



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Criminal Investigation Management and Procedures
January 1, 2021 to December 31, 2021

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2022-02-01

Recommendation

That the Niagara Police Services Board receives 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 198-2000 Criminal Investigation Management and Procedures.
- The Chief is required to make an annual written report to the Board concerning criminal investigation management and procedures.
- This report is submitted to provide the Board with the necessary and required information relating to the Service's written procedures concerning criminal investigation management.

Financial Considerations

Not applicable.

Analysis

By-Law No. 198-2000, a By-Law respecting Criminal Investigation Management and Procedures was enacted as a result of *Provincial Adequacy Standards Regulation, Law Enforcement – 006 - Criminal Investigation Management and Procedures*.

This By-Law details specific direction to the Chief including:

4.1 Criminal Investigation Management Plan

- 4.1.1 The Chief shall prepare a criminal investigation management plan that addresses general criminal investigation procedures.
- 4.1.2 The Chief shall ensure that the criminal investigation management plan meets the requirements of O.Reg.3/99, including identifying the types of

occurrences which should be investigated through a combined or cooperative service delivery method.

4.1.3 The Chief shall ensure that the criminal investigation management plan makes reference to the existence of additional guidelines dealing with specific type of occurrences that address procedures and processes that are unique to that type of occurrence.

4.1.4 The Chief shall ensure that the criminal investigation management plan is reviewed on an annual basis and amended as required.

4.2 Procedures

4.2.1 The Chief shall develop and maintain written procedures on and processes for undertaking and managing criminal investigations.

4.2.2 The Chief shall establish a selection process for criminal investigators which shall ensure that Members who provide this service meet the requirements of O.Reg.3/99.

4.3 Training

4.3.1 The Chief shall ensure that the procedures developed and maintained in section 4.2 ensure that Members to whom a supervisor assigns an occurrence have the knowledge, skills, and abilities to investigate that type of occurrence.

4.4 Investigative Supports

4.4.1 The Chief shall ensure that the Service has investigative supports, including supports in the areas of scenes of crime analysis, forensic identification, canine tracking, physical surveillance, electronic interception, video and photographic surveillance, polygraph, and behavioral science.

4.4.2 The Chief shall establish written procedures and processes in respect of the investigative supports referred to in section 4.4.1 above.

4.4.3 The Chief shall ensure that the procedures in respect of investigative supports include that a person providing investigative supports in the areas of scenes of crime analysis, or forensic identification have successfully completed the required Ministry accredited training.

4.4.4 The Chief shall ensure that persons who provide any type of investigative supports have the knowledge, skills and abilities to provide that support.

This By-Law also states the reporting requirements of the Chief as follows:

5 Report to the Board

- 5.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of the Criminal Investigation Management Plan. The report shall include:
- a) a summary of the Criminal Investigation Management Plan;
 - b) the status of Service compliance with the said procedures;
 - c) confirmation that members have been trained in accordance with section 4.3; and
 - d) confirmation of the appropriate use of investigative support in accordance with section 4.4.

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

a) “...a summary of the Criminal Investigation Management Plan...”

Written procedures regarding Criminal Investigation Management and Procedures are found in the following Niagara Regional Police Service General Order:

GO-095.10 – *Major Incidents and Routine Criminal Investigations* provides a Criminal Investigation Plan that addresses general criminal investigation procedures. It is intended to familiarize police officers with their duties and responsibilities as investigators to conduct routine criminal investigations, while also outlining the process to be followed when involved in incidents considered to be major in nature. The Order details the occurrences that are to be investigated by the first officer at the scene and the occurrences that are the responsibility of district detectives. The Order describes the duties of the investigating officer and the supervisor’s guidelines for case management. Also included are arrest procedures that comply with the *Canadian Charter of Rights and Freedoms*. The provisions contained in this order address the items detailed in Sections 4.1.1 and 4.2.1 of the By-Law.

Complementing the above order are several other Orders that deal exclusively with specific offences and investigations:

1. GO-020.14 – *Sexual Assault Investigations*
2. GO-021.07 – *Criminal Harassment*
3. GO-028.12 – *Sudden Death and Homicide*
4. GO-037.08 – *Fire Calls and Arson Investigation*

5. GO-060.05 – *Traffic Enforcement*
6. GO-061.10 – *Impaired Driving Offences*
7. GO-084.08 – *Child Abuse and Neglect*
8. GO-114.13 – *Domestic/Family Violence*
9. GO-165.08 – *Elder and Vulnerable Adult Abuse*
10. GO-173.10 – *Parental and Non-Parental Abduction*
11. GO-192.05 – *Electronic Crime Investigations*

These Orders detail the duties and responsibilities of officers when responding to specific offences and emphasize when a supervisor is to be notified. These Orders also describe the duties and responsibilities of the supervisors and / or specialty unit officers in continuing the investigation. The provisions contained in these Orders address the items detailed in Section 4.1.3 of the By-Law.

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

The Service’s General Orders were prepared and approved to comply with the *Provincial Adequacy Standards Regulations*. The Orders establish the responsibilities of the supervisors in routine criminal investigations, major incidents, and specific types of occurrences. These Orders clearly explain their duty to ensure that all criminal investigations follow the described procedures. The supervisors of the District Detective Offices utilize the Versadex/Workflow system to monitor the status of individual investigations. The Versadex/Workflow system can provide information and statistics for individual officers and units within the Service, and allow tracking of individual crimes and trends. It is also used as a management tool to monitor caseloads and to ensure that the officer in charge of the investigation has completed the assignments within the prescribed time period.

c) “...Confirmation that members have been trained in accordance with section 4.3”

Officers assigned to the District Detective Offices are required to complete the Ontario Police College (OPC) approved Criminal Investigator Training (CIT) course. This two-week course provides training in criminal investigation and includes case management, crime scene management, search and seizure, interviewing, canvassing, and death investigation. The training involved in this course provides the investigator with the knowledge, skills and abilities to investigate criminal occurrences and serves as the basis for District and Investigative Support Detectives. In 2021, 15 NRPS officers completed the CIT course (*Source: NRPS Training Unit*).

