



NORTH BAY POLICE SERVICE

2009 Annual Report Court Section

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A. Mandate of the Unit

The *Police Services Act, R.S.O. 1990, c.P.15* establishes the Police Services Board's responsibility for court security when a court facility is located within the municipality's boundaries. The applicable section is as follows:

137.(1) A board that is responsible for providing police services for one or more municipalities has the following responsibilities, with respect to premises where court proceedings are conducted:

1. Ensuring the security of judges and persons taking part in or attending proceedings.
2. During the hours when judges and members of the public are normally present, ensuring the security of the premises.
3. Ensuring the secure custody of persons in custody who are on or about the premises including persons taken into custody at proceedings.
4. Determining appropriate levels of security for the purposes of paragraphs 1, 2 and 3. R.S.O. 1990,c.P.15,s.137(1);1997, c.8, s.41

The Court Section is supervised by a sergeant responsible for two separate and distinct divisions: Court Security and Court Case Management. Court Security is comprised of 12 part-time Special Constables who are responsible for day-to-day court/building security, prisoner escorts and prisoner transport.

The Court Case Management Section is comprised of one person assigned to each of the following functions: full time sworn court liaison officer, full-time special constable-court officer, part-time special constable-court officer, part-time youth court officer, full-time clerk and a full time special constable responsible for the service of summons and subpoena's. Case management personnel are responsible for facilitating the efficient prosecution of court cases by assisting the Crown Attorney and coordinating the management of Crown Briefs and case files.

B. Executive Summary

In November 2008, the Ontario Court Provincial Division began scheduling a day-long First Appearance Court and a day-long Plea Court. This impacted part-time hours as two additional special constables were required for escorting accused persons to and Plea Court. Initially, it was common for these courts to run until after 17:00 hours, leaving the transfer of prisoners back to the District Jail as late as 19:30 hours. In 2009 this trend seems to have rectified itself with only the occasional days running past 17:00 hours. The dual First Appearance/

Plea Court on Tuesday's continues to operate and seems to be effective in reducing court backlogs.

In early 2009, three new part-time special constables were hired to augment the Court Security Section bringing the total complement to twelve. A number of in-custody cases were heard at the Superior Court level which put a strain on resources. During this peak demand the full complement of twelve Special Constables was used and had to be supplemented by uniform personnel to ensure adequate staffing and security.

A number of changes in the operation of various entities within the judicial system have necessitated changes in operational procedures and requirements over the past twelve months. The addition of another sitting Superior Court Judge, a higher number of courts operating at any given time, the addition of the Tuesday Plea Court has put a strain on resources. Total part-time hours have increased by 13.93%. Total personnel hours for the year were 26,367.50.

C. Activities

Court security and prisoner transportation comprise the bulk of the workload within the Court Section. A total of 3,564 prisoners were escorted within the City of North Bay in 2009. This represents a decrease of 2.49% from the previous year. The total number of out-of-town escorts also decreased by 13.04%.

The total number of criminal charges processed increased by 270, which represents an increase 9.07% over the previous year.

Video remand allows persons in custody to appear before a Justice of the Peace by video link from secure holding facilities such as the District Jail. This eliminates the unnecessary physical transfer of persons in custody to the court house for simple adjournments. In 2009 there were 559 individuals who made a video court appearance in contrast to 591 individuals in 2008, a decrease of 5.41%. This decrease is consistent with the decreased number of prisoners escorted in 2009.

Service of documents such as summonses and subpoenas increased dramatically in 2009 to 986 from a low of 682 in 2008. This represents an increase of 44.57%.

In 2009 at headquarters, a special constable was assigned, every Wednesday, to taking fingerprints from persons who have been charged. Special Constable's also received access and training for the RMS digital mug shot system allowing them to take digital mugs shots and download person's details directly to the system, thus eliminating the duplication of services. In addition, three new hires

were trained in the taking of court ordered DNA samples by the Greater Sudbury Police Service.

