



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

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PUBLIC AGENDA

Subject: Annual Report – Missing Persons
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-03-01

Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to inform the Niagara Police Services Board that the Service meets the requirements of the Provincial Adequacy Standards Regulations in regards to missing persons and that the Service is in compliance with Police Services Board By-law 386-2020 Missing Persons.
- The Missing Persons Act, 2018, came into effect on July 1, 2019, and Police Services are required to report annually on their use of urgent demands under section 8 of the act and make it available to the public by June 1 of the year it is received.
- This report covers the period of January 1 to December 31, 2020.

Financial Considerations

Not Applicable

Analysis

The Police Services Act, Ontario Regulation 3/99 Adequacy and Effectiveness of Police Service, section 29, requires a Police Services Board to have a policy on missing persons. In addition to the requirements of the Police Services Board, section 12(1)(l) requires the Chief of Police to establish procedures and processes in respect to missing persons.

In order to meet the requirements of Adequacy Standards, the Police Services Board enacted By-Law No. 386-2020 which contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

This report is submitted to the Board pursuant to By-Law No. 386-2020 with subsequent reports annually to continue the reporting process.

By-law No. 386-2020, a By-Law respecting Missing Persons details the requirements of Adequacy Standard LE-026 – Missing Persons, as well as Adequacy Standard ER-007 – Ground Search.

The criteria to be followed when investigating a missing person is specified as follows:

- The Chief shall develop and maintain procedures that set out the steps to be followed for undertaking investigations into reports of missing persons, including situations involving children, teenagers, elder, and vulnerable adults.
- The Chief shall ensure that the procedures referred to above include a mechanism for investigative follow-up on outstanding missing person cases.
- The Chief shall establish procedures and processes to recognize and deal with the circumstances where there is the possibility of foul play and comply with the Ministry's designated Ontario Major Case Management Manual.
- The Chief shall ensure that an AMBER Alert activation is considered in all missing children investigations and Major Case Management is implemented in all cases involving AMBER Alert activation.

The criteria to be followed when conducting a ground search for a missing person/lost person is specified as follows:

- The Chief shall develop procedures on ground search for lost or missing persons.
- The Chief shall promote, through partnerships with other emergency service providers and volunteer groups, the co-ordination of ground search services in the Regional Municipality of Niagara.

General Order 076.12 Missing Person

In order to demonstrate compliance with the legislative/regulatory requirements, operation procedures regarding Missing Persons are found in General Order 076.12 Missing Persons.

General Order 076.12 outlines Service policy in accordance with the requirements of two relevant regulations; LE-026 and ER-007. The order is reviewed bi-annually through the Office of the Deputy Chief of Police, Operational Services. This order establishes rules, procedures, and responsibilities of Service members involved in a missing person investigation according to their assigned areas of responsibility. This includes the establishment of a designated Missing Persons coordinator at the District level.

The General Order breaks down the responsibilities for conducting a missing person investigation, specifically for:

- The initial responding Officer
- The Patrol Supervisor

- The Duty Officer
- The Officer in Charge of the District Detective Office
- The investigative Support Services Inspector
- The Officer in Charge of the Offender Management Unit, and
- The District Missing Persons Coordinator

The General Order mandates the use of a specifically formulated Search Urgency Form that provides members with guidance in determining an appropriate search response in each case. The Search Urgency Form has been incorporated into the Service's Records Management System, Versadex, as an electronic template.

The General Order also mandates the Missing Person Questionnaire to be used for special circumstances involving missing persons who fall into the following specific categories:

- Children under the age of 12
- Any young person whose disappearance demands a certain urgency
- A mentally handicapped person
- An aged or infirmed person
- A person believed to be contemplating suicide
- A victim of foul play
- An Alzheimer's patient

General Order 076.12 addresses the initial investigation, the continuation and conclusion of the investigation, and the notification of complainants, family members, and other agencies. It also addresses the procedures for investigation multi-jurisdictional missing persons, as well as the preparation and distribution of the Missing Person Bulletin.

General Order 177.06 Ground Search

General Order 177.06 Ground Search is used with General Order 076.12 Missing Persons by providing guidelines for expanding a search when the Search Urgency Form has indicated to do so. General Order 177.06 is reviewed by the Officer in Charge of Emergency Services bi-annually.

General Order 177.06 outlines:

- Command Structure
- Communications
- Definitions and uses for the following:
 - Command Post
 - Team Leaders
 - Hasty Teams
 - Urban Search Teams
 - Search Overhead Teams
 - Staging Areas

- Duties of all involved members including:
 - Uniform Patrol Officers
 - Patrol Supervisor
 - Search Manager
 - Search Incident Commander
 - Communications Unit
 - District Detective Office

General Order 177.06 recognizes that ground search incidents require specific training and skills to manage the required resources effectively as well as the participation and cooperation through partnerships with other emergency service providers and trained volunteer groups. It stipulates the extent of duties and responsibilities of agencies, organizations, and groups who provide mutual aid to this Service during a ground search.

Responsibility for the coordination and training between Search managers and assisting agencies, such as Search and Rescue Niagara (SARN) rests with the Inspector in charge of Emergency Services. The Service recognizes its responsibility to the community to have in place a suitable response to missing person situations as outlined in section 29 of the Adequacy Standard. SARN is a community based, non-profit, volunteer organization committed to assisting with lost of missing person incidents.

