



BY-LAW NO. 193 - 2000

**A BY-LAW RESPECTING
COMMUNITY PATROL
(LE-001)**

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 4(2) of O. Reg. 3/99 prescribes that a police force shall provide Community Patrol consisting of general patrol and Directed patrol;

1.5 AND whereas subsection 4(3) of O. Reg. 3/99 prescribes that a Chief of Police shall establish procedures and processes on Community Patrol which address when and where Directed patrol is considered necessary or appropriate, based on such factors as crime, call and public disorder analysis, criminal intelligence and road safety;

1.6 AND whereas Section 29 of O. Reg. 3/99 requires the police services board to have a policy on community patrol;

1.7 AND whereas the Ministry has published a Policing Standards Manual which provides direction to the Board in respect of certain administrative and personnel issues;

1.8 AND whereas community policing including Community Patrol is of the highest priority to the Regional Municipality of Niagara Police Services Board.

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 "Association" means the Niagara Region Police Association;

2.3 "Board" means the Regional Municipality of Niagara Police Services Board;

- 2.4 “Chief” means the Chief of the Niagara Regional Police Service;
- 2.5 “Community Patrol” means General Patrol and Directed Patrol;
- 2.6 “Cost of Directed Patrol” means those costs associated with the deployment of members on Directed patrol where members are brought in on overtime for deployment;
- 2.7 “Directed Patrol” means those members of the patrol unit deployed in the areas and at the times where it is considered necessary of appropriate based on crime, call and public disorder analysis, criminal intelligence and road safety, but does not include members working on a privately funded project as described in By-law 180-99;
- 2.8 “General Patrol” means those members of the patrol unit responsible for responding to calls for service, follow-up for calls, preventative presence, and community policing;
- 2.9 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General;’
- 2.10 “Member” means a member of the Niagara Regional Police Service;
- 2.11 “Minimum Staffing Numbers” means the number of patrol officers as agreed between the Board and the Association, on the advice of the Chief, who will be on duty at specified times;
- 2.12 “Peak Period” means the hours between 6:00 p.m. and 3:00 a.m.;
- 2.13 “Service” means the Niagara Regional Police Service.

3 DIRECTION TO THE CHIEF

- 3.1 The Chief shall establish a protocol on Community Patrol which shall provide appropriate direction to patrol officers, and which shall include procedure on General Patrol and Directed Patrol as described in 3.2 and 3.3.

3.2 GENERAL PATROL

3.2.1 Peak Periods

The Chief shall ensure that there are sufficient Members on General Patrol to meet or exceed Minimum Staffing Numbers at Peak Periods as agreed between the Board and the Association from time to time.

3.2.2 Non-Peak Periods

The Chief shall ensure that there are sufficient Members on General Patrol to ensure that the duties outlined in the definition of General Patrol are met during non Peak Periods, subject to any agreement in writing with the Association.

3.3 DIRECTED PATROL

- 3.3.1 The Chief shall develop a procedure relating to the deployment of Members on Directed Patrol.

- 3.3.2 The procedure referred to in paragraph 3.3.1 above shall include the protocol to be followed by a Supervisor for approval for the deployment of Members on Directed Patrol.

3.3.3 The Chief shall ensure that the procedure for deployment referred to in paragraph 3.3.1 above for the deployment of Members on Directed Patrol is followed.

3.3.4 The Chief shall ensure written arrangements are in place with other police services to obtain assistance or support in enhancing Directed Patrol in extraordinary circumstances.

4 REPORTING REQUIREMENTS

4.1 Initial Report

4.1.1 Within sixty (60) days of the date of passage of this By-law, the Chief shall report to the Board on the following items:

- i. the number of Members, in accordance with the shift schedule, required in the patrol unit to ensure Peak Period requirements are met, taking into account Members' sick and annual leave;
- ii. the written arrangements that are in place with other police services to obtain assistance or support in enhancing Directed Patrol in extraordinary circumstances;
- iii. the procedure put in place for the deployment of Members on Directed Patrol.

4.2 Annual Report

4.2.1 The Chief shall provide the Board with an annual report for the period July 1 to June 30, on or before August 30th, of every year. This report shall include:

- i. confirmation of compliance with the Directed Patrol procedure;
- ii. the high and low numbers of Members assigned to the patrol unit, with particulars and reasons for any period that the patrol unit numbers were less than those required under Section 3.3.1;
- iii. costs of Directed Patrol; and
- iv. the status of the outcome of the Directed Patrol initiative including the effect of Directed Patrol on crime, calls for service, public disorder analysis and road safety.

4.3 Discretionary Report

4.3.1 In addition to the annual report, the Chief shall report to the Board on any Community Patrol issue as requested by the Board.

5 IMPLEMENTATION

5.1 This By-law shall come into force upon the date of its passage.

5.2 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

(Signed Original on File)

Chairperson

(Signed Original on File)

Vice Chairperson

Legislative/Regulatory Requirements

Section 4(2) of the Adequacy Standards Regulation requires a police service, using its own police officers, to provide community patrol consisting of:

- general patrol; and
- directed patrol in the areas and at the times where it is considered necessary or appropriate.

Section 29 of the regulation requires a police services board to have a policy on community patrol. In addition, section 4(3) requires the Chief of Police to establish procedures and processes relating to community patrol which address when and where directed patrol is considered necessary or appropriate, based on such factors as crime, call and public disorder analysis, criminal intelligence and road safety.

Furthermore, section 4(4) allows a police service to obtain the assistance or support of another police service to enhance its capacity to undertake community patrol under extraordinary circumstances.

Sample Board Policy

Board Policy # _____

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

- a) establish procedures and processes on community patrol, including when directed patrol is considered necessary or appropriate based on such factors as crime, call and public disorder analysis, criminal intelligence and road safety; and
- b) ensure that written arrangements are in place with other police services to obtain their assistance or support in enhancing the community patrol function in extraordinary circumstances.

Police Service Guidelines

- Procedures*
1. Every police service's procedures and processes on community patrol should address:
 - a) general patrol; and
 - b) directed patrol.

2. Every police service's procedures and processes on community patrol should require supervisors to:
 - a) use directed patrol in the areas and at the times where it is necessary or appropriate, based on crime, call, public disorder analysis, criminal intelligence and road safety; and
 - b) ensure that patrol officers are provided with relevant information to undertake the type of directed patrol that they have been assigned.

3. Every police service's procedures should set out the process for obtaining assistance or support from one or more police services to enhance the community patrol function in extraordinary circumstances in accordance with the written arrangements that are in place with those police services.