Agenda - Council - June 18, 2008

Report - Standing Policy Committee on Protection and Community Services - May 23, 2008

Item No. 1 Consequences of "Catch and Release" Policies
File GF-2

STANDING COMMITTEE RECOMMENDATION:

On June 11, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submits the following to Council:

1. That in the interest of public safety, and in recognition that motor vehicle theft is not solely a property crime but also a significant threat to public safety due to the reckless and dangerous activity associated with vehicle thefts in some jurisdictions:

    A. That the City of Winnipeg contact the provincial Minister of Justice and Attorney General to continue efforts to ensure that the theft of motor vehicles becomes a separate, designated violent offence under the Criminal Code, to ensure meaningful consequences for the commission of crime; and

    B. That the City of Winnipeg and the provincial Minister of Justice and Attorney General encourage the federal government to review the Youth Criminal Justice Act and its bail provisions as they relate specifically to violent crimes being committed by young offenders.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda - Council - June 18, 2008

Report - Standing Policy Committee on Protection and Community Services - May 23, 2008

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 11, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 23, 2008, the Standing Policy Committee on Protection and Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

On April 7, 2008, the Standing Policy Committee on Protection and Community Services passed the following motion:

WHEREAS crime reduction is a top priority for City Council and the citizens of Winnipeg;

AND WHEREAS the Winnipeg Police Service works hard to arrest criminals who are then often back on the streets within hours or days of their arrest, committing more crimes;

AND WHEREAS the federal and provincial governments have a crucial role to play in eliminating the perpetuation of the current “catch and release” criminal justice system;

AND WHEREAS the federal government has taken steps to combat serious crime by introducing legislation (The Tackling Violent Crimes Act) that would amend the Criminal Code to include mandatory jail time for serious gun crimes, tougher bail rules when a gun is used to commit a crime, and tougher sentencing consequences for high-risk and dangerous offenders, as well as better monitoring post-release to prevent them from re-offending again and again;

AND WHEREAS a Manitoba delegation met with all federal political parties in September, 2007, to request further legislative amendments that would further assist in eliminating the perpetuation of the current “catch and release” criminal justice system, such as elimination of the two for one remand credit and tougher penalties for auto theft;

AND WHEREAS the “catch and release” criminal justice system has significant impacts, both human and financial, on municipal police services;

Report - Standing Policy Committee on Protection and Community Services – May 23, 2008

DECISION MAKING HISTORY: (continued)

STANDING COMMITTEE RECOMMENDATION: (continued)

AND WHEREAS the Big City Mayors' Caucus unanimously passed a motion requesting their respective municipalities to participate in a study to identify the nature, scope and depth of how "catch and release" justice is impacting the human and financial resources of municipal police services and the communities in which they protect and serve;

THEREFORE BE IT RESOLVED THAT the City of Winnipeg Public Service be directed to report back to the Standing Policy Committee in 60 days on the impacts of the current "catch and release" justice system on the human and financial resources of the Winnipeg Police Service including, without limitation:

1. person hours spent arresting and re-arresting persons out on bail or shortened sentences;

2. person hours spent proactively monitoring persons out on bail or shortened sentences;

3. financial resources expended on arresting and re-arresting persons out on bail or shortened sentences;

4. financial resources expended on proactively monitoring persons out on bail or shortened sentences;

5. a brief overview of other programs and services administered by the justice system regarding offenders released on bail, recognizance conditions and community service.

Further on April 7, 2008, the Standing Policy Committee on Protection and Community Services received submissions with respect to Catch and Release from Christine and Sel Burrows.

RE: Consequences of "Catch and Release" Policies

FOR SUBMISSION TO:	**Standing Policy Committee on Protection and Community Services**
ORIGINAL REPORT SIGNED BY:	**Keith McCaskill, Chief of Police**
REPORT DATE:	**May 16, 2008**

RECOMMENDATIONS:

1. In the interest of public safety, and in recognition that motor vehicle theft is not solely a property crime but also a significant threat to public safety due to the reckless and dangerous activity associated with vehicle thefts in some jurisdictions:

- That the City of Winnipeg contact the provincial Minister of Justice and Attorney General to continue efforts to ensure that the theft of motor vehicles becomes a separate, designated violent offence under the Criminal Code, to ensure meaningful consequences for the commission of crime; and

  That the City of Winnipeg and the provincial Minister of Justice and Attorney General encourage the federal government to review the Youth Criminal Justice Act and its bail provisions as they relate specifically to violent crimes being committed by young offenders.

Report Summary

Key Issues:

Impact of "Catch and Release" justice system on the Winnipeg Police Service

- WPS person hours spent on arresting and re-arresting offenders out on bail or on conditional sentences.
- WPS person hours spent proactively monitoring offenders out on bail or conditional sentences.
- WPS financial resources expended on arresting and re-arresting persons out on bail or on conditional sentences.
- WPS financial resources expended proactively monitoring offenders out on bail or conditional sentences.
- A brief overview of other programs and services administered by the justice system regarding offenders released on bail, recognizance conditions and community service.

Implications of the Recommendation(s):

General Implications

(X) None
( ) For the organization overall and/or for other departments
( ) For the community and/or organizations external to the City
( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No
( ) Yes
Comment(s):

Regulatory Implications

(X) None
( ) Eliminates or reduces regulatory impact
( ) Proposes regulatory impact

Comment(s):

Environmental Implications

(X) No
( ) Yes
Comment(s):

Human Resources Implications

(X) No
( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s): For information only

Report

REASON FOR THE REPORT:

The Winnipeg Police Service (WPS) has been asked to report on the resources used in relation to persons on judicial interim release or conditional sentences (so called “catch and release” offenders). Specifically, the WPS was to document their time spent arresting re-offenders who are on bail or conditional sentences or monitoring these offenders while out of incarceration.

