



BY-LAW NO. 231 - 2000

**A BY-LAW RESPECTING
INVESTIGATION INTO HOMICIDES
(LE-039)**

1. PREAMBLE

1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:

- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to police service in the municipality;
- c. establish priorities for the effective management of the police service, and
- e. direct the Chief of Police and monitor his or her performance;

1.2 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;

1.3 AND whereas O. Reg. 3/99 prescribes standards for adequacy and effectiveness of police services;

1.4 AND whereas subsection 12(1)(i) of O. Reg. 3/99 requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into homicides and attempted homicides;

1.5 AND whereas section 29 of O. Reg. 3/99 requires a police services board to have a policy on investigations into homicides and attempted homicides;

1.6 AND whereas Part LE-039 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Chief and the police service relative to homicide and attempted homicide investigations.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2 ***DEFINITIONS***

- 2.1 *"Act"* means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 *"Board"* means the Regional Municipality of Niagara Police Services Board;
- 2.3 *"Chief"* means the Chief of the Niagara Regional Police Service;
- 2.4 *"Manual"* means the Policing Standards Manual published by the Ministry of the Solicitor General;'
- 2.5 *"Member"* means a member of the Niagara Regional Police Service;
- 2.6 *"Ministry"* means the Ministry of the Solicitor General;
- 2.7 *"Service"* means the Niagara Regional Police Service.

3 ***POLICING STANDARDS MANUAL (2000) GUIDELINES***

- 3.1 The Board recognizes that matters of homicide are serious in nature, and it is therefore the policy of this Board that investigations into such matters be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this By-law.

4 ***DIRECTION TO THE CHIEF***

4.1 ***PROCEDURES***

- 4.1.1 The Chief shall develop and maintain procedures for undertaking and managing investigations into homicides and attempted homicides that are in compliance with the Ministry's designated Ontario Major Case Management Manual and Appendix A.

4.2 ***TRAINING***

- 4.2.1 The Chief shall ensure that Members investigating homicides or attempted homicides have the requisite knowledge, skills and abilities.

5 REPORT TO THE BOARD

- 5.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of homicide and attempted homicide investigations. The report shall include:
- a. a summary of the written procedures concerning homicide and attempted homicide investigations;
 - b. confirmation that the procedures are in compliance with the Ministry's designated Ontario Major Case Management Manual;
 - c. the status of Service compliance with the procedures; and
 - d. a summary of training given to Members regarding homicide and attempted homicide investigations.

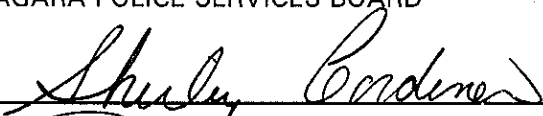
6 IMPLEMENTATION

- 6.1 This By-law shall come into force upon the date of its passage.
- 6.2 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 30th day of November, 2000.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson



Vice Chairperson



Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into homicides and attempted homicides.

In addition section 12(1)(i) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into homicides and attempted homicides.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to investigations into homicides and attempted homicides that the Chief of Police will develop and maintain procedures that require compliance by officers with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*.

Police Service Guidelines

- Procedures**
1. Every police service's procedures on the investigation of homicides and attempted homicides should:
 - a) require compliance by officers with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*;
 - b) outline the responsibilities of a first officer(s) responding to a scene of a homicide, including:
 - i) approaching and immediately securing the scene, taking care not to contaminate or destroy potential evidence;
 - ii) arrests of suspects;
 - iii) recording the details of the scene and identification of all persons present;
 - iv) preserving the integrity of evidence of witnesses by ensuring that they don't discuss their observations with each other;
 - v) observations of persons leaving the scene;
 - vi) preserving short-lived evidence;
 - vii) notification of supervisory and other appropriate personnel; and
 - viii) responding to initial media inquiries at the scene;
 - c) outline the responsibilities of the supervisor dispatched to the scene of a homicide;
 - d) ensure the adequate assignment of human and physical resources; and
 - e) require the issuance and dissemination of appropriate CPIC alerts.

