.366 million for the RCMP FS&IS lab to provide DNA analysis services to police agencies in BC.
- In 2013, the Federal Government advised that it would no longer continue to provide BCAA services at the historical flat rate contribution and would require reimbursement based on actual costs.
- The new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been negotiated as a result.
- After negotiations between the Province and Public Safety Canada (PSC) regarding the provision of DNA analysis services to police agencies in British Columbia, the new agreement was endorsed by both the Provincial Minister of Justice and the Federal Minister of Public Safety and Emergency Preparedness. The PSC billing for fiscal years 2014/15, 2015/16 and 2016/17 are fixed amounts per the agreement. After the three-year escalation period, Canada will contribute 46% of the total costs.
- Under the new BCAA, after a three-year escalation period (which began in fiscal 2014/15), DNA analysis services will be charged based on a calculation that reflects two-year average actual usage. As per s. 15 (1) of the *Police Act*, in British Columbia, police agencies are responsible for bearing expenses necessary to maintain law and order, to adequately enforce criminal law, and to provide adequate equipment and supplies for the operations of and use by the police.
- DNA analysis is not a service provided under the Provincial (or Municipal) Police Service Agreement.
- In order to allow police agencies time to transition the Province is paying the full cost of the new BCAA from April 1, 2014 to December 31, 2015 of the escalation period.
- All police agencies will be responsible for their actual use of the service as of January 1, 2016.

New Process:

Ministry of Justice

Policing and Security Branch

Mailing Address
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 356-7926
Facsimile: 250 356-7747
Website: www.gov.bc.ca/pssg

- The Organized Crime Agency of British Columbia (OCABC) will function as the administrator for the new BCAA.
- OCABC will invoice police agencies in October 2015 for their January 1, 2016 to March 31, 2016 BCAA services. Payment of this invoice will be due by February 29, 2016.
- Annually OCABC will invoice police agencies in April starting in 2016 for BCAA services for the period April 1 to March 31. Payment of this invoice will be due by June 30 of each year also starting in 2016 (i.e. approximately 60 days from invoice date).
- Starting in fiscal year 2017/18 when the charges from PSC are no longer fixed, OCABC will invoice police agencies based on an estimate. Any difference between this estimate and actual PSC invoice, which is received later in the year, will be adjusted in the following year's invoice to police agencies.

Billing Calculation:

- The method of calculation for determining the total cost for DNA analysis in Provinces and Territories each year is set out in the new BCAA.
- The Province of British Columbia will continue to contribute the historical amount of \$1.366 million.
- The amount of the total cost for DNA analysis in the province that remains after the Province has paid its contribution of \$1.366 million will be distributed proportionally among police agencies based on each agency's two year average usage compared to the total usage of all law enforcement agencies in British Columbia.



Police/ER/Mental Health Subcommittee: A year in review (2015)

The value of working together...

In working together, there has been plentiful opportunity to foster collaborative relationships between police and hospital staff. The value of this ongoing communication cannot be overstated: greater results and improvements are achieved when working collectively as opposed to in silos.

The original objectives of this subcommittee were to improve information sharing and communications related to AWOLs, individuals being released from the ED only to be seen by police back on the street, identification of safety risks in the ED, and addressing cross service practice inefficiencies. The subcommittee has also continued to focus on incorporating the community voice into this work.

Involved in these ongoing conversations are the Victoria, Saanich, and Oak Bay Police Departments, and the RCMP, along with Island Health staff representing the ER, Mental Health and Substance Use (MHSU), risk management and protective services. The work of this formal working group is reported up through the Steering Committee and has been integrated into the overall Quality Improvement strategy work for PES/ED.

What we've achieved...

1. Completed the process in developing an **AWOL: Absence Without Leave Communication Tool**.

- The purpose of this tool is to communicate key risk information between health care services and police regarding a person who is being sought for safe and expedient return under Form 21 of the Mental Health Act.

STATUS: This tool has been implemented at RJH and procedures have been finalized.

2. Completed the process in developing the **Emergency Department Intake Record Police Procedure**.

- The purpose of this document is to identify and communicate key safety risk information between police and health care services about patients brought to the Emergency Department and Psychiatric Emergency Services through police intervention.
- This document is an Island Health document and is required to be completed upon arrival to PES/ED for any patient accompanied by police/RCMP.



STATUS: This tool is now available to the RCMP and is in use at RJH.

3. Development of streamlined Section 28 processes for patients brought in by police, which saw the development of two separate guidelines appropriate to the risk of violence.

- The purpose of the PES/Police Section 28 High Risk for Violence Guideline is to provide safe transfer of High Risk for Violent Behaviour patients from triage in the ED into a PES Secure Room.
- The PES/Police Section 28 Low to Moderate Risk for Violence Guideline outlines steps to be taken to reduce the risk of violence in the ED/PES.

STATUS: Both tools are currently in use with feedback heard from staff. Final drafts of each guideline document are being developed.

4. Improved communications between the different systems.

- The strength of the relationship built over the past two years has allowed for the ability to conduct timely problem resolution processes when a client service issues arises either at an Island Health site or a Victoria PD/Saanich PD situation.
- By way of continued commitment and energy to this work, meetings of the subcommittee continue to be held on a regular basis every three weeks.

5. Increased efficiency and improved transitions for patients.

- Overall improvements in the transfer of patients between Police and health services, resulting in decreased police officer wait times.

Next steps in 2016...

Looking ahead to 2016, we will continue our commitment to working collaboratively!

Our focused priorities for the next 12 months include:

- Broadening the scope of AWOL Communication Tool and sharing it among other Island Health Sites in the South Island, with the goal of eventually sharing it across the island.
- Sharing the Emergency Department Intake Record Police Procedure among other Island Health sites in the South Island, with the goal of eventually sharing it across the island.
- Providing support to other Island Health MHSU initiatives, such as the South Island MHSU System Review beginning work in January 2016.
- Continuing to better understand and utilize our data in order to focus our quality improvement efforts.

- Exploring avenues of information sharing between ACT teams and Police by finalizing an Information Sharing Agreement and distributing an Information Sharing Card.



January 29, 2016
Ref: 514040

Chief Constables of Independent Municipal Police Departments
Chief Officer, SCBCTA Police Services
Chief Officer, CFSEU BC
Chief Officer, Stl'atl'imx Tribal Police Services

Dear Sirs and Madam:

I am pleased to advise you that the Lieutenant Governor in Council has authorized the issuance of Police Officer Commissions under the Great Seal to the 71 police officers listed in the attached News Release. The individual Commission documents will be produced and signed over the coming weeks and my office will distribute the Commissions to the police agencies once we receive them.

Each police agency should determine how the Commissions will be presented to the receiving officers. If you would like to invite the Lieutenant Governor to an event to present the Commissions, information on how to do so can be found on the Lieutenant Governor of British Columbia's website at: www.ltgov.bc.ca/contact/default.html#invite

I would also like to acknowledge the various requests that consideration be given to amending the legislation or regulation such that exemptions for police officers that did not meet the prescribed criteria and qualifications for a Commission would be possible. After consideration, government will not pursue any amendments to the current *Provincial Symbols and Honours Act* or Police Officer Commissions Regulation. As such, the Minister was unable to recommend those officers who did not meet the prescribed criteria and qualifications.

My congratulations to all of these police officers for receiving a Commission in recognition of their professionalism and dedication to policing in British Columbia.

Yours truly,

Clayton J.D. Pecknold
Assistant Deputy Minister
and Director of Police Services
Policing and Security Branch

pc: Police Board Chairs

Ministry of Public Safety and
Solicitor General

Policing and Security Branch

Mailing Address:
PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

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NEWS RELEASE

For Immediate Release
2016PSSG0022-000118
Jan. 29, 2016

Ministry of Public Safety and Solicitor General

Senior police officers recognized for dedicated service

VICTORIA – Seventy-one police officers in British Columbia have been recommended and meet the prescribed criteria and qualifications to receive Police Officer Commissions.

Police Officer Commissions are a new provincial honour to formally recognize high-calibre, senior members of municipal police departments and designated policing units for their rank, professionalism and dedication to policing in B.C.

The Police Officer Commission regulation sets out the criteria and qualifications to be met before a commission is issued. In summary, they are:

- An exemplary service record.
- 10 or more years of service in British Columbia.
- At least a baccalaureate or master's degree or equivalent, or the rank of inspector or higher for at least four years.
- A qualifying supervisor or police board's recommendation for a commission.

Government passed related legislation in 2014 and recently finalized eligibility criteria in consultation with senior police leaders and representatives of the BC Association of Police Boards and the Office of the Police Complaints Commissioner.

Quotes:

Minister of Public Safety and Solicitor General Mike Morris –

“The outstanding leadership and dedication of the officers recognized today reflect their ongoing commitment to the highest level of service to British Columbians. These officers have raised the public-safety benchmark in this province, and we can all take comfort in their continued efforts to make our communities safer.”

Quick Facts:

- The new provincial commissions are intended to recognize senior officers in the same spirit as commissions issued to senior members of the RCMP in British Columbia and police elsewhere in Canada.
- Only currently serving members are eligible to receive a commission.
- Retired Vancouver Police Chief Jim Chu received the first commission issued to a municipal police officer in May 2015.

Learn More:

The Provincial Symbols and Honours Act:

http://www.bclaws.ca/Recon/document/ID/freeside/00_96380_01

Orders-in-Council:

<http://www.bclaws.ca/civix/content/oic/?xsl=/templates/browse.xsl>

Media Contact:

Government Communications and Public
Engagement
Ministry of Public Safety and Solicitor General
250 213-3602

Connect with the Province of B.C. at: www.gov.bc.ca/connect



BACKGROUND

For Immediate Release
2016PSSG0022-000118
Jan. 29, 2016

Ministry of Public Safety and Solicitor General

Police officers recognized for dedicated service

The following 71 individuals meet the prescribed criteria and qualifications for commission under the Provincial Symbols and Honours Act and Police Officer Commissions regulation. A Police Officer Commission under the Great Seal has been authorized for these officers:

Abbotsford Police Department:

Robert Andrew Rich, Chief Constable
David Delmar Schmirler, Deputy Chief Constable
Michael James Serr, Deputy Chief Constable
Thomas Donald Chesley, Inspector
Carol Rose Powell, Inspector
Kevin William Wright, Inspector

Central Saanich Police Service:

Leslie John Sylven, Deputy Chief Constable

Delta Police Department:

Lyle T. Beaudoin, Deputy Chief Constable
Lorne Edward Pike, Inspector
Harjinder Singh Sidhu, Inspector

Nelson Police Department:

Wayne Douglas Holland, Chief Constable
Paul Daniel Burkart, Deputy Chief Constable

New Westminster Police Department:

David Philip Jones, Chief Constable
David Jansen, Deputy Chief Constable
Paul Hyland, Inspector
Todd Matsumoto, Inspector
Douglas Walcott, Inspector

Oak Bay Police Department:

Robert Kent Thom, Deputy Chief Constable

Port Moody Police Department:

Christopher Rattenbury, Chief Constable

Saanich Police Department:

Robert Alexander Downie, Chief Constable

David Scott Green, Deputy Chief Constable

Trent Howard Edwards, Inspector

Brent Anthony Fryer, Inspector

James Edward Rhodes, Inspector

Gerrit Jan Schenk, Inspector

Vancouver Police Department:

Anthony Adam Palmer, Chief Constable

Warren Mark Lemcke, Deputy Chief Constable

Douglas Alan LePard, Deputy Chief Constable

Satwinder Singh Rai, Deputy Chief Constable

Michelle Lisa Davey, Superintendent

Stephen James Eely, Superintendent

Michael Duthie Porteous, Superintendent

Laurence John Rankin, Superintendent

Daryl Jacob Wiebe, Superintendent

Cita Carmen Airth, Inspector

Joanne Elizabeth Boyle, Inspector

Howard Wayee Chow, Inspector

Lawrence Walter Cope, Inspector

Michael Alan Cumberworth, Inspector

John Koert de Haas, Inspector

Marcelle Marie Flamand, Inspector

Vincent Carl Forsberg, Inspector

Salvatore Mario Giardini, Inspector

John Michael Grywinski, Inspector

Thomas Brent McCluskie, Inspector

Joanne Lynn McCormick, Inspector

Glenn Stewart Newman, Inspector

Ralph Detlev Pauw, Inspector

Adua Anita Porteous, Inspector

Jessbir Lal Ram, Inspector

Ruben Valentin Sorge, Inspector

Leslie Ann Stevens, Inspector

Scott Anthony Thompson, Inspector

Ian William Upton, Inspector

Kristjon Troy Wrathall, Inspector

Jeannie Yee, Inspector

Loris Ivan Zuccato, Inspector

Victoria Police Department:

Steven Herbert Ing, Deputy Chief Constable
Delbir Manak, Deputy Chief Constable
Penelope Durrant, Inspector
Scott McGregor, Inspector
James Pearce, Inspector
Colin Ian Watson, Inspector

West Vancouver Police Department:

Ralph Leonard Goerke, Chief Constable
Shane Arnold Barber, Deputy Chief Constable
Ricki James Catlin, Inspector
Graydon Scott Montgomery Findlay, Inspector

South Coast British Columbia Transportation Authority Police Service:

Barry Richard Kross, Chief Officer (Interim)
Edward Joseph Eviston, Deputy Chief Officer
David Paul Hansen, Inspector
John Brian MacDonald, Inspector

Media Contact:

Government Communications and Public
Engagement
Ministry of Public Safety and Solicitor General
250 213-3602

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BCAPB Notice of Annual General Meeting

Saturday, May 28, 2016
Prestige Lakeside Resort & Conference Centre
701 Lakeside Drive, Nelson BC
9:30 am

In accordance with the BC Association of Police Boards constitution and by-laws, notice is hereby given of the **ANNUAL GENERAL MEETING** to be held in conjunction with the 2016 conference. The Annual General Meeting will be held on Saturday, May 28, 2016, 9:30 am at the Prestige Lakeside Resort & Conference Centre, Nelson BC.

The draft agenda is attached and the final agenda will be available at the meeting.

Also attached is a call for resolutions along with information regarding submissions of resolutions for your consideration.

Thank you and if you have any questions please contact Stacey Perri by email Stacey.Perri@gov.bc.ca or by telephone at 250-387-6044.

Sincerely,

Bill Reid
President, BCAPB

Attachments

#2 – DRAFT AGENDA

BC ASSOCIATION OF POLICE BOARDS

ANNUAL GENERAL MEETING DRAFT AGENDA

Saturday, May 28, 2016 (0930 – 1200)
Prestige Lakeside Resort & Conference Centre, 701 Lakeside Drive, Nelson BC

TIME	#	ITEM	LEAD	PURPOSE	MATERIAL
0930-0940	1	Welcome Introduction of Members	Bill Reid	Information	n/a
0940-0945	2	Agenda: Review, additions, revisions, acceptance	Bill Reid	Overview	Attached
0945-950	3	Business Meeting 3.1 Adoption of the AGM Minutes from May 2, 2015 meeting	Bill Reid	Overview	Attached
0950-1010		3.2 Annual Report from the President	Bill Reid	For Update	Attached
1010-1020		3.3 Ratification of 2015-16 Executive Actions	Bill Reid	Approval	Attached
1020-1030		3.4 Financial Report as of December 31, 2015 - 2015/16 Financial Statements - BCAPB Financial Audit - 2016/17 BCAPB Operating Budget	Roxanne Helme	Discussion/ Approval	Attached n/a Attached
1030-1050		3.5 Proposed Resolution	tbc	Discussion / Decision	Attached
1050-1115	4	Old Business	Bill Reid / All		
1115-1200	5	New Business (as identified, to be included in the final agenda)	Bill Reid / All	Discussion	
1200	6	Adjournment			n/a

CALL FOR RESOLUTIONS

BRITISH COLUMBIA ASSOCIATION OF POLICE BOARDS ANNUAL CONFERENCE AND MEETING

An important part of each Annual Meeting of the BCAPB is the consideration of Resolutions forwarded by member boards.