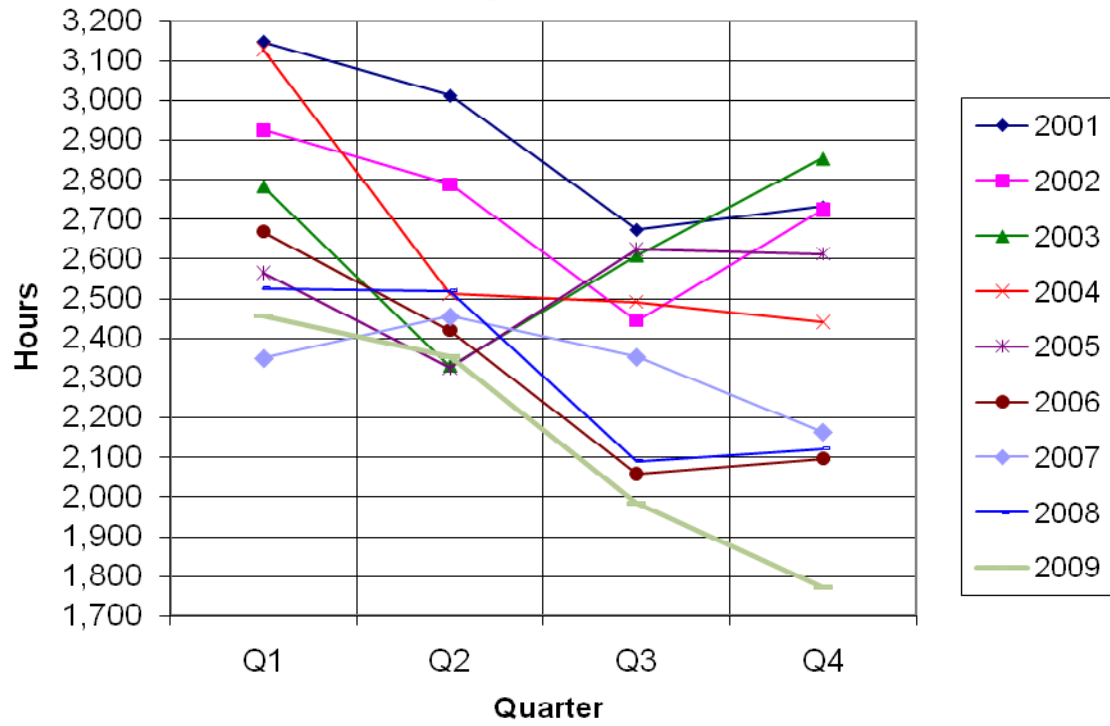
The Court Section also implemented two initiatives aimed at improving productivity and work performance. First, an enclosed Crown Brief submission file folder was introduced in an attempt to reduce and/or eliminate missing documents, DVD's, etc from the Crown Brief while in transit. Second, court liaison staff began a pilot project to input tasks directly to individual officer's assignment screens. This measure was undertaken to help ensure compliance with Crown Requests and to improve overall efficiency. Both initiatives appear to be working well and it is anticipated that they will be continued in 2010.

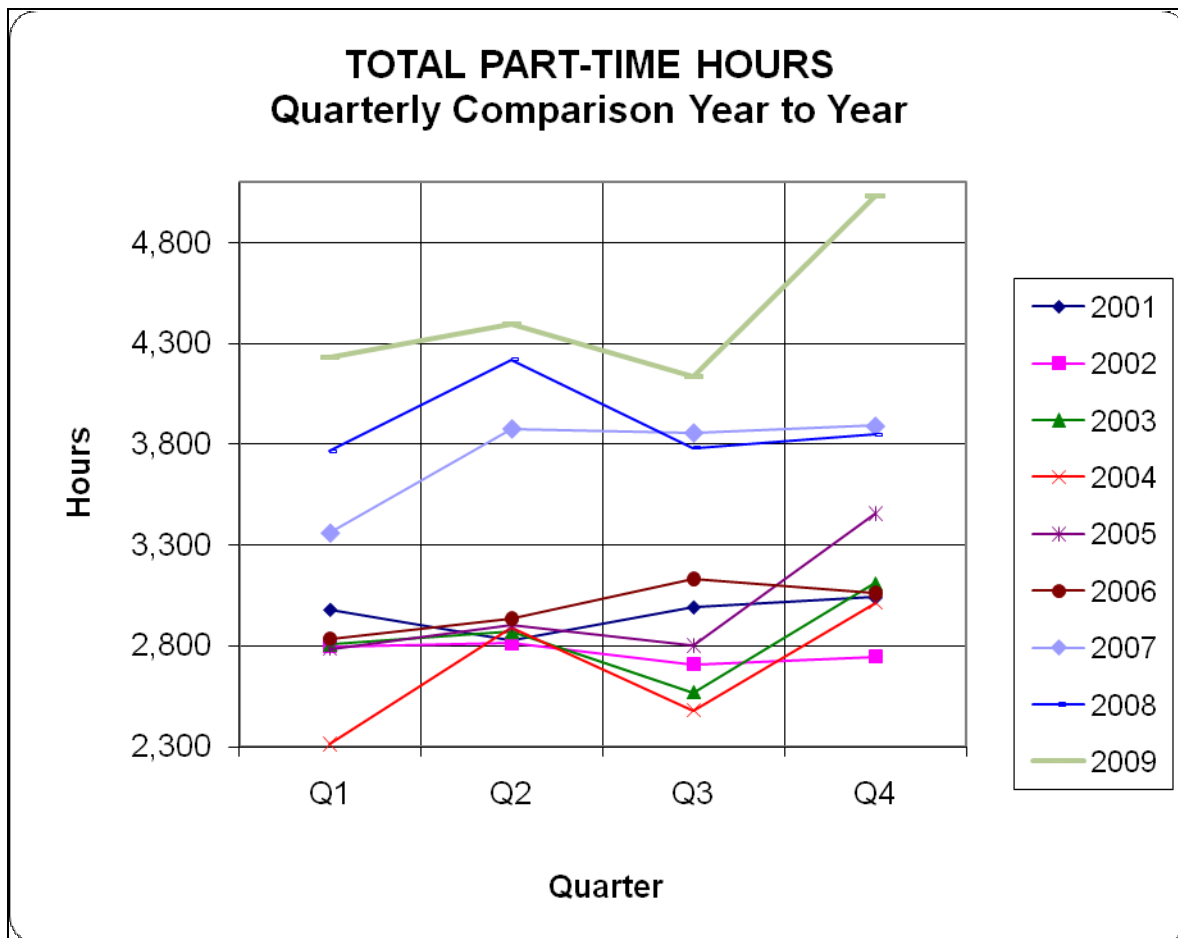
In December 2009 Court Section staff also took over duties as it relates to the opening/closing of the court house facility after a protocol was signed between the Ministry of the Attorney General (MAG) and the North Bay Police Service. This continues and is working well.

