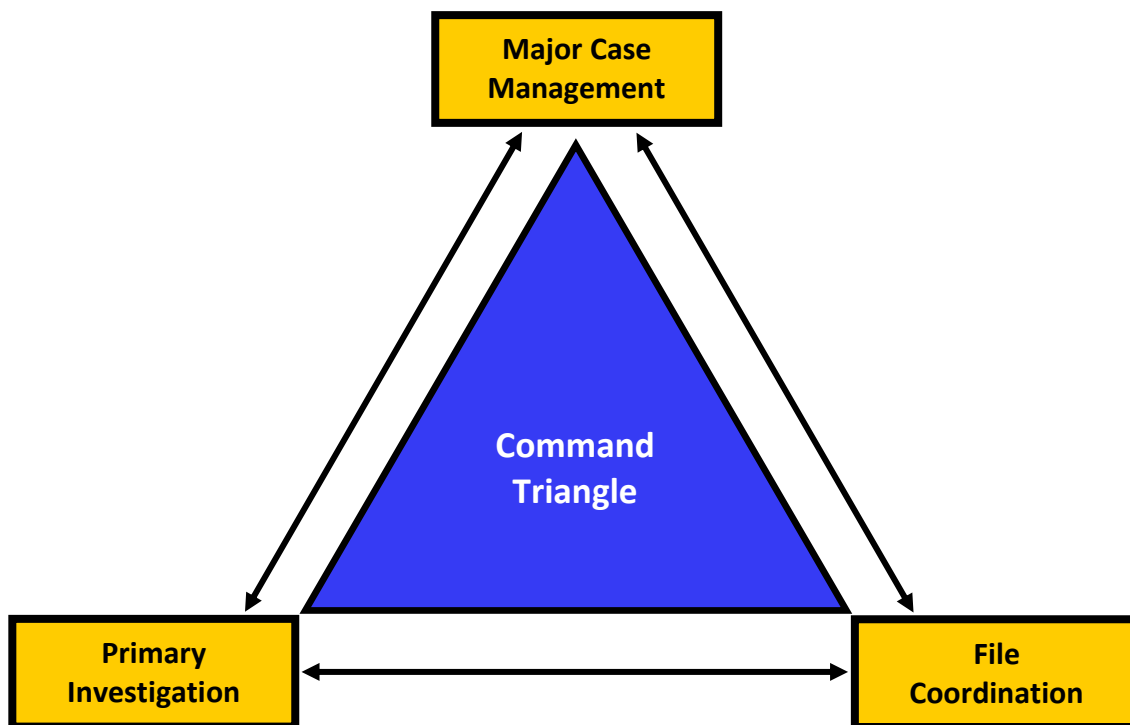


# Ontario Major Case Management Manual



Ontario

Ministry of Community Safety  
and Correctional Services

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**Ministry of Community Safety  
and Correctional Services**

Ontario Major Case Management Unit

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## Overview of the Major Case Management System

The Major Case Management (MCM) System is a case management methodology emphasizing accountability and a multi-disciplinary approach to investigations of major case criteria offences. It comprises a centralized coordinating body, investigative standards covering all areas, standardized training, and common case management technology for use by all Ontario police services during the investigation of criteria offences. The MCM System will also facilitate the coordination of all law enforcement agencies involved in multi-jurisdictional cases. It ensures the sharing of information between investigations in a manner that is based on co-operation among individual police services. The MCM methodology combines unified leadership across police jurisdictions with standardized case management procedures and, inter-disciplinary support from forensic scientists and other agencies. The MCM software provides investigators with the necessary tools to organize, manage, retrieve and analyze the potentially large volumes of investigative data collected during major case investigations.

## Mandate of the Ministry of Community Safety and Correctional Services

The statutory responsibilities of the Solicitor General are set out in section 3(2) of the *Police Services Act* (the “*Act*”). They require the Solicitor General to:

- monitor police forces to ensure that adequate and effective police services are provided at the municipal and provincial levels;
- develop and promote programs to enhance professional police practices, standards and training;
- conduct a system of inspection and review of police forces across Ontario;
- assist in the coordination of police services;
- provide information and advice respecting the management and operation of police forces;
- issue directives and guidelines on policy matters; and,
- develop and promote programs for community-oriented police services.

## Purpose of the Manual

The manual and the standards contained within, is one of the mechanisms by which the Solicitor General meets the statutory requirements set in section 3(2) of the *Act*. In particular, the standards:

- set out the ministry’s position in relation to policy matters;
- provide information and advice regarding the management and operation of major case investigations by police forces;
- promote the inter-disciplinary approach to major case investigations; and,
- promote professional police practices, standards and training.

The standards are also one of the primary tools to assist police services boards, chiefs of police, police associations and municipalities with their understanding and implementation of the *Regulation* of the MCM System.

## Major Case Designations

### 1. Criteria Offences

The following criteria offences are deemed to be major cases:

- a) homicides as defined in subsection 222(4), Criminal Code, and attempts;
- b) sexual assaults, and all attempts (for the purpose of this standard, is deemed to include sexual interference, sexual exploitation and invitation to sexual touching);
- c) trafficking in persons as defined in section 279.01, 279.011 or 279.04, Criminal Code, and attempts as defined in section 24(1) Criminal Code;
- d) occurrences involving non-familial abductions and attempts;
- e) missing person occurrences, as outlined in this Ontario Major Case Management Manual;
- f) occurrences suspected to be homicide involving found human remains;
- g) criminal harassment cases in which the offender is not known to the victim; and,
- h) any other types of cases designated as a major case pursuant to this Ontario Major Case Management Manual.

### 2. Threshold Offences

The following major case occurrences are deemed to be threshold offences and shall be assigned to a Primary Investigator who shall undertake the investigation:

- a) all major cases which are serial or predatory in nature;
- b) any major case that is linked to another major case within the same or another jurisdiction with the exception of human trafficking cases unless the criteria specified under section 3 of the Data Entry Standards section for Non-Threshold Major Cases within this Manual is met.
- c) homicides as defined in subsection 222(4), *Criminal Code*, and attempts;
- d) sexual assaults and attempts (for the purpose of this standard, is deemed to include sexual interference, sexual exploitation and invitation to sexual touching) in which one or more of the following factors is believed to exist:
  - i) the occurrence involves an offence in section 272 (carries, uses, or threatens to use a weapon/imitation; bodily harm; party to the offence) or section 273 (wounds, maims, disfigures or endangers life) of the Criminal Code;
  - ii) the offender is known to have been or suspected to have been previously involved in a similar offence;
  - iii) multiple victims within a single offence;
  - iv) multiple sexual acts;
  - v) the use of restraints, bondage, disguise(s) by the offender;
  - vi) the use of photographic, video or audio equipment to record the offence;
  - vii) the removal of a personal item(s) of the victim from the scene
  - viii) by the offender (e.g., driver's licence or article of clothing as a souvenir);
  - ix) scripting (i.e., the offender forces the victim to recite words/phrases or engage in prompted dialogue);
  - x) the use of a con or ruse by the offender to lure the victim including the use of the Internet, chat lines or dating services;
  - xi) the commission of any other offence in conjunction with the sexual assault (e.g., criminal harassment, forcible confinement, administration of a noxious substance or suspected administration of a noxious substance intended to incapacitate);
  - xii) the victim is under the age of 16 years and the offender is a person in a
  - xiii) position of trust or authority or is a person with whom the victim is in a relationship of dependency;
  - xiv) torture; and,
  - xv) penetration, including oral, vaginal or anal.

- e) missing person occurrences, where the circumstances indicate a strong possibility of foul play;
- f) occurrences suspected to be homicide involving found human remains;
- g) occurrences involving non-familial abductions and attempts in which one or more of the following factors is believed to exist:
  - i) the occurrence involves an offence in section 272 (carries, uses, or threatens to use a weapon/imitation; bodily harm; party to the offence) or section 273 (wounds, maims, disfigures or endangers life) of the Criminal Code;
  - ii) the offender is unknown;
  - iii) the offender is known to have been or suspected to have been previously involved in similar offences;
  - iv) multiple victims within a single offence;
  - v) the use of restraints, bondage, disguise(s) by the offender;
  - vi) the use of photographic, video, or audio equipment to record the offence;
  - vii) the removal of a personal item(s) of the victim from the scene by the offender (e.g. driver's licence or article of clothing as a souvenir);
  - viii) scripting (e.g. the offender forces the victim to recite words/phrases or engaged in prompted dialogue);
  - ix) the use of a con or ruse by the offender to lure the victim including the use of the Internet, chat lines or dating services;
  - x) the victim is under the age of 16 years, and;
  - xi) torture.

### 3. Non-Threshold Offences

The following major case occurrences are deemed to be non-threshold offences and may be assigned to an officer who is not a Primary Investigator and has the knowledge, skills and abilities to undertake the investigation in accordance with the criminal investigation management plan of the police service:

- a) sexual assaults including sexual interference, and attempted sexual assaults, sexual exploitation and invitation to sexual touching where the factors listed in 2(d) (above) are not believed to exist;
- b) sexual assaults including sexual interference, and attempted sexual assaults, sexual exploitation and invitation to sexual touching with a suspect known to police when the conduct is not predatory or serial in nature and any of the following circumstances are present:
  - i) the victim and suspect are in a familial relationship including genealogical blood lines or common-law union, and shall include adoptive parents/siblings, step parents/siblings and legal guardians;
  - ii) the victim and suspect have a previous relationship;
  - iii) the case involves historical sexual offences (e.g., an offence reported more than a year after having been committed); and
  - iv) any sexual assault where a suspect has been identified and arrested within 14 days.
- c) in sexual assaults with an unknown offender where the factors listed in 2(d) are not believed to exist;
- d) trafficking in persons as defined in section 279.01, 279.011 or 279.04, Criminal Code and attempts as defined in section 24(1), Criminal Code;
- e) criminal harassment cases in which the offender is not known to the victim; and,
- f) missing persons, where police have yet to ascertain whether foul play is involved when the individual remains outstanding and unaccounted for 30 days after being reported missing.

**4. Investigation of a Non-Threshold Offence**

During the investigation of a non-threshold offence in section 3, above, a Major Case Manager shall approve the results of the investigation or reassign the occurrence for further investigation.

**5. Offences to be Deemed as Major Cases**

The following offences to be deemed as major cases for the purposes of using the Minister-approved software:

- Child pornography;
- Indecent act;
- Indecent exposure;
- Luring child by means of a computer;
- Major fraud investigations;
- Organized crime/intelligence projects;
- Trespassing at night; and,
- Voyeurism.

The use of the Minister-approved software for these offences may be used at the discretion of the police service. The Non-Threshold Data Entry Standard would apply.

**6. Use of the Minister-Approved Software for Offences Not Deemed as Major Cases**

Any investigator requesting to utilize the Minister-approved software for a case not otherwise deemed a major case shall contact the Serial Predator Crime Investigations Coordinator (SPCIC), and provide a synopsis of the investigation for addition. The SPCIC will seek final approval from the Officer in Charge, Ontario MCM Unit.



**Major Case Management Definitions****1. Abduction**

Taking of or causing a person to be taken under 16 years out of the possession of and against the will of the parent, guardian or someone that is in lawful care. If the person is over the age of 16 years, shall include any person that is confined, imprisoned or seized against the person's will.

**2. Canvass Plan**

A Canvass Plan may include, but is not limited to:

- a) area/location to be canvassed using electronic mapping technology;
- b) whether to establish a separate Canvass Command Post;
- c) the sequence of areas/locations to be canvassed;
- d) the questions to be asked during the canvass;
- e) resources required to conduct the canvass; and,
- f) whether to advise the community of the canvass.

**3. Case Conference**

Consultation with appropriate representation from all involved agencies and any other experts who may assist in the investigation. This includes obtaining inter-disciplinary input at the earliest opportunity to assist in developing investigative strategies, establishing priorities, and determining the sequence of any necessary investigative procedures.