To ensure adequate time for review, the BCAPB Board of Directors has set a deadline of May 2, 2016 for all Resolutions to be forwarded to the BCAPB.

Following review by the Resolutions Committee, resolutions will be distributed to members in advance of the General Meeting.

Voting on the Resolutions will take place in Nelson on Saturday, May 28, 2016 as part of the BCAPB Annual General Meeting.

Please refer to the BCAPB Resolutions Guidelines for assistance in drafting proposed resolutions.

This is your chance to ensure your voice is heard!

Please forward your resolution(s) to Stacey Perri at Stacey.Perri@gov.bc.ca

Resolutions

What is a Resolution?

A resolution is a formal way of stating an intended or desired action/direction/position by a group.

Guidelines for Resolution Writing

1. Choose a topic that is important, relevant and deserving of an official BCAPB position.
2. Identify your Board as the author of a resolution.
3. WHEREAS clauses are factual clauses to support your resolution; they should be concise and to the point. Resolutions that have a page or more of WHEREAS clauses only serve to make the reader less amenable to your idea if he or she has to sort through multiple WHEREAS clauses in order to determine your point. The entire resolution should be no longer than one page.
4. RESOLVED clauses state your proposed policy change or position. Internal resolutions should be directed to the BCAPB (resolved that the BCAPB); external resolutions should be directed to the appropriate level of government or Minister/Ministry. Internal and external intents may not exist within the same RESOLVED clause, rather, separate resolved clauses are necessary if you want the BCAPB to take an action separate from the government. RESOLVED clauses should be only one sentence in length and must be able to stand alone as they are the only part of the resolution that will be debated or considered.

Other helpful tips: If possible have financial implications information in your resolution. Factual information to support your resolution should be available or included as an attachment to your resolution.

Format for a Resolution

- The TITLE identifies the topic/problem or issue or its proposed solution.
- The AUTHOR names the Police Board putting forward the resolution.
- The PREAMBLE is used for factual information that is necessary to support the RESOLVED section. Each PREAMBLE clause should be written as a separate paragraph, beginning with the word Whereas. The first word should begin with a capital letter. The PREAMBLE, regardless of its length and number of paragraphs, should never contain a period. Each paragraph should close with a semi-colon. The next to the last paragraph should close with a semi-colon, after which a connecting phrase such as Therefore or Therefore Be It or Now Therefore, Be It is added.
- The RESOLVED section indicates what action is proposed. There may be more than one Resolved clauses, each stated separately. The word RESOLVED is printed in capital letters, followed by a comma and the word THAT. Each resolved clause must be a separate paragraph and may be ended with a period or a semi-colon and in the case of the next to the last clause, be followed by the word AND,.
- If factual information is available it should be included as an attachment.
- Estimated cost of implementation if available should also be included.

Resolution Strategies

Here are some hints to help you get your resolution passed:

1. Be concise. The delegates will get copies of all resolutions and this means a lot of reading. If your resolution is too wordy, it will not get the attention it deserves. Try and limit your resolution to five "whereas" clauses: choose the strongest five facts and use the others in discussion and debate. Resolutions should not be longer than one page.
2. Be realistic. The resolved statements should include specific actions that are realistic and implementable. Resource availability (both human and financial) will affect the implementability of resolutions.
3. Be positive. A positive approach always works better than a negative one. Write positive statements, and address the issue positively when you are speaking to it.
4. Be knowledgeable. Know the facts about all parts of your resolution. Be aware of other resolutions that have been passed on your issue and be sure to state in your resolution why reaffirmation of the same stand is timely.
5. Gather support and assistance. Try to involve other members in supporting your resolution. Share your facts and ask others to speak pro to your resolution. This will not only help you get your resolution passed, it will also encourage other members to get involved.
6. Use your time on the floor wisely, time is limited. As the author, you will have an opportunity to speak to the resolution first. Remember that the delegates have a copy, so don't read it to them. Instead, take this opportunity to state some of the facts that might not be included in the "whereas" clauses.
7. Be available. Make sure you are available to the Delegates to answer questions. Be on time for all meetings.

Have your documentation handy. Make sure you have at least two copies of your documentation with you – questions may be asked that need further clarification.



OAK BAY POLICE BOARD

Manual

1/1/2016

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MISSION STATEMENT

The mission of the Oak Bay Police Board is, through governance and oversight, to ensure safety and security within the municipality of Oak Bay through the delivery of professional, ethical and proactive policing

PART 1

LEGISLATION, BOARD MANDATE AND GOVERNANCE

Legislative Authority

The Oak Bay Police Board is established as an independent and autonomous authority pursuant to the *Police Act*, RSBC 1998, c.367.

Part 5, s. 23 through to s.29 of the *Police Act* establishes the mandate of a municipal police board as follows:

Police Act

Part 5 - Municipal Police Board

s.23 Municipal police board

23 (1) Subject to the minister's approval, the council of a municipality required to provide policing and law enforcement under section 15 may provide policing and law enforcement by means of a municipal police department governed by a municipal police board consisting of

- (a) the mayor of the council,
- (b) one person appointed by the council, and
- (c) not more than 7 persons appointed, after consultation with the director, by the Lieutenant Governor in Council.

(2) Subject to the approval of the minister, the councils of 2 or more municipalities may enter into an agreement to establish a joint municipal police board under subsection (1).

(3) An agreement under subsection (2) must contain terms respecting the establishment of the municipal police board, membership on the municipal police board and division of expenditures.

Membership of municipal police board

s.24 24 (1) A person who is a councillor or is ineligible to be elected as a councillor must not be appointed to a municipal police board.

(2) A person appointed to a municipal police board under section 23 (a) holds office for a term, not longer than 4 years, that the Lieutenant Governor in Council determines, and, (b) may be reappointed, subject to subsection (3).

(3) A person is not eligible to hold office as an appointed member of a municipal police board for a period greater than 6 consecutive years.

Chair of municipal police board

- s.25 **25** (1) The mayor of a council referred to in section 23 is the chair of the municipal police board.
- (2) If the mayor is absent or unable to act, the municipal police board members present at a meeting of the municipal police board must elect from among themselves a chair to preside at the meeting.
- (3) In case of a tie vote at a meeting of a municipal police board, the chair may cast the deciding vote.

Board to establish municipal police department

- s.26 **26** (1) A municipal police board must establish a municipal police department and appoint a chief constable and other constables and employees the municipal police board considers necessary to provide policing and law enforcement in the municipality.
- (1.1) If a municipality has entered into an agreement referred to in section 66.2 (1.1)(b) with a treaty first nation, or an agreement referred to in section 66.2 (1.11)(b) with the Nisga'a Nation, for the duration of the agreement, the reference in subsection (1) of this section to "municipality" must be read as including the treaty lands of the treaty first nation or Nisga'a Lands, as applicable.
- (2) The duties and functions of a municipal police department are, under the direction of the municipal police board, to
- (a) enforce, in the municipality, municipal bylaws, the criminal law and the laws of British Columbia,
- (b) generally maintain law and order in the municipality, and
- (c) prevent crime.
- (3) Subject to a collective agreement as defined in the *Labour Relations Code*, the chief constable and every constable and employee of a municipal police department must be
- (a) employees of the municipal police board,
- (b) provided with the accommodation, equipment and supplies the municipal police board considers necessary for his or her duties and functions, and
- (c) paid the remuneration the municipal police board determines.
- (4) In consultation with the chief constable, the municipal police board must determine the priorities, goals and objectives of the municipal police department.
- (5) The chief constable must report to the municipal police board each year on the implementation of programs and strategies to achieve the priorities, goals and objectives.

Estimates and expenditures

- s.27 27 (1) On or before November 30 in each year, a municipal police board must prepare and submit to the council for its approval a provisional budget for the following year to provide policing and law enforcement in the municipality.
- (1.1) If a municipality has entered into an agreement referred to in section 66.2 (1.1)(b) with a treaty first nation, or an agreement referred to in section 66.2(1.11)(b) with the Nisga'a Nation, for the duration of the agreement, the reference in subsection (1) of this section to "municipality" must be read as including the treaty lands of the treaty first nation or Nisga'a Lands, as applicable.
- (1.2) If a municipality is a specialized service provider, the reference in subsection (1) to "municipality" must be read as including areas within the specialized service area that are outside the municipality.
- (2) Any changes to the provisional budget under subsection (1) must be submitted to council on or before March 1 of the year to which the provisional budget relates.
- (3) If a council does not approve an item in the budget, the director, on application by the council or the municipal police board, must
- (a) determine whether the item or amount should be included in the budget, and
 - (b) report the director's findings to the municipal police board, the council and the minister.
- (4) Subject to subsection (3), a council must include in its budget the costs in the provisional budget prepared by the municipal police board.
- (5) On certification by the municipal police board members that expenditure is within the budget prepared by the municipal police board, the council must pay the amount of the expenditure.
- (6) Unless the council otherwise approves, a municipal police board must not make an expenditure, or enter an agreement to make an expenditure, that is not specified in the board's budget and approved by the council.

Rules

- s.28 28 (1) A municipal police board must make rules consistent with this Act and the regulations respecting the following:
- (a) the standards, guidelines and policies for the administration of the municipal police department;
 - (b) the prevention of neglect and abuse by its municipal constables;
 - (c) the efficient discharge of duties and functions by the

municipal police department and the municipal constables.

- (2) A rule under subsection (1) is enforceable against any person only after it is filed with the director.

Studies by municipal police board

- s.29 29 (1) A municipal police board may study, investigate and prepare a report on matters concerning policing, law enforcement and crime prevention in its municipality.
- (2) A municipal police board must submit its report of a study under subsection (1),
- (a) on request, to the director,
 - (b) if the report suggests a breach of discipline by any of its municipal constables, special municipal constables or bylaw enforcement officers, to the chief constable, and
 - (c) if the report suggests criminal liability of any of its municipal constables, special municipal constables or bylaw enforcement officers, to the minister.

Under the legislated mandate, the Oak Bay Police Board must perform governance and oversight functions. Governance will provide the general direction for the department and be achieved through the establishment of a policy framework for the Board. Board monitoring practices will provide the oversight required to ensure that the legislated functions for the police department are carried out by the organization. If effective governance and oversight policies and practices are well established, implemented and routinely updated, the result will be an organization that constantly achieves peak performance and is accountable to the public it serves.

Independence and Jurisdiction Policy of Police Board

It is the position of the Oak Bay Police Board that there is judicial authority to support the proposition that the legislative intent behind the creation of a Police Board is to ensure that the Police Department remains a separate and independent body from the municipality. The Police Board has a unique relationship with the Municipal Council and it exists, in part, to insulate the Police Department from the political decision making process. The Police Board is responsible for ensuring that the police provide effective and efficient services. The Municipal Council provides the Police Department with an annual budget to achieve these objectives.

The work of the Police Department necessitates confidentiality and adherence to security protocols and, to that end, the Police Board has adopted regulations and procedures to closely restrict access to, and disclosure of, information under the authority of the Police Department.

The Police Board's independent status is achieved by ensuring accountability for the management of the Police Department and its employees.

The Oak Bay Police Board is responsible for ensuring that the security and confidentiality interests of the Police Department, and the safety interests of the public and Department are protected. Advancing of joint ventures or shared services with the Municipal Council, or any other agency, can only occur where the Board is satisfied that confidentiality and security issues have been properly addressed.

Composition of Board, Selection and Appointments

The *Police Act*, Part 5, s.24, requires that the Board consist of the Mayor, who is designated as Chair, one person appointed by the Municipal Council, and not more than seven persons appointed by the Lieutenant Governor in Council.

All members of the Oak Bay Police Board are appointed and their terms of office set by the order of the Lieutenant Governor in Council based on recommendations put forward by the Attorney General and Minister of Justice, after consultation with the Director of the Police Services Division. The Police Services Division indicated that Board members are chosen to reflect the demographics of the community, and to bring appropriate qualifications and demonstrated ability to act in the best interest of the community.

For the single municipal appointee, the municipality is expected to solicit and receive names of interested and suitable individuals and submit the name of the candidate selected by Municipal Council to the Police Services Division. As with the Provincial appointees, the Province will review the application, conduct an interview, carry out a reference check, complete a personal profile, and complete a criminal record check. The selected and qualified candidate from the municipality is then forwarded to the Attorney General and appointed by Cabinet.

Police Services Division has established a Board Member selection and reappointment process. The appointments are governed by the overriding principle of selection based on merit. This is an objective assessment of the fit between the skills and qualifications of the prospective candidate and the needs of the Board.

Prospective Board Members are to meet the following qualifications:

- Residence in the municipality served by the Board
- Willingness to submit to a criminal record review and personal interview
- Knowledge about, and interest in, the community
- Ability to understand the complexities of policing

- Commitment to protecting fairness, avoiding of conflict of interest and maintaining neutrality and objectivity
- Willingness, ability and availability to meet time commitments related to board duties
- Ability to work with a variety of situations, groups and people
- Ability to deal with difficult and complex interpersonal situations
- Willingness to contribute to consensual solutions.

Notwithstanding the above, Board members are originally appointed through an order-in-council to for a term of one year, after which they are reviewed and may be re-appointed. They cannot hold office for more than not to exceed six consecutive years. Appointments are staggered in order to have some continuity from year to year.

Oath of Office

In accordance with s.70(1)(c) of the *Police Act*, a person appointed to the Oak Bay Police Board must take an oath or affirmation in the prescribed form before assuming office and exercising any power or performing any duty or function as a member of the Oak Bay Police Board.

The oath or affirmation as specified in the *Police Oath/Solemn Affirmation Regulation* shall be made before the Chair of the Oak Bay Police Board, or alternatively, before a Commissioner for taking affidavits for British Columbia. A copy of the signed oath/affirmation shall be filed with the Ministry of Justice and Attorney General, as designated in s.1 of the Regulation.

PART 2

OAK BAY POLICE BOARD BYLAWS

#1 Role of Board Members

A Member has a fundamental responsibility to assist the Board in making effective and informed decisions that promote the achievement of the mission of the Police Department.

A Member has a responsibility to become informed of the substantive issues impacting upon the Police Department and the community, and to participate in Board activities that will enhance and expand the knowledge required to be an effective Board Member.

A Member, as representative of the community and primarily representing the interests of the public, shall seek to foster a strong and positive relationship between the Police Department and the community.

A Member has no direct authority over members of the Police Department. All authority of the Board flows through the approved resolutions of the Board and is contained within approved Minutes of the Board.

