



POLICE RESPONSE TO HIGH RISK INDIVIDUALS

LE-047

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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 relating to police response to high risk individuals.

2. Specific Definitions

“dangerous offender”

(Part XXIV *Criminal Code of Canada*) – refers to a mechanism which allows dangerous convicted offenders to be removed from society for an indeterminate period. Legislation also allows for periodic status reviews and for a gradual and supervised return to society should parole criteria be met in the future. If these offenders are eventually released, they are subject to supervision and conditions on their behaviour for the rest of their lives;

“high risk individual”

Means a person identified through various criteria or factors that may be included in legislation (ie. Dangerous Offender, Long Term Offender, detained until warrant expiry) or in policies and procedures (ie. High Risk Offender National Flagging System, Ministry of Community Safety and Correctional Services guidelines on Bail and Violent Crime and Domestic Violence Occurrence) including:

- i) An offender detained until warrant expiry in consideration of the factors identified in sec. 132 of the *Correctional and Conditional Release Act* and determined likely to commit a further offence involving serious harm or death; a sexual offence against a child; or a serious drug offence prior to the warrant expiry date;
- ii) An offender placed on the High Risk Offender National Flagging System who, in the opinion of Crown counsel, has been identified as posing an ongoing serious threat to society;
- iii) An individual assessed by correctional authorities or mental health authorities who presents a high risk to commit a sexual offence or an offence likely to cause serious bodily harm or death to another person;
- iv) An individual where the court has been satisfied that there are reasonable grounds to fear that the individual will cause personal injury or damage;

“High Risk National Flagging System”

Refers to a system that flags offenders whom Crown Prosecutors consider a high risk for violent conduct in the Special Interest Police (S.I.P.) category of the Canadian Police Information Centre (C.P.I.C.). Offenders generally flagged in this category demonstrate a high potential for prosecution as dangerous offenders or long term offenders in the future;

“judicial restraint orders”

Refer to preventative Judicial Orders for those who have reasonable grounds to believe that a person may, in the foreseeable future, commit a violent crime or sexual offence. Judicial Restraint Orders are commonly referred to as 810 Orders;

“long term offender”

(Part XXIV *Criminal Code of Canada*) – refers to offenders who have a high likelihood of committing further sexual offences or repetitive violent behaviour, but who do not meet the criteria for designation of “dangerous offender”. This designation is premised on an assessment of risk of re-offending that indicates that the offender may be managed in the community with appropriate supervision when released.

3. Policy Requirements

It is the policy of the Board with respect to high risk individuals that 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) Maintain both officer and public safety as a priority;
- (d) Consider the provisions of the following policies when developing the police services’ response to high risk individuals:
 - i) Community Safety – High Risk Offenders;
 - ii) Community Safety – Disclosure to Victims; and
 - iii) Community Safety – Sharing of Information With Other Agencies;
- (e) Work in partnership, where possible, with the local Crown, appropriate community members and agencies, including health care providers, government agencies, municipal officials, other criminal justice agencies, and victim services, to ensure a coordinated and effective strategy in response to high risk individuals that addresses:
 - i) bail opposition consistent with the Ministry of Community and Correctional Services guideline on Bail and Violent Crime;
 - ii) dangerous offender and long term offender applications;
 - iii) High Risk Offender National Flagging System and requirements of CPIC;
 - iv) information sharing;
 - v) case management planning;
 - vi) judicial restraint orders;
 - vii) victim assistance; and
 - viii) disclosure of information, including community notification and safety planning;
- (f) Ensure the police service’s skills development and learning plan addresses the training and sharing of information on police response to high risk individuals with officers, communication operators/dispatchers and supervisors;

- (g) Regularly review procedures on police response to high risk individuals to remain current with case law, inquests, inquiry findings, and amendments to related legislation.

4. Measurement Methods

The Chief of Police shall conduct an ongoing statistical analysis, qualitative and quantitative review of police response to high risk individuals to ensure the compliance with Board policy and legislative requirements.

5. Reporting

The Chief of Police shall report on an exception basis. This applies to those circumstances where police response to a high risk individual has resulted in an “exceptional” circumstance, or a circumstance which may be detrimental to the police service; and/or has significant issues of potential liability to the Board and the police service.

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

6. 5. Authority/Legislative Reference

Police Services Act, Section 41(1.1) and 41 (1.2)

Ontario Regulation 265/98 Section 2(1) Disclosure of Personal Information

Corrections and Conditional Release Act, (1992, c.20), Sections 25 & 132

Community Safety Act, 1997, S.O. 1997, c.17th

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), Section 5

Board Minute #127/08

Board Minute # 44 /14

Ministry Adequacy Standards Inspection April 2016

7. Linkage to Appropriate Police Service Procedure/Directive

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