

68 Church St.,
St. Catharines
Ontario, Canada
L2R 3C6



Tel. (905) 688-4111
Fax. (905) 685-5081
www.nrps.com
nrps@nrps.com

Niagara Regional Police Service

Chief of Police Wendy E. Southall

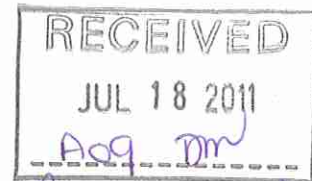
128.

REPORT OF THE POLICE SERVICE

TO

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Board Report Number: 148/2011
Date of Report: 2011.06.12
Date of Board Meeting: 2011.07.28



Chairperson Acting Todd Shoalts
and Members of the
Regional Municipality of Niagara Police Services Board

Reference: Reporting Requirement of Police Services Board
By-Law 233-2000 – Proceeds of Crime.

Recommendation: Receive for information.

Background:

On 2000.11.30 and 2000.12.14, a number of Regional Municipality of Niagara Police Services Board By-Laws were enacted in response to the *Provincial Adequacy Standards Regulations*. These by-laws contain provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

This report is submitted to provide the Board with the necessary and required information, pursuant to certain by-laws, relating to investigations pertaining to Drug Investigations. Subsequent reports will follow annually to continue with this reporting process.

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By-Law #223 - 2000, a *By-Law Respecting Proceeds of Crime*, was enacted as a result of *Provincial Adequacy Standards Regulation, Law Enforcement 041 – Proceeds of Crime*. This by-law details specific requirements that are reported as follows:

The Chief shall make a written report to the Board on or before August 30 of each year in respect of drug investigations. This report shall contain:

- a) A summary of the written procedures concerning proceeds of crime investigations;
- b) The status of Service compliance with the said procedures; and
- c) The amount of proceeds of crime seized, and the disposition of such proceeds.

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

- a) **“...a summary of the written procedures concerning investigations into drug-related matters...”**

The Service has two General Orders that address the requirements of Provincial Adequacy Standards Regulations (LE-041) and Niagara Regional Police Services Board By-Law 233-2000.

- General Order 110.03 – Proceeds of Crime and Offense Related Property was created to address the requirements of the Provincial Adequacy Standards Regulation. It establishes definitions, duties and responsibilities as well as the internal reporting process. **This order is currently being revised to meet the changing times.**
- General Order 120.04 – Morality Related Offences has one section relative to Proceeds of Crime.

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

The listed General Orders are reviewed on an annual basis to ensure compliance with the Adequacy Standards.

The Niagara Regional Police Service has two members assigned to the London Integrated Proceeds of Crime Section (LIPOC) since 1996. In addition to the two Niagara members, the unit has three Royal Canadian Mounted Police members. LIPOC administratively oversees all areas of the province other than the Greater Toronto area.

The mandate of the Integrated Proceeds of Crime Section (IPOC) is "to identify, seize and cause to be forfeited assets derived from criminal activity throughout the Province of Ontario and elsewhere and recommend for prosecution the persons associated therewith and co-operate with other jurisdictions for such purpose".

The RCMP assumes all costs for operating Integrated Proceeds of Crime Sections, including ***partial salary*** compensation in the amount of \$100,000.00 per Officer. The Service has one Detective Sergeant and one Detective Constable assigned to Proceeds of Crime. It is recognized that the compensation provided by the RCMP does not cover the officers' total salary and benefits; however it offsets the costs attached to this required investigative section.

c) **"...the amount of proceeds of crime seized, and the disposition of such proceeds..."**

London Integrated Proceeds of Crime Unit

For the time period of January 31, 2010 to June 12, 2011, the Niagara Regional Police Service has had two members seconded to this unit which has a mandate to investigate money laundering activities and gather evidence to support the identification of items as proceeds of crime or offence related property, and to seize these items for eventual forfeiture to the Crown.

The Niagara IPOC Unit opened 28 new investigations during between January 2010 and June 2011. This included 8 requests to assist with seizures of cash at the International Border crossings. In total, Niagara IPOC members investigated in excess of \$500,000 dollars in money laundering at our borders.

Niagara IPOC works closely with the NRPS Morality, Gangs, Guns and Grows Unit, PAVIS, Divisional Street Crime Units and the CFSEU of the RCMP. Niagara IPOC investigated numerous homes in the Niagara region as offence related property and proceeds of crime in relation to marihuana grow operations and other drug offences. Niagara IPOC identified and restrained 7 homes with significant equity in excess of \$500,000 for forfeiture. Niagara IPOC also seized and restrained over 40 vehicles in relation to drug trafficking offences. IPOC Niagara also has restrained 1 bank account containing over \$30,000.00 in proceeds of crime.

Between January 2010 and January 2011, Niagara IPOC forfeited 1 residence valued at \$160,000 and a portion of another residence in the amount of \$30,000. Niagara IPOC also deposited approximately \$250,000 to the Federal government as a result of forfeiture orders obtained at the conclusion of court cases where cash seizures were made.

Niagara IPOC also recovered approximately \$42,000 dollars of recorded buy money utilizing the CRATS (Currency recording and tracing system).

Conclusion:

This report is submitted to the Board for review and consideration of information relating to Proceeds of Crime Investigations by the Niagara Regional Police Service.

Relevant Policy Considerations: Provincial Adequacy Standards Regulation, LE-041 – Proceeds of Crime

General Order – 110.03 - Proceeds of Crime and Offense Related Property.

Cost of Recommendations: There are no costs associated with this report.

Alternative Options: To not accept this report.

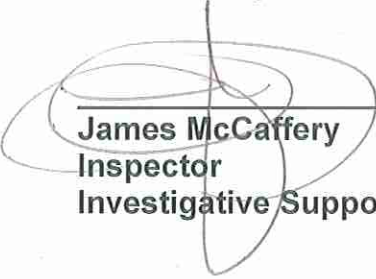
Reasons for Recommendation: To comply with the provisions of Police Service Board By-Laws and to maintain compliance with the *Provincial Adequacy Standards Regulations*.

Prepared by:



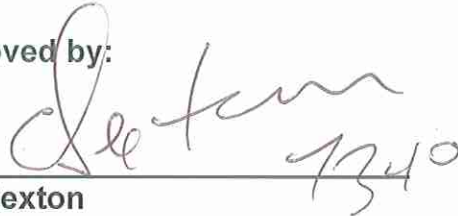
Joe Maggiolo
Staff Sergeant
Intelligence Unit

Reviewed by:



James McCaffery
Inspector
Investigative Support Division

Approved by:



Cliff Sexton
Superintendent
Emergency and Investigative
Support Services

Recommended by:



Joe Matthews
Deputy Chief of Police

Respectfully submitted by:



Wendy E. Southall
Chief of Police