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Item No. 9.1.1
Board of Police Commissioners
May 15, 2017

TO: Chair and Members of Board of Police Commissioners

Original signed

SUBMITTED BY:

Jean-Michel Blais, Chief of Police, Halifax Regional Police

DATE: May 10, 2017

SUBJECT: **Budget Impacts of Reduced Fees for Volunteer Criminal Record Checks**

ORIGIN

The following motion was approved at the March 20, 2017 Board of Police Commissioners meeting, with regard to agenda item **9.2.2 (ii) Eliminating Costs for Criminal Record Checks**:

MOVED by Commissioner Parris, seconded by Commissioner MacMaster,

That the Board of Police Commissioners request a staff report identifying and quantifying the recommended 2017-2018, and 2018-2019 HRP budget impacts of eliminating fees charged to individuals associated with Criminal Record Check and Vulnerable Sector Check applications for volunteer purposes.

MOTION PUT AND PASSED.

LEGISLATIVE AUTHORITY

- ***Nova Scotia Police Act Section 55(3)(c)*** which states: "The Board shall ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies."
- HRM Board of Police Commissioners Terms of Reference, **By-Law P-100** Respecting the Board of Police Commissioners for the Halifax Regional Municipality, section 8(2)(c) which states: "The Board in accordance with the *Police Act* and HRM Bylaws may in consultation with the Chief of Police, review priorities, goals and objectives of the municipal police service..."
- Section 8(3)(e) further states: "The Board in accordance with the *Police Act* and HRM Bylaws may carry out any of the following roles and responsibilities as they relate to the Provincial Police Service by requesting as required information relating to any policies, directives or practices of the RCMP on matters such as information on organizational initiatives within the RCMP..."

RECOMMENDATION

It is recommended that the Board of Police Commissioners receive this report as information on the potential impact and that this information be used in the overall 2018-2019 budget discussions.

BACKGROUND

The Board of Police Commissioners approved the present fee structure for Criminal Record Checks (CRC) on January 11, 2011 upon submission of a memo from then-Chief Frank Beazley dated January 5, 2011. See Appendix A.

Volunteers are charged \$30 and applications for employment are charged \$50.

Criminal Record Checks (CRC) are requested for a variety of reasons, primarily for employment, volunteering, school, travel, immigration and emigration, pardon applications (records suspensions), and foster parenting. Criminal Record Checks are not to be confused for Fingerprint-Based Checks required for international work visas or for adoption purposes.

There are two types of CRC available

1. Criminal Record Check
 - a. This is a search of convictions or criminal records
2. Criminal Record Check with Vulnerable Sector Check.
 - a. This is a search of the convictions or criminal records and a search of the Pardoned Sexual Offender Data base by name and by DOB and Gender. It is searched when the applicant meets the requirements as set out by the RCMP as to their potential future role.

Online applications are submitted through a third party contract with MyBackcheck. MyBackcheck charges a fee of \$14.50 per online application to HRP for citizens to use their platform.

DISCUSSION

The Board has asked about the implications of not charging the volunteers for this process. The infrastructure required to complete these checks remains the same thus making this a simple revenue reduction process.

The 2015 volunteer criminal record count was 12,989. This represents \$389,670 in total revenue for HRM.

The 2016 volunteer criminal record count was 12,221. This represents \$366,630 in total revenue for HRM.

FINANCIAL IMPLICATIONS

Forecasting out to 2017-2018 budget year and assuming the same number of checks as 2016, the impact of reducing the volunteer criminal record fees to zero is:

- A reduction in revenue to Halifax Regional Police budget by approximately \$269,550 from lost fee revenue.
- An increase in expenditure of \$64,974 to pay the MyBackckeck charge. HRP would still be required to pay the fee for online checks to MyBackcheck, but would have no revenue to offset same.
- A total budget impact for HRP of \$334,524.
- A reduction in HRM revenue of \$97,080 from RCMP reducing the fee.

The estimated total budget impact to HRM is \$431,604 in 2017-2018.

The estimated budget impact for 2018-2019 is the same, based on similar assumptions.

RISK CONSIDERATION

There is budgetary risk in the reduction of fees as there is no change in the staffing requirement to conduct checks. Reducing the revenue would require program review to achieve savings to make up the deficit or the requirement to seek an additional budget increase.

COMMUNITY ENGAGEMENT

There was no additional community engagement in the creation of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental concerns.

