



SEIZED, STOLEN OR SMUGGLED FIREARMS LE-019

Effective Date: 2000/09/15
Amended: 2014/02/19

Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that the requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to comply with these requirements in his/her administration and operation of the Peel Regional Police.

1. Subject

The guiding principles under which the Chief of Police is to establish procedures and processes with respect to seized, stolen or smuggled firearms.

2. Specific Definitions

“crime guns”

Means any firearm that:

- (i) has been reported lost or stolen;
- (ii) is illegal/smuggled;
- (iii) is legally registered in Canada, but has been used in, or there are reasonable grounds to believe that it was intended to be used in an offence; and
- (iv) any member that has reason to believe it is in the best interest of public safety.

“F.A.T.E.”

Firearms Tracing and Enforcement Program (F.A.T.E.).

“seized”

Includes firearms which are:

- (i) found;
- (ii) recovered;
- (iii) seized;
- (iv) surrendered; or
- (v) evidentiary.

3. Policy Requirements

It is the policy of the Board that with respect to seized, stolen or smuggled firearms the Chief of Police shall:

- (a) Ensure complete compliance with legislative and constitutional requirements, and recognized legal principles;
- (b) Ensure that members act with full respect for human dignity and according to professional standards of skill, integrity and accountability;
- (c) Maintains both officer and public safety as a priority;

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- (d) Develop and maintain procedures and processes with respect to seized, stolen and/or smuggled firearms that:
 - a. Ensures that any investigation of a stolen or smuggled firearm is in accordance with the Services' Criminal Investigation Management Plan;
 - b. Requires that every firearm that comes into the possession of the police service is checked to determine if:
 - i. it has been reported lost or stolen;
 - ii. it is legally registered in Canada; or
 - iii. smuggled
 - (e) Address the sharing of crime analysis, criminal intelligence and other information on stolen or smuggled firearms with relevant law enforcement agencies as required by section 134(8)4 of the *Police Services Act*; and
 - (f) Regularly reviews procedures for seized, stolen or smuggled firearms to remain current with case law, inquests inquiry findings, and amendments to related legislation.

4. Measurement Methods/Systems

The Chief of Police shall:

- (a) Collect information with respect to the total number of seized, stolen or smuggled firearms.
- (b) Annually review all documentation submitted to the F.A.T.E. Program to ensure that all firearms which are seized or investigated, and that may be classified as "crime guns" have been reported to F.A.T.E.

5. Reporting

The Chief of Police shall annually report on the total number of seized, stolen or smuggled firearms.

As part of a separate Annual Report on Adequacy Regulation, the Chief of Police shall report on compliance with this section of the policy.

The Chief of Police shall report on an exception basis. This applies to those circumstances where relating to seized, stolen or smuggled firearms have resulted in an "exceptional" circumstance, or a circumstance which may be detrimental to the police service; and/or has resulted in significant issues of potential liability to the Board and/or the police service.

6. Authority/Legislative Reference

Ontario Regulation 03/99; Section 12(1)(s) and 29

Section 134(8)4 of the *Police Services Act*

Board Minute #191/00

Replaces: Weapons- Disposal of Firearms Policy (*II-JJ-1*)- Adopted 1198/01/28

Board Minute #18/14

7. Linkage to Appropriate Police Service Procedure/Directive

I-B-303 (F) Firearms Tracing and Analysis Procedure