



**BULLETIN!**  
*2 September 2008*  
**PRELIMINARY REPORT ON CAPB CONFERENCE  
& 2008 RESOLUTIONS**

The Canadian Association of Police Boards (CAPB) held its 19<sup>th</sup> Annual Meeting and Conference in Toronto, Ontario, August 14-17, 2008.

This year's conference theme was 'Civilian Governance and Social Responsibility: Safety, Community and Sustainability' highlights included:

- Opening ceremonies included a spectacular lion dance and colour guard from the Toronto Police Service. Remarks were delivered to delegates by Dave MacKenzie, Parliamentary Secretary to the Minister of Public Safety; Rick Bartolucci, Minister of Community Safety and Correctional Services; Pam McConnell, on behalf of David Miller, Mayor of Toronto, Chief William Blair; Greg Dionne, President of CAPB and Alok Mukherjee, Chair of the Toronto Police Services Board.
- Glen Murray captured delegates' attention in his opening plenary by talking about the new economy, and how communities play a very important role in attracting and maintaining a talented workforce. Communities that celebrate the diversity of humanity—especially in Canada, where half the citizens in major cities are foreign born—will thrive best. He went on to describe how being a police officer is the highest level of citizenship, because of the risks involved. "Although most of us aren't asked to put our lives in danger, we still have the obligation to express our citizenship by doing things to contribute to a higher quality of life." Today, mass consumerism is rampant, and society has "some of the most selfish notions of human character," Murray said. "While we lose our sense of citizenship to become consumers, we hand over the responsibility of keeping our neighbourhoods safe to the police."
- Conference moderator, Andrew Graham said police boards are showing "a capacity for responsiveness and innovation," especially regarding environmental issues. "Today we are going to continue to pursue big ideas. One of the aspects of governance is to take the big ideas, make them real, and change them into action." Graham introduced speaker, Dr. Thomas Homer-Dixon. Dr. Homer-Dixon said his understanding of police boards is they

often become involved “in the minutiae of police government.” During the course of this plenary, he said he would expand on some of the macro forces shaping Canadian society and the world. These forces will have a great impact on human responsibilities, operations, and procedures, “in ways we cannot predict,” he said. The changes to come can be characterized as “non-linear.” Dr. Homer-Dixon described impending “sharp shifts in technologies and resource availability” that would force quick responses, in crisis mode.

- Minister of Public Safety, Stockwell Day updated delegates on Friday, August 15 and spoke about the enormous inroads his government has made in making Canada safer including providing the funding for the 2500 new municipal officers and that now it is up to the provincial and territorial counterparts to develop a method of rolling out the funding.
- Toronto hosted a memorable evening at the CN Tower with an abundance of food from around the world, spectacular views and entertainment from the Toronto Police Male Chorus.
- Unit tours proved to be a very popular way for delegates to see first-hand some of the inside workings of the largest police service in Canada.
- Many other excellent speakers and presenters filled out the remaining program and a detailed report will be sent later in the fall.

## **RESOLUTIONS**

A critical component of each year’s Conference is the Annual Meeting when resolutions are considered that assist in setting the Association’s priorities for the coming year. This year, eight resolutions covering a range of topics were considered and approved by the membership at the Annual Meeting on August 16, 2008.

CAPB will share the resolutions with federal, provincial and territorial departments responsible for public safety and with other policing partners. The CAPB Board of Directors and staff will be following up on them with the appropriate departments; we encourage local boards to pursue resolutions of provincial or local concern within your own communities as well.

### **RESOLUTION 08 – 1** **CRIMES OF VIOLENCE INVOLVING KNIVES**

WHEREAS, according to Statistics Canada, in a comparison of violent crimes in which a firearm or a knife or other piercing/cutting instrument was used, in 2004 firearms were used in 32 percent of such crimes while 68 percent of these crimes involved a knife or other piercing instrument, and these rates remained constant in 2005 (31 percent and 69 percent, respectively);

WHEREAS section 85 of the *Criminal Code* creates an offence of using a firearm while committing or attempting to commit specified underlying offences, and prescribes minimum sentences for certain crimes involving firearms, e.g., section 272.1 of the *Criminal Code* (sexual assault with a weapon), but there are no minimum sentence requirements for the same crimes when a knife or other piercing object is used as the weapon;

WHEREAS the *Ontario Domestic Violence Death Review Committee Annual Report to the Chief Coroner 2006* revealed that, similar to findings imparted in previous reports, the most common cause of death for victims was from injuries inflicted by knives and other sharp objects (33 percent);

WHEREAS crimes of violence involving knives should not be viewed as less worthy of concern in the Canadian justice system;

WHEREAS the Canadian Association of Police Boards adopted Resolution 97-12 asking the Federal Government to enact legislation to provide minimum mandatory penalties for the use of a knife during the commission of an indictable offence;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Minister of Justice and Attorney General of Canada and the Minister of Public Safety Canada to initiate legislative changes and government initiatives recognizing the seriousness of crimes of violence involving knives.