A Member must be a full partner with the Chair and work with the other Members so that the Board functions as a unit. This does not mean that consensus needs to be reached on every issue. It should mean that there has been full debate and Members accept the decision of the majority.

A Member understands that the authority of the individual police officer to investigate crime, arrest suspects and lay information before the justice of the peace comes from the common law, Criminal Code and other statutory authority and must not be interfered with by any political or administrative body, including the Board.

#2 Code of Conduct of Board Members

Effective governance by the Police Board is achieved by Board Members fulfilling their roles and responsibilities with the highest standards of conduct. Members shall perform their duties in a manner that will instill public confidence in the abilities and integrity of the Board. Board Members are committed to the following *Board Members' Code of Conduct*:

- i) Members shall perform their duties with due diligence, honesty, impartiality and in good faith; and in accordance with the *Police Act*, any other Act and any regulation, rule or bylaw, as provided for in their oath or affirmation of office.
- ii) Members shall regularly attend Board meetings, adequately prepare for other duties expected of a Board Member, and use their knowledge and expertise when dealing with the affairs of the Department.
- iii) Members shall not interfere with the Police Department's operational decisions and responsibilities or with the day-to-day operation of the Police Department.
- iv) Members shall keep confidential any information disclosed or discussed at an In-Camera or other meeting of the Board, as required under the oath of office.
- v) No Member shall purport to speak on behalf of the Board unless he/she is authorized by the Board to do so. Board Members shall adhere to the Board's Media Policy.
- vi) Members shall refrain from engaging in conduct that would discredit or compromise the integrity of the Board or the Police department.
- vii) Members must be loyal without conflict to the interests of the community. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. This accountability supersedes the personal interest of any Board Member acting as an individual consumer of the organization's services. Board Members shall not use their office to advance their interest or interests of any person or organization with whom they are associated.
- viii) Members must adhere to the Board's Conflict of Interest Guideline.
- ix) Members shall not use their office to obtain employment with the Board or the Police Department for themselves or any family member ("family member means the parent, spouse, child of the person, or any other related person occupying the same residence"). If a Board Member chooses to accept employment or a contract with the Police Department, the Member shall first resign

their Board position.

- x) Members shall keep informed as to the policies, business and affairs of the Department and shall enhance their capabilities as Board Members by participating in Board training events and, where possible, other outside training opportunities.
- xi) A Member seeking Public Office, (i.e. Federal, Provincial or Local Government) shall take a leave of absence from the Board if nominated as a candidate and shall resign if elected, excluding the Chair who is Mayor of Oak Bay.

#3 Conflict of Interest Guideline

Members are expected to perform duties conscientiously and in a manner that will not put their personal interests in conflict with the best interests of the Oak Bay Police Board and Police Department. A conflict of interest arises when a Member's private interests supersede or compete with the Member's dedication to the interests of the organization. This could arise from real, potential, or apparent conflict of interest:

- i) A "real" conflict of interest occurs when a Member exercises an official power or performs an official duty or function and, at the same time, knows that in the performance of that duty or function or in the exercise of power, there is the opportunity to further a private interest.
- ii) A "potential" conflict of interest occurs when there exists some private interest that could influence the performance of a Member's duty or function or in the exercise of power, provided that he/she has not yet exercised that duty or function.
- iii) An "apparent" conflict of interest exists when there is a reasonable apprehension that a reasonably well-informed person could properly believe, that a real conflict of interest exists on the part of the Member.

A Member has an obligation to declare a conflict of interest and make a full disclosure prior to discussion of an issue. This enables the Board to resolve unclear situations and gives an opportunity to dispose of conflicting interests before any difficulty can arise.

Upon declaration of a conflict, the person recording the events of the meeting should duly note the declaration. The Member must absent themselves from the proceedings during discussion or voting on that particular matter, contract or arrangement.

Board Members concerned that another Member may have a conflict of interest must bring the matter to the attention of the Chair as soon as is practicable. In the case of a "conflict of interest" involving the Chair, the matter is to be brought to the attention of the Board Members. Conflicts brought to the attention of the Chair or the Board must be resolved in a manner that preserves and enhances public confidence and trust in the objectivity and impartiality of the Board.

#4 Confidentiality

Notwithstanding the need for Members to make informed decisions on issues before the Board by obtaining input from internal and external sources, Members are to ensure that information that is normally considered confidential (i.e. financial, legal and personnel issues) is not disclosed to any outside person unless authorized.

Municipal police departments and municipal police boards in British Columbia are subject to the *Freedom of Information and Protection of Privacy Act*. Members must avoid disclosing any verbal or written material that is meant to be confidential concerning the Department, its officers, staff members or clients.

Members must not disclose or use confidential information gained by virtue of their association with the Department for personal gain, or to benefit friends, relatives or associates.

#5 Role of the Chair and Vice Chair

Under s.25 of the *Police Act*, the Chair of the Municipal Police Board is also the Mayor of the Municipality. Given the leadership role of the Chair, the Chair shall recognize that the two roles are distinct, and shall be aware of which role he/she is undertaking and whose interests he/she is representing at any given time. It is recognized that this dual role brings an inherent conflict of interest with respect to the budget. The Chair shall ensure the integrity of the Board's independence from political interference.

The Chair's primary role is to preserve the integrity of the Board's process and, secondarily, to represent the Board to outside parties. The Chair shall ensure that the Board operates consistently with its own policies, operating effectively, and meets its obligations and responsibilities. The Chair ensures that meeting discussion content will only be those issues which, according to Board policy, clearly belong to the Board. Deliberations will be fair, open, and thorough, but also efficient, timely, orderly, and kept to the point. The Chair ensures that the mission of the Police Department is reflected in all discussions.

The Chair is the only Board Member authorized to speak for the Board (beyond simply reporting Board decisions), other than in specific instances, as authorized. The Chair shall consult with the Chief prior to speaking on operational issues.

The authority of the Chair consists of making decisions that adhere to Board policies. The Chair is authorized to use any reasonable interpretation of the provisions in these policies. The Chair may delegate this authority but remains accountable for its use.

The Chair shall chair the Board meetings in accordance with Robert's Rules of Order, current version, except where inconsistent with these policies.

While it is recognized that the Chair and the Chief need a good working relationship and ongoing dialogue, the Chair cannot independently supervise or direct the Chief. Only the Board as a whole has that authority.

The Chair has a responsibility to maintain a liaison and communication with all Members and Committee chairs, and to optimize the effectiveness of the Board and its committees.

When a Board Member position becomes vacant, the Board Members will prepare a skills profile (eg: the type of expertise/skill required such as financial, equity representation and/or other specific requirements) and send to Police Services or advertise in the local newspaper. When a reappointment of a Board Member is under consideration, the Chair shall provide an evaluation of the Member's past performance to Police Services Division/Ministry of Justice and Attorney General.

The Mayor must fulfill the role of the Discipline Authority for complaints lodged against the Chief and Deputy Chief Constables in accordance with Part 9 of the *Police Act*.

Chair

The Chair of the Board presides over meetings of the Board. Should the Chair not be present, or vacates the chair temporarily or permanently, the Board shall elect an acting Chair.

The duties of the Chair with respect to the Board meetings shall include:

- (1) calling the meeting to order;
- (2) announcing items of business;
- (3) deciding, subject to appeal, all questions of order and procedure; and
- (4) preserving order and decorum.

#6 Quorum

A majority of Members of the Board holding office constitutes a quorum. A meeting of the Board, where notice has been given, and at which a quorum is present, is competent to exercise all or any of the authorities, powers and discretion vested in or exercisable by the Board generally.

The Chair shall call the meeting to order after the hour fixed for the meeting, once a quorum is present.

At the Chair's direction, but no sooner than one-half (1/2) hour after the fixed time for the meeting, should no quorum be present, the Board Secretary will call the roll and record the names of the Members present and the meeting shall be adjourned.

If a quorum should be lost during a meeting and is not regained within fifteen (15) minutes, the meeting must stand adjourned until the next meeting.

Whenever there is a matter of urgency which requires the immediate attention of the Board, the Chair may, via telephone conference and E-mail polling, video conferencing or Internet, solicit a motion from the Members dealing with the matter. The motion shall be valid and in effect if passed by a majority of the Board. It shall be recorded either in the Minutes of the next open or in-camera meeting of the Board as directed by the Chair. ~~at the next meeting.*~~

#7 Meeting Procedural Rules

The Board shall adhere to the following meeting procedural rules:

- (1) Pursuant to s. 25(3) of the *Act*, in case of a tie vote at a meeting of the Board, the Chair may cast the deciding vote. Other than a tie vote, the Chair shall not vote.
- (2) Repealing, rescinding or altering any decision of the Board shall require a two-third (2/3) majority.
- (3) Corrections of the Minutes require a majority vote of the Board.
- (4) If a question of procedure should arise during the course of a meeting that is not specifically covered by these rules, it shall be determined by the Chair with reference to Robert's Rules of Order.
- (5) A direction to the Chief Constable shall be authorized by resolution of the majority of the Members present.
- (6) Actions to be pursued by the Board arising from the agenda shall be clearly identified at the meeting.

#8 Regular and In-Camera Meetings

Pursuant to s.69(1) of the *Police Act*, meetings and hearings of the Police Board shall be open to the public. The Board shall not exclude a person there from, except for improper conduct or public safety.

Pursuant to s.69(2) of the *Police Act*, the Board may hold meetings in absence of the public (in-Camera), if the subject matter being considered concerns:

- (1) A matter concerning public security, the disclosure of which could be reasonably expected to seriously impair effective policing or law enforcement.
- (2) A matter concerning a person's financial or personal affairs, if the person's interest in the matter outweighs the public interest in the matter.
- (3) A matter concerning labour contract discussions, labour management relations, layoffs or another personnel matter.
- (4) A matter concerning information that a person has requested that he or she is allowed to provide in private to the Board.

No person other than Board Members, the Board Secretary, Chief Constable Deputy Chief and other persons invited by the Board for specific agenda items shall attend In-Camera meetings. Persons shall leave the meetings if requested to do so by the Chair.

Attendance at the CLOSED In-Camera meetings of the Board is at the sole discretion of the Board.

Any and all information obtained at an In-Camera meeting shall be treated as confidential by any and all persons in attendance.

#9 Notice of Meetings

Notice of Regular or In-Camera meetings of the board shall be given at least five (5) calendar days prior to the meeting, accompanied by the proposed agenda and any supporting materials.

On an exigency basis, the notification period may be reduced.

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#10 Special Meetings

The Chair, or authorized Board delegate may, at any time, call a special meeting of the Police Board and the Board Secretary may call a special meeting whenever requested by a majority of the Members of the Board.

Written notice of a special meeting shall be given to each Member of the Board at least 24 hours prior to the meeting, setting out the time and place of the meeting and the matters to be considered. The notice may be made by personal service, email, text message or by leaving a copy at the Member's recorded address as submitted by the Member.

A special meeting of the Board may be called by verbal notice provided that at least two-thirds (2/3) of the Board consent to the time, the place and the matter to be considered and that the decision to call the meeting is later ratified by the Board

Notice of a special meeting shall state the business to be considered and no business other than that stated shall be considered, except if all Members of the Board are present.

#11 Board Committees

The Board may establish standing or ad hoc committees to inquire into and report on any matter within the jurisdiction of the Board.

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#12 Annual Board Planning Cycle

The Board is required under s. 26(4) of the *Police Act* to determine the priorities, goals and objectives of the Department each year, in consultation with the Chief Constable.

By November 1 of each year, the Board shall determine, in consultation with the Chief, the process to be followed for the next year in order for the Board to meet its obligations under s. 16(4) of the *Police Act*.

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#13 Board Member Orientation

It is imperative that all Board members receive orientation regarding their roles and responsibilities as Police Board Members. The Board Secretary shall arrange for swearing in and provide an initial orientation session as soon as is practicable after appointments.

Upon appointment, the Chief Constable shall contact the appointee and arrange a time for the Mayor and Chief Constable to meet the new appointee at the Police Department, provide a tour of the building and provide them with an electronic copy of the "Police Board Orientation Information".

Orientation continues over several months and the Board Secretary can assist a Member in making the necessary arrangements.

Note: See "Appendix A" for the Board Orientation Checklist.

#14 Travel and Training

Members are encouraged to participate in training sessions and conferences of the BC Association of Police Boards and Canadian Association of Police Governance, and to take advantage of other training opportunities that will increase their knowledge and capabilities as a Board Member.

Board Members are eligible to be reimbursed for all reasonable expenses incurred while on Board business travel or attendance of training sessions outside the area of Metro Vancouver the Capital Regional District. Any travel or attendance to training sessions requiring reimbursement will be authorized by Board resolution.

A Member's expenses are reimbursed upon the submission of receipts and explanatory expense statements, and must be in accordance with the Business Travel Policy travel guidelines of the Police Department District of Oak Bay, or as otherwise determined by Board policy. A Board resolution is required in order to over-ride said travel policies.

In exceptional circumstances, the Board may decide to exempt specific travel of a Board Member from full application of the Business Travel Policy. A Board resolution is required in order to over-ride the Business Travel Policy.

Business travel of Board Members outside of BC requires authorization of the Board, if expenses are to be paid by the Board.

Comment [LL1]: The Delta model has the board member's expenses addressed through the travel policies of the police department which would not be accurate in our case. Our practice has been to use the municipalities' "Staff Travel Guidelines" for rates.

There are no specific municipal guidelines, bylaws or resolutions for persons appointed to boards, commissions or committees to use as a guiding document, only staff or elected officials. The municipal bylaw relating to travel by elected officials has the same rates and requires approval for travel be done by Council resolution. By including the need for a Board resolution in the Board Manual it accounts for an approval mechanism.

(as per committee's notes on working copy request to insert Oak Bay municipal policy, where highlighted above.

#15 Execution of Documents and Production

When execution of documents in Board approved matters is required, the Chair and Acting Chair are authorized to sign documents in the name of the Board. In principle, all contracts, agreements and other documents intended to legally bind or commit the Board in any manner are to be executed by the Chair or Acting Chair.

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#16 Memberships

The Board supports the purpose of the BC Association of Police Boards and Canadian Association of Police Governance, and shall be a member of both organizations, unless otherwise determined by the Board.

Board authorization is required prior to the Board joining organizations other than the BCAPB or CAPG.

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#17 Board Assessment Process

To be completed.

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#18 Agenda

As a general rule, the Board shall deal with matters in the order established by the order of business and as shown on the agenda. The Chair may, at his/her discretion, alter the order established to facilitate the business of the meeting.

The general order of business for Board Meetings is as follows:

- Resolution to endorse the Agenda.
- A. Approval of Minutes
- B. Delegations / Presentations
- C. Priority Items
- D. Reports
- E. Consent Agenda
- F. Correspondence
- G. Information Items
- H. Other Business
- Resolution to terminate

Prior to each meeting, the Board Secretary shall prepare a draft agenda of all business to be brought before the Board, decisions on the inclusion or exclusion of agenda items shall be made by the Chair of the Board or their designate, in consultation with the Chief Constable or their designate.

Wherever possible, Members shall give notice regarding a matter to be added to the agenda prior to the agenda review with the Chair.

Under "Other Business", a Member may introduce new business with the consent of the majority of the Members present at the meeting.

