

Report on the
Inspection of the
Peterborough
Lakefield
Community Police
Service

December 2013

Public Safety Division
25 Grosvenor Street,
12th Floor
Toronto ON M7A 2H3



Ministry of Community
Safety and Correctional
Services

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Inspection Team: Jeeti Sahota, Duane Sprague
Police Services Advisors
Operations Unit

Reviewed By: Stephen Waldie
Director
External Relations Branch

TABLE OF CONTENTS

OVERVIEW OF INSPECTIONS	
Legislative Responsibilities.....	4
Inspection Program.....	5
Inspection Process.....	5
Response to Inspection Recommendations.....	6
AREAS OF INSPECTION	
Introduction.....	7
Bail and Violent Crime.....	8
Police Response to High Risk Individuals.....	9
Preliminary Perimeter Control and Containment.....	10
Missing Persons.....	14
APPENDICES	
Service Improvement Plan (SIP)	

OVERVIEW OF INSPECTIONS

Legislative Responsibilities

Ministry of Community Safety and Correctional Services

The *Police Services Act* (PSA) sets out the statutory responsibilities of the Minister of Community Safety and Correctional Services under section 3. Included are requirements that the Minister shall:

- monitor police forces to ensure that adequate and effective police services are provided at the municipal and provincial levels;
- monitor boards and police forces to ensure that they comply with prescribed standards of service;
- develop and promote programs to enhance professional police practices, standards and training;
- conduct a system of inspection and review of police forces across Ontario;
- assist in the coordination of police services;
- provide to boards, community policing advisory committees and municipal chiefs of police information and advice respecting the management and operation of police forces, techniques in handling special problems and other information calculated to assist;
- issue directives and guidelines respecting policy matters; and,
- develop and promote programs for community-oriented police services.

Police Services Board

The Police Services Board is responsible for the provision of adequate and effective police services in the municipality, including the determination of the objectives and priorities respecting police services, after consultation with the Chief of Police. The Board fulfills one of its governance responsibilities by establishing policies for the effective management of the police service.

Chief of Police

The Chief of Police is responsible for the administration and operation of the police service and overseeing its operation in accordance with the objectives, priorities and policies established by the Board. This includes:

- developing procedures to address specific policies established by the Board along with additional procedures to address operational needs;
- ensuring that members of the police force carry out their duties in accordance with the PSA and the regulations and in a manner that reflects the community; and,
- maintaining discipline in the police force.

Inspection Program

The Ministry conducts inspections and monitors compliance with legislative and regulatory requirements. Inspections are based on relevant legislation, regulations and guidelines contained within the Ministry's Policing Standards Manual.

All guidelines have been developed under the mandate of a committee made up of representatives from the Association of Municipalities of Ontario, Ontario Association of Chiefs of Police, Ontario Association of Police Services Boards, Police Association of Ontario, Ontario Senior Officers' Police Association, Ontario Provincial Police, Ontario Provincial Police Association, Toronto Police Services Board, Toronto Police Service, Toronto Police Association and the Ministry.

The guidelines contained in the Policing Standards Manual are one of the mechanisms used by the Ministry to meet the statutory requirements set out in section 3 of the PSA. The guidelines are also one of the primary tools to assist boards, chiefs, local police associations and municipalities with their understanding and implementation of the PSA and its regulations.

In particular, the guidelines:

- set out the Ministry's position in relation to policy matters;
- provide information and advice respecting the management and operation of police forces;
- provide recommendations for local policies, procedures and programs;
- promote coordination in the delivery of police services;
- promote the delivery of community-oriented police services; and,
- promote professional police practices, standards and training.

Ministry guidelines are advisory in nature. Boards and chiefs may also consider comparable equivalents when addressing compliance with the PSA and its regulations. No recommendations will be made if the Ministry is satisfied that the equivalent procedure meets the requirements as set out in the guidelines.

Inspection Process

The 2012-2017 inspection cycle identifies four areas of critical provincial interest which support police service in maintaining service excellence and promoting relationships with the Ministry's policing partners.

Inspections determine the extent to which the Board and Chief of Police have incorporated the Ministry's guidelines into their policies and procedures. Actual practices are examined to determine conformity with the Board's policies and the procedures established by the Chief of Police.

The Inspection Team reviews relevant policies and procedures before meeting with the Board, the Chief of Police and the Association(s) to provide an overview of the process.

Once on-site, police service records and operational practices are reviewed and staff interviewed. Findings are based upon compliance with legislation and regulations, consistency with Ministry guidelines and the effectiveness of organizational processes. Regular updates are provided to the Chief of Police and senior command staff. At the conclusion of the on-site phase, a verbal debriefing of the preliminary findings is provided to the Board and the Chief of Police.

