

## **RESOLUTIONS**

APPROVED AT THE 1999 CANADIAN ASSOCIATION OF POLICE BOARDS'  
ANNUAL MEETING, NIAGARA FALLS, 21 AUGUST 1999

*(Preambles to resolutions have been omitted unless considered critical to  
an understanding of the issue)*

### **RESOLUTION 99-1: REVOCATION OF PARDONS FOR NEW OFFENCES**

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards continue its efforts to protect children and urge the Solicitor General to amend Bill C-69 to include the following provisions:

- a) A new conviction should automatically revoke a person's Pardon;
- b) Failing (a) above, allow someone other than the Parole Board to have the discretion to revoke a Pardon;
- c) If someone is charged with an offence, the information relating to a Pardon should be made available to the police or Crown prior to a conviction so that the previous record can be used for sentencing purposes;
- d) That the Parole Board maintain records of the number of persons who re-offend and for whom they do not revoke the Pardon, and that these statistics be made available to the public.

### **RESOLUTION 99-2: NATIONAL SEX OFFENDER REGISTRY**

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards endorse the Ontario Provincial Sex Offender Registry and strongly urge the Federal Government to establish a National Sex Offender Registry.

### **RESOLUTION 99-3: FRAUD CRIMES**

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

- a) Review existing statutes on how victimization of the elderly is addressed and consider inclusion of higher penalties for crimes against the elderly, and review the policy whereby a public trustee can be appointed to prevent crimes against the elderly;
- b) To address telemarketing and Internet crimes by developing and amending laws to improve enforcement, seize and search powers and jurisdictional issues, including the development of laws to address specific technological crimes, rather than trying to make it "fit" within the general fraud umbrella;
- c) Revenue Canada to institute a stringent monitoring program of recipients of Charitable Tax Numbers to reduce the existence of non-legitimate and non-credible organizations; and
- d) To revise federal statutes to control Pyramid Schemes and make them "stand alone".

**RESOLUTION 99-4: CRIME STATISTICS**

WHEREAS most police agencies capture only the primary cause of the incident (i.e. robbery) for Statistics Canada purposes and this method does not correspond to community based policing where police agencies are trying to deal with the root causes of criminal activities (i.e. a robbery committed by someone addicted to drugs or who may have a gambling debt, and there may be insufficient treatment services in place to deal with the addictions);

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge police agencies to work with the federal government to develop a more detailed manner of capturing criminal activities statistically and ensure that adequate funding is available so police agencies have dedicated analysts to handle the information, predict trends, and provide police managers with a clearer understanding of what is occurring and how best to deploy their limited resources for maximum effect.

**RESOLUTION 99-5: INTEGRATED BALLISTICS IDENTIFICATION SYSTEM**

WHEREAS the Integrated Ballistics Identification System (IBIS) was developed in Montreal and is considered superior to other ballistic database comparison systems, and is now used by the Montreal Provincial Police Lab and by a number of agencies worldwide, including the US Bureau of Alcohol, Tobacco and Firearms and the NYPD; and

WHEREAS the RCMP are also considering use of the IBIS;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the Solicitor General to examine with police agencies (municipal, provincial and federal) the feasibility and cost effectiveness of developing a national network of the Integrated Ballistics Identification System (including linkage to the US) so that there is an automated check of unsolved shooting cases.

**RESOLUTION 99-6: CHILD PORNOGRAPHY ON THE INTERNET**

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards advocate for strong legislative action by the Solicitor General and Minister of Justice in the following areas:

1. That Internet Service Providers, or anyone else, who become aware of someone involved in sexually exploiting children, either through child pornography or sexual abuse, be required to report this to local authorities.
2. There should be a criminal code offence for anyone transmitting child pornography or related text material and encrypting the message.

3. There should be specific legislation that would make it an offence for anyone to use false identification for illegal purposes on the Internet and for rental of postal boxes (similar legislation to that in the US).
4. There is a need for legislation to ensure Internet Service Providers or persons who run Bulletin Board Systems restrict children from gaining access to pornographic adult material.
5. The legislations dealing with interfering with a child should be amended to include the use of computers in this type of offence.
6. There should be legislation regarding stalking over the Internet as well as wording changes in legislation related to luring children on the Internet.
7. Aside from the proceed provisions in the Criminal Code (eg., Bill C-61 and Bill C-95), Bill C-17 amendments allow for forfeiture of devices utilized in the commission of Substantive offences of credit card fraud/forgery and illegally accessing computer services. There should be similar provisions applied to computers or other devices utilized to produce/distribute pornography. This could include the seizure of vehicles, video equipment, cameras etc., or any other devices used to distribute or produce child pornography.

