

RESOLUTIONS

APPROVED AT THE CANADIAN ASSOCIATION OF POLICE BOARDS' EIGHTH ANNUAL MEETING

**SUNDAY, JUNE 22, 1997
VICTORIA, BRITISH COLUMBIA**

RESOLUTION 97-1: FOSTERING COMMUNICATION

BE IT RESOLVED THAT, in principle, membership in the CAPB carries with it the obligation to share information about police-related matters, including collective agreements, with other member boards/commissions upon request;

AND BE IT RESOLVED THAT this resolution be referred back to the CAPB Board of Directors for the development of a policy on the types of information to be shared.

RESOLUTION 97-2: SEXUAL EXPLOITATION OF CHILDREN

WHEREAS the Canadian Association of Police Boards continues to be very concerned about the vulnerability of children, especially those preyed upon by adults who sexually abuse them;

WHEREAS the Canadian Association of Police Boards recognizes that the sexual exploitation of children represents a pervasive and predatory criminal activity resulting in the systemic destruction of many young lives and futures; and

WHEREAS the Canadian Association of Police Boards believes that Canadian society often remains unaware of the extent of this very serious public safety issue;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards:

- 1. Communicate to the federal Minister of Justice the critical need for a National Strategy to enhance awareness about the victimization of children who are sexually exploited; and**
- 2. Communicate to the federal government, through the Minister of Justice, the need to allocate the necessary resources, specialized training, technology, and public education initiatives to ensure optimum protection for children.**

RESOLUTION 97-3: CAR-JACKINGS

WHEREAS the Canadian Association of Police Boards believes that it is necessary for the Government of Canada to declare that this crime (car jackings) has been identified as a significant problem and will be dealt with as such;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards recommend to the Minister of Justice that legislation be enacted providing that upon conviction for a robbery involving an occupant of a motor vehicle as a victim, in addition to the sentence imposed, an additional consecutive mandatory minimum period of incarceration will apply.

RESOLUTION 97-4: (this resolution was defeated)

RESOLUTION 97-5: INTERNET VICTIMIZATION

BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Solicitor General and the Justice Minister to develop in collaboration with their Provincial counterparts, the education system and policing community, a national strategy to prevent victimization offenses of children and youth as a result of their access to the Internet;

AND BE IT RESOLVED THAT the Canadian Association of Police Boards encourage police forces to continue to deal with victimization offenses arising from the Internet from a crime prevention perspective and become involved in public education on the problem.

RESOLUTION 97-6: TECHNOLOGICAL CHANGE & POLICING

BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Minister of Justice and Solicitor General to encourage and assist police forces to develop appropriate investigative skills to be able to competently investigate technological crime, such as that which takes place on the Internet, and to establish a method of disseminating and sharing information on technological and Internet-based crime on the national level;

AND BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Minister of Justice and Solicitor General to encourage and support their provincial counterparts to support development, within police agencies, of specialized investigative police units to target technological crimes, by providing financial assistance.

AND BE IT RESOLVED THAT the Canadian Association of Police Boards encourages the Federal Solicitor General to ensure that appropriate prosecution levels are maintained to deal with offenders in technological crimes.

RESOLUTION 97-7: NON-RETURNABLE WARRANTS

WHEREAS police officers are continuing to discover offenders who have outstanding arrest warrants from their jurisdictions;

AND WHEREAS these offenders proceed to other jurisdictions to avoid the warrant and to continue their criminal activity;

AND WHEREAS these offenders continue to offend and thereby subvert justice while exacting both a considerable toll on society and increasing the strain on limited police resources;

THEREFORE BE IT RESOLVED THAT the CAPB urges the Federal Government to accelerate its efforts to develop, in collaboration with Provincial Governments and the policing community, an efficient and effective system that addresses the issue of non-returnable warrants via specific legislation, and that development of legislation take into account such mechanisms as:

- statutory right to arrest when a warrant is in existence
- establishment of a transport centre and system to ensure offenders face trial in the jurisdiction where the offence occurred
- an increased transportation "window" from 6 days to 14 days
- show-cause hearings through video or teleconferencing
- a national cost-sharing arrangement.

RESOLUTION 97-8: JUSTICE REFORM AND DIVERSION

BE IT RESOLVED THAT the Canadian Association of Police Boards request that when the Minister of Justice and the Solicitor General and their provincial counterparts consider the promotion and implementation of diversion as a justice reform measure, they should:

- consult with key stakeholders, including municipal police forces, and explore more fully diversion application and potential success for small towns versus large urban cities
 - assess the impact on real and perceived public safety and carefully identify types of crimes which could be considered for diversion
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- take into account the real costs of delivering diversion in terms of police administration and personnel costs
- the need for specialized training for police officers to participate in diversion programs
- prevent downloading of costs to municipal police forces for the delivery of diversion.

RESOLUTION 97-9: OUTLAW MOTORCYCLE GANGS

BE IT RESOLVED THAT the Canadian Association of Police Boards endorse the nationwide initiative of the Canadian Association of Chiefs of Police and the Criminal Intelligence Service of Canada to curtail the illegal activities of outlaw motorcycle gangs and overall organized crime;

AND BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Federal Justice Minister and Solicitor General to take all possible legislative measures to combat organized crime.

