

# Town of Swan River- Crime FAQ

What is the Town of Swan River working on right now to help its citizens and businesses who are being victimized by these crimes?

The Town of Swan River has created a Crime Reserve, setting aside \$50,000 to combat crime here in the town of Swan River. The Town is developing a workshop to determine and prioritize the use of the reserve.

How is Swan River working with other government organizations to address the issues?

On May 25<sup>th</sup>, a meeting was held with the province of Manitoba's Justice Department, we have Assistant Deputy Minister Michael Koppang, and Owen Fergusson, Director of Public Policing working alongside the Town, the Swan Valley Business Consortium, Canadian Mental Health Association, and Local First Nations. The organizations are working on a pilot project located in Swan River to re-work how we deal with non-major crimes and creating provincial / municipal alternatives to avoid further burdening our overwhelmed Federal Justice processes.

The Province of Manitoba, the Federal Government, our First Nation Partners, and the Town of Swan River are at the table looking to find efficient and collaborative use of all the services provided by each government to the communities they serve.

How is the community addressing systematic root problems that lead to crime (addiction, character development, mental health, etc.)?

Addictions, mental health, and homelessness are the driving undercurrent of the issues our community is facing. We cannot simply just arrest our way out of this problem. We have a whole community problem which needs a whole community response.

Our community has responded in many multifaceted ways. Here are just a few things that are happening in our Town:

## Swan Valley Business Consortium

The Swan Valley Business Consortium has four subcommittees under their "task force" which work to address key issues in our community.

Tier 1 Housing Committee – We have 90 – 100 homeless individuals in our community. The lack of housing and shelter for those people is a major problem that this committee wants to tackle by developing Tier 1 Housing.

Second Chance Employment – This committee addresses skill development from basic life skills all the way to advanced education. It also focuses on how we can assist individuals in transitioning towards long term meaningful employment. This committee is a partnership with

the School Division, Elbert Chartrand Friendship Centre, Northern Lights Institute of Trades and Technology, and UCN.

Meet off Main – Meet on Main meets every Thursday and provides a safe place where individuals can have a hot cup of coffee, warm up, and gives volunteers and agencies a connection point to help bridge these people to various support agencies.

Restorative Justice – C.O.P.P. – The Citizens on Patrol Program has volunteers supporting the RCMP by patrolling the street as another set of eyes and ears.

### Community Mobilization

Through a partnership with the Steering Committee for Swan Valley Community Mobilization, CMHA Swan Valley Branch provides the Enhanced model for Community Mobilization. This program is funded through Manitoba Justice and is a proactive and coordinated approach which focuses on bringing together agencies and organizations that otherwise work alone, improving community safety, ensuring better use of police resources, and putting people first

### School Division

The School Division has a partnership with Communities that Care where they do surveys with youth. These surveys are professionally analyzed for risk and safety factors, and inform which programs should be brought in.

Examples of some programs under Communities that Care: Positive Parenting (Triple P), Guiding Good Choices, and Life Skill Training. Life Skill training is when different people from different agencies or public, take certain modules and present them in the classroom along with their teacher.

## Who makes the decision to release an offender following an arrest? Why can't these criminals be arrested and held in remand?

In Canadian Law, it is decided by the Criminal Code, and there have been substantial updates to the criminal code in 2018 through Bill C-75. The below excerpts are quoted from the Legislative Summary of Bill C-75, specifically section 2.1.4 Bail.

*“Section 503 of the Code states that once arrested and taken into custody, an accused person must be brought before a justice of the peace (or judge) within 24 hours or as soon as possible if a justice is not available within that period. Section 515 sets out the procedure to determine whether the accused will be granted bail or held in remand. The administration of justice is a matter of provincial jurisdiction and therefore there is some variation among the provinces as to whether a judge or justice of the peace will rule on release. ...”*

The Justice of the Peace has numerous factors to consider and can only hold an accused in remand in certain circumstances.

*"...providing that any bail decision must give primary consideration to releasing the accused at the earliest reasonable opportunity and on the least onerous conditions possible and by requiring special consideration to the circumstances of accused persons who are Indigenous or members of vulnerable populations..."*

*"...In order for an accused person to remain in custody, the Crown prosecutor must demonstrate at a bail hearing why that person should be detained while awaiting the final disposition of the charges. If the Crown cannot demonstrate that detention is properly justified, the court may grant the accused a judicial interim release (i.e., release on bail) that would allow the accused to remain at liberty unless found guilty..."*

*"...For certain crimes, the onus is reversed and accused persons will be detained unless they can demonstrate they should remain at large, for example, where an accused is charged with:*

