



Community Confidence in Justice: Advocacy Paper

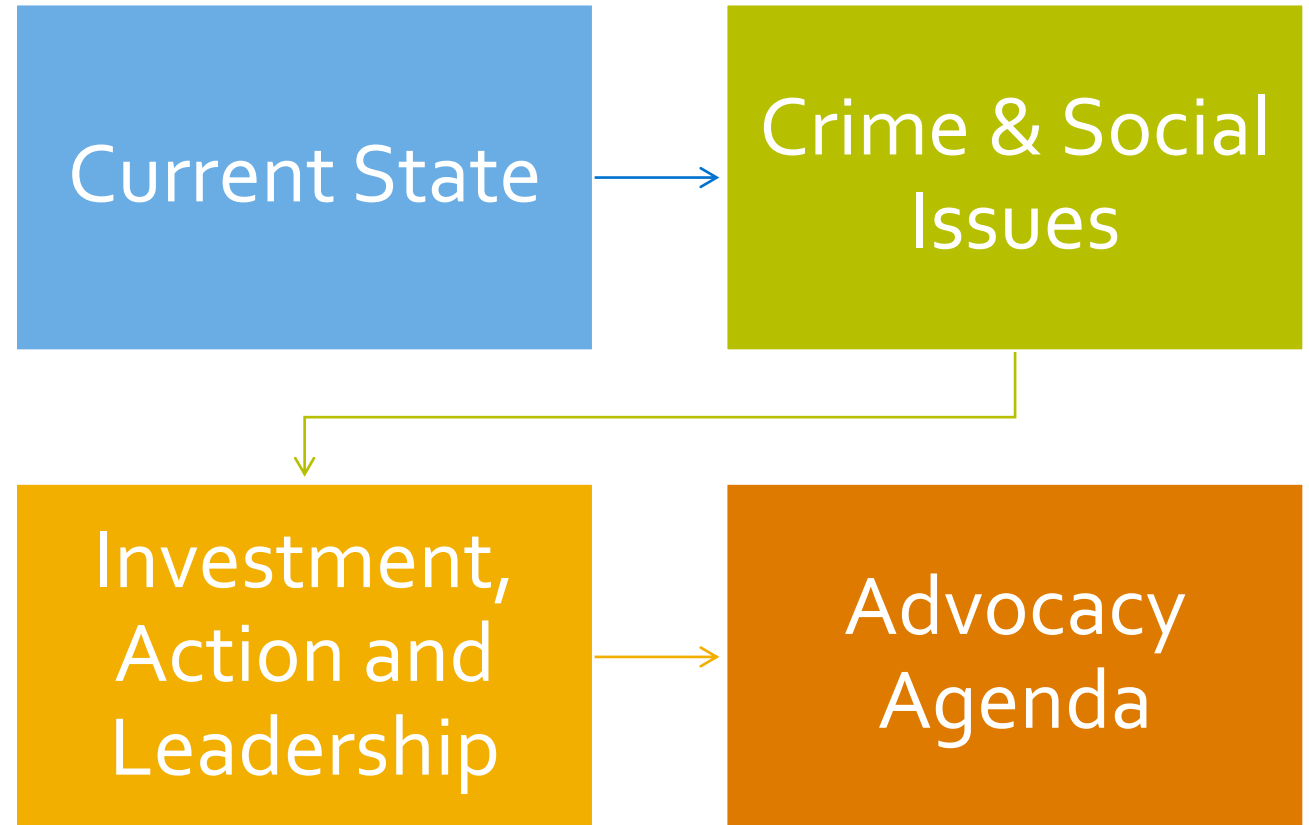
City Council
May 30, 2022

Advocacy Opportunity

- ▶ Council's Advocacy Framework priorities
 - ▶ Recommendation to add criminal justice advocacy on:
 - ▶ Challenge with prolific offenders in the community
 - ▶ Impact of the *catch-and-release* cycle of the justice system
- ▶ Focused dialogue with the Province
- ▶ BC Urban Mayors' Caucus – leadership role
- ▶ Provincial announcement on May 5, 2022 with Minister Eby, Minister Farnworth, Mayors



