



# NIAGARA REGIONAL POLICE SERVICE

## Police Service Board Report

### PUBLIC AGENDA

---

**Subject:** Annual Report – Arrest  
January 1, 2024 – December 31, 2024

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

**Report Date:** 2025-04-28

---

### 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 Service is in compliance with By-Law 435-2024 – Arrest.
- The Chief is required to make a written annual report to the Board with respect to Arrests.
- This report will provide a summary of requirements to ensure the Service is in compliance with the By-Law.

### Financial Considerations

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

### Analysis

In accordance with By-Law 435-2024 - Arrest, the Chief shall make a written report to the Board on or before August 30 of each year in respect of arrest and detention. This report shall include:

- a) A summary of the written procedures regarding arrest and detention; and
- b) Confirmation of compliance with procedures regarding arrest and detention.

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

- a) *“...a summary of the written procedures regarding arrest and detention...”*

A summary of written procedures regarding arrest and detention can be found in Niagara Regional Police Service (Service) General Order (GO) - 100.10 - Powers of

Arrest. This GO provides specific details on the authorization and requirements placed on officers by the Charter of Rights and Freedoms, Criminal Code, Youth Criminal Justice Act, Common Law, Case Law, and various Provincial and Federal Statutes upon the arrest of individual(s). This GO was drafted and approved to comply with By-Law No. 435-2024 and Adequacy and Effective Policing LE-005 Arrest and reflects current Legislative, Constitutional, and Case Law authorities.

To ensure that this information remains current, this GO is reviewed on a bi-annual basis and is currently scheduled for review.

- b) *“...confirmation of compliance with procedures regarding arrest and detention...”*

It is the policy of the Service that all arrests must adhere to legal, constitutional, and case law requirements. Arrests are primarily conducted by frontline officers, and compliance with the relevant GOs is often evaluated through judicial review. As noted in previous reports, consultation with the Niagara Crown Attorney has revealed no concerns regarding Charter of Rights infringements by Niagara officers during arrests. This has been further confirmed by the Staff Sergeant overseeing Central Courts and Prisoner Management. These findings suggest that officers have acted in accordance with legislative procedures and that their actions have withstood judicial scrutiny.

In one circumstance, an offender was arrested according to policy and charged for a criminal offence. Unbeknownst to the arresting officer, this offender had falsely identified himself. Through investigation, the identity of the offender was discovered, and they were charged with Obstructing a Peace Officer. This circumstance prompted the review of the identification procedures undertaken by our Central Holding facility, to ensure that accused persons are correctly identified. This is an isolated instance during this reporting period.

The ongoing success achieved in matters related to arrests can be partially attributed to the Service's continued emphasis on comprehensive training and the dissemination of training bulletins. Topics such as the powers of arrest and search incident to arrest are regularly incorporated into the curriculum of training programs provided by the Service. To promote compliance with established protocols, both training bulletins and annual training sessions serve as key opportunities to review and reinforce emerging legal developments pertaining to arrests and searches incident to arrest.

In addition to training initiatives related to arrest procedures, the Service has prominently displayed detainees' rights to counsel in all prisoner booking areas. These rights are posted in both official languages to ensure accessibility and compliance with legal standards.

## **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**

By-Law 435-2024 - Arrest

GO - 100.10 - Powers of Arrest

Provincial Adequacy Standards Guideline LE-005 – Arrest

## **Other Pertinent Reports**

8.7 - 2024.05.23 – Annual Report – Arrest – January 1 to December 31, 2023

*This report was prepared by Jason Myers, Staff Sergeant, Professional Standards Unit in consultation with Lynda Hughes, Inspector, Professional Standards Unit, reviewed by Superintendent Paul Koscinski, Executive Services. Recommended by Luigi Greco, Deputy Chief, Support Services.*



---

### **Submitted by:**

Bill Fordy, O.O.M. #9615

Chief of Police

## **Appendices**

Not Applicable.