Recommendations, based on the findings of the inspection, are set out in a final report, which is then provided to the Board, Chief of Police, and Police Association(s).

The Ministry considers the Inspection Report to be a confidential document and limits distribution as noted above. However, disclosure of this report is subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Response to Inspection Recommendations

The Board and the Chief of Police are requested to provide the Ministry with a coordinated response within 90 days of receipt of the Inspection Report. The response to the recommendations may be captured in the Service Improvement Plan (SIP) template provided by the Ministry.

The Inspection Team Lead and/or your Police Services Advisor are available to meet with the Board and the Chief of Police to discuss the findings and recommendations, and to assist with the development of the SIP.

AREAS OF INSPECTION

Peterborough Lakefield Community Police Service

The inspection of the Peterborough Lakefield Community Police Service (PLCPS) commenced on December 9, 2013. Police Services Advisors Jeeti Sahota and Duane Sprague were assigned to conduct this inspection. The primary Service contact to assist with this inspection was Staff Sergeant Neil Collins.

The 2012-2017 inspection cycle includes the following areas:

- Bail and violent crime;
- Police response to high risk individuals;
- Preliminary perimeter control and containment; and
- Missing persons.

The accuracy of the information in the draft Inspection Report is subject to a factual review by the Service prior to the dissemination of the final report. In the event the Service has acted upon any of the recommendations prior to the release of the final report, the recommendations will be reflected in the final report and outlined in the SIP for final verification by the Ministry.

Police Service Profile

Police Services Board:	Mrs. Mary Smith, Chair
Chief of Police:	Chief Murray Rodd
Police Officers:	129
Civilian (including Special Constables):	47
Total Staff:	184 (includes eight part-time)

Region Profile

Population:	135,000
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Bail and Violent Crime

Police Services Board - Policy

Sections 29 and 13(1)(k) of the Adequacy and Effectiveness of Police Services Regulation require a police services board to have a policy on bail and violent crime. Ministry Guideline LE-023 includes a recommended sample board policy.

Findings

The Peterborough Lakefield Community Police Services Board (PLCPSB) has a policy on bail and violent crime, policy number LE-026 (effective March 16, 2006, revised June 9, 2009), which is consistent with the Ministry's sample board policy.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations

Chief of Police - Procedures

Section 13(1)(k) of the Adequacy and Effectiveness of Police Services Regulation requires a chief of police to establish procedures and processes with respect to bail and violent crime. Ministry Guideline LE-023 sets out relevant recommendations.

Findings

The Chief of Police has established procedures on bail and violent crime, General Order LE-023, Bail and Violent Crime (effective November 22, 2000, revised December 10, 2013), as required by the Regulation.

The Chief's procedures were reviewed and found to be consistent with Ministry Guideline LE-023.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations

Police Response to High Risk Individuals

Police Services Board - Policy

The Ministry's guideline on the Police Response to High Risk Individuals (LE-047) provides assistance to police services in managing the risk to public safety by individuals who pose a high risk of harm to other persons or property. A partnership approach with the Crown, federal and provincial Corrections, health care providers, municipal officials and victim services is recommended. Areas addressed include bail opposition, dangerous and long-term offender applications, judicial restraint orders, victim assistance, and information disclosure for the purposes of community notification and safety planning. Guideline LE-047 includes a recommended sample board policy.

Findings

The PLCPSB has a policy on police response to high risk individuals, policy number LE-047, (effective February 14, 2006, revised September 28, 2009), which is consistent with the Ministry's sample board policy.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations

Chief of Police - Procedures

Ministry Guideline LE-047 includes recommendations on procedures addressing the management of high risk individuals, including disclosures of personal information pursuant to section 41(1.1) of the *Police Services Act*.

Findings

The Chief of Police has established procedures on police response to high risk individuals, General Order LE-047 (effective May 19, 2005, revised September 21, 2009).

The Chief's procedures were reviewed and found to be consistent with Ministry Guideline LE-047.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations.

Preliminary Perimeter Control and Containment

Police Services Board - Policy

Sections 29 and 22 of the Adequacy and Effectiveness of Police Services Regulation require a police services board to establish a policy with respect to the provision of preliminary perimeter control and containment functions prior to the deployment of a tactical unit. The board policy must address general procedures on preliminary perimeter control and containment, the option to establish a containment team and the requirement for containment team procedures if established. In addition, policy must prohibit police officers who are not members of a tactical unit from employing offensive tactics unless the conditions of section 22(3) are met.

If a board decides that the police service will include a containment team, section 29 further requires the board to have a policy addressing:

- the section 24(2) requirement for the chief of police to ensure that every team member is a police officer and has successfully completed Ministry accredited training or has equivalent Ministry approved qualifications and skills;
- the section 25(2) requirement for the chief of police to establish procedures for the team that, at minimum, set out the circumstances in which the team will be deployed, and;
- the section 25(3) requirement for the chief of police to ensure that team procedures are contained in a manual that is available to each team member.