Items placed on the Board agenda consist primarily of:

- Reports prepared by staff of the Police Department
- Correspondence directed to the Board
- Copies of correspondence received by the Board
- Delegations or presentations
- Items of Information
- Items requested or received by the Board.

The Board Secretary shall be responsible for the initial placement of all items on either the Regular or In-Camera agenda. The placement may be adjusted following review by the Chair and Chief Constable in the agenda development process.

The Chief shall suggest on which agenda the reports prepared by Police Department staff or Department presentations should be placed.

Upon convening of the Regular Meeting, a Member may request an item be moved from the Regular to the In-Camera Agenda. During an In-Camera meeting the Board can, by motion, move any item from the In-Camera Agenda to the Regular Agenda. Should there be no Regular Agenda for that meeting, the Board may move that one be created for the item, or that the item be placed on the Regular Meeting Agenda at the next meeting of the board.

During consideration of an In-Camera item by the Board, the Board may direct that the decision on that item, or the item in its entirety, be reported back to the Regular Meeting.

Notwithstanding the above, the Board or any member thereof may request an item to be placed on the agenda by forwarding the item to the Secretary **one week** prior to the meeting. The decision on the inclusion of the agenda item shall be decided by a majority vote of the Board

#19 Delegations

Any person or persons (a delegation), not being a Member or employee of the Board wishing to address the Oak Bay Police Board shall make a written request to the Board Chairperson indicating the topic or issue upon which the delegation wishes to address the Board and the estimated length of time for the presentation.

All requests must be received by the Board ten (10) business days prior to the next Board meeting for the request to be considered at that meeting.

The Board Chairperson in consultation with the Chief Constable shall determine if the request is within the mandate and scope of the Police Board as described in the Police Act, and if so place the request on the next meeting agenda for the Board. The Board, by majority vote at the meeting or by poll if the matter is of an urgent nature, agree to hear the delegation at the next Board meeting.

The written submission by the delegation and a list of persons attending shall be filed with the Board Secretary for distribution with the meeting agenda.

Members shall not enter into debate with the delegation upon the completion of their presentation. Members should only ask questions for clarification and obtaining additional, relevant information.

No delegation at either a Regular Meeting or Special Meeting of the Board shall:

- (1) Speak disrespectfully of any person;
- (2) Use offensive words or un-parliamentary language;
- (3) Speak on any subject other than the subject for which they have received approval to address the Board; or
- (4) Disobey the rules of procedures or a decision of the Chair.

The Chair may curtail any delegation, any questions of a delegation or debate during a delegation for disorder or any other breach of this policy and, where the Chair rules that the delegation is concluded, the delegation shall immediately withdraw.

THAT staff presentations and delegations be limited to 15 minutes, which would be flexible depending on the nature of the presentation and amount of questions

#20 Schedule and Location

Regular meetings of the Oak Bay Police Board will be held on the fourth Tuesday of each month, except for July and August, at the municipal hall.

Notice of meetings will be posted on the municipal website at least five (5) days prior to the meetings.

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#21 Attendance at Meetings

Board Members have a responsibility to attend meetings, participate in discussions and exercise voting rights. Should a Member be unable to attend a meeting, the Member is expected to advise the Board Secretary.

Should a Member be absent from three (3) consecutive meetings without reasonable cause, the Board may make recommendation to the Director of Police Services to revoke the appointment of the Board Member.

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#22 Minutes

The All Minutes of the Board shall be retained by the Board Secretary in a designated archive storage facility. The minutes of the open portion of the regular meeting of the Board will be ~~and~~ posted to the Police Department section of the municipal website.

The Minutes of the Oak Bay Police Board meetings shall contain a record of the formal actions undertaken at the meeting. The Minutes of the Regular, In-Camera and Special Meetings of the Board shall be distributed to the Members of the Board prior to the next meeting, at which time they are considered for approval.

Any action of the Board shall be upheld by resolution of the Board and recorded in the Minutes.

The Board is required by s.71 of the *Police Act* to keep minutes of its meetings and hearings, and records of its inquiries. Further, in accordance with s.28(2) and s.69(3) of the *Police Act*, the Board shall file copies of its approved Minutes with the Police Services Division of the Ministry of Justice and Attorney General.

#23 Community and Media Notification and Information

The public shall be notified of the time and place of the public Board meetings by the schedule posted on the municipal website (www.oakbay.ca) and by notification included on the monthly meeting agenda.

Wherever possible, two (2) days preceding the day upon which the meeting is to be held, the Regular (public) Meeting Agenda shall be posted on the municipal website (www.oakbay.ca). The complete Regular Meeting Agenda with supporting materials shall be available for pick-up and upon request, through the Board Secretary. Copies shall also be available at the Board meeting.

#24 Amendments to the Manual

The Board is responsible for initiating a review of the manual and for seeking the Board approval of necessary amendments. The Chief Constable may submit amendment request to the Board.

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#25 Conduct Complaints

The Board will not hear any delegation concerning a conduct complaint against members of the Oak Bay Police Department. The delegation will be referred to the appropriate oversight body which is usually the Office of the Police Complaints Commissioner.

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#26 Service or Policy Complaints

Under the Police Act, service or policy complaints are the responsibility of the Board, including complaints that arise at a discipline proceeding or public hearing.

The Board may do one or more of the following:

- request that the Chief Constable investigate and report to the Board,
- initiate a study,
- initiate an investigation,
- dismiss the complaint with reasons, and
- any other course of action the Board considers appropriate.

The Board must advise the Office of the Police Complaint Commissioner (OPCC) and the complainant of the results, including what course of action, if any, was taken and a summary of the results of any investigation or study.

Service or policy complaints are received by the Board through the OPCC.

#27 Board Member Suspension

Any Suspension of a Board member shall be done in accordance with s.(110) of the *British Columbia Police Act*.

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PART 3

OAK BAY POLICE BOARD POLICIES

#1 Board Governance Style and Commitment

As a statutory governance body, the Police Board must be and be seen to be:

- (1) always mindful of its civic trusteeship obligation to the public and accountability for the governance of the Police Department.
- (2) independent of Police Department administration and management, political affiliation and interest groups;
- (3) subject to the needs of confidentiality and security, open, transparent, and accessible to both the public and Police Department; and
- (4) responsive to the community.

Therefore, it is the policy of the Oak Bay Police Board that the Board shall govern collaboratively and in a way that emphasizes outward vision. It shall encourage strategic leadership rather than administrative detail and shall maintain a clear distinction between Board governance and the Chief Constable's role as Chief Executive Officer of the Police Department.

The Board and Chief Constable shall commit to the following guiding principles with respect to their relationship and responsibilities:

- (1) acknowledge the importance of goodwill between each other;
- (2) respect each other's roles, interests and accountabilities;
- (3) give each other the benefit of the doubt, accept honest mistakes and seek explanations before reacting;
- (4) recognize and respect each other's decision-making processes and lines of authority;
- (5) acknowledge that the Board's mandate is summarized as general oversight and setting of policing policy; and
- (6) recognize that the Chief Constable is responsible for daily policing and all operational matters as set out in the Police Act Part 7, s.34(1) and (2)

Communications between the Board and Chief shall:

- (1) promote common understanding
- (2) promote quick and effective resolution of issues, and
- (3) build stronger relationships.

Information shall be shared to the fullest extent possible and be undertaken in an atmosphere that promotes clarity, transparency, openness and trust.

The Board shall be responsible for excellence in governing. The Board itself shall be the initiator of policy, in addition to responding to policy initiatives from staff. The Board shall use the expertise of individual Board Members to enhance the performance of the Board as a body.

The Board shall direct, control and motivate the organization through the careful establishment of broad organization policies reflecting the community's values.

The Board shall establish a collegial relationship with officials of the Ministry of Justice and Attorney General and shall fulfill all reporting requirements established under the *Police Act*. This includes filing of Board Minutes with the Ministry, thus enabling the Board's decisions and rules to be enforced.

#2 Role of Chief Constable

The Chief Constable shall operate under the direction of the Police Board and is responsible for the overall management and command of the Police Department on a day-to-day basis. The Chief Constable also shall perform other functions and duties assigned to him/her under the regulations or under any Act [Part 7, s.34(1), *Police Act*]. The Chief Constable is not a member of the Board.

The Chief Constable shall be responsible for the development of annual priorities, goals and objectives for the Department. The Chief Constable must ensure that Departmental programs and strategies are designed in accordance with the Board-approved strategic plan and are reported to the Board annually.

The Chief Constable shall ensure that the Board's vision and direction are implemented and shall bring high-level policy issues to the attention of the Board.

The Chief Constable shall be proactive in presenting emerging issues (policing and community) to the Board, either through formal presentations to the Board or more informal channels to the Board as a whole.

#3 Accountability of the Chief and Deputy Chief Constables

The Board operates by delegating certain of its authorities to the Chief Constable and through him to the Management Team and by reserving certain powers to itself. These policies are prepared to assist the Board and the Chief Constable in clarifying responsibilities and ensuring effective communication between the Board and management.

The Chief Constable is the Board's link to the operational achievement and conduct of the Department. All authority and accountability of employees, as far as the Board is concerned, is considered the authority and accountability of the Chief Constable.

Accordingly:

- (1) The Board will never give instructions to persons who report directly or indirectly to the Chief Constable.
- (2) The Board will not evaluate, either formally or informally, any employee other than the Chief Constable.
- (3) The Board will view the Chief Constable's performance as identical to organizational performance, so that organizational accomplishment and compliance with Board Policies will be viewed as successful Chief Constable performance.
- (4) When the OPCC refers a BC *Police Act* matter to the board in relation to the Chief or a Deputy Chief, the board will conduct an investigation in accordance with the *Act*.
- (5) In the case of discharge of firearm by Chief Constable, he or she is required to notify the Chair of the Board and the Chair will investigate in accordance with the BC *Police Act* Use of Force Regulation.

#4 Delegation to and Relations with the Chief Constable

The Chief Constable has command of the Police Department, subject to the policies and general supervision of the Police Board, and is accountable to the Board acting as a body.

The Chief Constable has authority to make the operational and administrative decisions required to operate the Police Department. The Chief's legislative roles and duties are set forth in s.34 of the *Police Act*.

Board authority is delegated through the Chief Constable, so that all authority and accountability of staff/members, insofar as the Board is concerned, is considered to be the authority and accountability of the Chief Constable.

Only decisions of the Board acting as a body are binding upon the Chief:

- (1) Decisions or instructions of individual Board Members or committees are not binding on the Chief Constable except in those instances when the Board has specifically authorized such exercise of authority.
- (2) In the case of Board Members requesting information or assistance without Board authorization, the Chief Constable has the option of bringing such requests to the Board if, in the Chief Constable's judgment, a material amount of staff time or funds are required.

The Chief Constable shall ensure that his/her actions and those of the Police Department will not compromise the independence of the Police Board.

The Chief Constable may delegate authority to the extent that he/she considers appropriate, but remains accountable for all activities of the Department.

#5 Role of Board Secretary

The Board will appoint a Board Secretary to satisfy secretarial and administrative requirements.

The Board may retain other professional advice or services as necessary, including clerical support to assist the Board Secretary.

The Board Secretary assists the Board in administering and coordinating its business to ensure efficiency of operations.

Responsibilities include:

- (1) Serves as administrative link between the Board, the Chief Constable, and committees of the Board,
- (2) Manages and organizes the flow of information and documentation.
- (3) Organizes meetings, creates the agenda in consultation with the Board Chair and Chief (or delegate), and through clerical support, ensures minutes, correspondence reflects Board decisions, and acts in a similar capacity for committees.
- (4) Ensures that an accurate archived record is kept of all Board proceedings and correspondence, and provides procedural, historical and policy information to the Board as required.
- (5) Maintains schedule of monitoring and other reports to be received by the Board and ensures that all Board members are kept fully informed on any developments upon which they may have to act.
- (6) Liaises with municipal and provincial government officials and with staff from other police boards.
- (7) Liaises with Oak Bay Police staff for the purposes of communicating FOIPPA access requests and Service and Policy complaints and coordinates related correspondence;
- (8) Receives and coordinates Board travel and expense claims for submission to the Director of Financial Services of the municipality;
- (9) Coordinated registration, travel arrangements and related logistical requirements for Board member attendance at various Board related conferences, retreats and meetings.

The Board Secretary must keep all matters before the Board in strict confidence, limiting discussion to members of the Board and those members of the Police Department required for the performance of their duties.

The Board Secretary must disclose to the Board Chair any pecuniary interest or conflict of interest in any matter before or likely to come before the Board as soon as is practicable.

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#6 Consultation and Community Outreach

The Board's mandate includes initiating of policies that reflect community need and enhance the effectiveness of the police service. The Board considers both the community and police viewpoints and needs, and serves as a communication link to enhance understanding and working relationships amongst the Department, the public it serves and Government. The Board operates within a highly public environment and recognizes that the actions of the Department have a significant public impact. Accordingly, the Board shall:

- (1) Provide opportunities for the community to give input on areas of interest or concern to them, via such mechanisms as public forums and designated meetings with the Board, and environmental scans.
- (2) Provide opportunities at Regular Meetings of the Board for a person or persons to appear as a delegation and present to the Board comments relevant to the agenda items.
- (3) Share crime statistical information and crime trends with Government, community organizations, businesses and members of the public, and ensure timely reporting of any other developments that have a significant and material effect on the Department.
- (4) Ensure that the financial performance of the Department is available to the public on a quarterly basis.
- (5) Build relationships with board members of other police services at the provincial and national levels and where possible, have a least one representative at meetings of the BC Association of Police Boards and special consultations with Government.

#7 Internal Communications

The Chief shall take all reasonable steps to ensure that the Board is fully informed about all major issues that may be of concern to the community, as soon as is practicable.

The Chief shall direct that all official media releases be provided to the Board, as soon as is practicable following release.

As a general principle, Board Members acting in their capacity as Members of the Board and in the performance of their official duties shall have timely access to information under the control of the Oak Bay Police Department and shall direct all requests for such information and advice related thereto to the Office of the Chief Constable, or as otherwise determined in consultation with the Chief Constable.

The Chief shall attend regularly scheduled meetings of the Police Board and, as otherwise requested by the Board. Police staff attendance at In-Camera Board meetings shall be coordinated with the Chief and be at the request of the Board.

#8 Police Department Submissions to Municipal Council

In consideration of the Board's governance responsibility for the Police Department under the *Police Act*, all formal reports and information tabled with Municipal Council or any of its committees with respect to the budgetary requirements and operations of the Oak Bay Police Department shall be tabled with the Police Board first.

The Police Board must be notified, as soon as is practicable, of any request to the Police Department to make a formal presentation to Municipal Council, a Standing committee or other Municipal Department.

Police Act Part 4 s.15(1) and (2) s.17 (1)(2)(3) and (4) apply.

#9 Media and Public Relations

The Chair of the Board is the official spokesperson for the Board. Media requests for interviews shall be forwarded directly to the Chair or via the Board Secretary.

The Chair or Board may appoint a Board Member as a spokesperson for specific matters.

The Board spokesperson shall consult with the Board prior to responding to media requests for interviews on significant and sensitive matters, and as appropriate, consult with the Chief Constable.