RESOLUTION 97-10: PROVISION OF SUFFICIENT FINANCIAL RESOURCES FOR
POLICING

BE IT RESOLVED THAT the Canadian Association of Police Boards strongly opposes downloading and reductions of funding that could jeopardize effective policing in Canada;

AND BE IT RESOLVED that individual police service boards urge their municipal governments, despite downloading and reductions of funding from senior levels of government, to continue to provide sufficient resources for police services so that police departments can fulfill their mandate to protect public safety.

RESOLUTION 97-11: RESOLUTION ON PROSTITUTION

WHEREAS an offence in relation to prostitution as defined by section 213 of the Criminal Code is an offence punishable by summary conviction;

AND WHEREAS the general penalty for an offence punishable by summary conviction is, by section 787 of the Criminal Code, a fine of not more than two thousand dollars or to imprisonment for six months or to both, except where otherwise provided by law;

AND WHEREAS the Courts pursuant to the present provision of the Criminal Code frequently impose insignificant fines, such that the amount is no more than a licensing fee which implicitly encourages prostitution activity;

AND WHEREAS the Results of the National Consultation on Prostitution in Selected Jurisdictions (Interim Report) of the Federal-Provincial-Territorial Working group on Prostitution indicate:

- the location of prostitution appears to influence in part the types of problems seen in the sex trade, such as the harmful effects of street prostitution on residential areas and the violence against prostitutes from customers;
- communities are alarmed at the growing numbers of young people involved in prostitution;
- most adult prostitutes state they entered prostitution as youths;
- an increasing number of pimps are procuring youth to work for them;
- as prosecutions against pimps increase, pimps increasingly use violence as a tactic to prevent prostitutes from testifying against them;

AND WHEREAS the current provisions of the Criminal Code do not allow police to use adult decoys to obtain evidence that an adult attempted to procure a youth;

AND WHEREAS the current Criminal Code provisions governing prostitution do not allow the finger printing and photographing of offenders and hence a reliable means of identifying, tracking and prosecuting repeat offenders;

THEREFORE BE IT RESOLVED THAT the Federal and Provincial Ministers of Justice and Attorney General be requested to collaborate and develop a joint program and law amendments to address the problems of youth and prostitution by addressing the use of children in the sex trade as a Child Welfare issue;

AND BE IT RESOLVED THAT the following proposed amendments be forwarded to the Federal Minister of Justice:

- Section 212(4) of the Criminal Code be amended to say, "Every person who, in any place, obtains or in any manner communicates with any person for the purpose of obtaining, for consideration, the
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sexual services of a person under the age of 18 years..." and that Section 212(5) be repealed as a result.

- Section 213 of the Criminal Code be amended to make the offence in relation to prostitution a hybrid or dual procedure offence;

AND BE IT RESOLVED THAT the Minister of Justice and Attorney General be requested to consider prescribing a minimum fine in relation to an offence contrary to section 213 of the Criminal Code.

RESOLUTION 97-12: USE OF KNIVES - CRIMINAL ACTIVITY

BE IT RESOLVED THAT the Canadian Association of Police Boards recommend to the Minister of Justice that legislation be enacted providing minimum mandatory consecutive penalty (four years) for the use of a knife during the commission of an indictable offence.

RESOLUTION 97-13: REPEAL OF SECTION 745 (FAINT HOPE CLAUSE)

BE IT RESOLVED THAT:

1. The Criminal Code be amended so as to allow a discretionary capital penalty for those persons convicted of first degree murder as currently defined;
2. All other persons convicted of first degree murder but not sentenced to capital punishment be imprisoned for life with no chance of parole or conditional release in any form (except for emergency medical treatment), until the expiration of twenty-five years;
3. Section 745 of the Criminal Code be repealed;
4. Section 746 of the Criminal Code be repealed;
5. The Criminal Code be amended so as to require consecutive parole eligibility periods for multiple convictions or for offences while on conditional release from a life sentence.

RESOLUTION 97-14: SUPREME COURT RULING ON POWERS OF ARREST

BE IT RESOLVED THAT the CAPB Board of Directors discuss the serious implications on the effective performance of policing caused by the Supreme

Court of Canada ruling requiring police to obtain a judge's warrant before forcibly entering a home to make an arrest;

AND BE IT RESOLVED THAT the CAPB Board of Directors pursue its concerns about this Supreme Court decision at its next meeting with the Minister of Justice.

**RESOLUTION 97-15: PARDONS FOR OFFENSES INVOLVING CHILD ABUSE OR
EXPLOITATION**

WHEREAS, there is increasing and ongoing evidence of abuse of children;

WHEREAS it is critical that all Canadians be assured that anyone acting as a caregiver for children have no record of any earlier mistreatment of children;

WHEREAS the current system of granting pardons under the Criminal Records Act means that all criminal records could be expunged three years after a summary conviction and five years after conviction for an indictable offense;

THEREFORE BE IT RESOLVED THAT the CAPB call on the Solicitor General of Canada to amend the Criminal Records Act so that pardons can never be granted for offenses involving child molestation, child pornography, child prostitution or any other form of child abuse or child sexual exploitation;

AND FURTHER BE IT RESOLVED THAT each delegate at the CAPB Annual Meeting call on his or her member Board to write to the Solicitor General of Canada to support this resolution.