HISTORY:

In a meeting of the Standing Policy Committee on Protection and Community Services on April 7, 2008, the City of Winnipeg Public Service (WPS) was directed to report back to the Standing Policy Committee in 60 days on the impacts of the current “catch and release” justice system on the human and financial resources of the Winnipeg Police Service.

The impacts on the WPS were to include, without limitation:

1. person hours spent arresting and re-arresting persons out on bail or shortened sentences;
2. person hours spent proactively monitoring persons out on bail or shortened sentences;
3. financial resources expended on arresting and re-arresting persons out on bail or shortened sentences;
4. financial resources expended on proactively monitoring persons out on bail or shortened sentences.

DISCUSSION:

The Winnipeg Police Service invests significant resources in re-arresting persons who are out on bail or conditional sentences. The total below refers specifically to the time spent by two-officer units, per event, from the time of arrival at the residence or location of the offender until the close the call after the completion of the arrest and all associated processing.

Winnipeg Police Service Time Spent Re-arresting Offenders 2005-2007			
Year	**# Re-arrests**	**Hours per arrest**	**Total Hours Expended**
2005	2486	4.23	10,512
2006	2196	4.32	9,490.2
2007	1718	4.51	7,744.8
Total	6400	4.38	**27,747**

Several branches of the Winnipeg Police Service are involved in the monitoring of offenders who are on bail or conditional sentences. In particular, the Stolen Auto Unit (SAU) monitors the status of known car thieves who are not incarcerated at any particular time; and the Integrated High Risk Sex Offender Unit (IHRSOU) monitors known sex offenders who are not incarcerated. This unit contains one patrol sergeant and two constables whose full time job is essentially monitoring.

Winnipeg Police Service Time Spent on Curfew Checks 2006-2007				
Year	**Unit**	**# of Checks**	**Minutes per Check**	**Total Hours Expended**
2006	SAU	294	20	98
	IHRSOU			4641
	General Patrol	149	20	49.7
2007	SAU	387	20	129
	General Patrol	883	20	294.3
	IHRSOU			4641
Total		1713	20	**9,853**

A dollar value has been calculated by the Police Service financial unit for the cost to the WPS to run a two-officer cruiser car. This rate is $115.00 per hour. By this standard, re-arresting offenders has “cost” the WPS $3,190,905.00 over the last three years, including $1,982,025.00 from 2006-2007.

An additional $1,133,095.00 was spent in conducting curfew checks over the last two years by SAU, IHRSOU and General Patrol units. The grand total of these activities, time spent re-arresting offenders and time spent doing curfew checks, for 2006-2007 comes to $3,115,120.00 (the 2005 data has not been used in this calculation as it is incomplete). On average, the WPS has spent $1,557,560.00 per year to conduct these activities over the last two years.

At present, salaries for the IHRSOU are paid through a grant from the Province of Manitoba. Salaries for this unit are approximately $290,000.00 per year. Salaries for the

Stolen Auto Unit are paid by a grant from MPI. Salaries and benefits for this unit came to $1,040,512.85 for 2007.

Other Programs and Services

A brief overview was conducted for this report of other programs and services administered by the justice system regarding offenders released on bail, recognizance conditions and community service.

Adult Bail Program

- Run by the Province of Manitoba
- offenders are not monitored
- offenders are required to report in person once a week
- if they fail to report they are reported as a “breach”

Youth Bail Program

- Run by the Province of Manitoba
- offenders under greater supervisory constraints
- currently running a program called “ISSP” intensive supervision
- currently monitoring approximately 120 young offenders
- some money comes from the federal government under the Youth Criminal Justice Act

Adult Probation Services

- monitor offenders on probation or conditional sentences using a telephone based automated curfew checking system
- each offender receives 6 calls per week, two of which are completely random
- personal calls made to follow up offenders who do not respond to the automated system

Adult Parole Services

- Government of Canada
- runs numerous programs from new reporting center on Dominion.
- focus is on re-integration into society

Auto Theft Strategy

- 1 CCW (Community Correction Worker) assigned to monitor adult car thieves
- several CCW’s assigned to monitor juvenile car thieves
- CCW’s work in conjunction with WPS members to monitor car thieves

COHROU (Community Offender High Risk Offender Unit)
Sex Offenders Program
Random Assault Program

- assigned to monitor high risk offenders
- currently program is under review due to workplace safety issues

Electronic Monitoring

- Pilot program in initial phase

Financial Impact Statement

April 29, 2008

Project Name: WPS Catch and Release **First Year of Program** **2008**

	2008	2009	2010	2011	2012
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	0	0	0	0	0
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	0	0	0	0	0
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	0	0	0	0	0

Additional Comments:

original signed by Ron Smolik, April 29, 2008
Controller/Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Corporate Finance

External Consultation With:

Government of Canada – Community Corrections Liaison Officer
Province of Manitoba – Department of Justice – Corrections Division

THIS REPORT SUBMITTED BY:

Department	Winnipeg Police Service
Division	Organizational Development and Support Division
Prepared by:	J. Wyman, Research Analyst
File No.	08-527