**4. Case Review**

An examination of the administrative management and/or operational aspects of the investigation including a peer evaluation. This can take place anytime during the investigation.

**5. Confirmation**

In the context of evidence from an in-custody informer, confirmation is credible evidence or information available to the Crown Attorney, independent of the in-custody informer, which significantly supports the position that the in-custody informer is telling the truth regarding the inculpatory aspects of the proposed evidence or information. One in-custody informer generally does not provide confirmation for another in-custody informer.

**6. Consideration**

Includes a promise, conferral or undertaking to make "best efforts" regarding any of the following in return for, or in connection with, the in-custody informer's testimony in the criminal proceeding in which the Crown Attorney intends to call him or her as a witness.

This includes, but is not limited to:

- a) bail;
- b) reduction or modification of sentence or charge;
- c) withdrawal of charges, stay or dismissal;
- d) financial assistance or reward;
- e) amelioration of current or future conditions of incarceration;
- f) any other leniency or benefit; and,
- g) the extension of any of the above to any person connected with the in-custody informer.

Consideration does not include measures taken to ensure the safety or security of the in-custody informer or any person connected with the in-custody informer.

**7. Expert**

A person, other than an employee of a police service, Office of the Chief Coroner/Ontario Forensic Pathology Service, or the Centre of Forensic Sciences, with a proven expertise in a scientific or medical discipline who may be consulted during a major case investigation.

**8. Familial**

Person(s) known to each other through genealogical blood lines or common-law union, and shall include adoptive parents/siblings, step parents/siblings and legal guardians.

**9. Historical Sexual Offence**

An offence reported more than a year after being committed.

**10. In-custody Informer(s)**

Someone who allegedly receives one or more statements from an accused while both are in custody and where the statement(s) relate to an offence(s) that occurred outside of the custodial institution.

The accused need not be in custody for, or charged with, the offence(s) to which the statement(s) relate.

Excluded from this definition are informers who allegedly have direct knowledge of the offence(s) independent of the alleged statement(s) of the accused (even if a portion of their evidence includes a statement from the accused).

**11. In-custody Informer Review Committee**

This Committee will be composed of three or five persons depending on the circumstances of each case. The Chairperson (appointed by the Assistant Deputy Attorney General), local Crown Attorney (or neighbouring Crown if the local Crown is involved in the case), and an experienced trial or appellate Crown Attorney from another region. A five-member Committee shall also include the Director of Crown Operations (or designate) where the case is being tried, and a second trial or appellate Crown Attorney from another region.

In cases where the Crown Attorney proposes to use an in-custody informer as a witness, an in-custody informer brief must be submitted to the Review Committee for a determination of whether there is a compelling public interest in presenting the evidence of the in-custody informer.

**12. Investigation Information**

All information that may be relevant to the investigation.

**13. Investigative Chronology**

A record of the order in which the investigative events occur.

**14. Investigative Consultant Team**

The group that is formed to “case conference”. The formation of this Team is mandatory in a multi-jurisdiction investigation, and discretionary in a single jurisdiction investigation. An Investigative Consultant Team may include, but is not limited to, forensic experts, medical experts, Centre of Forensic Sciences experts, Office of the Chief Coroner, forensic psychiatry, Office of the local Crown Attorney, forensic pathology, an alternate Multi-jurisdictional Major Case Manager, and other experienced investigators. The Investigative Consultant Team shall include members of the Command Triangle.

**15. Linked Cases**

Two or more defined major cases where there is a reasonable suspicion that the same person(s) is responsible for the commission of the offences.

**16. Person of Interest**

A person whose background, relationship to the victim or the opportunity to commit the offence(s) warrants further investigation, but no evidence currently exists to suggest culpability in the commission of the offence.

**17. Predatory in Nature**

Activity characterized by systematic targeting for the purpose of exploiting others for one’s own gain.

**18. Previous Relationship**

A romantic or intimate relationship that existed between two persons.

**19. Serial In Nature**

Similar crimes committed within an unspecified lapse of time between incidents.

**20. Suspect**

A suspect is a person whom investigators believe had culpability in the commission of the offence(s) based on the evidence.

**21. Tombstone Information**

Information that captures an overview of a non-threshold investigation. This information includes, but is not limited to: full name(s), alias(es), date of birth, personal descriptors, telephone number(s), address(es), unique identifier (e.g., driver's licence) and vehicle(s) and a detailed summary of the investigation.

**22. Major Case Management Executive Board**

The MCM Executive Board supports cooperation between police services, unified leadership, inter-disciplinary coordination and the Minister-approved software.

The MCM Executive Board shall be comprised of the following members or their designate:

- Assistant Deputy Minister, Public Safety Division, Ministry of Community Safety and Correctional Services;
- Assistant Deputy Attorney General, Criminal Law Division, Ministry of the Attorney General;
- The Commissioner of the Ontario Provincial Police;
- President, Ontario Association of Chiefs of Police;
- The Chief of Police of the Toronto Police Service; and,
- Officer in Charge, Ontario MCM Unit.

### **Multi-jurisdictional Major Case Identification Systems**

This is a process for early detection of similarities and linkages in crimes to prompt multi-jurisdictional police investigations. The analysis and recognition of linked crimes provide additional information that leads to the prevention and early apprehension of serial offenders.

Early recognition of serial crimes may be achieved through the following mechanisms:

#### **1. Violent Crime Linkage Analysis System (ViCLAS)**

An automated case linkage system designed to capture, collate and compare crimes of violence through the analysis of victimology, offender/suspect description, modus operandi, forensic and behavioural data.

#### **2. Centre of Forensic Sciences**

The mandate of the Centre of Forensic Sciences is to provide scientific laboratory services in support of the administration of justice and public safety. The laboratories conduct scientific investigations in cases involving injury or death in unusual circumstances and in crimes against persons or property.

#### **3. DNA Data Bank**

National repository for DNA profiles of unknown DNA samples from crime scenes and profiles of offenders convicted of designated offences.

#### **4. Office of the Chief Coroner/Ontario Forensic Pathology Service**

The Chief Coroner's office is the central repository of all death reports that have been investigated by all Coroners throughout the Province of Ontario. Through this data bank, investigators can draw on province-wide comparisons involving unidentified human remains and other death investigations.

#### **5. Canadian Police Information Centre (CPIC)**

National repository of data on charged, wanted, missing persons, stolen vehicles, property and other crime-related data.

#### **6. Major Case Management Software**

The Minister-approved case management software.

#### **7. Serial Predator Crime Investigations Coordinator**

The Serial Predator Crime Investigations Coordinator is responsible for the review, development and coordination of multi-jurisdictional and single jurisdiction investigations of linked major cases.

**8. Major Case Management Bulletins**

Upon receipt of a MCM Bulletin from the SPCIC, the recipient shall ensure dissemination to impacted officers within their police service.

**9. Ontario Sex Offender Registry**

Provincial legislation, which requires convicted sex offenders to, on court order, report and supply local police services with their current address and notify police of any address change.

**10. National Sex Offender Registry**

Federal database which provides rapid access by police to current vital information about convicted sex offenders.

**11. Police Information Portal (PIP)**

Accessed through CPIC and managed by the RCMP, PIP is a searchable index of all police agency Record Management Systems across the country and is an important means of gathering information during serial predator investigations, organized crime investigations, and investigations where the subject moves from one jurisdiction to another.

**Minister-Approved Software Definitions****1. Action**

An assignment an officer must perform, such as taking a statement. In the Minister-approved software, actions are represented by on-screen forms that contain instructions to the officer.

**2. Ad Hoc Search**

An on-demand global functionality of the Minister-approved software central database which allows investigators to search for information in all data fields and text, notwithstanding, the data has not been indexed.

**3. Cross Reference**

A unique record of a descriptive link connecting two other records. For example, two name records can be linked to show a father/son relationship. The Minister-approved software automatically creates records associated with the registration of documents and indexing. Users have the option to create customized cross reference records.

**4. Free Text Search**

A Minister-approved software feature used to search for words and narrative sections of records across the entire database.

**5. Incident Overview**

A feature of the Minister-approved software that allows users to maintain an updated synopsis of an incident.

**6. Index Plan**

A part of a document or action record that lists items to be considered for indexing.

**7. Manual Indexing**

A Minister-approved software function used to build records from the source document record.

**8. Object**

A type of record that represents an entity. The Minister-approved software recognizes ten specific entities; account, category, event, location, person, property, sequence, telephone, e-communication, and vehicles. There are also seven document records.

**9. Officer's Report**

A type of document record containing an officer's information commonly referred to as the follow-up or supplementary report.

**10. Person Profile Record (PPR)**

A document that formally describes the physical appearance of a person.

**11. Personal Identifiers**

Any government issued identification.

**12. Register**

A Minister-approved software function that commits a document or action to the incident and gives it a unique document number.

**13. Report**

An officer's report and/or a research report.

**14. Research**

A Minister-approved software function that checks the incident for similar records.

**15. Research Form**

A type of window that allows certain users to research objects in an index plan or find records in the incident.

**16. Research Report**

A feature of the research form that shows how the Minister-approved software calculated the match score.

**17. Resulting Documents**

Any documents produced as the result of an action. For example, if an action instructed an officer to take a statement, the statement would be a resulting document of the action.

**18. Task**

A data flow function that a user may perform within the Minister-approved software.

**19. Tip/Message**

A type of document containing the text and details of an incoming message, such as a phone message or electronic correspondence.

## **INTRODUCTION**

This standard establishes policies and procedures for the investigation and management of major cases, conducted within a single jurisdiction or combined as a multi-jurisdictional investigation.

The implementation of the investigative functions contained in this standard are supported and reinforced by the application of the Minister-approved software to ensure the efficient analysis and sharing of data and early identification of linked cases.

This standard describes the selection criteria, reporting relationships, duties and responsibilities for personnel performing case management and other functions within single and multi-jurisdictional major cases.

The MCM System is designed to provide for a flexible, yet standardized, response to major case investigations based on the requirements of the particular case. The circumstances of each major case will dictate the level and extent to which resources will be assigned to each investigative function. The functions may be utilized as an investigative checklist by a Major Case Manager to conduct a systematic and ongoing examination of the circumstances of a case. The objective is to ensure that the police response is commensurate with the requirements of the particular investigation.

## **POLICIES AND PROCEDURES**

### **Command Triangle**

1. In every threshold major case investigation within a single jurisdiction, a Command Triangle shall be formed consisting of the functions and responsibilities of Major Case Management, Primary Investigation, and File Coordination.
2. In every linked multi-jurisdiction major case investigation, a Command Triangle shall be formed, consisting of the Multi-jurisdictional Major Case Manager and the Command Triangles of the police services involved. The Multi-jurisdictional Major Case Manager shall consider blending the existing Command Triangles.
3. In a large or complex investigation, the investigative functions including Major Case Management, Primary Investigation and File Coordination may be performed by different individuals. Alternatively, in a small or less complex investigation, one person may be responsible for more than one function.