## **RESOLUTION 08 – 2**

### **CANADIAN MILITARY RESERVISTS – LEAVE OF ABSENCE**

WHEREAS recent changes to the Ontario Employment Standards Act, 2000, S.O. 2000, c.41, under Part XIV, sections 50.2 and 51, now provide for job protected leaves of absences for military reservists serving on certain domestic operations and international deployments;

WHEREAS a similar legislative regime may exist in other jurisdictions across Canada;

WHEREAS there are considerable risks for disabling injuries or illnesses while deployed on Canadian Forces operations, some of which may not emerge for several weeks, months or even years after completion of military operations;

WHEREAS there are potential future liabilities that the Board will be required to bear in the unfortunate event that a member of police service becomes injured or ill as a result of their military deployment after their return to work with the police service;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Government to provide extended health care benefit coverage to members of police services serving as reservists and assume responsibility for any costs that may be associated with military deployment operations.

## **RESOLUTION 08 – 3**

### **REPEAT OFFENDERS**

WHEREAS it is recognized that violent and/or serious crime has a substantial adverse effect on Canadian Society, and;

WHEREAS police services have identified that a small number of recidivist offenders are responsible for a large percentage of crime while they are out on judicial interim release, and;

WHEREAS it is recognized that many of these offenders are drug addicted and commit a significant number of crimes to support their addiction while out on judicial interim release and lack the proper supervision or support, and;

WHEREAS courts often release them back into the community where they re-offend, and are arrested again, over and over undermining public trust and confidence in the criminal justice system.

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards, in the interest of community safety, urge the Federal government to review and implement legislative reforms and implement program changes focused on keeping frequent offenders in secure treatment or other custody until the courts have ruled on their offences.

#### **RESOLUTION 08 – 4** **REQUEST FOR IMMEDIATE ACTION ON LAWFUL ACCESS**

WHEREAS the current provisions of the *Criminal Code* that govern the lawful interception of private communications were enacted in 1974 and have not been adapted to meet the challenges of modern technology and trends such as high speed Internet, wireless telecommunications devices, deregulation of the telecommunications industry, global and cross border criminal activity and cyber crime; and

WHEREAS there currently is not a standardization of levels of service, contractual relations, billing standards, cost recovery, and dispute resolution for services provided by the telecommunications industry to law enforcement agencies across Canada, so as to ensure a continuation of a high level of uninterrupted service; and

WHEREAS on occasion this lack of standardization has resulted in an interruption of service provided by the telecommunications industry to law enforcement agencies so as to jeopardize ongoing investigations of major crimes and will continue to adversely impact future investigations; and

WHEREAS on two previous occasions resolutions of the Canadian Association of Police Boards have urged the Federal Government to make it a top priority to update the legal framework for Lawful Access in Resolutions 04-6 and 03-15;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Government to make it a top priority to update the legal framework for Lawful Access so that police maintain the ability to lawfully intercept communications and search and seize data in order to investigate and support prosecution of crimes, and that the issue of costs for the telecommunications industry be dealt with, but that the circumstances in which police may intercept private communications and search and seize data continue to be the subject of prior court approval.

### **RESOLUTION 08 – 5** **PENALTIES FOR CRIMES INVOLVING ILLICIT DRUGS**

WHEREAS illicit drugs are the foundation of organized crime and the source of property and violent crime in our communities;

WHEREAS many drugs in Canada are exported to the United States in exchange for other drugs, guns and illicit products that are used by criminals in Canada;

WHEREAS the availability of illicit drugs is a significant threat to young people who, by experimenting with their peers, risk cognitive and physical impairment, psychosocial problems, and addiction;

WHEREAS conditional sentences and other minimum sentences for crimes involving the manufacture, trafficking, and importing and/or exporting of illicit drugs have proven ineffective in combating the lucrative drug trade and putting its operators permanently out of business;

WHEREAS the Canadian Association of Police Boards has previously lobbied the Federal Government to adopt tougher sentencing for violent and drug trafficking crimes in Resolution 05-3;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the judiciary to consider the deleterious effects of drugs on individuals and communities in sentencing criminals who manufacture, traffic, and import and/or export illicit drugs; and that in light of these considerations the judiciary impose stiffer sentences within the current legislative framework.

### **RESOLUTION 08 – 6** **CREATION OF CONDUCTED ENERGY WEAPON (CEW) WORKING GROUP**

WHEREAS the Conducted Energy Weapon is increasingly being used by police officers across Canada as a tool in policing our communities;

WHEREAS the issue of the use of Conducted Energy Weapons by police officers is a matter of great public interest across Canada; and

WHEREAS there is currently no group examining the issue of a consistent standard for the use of Conducted Energy Weapons by police services across Canada.