When responding to media enquiries related to public complaints against the police or legal matters, the Board spokesperson shall be cognizant of the confidentiality and process provisions, including appeals, under the Police Act and the Freedom of Information and Protection of Privacy Act, and that the Chief Constable is the Discipline Authority for sworn members under the rank of Deputy Chief Constable. The Board may wish to seek legal advice in determining appropriate public comment for its spokesperson.

A Board spokesperson shall be careful to only speak on matters within the jurisdiction and mandate of the Board, and not interfere with the legislated authority of the Chief Constable.

Most news items regarding the Oak Bay Police Department are operational in nature and properly the domain of the Chief Constable and his staff. However, where operational matters may be likely to spark significant public interest or debate, the Chief Constable will inform Board members before a public statement is made. This may be done by email or telephone, or on the municipal website. The purpose of informing the Board is a courtesy, to ensure that Board members are aware of major occurrences.

On some occasions the matter may be of such significance or seriousness that consultation and discussion with the Board before information is released is justified. These occasions include, but are not limited to:

- Major financial expenditures that are outside the approved operating or capital budget;
- Departure from the Police Act or Board policy;
- The Oak Bay Police Department's public position being at odds with municipal, provincial or federal government, the Police Complaint Commissioner, or a court decision
- Release of information relating to public complaints that may cause the public or media to draw wider inferences about the Oak Bay Police Department's policies, objectivity or integrity.

The purpose of consultation with the Board is to provide the Chief Constable with advice and counsel on the format and tone of public releases, and to provide the Board with an early insight into the Chief Constable's strategy and follow-up plans.

In some cases the Chief Constable may be uncertain as to whether the Board should be consulted or simply informed. The Board will designate one of its members to provide guidance to the Chief Constable on the appropriate level of Board involvement. The Board designate and the Chief Constable will together decide upon the medium and timing of informing/consultation, taking into account the seriousness and urgency of the matter. The Board designate will inform the Board of advice given at an appropriate time.

Board media releases and information to media outlets shall be published on the Oak Bay municipal website.

The Board shall respond to media requests for information released at its public meetings and minutes of its public meetings shall be made available on the municipal website. The media shall be referred to the Department's media liaison person for response on issues within the authority of the Chief Constable.

#10 Municipal Council

Formal communication between the Board and the Council, or Board and Administration of The Corporation of Oak Bay, is conducted through the Chair and/or the Board Secretary, unless otherwise specified by the Board.

The Board shall pursue a positive and productive working relationship with Municipal Council and promote opportunities for dialogue between the Board and Council.

The Board Chair will respond to information questions, where possible, and appropriate to the Board's mandate. Council requests concerning police operational matters shall be directed to the Chief Constable.

#11 Emergency Acquisition of Goods and Services

In order to provide the funds and resources required to satisfactorily resolve an emergency situation; and to provide the operational support required immediately where the time frame precludes prior approval in the normal manner, the Chief Constable, or his designate, will have the authority to purchase or rent equipment to adequately cover any emergency, disaster or life threatening incident where time, or other pressing factors, make it impossible to obtain prior approval.

In the event that emergency procurement of goods and services is required, the Chief Constable will provide details to the Board Chair at the earliest possible date, and subsequently to the full Board.

#12 Succession Planning

Succession planning is a timely and continuous process designed to ensure the ongoing effective performance of the Oak Bay Police Department by providing training and development for the replacement of key personnel that may be lost to the department.

The Chief Constable will develop, report and implement a succession plan on a yearly basis that will proactively ensure the continuity of leadership at all senior levels within the Oak Bay Police Department.

#13 Strategic Planning

To ensure a strong alignment between the mandate and mission of the Oak Bay Police Board and the allocation of publicly funded resources, the Oak Bay Police Department, under the leadership of the Chief Constable, will develop a long term strategic plan for Board approval.

The plan will be based on an evaluation of the policing requirements of the Municipality of Oak Bay and will include:

1. Strategic Direction
2. Strategic Goals
3. Action plans
4. Time lines
5. Measurement tools
6. Resource allocation

The approved strategic plan for the Oak Bay Police Department will provide the framework under which annual financial plans will be developed.

The approved strategic plan and the annual financial plan for the Oak Bay Police Department will be utilized by the Board in consultations with Municipal Council and staff and in the performance assessment of the Chief Constable.

The strategic plan will be reviewed at least bi-annually and updated as required.

#14 Freedom of Information

Subject to the *Freedom of Information & Protection of Privacy Act*, R.S.B.C. 1996, c. 165, the board policy with respect to the authority for the release of information is as follows;

1. The Oak Bay Police Board Chair as the head of the Oak Bay Police Board for the purposes of the *Freedom of Information & Protection of Privacy Act*, has responsibility for all requests for records within the custody or control of the Board and,
2. The Chief Constable as the head of the Oak Bay Police Department has responsibility for all requests for records within the custody or control of the Department.

APPROVED by the
Oak Bay Police Board on

 , 2016

Appendix A
Member Orientation Checklist

Operational Orientation (facilitated by Chief Constable)

- a. Meet with Chief Constable and Deputy Chief Constable
- b. Tour of Police facility
- c. Overview of the organizational structure overview of specialty units and CRD integrated units. Overview of Service Agreements with other agencies.
- d. Overview of Strategic Plan.
- e. Overview of Budget and Budget process
- f. Ride Along

Administrative Orientation

- a. Meet with Mayor for overview of how the board functions and its relationship with Municipal Council.
- b. Meet with Municipal Administrator to discuss her role as secretary to the Police Board and any other relevant topics including how expenses for travel are handled.
- c. Meet with senior board member to review board policies and procedures, board packages and meeting structure and the role of the BCAPB and CAPG, including access to websites.

Other Training

- a. Police Services Orientation
- b. Other training provided by BCAPB and CAPG



OAK BAY POLICE DEPARTMENT MEMORANDUM

DATE: February 09, 2016
TO: Oak Bay Police Board
FROM: Chief Constable Brinton
RE: OB 180 – Missing Persons Policy

Current Policy:

OB 180 Missing Persons Effective 1998-11-17, Last Update 2011-07-08

New Policy:

OB 180 Missing Persons

Background:

Police Services has developed standards for missing persons investigations. These standards were developed in response to recommendations coming from the Missing Women Commission of Inquiry. They will ensure a consistent approach throughout the province and safeguard against lessons learned during the Pickton case and other investigations.

The new standards are comprehensive and form the basis of the new Oak Bay Police Department (OBPD) policy. Rather than attempt to fit the new standards into the format of the existing policy, OB 180 has been totally re-written.

The only adjustments to the standards have been made to account for the OBPD structure, such as what position provides oversight and how our support services such as the Detective Office are brought into a matter. Relevant contact information is built into the policy and the supporting forms are available on the

department's network. There will be follow up familiarization training delivered to our members.

The current OBPD policy references the *Provincial MOU for the Investigation of Missing Persons (As amended in the Capital Region District (2011-07-04))*. The new police standards replace the MOU as the guiding document for missing persons investigations in the province.

Key Points:

- The intake of missing persons reports has been strengthened. Any police agency receiving a missing persons report will open an investigation regardless of jurisdiction or how long the person has been missing.
- If required, a clear file transfer will take place to the police of jurisdiction.
- A sound risk assessment process will begin immediately and continue throughout the life of the investigation.
- Clear investigative steps are laid out with check sheets.
- File supervision is established with ongoing file monitoring.
- The BC Police Missing Persons Centre and the National Centre for Missing Persons and Unidentified Remains are now included in the OBPD policy.
- Legislative changes with the *Missing Persons Act* allowing for access to records are included.
- A robust list of requirements before closing a missing persons investigation is provided.
- Considerations for prevention and intervention are included.

Andy Brinton,
Chief Constable
Oak Bay Police Department

MISSING PERSONS

OB 180	Effective Date: Review Date: By: Cst A. Wagnell Last Update: 2016-02-11
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1.0 Policy

- 1.1 The Oak Bay Police Department recognizes the need to investigate missing persons reports in a timely fashion. This is particularly important when dealing with a high risk missing person. To this end, effort shall be made to avoid delay and to facilitate the investigation by avoiding jurisdictional disputes. When such disputes occur, the safety and welfare of the missing person shall be paramount.
- 1.2 The investigation of missing persons call will be conducted using:
- a) The categorization of Missing Person calls, in accordance with PRIME BC;
 - b) The guidelines and responsibilities as outlined in the ***Provincial Policing Standards – Missing Persons Investigations***;
 - c) The applicable general criteria required for all investigations, and;
 - d) The established criteria for this particular type of investigation.
- 1.3 The Oak Bay Police Department will, where necessary and/or mandated, liaise with the “BC Police Missing Persons Centre (BCPMPC)” – a provincial force unit that provides guidance, forms and support to all police in the province for missing person investigations, and coordinates and supports unidentified human remains investigations.

Contact BCPMPC:
14200 Green Timbers WAY
Mailstop 208
Surrey BC V3T 6P3ORI/IND : BC12500
Tel: (778) 290-3805 Fax: (778) 290-6090
bcmissingpersons@rcmp-grc.gc.ca

2.0 Reason for Policy

- 2.1 To ensure compliance with PRIME BC reporting.
- 2.2 To comply with the guidelines and responsibilities as outlined in the *Provincial Policing Standards – Missing Persons Investigations*.
- 2.3 To acknowledge missing person investigations as a high risk area of policing.
- 2.4 To provide for and facilitate the effective investigation of missing persons and to ensure that all appropriate efforts and investigative tools have been applied.
- 2.5 To acknowledge the stressful nature of a missing person event for family members/reportees and the need for all employees of the police force to treat family members/reportees with respect, compassion and empathy.

3.0 Procedures

Acceptance of Reports of Missing Persons

- 3.1 A “**Missing Person**” is defined as any person who had been reported missing to the police whose whereabouts are unknown and where there are concerns for the safety or welfare of that person.
- 3.2 All reports of missing persons are accepted at the time they are made and given full consideration and attention regardless of:
 - a) The missing person’s gender, age, race, national or ethnic origin, colour, religion, sexual orientation, belief, social standing or lifestyle;
 - b) The reportee’s relationship to the missing person;
 - c) The length of time the person has been missing; and
 - d) Whether the report meets the criteria for jurisdiction set out below in section 3.4.

- 3.3 Under no circumstances should a reportee be advised that they must wait a specific period of time before a report can be made.

Jurisdiction

- 3.4 The following criteria are used to determine which police force has jurisdiction in relation to a missing person report:
- a) The police force for the jurisdiction in which the missing person was **last seen** is the police force of jurisdiction; or
 - b) If the location where the missing person was last seen is not known or their presence there was transient in nature, then the police force for the jurisdiction where the missing person **resides or last stayed** is the police force of jurisdiction.
- 3.5 If jurisdiction is unclear and cannot be resolved between police forces, the police force contacts the Officer in Charge BC Police Missing Person Centre/designate as soon as practicable, who makes the decision regarding jurisdiction.
- 3.6 The risk assessment and the start of an investigation must **not** be delayed pending the resolution of questions concerning jurisdiction.

Jurisdiction – Within Oak Bay

- 3.7 The “**Provincial Missing Person Intake Form**” includes the PRIME-BC Missing Person Details Page and all available and relevant CPIC Fields.
- 3.8 If the assessment of the circumstances determines that the missing person report falls within the jurisdiction of the Oak Bay Police:
- a) The report is assigned to a police officer;
 - b) An initial risk assessment is completed without delay by the officer assigned (see section 4.0 – Risk Assessment Process);
 - c) The **Provincial Missing Person Intake Form** is completed; and
 - d) Oak Bay Police assumes and retains operational control of the investigation until it is concluded (see sections **6.0 Response and Investigation, 9.4c) File Review and Monitoring, 11.0 Family Members and Reportees, and 12.0 Concluding a Missing Person Investigation**).

Jurisdiction – Outside Oak Bay

- 3.9 If the assessment of the circumstances determines that a missing person report does **not** fall within the jurisdiction of the police agency that had received the initial call:
- a) The police force taking the missing person report assumes responsibility for the investigation, including prompt initial entry of the missing person on PRIME, CPIC, and any other relevant police databases, until it has transferred the investigation to the police force of jurisdiction.
 - b) The transfer of the investigation is not complete until the police force of jurisdiction has confirmed its receipt of the report and responsibility for the investigation, and generated a file number;
 - c) All information received or generated by the police force in relation to the missing person report is forwarded to the police force of jurisdiction immediately or, at the latest, within 24 hours;
 - d) The police force advises the reportee of the transfer and provides the file number generated by the police force of jurisdiction; and
 - e) The receipt of the missing person report, its transfer to the police force of jurisdiction, the notification of the reportee, and any other actions taken are documented.
- 3.10 The police force promptly responds to requests for assistance from the police force of jurisdiction in relation to a missing person investigation.

4.0 Communications Centre Personnel

- 4.1 Every person reported as missing will be considered at risk until information to the contrary is obtained by the Saanich Police Communications Centre personnel or investigators. As such, the Patrol Supervisor must consider the deployment of all appropriate additional resources.
- 4.2 There is to be no waiting period for reporting a missing person.
- 4.3 Communications Centre personnel will gather the particulars of a missing person or child, and where appropriate, dispatch police officers to investigate the circumstances.
- 4.4 Communications Centre personnel will immediately notify the Patrol Supervisor upon receiving a call involving a missing child, youth, or vulnerable person.

- 4.5 Communication Centre personnel will be responsible for making the appropriate CPIC entries, including a dual CPIC entry if there is an associated warrant for the missing person, and any subsequent amendments.

Communication Centre personnel are to **ensure** that the missing person is entered on CPIC including all relevant fields currently available with chaining entries for associated vehicles and clothing. A three day diary date entry to be made with "72 hour records check" entered in the diary date remarks field.

(See **OD 20 General Criminal Investigations** for additional investigative responsibilities, case management and investigative continuity procedures and protocol.)

- 4.6 In the event of an AMBER Alert activation, Communication Center personnel will:
- a) Send a CPIC fan out to all surrounding agencies using the AMBER Alert CPIC message template and request confirmation receipts,
 - b) Make appropriate CPIC entries to add the child/victim as "missing" and the suspect and any associated vehicle as "special interest to police", and send out a local BOLF,
 - c) Broadcast to all members that an AMBER Alert is in effect,
 - d) Notify Canadian Border Services Agency (CBSA) that an AMBER Alert is in effect and provide them details (CBSA Risk Assessment Line 1-613-948-3939 and press 2 for missing children),
 - e) Forward all CPIC correspondence and tips to the Patrol Supervisor or their designate,
 - f) Ensure CPIC messages are received from other agencies confirming receipt of the AMBER Alert information.
- 4.7 Communication Centre personnel may, subject to the circumstances of the event, change the call priority in consultation with the Patrol Supervisor.
- 4.8 All missing persons will be entered onto CPIC immediately. A copy of the entry will be attached to the associated General Occurrence (GO) PRIME file.
- 4.9 Unless contrary to policy or directed by a Supervisor, all dispatches involving missing persons will be done over the air and via MDT.

5.0 Risk Assessment Process

Missing Person Coordinator

- 5.1 The missing person coordinator is the police officer designated as responsible for oversight and support functions for the police force's missing person investigations, including those functions listed in section **Error! Reference source not found.**10.1. The Oak Bay Police Missing Person Coordinator will be the Sergeant in charge of the Detective Office.