**Major Case Management**

1. In every threshold major case, a Major Case Manager, who is responsible for the effective governance of the investigation, shall be assigned to undertake the following major case management functions and responsibilities:
  - a) assume overall responsibility and accountability for the investigation;
  - b) determine strategies regarding the direction, speed and flow of the investigation;
  - c) maintain thorough and complete investigative notes;
  - d) upon notification of any potential linkage between major cases identified through any investigative technique or process, shall, as soon as possible, ensure the linkage is investigated;
  - e) if there is a reasonable likelihood that the same person(s) has committed the crime(s) within a single or multi-jurisdiction shall, within seven days, notify the Serial Predator Crime Investigations Coordinator;
  - f) identify, acquire and deploy necessary investigative and support resources;
  - g) in consultation with officers performing primary investigation and file coordination functions, develop investigative strategies and ensure the implementation of those strategies;
  - h) ensure all necessary investigative functions are conducted;
  - i) ensure compliance with this Ontario Major Case Management Manual for threshold major cases and, where applicable, non-threshold major cases;
  - j) ensure adherence to prescribed reporting and communication procedures;
  - k) facilitate a case conference at the earliest stage of the investigation involving different disciplines, where applicable;
  - l) when appropriate, request the assignment of a scientific advisor from the Centre of Forensic Sciences;
  - m) ensure a detailed chronology of the investigation is maintained;
  - n) liaise with the Office of the Chief Coroner, Ontario Forensic Pathology Service, Centre of Forensic Sciences and representatives from other disciplines and agencies, as required;
  - o) in consultation with the primary Investigator, liaise with the Crown Attorney on matters as required relating to search and seizure, evidence gathering, use of electronic surveillance, recording of interviews, use of undercover operations, use of agents or informers, charging decisions and disclosure issues;
  - p) establish and participate as a member of the Investigative Consultant Team, as required;
  - q) ensure that all involved criteria offences are reported to ViCLAS in accordance with Ont. Reg. 550/96 pursuant to the Police Services Act;
  - r) assign victim liaison; and,
  - s) assign media liaison.
2. The Major Case Manager may authorize another member of the Investigative Team or a designated member of the police service to speak to the media.



3. In multi-jurisdictional major case investigations, the Major Case Manager shall:
  - a) meet daily, or as required, with the Multi-jurisdictional Major Case Manager to obtain information for briefing the Major Case Manager's investigative team;
  - b) in consultation with the Multi-jurisdictional Major Case Manager liaise with the Crown Attorney, Office of the Chief Coroner, Ontario Forensic Pathology Service, Centre of Forensic Sciences and representatives from other disciplines and agencies, as required; and,
  - c) participate as a member of the Investigative Consultant Team, as required.
4. The Major Case Manager shall have the knowledge, skills and abilities to perform the functions outlined in sections 1 to 3.
5. The Major Case Manager shall have successfully completed the Ontario Major Case Management Course or equivalent, as defined by the Ontario Police College.
6. The Major Case Manager shall have the resources to manage investigations through the Minister-approved software.

**Primary Investigation**

1. In every threshold major case, a Primary Investigator shall be selected and assigned by the Major Case Manager to undertake the following functions and responsibilities:
  - a) report directly to the Major Case Manager;
  - b) report as soon as possible any potential linkage to the Major Case Manager;
  - c) identify the human and material resources required to conduct the type of investigation and advise the Major Case Manager;
  - d) audit, review and communicate all investigative information relevant to the investigation through regular meetings/briefings to the Investigative Team;
  - e) maintain appropriate scheduling of the Investigative Team;
  - f) assign duties, authorities and responsibilities to personnel within the Investigative Team commensurate with their skills, experience and training;
  - g) in consultation with the Major Case Manager, control the direction, speed and flow of the investigation;
  - h) provide clear, concise instructions on job duties to all personnel;
  - i) ensure actions are generated and completed in a timely fashion;
  - j) ensure all persons submitting exhibits to forensic testing facilities provide status reports every 30 days;
  - k) in consultation with the File Coordinator ensure the preparation and maintenance of the detailed chronology of the investigation;
  - l) participate as a member of the Investigative Consultant Team, as required;
  - m) in consultation with the File Coordinator maintain meeting/briefing minutes;
  - n) in consultation with the Command Triangle ensure each tip/message is prioritized for action and investigated; and,
  - o) maintain thorough and complete investigative notes.

2. The officer who performs a primary investigation function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.
3. The officer who performs a primary investigation function shall have successfully completed the Ontario Major Case Management Course or equivalent, as defined by the Ontario Police College.

**File Coordination**

1. In every threshold major case, a File Coordinator shall be selected and assigned by the Major Case Manager to undertake the following file coordination functions and responsibilities:
  - a) report to the Major Case Manager;
  - b) scrutinize all documents received during the investigation to ensure their quality and completeness;
  - c) report any potential linkage to the Major Case Manager;
  - d) ensure all investigative information is researched, indexed, and cross-referenced by a person who has successfully completed the Ontario Major Case Management Software Course or equivalent, as defined by the Ontario Police College;
  - e) implement standards and controls for the file coordination system;
  - f) create and maintain the detailed chronology of the investigation, in consultation with the Primary Investigator;
  - g) the File Coordinator shall maintain meeting/briefing minutes through consultation with the Primary Investigator;
  - h) ensure the appropriate security of all records and information;
  - i) ensure classification and dissemination of records in accordance with established policy or directions received from the Major Case Manager;
  - j) ensure all investigative information is entered and maintained in the Minister-approved software;
  - k) participate as a member of the Investigative Consultant Team, as required;
  - l) maintain minutes of the Investigative Consultant Team meetings in the records of the investigation;
  - m) select and assign data entry personnel whose duties may include: report to and follow the directions of the File Coordinator; input data arising out of the investigation; ensure the information submitted for data entry is complete and is consistent; identify and report immediately any inconsistencies observed in information from different sources to the File Coordinator; and,
  - n) maintain thorough and complete investigative notes.
2. The officer performing a file coordination function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.
3. The officer shall have successfully completed the Ontario Major Case Management Course or equivalent, as defined by the Ontario Police College.
4. The officer who performs a File Coordinator function shall have received training on the Minister-approved software in fulfilling their functions and responsibilities.

**Search Warrant Coordination**

1. In every threshold major case, the duties of a Search Warrant Coordinator may be assigned by the Primary Investigator to undertake the following search warrant coordination functions and responsibilities as required:
  - a) report directly to the Primary Investigator;
  - b) be responsible for the preparation of, or supervise the person(s) responsible for, the preparation of consent authorizations and all judicial authorizations;
  - c) ensure that, when judicial authorizations to intercept private communications are required, a qualified member of the Investigative Team prepares the documents and liaises closely with the Crown Attorney designated as agent for the Attorney General;
  - d) be responsible for diary dates relating to returns and detention orders;
  - e) maintain current versions of computerized search and seizure forms;
  - f) utilize the contents of the detailed investigation chronology, in consultation with members of the Command Triangle, in the preparation of search warrant documents and judicial authorizations;
  - g) communicate closely with the Command Triangle regarding search warrant documents required to be sealed;
  - h) maintain a close working relationship with the Command Triangle and the File Coordinator in particular;
  - i) liaise with the Scene Investigator and Forensic Identification Officer regarding details to be included in search warrant documents regarding the crime scene(s) or specialized investigative techniques; and,
  - j) liaise with a Crown Attorney on legal issues, as required, including:
    - i) identification of the elements of offence(s) under investigation;
    - ii) sufficiency of reasonable grounds in support of search warrant applications;
    - iii) use of information attributed to informers and/or agents;
    - iv) connection between item(s) being sought and location(s) to be searched; and,
    - v) any other complex legal issues related to the gathering of evidence.
2. The officer who performs a search warrant coordination function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.

**Media Liaison**

1. In every threshold major case, a member of the police service shall be selected and assigned by the Major Case Manager or Multi-jurisdictional Major Case Manager to undertake the following Media Liaison(s) functions and duties as required:
  - a) report to the Major Case Manager in a single jurisdiction investigation or the Multi-jurisdictional Major Case Manager in a multi-jurisdictional investigation;
  - b) be available to attend at all active scenes, and be available daily at the Command Post for briefings;
  - c) in consultation with the Command Triangle, prepare the content of releases to the news media (including answers to anticipated questions);
  - d) obtain approval for all media releases from the Major Case Manager or Multi-jurisdictional Major Case Manager;

- e) manage and control all media releases;
  - f) liaise directly with the Major Case Manager or Multi-jurisdictional Major Case Manager on matters concerning written releases, media enquiries, problems involving media personnel, or procedures;
  - g) meet with the media when and where as necessary;
  - h) collect all media releases and reports in any medium and forward same to the File Coordinator; and,
  - i) work with the media.
2. The individual who performs a media liaison function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.

**Victim Liaison**

1. In every threshold major case, a Victim Liaison Officer (includes civilian member) shall be selected and assigned by the Major Case Manager or Multi-jurisdictional Major Case Manager, in consultation with other members of the Command Triangle, to undertake the following victim liaison functions and duties:
- a) report to the Major Case Manager in a single jurisdiction investigation or the Multi-jurisdictional Major Case Manager in a multi-jurisdictional investigation;
  - b) immediately liaise with the victim(s) or other individual(s) and maintain consistent contact and support throughout the investigative and judicial process;
  - c) control all information released by the investigative team to the victim, family, and close associates and ensure they are treated with sensitivity;
  - d) ensure all information releases to the general public are preceded by similar releases to the victim;
  - e) without jeopardizing any investigative strategy, discuss the need and the rationale for public information releases;
  - f) ensure all information releases to the victim are authorized by the Major Case Manager or Multi-jurisdictional Major Case Manager;
  - g) ensure sufficient security arrangements and personnel are in place to provide appropriate protection to victims;
  - h) assist victims in obtaining support, assistance, referrals and compensation;
  - i) work closely with the appropriate support service liaison or Victim/Witness Assistance Program personnel to ensure the appropriate and consistent treatment and consideration of victims and their families (during and following the investigation); and,
  - j) ensure victims/witnesses are informed of the case status, bail conditions, court dates, final disposition, etc.
2. The officer performing a victim liaison function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.
3. Given the duties may be prolonged and possibly continue after all court action has been completed, the officer, who performs a victim liaison function, shall, when necessary and circumstances permit, be prepared to commit to this function for a number of months or years or, if necessary, until a suitable replacement is obtained.

**Interviewing**

1. In every threshold major case, an Interviewer(s) shall be selected and assigned by the Primary Investigator to undertake the following interviewing functions and duties as required:
  - a) report directly to the Primary Investigator;
  - b) conduct interviews of witnesses, suspect(s) etc., as assigned;
  - c) provide the File Coordinator with all documentation concerning interviews conducted;
  - d) where practicable, prior to any interview, de-brief any member of the Investigative Team who may be able to provide information relevant to the interview;
  - e) where practicable, review all documentation relevant to the interview in preparation for the interview;
  - f) provide a detailed summary of all interviews, ensuring that all investigative information is captured (names, personal identifiers, vehicles, locations, events – including dates, times, and objects); and,
  - g) in consultation with the Primary Investigator and File Coordinator, develop appropriate interviewing strategies that will maximize the value of information and evidence obtained from interviews.
2. The officer performing an interviewing function shall be selected and appointed on the basis of the investigative and evidentiary requirements of the case and the individual to be interviewed, and shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.

**Scene Investigation**

1. In every threshold major case, a Scene Investigator shall be selected and assigned by the Primary Investigator, as required, to undertake the following scene investigation duties and functions:
  - a) report directly to the Primary Investigator;
  - b) identify and assess the scene and implement crime scene control and health and safety procedures in consultation with the Primary Investigator, Major Case Manager and Forensic Identification Officer(s);
  - c) in consultation with the Command Triangle and Forensic Identification Officer(s), develop a scene investigation plan that includes the following at minimum:
    - i) areas to be searched;
    - ii) items to be searched for;
    - iii) specialized investigative techniques/equipment to be employed;
    - iv) sequence of examinations;
    - v) personnel requirements;
    - vi) potential hazards; and,
    - vii) legal search requirements.
  - d) ensure a crime scene continuity register is maintained;
  - e) oversee the activities of the search team in identifying, cataloguing, and documenting seized items and preserving/recording details of the scene, regardless of whether immediate relevance to the investigation is established;

- f) issue clear, concise directions in matters of:
    - i) security;
    - ii) confinement of suspect(s);
    - iii) delegation of duties (pending approval by Primary Investigator); and,
    - iv) protection from health hazards.
  - g) make recommendations to the Primary Investigator regarding additional resources such as:
    - i) forensic specialists;
    - ii) experts; for example, civilian search organizations, anthropologists, archaeologists, botanists, knot specialists, forensic odontologists, arson investigators from the Office of the Fire Marshal, etc.;
    - iii) police canine services;
    - iv) supplies and equipment for crime scene personnel; and,
    - v) secondary search teams.
  - h) liaise with the Search Warrant Coordinator regarding the requirements for judicial authorization, items to be searched for, and offences that may have been committed;
  - i) ensure search warrants for the crime scene are obtained in accordance with the Charter of Rights and Freedoms, case law and statute law;
  - j) on the authority of the Major Case Manager, release the scene in consultation with the Command Triangle and Forensic Identification Officer(s), only after ensuring that all practicable search methods and investigative techniques in relation to the scene have been exhausted; and,
  - k) ensure personnel are deployed to maintain security of the scene and provide appropriate instruction to such personnel.
2. The officer performing a scene investigation function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.