Ministry Guideline ER-001 includes a recommended sample board policy.

Findings

The PLCPSB has a policy on preliminary perimeter control and containment, policy number ER-001 (effective March 16, 2006, revised November 24, 2010), which is consistent with the Ministry's sample board policy.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations

Chief of Police - Procedures

Section 22(1) of the Adequacy and Effectiveness of Police Services Regulation requires a chief of police to establish procedures on preliminary perimeter control and containment functions performed prior to the deployment of a tactical unit.

If the police service includes a containment team using police officers, the Regulation requires the chief of police to:

- develop procedures for the team pursuant to section 22(2);
- establish procedures that set out the circumstances in which the team will be deployed pursuant to section 25(2)(a);
- include procedures for the team in a manual available to each team member pursuant to section 25(3);
- ensure that every team member is a police officer and has successfully completed Ministry accredited training or has equivalent Ministry approved qualifications and skills.

Section 22(3) of the Regulation prohibits police officers who are not members of a tactical unit from employing offensive tactics unless the police officers believe, on reasonable grounds, that to do so is necessary to protect against the loss of life or serious bodily harm.

Ministry Guideline ER-001 sets out relevant recommendations.

Findings

The Chief of Police has established procedures on preliminary perimeter control and containment, General Order ER-001 (effective May 15, 2002, revised February 15, 2011), as required by the Regulation.

The Chief of Police also has related procedures:

- Hostage Rescue – General Order ER-003 (effective December 14, 2000, amended – February 25, 2005 and reviewed September 24, 2009);
- Major Incident Command – General Order ER-004 (effective December 14, 2000, amended February 25, 2005, reviewed September 24, 2009);
- Crisis Negotiation – General Order ER-005 (effective April 19, 2000, amended September 24, 2009); and,
- Emergency Planning – Major Incident Planning – General Order ER-008 (effective March 12, 2002, amended December 30, 2008, reviewed September 25, 2009).

The Chief's procedures were reviewed and found to be consistent with Ministry Guideline ER-001.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations

Police Service - Practices

Findings

The PLCPS has established a Preliminary Perimeter Control and Containment Team using its own members known as the Peterborough Lakefield Community Police Service Emergency Response Team (ERT). The ERT is comprised of 10 constables and one sergeant for a total of 11 members. Two team members are deployed on each platoon to maximize the immediate availability of highly trained resources.

The PLCPS has entered into a Memorandum of Understanding with the Durham Regional Police Service and with the Ontario Provincial Police to supply the services of a tactical unit and a major incident commander, as required by the Adequacy and Effectiveness of Police Services Regulation.

The deployment of the ERT is considered for all major incidents as defined by procedure, and, in addition, may be deployed for missing/lost persons, search warrants or other tasks as indicated in the ERT mandate. Containment is initially provided by the PLCPS patrol officers until relieved by the ERT, which continue the containment function until the incident is resolved or requires deployment of a tactical and rescue unit. The patrol sergeant has the initial operational control of any major incident. The operational control is relinquished to the incident commander, or if the incident commander is not available, to the ERT supervisor.

The primary duty of the ERT at any major incident is to secure a perimeter around the incident scene in order to limit the danger to the public, police and any suspect or accused. By procedure, members of the PLCPS, including the ERT members deployed in a containment function, shall not employ offensive tactics unless, on reasonable grounds, it is necessary to protect against the loss of life or serious bodily harm.

A review was conducted of documented ERT events for 2012 and 2013 in which preliminary perimeter control and containment was deployed. Of the 54 events, ten involved preliminary perimeter control and containment. These were resolved by the ERT members after being called out for full containment function. The remaining calls involved execution of search warrants, searches for missing/lost persons and other events as outlined in the ERT mandate. Through interviews, it was determined that not all events involving the call-out of the ERT are debriefed and the process documented upon completion of an event.

The Adequacy and Effectiveness of Police Services Regulation requires the chief of police to ensure that every containment team member has successfully completed Ministry-accredited training or has equivalent Ministry-approved qualifications and skills. The PLCPS training records were reviewed to verify that the current ERT members have the required training.

The Inspection Team found records indicating compliance for all members of the ERT. Ministry guideline ER-001, section 3 indicates that where a police service has established its own containment team, or has officers participate in a joint containment team, the chief of police should ensure that the police service's skills development and learning plan includes the following:

- at least two days of maintenance training occurring on average every six months;
- annual participation, wherever possible, in a joint training exercise involving crisis negotiators, major incident commanders, public order units, tactical units, other police personnel and outside emergency services deemed appropriate or subject of service delivery agreements; and
- annual re-qualification to a task-specific fitness standard.