Investigators within the District Detective Offices and some Investigative Support Units may be required to investigate major case threshold offences, which mandate the utilization of the Ontario Major Case Management (MCM) system. Threshold offences include homicides and attempts, certain sexual assaults, suspicious missing persons, and non-familial abductions. The majority of investigators assigned to the District Detective Offices or Investigative Support Detectives conducting these types of investigations have

received the Ontario MCM training module. This course provides specialized training to ensure compliance with the MCM Manual and to standardize investigative procedures across the Province. Components of this course include: fundamentals of major case management, crime scene management, search and seizure, judicial authorization to intercept private communications, strategic approach to investigative interviewing and statement admissibility, behavioural sciences, dangerous offenders, search incident command, and the role of the Coroner, media / public appeal and victim issues. Officers who have successfully completed the OPC MCM training are available to investigate threshold offences. In 2021, 4 NRPS officers received MCM training (*Source: NRPS Training Unit*). This training satisfies section 4.3 of the By-Law.

d) “...confirmation of the appropriate use of investigative supports in accordance with section 4.4”

Criminal investigations are supplemented with investigative supports in the areas of scenes of crime analysis, forensic identification, canine tracking, physical surveillance, electronic interception, video and photographic surveillance, polygraph, and behavioural science. These services are established in the following General Orders:

1. GO-075.11 – *Scenes of Crime Officer*
2. GO-077.11 – *Canine Unit*
3. GO-111.09 – *Special Investigative Services Unit and Technical Support Access*
4. GO-112.08 – *Mobile Surveillance*
5. GO-121.12 – *Forensic Services Unit*
6. GO-146.07 – *Polygraph Examination*
7. GO-192.05 – *Electronic Crime Investigations*

General Order 075.11 – *Scenes of Crime Officer*: The Scenes of Crime Officer (SOCO) supplements the duties of the Forensic Services Unit (FSU) by evaluating and investigating certain crimes as described in this order. This order establishes the guidelines for the Scenes of Crime Officer and describes the occurrences that they are qualified to attend and other scenes that require the attendance of the FSU.

General Order 077.11 – *Canine Unit*: This order describes the responsibilities of the members of the Canine Unit and outlines the procedure for after hour call outs, as well as the type of occurrences where the use of a Canine Unit team is not suitable.

General Order 111.09 – *Special Investigative Services Unit & Technical Support Access*: This order outlines the responsibility of the unit and describes the duties of the members of the unit. These duties include physical surveillance, electronic interception, video and photographic surveillance.

General Order 112.08 – *Mobile Surveillance*: This order describes the objective of the Mobile Surveillance Unit and provides the investigator with the process to be used when requesting mobile surveillance assistance.

General Order 121.12 – *Forensic Services Unit*: This order establishes the mandate of the FSU. It provides the first responding officer with information on their responsibilities to protect a crime scene and identifies occurrences when the FSU must be notified to attend.

General Order 146.07 – *Polygraph Examination*: This order establishes the procedure and responsibilities of investigators requiring polygraph examinations to assist in investigations. This order also outlines the duties and responsibilities of the polygraph examiner.

General Order 192.05 – *Electronic Crime Investigations*: The purpose of this general order is to familiarize members with the function and capabilities of the Technological Crime Unit, Cyber Crime, Forensic Video Analysis and Internet Child Exploitation Unit and to outline the procedure to be followed when requesting the services of the units.

The Service does not have a Behavioural Science Section but has requested and used the services of the Ontario Provincial Police Behavioural Sciences Section in past investigations.

The above mentioned Investigative Support General Orders provide the detail required to ensure that an investigator is aware of the capabilities and services that may assist in criminal investigations. These orders satisfy section 4.4.1 and 4.4.2 of the By-Law.

Alternatives Reviewed

Not Applicable

Relationship to Police Service/Board Strategic Priorities

This report is submitted to the Board for consideration and approval of information relating to Criminal Investigation Management & Procedure in the Regional Municipality of Niagara to provide compliance with Police Services Board By-Law 198-2000.

Relevant Policy Considerations

- GO-020.14 – *Sexual Assault Investigations*
- GO-021.07 – *Criminal Harassment*
- GO-028.12 – *Sudden Death and Homicide*
- GO-037.08 – *Fire Calls and Arson Investigations*
- GO-060.05 – *Traffic Enforcement*
- GO-061.10 – *Impaired Driving Offences*
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GO-192.05 – *Electronic Crime Investigations*
GO-075.11 – *Scenes of Crime Officer*
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GO-111.09 – *Special Investigative Services Unit and Technical Support Access*
GO-112.08 – *Mobile Surveillance*
GO-121.12 – *Forensic Services Unit*
GO-146.07 – *Polygraph Examination*

Other Pertinent Reports

April 2021 Agenda item 7.4 - Annual Report – Criminal Investigation Management and Procedure – January 1, 2020 to December 31, 2020

This report was prepared by Staff Sergeant Christopher Lemaich, 2 District Detective Offices in consultation with Inspector Mario Lagrotteria, 2 District Commander, reviewed by Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.