**Forensic Identification**

1. In every threshold major case, a Forensic Identification Officer shall be selected and assigned by the Forensic Identification Supervisor to undertake the following forensic identification functions and duties:
- a) report directly to the Primary Investigator or designate;
  - b) work in close cooperation with the Scene Investigator and liaise with the Primary Investigator;
  - c) photograph and video record all homicide scenes;
  - d) consider photographing and video recording other major case crime scene(s) depending on the complexity of the case and the nature of the scene;
  - e) observe and/or photograph/video record exhibits;
  - f) identify and sort the exhibits and photographs;
  - g) make observations and notes which relate the position of the exhibit to the focal point of the scene;
  - h) take measurements, where necessary, suitable for a plan drawing;
  - i) record time, date, location, description and number for each exhibit;
  - j) coordinate the marking of the exhibit, container, etc. with initials, number and date, accompanied by the notes of the Scene Investigator;

- k) secure and preserve all exhibits against loss, contamination, deterioration, theft, or other detriment;
  - l) contact the Centre of Forensic Sciences or other forensic testing facilities regarding the status of exhibits submitted by the Forensic Identification Officer(s) at least every 30 days and report the results of the contacts to the Command Triangle;
  - m) when forensic testing results are obtained in writing, compare the results against requested examinations;
  - n) in consultation with the Scene Investigator, issue clear, concise directions in matters relating to search patterns and protection from health hazards; and,
  - o) when delegating duties, provide adequate instruction and ensure compliance with appropriate standards and practices.
2. A Scenes of Crime Officer may undertake the duties of a Forensic Identification Officer in any major case other than homicide, when the Primary Investigator, in consultation with the Forensic Identification Officer, determines that the Scenes of Crime Officer is qualified to conduct the required tasks.
  3. A Scenes of Crime Officer shall have successfully completed the required training or have equivalent qualifications and skills as approved by the ministry.
  4. The officer, who performs a forensic identification function, shall have successfully completed the required training or have equivalent qualifications and skills.
  5. The officer, who performs a forensic identification function, shall have reviewed the tombstone elements of judicial authorizations (search warrants) and any endorsements where applicable. Tombstone elements include but, are not restricted to, Items to be searched for, location(s) to be searched, grounds to believe that the items searched for will be found at the location(s) searched and that the items will afford evidence of a crime.

**Field Investigation**

1. In every threshold major case, a Field Investigator shall be selected and assigned by the Primary Investigator based on the nature of the investigation and the experience of the person to undertake the following functions and duties:
  - a) report directly to the Primary Investigator;
  - b) perform investigative duties assigned by the Primary Investigator;
  - c) perform various non-investigative duties in support of the Investigative Team; and,
  - d) prepare and forward reports as required by the Primary Investigator.

**Canvass Coordination**

1. In every threshold major case, a Canvass Coordinator may be selected and assigned by the Primary Investigator to undertake the following canvass coordination functions and duties:
  - a) i
2. The officer performing a canvass coordination function shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.

**Multi-jurisdictional Major Case Manager**

1. In addition to the investigative functions and responsibilities of a Major Case Manager in a single jurisdiction investigation, the Multi-jurisdictional Major Case Manager shall undertake the additional functions and duties assigned to the case manager as follows:
  - a) report to the Joint Management Team as required regarding the overall direction and management of the investigation and decisions to change investigative strategies or directions;
  - b) at the commencement of a multi-jurisdictional major case investigation, consult with the Joint Management Team to establish the need for an Investigative Consultant Team, and meet as a member of the Investigative Consultant Team as required;
  - c) at the earliest opportunity, consider the need for a case conference involving representatives from identified stakeholders (e.g., Centre of Forensic Sciences, Office of the Chief Coroner, Ontario Forensic Pathology Service, other expert forensic resources, Crown Attorney, Behavioural Sciences and Analysis Section and involved police services) to review the known facts of the case from an inter-disciplinary perspective to develop protocols, for the processing of forensic exhibits, and to gather expert input to assist the Multi-jurisdictional Major Case Manager in developing an investigative plan;
  - d) assume overall control, responsibility and accountability for the direction, speed and flow of the linked multi-jurisdictional major case investigations, and any related cases to which he/she is assigned;
  - e) if at any time during the multi-jurisdiction investigation, there is any potential linkage identified through any triggering mechanism between the major cases under investigation and any other major case outside of the investigation, ensure the linkage is investigated as soon as possible;
  - f) if there is a reasonable likelihood that the same person(s) has committed the additional reported major case(s), then the SPCIC shall be notified within seven days;
  - g) address investigative issues, strategies, policy issues and problem areas to ensure the effective management of the overall investigation is consistent with major case management standards;
  - h) in consultation with the members of the respective Command Triangle(s) of the linked investigations, identify and obtain the necessary human and material resources;
  - i) in consultation with the Major Case Managers of the linked investigations, liaise with the Crown Attorney on matters as required;
  - j) in consultation with the members of the respective Command Triangle(s) of the linked investigations, develop an operational plan to be approved by the Joint Management Team;
  - k) where necessary, in consultation with the SPCIC, prepare a request for provincial funding;
  - l) ensure adherence to this Ontario Major Case Management Manual by all members of the Investigation Teams;
  - m) ensure duplication of effort and counterproductive interference are eliminated;
  - n) ensure detailed written progress updates, reports and briefing notes are prepared;
  - o) ensure the detailed investigation chronology is prepared and maintained by the File Coordinator(s) in consultation with the Primary Investigator(s);



- p) ensure that detailed and accurate financial records pertaining to the investigation are maintained and reported in accordance with established funded joint forces operation procedures;
  - q) coordinate the preparation of comprehensive court briefs;
  - r) participate in a case review or operational de-briefing for the purpose of making recommendations relating to the direction, speed and flow of the investigation; and,
  - s) participate in a case review, or operational de-briefing, convened by the SPCIC, to review the concluded investigation(s).
2. The Multi-jurisdictional Major Case Manager shall have the knowledge, skills and abilities to perform the functions outlined in section 1, above.
3. The Multi-jurisdictional Major Case Manager shall:
- a) be appointed by the Joint Management Team;
  - b) have experience as a major case manager in homicide and/or sexual assault investigations;
  - c) have experience directly relating to the nature of the crime(s) under investigation;
  - d) have successfully completed the Ontario Major Case Management Course;
  - e) be an active member of the provincial Multi-jurisdictional MCM resource pool; and,
  - f) have successfully completed the Ontario Police College's Multi-jurisdictional MCM Course or equivalent.

**Criteria and Activation**

1. For a case to be a multi-jurisdictional investigation, two or more police services working on independent major case investigations must establish a link between two or more defined major cases where there is a reasonable suspicion that the same person(s) is responsible for the commission of the offences.
2. Section 1 does not apply to two or more linked Human Trafficking cases unless the criteria specified under section 3 of the Data Entry Standards section for Non-Threshold Major Cases within this Manual is met.
3. Once the criteria in section 1, above, have been met, the Major Case Managers shall, within seven days, notify the SPCIC.
4. In every multi-jurisdictional investigation, a Joint Management Team shall be formed comprising representatives from senior management of each involved service. The Joint Management Team shall meet with the involved Major Case Managers and the SPCIC.
5. The Joint Management Team shall appoint a Multi-jurisdictional Major Case Manager. A Command Triangle shall be formed consisting of the Multi-jurisdictional Major Case Manager and the Command Triangles of the police services involved. Large or complex investigations may require the Multi-jurisdictional Major Case Manager be dedicated full-time to the investigation.

6. The Joint Management Team shall consider the need to integrate the linked investigations. If two or more investigations are integrated, the Multi-jurisdictional Major Case Manager shall consider blending the existing command triangles.
7. The Major Case Managers, Victim Liaison(s) and Media Liaison(s) functions within each linked investigation shall report directly to the Multi-jurisdictional Major Case Manager.
8. Where deemed necessary, the MCM Executive Board shall review the appointment of the Multi-jurisdictional Major Case Manager. The MCM Executive Board may appoint a Multi-jurisdictional Major Case Manager from the provincial pool after consideration of all relevant factors, including:
  - a) the nature of the offences;
  - b) scope and complexity;
  - c) number of victims;
  - d) time frame;
  - e) likelihood of escalation;
  - f) the involved police services' degree of compliance with the MCM System; and,
  - g) the suitability of the incumbent Multi-jurisdictional Major Case Manager.

**Joint Management Team**

1. A Joint Management Team shall be formed, comprised of representatives from the involved police services and other disciplines as appropriate, to undertake the following functions and duties:
  - a) upon confirmation of a multi-jurisdictional investigation, meet with the involved Major Case Managers and the SPCIC to appoint a Multi-jurisdictional Major Case Manager;
  - b) at the commencement of a multi-jurisdictional major case investigation, consult with the Multi-jurisdictional Major Case Manager to establish an Investigative Consultant Team;
  - c) determine the frequency of reviews of the investigation by the Investigative Consultant Team;
  - d) monitor the expenditure, financial accountability and cost effectiveness of the investigation;
  - e) provide general oversight of the investigation without participating in investigative decisions unless they involve a major change of direction or policy;
  - f) authorize additional resources;
  - g) after consultation with the Multi-jurisdictional Major Case Manager, terminate the investigation;
  - h) review the progress of the investigation and audit reports submitted by the Multi-jurisdictional Major Case Manager, which shall be retained in the records of the investigation;
  - i) provide advice and support to the investigation and facilitate its progress;
  - j) consult with the Serial Predator Crime Investigations Coordinator throughout the investigation; and,
  - k) ensure the minutes of Joint Management Team meetings are retained in the records of the investigation.

### **Investigative Consultant Team**

1. The Investigative Consultant Team shall perform the following functions and duties:
  - a) meet to review the investigation as required or by the Joint Management Team; and,
  - b) provide support to the Multi-jurisdictional Major Case Manager, through guidance, assistance and support.
2. Members of the Investigative Consultant Team shall be assigned on the basis of the knowledge, experience and expertise specific to the investigation.
3. Membership on the Investigative Consultant Team will be dependent on the requirements of the investigation, but consideration shall be given to include representatives from:
  - a) Centre of Forensic Sciences;
  - b) Office of the Chief Coroner;
  - c) Office of the Crown Attorney;
  - d) Forensic Pathology Service;
  - e) forensic psychiatry; and,
  - f) any other discipline that can provide value to the investigation.

## INTRODUCTION

This standard applies to the treatment of victims of major cases and, where applicable, members of their families.

