



COMMUNITY SAFETY RELEASE OF INFORMATION ON HIGH RISK OFFENDERS PRP-CP-002

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Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that Peel Regional Police shall ensure mandatory criteria as set out in the Police Services Act and O.Reg. 265/98 is met prior to disclosure of personal information concerning an individual and that the disclosure of personal information is for the purpose of reducing risk. The requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to implement and comply with these requirements in his/her administration and operation of the Peel Regional Police.

1. Policy Requirements

It is the policy of the Board that the Chief of Police:

- a) may disclose personal information concerning individuals for the purpose of:
 - i. Protection of the public;
 - ii. Protection of victims of crime;
 - iii. Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them;
 - iv. Law enforcement;
 - v. Correctional purposes;
 - vi. Administration of justice;
 - vii. Enforcement of and compliance with any federal or provincial Act, regulation or government program; and
 - viii. Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual.
- b) ensures that application of this policy is in complete compliance with legislative and constitutional requirements, and recognized legal principles;
- c) ensures that members act with full respect for human dignity and according to professional standards of skill, integrity, and accountability;
- d) ensures that application of this policy maintains both officer and public safety as a priority;
- e) ensures that the release of personal information regarding a high risk offender shall only be authorized by the Chief of Police or the Deputy Chief of Police;
- f) ensures that disclosure of personal information about an individual meets the following three criteria:
 - i. If the individual has been convicted or found guilty of an offence under the *Criminal Code (Canada)*, the *Controlled Drugs and Substances Act (Canada)* or any other federal or provincial Act;
 - ii. If the Chief of Police or Deputy Chief of Police reasonably believes the individual poses a significant risk of harm to other persons or property; and

- iii. If the Chief of Police or Deputy Chief of Police reasonably believes that the disclosure of personal information will reduce the risk posed by the individual;
- g) ensures that in deciding whether or not to disclose personal information, the following is taken into consideration:
 - i. The availability of resources and information;
 - ii. What is reasonable in the circumstances of the case;
 - iii. What is consistent with the law and the public interest; and
 - iv. What is necessary to ensure the resolution of criminal proceedings is not delayed;
- h) ensures that the Board is made aware of the release of personal information regarding a high risk offender;
- i) ensures that only information that is necessary and sufficient to reduce the risk to the community will be released;
- j) ensures that prior to the disclosure of any information, regard must be given to any judicial supervision of the individual. This is especially necessary when judicial supervision is ordered under section 810.1 or 810.2 of the *Criminal Code of Canada*;
- k) ensures that prior to the disclosure of any information, the Chief of Police or Deputy Chief of Police shall review written notification that confirms the release of information does not violate a ban on publication which has been imposed by a court in relation to a particular matter, nor victimize a victim by publication of information which may identify him or her.

2. Measurement Methods

The Chief of Police shall conduct an ongoing statistical analysis, and qualitative and quantitative review of all requests to issue a community safety alert to ensure the integrity of the police service directives and/or procedures and to ensure compliance with Ontario Regulation 265/98.

3. Reporting

The Chief of Police will report on those circumstances where the disclosure or non-disclosure of personal information to the public has resulted in an “exceptional” circumstance, or a circumstance which may be detrimental to the public’s safety, and/or results in significant issues of potential liability to the Board and the police service

4. Authority/Legislative Reference

Section 41, Police Services Act
Community Safety Act, 1997, S.O. 1997, c.17
Ontario Regulation 265/98
The Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56.
Board Minute #195/98
Board Minute #29/10
Board Minute #75/13
Board Minute #IC35-11-18

5. Linkage to Appropriate Police Service Procedure/Directive

I-A-604(F) Disclosure of Personal Information

I-A-602(O) Release of Information from Police Service Files

I-B-501(O) Access to Information Pursuant to the Municipal Freedom of Information and Protection Act

I-B-735(F) Police Response to High Risk Individuals