



BY-LAW NO. 235 - 2000

**A BY-LAW RESPECTING
VEHICLE THEFT
(LE-043)**

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)(t) of O. Reg. 3/99 requires the Chief of Police to develop and maintain procedures and processes for undertaking and managing investigations into vehicle theft;

1.5 AND whereas section 29 of O. Reg. 3/99 requires a police services board to have a policy on vehicle theft investigations;

1.6 AND whereas Part LE-043 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the police service relative to vehicle theft 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 *"Service"* means the Niagara Regional Police Service.

3 **BOARD POLICY**

- 3.1 The Board recognizes that vehicle theft is serious in nature, and it is therefore the policy of this Board that investigations into vehicle thefts 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 vehicle theft occurrences to be undertaken in accordance with the Service's criminal investigation management plan and in accordance with Appendix A.

4.2 **NOTIFICATION TO OWNERS**

- 4.2.1 The Chief shall ensure the timely notification of registered owners of the recovery of stolen vehicles, except where ongoing criminal investigations may be compromised.

4.3 **TRAINING**

- 4.3.1 The Chief shall ensure that Members investigating vehicle theft 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 vehicle theft occurrences. The report shall include:
- a. a summary of the written procedures concerning vehicle theft investigations; and
 - b. the status of Service compliance with the said procedures.

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 Shirley Cordner

Vice Chairperson R. Ted Salei

Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into vehicle thefts.

In addition section 12(1)(t) requires the Chief of Police to establish procedures on and processes for undertaking and managing investigations into vehicle thefts.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to vehicle thefts that the Chief of Police will:

- a) develop and maintain procedures that require that investigations be undertaken in accordance with the police service's criminal investigation management plan; and
- b) ensure the timely notifications of registered owners of the recovery of stolen vehicles, except where ongoing criminal investigations may be compromised.

Police Service Guidelines

- Procedures**
1. Every police service's procedures on the investigation of vehicle thefts should:
 - a) require that investigations be undertaken in accordance with the police service's criminal investigation management plan, including notifying the *Ontario Provincial Auto Theft Team* in investigations involving:
 - i) organized theft rings; and
 - ii) thefts of heavy construction equipment vehicles;
 - b) require the sharing of information on vehicle theft with relevant law enforcement agencies, government agencies and other organizations;
 - c) require the recording of vehicle theft information on CPIC, including the VIN number and/or license plate number;
 - d) address the communications of stolen vehicle reports, including any descriptions of suspects;
 - e) require that information on stolen vehicles be shared with patrol officers, including any descriptions of suspects; and
 - f) require the timely notifications of registered owners of the recovery of stolen vehicles, except where ongoing criminal investigations may be compromised.