## POLICY AND PROCEDURES

1. The Victim Liaison Officer may delegate certain duties (e.g., victim services personnel) while ensuring that the number of personnel interacting with the victim is kept to a minimum.
2. The Victim Liaison Officer shall be responsible for the following:
  - a) ensuring the victim has immediate access to the appropriate translation services necessary;
  - b) maintaining on-going contact with the victim during the trial process;
  - c) where charges have been laid in a major case investigation, ensuring that the Victim/Witness Assistance Program is notified where applicable and, if the victim wishes to utilize those services, ensuring that an appointment for the victim is arranged;
  - d) when arrangements have been made with a member of the investigative team and/or Crown Attorney for an interview, ensuring the following factors are taken into consideration:
    - i) date/time/location;
    - ii) transportation arrangements;
    - iii) child care;
    - iv) existing safety plans;
    - v) medical issues;
    - vi) support persons;
    - vii) length of interview; and,
    - viii) method of recording the interview.
  - e) ensuring the victim is made aware of, and provided with, information regarding the criminal injuries compensation process and, where practical, ensuring that assistance is provided to the victim in making application to the criminal injuries compensation process;
  - f) serving subpoenas and other court documents to the victim;
  - g) ensuring the victim has access to the following information:
    - i) the services and remedies available to victims of crime;
    - ii) the provisions of the Victims' Bill of Rights and of the Compensation for Victims of Crime Act that might assist them;
    - iv) the protection available to victims to prevent unlawful intimidation;
    - v) the progress of investigations that relate to the crime;
    - vi) the charges laid with respect to the crime and, if no charges are laid, the reasons why no charges were laid;
    - vii) the victim's role in the prosecution;
    - viii) court procedures that relate to the prosecution;

- ix) the dates and places of all significant proceedings that relate to the prosecution;
  - x) the outcome of all significant proceedings, including any proceedings on appeal;
  - xi) any pretrial arrangements that are made that relate to a plea that may be entered by the accused at trial;
  - xii) the interim release and, in the event of conviction, the sentencing of an accused;
  - xiii) any disposition made under section 672.54 or 672.58 of the Criminal Code in respect of an accused who is found unfit to stand trial or who is found not criminally responsible on account of mental disorder; and,
  - xiv) their right under the Criminal Code to make representations to the court by way of a victim impact statement.
- h) ensuring the victim receives assistance in preparing a victim impact statement, if necessary;
  - i) ensuring that necessary referrals to victim service providers are made; and,
  - j) assisting the victim in developing a safety plan where, it is in the opinion of members of the Command Triangle that a victim's safety may be in question.
3. The Major Case Manager, through the Victim Liaison Officer, shall notify the victim of the following, where applicable:
- a) if the accused person is remanded into custody;
  - b) if the accused person is released and any conditions of release;
  - c) if the accused person is remanded into custody and released as a result of a judicial review and any conditions of release;
  - d) if the accused person is sentenced, and any conditions of probation;
  - e) if the accused person is released on temporary absence, parole or an unescorted temporary absence pass and any conditions; and,
  - f) any escape of the accused/convicted person from custody immediately upon the Major Case Manager becoming aware of the escape.
4. Where the safety of the victim may be in question, the Major Case Manager shall ensure the Crown Attorney is notified in writing with respect to any disclosures that may put the victim at further risk.
5. Members of a major case investigation shall make every attempt to accommodate victims with special needs.
6. The Major Case Manager, in conjunction with the Crown Attorney, shall ensure that after a judicial proceeding, the victim is advised of any verdicts or decisions made by a Judge or Justice of the Peace, as well as sentences and appeals.
7. The Major Case Manager, in conjunction with the Crown Attorney, shall ensure the victim is informed of the provisions of section 745.6 of the *Criminal Code* (Application for Judicial Review).
8. The Major Case Manager shall take reasonable steps to ensure the victim does not hear or see details of a major case investigation for the first time in court or through the media.

## INTRODUCTION

The purpose of this standard is to provide a consistent approach for contacts with the media in the investigation of major cases. The investigation may be affected by the information released and the manner in which it is released to the media. The release of unauthorized information can seriously impact the investigation or a criminal proceeding. A positive working relationship with members of the media should be maintained.

## POLICY AND PROCEDURES

### Release of Information

1. The Media Liaison Officer shall be the designated spokesperson for release of information to the media.
2. Notwithstanding section 1, the Major Case Manager may authorize another member of the investigative team to speak to the media when circumstances dictate.
3. No member shall release information unless authorized to do so by the Major Case Manager.
4. When a member of the investigative team receives approval from the Major Case Manager to prepare a news release, the member shall:
  - a) research, compile and draft the pertinent information;
  - b) submit the information to the Media Liaison Officer for editing;
  - c) submit the draft release to the Major Case Manager for final approval;
  - d) forward the approved release to the Media Liaison Officer who shall circulate the release to media outlets; and,
  - e) forward a copy of the approved release to the File Coordinator.
5. In preparing all news releases, the Major Case Manager shall consider consulting with a member of the police service who has received media relations training.
6. The Major Case Manager and the Media Liaison Officer shall consider the release of proactive public safety messages.
7. Consideration shall be given to releasing the following information:
  - a) time and location of the occurrence;
  - b) general description of the victim; and,
  - c) generic description of the crime.

8. The Major Case Manager in consultation with the Victim Liaison Officer shall give consideration to releasing the following information after an arrest and the laying of a charge:
  - a) information in relation to the accused person, including name, address and age;
  - b) charges laid;
  - c) time and location of the arrest;
  - d) circumstances of the arrest;
  - e) investigating unit; and,
  - f) date and location of the accused person's first court appearance.
9. Media requests for photographs, taken under the authority of the *Identification of Criminals Act*, shall only be granted if:
  - a) a wanted person is at large and public assistance is requested; and,
  - b) the request is approved by the Chief of Police or Commissioner of the Ontario Provincial Police or designate.
10. If a photograph of a missing person or victim is requested by the media, permission shall be received from an immediate family member or the victim prior to releasing the photograph if practicable.
11. Suspect(s) and accused person(s) shall not be posed by the police for photographing by media representatives.
12. All news releases and information contained in public appeal(s) shall be made available to all media outlets.

### Information Release Prohibitions

Consideration should be given to the *Youth Criminal Justice Act*, any publication bans, the *Municipal Freedom of Information and Protection of Privacy Act* and the *Freedom of Information and Protection of Privacy Act*.

1. The following information shall not be released to the media:
  - a) the name, address of a young person charged with an offence, except in accordance with a Judge's Order (age, sex and general area of residence can usually be released);
  - b) information that would identify a victim except:
    - i) in homicide cases, following notification of next of kin;
    - ii) in compelling circumstances when the health or safety of an individual may be affected;
    - iii) where disclosure is necessary to continue the investigation (e.g., in cases of non-familial abductions);
    - iv) when a compelling public interest in disclosure of the personal information clearly outweighs the individual's right to privacy (e.g., in cases of non-familial abductions); and,
    - v) in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased.

- c) information relating to an accused as follows:
    - i) the existence of an alibi, admission, confession or statement;
    - ii) the reputation, character, or criminal record of an accused;
    - iii) any tests taken by, refused by, or offered to the accused; and,
    - iv) any evidence or information that may prejudice a trial.
  - d) any other information that, in the view of the Major Case Manager, may prejudice the investigation.
2. In sexual assault cases, information that may identify the victim shall not be released. Such information may include the name of the accused person(s).

### **The Crime Scene**

In the event the Major Case Manager allows media access to the crime scene, the media representative shall be accompanied by either the Media Liaison Officer or another member of the investigative team.

### **Media Interviews**

1. When a member of the investigative team is assigned to meet with a member of the media in connection with a special news feature, the Major Case Manager and the Media Liaison Officer shall:
- a) brief the member;
  - b) where possible and when necessary, attend the interview; and,
  - c) ensure a written report is submitted to the File Coordinator with the results of the interview and the names of the individuals who were in attendance.
2. Upon receiving the approval of the Major Case Manager, a member of the investigative team shall consider providing information to the media at a crime scene as follows:
- a) identifying him/herself as a member of the investigative team and giving a brief rationale as to his/her presence;
  - b) introducing the Media Liaison Officer, if available, and indicating that the Media Liaison Officer will be the regular contact for the media in relation to the investigation;
  - c) releasing as much information as possible, including confirmation of the type of case under investigation without compromising the investigation;
  - d) confirming with the media that, if the need arises, the member, along with the Media Liaison Officer, will personally meet with the media; and,
  - e) if necessary, indicating that the assistance of the media may be sought as the case develops.



### **Public Appeals**

1. In a single jurisdiction investigation, the Major Case Manager shall consider consulting with the Media Liaison Officer, prior to any public appeal, to review its content and the medium of delivery.
2. In a multi-jurisdictional investigation, public appeals shall be the subject of discussion among the Multi-jurisdictional Major Case Manager, the Joint Management Team, Major Case Managers, Media Liaison Officer and, where appropriate, the Crown Attorney to review the potential impact of the appeal.

## INTRODUCTION

This standard addresses the collection, classification, prioritization and flow of investigative information for threshold major cases. The standard also addresses the classification of suspect(s) for the purpose of investigating suspect(s) to the point at which the individual can be confidently eliminated as a suspect or prioritized for probability in the interests of effective and efficient allocation of investigative resources.

## POLICY AND PROCEDURES

1. Following the receipt of investigation information, background inquiries shall be conducted.
2. The investigative information and results of the inquiries shall be forwarded to the Command Triangle.
3. When a person of interest is identified, steps shall be taken to ensure a thorough investigation of that individual.
4. If an individual is identified as a suspect, the Command Triangle shall ensure a thorough and complete investigation is conducted. The suspect shall be prioritized as high, medium or low based on the following criteria:
  - a) existence and extent of corroborating evidence;
  - b) reliability of investigative information;
  - c) number of references to the same person;
  - d) existence of motive;
  - e) existence of opportunity;
  - f) relationship to the victim; and,
  - g) background of the suspect.
5. All Actions shall be recorded in the Minister-approved software.
6. The Command Triangle shall prioritize all actions as high, medium or low based on the following factors:
  - a) risk to public safety;
  - b) potential for loss of evidence;
  - c) availability of the source/subject of the information;
  - d) number of references to the same information;
  - e) specificity of the information;
  - f) whether the source of the information is known or anonymous;
  - g) seriousness of the offence, and,
  - h) reliability of the source, if known.
7. In relation to all other investigative information, the information management cycle shall continue until the Command Triangle determines:
  - a) that all relevant investigative avenues have been exhausted; or,
  - b) that no further follow-up is required.

**INTRODUCTION**

The identification of a suspect in any criminal case by an eyewitness can be valuable evidence when properly presented during a prosecution. Diligence must be exercised during the investigation of major cases to ensure that any potential identification of a suspect is not prejudiced in any way. Police officers conducting identification processes should be cognizant of current case law pertaining to eyewitness evidence.

**POLICY AND PROCEDURES**

1. Various methods of suspect identification shall be considered including: physical line-ups, photo line-ups, voice line-ups, video images, etc.
2. The Major Case Manager shall consider assigning an officer who is not a member of the investigative team to arrange and conduct the line-up.
3. The officer conducting the line-up shall suggest to the witness that the suspect may or may not be in the line-up.
4. The officer conducting the line-up shall not identify the suspect in any way by word or gesture.
5. The witness shall be advised that he or she is not obliged to make an identification.
6. Records in relation to the line-up shall be forwarded to the File Coordinator.
7. All material (e.g., photographs) shall be retained as exhibits.
8. The Major Case Manager shall consider requesting that the media not publish photograph(s) of an accused person(s) in cases where identification is an issue following arrest.
9. Witnesses shall view line-ups independently of other witnesses.
10. All line-ups shall be recorded in detail and include:
  - a) instructions provided to the witness;
  - b) instructions provided to the line-up participants;
  - c) make-up of the line-up and identities of all persons therein or the exact lay-out of the photo spread indicating the person chosen by the witness and accompanied by the witness' signature and date of identification;
  - d) comments made by the witness and any physical action/reaction upon identification or partial identification and the witness' stated confidence at the time; and,
  - e) all persons present during the line-up.

## INTRODUCTION

The purpose of this standard is to identify the data entry requirements for the Minister-approved software for both threshold and non-threshold major cases. The maintenance of these standards will ensure the integrity of the case management investigative data and the triggering database.