Initial Risk Assessment

- 5.2 An initial risk assessment is completed by a police officer without delay for all missing person reports within the police force's jurisdiction.
- 5.3 Consideration is given to completing an initial risk assessment pending the determination of jurisdiction and/or transfer of the investigation to the police force of jurisdiction.
- 5.4 The initial risk assessment includes:
- a) Completion of the *Missing Person Risk Assessment Template* (see **Appendix "A"** for template); and
 - b) Determination of risk in consultation with a supervisor.
- 5.5 If the response to **all** questions on the *Missing Person Risk Assessment Template* is "no", the police officer must then consult with a supervisor to confirm the screening result.
- 5.6 If the response to **any** question on the *Missing Person Risk Assessment Template* is "yes", the matter requires **immediate review** and consultation with a supervisor to assess the appropriate response and resources.
- 5.7 The consultation under Section 5.5 includes consideration of the following factors:
- a) Any reason to suspect the missing person may have been abducted;
 - b) Any suspicious, dangerous or unknown circumstances surrounding the missing person's disappearance, which suggest the missing person may be the victim of a crime;

- c) The mental or emotional state of the missing person (e.g., emotionally distraught, suicidal or likely to cause harm to self or others);
- d) Whether the missing person has been involved in a violent or threatening incident prior to going missing (e.g., domestic or relationship violence, bullying or elder abuse);
- e) Whether the missing person is part of an identifiable group that is statistically at an increased risk of harm (e.g., Aboriginal women);
- f) Characteristics of the missing person which may make them vulnerable, such as their age, addiction to drugs/alcohol, infirmity, inability to communicate or other factors;
- g) The weather and physical conditions (e.g., terrain) in the location where the missing person may be and their preparedness to deal with those conditions (e.g., clothing, equipment, and/or experience), if known;
- h) Whether the missing person requires any essential medications;
- i) Whether the missing person has any physical illness, disability or mental health problems;
- j) The circumstances of any previous incidents of going missing (e.g., suffered harm while missing, previous designation as a high risk missing person by the same or another police force);
- k) Whether the behaviour is out of character for the missing person;
- l) Whether the missing person was scheduled to testify in court either as a witness or victim;
- m) Whether the missing person was involved in activities that may put them at increased risk of harm (e.g., sex trade, hitchhiking, gambling and/or transient lifestyle);
- n) Whether the missing person is associated to gangs or organized crime;
- o) Whether the missing person may have been involved in an accident or mishap;
- p) The length of time the person has been missing; and
- q) Any other circumstance or factor that leads the officer conducting the risk assessment to determine that the missing person may be at an increased risk of harm.

5.8 The completed *Missing Person Risk Assessment Template* and decision regarding risk must be approved by a supervisor and documented in PRIME.

High Risk Missing Person Investigations

- 5.9 If the initial or ongoing risk assessment determines that a missing person investigation is a high risk missing person investigation:
- a) Appropriate resources are immediately assigned;
 - b) The Deputy Chief and the missing person coordinator (see section 10.1 *File Review and Monitoring*) are notified;
 - c) The file is continuously and actively investigated;
 - d) The file is scored and documented as a high risk missing person investigation in PRIME; and
 - e) The family/reportee are notified of the action to be taken, unless to do so would jeopardize the missing person or the investigation.

High Risk Missing Person Investigations – Foul Play Suspected

- 5.10 In addition to section 5.9 above, if foul play is suspected, the investigation is assigned to the Vancouver Island Integrated Major Crime Unit after consultation with the Deputy Chief and the Detective Office.

Non-High Risk Missing Person Investigations

- 5.11 If the initial or ongoing risk assessment determines that a missing person investigation is **not** a high risk missing person investigation:
- a) Appropriate resources are assigned;
 - b) The missing person coordinator is notified; and
 - c) The family/reportee are notified of the action to be taken.

Ongoing Risk Assessment

- 5.12 The level of risk is re-evaluated as an ongoing process throughout the investigation by the officer assigned to the investigation, for both high risk and non-high risk missing person investigations, including at minimum:
- a) When new information pertaining to the missing person or their disappearance is obtained or received; and
 - b) With the exception of investigations where the missing person is reasonably believed to have committed suicide, within 7 days of the start of the investigation.
- 5.13 The ongoing risk assessment is based on the factors listed in section 5.7.

- 5.14 Any decision to vary or change the level of risk must be reviewed by a supervisor, and documented in the case file, including updating PRIME scoring.

6.0 Response and Investigation

Investigative Steps

- 6.1 All investigative steps are documented in the case file, including steps that:
- a) Were taken but failed to advance the investigation; and
 - b) Were considered but determined not to be appropriate or relevant given the circumstances of the case.
- 6.2 A checklist of initial investigative steps (see [Appendix "B"](#) for checklist) to be taken in a missing person investigation is made available to all police officers, which includes, at minimum:
- a) Interview relevant persons, which may include the reportee, witnesses, friends and family members of the missing person and the person who last saw or had contact with the missing person;
 - b) Determine:
 - i. Where and when the missing person was last seen or last known to be;
 - ii. Whether it is out of character for the person to go missing;
 - iii. Possible reason(s) why the person may have gone missing; and
 - iv. Possible destination or location(s) where the missing person may be found.
 - c) Ensure that the initial risk assessment and the *Provincial Missing Person Intake Form* (see section 3.7) are completed.
 - d) Conduct a search of relevant locations, which may include the missing person's residence, point last seen and/or point last known, possible destination(s) or other locations the police officer considers relevant, obtaining consent or authority to conduct the search as required;
 - e) Obtain a detailed description and photograph of the missing person (see also section 11.6);
 - f) Conduct checks for the missing person on CPIC, PRIME or other police information systems;
 - g) If the missing person is Aboriginal, notify an Aboriginal Liaison Officer or the missing person coordinator;

- h) Provide the family and/or reportee of the missing person with information about:
 - i. Support services available;
 - ii. The investigative process;
 - iii. Actions they may take or information they may seek or provide to assist the investigation;
 - iv. Information to assist them in dealing with the media;
 - v. The file number for the investigation; and
 - vi. The name and contact information of the family liaison.
- i) A requirement to consider:
 - i. Issuing a BOLO and/or Assistance to Locate bulletin;
 - ii. Whether the criteria for issuing an AMBER Alert are met;
 - iii. Conducting neighbourhood enquiries and/or a video canvass;
 - iv. Securing physical evidence (e.g., surveillance footage, computers, electronic devices and their passwords, bank records, phone records, etc.), biological evidence (e.g., personal items of the missing person that may contain a biological sample, familial biological samples), or medical or dental records, obtaining consent or authority to secure the evidence as required;
 - v. Requesting assistance from other police forces;
 - vi. Requesting assistance from other agencies (e.g., child protection authorities, taxi companies, public transit authorities, airport authorities, Canada Border Services Agency, Department of Homeland Security, towing companies, etc.)
 - vii. Whether the case should be profiled on the police force's website, social media platform(s) and/or the National Centre for Missing Persons and Unidentified Remains (NCMPUR) Canada's Missing website;
 - viii. Involving the media;
- j) Any other step that may assist in the investigation.

Information about submitting a missing person case to the Canada's Missing website (<http://www.canadasmising.ca/index-eng.htm>) is available from the NCMPUR.

The NCMPUR Best Practices Guide Appendix C provides an 'Information Checklist – Missing Persons'. Contact the NCMPUR for more information.

Responsibility for ongoing investigation

- 6.3 All open investigations have an active primary investigator who is responsible for the investigation.

- 6.4 When all initial investigative steps have been exhausted, a supervisor or the missing person coordinator determines:
- a) Responsibility for ongoing investigation;
 - b) The level of resources needed and the need for special resources; and
 - c) Diary dates.

Evidence

- 6.5 The items listed below in (i) – (v) below are requested:
- a) As soon as possible if the missing person is presumed dead or foul play is suspected; or
 - b) Within 30 days of the initial report.
 - i. A personal item used by the missing person that may provide a biological sample (e.g., a toothbrush or hairbrush);
 - ii. Familial biological sample(s);
 - iii. Medical records;
 - iv. Dental records; and
 - v. Fingerprints.
- 6.6 Further to section 6.5, if foul play is suspected or cannot be ruled out, an additional personal item and familial biological sample referred to in section 6.5 are obtained.

Information about forms, timelines and procedures for obtaining biological samples and submitting dental records to the provincial dental databank is available through the BC Police Missing Persons Centre (BCPMPC). Any items obtained under sections 6.5 and 6.6 are entered into CPIC.

BC Coroners Service

- 6.7 The BC Coroners Service Missing Persons Query (MPQ) form, available on the Intranet in the Forms directory under *Missing Persons Forms*, is completed as soon as possible for any investigation where the missing person is presumed dead, and forwarded to the BCPMPC Unidentified Human Remains Unit.

Information Systems

- 6.8 The police force of jurisdiction is responsible for ensuring that:
- a) The missing person is entered on CPIC as a missing person;

- b) The entry includes completion of all relevant fields currently available on CPIC, including biological and cultural affinity, if known;
- c) The CPIC entry is updated as appropriate; and
- d) The designation is not removed from CPIC until the police investigation is concluded (see also section 12.0 *Concluding a Missing Person Investigation*).

6.9 The police force of jurisdiction is responsible for ensuring that the missing person is entered on PRIME, and that the entry is updated as appropriate until the police investigation is concluded (see also section 12.0 *Concluding a Missing Person Investigation*).

6.10 If a missing person investigation is at any time determined to be a high

The PRIME scoring code for missing person high risk is 8190-33.

risk missing person investigation, the file is scored as a high risk missing person investigation in PRIME.

6.11 If there is indication of foul play or other criminal acts, the Patrol Supervisor will consult with the Deputy Chief and the Missing Persons Coordinator (where possible and reasonable) to consider making use of additional resources including the OBPD Detective Office and / or Saanich Police specialized investigators and investigative support services. A request for SPD's assistance can be made through the Saanich Police Watch Commander, either directly or via the Communications Centre, in accordance with **OD 250 Divisional Responsibilities** and Oak Bay/Saanich Police Services Agreement. In addition to the foregoing, where an abduction is suspected or confirmed, the criteria to invoke "Amber Alert" (**OB 330 Amber Alert, Initiation of**) must be considered.

6.12 If foul play is suspected, a ViCLAS booklet must be completed and submitted within 30 days, and updated in accordance with ViCLAS standards.

6.13 Where the investigator considers appropriate and consistent with NCMPUR criteria, a profile of the missing person is forwarded to the NCMPUR for inclusion on the Canada's Missing website.

Information about submitting a missing person case to the Canada's Missing website (<http://www.canadasmising.ca/index-eng.htm>) is available from the NCMPUR.

Missing Persons Act – Access to Records

- 6.14 The [Missing Persons Act](#) provides police with investigative tools that enable searches for missing persons (despite a lack of criminal offence), by providing access to records held in the possession of cellphone companies, hospitals, employers, schools, financial institutions, or other public bodies, which may assist in locating the missing person. This includes records of a person believed to be in the company of the missing person.
- 6.15 Authorization to access records must be made through application to a justice, unless the circumstances require an “emergency demand for record”.
- 6.16 An emergency demand exists when an officer has reasonable grounds to believe that the time required for applying for an order may result in:
- a) Serious bodily harm or death of a missing person,
 - b) Destruction of the record,
 - c) The record may assist police in locating the missing person, and
 - d) The record is in the possession or under the control of the person.
- 6.17 If an emergency demand is made the officer must, as soon as practicable, file a written report in the approved form with the Chief Constable or designate, that clearly sets out the circumstances in which the demand was made.
- 6.18 An [annual report](#) must be submitted to the Minister of Justice or their designate, detailing the number of investigations whereby the emergency demand was made, the total number of persons who were served with the demand, and any prescribed information.
- 6.19 In addition to the accessing records, the Missing Persons Act includes [search orders](#) (searching land, dwelling or premises) that pertain specifically to minors, vulnerable persons and persons at risk.
- 6.20 Prior to submitting an application for authorization for records, it must be approved by the Patrol Supervisor, and in the case of an emergency

demand or a search order, approval must come from the Chief Constable or designate.

- 6.21 The relevant Ministry of Justice forms have been added to the Intranet in the Forms and Templates folder under "Missing Persons Act Forms"

7.0 Missing Children

- 7.1 A "Child" is a person under 12 years of age. Missing Person files involving children will be assigned to investigation and dispatched **immediately**.
- 7.2 The Patrol Supervisor will be notified immediately upon receipt of a complaint of a missing child.
- 7.3 The primary investigator will take note of any previous history and attempt to determine the nature of the occurrence. For example:
- a) Runaway
 - b) Parental kidnapping
 - c) Abduction by unknown person; and
 - d) Unexplained disappearance.
- 7.4 The primary investigator will attend the reported location of the missing child (home, park, school) to assess the situation and determine any place the child may have gone or has habituated in the past. The names of every person present during the interview and initial search should be recorded. A recent photograph of the missing child should be obtained from the parents or guardian.
- 7.5 Once the primary investigator has completed the preliminary assessment, the Patrol Supervisor should be briefed immediately on the status of the investigation and an occurrence report completed.
- 7.6 If the missing child meets the criteria required to activate the AMBER Alert, then the AMBER Alert should be activated as per **OB 330 Amber Alert, Initiation of** policy.
- 7.7 Where the Patrol NCO determines it necessary, sufficient personnel should be used to conduct a thorough search of the area. Consideration should be given to the following;

- a) The use of a police service dog should be assessed prior to the commencement of the search. If the decision is made to use the dog, contamination of a potential track should be avoided,
- b) The child's residence should be searched, keeping in mind the possibility that the residence may be a crime scene,
- c) A description of the missing child should be broadcast to all surrounding police agencies,
- d) Checks of associated child care or activity centers, friends and family members who may have access to or may have picked up the child, or any other place the child may have gone to or may have been taken to,
- e) Notification of various transportation partners. This includes but may not be limited to BC Transit, local taxi companies, local bus companies, ferry terminals, and airport terminals,
- f) Using outside/civilian agencies with expertise in the area of search and rescue,
- g) A media release.

7.8 If the child is not located within one hour of the initial report the following persons should be notified:

- a) Officer in Charge, and
- b) Detective Office.

Note: In cases of abduction or where any other unusual circumstances exist, these notifications should be made immediately.

7.9 Consideration should be given to establishing an Operational Centre at or close to the scene for the coordination of search activities.

7.10 The Patrol Supervisor is responsible for the coordination and control of searchers and search activities.

7.11 The Patrol Supervisor should ensure designating an individual to record all actions taken, areas searched, members and searchers involved, times of activity, to provide an accurate record of events.

7.12 A report must be filed with CPIC within 12 hours regardless of circumstances with the Missing Children's Central Registry (MCR). If the AMBER Alert is activated, the RCMP is responsible for this process. The MCR has developed a wide range of contacts with agencies experienced in the field of exploitation and crimes against children. The MCR will use its network to assist in any case in which the victim is under the age of 18.