**RESOLUTION 99-7: NATIONAL STRATEGY TO COMBAT CHILD PORNOGRAPHY**

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the federal government to ensure adequate funding to CISC to co-ordinate the National Strategy on Child Pornography, and to the Royal Canadian Mounted Police to establish a Unit to work in conjunction with other police services and the co-ordinating agency to investigate child pornography;

AND FURTHER BE IT RESOLVED that the Canadian Association of Police Boards urge the appropriate federal authorities to take a leadership role in establishing the necessary legislative, regulatory and funding components to create a national and international strategy in combatting child pornography.

**RESOLUTION 99-8: IMMIGRATION POLICY CHANGES TO CONTROL AND REDUCE CRIMINAL ACTIVITY BY UNDESIREABLE IMMIGRANTS**

*WITHDRAWN*

**RESOLUTION 99-9: SUBSTANCE ABUSE AND CRIME**

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

- 1.1 Endorses a partnership that includes law enforcement, social and health agencies, understanding that substance abuse can not be overcome with reliance upon one agency alone;
- 1.2 Believes a continuum of prevention measures, treatment programs, social services, primary education and the enforcement of laws through the criminal justice system is inclusive of this partnership;
- 1.3 Endorses the exploration of alternative programs, such as "Drug Court", for substance abusers which will examine all possible alternative measures;
- 2.1 Recognizes the importance of education to prevent drug abuse and is committed to reducing demand by collaborating on educational efforts in schools and the community;
- 2.2 Supports holistic and medically proven health approaches that assist in the continuum of care provided to a substance abuser;
- 2.3 Acknowledges the urgent need to address the lack of adequate detox and treatment services and urges all levels of government to expeditiously provide and maintain effective and sufficient treatment centres;
- 2.4 Acknowledges that substance abuse services should be readily available;
- 3.1 Endorses enforcement activities to reduce the supply of and demand for illegal drugs;
- 3.2 Supports the aggressive prosecution of drug traffickers and violent crime associated with a drug offense;
- 3.3 Supports stronger and more deterrent orientated sentencing for those trafficking in drugs, especially those trafficking to youth;
- 3.4 Urges the Minister of Justice and the Solicitor General of Canada to examine the merits of mandatory minimum sentences, without parole for people importing, exporting, or trafficking in large quantities of narcotic substances;
- 3.5 Urges the Federal Government to actively review the immigration status of non-citizen residents trafficking in drugs;
- 3.6 Recognizes that Canada is a member of the United Nations and bound by international laws, set under various international agreements and conventions.

#### **RESOLUTION 99-10: SUPPORT FOR CANADA CRIME STOPPERS**

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards express its support for the Canadian Crime Stoppers Association to the Solicitor General of Canada and urge core funding support from the federal government.

#### **RESOLUTION 99-11: PROTECTION FOR POLICE OFFICERS**

WHEREAS on April 22, 1999 the Supreme Court of Canada, in the decision of *R. v. Campbell and Shirose*, ruled that the principle of Crown Immunity does not cover the actions of a police officer who violates a statute, notwithstanding that those actions were taken to further a bona fide criminal investigation;

WHEREAS the Supreme Court of Canada ruled that only Parliament can create exemptions from an offence provision of a statute for a police officer conducting a criminal investigation;

WHEREAS Parliament has previously created exemptions from the offence provisions of certain statutes for a police officer engaged in law enforcement, principally within the enforcement of the *Controlled Drugs and Substances Act* and proceeds of crime offences; and

WHEREAS a broader base of exemptions for police officers involved in criminal investigations is required in order to ensure effective enforcement and to suitably protect officers from liability;

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards express its support to the Solicitor General of Canada and the Minister of Justice for the development of a statutory exemption regime which would permit effective enforcement and afford sufficient protection from liability for police officers engaged in all types of criminal investigations.

**RESOLUTION 99-12 - FUNDING FOR PHASE II  
OF THE INTEGRATED JUSTICE INFORMATION SYSTEM**

THEREFORE BE IT RESOLVED THAT the Canadian Association of Police Boards urge the federal government to provide the funding for Phase II of the Integrated Justice Information initiative;

AND FURTHER BE IT RESOLVED THAT the CAPB urge all its members, and other police boards and agencies, to support an integrated approach to the sharing of information held in the records management systems of police services;

AND FURTHER BE IT RESOLVED THAT the CAPB endorse a full partnership strategy that recognizes the value of creating a system and a philosophy to create a climate that facilitates the free flow of police-held information on an as-needed and required basis.