- *an indictable offence that is alleged to have been committed while the accused was at large awaiting trial for another offence;*
- *an indictable offence (if the accused is not ordinarily resident in Canada);*
- *drug trafficking, importing or exporting;*
- *offences involving firearms; or*
- *terrorism.<sup>27</sup>*

For further reference and other amendments to the Criminal Code, please refer to:

[https://lop.parl.ca/sites/PublicWebsite/default/en\\_CA/ResearchPublications/LegislativeSummaries/421C75E](https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/LegislativeSummaries/421C75E)

## Why is the Justice System so overloaded and behind right now?

There are several compounding factors that play into the backlog:

COVID-19 has had a major impact on the courts. By orders of the two chief justice and the chief judge courts were shut down for a period of time. Communities were not attended and circuit courts were not held. As of March they were still in the process of reopening.

## Why isn't the RCMP 24/7

There are a few dimensions that must be considered:

- A) Officers are on-call during the night, or even already attending to calls in other areas.
- B) The RCMP bases their operations on statistics and numbers, and they allocate accordingly with their limited resources.
- C) A full 24/7 Police Service is very cost prohibitive. Staff Sargeant Duncan has stated that to run a full 24-hour Detachment you would need to have at least 14 Constables (we have 7). With this increase it is possible a second Sergeant or Cpl. Supervisor would be required. This would double our budget plus \$400,000 more if extra supervisors are required. Additional

vehicles costs would be in the range of \$100,000 to \$150,000. And these are just larger costs, not counting all the extra training and other details.

## Why is our RCMP focused on things like Traffic Enforcement when there is real crime going on?

Things like Traffic control are established by the Province - Traffic Services. Their mandate is to protect lives through traffic enforcement and one of their priorities is cell phone use. Distracted Driving is the **#1** cause of death on the highways right now. Traffic Services will remain a priority for our RCMP.

## What would it take to amp up our RCMP so that they can better handle what is going on in our community?

Staff Sergeant Duncan has advocated the formation of a General Investigative Service (GIS) unit. A three-member unit would cost us \$600k. With this extra support, it would free up the regular members so that they are better able to conduct day to day operations and would ensure that there is the required manpower to conduct larger scale criminal investigations.

## Do our neighbouring RM's contribute to RCMP costs? If not, why are Town of Swan River residents paying for police protection outside of the town?

None of our neighbours pay for RCMP services. They are covered by the Province of Manitoba with the Federal Government. The Town of Swan River and the Association of Manitoba Municipalities have been lobbying for fair costs model and argue that all municipalities should be paying a fair share of the RCMP costs.

However, it is important to note that the Town is not subsidizing the RM's for rural service. RCMP have confirmed that community members do not leave the community unless it's a priority matter.

## Isn't there a curfew? Why is the Town of Swan River and the RCMP not using this to get people off the street during the nights?

The Town does have a Curfew Bylaw (17.1997), which is not actively enforced.

An issue with the Curfew Bylaw is that it would not survive a constitutional challenge. There are many examples across Canada and even here in Manitoba (Thompson) where the Bylaw was challenged and had to be repealed.

## Can't we just run trouble-makers out of town?

The Canadian Charter of Rights – Section 7 – Liberty and Mobility Rights has down that it is unconstitutional to ban someone from the community in most cases. There can be some cases where conditions are imposed through a probation or parole order that would be attached to a sentence.

## Does the town of Swan River have any plans to crack down on slum landlords and the issues that eventually come along with that situation?

The Town of Swan River is exploring different bylaw amendments and revisions for enforcement so that all landlords will be forced to meet a standard. Landlords will be motivated to keep their properties in better condition and not let it become dilapidated. This of course, comes at a cost to enforce.

## What can average citizens do to help?

For our citizens there are two key take-aways:

- A) As community members, if you witness a crime, have potential evidence, or have been victimized, **report it**. And not only that, follow up and participate in the Judicial system. For most allegations witnesses are key and that is what secures convictions and accountability in the system. It also shows criminals that the community is prepared to fight crime and act. If we do nothing, nothing will change.
- B) There are many agencies working within our community that are taking action against crime, whether working to deter it or looking at developing long term solutions. We encourage you to get involved!
  - a. C.O.P.P. has citizens on the streets doing patrols and gathering information to assist the police.
  - b. Addressing root issues are organizations like CMHA that work to help people with addiction and who struggle with mental health. Organizations like these need volunteers in order conduct the good work that they do.
  - c. Operations such as “Meet on Main” are a connection point where homeless people are given food and connect with other services.
  - d. And there are so many more all with different focuses and targets.