## POLICY AND PROCEDURES

1. All investigative information shall be entered in the software within 30 days of receipt of the information. In the situation where an investigation has been reclassified as a major case, then all investigative information shall be entered in the software as soon as resources allow.
2. Tombstone information shall include, but is not limited to, the following relevant information: full name(s), alias(es), date of birth, personal descriptors, telephone number(s), address(es), unique identifier (e.g., driver's licence), vehicle(s), and a detailed summary of the investigation.
3. The entry of cases that have been reported prior to the installation of the Minister-approved software at the police service of jurisdiction may be entered in the software at the discretion of the Major Case Manager.
4. Command Triangle personnel shall consider the privilege attached to the identity of confidential informants. Personal information or information that, by reason of its exclusivity would tend to identify a confidential informant should not be entered into the incident database, notwithstanding the necessity to disclose certain information to the Crown Attorney, once judicial proceedings are commenced or until such time as the case is declared inactive and the case file is archived.
5. Command Triangle personnel shall consider the security of agents and undercover police officers utilized during an investigation. Personal information or information that by reason of its exclusivity would tend to identify an agent or undercover police officer should not be entered into the incident database, notwithstanding the necessity to disclose certain information to the local Crown Attorney, once judicial proceedings are commenced or until such time as the case is declared inactive and the case file is archived.

## Threshold Major Cases

1. For threshold major cases, the following procedures shall be followed:
  - a) all investigative information shall be entered, indexed, researched, and cross-referenced into the Minister-approved software; and,
  - b) the File Coordinator shall ensure the investigative information entered into the Minister-approved software is filed within the appropriate document.

**Non-Threshold Major Cases**

1. For non-threshold major cases, tombstone information shall be entered, indexed, researched and cross-referenced into the Minister-approved software:
  - a) a summary of the offence providing the date and time, location and circumstances;
  - b) the name and personal identifiers of the victim;
  - c) the name and personal identifiers of the accused, suspect or person of interest; and,
  - d) any other relevant investigative information that may, in the opinion of the Case Manager, assist in the early detection of serial or predatory behaviour;and where there is evidence of serial or predatory behaviour, the data entry procedures for threshold cases shall be followed.
2. Missing persons, where police have yet to ascertain whether foul play is involved, and where the individual remains outstanding and unaccounted for 30 days after being reported missing, the data entry procedures for threshold cases shall be followed.
3. Trafficking in persons as defined in section 279.01, s. 279.011 or 279.04, Criminal Code, and attempts as defined in section 24(1) Criminal Code, where one of the following criteria exists, the data entry procedures for threshold cases shall be followed.
  - a) The occurrence involves the use of a firearm;
  - b) Kidnapping;
  - c) Torture;
  - d) Sexual Assault committed by the offender involving oral, vaginal, or anal penetration;
  - e) Aggravated assault;
  - f) Use of restraints, bondage or disguise

**Data Entry Standard Exceptions to Threshold Major Cases**

The data entry requirements for a non-threshold major case as indicated in sections 1-3 above may be used in the following situations:

- a) sexual assaults including sexual interference, and attempted sexual assaults, sexual exploitation and invitation to sexual touching with a suspect known to police when the conduct is not predatory or serial in nature and any of the following circumstances are present:
  - i) the victim and suspect are in a familial relationship including genealogical blood lines or common-law union, and shall include adoptive parents/siblings, step parents/siblings and legal guardians;
  - ii) the victim and suspect have a previous relationship;
  - iii) the case involves historical sexual offences (e.g., an offence reported over a year after having been committed);
  - iv) any sexual assault where a suspect has been identified and arrested within 14 days; and,
  - v) sections (a) (i) to (a) (iv) do not apply in cases which are deemed to be predatory or serial in nature.

- b) in homicide investigations, including attempts where:
  - i) the victim and suspect were in a familial relationship including genealogical blood lines or common-law union, and shall include adoptive parents/siblings, step parents/siblings and legal guardians; and/or,
  - ii) the suspect has been arrested and identified within 14 days or is deceased;
  - iii) sections (b) (i) and (b) (ii) do not apply in cases which are deemed to be predatory or serial in nature.

## INTRODUCTION

This standard addresses the process for interviewing witness(es), victim(s) and suspect(s). An interview is a conversation designed to obtain information on a specific occurrence, incident or event. The purpose of the interview(s) is to gather information to determine whether an offence(s) has been committed, to identify the individual(s) responsible for the commission of the offence(s) and/or to obtain evidence which may assist in the investigation/prosecution.

## POLICY AND PROCEDURES

1. Appropriate personnel shall be assigned to conduct interviews on the basis of their qualifications and experience.
2. The interviewer shall fully prepare and plan for any interview to be conducted. Interviews shall be recorded in one of the following methods:
  - a) written record;
  - b) audio recording;
  - c) video recording;
  - d) interviewers shall be guided by the direction of current case law and statute law; and,
  - e) interviewers shall follow current recommendations regarding the interviewing of children, young persons and taking sworn statements.
3. Where an electronically recorded statement is not transcribed, a detailed summary of the relevant information from the interview shall be recorded for data entry purposes.
4. The use of specialized resources (e.g., Children's Aid Society personnel, interpreters) for assistance with interviews of particular witnesses (e.g., children, sexual assault victims, and spouse/partner abuse victims) shall be considered.
5. A Crown Attorney shall be consulted with respect to any request for consideration on behalf of the individual or another person with respect to immunity, charge reduction, plea bargaining, etc. Any other considerations shall be the subject of consultation with other authorities (e.g., corrections personnel), as appropriate.
6. The victim of a sexual assault shall be asked if he or she would prefer to be interviewed by a qualified officer of a particular gender if available.

## **INTRODUCTION**

The importance of canvassing as an investigative tool applies to all major case investigations where there is a need to seek relevant information from an identifiable group of people.

## **POLICY AND PROCEDURES**

1. When a canvass is deemed necessary, the Canvass Coordinator shall, in consultation with the Major Case Manager and Primary Investigator, establish a canvass plan.
2. Canvassers shall be provided with an overview of the case and briefed on the reason for the canvass and the methodology for conducting the canvass.
3. Consideration shall be given to having interviewers available to conduct follow-up interviews and forensic identification personnel available in the event physical evidence is located.
4. The Canvass Coordinator shall collect all documents relating to the canvass and forward the documents to the File Coordinator.



## INTRODUCTION

The purpose of this standard is to provide direction regarding protection and integrity of crime scenes and the collection and preservation of evidence.

## POLICY AND PROCEDURES

### Initial Crime Scene Functions

1. Ensure the best practices of crime scene management are observed, giving due consideration to health and safety concerns and the preservation of evidence.
2. A crime scene continuity register shall be maintained until the scene is released.
3. In the event of possible contamination of evidence, forensic identification personnel shall be advised at the scene.
4. Where a suspect is arrested, the officer shall, in addition to the initial search of the suspect, ensure measures are taken to avoid contamination of potential evidence. The following shall be considered:
  - a) in the event the suspect used a firearm, or has evidence on his/her hands, he/she shall not be allowed to wash his/her hands;
  - b) clothing and footwear may need to be seized for possible trace evidence; and,
  - c) hair and biological samples may be needed for comparison purposes.
5. Officers shall exercise caution to prevent cross-contaminating multiple crime scenes and/or the persons of victims and suspects/accused (e.g., in situations in which an officer proceeds directly from a crime scene to handle a suspect in custody).
6. Officers shall, whenever possible, utilize protective clothing to prevent the possible transfer of trace evidence or, where practicable, change clothing between crime scenes.

### Experts

The decision to use expert resources to conduct examinations shall be made by the Command Triangle, in consultation with the Scene Investigator, Forensic Identification Officer, and/or the Office of the Chief Coroner/Ontario Forensic Pathology Service.

**Search of the Crime Scene**

1. The Scene Investigator, in consultation with the Command Triangle and Forensic Identification Officer, shall develop a scene investigation plan.
2. All items of potential evidentiary value shall be identified, catalogued, documented, seized and preserved, regardless of whether immediate relevance to the investigation is established.
3. In major case crime scenes, consideration shall be given to photographing and videotaping the crime scene depending on the complexity of the case and the nature of the scene.
4. All examinations and evidence collection procedures shall be documented and an exhibit register shall be maintained that documents the following:
  - a) items seized;
  - b) location from which the items were seized;
  - c) date and time of seizure; and,
  - d) name of seizing individual.
5. After a crime scene has been thoroughly searched, consideration shall be given to the deployment of additional searchers who may be able to provide a different perspective and/or specialized search expertise to ensure that all avenues of the search have been exhausted.

**Release of the Crime Scene**

1. Only the Major Case Manager, in consultation with the Command Triangle, the Forensic Identification Officer and the Scene Investigator, shall have the authority to release the crime scene after ensuring that all practicable search methods and investigative techniques in relation to the scene have been exhausted.
2. The Major Case Manager shall consider maintaining security of every homicide scene until the conclusion of the autopsy.
3. When releasing a crime scene, documentation shall include:
  - a) date and time of release;
  - b) to whom the scene was released, if applicable; and,
  - c) the name of the individual who authorized the release of the scene.

## INTRODUCTION

Major case investigations require a coordinated inter-disciplinary approach to ensure that all pertinent issues are satisfactorily addressed in the appropriate sequence.

### Experts

Services of experts that may be of assistance during a major case death investigation include, but are not limited to:

- a) forensic pathology;
- b) forensic odontology/dentistry;
- c) forensic anthropology/archaeology;
- d) forensic entomology;
- e) pattern/wound interpretation;
- f) other medical experts; and,
- g) other forensic experts (e.g., forensic knot craft, forensic climatology).

### Office of the Chief Coroner and the Ontario Forensic Pathology Service

1. The Office of the Chief Coroner/Ontario Forensic Pathology Service shall be consulted in the following circumstances:
  - a) when a Major Case Manager deems it necessary to obtain the services of an expert in relation to the body of a deceased person in the investigation of a major case death investigation;
  - b) in cases where a second autopsy is required or has been requested;
  - c) where a request is made to have a body exhumed; and,
  - d) in cases of found human skeletal remains or an interred body, for advice and guidance on processing the body site to ensure the preservation of physical evidence.
2. The Office of the Chief Coroner/Ontario Forensic Pathology Service may be consulted in relation to the investigation of all major cases.
3. In cases of homicide or suspicious death, the Major Case Manager shall consult with the attending Coroner regarding the location for an autopsy, the necessity for other post-mortem examinations or the preservation of other forms of short-lived evidence.
4. The Major Case Manager shall consult with the Office of the Chief Coroner/Ontario Forensic Pathology Service regarding responsibility for the costs involved in employing the services of an expert prior to the expert being retained.

5. In the event of a dispute between the Major Case Manager and the attending coroner and/or pathologist that cannot be resolved, the Office of the Regional Coroner and, if necessary, the Office of the Chief Coroner/Ontario Forensic Pathology Service, shall be contacted to facilitate a resolution.
6. Where applicable, the Major Case Manager shall conduct a case conference at the earliest possible opportunity for the purposes of obtaining inter-disciplinary input to assist in developing investigative strategies, establishing priorities and ranking the sequence of any necessary investigative procedures.

### **Centre of Forensic Sciences**

1. Major Case Managers and investigators shall consider the range of services provided by the Centre of Forensic Sciences.
2. Prior to a crime scene being released, the Major Case Manager shall consider consulting the Director of the Centre of Forensic Sciences if it is believed that expert services are required that are not offered by the Centre of Forensic Sciences.
3. Prior to a body being released to the next of kin, the Major Case Manager shall consider consulting with the Office of the Chief Coroner/Ontario Forensic Pathology Service and/or the Director of the Centre of Forensic Sciences if it is believed that the expert services required are not offered by the Centre of Forensic Sciences.

## INTRODUCTION

A standardized approach to post-mortem examinations ensures the preservation, integrity and continuity of evidence.

## POLICY AND PROCEDURES

### Duties and Responsibilities

1. The Major Case Manager shall be aware of the duties and responsibilities of the Coroner/Ontario Forensic Pathology Service with respect to human remains.
2. The Major Case Manager shall ensure that officers attending the post-mortem examination are aware of the duties and responsibilities of the pathologist under the direction of the Ontario Forensic Pathology Service.

