



BY-LAW NO. 507-2024

**A BY-LAW TO ESTABLISH POLICY
RESPECTING ACTIVE ATTACKER INCIDENTS**

1. PREAMBLE

- 1.1 WHEREAS subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ("CSPA")* provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;
- 1.2 AND WHEREAS subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing;
- 1.3 AND WHEREAS O. Reg. 393/23: Active Attacker Incidents prescribes standards for responding to incidents involving an Active Attacker;
- 1.4 AND WHEREAS Section 7 of the said O. Reg. 393/23 requires that a Chief of Police shall develop procedures for responding to incidents involving an Active Attacker, which must address the matters set out in that section;
- 1.5 AND WHEREAS the Board has deemed it appropriate that it establish a policy that contains guidelines directing the Chief of Police regarding Active Attacker Incidents.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 "*Act*" or "*CSPA*" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;
- 2.2 "*Active Attacker*" means an individual who appears to be engaged in, attempting to engage in, or about to engage in an attack where there is reason to suspect that,
- (a) the attack will be sustained,
 - (b) the attacker will cause serious bodily harm or death to other individuals, and
 - (c) the attacker will continue to attack more individuals if the attacker is not stopped.
- 2.3 "*Board*" means the Regional Municipality of Niagara Police Service Board;
- 2.4 "*Chief*" means the Chief of the Niagara Regional Police Service;

2.5 “Member” means a member of the Niagara Regional Police Service;

2.6 “Ministry” means the Ministry of the Solicitor General; and

2.7 “Service” means the Niagara Regional Police Service.

3 BOARD POLICY

3.1 The Board recognizes that being fully prepared for potential Active Attacker situations is paramount to protecting the community's safety. The Board is unwavering in its dedication to ensuring that the Niagara Regional Police Service is equipped and trained to handle such crises. With robust processes in place, our goal is not only to restore safety and order swiftly but also to provide unwavering support to victims and Members of the Service throughout the incident.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

4.1.1 The Chief shall comply with Ontario Regulation 393/23 – Active Attacker Incidents and develop written procedures in accordance with the said O. Reg. 393/23 which shall address, at a minimum, the following:

- (a) deployment of Officers;
- (b) assistance to Victims;
- (c) coordinated response arrangements with external service providers;
- (d) public alerts and information dissemination
- (e) all matters referenced in Section 7 of the said O. Reg. 393/23;
- (f) reporting requirements of Section 8 of the said O.Reg.393/23;
- (g) any other matters which the Chief feels are appropriate and necessary for the protection of the public, external service providers and members of the public.

5 REPORT TO THE BOARD

5.1 The Chief shall provide the Board with the report within 30 days after approval of the report by the Chief.

5.2 The Board shall publish the report on the Internet, subject to the following:

- (a) The Board shall consult with the Chief respecting any proposed redaction.
- (b) When consulted, the Chief shall advise the Board respecting the proposed redaction. If the Chief was required to consult with the Chiefs of other police services in preparing the report, the Chief shall consult with them respecting the proposed redaction before advising the Board.
- (c) The Board shall not redact any information in the report that would be required to be disclosed in response to a request for access under the *Municipal Freedom of Information and Protection of Privacy Act* or the *Freedom of Information and Protection of Privacy Act*, as the case may be.

6 IMPLEMENTATION

- 6.1 Any By-laws, sections of by-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.
- 6.2 This By-law shall come into force on the date of its passage.
- 6.3 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 23rd day of May, 2024.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICE BOARD



Jen Lawson, Chair



Deb Reid, Executive Director