



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Stolen or Smuggled Firearms
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-03-23

Recommendation(s)

That the Niagara Police Services Board receive this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-Law 211-2000 – Stolen or Smuggled Firearms.
- By-Law 211-2000 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.
- This report is submitted to the Board for review and consideration of information relating to Stolen or Smuggled Firearms by the Niagara Regional Police Service.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

In accordance with By-Law 211-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of stolen or smuggled firearms. The report will contain:

- a) A summary of the written procedures concerning investigations into stolen or smuggled firearms; and
- b) The status of Service compliance with the said procedures.

The following is a detailed response to each of the above requirements:

- a) *“...a summary of the written procedures concerning investigations into stolen or smuggled firearms...”*

Written procedures regarding stolen and smuggled firearms are found in General Order 175.06 FIREARMS – Investigations/Seizure/Property/Maintenance. This General Order gives officers specific instructions on firearm investigational procedure in the various circumstances they may encounter.

b) "...the status of Service compliance with the said procedures..."

The procedures, duties and responsibilities as set out in General Order 175.06 - FIREARMS – Investigations/Seizure/Property/Maintenance ensure that the Service is compliant with the Provincial Adequacy Standards Regulation LE-019.

The Niagara Regional Police Service has assigned a member of the Service to the Provincial Weapons Enforcement Unit on a full-time basis and is therefore able to effectively satisfy the provisions of the General Order. The assigned member deals with local firearms issues as well as being involved in investigative projects across Ontario and into the United States.

Training initiatives instituted by the Province and by the Service have ensured a regular review of the above-noted requirements by Service members. The recruit training process and the coach officer training processes ensure that new Service members, upon being appointed, obtain knowledge of and comply with the requirements of the General Order and the policies associated to it.

The following is a brief overview and yearly comparison illustrating the number of firearms seized, reported lost or stolen firearms, and firearms sent for disposal through the Niagara Regional Police Service:

	2018	2019	2020
Seized Firearms	663	672	565
Reported lost/stolen	91	71	*17
Sent for Disposal	320	368	370

* The reduction in the number of Reported Lost/Stolen Firearms for 2020 is not attributed to any Service initiatives but it is believed to be the result of Covid-19 Stay at Home Orders.

Seized firearms include seizures resulting from criminal investigations, found firearms, firearms voluntarily submitted to police for disposal, firearms seized as a result of a Judicial Order and firearms seized by members of the Canada Border Services Agency.

Not all firearms are subject for disposal upon seizure. Firearm(s) that are deemed as evidence and form the basis of a criminal charge must be retained until the court process

has been completed. Upon conviction, the courts can order that the item be sent for destruction. In the absence of any such order, the item must be returned to the owner and/or depending on the circumstances the owner could consent to the item(s) being sent for destruction.

When firearm(s) are seized in the interests of public safety in accordance with Section 117.04 of the Criminal Code, the item(s) seized must be retained pending the outcome of a mandatory disposition hearing. Again, the item could be the subject of a forfeiture/destruction order or ordered to be returned to the owner.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Services Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulations.

Relevant Policy Considerations

Police Services Board By-Law 211-2000 – Stolen or Smuggled Firearms
General Order 175.06 – FIREARMS - Investigations/Seizure/Property/ Maintenance
Provincial Adequacy Standards Regulation, Law Enforcement 019 – Stolen or Smuggled Firearms

Other Pertinent Reports

59.2020 Annual Report – Stolen or Smuggled Firearms - January 1 to December 31, 2019

This report was prepared by Dave Gomez, Staff Sergeant, Special Investigative Services in consultation with and reviewed by James Leigh, Inspector, Investigative Support Services. Reviewed by Brian Ash, Superintendent, Emergency and Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

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Chief of Police

Appendices

Not applicable.