### Procedures to be followed prior to and during the autopsy

1. The Major Case Manager shall:
  - a) ensure that measures are taken to prevent trace evidence from being transferred between crime scenes, post-mortem examinations and a suspect(s) in custody;
  - b) ensure the coroner is advised of the known facts of the investigation, including the identity of the deceased, if known, circumstances of the discovery of the deceased, and any known history of the deceased;
  - c) ensure that continuity of the deceased is maintained from the discovery of the body to the completion of the post-mortem examination;
  - d) in the event that a dispute between the Major Case Manager and the attending coroner and/or pathologist cannot be resolved, the Office of the Regional Coroner and, if necessary, the Office of the Chief Coroner/Ontario Forensic Pathology Service shall be contacted to facilitate a resolution;
  - e) ensure the deceased is formally identified to the pathologist;
  - f) ensure the coroner and pathologist are advised of any requested post-mortem examinations;
  - g) ensure the appropriate investigative personnel attend the post-mortem examination, including forensic identification personnel;
  - h) ensure an attending officer records the preliminary opinion regarding the cause of death as stated by the pathologist;
  - i) ensure notes are maintained that include the following:
    - i) the date and time the post-mortem was started and completed;
    - ii) individuals present;
    - iii) preliminary opinion regarding the cause of death as provided by the pathologist;
    - iv) seizure of evidence; and,
    - v) major findings that may assist with the investigation.

- j) ensure consultation with the coroner takes place in relation to the following:
    - i) the need to maintain security of the body following the autopsy, where necessary;
    - ii) the provision of information, if any, to the media and the family of the deceased regarding the results of the post-mortem examination and ensuring that the media and family receive similar information; and,
    - iii) consultation with the coroner and pathologist takes place in relation to whether the body should be re-examined 24 hours after the post-mortem in selected cases of suspicious death.
  - k) ensure all samples requiring forensic examination received by the police are delivered to appropriate examiners/laboratories as soon as practicable with due regard for the rate of deterioration of the samples;
  - l) ensure all relevant reports and notes are completed and submitted, and that all formal documentation is received and submitted to the File Coordinator;
  - m) consider, in consultation with the Coroner and/or Forensic Pathologist, circumstances when attendance at the scene would be valuable, where policy does not exist; and
  - n) provide initial information to the pathologist in writing, and the information should be as complete as possible. Any additions should be made based on dialogue during consultations.
2. When provided a preliminary report from the pathologist it should be in writing. If it is not in writing, the officer should note what is said and allow the pathologist to review the notes for accuracy indicating it conforms with his or her opinion, including its limitations. The pathologist should also retain a copy of the relevant entries.

### **Evidence Samples**

1. The Major Case Manager shall ensure evidence is preserved using the best current practices, and that the Centre of Forensic Sciences is consulted for clarification when necessary.
2. The Major Case Manager shall, when appropriate, consult with the coroner and/or the pathologist, regarding the seizure of biological samples, which may include:
  - a) head hair for comparison;
  - b) body hair for comparison;
  - c) vaginal/penile swabs, rectal swabs, oral swabs, vaginal washings;
  - d) urine for toxicological examination;
  - e) blood for serology, toxicology, DNA profiles;
  - f) stomach content for toxicological examination;
  - g) liver for toxicological examination;
  - h) kidney for toxicological examination;
  - i) vitreous fluid for toxicological and chemical examination;
  - j) lung tissue for toxicological examination and accelerants;
  - k) bullets and fragments;
  - l) biological samples for DNA analysis from alternative sources;
  - m) one intact femur for diatom examination if drowning is suspected;
  - n) fingernail clippings;
  - o) excised wound(s); and,
  - p) other services provided by the Centre of Forensic Sciences.

## INTRODUCTION

This standard addresses the type of behavioural sciences services that are available for the investigation of a major case. In any major case investigation, priority must be given to community safety and security through the suppression of activities and/or the early identification and apprehension of the offender.

## POLICY AND PROCEDURES

1. The Major Case Manager shall, at the earliest opportunity, consider the need to access behavioural sciences services, including the following:
  - a) **ViCLAS** for potential linkages to other cases;
  - b) **Threat Assessment** to assist in the formulation of police/community safety and prevention strategies and the ongoing security and protection of witnesses and victims;
  - c) **Criminal Profiling** to support the investigation of a major crime including the prioritization of suspects or persons of interest, crime scene analysis, crime reconstruction, statement analysis, interview and interrogation strategies, and access to geographic profiling for assistance in determining a criminal's base of operations or residence and setting investigative strategies for directed patrol, surveillance, canvasses and searches;
  - d) **Forensic Psychiatry** for assistance with mental health issues, dealing with the mentally ill, identification of disorders and operational assistance to support undercover operations, develop interview, investigative and trial strategies, equivocal death analysis;
  - e) **Polygraph Testing** for the examination of deception that may facilitate confessions, the detection of criminal offences, recovery of property and redirection of investigative efforts; and,
  - f) **Ontario Sex Offender Registry** for the identification and location of registered sex offenders.
2. The Major Case Manager shall consult with the Ontario Provincial Police Behavioural Sciences and Analysis Section prior to accessing behavioural sciences from a service provider outside of Ontario.

## INTRODUCTION

All documents collected shall be managed in accordance with the filing system set out in this standard and includes electronic documents managed in an electronic filing system.

## POLICY AND PROCEDURES

1. The file name and numbering system shall remain constant whether or not some files are utilized. File headings may be sub-divided into sub-categories at the discretion of the File Coordinator.
2. The document management system shall contain the following file numeric MCM System headings:

### **MCMS 1 - Daily Activity Reports (NO LONGER IN USE since March 2012)**

#### **MCMS 2 Original Occurrences**

This file shall contain a copy of the original occurrence report, any supplementary report(s) and Computer Aided Dispatch (CAD) printouts.

#### **MCMS 3 Related Occurrences**

This file shall contain a copy or copies of all occurrences on file as they relate to the accused or any other person or place relevant to the investigation.

#### **MCMS 4 Meetings/Briefings Summaries**

This file shall contain the minutes and decisions made at all Investigative Team, Investigative Consultant Team, Joint Management Team and case conferencing meetings and briefings regarding the direction, speed and flow of the investigation. The minutes shall be filed chronologically.

#### **MCMS 5 Chronologies**

This file shall contain the detailed investigative chronology and any other chronologies (timelines) created.

#### **MCMS 6 Analytical Reports**

This file shall contain investigative analytical reports.

#### **MCMS 7 Operational Plans**

This file shall contain operational plans related to the investigation or project.

#### **MCMS 8 Police Statements, Notes and Reports (Police)**

This file shall contain copies of officers' daily notebook entries, police statements/"will says", police reports and any other investigative notes. (Does not include FIS)



**MCMS 9 Statements (Civilian)**

This file shall contain civilian statements filed alphabetically and, where there are multiple statements from the same subject, filed chronologically. This file shall include witness background information (CPIC, MTO, credit checks etc.) and audio/video recordings.

**MCMS 10 Officer Notes (NO LONGER IN USE since March 2012)****MCMS 11 Crime Scene Continuity Register**

This file shall contain the original Crime Scene Continuity Register completed by the officer(s) conducting scene security and shall contain information relating to the name, rank, agency, dates and times in relation to persons entering and leaving the crime scene and the reason for attending the crime scene.

**MCMS 12 Exhibit Management Register**

This file shall contain a copy of the Exhibit Management Register that shall contain information pertaining to seizure and subsequent continuity of each exhibit seized.

**MCMS 13 Forensic Identification Officer Reports**

This file shall contain notes, reports and copies of video recordings, photographs, diagrams, etc., prepared by forensic identification personnel as they relate to the crime scene(s) or exhibits. Original video recordings, photographs, diagrams, etc. shall be maintained in a secured area.

**MCMS 14 Centre of Forensic Sciences Reports**

This file shall contain reports from the Centre of Forensic Sciences.

**MCMS 15 Forensic Specialist Reports**

This file shall contain reports or other materials completed by forensic or civilian specialists, including behavioural sciences personnel (excluding Forensic Identification Officers and Centre of Forensic Sciences personnel) regarding specialized services or examinations conducted or performed.

**MCMS 16 Autopsy Reports**

This file shall contain pathologist reports.

**MCMS 17 Coroners' Reports**

This file shall contain documents issued by the Coroner's office.

**MCMS 18 Deceased Continuity**

This file shall contain information relating to the continuity of the deceased.

**MCMS 19 Judicial Authorizations/Search Warrants**

This file shall contain judicial authorizations/search warrants, as well as other Search Documents/Reports to a Justice, except Criminal Code Part VI authorizations.

**MCMS 20 Criminal Code Part VI Authorizations**

This file shall contain copies of Part VI authorizations and include copies of recordings, transcripts and corresponding continuity logs pertaining to invasion of privacy interceptions. The material shall be maintained in a secure area that precludes unauthorized scrutiny.

**MCMS 21 Surveillance Reports**

This file shall contain surveillance reports and notes, including photographs and/or video recordings. Reports shall be filed chronologically.

**MCMS 22 Polygraph Reports and Video Recordings**

This file shall contain reports submitted by polygraph examiners as well as the video recording(s) made during the examination(s).

**MCMS 23 Communications Recordings and Corresponding Transcripts**

This file shall contain copies of recorded conversations by police communications centre(s), and 911 and regular calls for service. Original recordings shall be maintained in a secure area.

**MCMS 24 CPIC Information (NO LONGER IN USE since March 2012)****MCMS 25 Reports - Law Enforcement Agencies**

This file shall contain reports to and from law enforcement agencies and all related correspondence received by the investigation.

**MCMS 26 News Releases and Media Reports**

This file shall contain news releases and media reports from any medium including print, audio, video, electronic and Internet. The file shall also contain information relating to public appeal(s).

**MCMS 27 Tip Forms/Register**

This file shall contain tip forms generated during the investigation and the Tip Register, which shall be utilized to numerically track all tips.

**MCMS 28 Tip Register (NO LONGER IN USE since March 2012)****MCMS 29 Canvass Documents**

This file shall contain all canvass documents/plans and reports.

**MCMS 30 Search Management**

This file shall contain documentation related to public searches.

**MCMS 31 Action Forms/Register**

This file shall contain copies of all actions assigned and the Action Register that provides for the tracking of actions assigned by the Primary Investigator.

**MCMS 32 Assignment/Action Register (NO LONGER IN USE since March 2012)****MCMS 33 Persons of Interest**

This file shall contain information collected on Person(s) of Interest to the investigation.

**MCMS 34 Suspect Persons**

This file shall contain all information collected on Suspect Person(s) in the investigation.

**MCMS 35 Vehicles**

This file shall contain a separate folder for each vehicle of interest to the investigation that shall include vehicle registration information, off-line searches, photographs, CPIC etc.

**MCMS 36 Victim Information**

This file shall contain all information on the victim(s) including background and Victim Impact Statements

**MCMS 37 Victim Impact Statements (NO LONGER IN USE since March 2012)****MCMS 38 Accused Information**

This file shall contain information on the accused, any statements made by the accused to any person in authority and copies of any other statements made by the accused to persons not in authority, information with respect to any person having contact with the accused and any movements of the accused from the time of his/her arrest to the time he/she is delivered to a detention facility or arraigned, whichever comes first and contain court documents in relation to the accused.

**MCMS 39 Statement of Accused (NO LONGER IN USE since March 2012)****MCMS 40 Continuity of Accused (NO LONGER IN USE since March 2012)****MCMS 41 ViCLAS Reports**

This file shall contain ViCLAS submissions and reports.

**MCMS 42 Photo Line-Ups/Composite Images**

This file shall contain copies of photo line-ups and composite sketches used during the investigation.

**MCMS 43 Motel/Hotel Registration Inquiries**

This file shall contain information relating to inquiries done at hotels or motels and other forms of public lodging (e.g., campgrounds, rooming houses).

**MCMS 44 Credit Card/Banking Inquiries**

This file shall contain the results of inquiries, including credit history inquiries, made with credit card companies or other financial institutions.