D. Performance Indicators

Year	Wash Court	Video Remand	Prisoners Escorted within the City	Prisoners Out of Town Escorts	Prisoner Meals	Documents Served	Adult Charges (C.C.)	Youth Charges (C.C.)	Total Charges
2002	184	N/A	3062	179	1764	998	2872	756	3628
2003	171	279	2935	129	1701	1017	2373	499	2822
2004	179	632	1948	85	1415	1051	2536	467	3003
2005	152	655	3340	184	1984	1141	2288	527	2815
2006	160	493	2686	128	2089	908	2507	388	2895
2007	187	761	3473	160	2534	1008	2308	387	2695
2008	216	591	3655	92	2486	682	2549	429	2978
2009	237	559	3564	80	2667	986	2791	457	3248

TOTAL FULL-TIME HOURS Quarterly Comparison Year to Year





E. Anticipated Issues for the Future

Demands on court resources are ever increasing and have been taxed at times over the last twelve month period. The day-to-day requirements for personnel in relation to court security needs have increased with the number of courts operating at any given time. This is confirmed by the 13.93% increase in part-time hours. This is especially true on Tuesday's and Wednesday's where the number of court rooms in session can create a demand that can exceed the number of personnel assigned to the court security detail. The following table provides an example of the potential number of security staff required in a given court situation.

Court Security

Court Room	Activity	Personnel Required
101	First Appearance – Adult and Youth	1- security or 2 per person in custody
201	Youth Court trials	2 per person in custody
301	Bail Court	2 per person in custody
302	Superior Court trials	2 per person in custody
303	Superior Court trials	2 per person in custody
305	Provincial Court trials	2 per person in custody
306	Provincial Court trials	2 per person in custody
305	Plea Court	2 per person in custody
Cell Block	Monitor, building security, prisoner security (when prisoners present)	2 if prisoners present 3
	Document Service	1

This illustration does not include a custody case in Superior Court, the potential to have reluctant witnesses in custody, or the need for a special constable at police headquarters on Wednesday's for fingerprinting. This does not take into consideration requests for leave, sickness or other reasons where a staff member would not be available. This has necessitated the use of supervisory and case management personnel and, at times, patrol personnel to assist in prisoner transport and court security duties.

It is anticipated that in 2010 another Superior Court will open at the North Bay Court House. To accommodate this extra court, the Provincial Offences Court will be relocated to an off-site facility. This could take place as early as May 2010. This will result in increased staffing levels when these courts are in session as both will have to be staffed to ensure adequate levels of security for the judiciary and public.

The total authorized strength for the court section at this time consists of two sworn officers (sergeant and constable-court liaison officer), one clerk, two full-time special constables, one part-time court officer, one part-time youth court officer and 12 part-time special constables.

F. Performance Objectives for 2010

The court section continuously strives to fulfil its mandated objectives. Although court security and prisoner transport comprise the bulk of the workload within the Court Section, there is work to be done concerning court case management. In 2010 the Court Section will endeavour to:

- Implement the new Court Security Plan.
- Train new special constables.
- Standardize the submission of court documents and Crown Briefs.

- In-service training in an effort to improve the quality of Crown Brief submissions.
- Development of a working agreement between the North Bay Police Service and the West Nipissing Police Service as it relates to prisoner care and transportation.

G. Conclusion

The successful operation of the North Bay Court Section in 2009 can be attributed to the high level of professionalism and dedication demonstrated by those persons assigned to the Section. Members work in an ever changing environment and quickly adapt to changes in scheduling, escorts, etc, with little or no complaint. Members remain flexible and work cooperatively to get the job done. In 2009 the Court Section was responsible for the safety and security of over 3,564 prisoners as well as the safety of the judiciary, courthouse staff and members of the public. As the courts supervisor I am proud to state that not a single issue was raised concerning the ability of the Court Section to fulfil its mandate to provide court security.

Due to some recent changes it is anticipated that 2010 will present a challenge as it relates to the management of human resources within the Court Section. An increased number of sitting Superior Court Judges, the continued operation of Tuesday Plea Court and the possible addition of an off-site POA Court facility will tax the court security staff to the limit. Approved staffing levels must be maintained, and possibly increased, to ensure the availability of personnel at peak times and to ensure the continued high level of service to the judiciary and public.