Presentation Overview



A scenic landscape photograph showing three people sitting on a wooden fence on a hillside, looking out over a large lake and mountains. The sun is low in the sky, creating a bright glow and long shadows. The person on the left is wearing a yellow jacket with 'm&m's' on the back. The person in the middle is wearing a red jacket, and the person on the right is wearing a blue jacket. The background features a large body of water, a city or town, and distant mountains under a cloudy sky.

Current State: Perceptions & Statistics

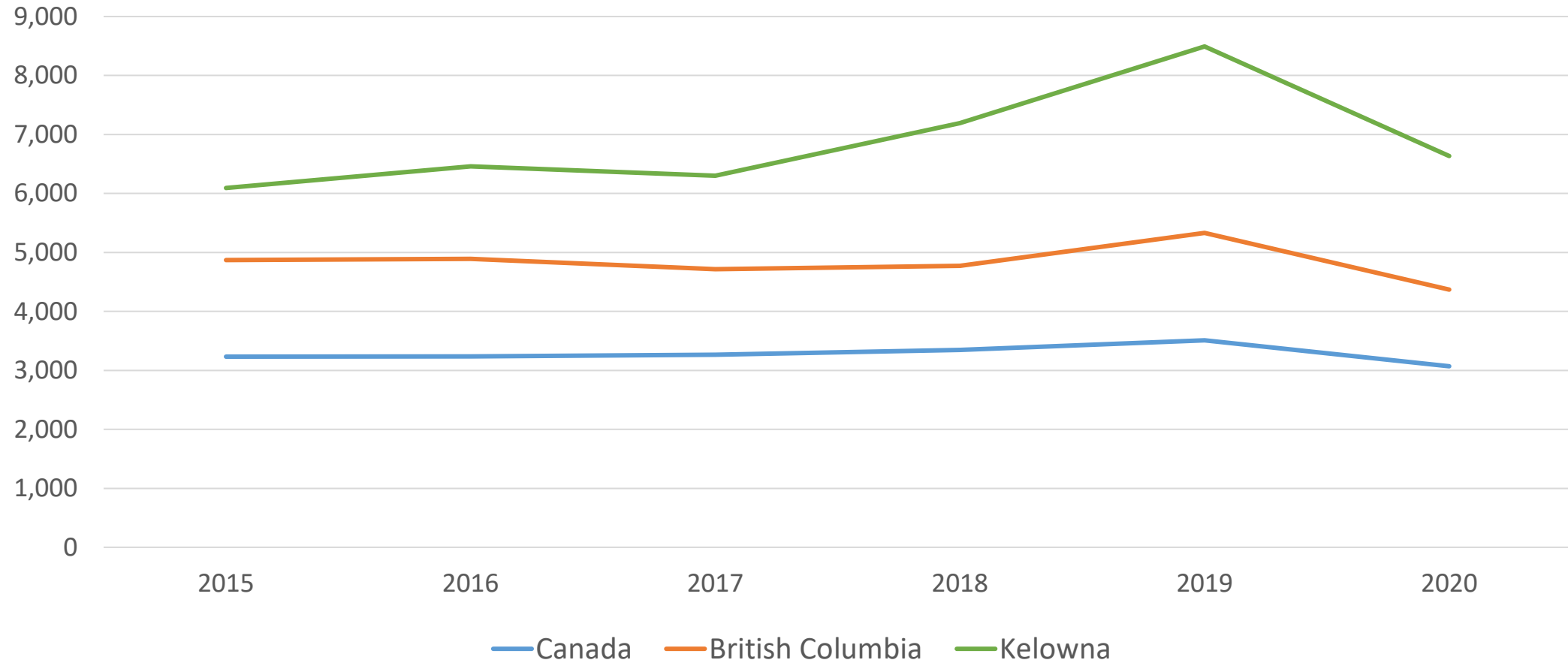
2022 Community Safety Survey

- ▶ 96 per cent feel safe in their neighbourhood during day and 77 per cent at night

However...

