



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Proceeds of Crime – January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-03-19

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 233-2000 – Proceeds of Crime.
- By-Law 233-2000 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 with the necessary and required information relating to the Service's response to proceeds of crime investigations.

Financial Considerations

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

Analysis

In accordance with By-Law 233-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of investigations into proceeds of crime.

The report shall include:

- a) A summary of the written procedures concerning proceeds of crime investigations;
- b) The status of Service compliance with the said procedures; and
- c) The amount of proceeds of crime seized, and the disposition of such proceeds.

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

- a) *“...a summary of the written procedures concerning proceeds of crime investigations...”*

The Service has one General Order that addresses the requirements of Provincial Adequacy Standards Regulations LE-041 and Niagara Regional Police Services Board By-Law 233-2000. General Order 110.07 – Proceeds of Crime and Offence Related Property was created to address the requirements of the Provincial Adequacy Standards Regulation. It establishes definitions, duties and responsibilities as well as the internal reporting process.

- b) *“...the status of Service compliance with the said procedures...”*

General Order 110.07 Proceeds of Crime and Offence Related Property is scheduled to be reviewed every two years to ensure continued compliance with By-Law 233-2000 and the corresponding Adequacy Standards. The General Order was reviewed in 2021 with minimal amendments that are pending final approval.

The mandate of the NRPS Proceeds of Crime/Asset Forfeiture Unit is to prosecute persons associated with the accumulation of assets derived from criminal activity throughout the Niagara Region and elsewhere in the Province of Ontario; and to identify, seize and cause to be forfeited those criminal assets.

A Proceeds of Crime Program is an essential component to successfully identify and seize assets associated to criminal organizations and individuals who profit substantially from criminal acts. In order to enhance and restore this component of major criminal investigations, a budgeted Proceeds of Crime Investigator was assigned to Special Investigative Services in September 2018. Shortly thereafter, this officer became part of the Provincial Asset Forfeiture Unit led by the Ontario Provincial Police.

- c) *“...the amount of proceeds of crime seized, and the disposition of such proceeds...”*

In 2020 the Service's Special Investigative Services (S.I.S.) - Proceeds of Crime Unit was involved in several major investigations. S.I.S. is responsible for the collection and submissions to the Seized Property Management Directorate (SPMD) of smaller assets seized during local investigations within the Niagara Region. During 2020, approximately \$2,696,890.00 in Canadian currency was seized, real estate totalling approximately \$8,800,000.00 was seized, and approximately \$311,000.00 in total vehicle seizures. The majority of these seizures continue to be held, awaiting judicial direction on forfeiture.

In particular, an illegal cannabis investigation dubbed Project Woolwich resulted in the seizure of \$2,533,255.00 in Canadian funds, \$18,578.00 in U.S. funds and \$379,383.00 in Chinese and South Korean Funds (seized as Offence Related Property). Furthermore,

a cannabis production facility in west St. Catharines was restrained in July of 2020 (NRPS GO #20-59117). The property's value was estimated at \$3,500,000.00 and it's related grow equipment was seized and valued at approximately \$102,460.00.

In 2020, members of the Proceeds of Crime/Asset Forfeiture Unit forwarded \$347,662.94 of forfeited cash to SPMD. This forfeited cash was as a result of seizures and judicial orders made prior to 2020.

The SPMD administers all seized property, and after disposition hearings (or other judicial orders), the property (excepting cash seizures) is liquidated. At times, Police Services can apply for various federally and provincially administered grants in an effort to access some of the funds for various enforcement or community safety initiatives. Seizures of cash and other assets forwarded to the SPMD by each Police Service are taken into consideration when decisions on granting funds are made.

The Proceeds of Crime/Asset Forfeiture portfolio for the Niagara Regional Police Service has met its performance objectives in accordance with Provincial Adequacy Standards.

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 233-2000 – Proceeds of Crime
General Order 110.07 – Proceeds of Crime and Offence Related Property
Provincial Adequacy Standards Regulation, Law Enforcement 041 – Proceeds of Crime

Other Pertinent Reports

55.2020 Annual Report – Proceeds of Crime - 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 and 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.