



NORTH BAY POLICE SERVICE

2009 Annual Report Street Crime – Drug Unit

**Report Date: 2010/01/15
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A. Mandate of the Unit

Provide a high profile street presence within the City of North Bay, thereby preventing drug related crime and enforce laws in relation to the *Controlled Drug and Substances Act*.

Provide investigative support on asset forfeiture to Patrol and Investigative Support personnel.

Represent the North Bay Police Service on the Asset Forfeiture Unit (A.F.U.). This is a joint forces unit led by the Ontario Provincial Police. The A.F.U.'s role is to investigate, seize, and assist in the prosecution of all proceeds of crime and money laundering occurrences, as well as assist in the seizure of assets, proceeds of crime and offence related property whether through traditional Criminal Court ordered forfeiture, or preparing Civil Remedy Cases for Civil Forfeiture proceedings. The A.F.U.'s mandate is to remove the financial gain through the removal of assets and profit obtained by criminals and their criminal activities.

B. Executive Summary

In January 2009 D/Cst. McFarlane was assigned to the newly formed Street Crime – Drug Unit of the North Bay Police Service. As part of the unit's mandate, the officer was assigned as the North Bay Police Service's Liaison to the Provincial Joint Forces Asset Forfeiture Unit (A.F.U.).

C. Activities

During 2009 D/Cst. McFarlane along with officers from the Street Crime – Property Unit received training in Lawful Justification (C-24), and Surveillance Foundations from C.I.S.O. Furthermore, D/Cst. McFarlane received training in the preparation of Search Warrants from the Ontario Police College as well as training in Asset Forfeiture.

In June of 2009 D/Cst. McFarlane gave a presentation to the Northern District Jail managers on street level drug trends during their annual spring training held at the Clarion Resort in North Bay. This presentation was well received and was provided to the Provincial Security Managers at their annual meeting.

In June of 2009 the unit received information in relation to persons possibly in possession of a handgun within a residence in North Bay. A search warrant was executed and a replica handgun was recovered during a search of this residence.

In July of 2009 while assisting the Street Crime – Property Unit with surveillance, a traffic stop was conducted on a vehicle in the city of North Bay. After a search of the vehicle a quantity of heroin, drug paraphernalia and a large canister of bear spray was seized. Three individuals were charged with drug and weapons related offences.

In August of 2009 the Street Crime – Drug Unit was in receipt of information of drug trafficking between North Bay and the Province of Quebec. The Unit was assisted by the Street Crime-Property Unit, Joint Forces Drug Unit and Uniform Patrol Section. As a result of this information a traffic stop was conducted on a vehicle on the outskirts of the city of North Bay. A search of it resulted in the seizure of 350.8 grams of marihuana, 12.5 methamphetamine tables as well as the seizure of the vehicle. Three individuals were charged with various drug related and criminal charges. A Management Order was prepared for the vehicle seized and proceedings were initiated for its' forfeiture. To the Crown.

In September of 2009 the Unit was in receipt of information relating to a person who had been illegally living in Canada (North Bay) for a lengthy period of time under an assumed identity. The investigation revealed the person had run a business and amassed a substantial amount of assets as a result of the fraudulent use of his identity. The investigation involved several law enforcement partners including the OPP, RCMP, Canada Customs and Border Services Agency, Canadian Immigration, the United States Customs and Border Protection Agency, INTERPOL and British Police Services. It culminated with a total of 51 fraud related charges being laid.

In November 2009 the Unit learned of a sudden death involving a suspected overdose of the prescription drug Fentanyl. An investigation was launched, which resulted in a *Controlled Drugs and Substances Act* Search Warrant being executed on a residence in North Bay. Five persons were charged with trafficking in Fentanyl and related criminal matters.

D/Cst McFarlane also assisted command staff during this reporting period by revamping the North Bay Police Service Standard Operating Procedure (S.O.P.) relating to Proceeds of Crime and Asset Forfeiture. D/Cst. McFarlane also assisted with an audit and deposit of a back log of forfeited currency in the North Bay Police Service. This deposit was placed in the Receiver General of Canada account in November of 2009 by D/Cst McFarlane and Sgt Webber of the Quality Assurance Section.

Management Orders

Since June of 2009, two - Management Orders were obtained resulting in the seizure of two vehicles as Offence Related Property. In relation to one of the

seizures 350.8 grams of marihuana and 12.5 methamphetamine capsules were also seized.

Both of vehicles have since been turned over to the Seized Property Management Directorate (SPMD) with an expectation of both being forfeited to the Crown.

Civil Remedy Cases

In May of 2009 a brief was prepared for a Civil Remedies forfeiture relating to an \$11,500 cash seizure by the Uniform Patrol Section. This large seizure had been located hidden in the trunk of a vehicle of an individual who was in North Bay and had been charged with Uttering Threats. These charges stem from this individual attempting to collect outstanding drug debts. This case has been accepted by the Civil Remedies prosecutors of the Ministry of the Attorney General (M.A.G.) in Toronto.

D. Performance Indicators

See Appendix A

E. Anticipated Issues for the Future

The illegal trafficking and use of prescription drugs including oxycodone and fentanyl will continue to be a growing concern. This issue, combined with the use of illegal drugs such as cocaine, "crack" cocaine and other "hard" street drugs will continue to affect our community. A large proportion of break and enters, thefts, robberies, and assaults can be linked directly to the trafficking of illegal and prescription drugs.

The abuse and trafficking of oxycodone is currently at an elevated level. Other opiate drugs such as the prescription drug fentanyl will continue to cause concern and problems for our community. Fentanyl when mixed with cocaine, can be deadly, other police services have documented an increase in its' illegal use and sudden deaths.

F. Performance Objectives for the Next Year

The Street Crime–Drug Unit will continue to monitor street level use and trafficking of illegal and prescription drugs in the City of North Bay and the Municipality of Callander.

The unit will continue to work cooperatively with community partners, the JFO, Street Crime-Property Unit, Intelligence Unit, School Liaison Officer, Youth Officer, and Uniform Patrol Section to combat the illegal use of drugs in our communities.

The unit will continue to educate members of the North Bay Police Service regarding the law surrounding Proceeds of Crime, Offence Related Property and Asset Forfeiture. This will facilitate efforts to remove the profit from the hands of criminals who chose to commit crimes for that sole purpose. Further a three day Asset Forfeiture Outreach training session has been approved to be hosted by the North Bay Police Service to provide training to our members and surrounding police agencies. This training is scheduled in September of 2010.

Given that 2009 was the Street Crime - Drug Units first year of existence, a quantitative measure of success was unavailable.

G. Other

It is imperative that the Street Crime – Drug Unit maintain an open relationship with the Uniform Patrol Section, Street Crime – Property Unit, and Intelligence Unit as these areas of the North Bay Police Service are important parts of the team. Each unit has a vast amount of intelligence to offer to combat the illicit drug trade in our community.

H. Appendices

See Appendix A – Performance Indicators

APPENDIX A

Street Crime - Drug Unit Annual Report

<u>DESCRIPTION</u>	<u>2009</u>
Occurrences	129
Total Criminal Code Charges	92
Total Drug Charges	51
Search Warrants	8
Management Orders Issued	2
Restraint Orders Issued	0
Civil Remedy Briefs Prepared/Value	1 (\$11,500)
Asset Forfeiture Occurrences	9
Value of Drugs Seized	\$25,000
Value of Assets Seized	\$11,500 (2 vehicles)