- ▶ 43 per cent cited property crime as the most important crime-related problem
- ▶ cited as “highest priority” for police / Council to keep community safe (96 per cent)
- ▶ 68 per cent *perceived* level of property crime increased in the past 24 months
- ▶ 52 per cent of victims did *not* report the incident to police

Property Crime / 100,000 by Jurisdiction (2015-20)



Prolific Offenders: Profile & Responses

Repeat / Prolific Property Offenders



- ▶ Varied terms and thresholds used across police agencies
- ▶ RCMP Southeast District reviewed “*repeat offenders*”
 - ▶ Specifically individuals who are active criminally, using a weighted ranking methodology, with high numbers of negative contacts and criminal convictions.
- ▶ In 2021, RCMP identified 15 individuals as repeat offenders
 - ▶ responsible for 1,039 negative contacts (Jan to Nov 2021)

Repeat Property Offenders

(Dec 2021)

Offender #1:

- Since 2016, 346 RCMP files generated and 29 convictions for property crime and assault offences
- Currently has “no go” conditions for 11 business locations
- Routinely released with conditions and reoffends

Offender #2:

- Aug – Dec 2021, 17 criminal code charges for property crime, driving and failure to comply
- Since 2016, 51 criminal charges, including 29 for failure to comply with court orders

Offender #3:

- Since November 2018, 194 police files
- In 2021, subject of 23 criminal convictions for property crime and breaching court orders
- In November 2021, offender received two weeks’ custodial sentence for 17 convictions

No Single Repeat Offender Profile

- ▶ Housing and health-related issues (i.e., trauma, mental health and problematic substance use) common but not all
- ▶ Health issues devolved to police; the “most expensive, least appropriate first responders”
 - ▶ 50 – 80 percent of police calls are for non-criminal matters
- ▶ Adequate care *and* consequences necessary - ‘heart and hammer”