A review of training records demonstrated a commitment to on-going containment maintenance training. The PLCPS assigns each team member to at least 12 10 hour days per year. When reviewed, the PLCPS skills development and learning plan was found to address the skills maintenance as recommended by the Ministry's guideline. All required training records were readily available for review in electronic format and hard copy.

Ministry guideline ER-001, section 2, and Board Policy require the chief of police to develop and maintain a manual on containment team services and make it available to members of the team. The PLCPS ERT manual was reviewed and found to address general procedures for containment, along with the team's mandate, function, reporting relationships, communications, operational linkages between the team and other emergency people, and various procedures specific to the members of that containment team.

The manual is in a hard copy binder located in the office of the ERT, and is also available in electronic format on the ERT computer, which is available to all its members.

Ministry guideline ER-001, section 4, sets out the required equipment and facilities for a containment team. The Inspection Team found that all requirements under section 4 of the guideline were met and all equipment appeared to be in good working order. The PLCPS ERT have access to a vehicle to carry supplemental equipment as well as the team members and they also have a mobile command post vehicle for major ERT events.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

1. The Chief of Police consider a routing process for the ERT's debriefing form, to ensure the debriefing process has been completed, reviewed and properly filed for reference (Ref: good practice).

Missing Persons

Police Services Board - Policy

Sections 29 and 12(1)(l) of the Adequacy and Effectiveness of Police Services Regulation require a police services board to have a policy on investigations into missing persons. Ministry Guideline LE-026 includes a recommended sample board policy.

Findings

The PLCPSB Police Services Board has a policy on investigations into missing persons, policy number LE-026 (effective May 11, 2000, revised May 11, 2010), which is consistent with the Ministry's sample board policy.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations

Chief of Police - Procedures

Section 12(1)(l) of the Adequacy and Effectiveness of Police Services Regulation requires a chief of police to develop and maintain procedures and processes for undertaking and managing investigations into missing persons. Ministry Guideline LE-026 sets out relevant recommendations.

Findings

The Chief of Police has established procedures on investigations into missing persons, General Order LE - 026 (effective October 10, 2000, revised April 1, 2010) as required by the Regulation.

The Chief also has related procedures:

- Parental and Non-Parental Abduction (LE – 040)
- Criminal Investigation and Major Case Management (LE – 006)
- Collection, Preservation and Control of Evidence and Property (LE – 020)
- Ground Search for Lost or Missing Person (ER – 007)

The Chief's procedures were reviewed and found to be consistent with Ministry Guideline LE-026.

Recommendations

Legislative and/or Regulatory:

No recommendations

Advisory/Good Practice:

No recommendations.

Police Service - Practices

Findings

Reports of persons missing from their usual places of residence generally come to the attention of the PLCPS through walk-in reporting or telephone calls. All missing persons reports are investigated in accordance with the service's Criminal Investigation Management Plan. Any searches conducted for missing persons are supervised by a trained Search Coordinator and undertaken in accordance with General Order ER – 007, Ground Search for Lost Persons.

The PLCPS's missing persons procedure outlines steps to be followed, including the requirement that a full report be taken and an investigation be undertaken to establish the missing person's identity, physical description, mental condition and all circumstances surrounding the disappearance. A Missing Persons Report and Supplementary Missing Persons Report are to be completed as well.

The procedure also states that upon the Supervisor being notified of a missing person, the Supervisor shall assess the situation and assign additional resources to assist the initial investigation, and, where a degree of urgency exists, shall ensure that appropriate resources are immediately deployed to attempt to locate the missing person and take control of the search efforts until relieved by Search Coordinator. The Supervisor is also responsible for notifying the Duty Officer and providing status updates of the investigation.

In circumstances involving a missing child, the investigating officer must establish whether or not a parental or non-parental abduction has taken place. As the facts become available and the abduction is confirmed, the AMBER Alert activation is considered. When suspicious or unusual circumstances are present, the Officer-in-Charge (OIC) of the Criminal Investigations Unit is notified. The OIC is responsible for ensuring that the investigation is conducted in accordance with the Ontario Major Case Management Manual.

Members of the Service were interviewed and demonstrated knowledge and understanding of the procedures related to undertaking a missing persons investigation. Members were aware of the procedures to activate an AMBER Alert and the requirements of the Service criminal investigation management plan and other related procedures for undertaking missing persons investigations.

The PLCPS records management system indicated a total of 993 occurrences related to missing persons investigations. There were no outstanding investigations during the time period specified. A representative sample of the missing persons investigations was reviewed for compliance with the Chief's procedures. It was found that they were conducted in accordance with the procedures and in a manner consistent with generally accepted police practices

Recommendations**Legislative and/or Regulatory:**

No recommendations

Advisory/Good Practice:

No recommendations