**MCMS 45 Passenger Lists/Transportation Inquiries**

This file shall contain the results of inquiries made with any mode of public transportation (e.g., airplanes, trains, taxis).

**MCMS 46 Telephone/E-Communication Information**

This file shall contain phone toll, text messages, tower dumps and subscriber information.  
(This does not include email)

**MCMS 47 Administrative Reports**

This file shall contain reports to management and other administrative reports not captured in other files and correspondence not captured in other files

**MCMS 48 Financial Reports**

This file shall contain financial reports associated with the investigation.

**MCMS 49 Internal Alerts and Bulletins**

This file shall contain bulletins, zone and provincial alerts, off-line searches, law enforcement queries and includes bulletins and alerts circulated within the police service.  
(Combines MCMS 24).

**MCMS 50 Miscellaneous**

This file shall contain information not captured in other files.

**MCMS 51 Disclosure Requests and Correspondence**

This file shall contain disclosure requests and all correspondence obtained between the Crown and defence.

**MCMS 52 Court Documents of Accused (NO LONGER IN USE since March 2012)****MCMS 53 Internet Based Information**

This file shall contain the results of the search of any devices electronic memory for Voice Over Internet Protocols information. (Skype, MSN, Yahoo, Facebook, VOX etc.).

**MCMS 54 Email**

This file shall contain email generated throughout the investigation.

## INTRODUCTION

This standard addresses the procedures to be followed by police in obtaining evidence from witnesses who are characterized as in-custody informer(s), who may be used in a judicial proceeding. The evidence of in-custody informer(s) is admissible in court and may form part of the Crown's case. This standard does not apply to offences within the institution and is not intended to address the use of undercover operatives outside the custodial setting, nor limit the use of the evidence of in-custody informer(s) to advance police investigations.

## POLICY AND PROCEDURES

1. The Major Case Manager shall ensure that an in-custody informer fits the definition set out in these standards.
2. The Major Case Manager shall forward a brief to the local Crown Attorney in relation to an in-custody informer for submission to the In-Custody Informer Registry at the Ministry of the Attorney General. The brief shall include the in-custody informer's name, alias, date of birth, and FPS number, name of case (accused), charges against the accused, name of Major Case Manager, decision of In-custody Informer Review Committee. The report shall have a copy of the in-custody informer's waiver of privilege attached.
3. The Major Case Manager shall consider including in the brief, where appropriate, a credibility assessment of the information received from the in-custody informer.
4. In preparation of an in-custody informer brief, the Major Case Manager shall ensure the local Crown Attorney is consulted for the purposes of determining whether the in-custody informer is registered with the In-Custody Informer Registry. A request shall be made in writing to the Crown Attorney for the results of any inquiry to the In-Custody Informer Registry.
5. Where the in-custody informer comes to the attention of a member of the investigative team, the Major Case Manager or Multi-jurisdictional Major Case Manager shall be notified and consulted before any contact is made with the in-custody informer.
6. The Command Triangle shall develop a plan of action which will include the following:
  - a) selecting two members of the investigative team to interview the in-custody informer(s);
  - b) conducting an initial background check of the in-custody informer including the reason the person is in custody, criminal record check, local Record Management System check, outstanding charges, numbered informer status, if any, and information received from police services that have had direct contact with the in-custody informer;
  - c) the initial background check shall also include the results of an inquiry to the In-Custody Informer Registry, Ministry of the Attorney General;

- d) briefing the interviewers in relation to the following:
  - i) ensuring every attempt is made not to offer or give any considerations during the interview;
  - ii) preparing a list of questions to be asked (e.g., “You asked to speak to us. What is it that you want to tell us?”);
  - iii) at the very least, in the first instance, audio recording the interview, unless it is impracticable to do so;
  - iv) where the initial interview is not audio recorded, detailed notes of the interview shall be made;
  - v) ensuring one interviewer takes notes during the interview, or immediately thereafter, when the in-custody informer refuses to allow the officers to take notes during the interview;
  - vi) ensuring the interview is non-leading, detailed, allows the in-custody informer to tell the story and, when finished, allows the in-custody informer an opportunity to add to the story;
  - vii) recording in detail any considerations requested; and,
  - viii) ensuring that the interviewers do not compromise the safety of the in-custody informer.
- e) preparing to have the in-custody informer sign a prisoner's consent as outlined under subsection 527(7) in the Criminal Code, which will form part of a future application for release for the purpose of a sworn statement outside the custodial institution;
- f) the sworn statement may take place within the custodial institution if it does not compromise the safety of the in-custody informer;
- g) direct the in-custody informer not to elicit any information from the accused although it is still permissible for the in-custody informer to listen to any conversations by the accused;
- h) advising the in-custody informer of informer privilege and encouraging him/her to seek independent legal advice before signing any document and before privilege is waived;
- i) if the in-custody informer declines to consult with legal counsel, this shall be documented and signed by the in-custody informer;
- j) developing a safety plan (cover story) with the in-custody informer to ensure his/her security including removal to and from the custodial institution and the use of additional police personnel for security;
- k) de-briefing the Command Triangle on return from the custodial institution; and,
- l) evaluating the information from the in-custody informer for the purpose of follow-up.

7. If a determination is made for follow-up, the Major Case Manager or designate shall consult with the Crown Attorney for the purpose of:
  - a) obtaining the proper authority to remove the in-custody informer from their custodial setting for the purpose of a sworn statement if the sworn statement is not obtained in the custodial institution;
  - b) determining the appropriateness and feasibility of requesting the in-custody informer consent to an electronic surveillance of further conversation with the accused, bearing in mind that, in taking this step, the in-custody informer will become an agent of the state;
  - c) determining the feasibility and appropriateness of other investigative techniques including undercover operations, number recorder or interception with consent, to confirm the evidence of the in-custody informer, while being aware that with some techniques the in-custody informer will become an agent of the state;
  - d) the requirements for the preparation of an in-custody informer brief for the In-custody Informer Review Committee;
  - e) obtaining advice in the preparation of any search warrants seeking confirmation of the information received from the in-custody informer;
  - f) obtaining other legal advice as required; and,
  - g) the negotiation of any consideration.
8. The Command Triangle in consultation with the interviewers shall:
  - a) determine when and where the sworn statement will be taken;
  - b) develop a plan for the interview that ensures the following:
    - i) where a prior statement exists, the in-custody informer shall be asked to adopt the statement under oath;
    - ii) that the original audio statement be transcribed, whenever possible, and that the in-custody informer be asked to read the transcript;
    - iii) after the statement has been read, the in-custody informer is asked if there are any changes he/she wishes to make to this statement and whether he/she wants to adopt the statement;
    - iv) the in-custody informer be asked if he/she wishes to add anything to the original statement; and,
    - v) the interviewer conducts a question and answer process to include, but not be limited to:
      - to the extent possible, specifics of the alleged statements (actual/verbatim words and comments, quotes, specific details) made by the accused (as opposed to general statements);
      - when and where these statements were made;
      - whether anyone else was present during these alleged statements by the accused;
      - whether the in-custody informer made any record of the alleged statement of the accused and when it was made;
      - whether the record was made contemporaneously to the alleged statement of the accused;
      - whether the in-custody informer told anyone else including any other police officer or person in authority; and,
      - whether the in-custody informer previously claimed to have received statements while in custody or previously testified in any court proceedings.

9. Interviewers shall not discuss any details of the case with the in-custody informer or confirm any of the information given to them by the in-custody informer.
10. Interviewers shall attempt to avoid unconsciously affirming information provided by the in-custody informer.
11. In the event the in-custody informer requests any considerations, the interviewer shall not make any commitment other than to refer the considerations to the Major Case Manager. The Major Case Manager shall record, in writing, all considerations requested by the in-custody informer however seemingly insignificant, including what the in-custody informer is requesting and the reason for the request. This shall be forwarded to the Crown Attorney.
12. The Major Case Manager shall ensure all law enforcement personnel, who may have had contact with the in-custody informer, are interviewed to determine whether the accused requested or was granted any consideration.
13. The interviewers shall advise the in-custody informers not to elicit any information from the accused, although it is still permissible for the in-custody informer to listen to any conversations by the accused.
14. The sworn statement shall be live monitored, whenever possible, by selected members of the investigative team.
15. Before the completion of the sworn statement, the interviewers shall consult with those individual(s) who are monitoring the video, which shall be left running during this time.
16. The interviewers shall consult with the Command Triangle on completion of the sworn statement to determine the need for follow-up investigation.
17. Follow-up investigation shall include confirmation of the information received from the in-custody informer. This confirmation shall include but not be limited to the following:
  - a) the in-custody informer's background and character which shall be examined for reliability, including previous history as an informer, psychiatric history, as well as any criminal record, especially for crimes of dishonesty, deception or manipulative behaviour;
  - b) the interviewers shall obtain a signed consent from the in-custody informer for the release of all medical and psychiatric evidence as well as prison records pertaining to the in-custody informer;
  - c) the extent to which the Major Case Manager or designate confirmed the statement as being credible, independent of the in-custody informer which will assist in establishing the truthfulness of the in-custody informer regarding the inculpatory aspects of the proposed evidence;
  - d) what the in-custody informer exactly said, including any quotes;
  - e) the extent to which the statement contains details or leads to the discovery of evidence known only to the perpetrator;



- f) the extent to which the statement contains details which could reasonably be accessed by the in-custody informer, other than through inculpatory statements by the accused and an assessment of the information reasonably accessible to the in-custody informer (e.g., through media reports, availability of the accused's Crown brief in jail, etc.);
- g) any request the in-custody informer has made for benefits or special treatment (whether or not agreed to) and any promises which may have been made (or discussed with the in-custody informer) by a person in authority in connection with the provision of the statement or an agreement to testify;
- h) whether the in-custody informer has, in the past, given reliable information to the authorities;
- i) whether the in-custody informer has previously claimed to have received statements while in custody which may be relevant not only to the in-custody informer's reliability or unreliability but to whether the public interest would be served by utilizing a recidivist in-custody informer who previously traded information for benefits;
- j) whether the in-custody informer has previously given evidence in court and any judicial findings in relation to the accuracy and reliability of that evidence, if known. The interviewer shall ask the in-custody informer for information regarding any previous testimony;
- k) whether the in-custody informer made some written or other record of the words allegedly spoken by the accused and, if so, whether the record was made contemporaneously to the alleged statement of the accused;
- l) the circumstances in which the in-custody informer's report of the alleged statement was taken (e.g., report made immediately after the statement was made, report made to more than one officer, etc.);
- m) the manner in which the report of the statement was taken by the police which shall be done through the use of non-leading questions using a sworn format (under oath, audio/video recorded);
- n) record of actions taken by an officer to access any other known evidence that may attest to or diminish the credibility of the in-custody informer;
- o) any relevant information contained in any available registry of informers;
- p) whether there is any relationship between the in-custody informer and the accused, friends or family of the accused, or any other person involved in the incident under investigation;
- q) the degree of access that the in-custody informer may have had to external sources of information about the offence and/or accused including media reports, crown disclosure to defence then to accused, other inmates, visitors, information from bail hearings or preliminary inquiries; and,
- r) any other known evidence that may attest to or diminish the credibility of the in-custody informer.

18. In the event one in-custody informer provides confirmation for another in-custody informer, the Major Case Manager shall ensure a detailed background check of the source in-custody informer shall be conducted.

19. The Major Case Manager, in consultation with other members of the Command Triangle, shall delegate a member of the investigative team to work with the trial Crown Attorney and prepare an in-custody informer brief for the In-custody Informer Review Committee.

20. Prior to final submissions to the Committee, the Command Triangle shall review the brief and approve its content and completeness.
21. Any false statements by an in-custody informer shall be referred to the Crown Attorney for referral of the matter to an outside police service for investigation.
22. Police shall advise the Crown Attorney as soon as possible where an in-custody informer commits further offences after giving information about the accused to the police or the Crown Attorney.