



NIAGARA REGIONAL POLICE SERVICE

Police Service Board Report

PUBLIC AGENDA

Subject: Annual Report – Collection, Preservation and Control of Evidence and Property - January 1 to December 31, 2023

Report To: Chair and Members, Niagara Police Service Board

Report Date: 2024-06-03

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 469-2024 – Collection, Preservation and Control of Evidence and Property.
- By-Law 469-2024 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with legislative guidelines.
- This report is submitted to provide the Board with the necessary and required information pursuant to the operation of the Evidence Management Unit (EMU).

Financial Considerations

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

Analysis

In accordance with By-Law 469-2024, the Chief shall make a written report to the Board on or before August 30 of each year in respect of Collection, Preservation and Control of Evidence and Property. The report shall include:

- a) a summary of the written procedures concerning the collection, preservation and control of property and evidence;
- b) confirmation that the written procedures comply with Appendix A and Section 238 of the CSPA (Community Safety and Policing Act);
- c) the status of Service compliance with the said procedures; and
- d) the result of the annual audit of the property and evidence held by the police service.

This Board report will outline each of the above and confirm our compliance with the By-Law:

- a) *“...a summary of the written procedures concerning the collection, preservation and control of property and evidence...”*

General Order (GO) 035.13 – Evidence and Property Management, details the procedures that Service members shall adhere to when seizing or receiving evidence and/or property. Additionally, the order establishes timelines for the retention, return, and disposal of property and evidence handled by the Service.

The GO adequately addresses the procedures concerning the collection, preservation and control of property and evidence. Detailed information and instructions can be easily found on the following topics:

- Section 1.0 states the policy of the Service regarding the management, storage, and disposition of personal property, money, drugs, and firearms, which come into the possession of the Service.
- Section 2.0 provides definitions of the terms used within the GO.
- Section 3.0 provides the procedures to be followed by various members in various circumstances including, but not limited to:
 - Seizure Authorities
 - Report to Justice
 - District Locker Management System
 - Authorities of Evidence Management Clerks
 - Procedures for Evidence Management Clerks
 - Duties of the EMU Supervisor, and
 - Interaction between the EMU and the Finance Unit

Additionally, GO 121.12 – Forensic Services Unit (FSU), details the duties and responsibilities of Service members relative to investigations involving the collection and preservation of physical evidence.

This GO specifically addresses the following topics:

- Section 3.1. outlines the mandate of the FSU as it relates to the collection and preservation of physical evidence.
- Sections 3.10 to 3.17 detail the procedure for exhibit continuity with respect to evidence handled within the FSU. It also addresses exhibit submission to the Centre of Forensic Sciences for examination, ensuring that the chain of continuity is maintained and recorded.

- b) *“...confirmation that the written procedures comply with Appendix A and Section 258 of the CSPA...”*

All items claimed by the rightful owner within the allotted 3 months are returned and the Service does not charge a storage fee. The Service utilizes Police Auctions Canada, an on-line auction company, to dispose of unclaimed property described in this section. All monies generated by the sale of auction items are split 50/50 between Police Auctions Canada and the Service. Detailed lists are provided by Police Auctions Canada indicating sale price and personal information of the purchaser. The cheque provided by Police Auctions Canada is immediately forwarded to the Finance Unit.

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

The method of property and evidence collection, preservation and control employed by the Service complies with requirements as detailed in Adequacy and Effective Policing. Evidence and property storage practices are addressed in GO 035.13 and GO 121.12. The Service has evidence-storage facilities located at Headquarters and 3 District (Welland), where evidence and property are securely housed in climate-controlled storage areas that have restricted access.

To comply with Adequacy and Effective Policing, the Service adopted an evidence management model that incorporated the centralization of operations. By centralizing evidence storage operations, the Service is in compliance with this regulation.

- d) *“...the result of the annual audit of the property and evidence held by the police service...”*

The EMU bears responsibility for oversight and control of the Service's evidence/property inventory. As such, the EMU conducts monthly stocktaking and quality assurance checks of the Service's evidence/property, drug, cash, and firearm inventories. The stocktaking and quality assurance checks are conducted by the EMU supervisor and the results are held by the EMU for disclosure, as required.

Monthly quality assurance checks of the evidence/property inventory ensure that handling, processing, and storage practices comply with Service policy. Throughout 2023, quality assurance checks were conducted in each branch of the EMU. All items in the Service's possession were accounted for and no irregularities were discovered.

The International Association for Property and Evidence (IAPE) is a non-profit organization created by, and for, law enforcement professionals to help establish recommended standards for all property and evidence departments.

The IAPE inspects EMUs with the intent of bringing their policies and procedures to the highest industry standards available resulting in accreditation.

In June 2020, the Service became the first police service in Canada to receive IAPE accreditation, as the following steps were completed:

- All EMU clerks and the supervisor have been trained to IAPE standards.
- GO 035.13 has been approved and brings the EMU to IAPE operational standards.
- An Evidence Submission Manual has been written and distributed, thus providing officers with a user-friendly tool for evidence submissions that meets IAPE standards.
- Police Auctions Canada continued as the accountable vendor for mandated property disposal. This contract has maintained tighter controls, thus meeting IAPE standards.
- The EMU continued mandated destruction of evidence on-site invoking stricter controls, thus meeting IAPE standards.
- The ongoing reorganization, purge, and inventory of existing property resulted in a ratio nearing the desired “one item in, one item out” standard.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of the Board By-Laws and to maintain compliance with Adequacy and Effective Policing.

Relevant Policy Considerations

- Board By-Law No. 469-2024 - Collection, Preservation and Control of Evidence and Property
- Adequacy and Effective Policing
- GO 035.13 - Evidence and Property Management
- GO 121.12 - Forensic Services Unit

Other Pertinent Reports

8.1 - 2023.06.22 Annual Report - Collection, Preservation and Control of Evidence and Property

*This report was prepared by Bruce Mair, Sergeant, Evidence Management Unit.
Recommended by Luigi Greco, Deputy Chief, Support Services.*



Submitted by:

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Chief of Police

Appendices

Not applicable.