- 7.13 Additional assistance is available through the RCMP Missing Children Registry by telephone at 1-613-993-1525 or by facsimile 1-613-993-5430.
- 7.14 The investigating members should also consider the assistance of volunteers such as:
- a) BC Search and Rescue Association
 - Public: 1-800-663-3456 (24 hours)
 - Police Only: 1-888-344-5888 (24 hour/7day)
 - ** Ask for a duty officer ****
 - b) Joint Rescue Co-ordination Centre Victoria (Marine Search & Rescue)
 - Emergency: 250-413-8933
 - Non-Emergency: 1-800-567-5111
 - Police Only: 250-413-8934
 - Cellular Call: #727
 - c) Oak Bay Volunteer Services
 - Public: 250-595-1034 (weekdays only)
 - d) Block Watch (through Community Liaison Officer)

8.0 Missing Youth

Call Response – Youth

- 8.1 A “youth” is a person under the age of 19 years of age. Missing person files involving youth will be assigned for investigation and dispatched immediately.
- 8.2 The Patrol Supervisor will be notified immediately upon the receipt of a complaint of a missing youth.
- 8.3 When the missing person is a youth, the Patrol Supervisor will:
- a) Review the report to confirm the matter is not habitual missing / chronic AWOL;
 - b) Assign Patrol members to continue to investigate until such time the person is found or the Detective Office assumes responsibility;
 - c) Refer the file to the Detective Office Sergeant for follow-up investigation;

- d) If the matter appears suspicious or unusual, consideration should be given to notifying the Chief Constable or designate.
- 8.4 If the missing Youth returns, Dispatch will notify both the assigned officer and the Patrol Supervisor of their return. The investigating officer will follow the guidelines set out in section 12.0 – Concluding a Missing Person Investigation to conclude their investigation.

9.0 Missing Vulnerable Persons

- 9.1 For the purpose of this policy, the term “mitigating” applies to persons who are considered to be at an elevated level of risk due to age or diminished mental capacity or are at risk of harming themselves. When any person is reported missing under suspicious or mitigating circumstances, the Patrol Supervisor will be notified immediately and the call will be immediately dispatched and investigated.

Alzheimer Missing Persons - Project Lifesaver

- 9.2 Project Lifesaver is a program for individuals who are enrolled in the program and are suffering from Alzheimers, Dementia, Downs Syndrome or Autism.
- 9.3 An individual who is prone to wandering is registered and is fitted with a Personal Locator Unit (PLU) that is worn on their wrist or ankle. Trained search and rescue teams can use specialized receivers to track the radio signal being emitted from the individuals PLU.
- 9.4 If a Missing Persons call is received where the person is a client of Project Lifesaver, Telecommunications personnel will:
- a) Obtain all relevant information as per Saanich Police policy;
 - b) Advise the investigating officer that the missing person is a client of the program; and
 - c) Notify and request assistance from the Search and Rescue Society of B.C.

10.0 File Review and Monitoring

Missing Person Coordinator

- 10.1 The missing person coordinator is responsible for:

- a) Knowing the status of all open missing person investigations within the police force's jurisdiction;
- b) Ensuring that there is always an active primary investigator for all missing person investigations within the police force's jurisdiction;
- c) Maintaining and making available to members of the police force, a list of local resources and suggested checks to assist in missing person investigations; and
- d) Liaising with the BCPMPC

10.2 The missing person coordinator is notified of all missing person reports within the police force's jurisdiction.

Supervision of Open Investigations

10.3 All open investigations of missing persons are subject to regular, documented supervision (see also section 5.9).

10.4 All open investigations of missing persons where foul play suspected will be investigated by the Vancouver Island Integrated Major Crime Unit with the Oak Bay Police Missing Persons Coordinator acting as a liaison.

10.5 The supervision of missing persons investigations is continual; however, as per the British Columbia Provincial Policing Standards (BCPPS) must occur, at minimum:

- a) Daily for the first 48 hours of the investigation;
- b) Weekly for the first 30 days of the investigation;
- c) Three months from the start of the investigation; and
- d) Every 12 months thereafter.

10.6 The supervision must include, at minimum, consideration of:

- a) Whether the risk assessment and the level and type of resources applied to the investigation (including primary investigator) are appropriate;
- b) Whether investigative leads and tasks and database checks are being conducted/followed up by the investigator;
- c) Whether the investigation is being properly documented;
- d) Whether the family/reportee of the missing person are being kept informed of the progress of the investigation;
- e) Whether a BC Coroners Service *Missing Persons Query* form should be completed;

- f) Whether all relevant fields currently available on CPIC have been completed;
- g) Appropriate diary dates; and
- h) Tasks to be assigned to the investigator.

Case Review – Foul Play Suspected

- 10.7 Oak Bay Police Missing Persons Coordinator will liaise with the Vancouver Island Integrated Major Crime Unit to ensure that in addition to regular supervision of open investigations where foul play is suspected they are also subject to a formal case review, overseen by an appointed reviewer, at minimum:
- a) Within 5-7 days of the start of the investigation;
 - b) Between 6-8 weeks of the start of the investigation; and
 - c) In conjunction with the timing of the annual supervision under section 10.5d)

11.0 Family Members and Reportees

Communication with Family Members and Reportees

- 11.1 During the initial stages of the investigation, the family and/or reportee of the missing person is provided with information about:
- a) Support services available;
 - b) The investigative process;
 - c) Actions they may take or information they may seek or provide to assist the investigation;
 - d) Information to assist them in dealing with the media;
 - e) The file number for the investigation; and
 - f) The name and contact information of the family liaison.
- 11.2 A family liaison, a police officer responsible for communication with the family or other relevant persons during a missing person investigation, is appointed to each investigation and provides updates and timely information regarding the status of the missing person to the family/reportee throughout the investigation, unless to do so would jeopardize the missing person or the investigation.
- 11.3 The family/reportee are advised of any changes to the family liaison and/or the primary investigator.

- 11.4 Communication between the police force and the family/reportee is to be documented in PRIME.
- 11.5 The family/reportee are advised in advance when details pertaining to the investigation will be released to the media and/or the public, unless to do so would jeopardize the missing person or the investigation.
- 11.6 The family/reportee are provided an opportunity to review and consent to any photo(s) and/or description(s) of the missing person that will be released to the media and/or the public, unless to do so would jeopardize the missing person or the investigation.
- 11.7 New information is conveyed to the family in a manner appropriate to the type of information being provided. Death notifications are provided in person, in a private setting whenever possible, subject to any special provisions requested in the communication plan.
- 11.8 A communication plan is established in consultation with the family/reportee of the missing person as soon as appropriate given the circumstances of the investigation, or at the latest, within two weeks of the start of the investigation. At minimum, the communication plan must establish:
- a) The name and contact information of the family liaison;
 - b) The names and contact information of designated family member or members, the reportee and any other person(s) that are to be updated on the progress of the investigation;
 - c) The frequency and type of information that is to be provided to the persons identified in the communication plan (e.g., the family's wishes and schedule for contact, updates on the progress of the investigation, significant developments in the investigation);
 - d) The type of information that is to be provided to the family liaison by the persons identified in the communication plan; and
 - e) The means by which information is to be provided.
- 11.9 The communication plan under section 11.8 is to be documented in PRIME.

12.0 Concluding a Missing Person Investigation

Closing a Missing Person Investigation

- 12.1 A “safe and well check” is a personal face-to-face communication with a found missing person to confirm their identity and assess their well-being, by a police officer.
- 12.2 A missing person report or investigation is not closed until:
 - a) The missing person has been located and a police officer has completed a safe and well check; or
 - b) The BC Coroners Service has confirmed the identity of a deceased person or found human remains as that of the missing person; or
 - c) If the investigation is being transferred to another police force, the other police force has confirmed its receipt of the report and responsibility for the investigation.
- 12.3 Closure of a missing person report or investigation must be reviewed and approved by a supervisor with such approval being documented in the case file.
- 12.4 Information systems (e.g., CPIC and PRIME entries) are updated as soon as possible when a missing person is located. For PRIME this includes, but is not limited to:
 - a) Updating the Details page
 - b) Changing the entity role from MIS to SOC

Disclosure

- 12.5 The location or whereabouts of a found missing person that is a competent adult are **not** disclosed to the family/reportee without the missing person’s consent.
- 12.6 The following are considered before disclosing the location or whereabouts of a found missing person under the age of 19:
 - a) The minor’s age and competency;
 - b) Whether the minor consents to the disclosure; and
 - c) The minor’s relationship to the family/reportee.

13.0 Prevention and Intervention

Extra Standard of Care required to Found Missing Persons Under the age of 19

- 13.1 For found missing persons under the age of 19, the safe and well check required under section 12.1 also includes an effort to determine:
- a) Whether the minor was exploited or harmed leading up to or during their absence; and
 - b) Any resources or assistance that could be offered to help promote the minor's safety or prevent them from going missing again.

Information about submitting a missing person case to the Canada's Missing website (<http://www.canadasmising.ca/index-eng.htm>) is available from the NCMPUR.

Child protection authorities

- 13.2 The Oak Bay Police has protocols in place with Ministry of Children and Family Development authorities and Delegated Aboriginal Agencies (where relevant), to facilitate missing person investigations involving youth in local group homes and foster care.
- 13.3 When adding entity roles in PRIME for a youth in foster care, the Ministry of Children and Family Development will take on the role of guardian.
- 13.4 The Oak Bay Police has protocols in place to refer found missing persons under the age of 19 to child protection authorities for assessment of their needs, where appropriate.

Aboriginal liaison

- 13.5 The Oak Bay Police has access to at least one of the following means to obtain advice or assistance during missing person investigations where the missing person is Aboriginal:
- a) An Aboriginal liaison officer(RCMP); or
 - b) An officer from a federal First Nations Policing Program Community Tripartite Agreement or Quad partite Agreement; or
 - c) Local Aboriginal leaders or organizations, through written protocol or agreement.

Protocols with other agencies

- 13.6 Protocols are in place with local mental health facilities, hospitals and nursing homes to facilitate missing person investigations involving patients or residents.

Frequent reports involving the same individual

- 13.7 Members will take steps to identify mitigating strategies, in conjunction with relevant local agencies or resources, to prevent future occurrences.

Suspicious links between cases

- 13.8 If links between cases are suspected at any time during an investigation, or as a result of aggregate analysis, the Oak Bay Police:
- a) Notifies the BCPMPC; and
 - b) Identifies any additional action to be taken or procedures to be followed when a missing person report involving similar characteristics is received by the police force.

14.0 MISSING WHILE IN A FOREIGN COUNTRY

- 14.1 When an Oak Bay resident is reported missing while in a foreign country, a file will be initiated and all the pertinent facts shall be obtained.
- 14.2 The investigator shall contact Interpol by phone [REDACTED] or CPIC [REDACTED] and provide all the pertinent information, requesting assistance from the foreign country.
- 14.3 The investigator may also advise the complainant to contact the Department of Foreign Affairs & International Trade at [REDACTED]. This department deals directly with families of persons missing in foreign countries.

Appendix “A” for 4.0 - Risk Assessment Process

Missing Person Risk Assessment Template



Oak Bay Police Department

MISSING PERSON RISK ASSESSMENT TEMPLATE

File Number Click here to enter text.	Year (yyyy) Click here to enter text.
--	--

INSTRUCTIONS

This form must be completed by the investigating member upon the initial contact with the Complainant. In the event the Missing Person returns prior to or upon initial contact with the complainant, this form is not required.

If you answered Yes to any of the questions in the Risk Assessment Section, the matter requires immediate review and consultation with a supervisor to assess the appropriate response and resources.

A supervisor must review all missing person investigations.

Note: This is an investigational aid only. Appropriate monitoring of all Missing Person investigations must be ongoing. There may be other factors to consider and document when determining risk and investigational response. A supervisor must review all missing person investigations regardless of the risk factors considered.

RISK ASSESSMENT

Missing Person Surname Click here to enter text.	Given Name Click here to enter text.	Date of Birth (yyyy-mm-dd) Click here to enter text.
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Missing Person Information Questions	Answers
1. Is the person the subject of a crime in progress? E.g. Abduction	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Is this person emotionally distraught, suicidal or likely to cause harm to self or others?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Has the person been involved in a violent or threatening incident prior to going missing? E.g. Domestic	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Is this person vulnerable due to age, addiction to drugs / alcohol, infirmity, inability to communicate or other factors?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Are there inclement weather conditions, terrain, inadequate clothing or lack of proper equipment that would seriously increase risk to health?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Does the person require essential medication?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Does the person have any physical illness, disability or mental health problems?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. Has the person been subject to bullying / elder abuse?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. If previously missing, did he / she suffer any harm at that time?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
10. Is this behaviour out of character? E.g. overdue and / or personal property has not been taken?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Is this person scheduled to testify in court either as a witness or victim?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12. Is this person involved in the sex trade, hitchhiking, gambling and / or transient lifestyle?	<input type="checkbox"/> Yes <input type="checkbox"/> No
13. Is the person associated to Gang Members or other Organized Crime?	<input type="checkbox"/> Yes <input type="checkbox"/> No

COMPLETED BY

Rank Click here to enter text.	Surname Click here to enter text.	Given Name Click here to enter text.	Number Click here to enter
Signature		Date of signature (yyyy-mm-dd) Click here to enter a date.	

REVIEWED BY (SUPERVISOR)

Rank Click here to enter text.	Surname Click here to enter text.	Given Name Click here to enter text.	Number Click here to enter
Signature		Date of signature (yyyy-mm-dd) Click here to enter a date.	

Appendix “B” for 5.0 - Response and Investigation

Sample Checklists of Initial Investigative Steps



Oak Bay Police Department

CHECKLIST OF INITIAL INVESTIGATIVE STEPS

INSTRUCTIONS

This checklist is intended to assist police officers providing the initial response to reports of missing persons in British Columbia by listing the minimum investigative tasks that should be completed and/or considered. Additional investigative steps may be appropriate in the circumstances and/or required by the police force's local policies and procedures.

TASK

- ✓ **INTERVIEW** relevant persons, which may include the reportee, witnesses, friends and family members of the missing person and the person who last saw or had contact with the missing person

DETERMINE

- ✓ Where and when the missing person was last seen or last known to be
- ✓ Whether it is out of character for the person to go missing
- ✓ Possible reason(s) why the person may have gone missing and
- ✓ Possible destination or location(s) where the missing person may be found

- ✓ **COMPLETE** the initial risk assessment and *Provincial Missing Person Intake Form*

- ✓ **SEARCH** relevant locations, which may include the missing person's residence, point last seen and/or point last known, possible destination(s) or other locations the police officer considers relevant, obtaining consent or authority as required

- ✓ **OBTAIN** a detailed description and photograph of the missing person

- ✓ **CHECK** for the missing person on CPIC, PRIME or other police information systems

PROVIDE

the family and/or reportee of the missing person with information about

- ✓ Support services available
- ✓ The investigative process
- ✓ Actions they may take or information they may seek or provide to assist the investigation and
- ✓ The name and contact information of the officer designated as family liaison
- ✓ The file number for the investigation
- ✓ Information to assist them in dealing with the media

- ✓ If the missing person is Aboriginal, **NOTIFY** Aboriginal Liaison Officer or missing person coordinator

CONSIDER

- ✓ Issuing a **BOLO** and/or **Assistance to Locate** bulletin
- ✓ Whether the criteria for issuing an **AMBER Alert** are met
- ✓ Conducting **neighbourhood enquiries** and/or a **video canvass**
- ✓ Obtaining **physical evidence** (e.g., surveillance footage, computers, electronic devices and passwords, bank records, phone records, etc.), **biological evidence** (e.g., personal items of the missing person that may contain a biological sample, familial biological samples), or **medical or dental records**, obtaining consent or authority as required
- ✓ Requesting assistance from **other police forces**
- ✓ Requesting assistance from **other agencies** (e.g., child protection authorities, taxi companies, public transit authorities, airport authorities, Canada Border Services Agency, Department of Homeland Security, towing companies, etc.)
- ✓ Whether the case should be profiled on the police force's website, social media platform(s), and/or the NCMPUR's **Canada's Missing website**
- ✓ Involving the **media**
- ✓ **Any other step** that may assist in the investigation

IF FOUL PLAY IS SUSPECTED

- ✓ **REFER** investigation to section or investigator responsible for major or serious crime investigations
- ✓ **ViCLAS** must be completed

Oak Bay Police Department
CHECKLIST OF INITIAL INVESTIGATIVE STEPS

INSTRUCTIONS

Use the 'Notes' portion to document why a task was not completed and/or make additional notes about a task.

