

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Subject: Community Confidence in Justice: Advocacy Paper
Department: Community Safety Department / Partnerships Office

Recommendation:

THAT Council receive, for information, the report from the Community Safety Department titled Community Confidence in Justice: Advocacy Paper.

THAT Council direct staff to amend the Advocacy Framework priorities to include advocacy to senior levels of government on the increasing challenge with prolific property offenders in the community and the impact of the catch-and-release cycle of the justice system

Purpose:

To provide an update on the current state of property crime in Kelowna, with a focus on the catch-and-release cycle of persistent and prolific property offenders, and to expand the existing Advocacy Framework.

Background:

We are not alone. After a 2020 pandemic-driven decline in property related offending, communities across British Columbia are once again experiencing increased property crime. Frustratingly, a disproportionate amount of property crime is committed by offenders who persistently re-offend, unabated by a catch-and-release justice system.

While Kelowna citizens say they feel safe, overall, they consistently express concern about property crime and social issues. Accordingly, in 2019, City Council established community safety as a priority for its term. Since, the City has led, launched and/or supported numerous community safety and social development initiatives including the Journey Home Strategy, Kelowna Integrated Court (led by John Howard Society of Okanagan & Kootenay) and, most recently, a five-year Community Safety Plan.

City Council has invested in policing/community safety resources at unprecedented levels. Since 2016, the City added 47 RCMP members, 40 support staff, and nine Bylaw Officers. Today, the RCMP contract budget is 84 per cent higher than it was in 2016. In the 2022 Financial Plan, community safety reflected the largest budget investment and accounted for 35 per cent of the Plan.

Crime statistics offer, at best, a consistent and imperfect barometer, particularly in Kelowna given crime *rates* fail to consider the impact of an estimated two million visitors annually in our region. Notwithstanding, it is evident, after a temporary, pandemic-driven decline in 2020, property crime is increasing; significantly and rapidly.

Property offences consistently account for nearly 60 per cent of all *reported* crimes across all jurisdictions. Impacting countless citizens and businesses, property crime threatens our individual sense of safety, our quality of life, the economic viability of businesses, and our reputation as a safe, thriving community which welcomes – and relies upon - an estimated two million visitors annually. Once again, respondents to the City's most recent (2022) community safety survey cited property crime as the top crime related priority for Council and police.

A relatively small number of persistent and prolific property offenders are responsible for an overwhelming portion of property crime incidents, and present extreme pressures on finite police resources. In December 2021, RCMP Southeast District identified 15 offenders who had 1,039 negative contacts with police in the first 11 months last year. One offender was responsible for generating 346 RCMP files since 2016, an average of more than one per week for six years.

The impact of prolific property offenders on our communities, police and local governments are escalating, particularly in the current context of provincial health, housing and justice systems that provide inadequate care for an offender's underlying issues (i.e., trauma, mental health, and problematic substance use) and inadequate consequences. These systems are under apparent strain and while health and housing-oriented solutions are critically needed and increasingly cited alternatives to the justice system (i.e., integrated courts and complex care housing and supports), these solutions remain in their infancy.

In December 2021, the BC Urban Mayors' Caucus (BCUMC) raised the issue of prolific property offenders with the Honourable David Eby, BC Attorney General and Minister Responsible for Housing. At the Minister's request, the BCUMC collected and provided additional information to the Minister and his colleague, the Honourable Mike Farnworth, Solicitor General and Public Safety Minister, in April 2022. This submission led to a joint announcement between the Provincial Government and the BCUMC in May 2022 to commission a prompt examination of varied policy options to hold prolific property offenders accountable with a summary report expected in the early fall.

Conclusion:

The City of Kelowna understands and supports a balanced approach – care and consequences, heart and hammer - as evidenced by its ongoing commitment to housing first solutions, its most recent advocacy for complex needs housing and supports in 2021, and its advocacy for improved offender accountability. This paper seeks to illuminate the issue and impact of prolific property offenders to generate awareness, discussion, and an agenda for advocacy within the purview of the Provincial Government, including the need and opportunity for:

1. Increased local BC Prosecution Service (BCPS) resources, including dedicated Crown for prolific offender files;
2. Provincial review of the [2021 BCPS' Charge Assessment Guidelines](#), including its' full disclosure policies;
3. Increased data accessibility within BCPS' annual reports;

4. Provincial review of the [2021 BCPS' Bail – Adult Policies](#) and/or its practices; and
5. City collaboration with the provincial government on advocacy to the federal government.

The City of Kelowna appreciates a strong history of collaboration and partnership with the Provincial Government on addressing issues of mutual concern. With Council's direction to expand its Advocacy Framework priorities to include advocacy on addressing the challenges with prolific offenders, staff will be able to proceed with bringing the issues raised in this Paper forward to the Province for continued discussion and action.

Internal Circulation:

Social Development

Communications Department

Submitted by: D. Caul, Community Safety Director
A. Bazett, Intergovernmental Relations Manager

Approved for inclusion:



S. Leatherdale, Divisional Director-Corporate & Protective Services

cc: D. Edstrom, Division Director – Partnerships & Investments
C. Weaden, Division Director - Corporate & Strategic Services
J. Gabriel, Division Director - Active Living & Culture
Supt. K. Triance, Officer in Charge, RCMP Kelowna Region