



BY-LAW NO. 481-2024

**A BY-LAW RESPECTING
INVESTIGATIONS INTO HOMICIDES**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS subsection 1 (1) of the CSPA provides, inter alia, that policing shall be provided throughout Ontario in accordance with the principle of the need to ensure the safety and security of all persons and property in Ontario, including on First Nations reserves;
- 1.4 AND WHEREAS O. Reg. 392/23: Adequacy and Effective Policing (General) prescribes standards for adequacy and effectiveness of police services;
- 1.5 AND WHEREAS the Board has deemed it appropriate and consistent with the principles set out in Section 1 of the CSPA, with its objectives and priorities determined pursuant to Sections 37 and 38 of the CSPA to require the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into homicides and attempted homicides;
- 1.6 AND WHEREAS O. Reg. 394/23: Major Case Management and Approved Software Requirements prescribes requirements for investigation of Major Cases, including homicides;
- 1.7 AND WHEREAS the Board has deemed it appropriate to require the Chief of Police to develop and maintain procedures and processes for undertaking and managing investigations into homicide and attempted homicide occurrences;
- 1.8 AND WHEREAS the Ministry has published a Policing Standards Manual (2000) which provides direction to the Board and Service in respect of certain general operational issues, including policy directions with respect to the investigation of certain criminal offences;
- 1.9 AND WHEREAS Part LE-039 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Board, the Chief and members relative to the investigation of homicides.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 “Act” or “CSPA” means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 “Board” means the Regional Municipality of Niagara Police Service Board;
- 2.3 “Chief” means the Chief of the Niagara Regional Police Service;
- 2.4 “Manual” means the Policing Standards Manual published by the Ministry of the Solicitor General;
- 2.5 “Member” means a member of the Niagara Regional Police Service;
- 2.6 “Ministry” means the Ministry of the Solicitor General; and
- 2.7 “Service” means the Niagara Regional Police Service.

3 BOARD POLICY

- 3.1 The Board recognizes that matters of homicide are serious in nature, and it is therefore the policy of this Board that investigations into such matters be conducted professionally and thoroughly, and in accordance with procedures established by the Chief as directed in this By-law.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief shall develop and maintain procedures for undertaking and managing investigations into homicides and attempted homicides that are in compliance with the Ministry’s designated Ontario Major Case Management Manual, O. Reg. 394/23: Major Case Management and Approved Software Requirements, the reporting requirements of Section 18 of O. Reg. 395/23: Investigations, and Appendix A.

4.2 TRAINING

- 4.2.1 The Chief shall ensure that Members investigating homicides or attempted homicides have the requisite knowledge, skills and abilities.

5 REPORT TO THE BOARD

- 5.1 The Chief shall make a written report to the Board in each year. The report shall include:
- (a) a summary of the written procedures concerning homicide and attempted homicide investigations;
 - (b) confirmation that the procedures are in compliance with the Ministry’s designated Ontario Major Case Management Manual and O. Reg. 394/23: Major Case Management and Approved Software Requirements;

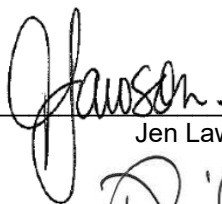
- (c) the status of Service compliance with the procedures; and
- (d) a summary of training given to Members regarding homicide and attempted homicide investigations.

6. IMPLEMENTATION


- 6.1 By-law No. 231-2000 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed effective March 31, 2024.
- 6.2 This By-law shall come into force on April 1, 2024.
- 6.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 25th day of April, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director

Attachment (1)

Legislative/Regulatory Requirements

Section 29 of the Adequacy Standards Regulation requires a police services board to have a policy on investigations into homicides and attempted homicides.

In addition section 12(1)(i) requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into homicides and attempted homicides.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to investigations into homicides and attempted homicides that the Chief of Police will develop and maintain procedures that require compliance by officers with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*.

Police Service Guidelines

- Procedures*
1. Every police service's procedures on the investigation of homicides and attempted homicides should:
 - a) require compliance by officers with the procedures set out in the Ministry's designated *Ontario Major Case Management Manual*;
 - b) outline the responsibilities of a first officer(s) responding to a scene of a homicide, including:
 - i) approaching and immediately securing the scene, taking care not to contaminate or destroy potential evidence;
 - ii) arrests of suspects;
 - iii) recording the details of the scene and identification of all persons present;
 - iv) preserving the integrity of evidence of witnesses by ensuring that they don't discuss their observations with each other;
 - v) observations of persons leaving the scene;
 - vi) preserving short-lived evidence;
 - vii) notification of supervisory and other appropriate personnel; and
 - viii) responding to initial media inquiries at the scene;
 - c) outline the responsibilities of the supervisor dispatched to the scene of a homicide;
 - d) ensure the adequate assignment of human and physical resources; and
 - e) require the issuance and dissemination of appropriate CPIC alerts.