TASK	NOTES
<input type="checkbox"/> INTERVIEW relevant persons, which may include the reportee, witnesses, friends and family members of the missing person and the person who last saw or had contact with the missing person	Click here to enter text.
DETERMINE <input type="checkbox"/> Where and when the missing person was last seen or last known to be <input type="checkbox"/> Whether it is out of character for the person to go missing <input type="checkbox"/> Possible reason(s) why the person may have gone missing and <input type="checkbox"/> Possible destination or location(s) where the missing person may be found	Click here to enter text.
<input type="checkbox"/> COMPLETE the initial risk assessment and <i>Provincial Missing Person Intake Form</i>	Click here to enter text.
<input type="checkbox"/> SEARCH relevant locations, which may include the missing person's residence, point last seen and/or point last known, possible destination(s), other locations the police officer considers relevant, obtaining consent or authority as required	
<input type="checkbox"/> OBTAIN a detailed description and photograph of the missing person	Click here to enter text.
<input type="checkbox"/> CHECK for the missing person on CPIC, PRIME or other police information systems	Click here to enter text.
PROVIDE the family and/or reportee of the missing person with information about <input type="checkbox"/> Support services available <input type="checkbox"/> The investigative process <input type="checkbox"/> Actions they may take or information they may seek or provide to assist the investigation and <input type="checkbox"/> The name and contact information of the officer designated as family liaison <input type="checkbox"/> The file number for the investigation <input type="checkbox"/> Information to assist them in dealing with the media	Click here to enter text.
<input type="checkbox"/> If the missing person is Aboriginal, NOTIFY Aboriginal Liaison Officer or missing person coordinator	Click here to enter text.
CONSIDER <input type="checkbox"/> Issuing a BOLO and/or Assistance to Locate bulletin <input type="checkbox"/> Whether the criteria for issuing an AMBER Alert are met <input type="checkbox"/> Conducting neighbourhood enquiries and/or a video canvass <input type="checkbox"/> Obtaining physical evidence (e.g., surveillance footage, computers, electronic devices/passwords, bank records, phone records, etc.), biological evidence (e.g., personal items of the missing person that may contain a biological sample, familial biological samples), or medical or dental records , obtaining consent or authority as required <input type="checkbox"/> Requesting assistance from other police forces <input type="checkbox"/> Requesting assistance from other agencies (e.g., child protection authorities, taxi companies, public transit authorities, airport authorities, Canada Border Services Agency, Department of Homeland Security, towing companies, etc.) <input type="checkbox"/> Whether the case should be profiled on the police force's website, social media platform(s) and/or the NCMPUR's Canada's Missing website <input type="checkbox"/> Involving the media <input type="checkbox"/> Any other step that may assist in the investigation	Click here to enter text.
IF FOUL PLAY IS SUSPECTED <input type="checkbox"/> REFER investigation to section or investigator responsible for major or serious crime investigations <input type="checkbox"/> ViCLAS must be completed	Click here to enter text.
COMPLETED BY	
Rank Click here to enter text.	Surname Click here to enter text.
Given Name Click here to enter text.	Number Click here to enter text.
Signature	Date Click here to enter text.

MISSING PERSONS

OB 180

**Effective Date: 98.11.17
Review Date: 11.07.04
By: Sgt. John Price
Last Update: 11.07.08**

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1.0 POLICY

- 1.1 The investigation of missing persons will be conducted using:
- the categorization of Missing Person calls, in accordance with PRIME BC.,
 - the guidelines and responsibilities as outlined in the *Provincial Memorandum of Understanding for the investigation of Missing Persons (As amended in the Capital Region District, 07.04.2011)*,
 - the applicable general criteria required for all investigations, and
 - the established criteria for this particular type of investigation.

2.0 REASON FOR POLICY

- 2.1 To ensure compliance with PRIME BC reporting.
- 2.2 To comply with the guidelines and responsibilities as ~~they are~~ outlined in the *Provincial Memorandum of Understanding for the investigation of Missing Persons (As amended in the Capital Region District, 07.04.2011)*.
- 2.3 To provide for and facilitate the effective investigation of missing persons and to ensure that all appropriate efforts have been applied.

3.0 PROCEDURES

Missing Person – Jurisdiction

- 3.1 In accordance with the Missing Persons MOU (as amended 07.04.11), when information is received from a credible and identifiable witness, the police agency for the jurisdiction or location in which the missing person resides shall be the agency responsible for taking the missing person report and conducting the police investigation, including all necessary CPIC entries.
- 3.2 Based on the MOU Amendment 07.04.11, if the assessment of the circumstances determines that the complaint does not fall within the jurisdiction of the police agency that has received the initial call, the police agency receiving the call will take action that may include the transference of the call or forwarding, by electronic or any other means, the relevant information obtained to the agency of jurisdiction for investigation.
- 3.3 When the police agency responsible for the investigation requests assistance from another police agency, the assisting agency will promptly provide assistance.

Missing Person – Outside Jurisdiction

- 3.4 In the event a serious Priority One call is received regarding a missing person from a different jurisdiction than in which they reside, the agency receiving the call will provide immediate police response until the police jurisdiction in which the missing person resides is able to assume command of the investigation.
- 3.5 In the event a call is received where the missing person resides outside of the Capital Region District, however was last seen in the CRD, the police agency where the subject was last seen will be responsible for the Missing Person investigation.

Call Receipt and Response

- 3.6 Missing person complaints will be categorized for dispatch in accordance with PRIME BC default values. The initial categorization may be manually changed by the call taker or dispatcher depending on the circumstances.
- 3.7 When a resident of Oak Bay is reported missing, Telecoms staff will:

- start a CAD report in the usual fashion,
- deliver the complaint to the assigned investigating officer's MDT (mobile dispatch terminal),
- broadcast the complaint by radio,
- immediately enter the missing person on CPIC,
- route the file to the Patrol Supervisor's MDT for review and risk assessment, and
- Confirm that the Patrol Supervisor has copied the call.

- 3.8 If the missing person returns, Telecoms will:
- notify the assigned patrol officer, who will submit a Continuation / Follow Up Report concluding the file,
 - notify the Patrol Supervisor, and
 - have the CPIC entry removed

Investigation

- 3.9 The responsibility for the investigation of missing persons reported to the Oak Bay Police Department is with Patrol Division.
- 3.10 Members investigating Missing Persons complaints will do so promptly. All details required to complete a Canadian Police Information Centre (CPIC) entry using the Missing Person "Detail" page on PRIME will be obtained. C.P.I.C. entries are to be made immediately and are automatic upon completing the detail page mentioned above.

ALSO SEE [CENTRALIZED SERVICES AF 080 5.0](#)

- 3.11 As part of the investigation the following information should be obtained and included in the report:
- any other means of identifying the missing person
 - name and address of current doctor and dentist
 - mode of transportation used
 - access to available bank accounts, credit cards
 - mental and/or physical health issues
 - known or suspected reasons the person may be avoiding detection
- 3.12 The investigating officer(s) shall be responsible for the contacting of the various agencies/community resource persons where the subject might reasonably be located.

After 30 Days

3.13 If it is presumed that the subject is dead, the coroner shall be notified, and copies of our reports forwarded. All methods of identification, particularly dental charts, will be entered on the Canadian Police Information Centre (C.P.I.C.). The missing person, and full particulars, will be entered on C.P.I.C. as soon as possible as mentioned in 3.2.

3.14 If the subject is still missing after 30 days, the assigned member will:

Dental

- Contact the missing person's dentist for dental charts and records.
- Have the CPIC dental pre-formatted screen 084 completed (See CPIC manual for details)

Medical

- Contact the missing persons physician, requesting the following:
 1. Body X-rays;
 2. detailed physical characteristics (e.g. blood type, handedness, circumcision) be added to CPIC

3.15 If after 30 days, the subject is still missing, and the assigned member has complied with the above procedures, the member may request diary dates of various ranges and will document reasons for extended diary dates in the file.

3.16 A missing person file will only be concluded when the subject is located and, until then, will remain the responsibility of the assigned member.

4.0 Suspected Foul Play

4.1 If there is indication of foul play or other criminal acts, the Patrol Supervisor will request for attendance of Saanich Police specialized investigators and investigative support services through the Saanich Police Watch Commander, either directly or via the

Communications Centre, in accordance with **OD 250 Divisional Responsibilities** and Oak Bay/Saanich Police Services Agreement (24.01.07). In addition to the foregoing, where an abduction is suspected or confirmed, the criteria to invoke "[Amber Alert](#)" must be considered.

5.0 MISSING CHILDREN [INDEX](#)

Note: A "Child" is a person under 12 years of age. Missing Person files involving children will be assigned to investigation and dispatched **immediately**.

- 5.1 Reports of missing children will be considered a **priority** and it is the responsibility of the Supervisor to ensure the investigating officer follows-up on information as quickly as possible to determine the status and location of the child.
- 5.2 If the missing Child returns, Telecom staff will notify the assigned officer and the Supervisor of the return. The investigating officer will:
 - confirm the information,
 - will attend to the scene or location of the young person to ensure the safety and wellbeing of young person,
 - submit a concluding report to close the call,
 - and ensure the CPIC entry has been removed.
- 5.3 The ~~member~~ preliminary investigating officer receiving the report will make note of previous history and attempt to determine whether the subject is to be classed as runaway or genuinely missing. It will be the responsibility of the investigating officer to obtain full particulars of the parents, such as work addresses and phone numbers. The investigating officer must also endeavour to obtain recent photograph and attach to the file through PRIME BC.
- 5.4 The investigating officer shall attend and assess the situation. They will ascertain from parents or guardians any likely places where the child may have gone, e.g.: friends, relatives, playmates, known associates, known hangouts, etc., for inclusion in their report. The investigating officer shall endeavour to obtain phone numbers for the child's associates and also ascertain whether the child is in possession of a cell phone or pager that they might be contacted at. The investigating officer must immediately advise the Supervisor of the status of the investigation.

- 5.5 If considered necessary, the Supervisor will call in sufficient units to conduct a thorough search of the child's home and the surrounding area and a description will be broadcast to police units. A K-9 unit should be requested to assist in that search if applicable.
- 5.6 Consideration must be given to alerting neighbouring police departments, public works & parks and B.C. Transit with information on the missing child. A fan-out to Operation Cooperation should be considered through their phone number at (250) 995-9833.
- 5.7 Consideration must be given to weather conditions and the time of day or night.
- 5.8 If, after reasonable time, the child has not been located and there appears cause for alarm, the detective office will be notified.
- 5.9 Consideration should also be given to a request for commercial radio and press assistance.
- 5.10 An operational centre shall be set up at the scene and a telephone line of communication established between the supervisor and the office. The supervisor will coordinate and control searchers, both police and civilian, and allocate specific areas to be covered. A record of areas searched will be compiled throughout the operation to avoid duplication.
- 5.11 A log will be maintained, recording all actions taken, times various notifications are made, areas searched, members or searchers involved, etc.
- 5.12 Should the search continue past a shift change, the on-coming members are to be fully informed as to the operation, so that it can continue effectively without confusion.
- 5.13 The investigating members should also consider the assistance of volunteers such as:
- Search & Rescue Society of BC
(250) 721-1959 – Cell phone
1-800-663-6106 (24 hours)
250-383-1011 (24 hour/7day) – ask for a duty officer.
 - Program Life Saver – For clients who are enrolled and suffer from Alzheimers, Dementia, Downs or Autism. Program can be called to assist with search for missing persons.

- Marine Search & Rescue
(250)363-2333
(250)363-2994 (non emergency)
- Oak Bay Volunteers
- Neighbourhood Watch & Block Parents
- Block Watch (through Community Liaison Officer)

6.0 Vulnerable Groups

- 6.1 For the purpose of this policy, the term “mitigating” applies to persons who are considered to be at an elevated level of risk due to age or diminished mental capacity or are at risk of harming themselves. When any person is reported missing under suspicious or mitigating circumstances, the Supervisor will be notified immediately and the call will be immediately dispatched and investigated.

Alzheimer Missing Persons – Project Lifesaver

- 6.2 Project Lifesaver is a program for clients who are enrolled in the program and are suffering from Alzheimers, Dementia, Downs Syndrome or Autism.
- 6.3 The client who is prone to wandering is registered and is also fitted with a personalized wristband that emits a tracking signal. The FM radio frequency is specific to the individual.
- 6.4 If a Missing Persons call is received where the person is a client of Project Lifesaver, Telecommunications personnel will:
- obtain all relevant information as per Saanich Police policy,
 - and advise the investigating officer that the missing person is a client of the program, and
 - notify and request assistance from the Search and Rescue Society of B.C..

7.0 RUNAWAY Youth [INDEX](#)

Call Response – Youth

- 7.1 Upon receipt of the Missing Youth complaint by MDT and radio transmission, the Supervisor will be responsible for determining the urgency of response on a case by case basis.
- 7.2 If the missing Youth returns, Telecom staff will notify the assigned officer and the Supervisor of the return. The investigating officer will:
- confirm the information,
 - will attend to the scene or location of the young person to ensure the safety and wellbeing of young person,
 - submit a concluding report to close the call, and ensure the CPIC entry has been removed.

Habitual Runaways

- 7.3 Habitual runaways cannot be ignored. A file will be generated for each missing youth report. However if the youth is well known to the police and is a habitual runaway, a master file may be created that contains all the necessary documentation, photographs, etc, that will be used for reference purposes for adding this information to CPIC.

8.0 MISSING WHILE IN A FOREIGN COUNTRY [INDEX](#)

- 8.1 When an Oak Bay resident is reported missing while in a foreign country, a file will be initiated and all the pertinent facts obtained.
- 8.2 The investigator shall contact Interpol by phone [REDACTED], fax [REDACTED] or CPIC [REDACTED] and provide all the pertinent information, requesting assistance from the foreign country.
- 8.3 The investigator may also advise the complainant to contact the Department of Foreign Affairs & International Trade at **1 800 267 8376**. This department deals directly with families of persons missing in foreign countries.