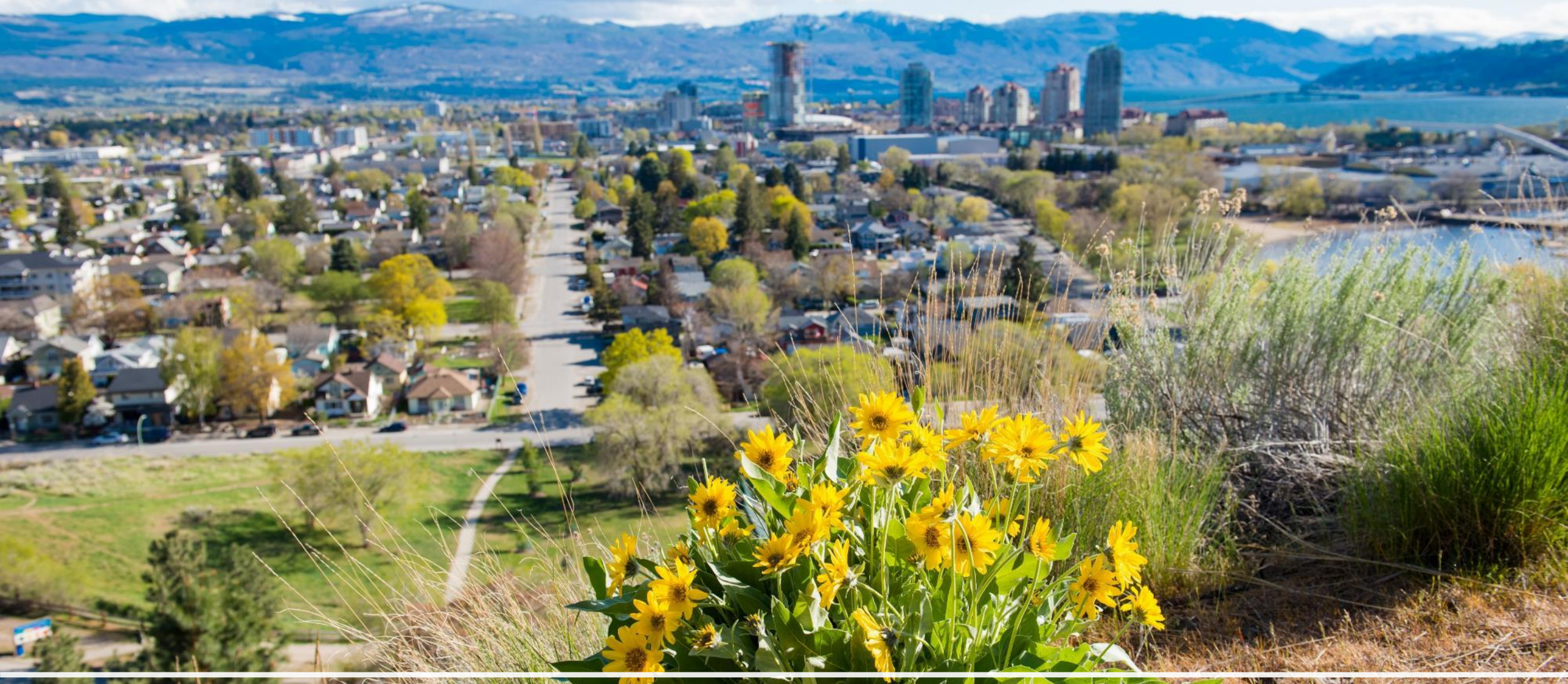




Changing Landscape

- ▶ Justice, health, social and housing systems under duress; triaging and downloading (to police and local governments)
- ▶ Caselaw requiring *more* police investigative work and *more* administrative work to accomplish *less*, AND...to be done in *less* time.
- ▶ Communities frustrated and declining confidence in justice system

"Jails and hospitals are decreasingly accessible to police in their response to crime. There is inadequate care and consequences for offenders."



City Investment, Action & Leadership



Leading and Supporting Action

- ▶ Community safety: a top Council priority
 - ▶ Journey Home Strategy - 350+ new supportive housing units since 2018
 - ▶ Community Inclusion Team (2019)
 - ▶ Supported Kelowna Integrated Court (2021)
 - ▶ (John Howard Society of Okanagan & Kootenay)
 - ▶ Complex Care Advocacy Paper (2021)
 - ▶ Community Safety Plan (2022)



Investing in Community Safety

- ▶ Community safety: a top Council priority
 - ▶ Since 2016, 47 additional RCMP members, 40 city support staff and 9 Bylaw Officers added
 - ▶ Policing costs increased 84 per cent between 2016 and 2022 (\$27.9M to \$51.4M)
 - ▶ Community safety accounts for 35 per cent of Kelowna's Financial Plan 2022

With 222 members (supported by 107 professional city staff), Kelowna RCMP is the third largest RCMP contingent in Canada



City of
Kelowna

CITY HALL

CITY HALL

Advocacy Agenda



Advocacy Agenda

- ▶ Increase BCPS' Prosecutors locally, and dedicate Crown for prolific offender files;
- ▶ Review BCPS' Charge Assessment Guidelines, incl. full disclosure policies;
- ▶ Increase data in BCPS Annual Reports;
- ▶ Review BCPS' Bail Policies; and
- ▶ City support for Provincial Government advocacy on areas of mutual interest (i.e., federal legislation)

