



# NIAGARA REGIONAL POLICE SERVICE

## Police Service Board Report

**PUBLIC AGENDA**

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**Subject:** Annual Report – Stolen or Smuggled Firearms  
January 1 to December 31, 2023

**Report To:** Chair and Members, Niagara Police Service Board

**Report Date:** 2024-03-19

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### **Recommendation(s)**

**That the Niagara Police Service Board (Board) receive this report for information.**

### **Key Facts**

- The purpose of this report is to advise the Board that the Niagara Regional Police Service (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 Service.

### **Financial Considerations**

There are no financial considerations 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 the investigation of stolen or smuggled firearms. This 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 (GO) 175.06 Firearms – Investigations/Seizure/Property/Maintenance. This GO 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 set out in GO 175.06 ensure that the Service is compliant with the Provincial Adequacy Standards Regulation LE-019 Stolen and Smuggled Firearms.

The 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 GO. 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 GO 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 Service:

	2021	2022	2023
Seized Firearms	661	696	822
Reported Lost/Stolen	*20	36	50
Sent for Disposal	501	448	836

\* It should be noted that the lower number of reported lost/stolen firearms in 2021 are 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 because of a Judicial Order, and firearms seized by members of the Canada Border Services Agency.

Not all firearms are subject to disposal upon seizure. A firearm that is deemed as evidence and forms 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 being sent for destruction. In 2023, 117 firearms were returned to the lawful owner.

When a firearm is seized, in the interests of public safety and in accordance with Section 117.04 of the Criminal Code, the item 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 Service Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulations.

### **Relevant Policy Considerations**

Board By-Law 211-2000 – Stolen or Smuggled Firearms  
GO 175.06 – Firearms - Investigations/Seizure/Property/ Maintenance  
Provincial Adequacy Standards Regulation, LE-019 – Stolen or Smuggled Firearms

### **Other Pertinent Reports**

8.10.2023.04.27 Annual Report – Stolen or Smuggled Firearms - January 1 to December 31, 2022

*This report was prepared by Mike Tripp, Staff Sergeant, Special Investigative Services, in consultation with and reviewed by Steve Magistrale, Inspector, Investigative Support Services. Reviewed by Dave Masotti, Superintendent, Emergency and Investigative Services. Recommended by Todd Waselovich, Deputy Chief, Operational Services.*



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#### **Submitted by:**

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Chief of Police

### **Appendices**

Not applicable.