



**BY-LAW NO. 222 - 2000**

**A BY-LAW RESPECTING  
PROPERTY OFFENCES (including Break & Enter)  
(LE-030)**

**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)(p) of O.Reg.3/99 requires the Chief of Police to develop and maintain procedures and processes for undertaking and managing investigations into property offences;
- 1.5 AND whereas section 29 of O.Reg.3/99 requires a police services board to have a policy on property offence investigations;
- 1.6 AND whereas Part LE-030 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 investigations into property offences.

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 *"Service"* means the Niagara Regional Police Service.

**3** ***BOARD POLICY***

- 3.1 The Board recognizes that property offences are serious in nature, and it is therefore the policy of this Board that investigations into property offences 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 that require investigations into property offences be undertaken and managed in accordance with the Service's criminal investigation management plan and in accordance with Appendix A.

4.2 ***CRIME PREVENTION INITIATIVES***

- 4.2.1 The Chief shall identify the need for the implementation of crime prevention initiatives for property crime based on crime, call and public disorder analysis, criminal intelligence and community needs.

4.3 ***TRAINING***

- 4.3.1 The Chief shall ensure that Members investigating property offence occurrences 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 investigations into property offences. The report shall include:
- a. a summary of the written procedures concerning property offence investigations;
  - b. the status of Service compliance with the said procedures; and
  - c. a summary of crime prevention initiatives for property crime.

**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 14th day of December, 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 the investigation of property offences, including break and enter.

In addition, section 12(1)(p) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into property offences, including break and enter.

## Sample Board Policy

Board Policy # \_\_\_\_\_

It is the policy of the \_\_\_\_\_ Police Services Board with respect to property offences, including break and enter that the Chief of Police will:

- a) develop and maintain procedures that require that investigations be undertaken and managed in accordance with the police service's criminal investigation management plan; and
- b) identify the need for the implementation of crime prevention initiatives for property crime based on crime, call and public disorder analysis, criminal intelligence and community needs.

## Police Service Guidelines

### Crime Prevention

1. Every Chief of Police should identify the need for the implementation of crime prevention initiatives for property crime based on crime, call and public disorder analysis, criminal intelligence and community needs, including the implementation of bicycle registration and property identification programs.

### Procedures

2. Every police service's procedures on property offences should:
  - a) require that investigations be undertaken and managed in accordance with the police service's criminal investigation management plan;
  - b) require the retention and disposition of property relating to on-going investigations and prosecutions in accordance with the police service's procedures on the collection, preservation and control of evidence and property;
  - c) address the identification, tracing and seizing of stolen property;
  - d) provide for the processing and evaluation of reports received pursuant to the *Pawnbrokers Act* and any municipal by-laws governing the sale of second-hand goods;
  - e) address police interaction with pawnbrokers and second-hand dealers;

- f) address the investigative procedures for different classifications of property offences, including the criteria for the use of investigative supports when investigating property offences;
- g) address the investigative procedures for arson investigations;
- h) require that appropriate information be shared with patrol officers on break and enter and serious property occurrences, including any descriptions of suspects; and
- i) address the sharing of information with other police services and relevant organizations on serial break and enters, and other offences.