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards (CAPB) establish a working group on Conducted Energy Weapons, comprised of representatives from CAPB, the Canadian Association of Chiefs of Police (CACP), the Canadian Police Research Centre and other appropriate partners, to collect and disseminate information related to the use and effects of Conducted Energy Weapons from Canada and elsewhere, as well as to develop a national standard for the use of Conducted Energy Weapons by Canadian police services;

AND that such a governance framework include a national consistent reporting format so that municipal police services all collect and report the same data regarding the use of Conducted Energy Weapons.

## **RESOLUTION 08 – 7**

### **SHARING POLICING COSTS WITH THE FEDERAL GOVERNMENT**

WHEREAS it is widely recognized that municipalities across Canada are assuming a growing burden for the cost of policing; and

WHEREAS the federal share of the cost of provincial and municipal RCMP contract services has declined steadily over time, from 50% in 1976 to between 10 and 30 per cent by 1990, and down to zero for all municipal contracts signed after 1992; and

WHEREAS municipally contracted RCMP officers are assumed to spend a minimum of between 10 and 30 per cent of their time enforcing federal laws, from which it follows that municipal police officers would be expected to spend between 10 and 30 per cent of their time enforcing federal laws;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards support the recommendations of the Federation of Canadian Municipalities, found in its report, “Towards Equity and Efficiency in Policing” (May, 2008), namely, that 1) Pending a full review of the existing policing regime, the Government of Canada should provide an equity and efficiency allocation to: a. compensate municipal governments for their role in enforcing federal policing mandates; and b. provide funding sufficient for municipalities to meet their growing responsibilities, an amount equivalent to no less than 10 per cent of a municipal force’s annual budget; and 2) The Government of Canada should appoint a special panel to review the existing distribution of policing functions.

## **RESOLUTION 08 – 8** **NON-RETURNABLE WARRANTS**

WHEREAS it is recognized that police officers throughout Canada often come into contact with persons wanted on warrants, where the radius of the warrant is outside of their jurisdiction, and unless the jurisdiction issuing the warrant agrees to provide for transportation, these individuals will likely not ever be held accountable for the offence;

WHEREAS it is further recognized that police officers are rarely successful in returning these persons to the issuing jurisdiction because the legal procedures for doing so are excessively cumbersome, time-consuming, and expensive;

WHEREAS the Canadian Association of Police Boards adopted Resolutions 97-7, 98-7 and 06-7, urging the federal government to accelerate its efforts to develop the necessary legislation for an effective system to handle non-returnable warrants;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards call upon the federal Minister of Justice and the Minister of Public Safety to implement a program to assume responsibility for the return of persons wanted on warrants, where the radius of the warrant is outside of their jurisdiction, thereby enabling an operationally practical and cost-effective transportation policy, and ensuring these individuals cannot bring the administration of justice into disrepute by simply fleeing to another jurisdiction.

## **2008 – 2009 CAPB BOARD OF DIRECTORS**

The CAPB Board of Directors elected by the membership for the 2008/2009 term are:

Jim MacLeod	Cape Breton Board of Police Commissioners, Nova Scotia
David Walker	Bridgewater Board of Police Commissioners, Nova Scotia
Ivan Court	Saint John Board of Police Commissioners, New Brunswick
Carol Allison-Burra	Kingston Police Services Board, Ontario
Emil Kolb	Peel Regional Police Services Board, Ontario
Alok Mukherjee	Toronto Police Services Board, Ontario
Greg Dionne	Prince Albert Board of Police Commissioners, Saskatchewan
Tiffany Paulsen	Saskatoon Board of Police Commissioners, Saskatchewan
Robert Dunster	Edmonton Police Commission, Alberta
Mike Shaikh	Calgary Police Commission, Alberta
Carol Ann Hart	New Westminster Police Board, British Columbia
Chris Clement	Victoria Police Board, British Columbia
Wellington Staats	Six Nations Police Services Board, First Nations

## **EXECUTIVE**

The CAPB Executive approved by the membership for the 2008/2009 term are:

Greg Dionne <b>President</b>	Prince Albert Board of Police Commissioners, SK
Ivan Court <b>Vice-President</b>	Saint John Board of Police Commissioners, NB
Alok Mukherjee <b>Secretary-Treasurer</b>	Toronto Police Services Board, ON

Contact information for all members of the CAPB, including the Directors, is contained in the CAPB Members' Directory available to members on the CAPB website ([www.capb.ca](http://www.capb.ca)). The Directory is published and distributed to member boards every March.

**The CAPB encourages you to share this Bulletin and the 2008 Resolutions with your Chief of Police and Association representative.**

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