ALTERNATIVES

There is latitude in the reduction of the volunteer criminal record check fee from the present \$30 to zero. To offset the online cost, charging \$15 per check would negate the additional expenditure of online applications and reduce the anticipated revenues by one half. There would still be a requirement to look at the program or increase in budget to maintain status quo.

ATTACHMENTS

Appendix A: Memo from Chief Frank Beazley dated January 5, 2011.

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Deputy Chief Bill Moore, Halifax Regional Police 902-490-7138

Report Approved by: Original signed
Chief JM Blais, Chief of Police, 902-490-6500

MEMORANDUM



Date: January 5, 2011
 To: HRM Board of Police Commissioners
 From: Chief Frank Beazley
 RE: Criminal Record Check Fee for Fingerprinting

Halifax Regional Police
 1975 Gottingen Street
 Halifax, Nova Scotia
 Canada B3J 2H1

Frank A. Beazley
 Chief of Police

Website:
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*Leading and Partnering
 in our Community
 to Serve and Protect*

On August 4, 2010, a Ministerial Directive was issued by the Public Safety Minister in relation to the manner in which criminal record information could be released in Vulnerable Sector Checks. Vulnerable Sector Checks are conducted during Criminal Record Checks on persons who are working with "Vulnerable Persons" as defined in the *Criminal Record Act* and are required in most paid and volunteer organizations who deal with children or persons with diminished mental capacity.

As a result of the Directive, the RCMP made changes to the Canadian Police Information Center (CPIC) Policy which requires the submission of fingerprints of applicants if there is a hit on either their name or a combination of date of birth and sex if it matches a person in the database of pardoned sex offenders. The date of birth/sex search is generating a considerable number of hits which can only be verified as negative upon submission of fingerprints.

The fingerprinting of applicants was being completed on a paper basis and submitted to Ottawa for analysis. The turnaround time is approximately three months. The paper fingerprints could be taken by either police or privately approved fingerprint offices. The long response time is creating serious issues for employers and volunteers.

In an effort to assist with this issue, the Halifax Regional Police and RCMP Sackville location have installed Livescan machines. The Livescan enables the applicant to have his/her fingerprints scanned electronically and submitted via a secure network to Ottawa. The turnaround time for this service is approximately three days. Due to security issues, only police agencies are permitted to use Livescan to do this electronically.

We have re-allocated staff temporarily to assist with the Halifax Canada Games 2011 volunteers as they are facing critical timelines. We are not presently processing any other applicants other than the 2011 Canada Games volunteers at this time pending approval for a fee structure to cover this service.

On March 29, 2010 the Board approved a fee increase for Criminal records Checks as follows:

	April 1, 2010	April 1, 2011
Employment Criminal Record	\$35.00	\$40.00
Volunteer Criminal Record	\$15.00	\$20.00

There is an additional cost to fulfil the new requirements of the CPIC policy in a customer service centered and time sensitive manner. It is our submission that this service cannot be maintained on a go forward basis without a means of recovering some fee for this service to cover the increased staffing demands of fingerprinting.

The local paper-based fingerprint providers charge between \$23.00 and \$45.00 for their service. I feel there are two potential options for Criminal Record Check fees:

1. Increase the cost of all criminal record checks by \$10.00 (Employment Criminal Record to \$50.00 and Volunteer to \$30.00) as of April 1, 2011. This approach would see all persons treated the same and would negate the requirement for additional cash transactions on the persons who are required to attend for fingerprints when a hit is received. This is also a more equitable approach as we are seeing a higher false hit for males between the ages of 40 to 60 years of age, which is reflecting the make up of the persons in the Pardoned Sex Offender databank.
2. Charge only those parties who require fingerprints with an additional charge comparable to the market prices in effect locally, so as not to negatively impact the local market and at a rate that reflects the service premium of a quicker return time. The suggested cost is the average of the surveyed agencies in Canada at \$47.90.

I would also suggest that we adopt a standard fee of \$47.90 for the taking of fingerprints for all of the following:

- Adoption
- Canadian Citizenship
- Employment
- Landed Immigrant Status
- Name Change
- National sex Offender Registration
- Pardon Application
- Privacy Act Request
- Visa/Border Crossing

The Halifax Regional Police is ready to begin fingerprinting applicants once we have secured the direction of the Board on the fees.

Respectfully submitted,

Frank A. Beazley, O.O.M.
Chief of Police