The Service has entered into a Memorandum of Understanding with SARN which details the responsibilities of SARN and the Service as they pertain to the reporting, response, investigation, training, and command of volunteer members during local searches for missing persons.

All members actively participating in the search for lost or missing persons with SARN are trained in current search and rescue procedures. The Ontario Search and Rescue Volunteer Association basic search and rescue level one is the standard for training.

General Order 202.05 Major Case Management

The Major Case Management General Order addresses the requirement to use the procedures set out in the Ministry's designated Ontario Major Case Management Manual where there is a strong possibility of foul play in relation to a Missing Persons investigation.

The Missing Persons Act, 2018

The Missing Persons Act, 2018 came into effect on July 1, 2019. The Act assists members of a Police Service when responding to missing person occurrences, by providing them with:

- the ability to obtain a court order for a person or entity to produce records that would assist in locating a missing person;

- the ability to obtain a search warrant to allow entry into a premises to locate a missing person; and
- the ability to make an urgent demand for records without judicial authorization.

Under Section 8 of the Act, Police Services are required to report annually on the use of urgent demands for records without judicial authorization by members of the Service. The Act specifies that this annual reporting must be prepared by the Chief of Police, and a copy provided to the Police Services Board by April 1, in a format approved by the Minister.

Number of Urgent Demands

According to Section 5(1) of the Act, an officer may make an urgent demand in writing to a person, requiring them to produce copies of records, if the officer is satisfied that there are reasonable grounds that,

- a) The records are in the custody or under the control of the person;
- b) The records will assist in locating the missing person; and
- c) In the time required to obtain an order in accordance with Section 4,
 - i. The missing person may be seriously harmed, or
 - ii. The records may be destroyed.

Between the dates of January 1, 2020 to December 31, 2020 there were a total of 818 missing person investigations by the Service. There was one urgent demand made that involved the search of the individual's banking records for assistance to locate the individual. This information is outlined in the attached appendix.

The Missing Persons Act specifies that the Police Services Board receive the report and make the report available to the public by posting it on its website by June 1 of the year the report is received. The Police Services Board is also to provide a copy to the Ministry of the Solicitor General, including the contact information of the Chief of Police.

Summary

As noted in General Order 076.12, all incidents of Missing Persons involve structured supervisory oversight. In addition, these occurrences are assigned to the Missing Persons Coordinator in District Detective Offices for review and investigation when required. This oversight, combined with the details auditing of Missing Persons occurrences, ensures that the Service is in compliance with all the requirements of General Orders and established policy.

General Order 076.12 Missing Persons, General Order 177.06 Ground Search and General Order 202.05 Major Case Management are comprehensive policies related to missing persons investigations, and in conjunction with the memorandum of understanding with SARN, are in full compliance with Police Services Board By-Laws and

Provincial Adequacy Standards Guidelines, as well as provisions within the Missing Persons Act, 2018.

Alternatives Reviewed

Not Applicable

Relationship to Police Service/Board Strategic Priorities

This report confirms that the Niagara Regional Police Service is in compliance with Provincial Adequacy Standard Regulations in regards to Missing Persons and Police Services Board By-Law 294-2010 Missing Persons.

Relevant Policy Considerations

General Order 076.12 Missing Persons
General Order 177.06 Ground Search
General Order 202.05 Major Case Management
Police Services By-Law 386-2020 Missing Persons
The Missing Persons Act, 2018 (Ontario Regulation 182/19)
ER-007 Ground Search For Lost or Missing Persons

Other Pertinent Reports

87-2020 Annual Report – Missing Persons – January 1 to December 31, 2019
134-2020 Annual Report – Missing Persons Act
165-2020 Niagara Police Services Board – Board By-law No. 386-2020 – Missing persons

This report was prepared by Shaun Parrent, Staff Sergeant, 8 District, in consultation with Mario Lagrotteria, Inspector, 3 District and reviewed by Marco Giannico, Superintendent, District Operations and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Appendix 1 Form 7: Annual Report Template

In accordance with O.Reg.182/19 under the *Missing Persons Act, 2018* the contents included in this report must be prepared by April 1 of each year, and made publicly available by June 1 of each year.

Data Collection
Period of data collection

 Start Date (yyyy/mm/dd)
 2020/01/01

 End Date (yyyy/mm/dd)
 2020/12/31

 Name of Police Force
 Niagara Regional Police Service

Detachment Location (if applicable)

Unit Number	Street Number	Street Name	PO Box
	5700	Valley Way	

City/Town	Province	Postal Code
Niagara Falls	Ontario	L2E 1X8

Total Number of Urgent Demands made	Number of Missing Persons Investigations in which a demand was made
1	1

Types of records specified in the urgent demands and total number of times that each type of record was included in the urgent demands

Records	Description	Total number of times demanded
Records containing contact information or other identifying information		0
Photos, videos, or other records containing visual representation		0
Records of telecommunications or records that contain other electronic communications information, including information about signals related to a person's location		0
Records of employment information		0
Records of personal health information within the meaning of the <i>Personal Health Information Protection Act, 2004</i>		0
Records related to services received from a service provider as defined in subsection 2(1) of the <i>Child, Youth and Family Services Act, 2017</i>		0
Records that related to a student of an educational institution		0
Records containing travel and accommodation information		0

Records	Description	Total number of times demanded
Records of financial information	Meridian Credit Union	1
Other records		0