Advocacy Agenda #1

Increase local BCPS, including dedicated Crown

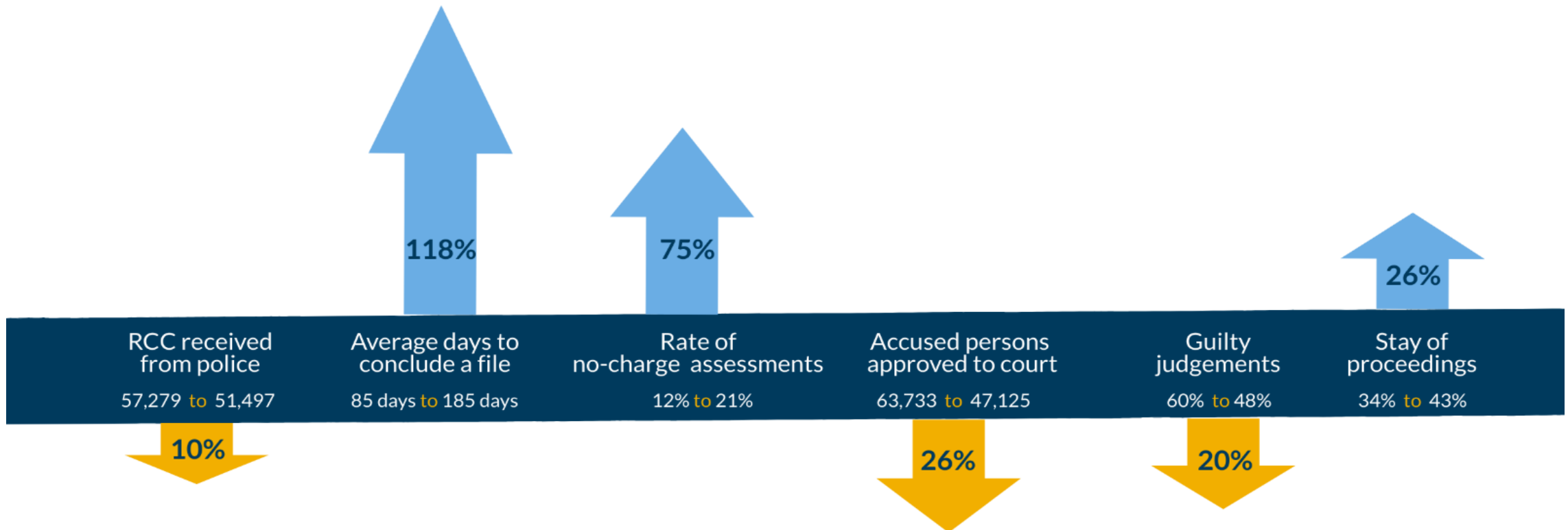
Call to action: immediately increase BCPS' resources locally (>5), including dedicated crown for prolific offender files.

Issue: volume, procedural complexity and presumptive time limits require sufficient crown resources. Without, BCPS must triage-out lesser offences (i.e., Property crime).

Advocacy Agenda #2: BCPS' Data

BCPS Annual Reports

2016/17 to 2020/21



Advocacy Agenda #3

Review BCPS' Charge Assessment Guidelines

Call to Action: Review 2021 BCPS Charge Assessment Guidelines, including full disclosure policies.

Issue 1: Police recommended charges re: property offenders, even if they are provable, routinely not approved on basis of “not in the public interest”.

Issue 2: BCPS' full disclosure policies can result in extended periods of person accused of serious offences being in community

Advocacy Agenda #4

Review BCPS' Bail Policies

Call to Action: Review 2021 BCPS' Bail – Adult Policies (and/or practices) to optimize offender attendance to court, protection of public, and to maintain public confidence in justice.

Issue: Bail reform / release is changing rapidly. Prolific offenders routinely released, without effective conditions, frequently fail to appear, and reoffending; a “catch-and-release” cycle without consequences.

How can BCPS mitigate this issue?

Advocacy Agenda #5

Support Provincial Government Advocacy

Call to Action: Support Provincial Government advocacy on matters of mutual concern (i.e., federal bail system).

Issue: While increased BCPS resourcing, dedicated Crown for prolific offender files and stronger guidelines / policies are necessary, Canada's bail system is federally legislated.



Questions?