

2024 - POLICE AND COMMUNITY PARTNERS MEMORANDUM OF UNDERSTANDING

360° kids, Blue Door Support Services, Inn from the Cold, John Howard Society of York Region, Krasman Centre, Salvation Army (York Housing and Support Services), Sandgate Women's Shelter, Project Hostel (Yellowbrick House Inc), York Regional Police

Date of MOU Execution: January 1st, 2024

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Introduction:

In efforts to partner and provide the best possible care and service to all service recipients of a partnering Service Provider, York Regional Police and partnering Service Providers; 360° kids, Blue Door Support Services, Inn from the Cold, John Howard Society of York Region, Krasman Centre, Salvation Army (York Housing and Support Services), Sandgate Women's Shelter, Project Hostel (Yellowbrick House Inc), York Regional Police have collaborated to establish a Memorandum of Understanding that will assist police and program staff to work together cooperatively and respectfully within each Service Provider's mandates. The Memorandum of Understanding will serve as a framework for each agency to address training and outline direct interactions between partnering service providers and police. The goal of the Memorandum of Understanding is to provide timely and seamless services to the service recipients of York Region.

Statement of Principles:

We believe that all people regardless of their current living situation deserve fair and equitable service. We will strive to provide respectful, fair and equitable services for all service recipients and recognize the vulnerability and the discrimination experienced by the population we serve.

Community Partner Program Definitions:

Service Providers are inclusive of all Community Partner Agencies listed under this Memorandum of Understanding. **Housing Programs** are defined as community partners engaged in the provision of seasonal emergency housing program services, homeless emergency and transitional housing providers, violence against women's housing programs (VAWs) and housing with supports providers.

Community Programs are providers who provide supports in the community such as a drop-in service.

Service Recipients are individuals that access supports and programs through a partner Service Provider.

List of Providers:

Homeless Seasonal, Emergency, and Transitional Housing Providers:

- 360° kids
- Blue Door (Kevin's Place, Leeder Place, Passage House, Porter Place, Out of the Cold)
- Inn from the Cold
- Salvation Army (Belinda's Place, Sutton Youth Services)

Violence Against Women Programs:

- Yellowbrick House
- Sandgate

Community Drop-in Programs:

- Krasman Centre
- Inn from the Cold

Community Service Provider:

- John Howard Society

Statement of Responsibility:

It is the responsibility of the individual service/agency to monitor and evaluate performance with regard to the commitments agreed to in this document.

When clarification is required or conflict occurs with regard to the Memorandum of Understanding, a resolution process shall be initiated by the respective Service Provider's designated manager/supervisor by contacting the Detective Sergeant of the Intimate Partner Violence Unit or vice versa.

Confidentiality of the Service Provider:

In order for each involved agency to work within its own individual mandate, it is important to understand why Service Providers require and exercise the right of confidentiality toward the service recipient, staff and program operations and locations that utilize the programs within York Region.

Service recipients who use program services are assured of confidentiality. That is to say, no one will be told whether a service recipient is now or has ever used the services, except as noted below. Housing program staff may not disclose who is a non-resident of the housing program.

Staff compliance of the confidentiality policy should not be interpreted as non-cooperation or obstructing justice and should not be communicated as such.

EXCEPTIONS TO THIS POLICY:

In some instances, exceptions to the confidentiality practice may be necessary such as when:

- The service recipient wants the information to be given out and has signed a release of information waiver.

- Child protection issues pursuant to the Ontario *Child, Youth and Family Services Act* are identified.
- Where the Service Provider is legally obligated to do so as a result of a judicial warrant or Federal/Provincial Act.

General Information Sharing and Consultation:

Police may inquire directly to York Region's Emergency Housing Central Intake Line (EHCIL) at 1-877-464-9675 ext. 76140 when seeking information on a person of interest. To do this the officer will complete the top portion of the York Region Law Enforcement Request Form (attached) with the attending Central Intake Line staff member. If all fields are complete, the Central Intake staff member can reveal the requested information to the officer and complete the bottom portion of the form. After the disclosure, a copy of the completed form is saved into the service recipient's HIFIS (Homeless Individuals and Families Information System) file (if they already exist in HIFIS). After the copy of the filled form is saved in HIFIS, it can be emailed to access.privacy@york.ca for documentation, this occurs whether or not the individual was actually found in HIFIS. Please note that that this only applies to Homeless Emergency Housing Programs.

For programs that are not Homeless Emergency Housing Programs (ie. Violence Against Women Shelters, community agencies, and drop-ins) or further direct follow-up with Homeless Seasonal, Emergency and Transitional Housing Programs, the police and program managers at the respective program may consult each other as required.

Referral and Admission to a Housing Program:

Police Officers will contact the program by telephone prior to attending the program.

In the case of Homeless Emergency Housing programs, officers will contact York Region's Emergency Housing Central Intake Line (EHCIL) for bed reservations at 1-877-464-9675 ext. 76140.

Prior to bringing a prospective service recipient to the Program, staff is required to speak to the prospective service recipient to determine eligibility.

When applicable, police will ensure the prospective service recipient and any children are transported to a place of safety.

If the prospective service recipient and any children have been transported to a program or place of safety, the location is not to be disclosed to any third parties (including but not limited the alleged perpetrator of any criminal offence against the prospective service recipient and/or children), or included in any police reports that are subject to court disclosure. (*Reference Procedure YRP Procedure LE-024*)

Officers will remain on site until it is determined that the prospective service recipient will be admitted to the program.

Upon attendance if the prospective service recipient for whatever reason cannot be accommodated, the program staff shall strive to assist in locating an alternate place of safety or offer referral to another program. Note: Service Providers are unable to provide transportation to alternate places of safety.

In order to protect the safety of the housing program service recipients and keep their whereabouts confidential, officers shall not bring anyone to a program location for the purposes of conducting an investigation (resolving a civil or property dispute, or otherwise communicating with a housing program service recipient)

The decision to attend the program must be made by the person involved. Officers shall provide the person with referral information regarding the housing program, thus allowing them to make their own decision based upon their circumstances. Officers shall not direct the person to attend the program.

This may require police to contact the program of choice on behalf of the victim and provide a brief description of the circumstances, including the victim's name and information regarding children.

A program may be unable to accept a person from a police investigation under certain circumstances (for example: medical issues, quarantine within housing program due to illness, specific medical requirements of individuals, previous history with the individual or lack of available space).

Attending the Housing Program:

Whenever a police officer(s) attends a housing program (on-going investigations/investigation within a housing program), they shall telephone ahead except in exigent circumstances. A police officer(s) shall

give reasonable notice by phone, recognizing that housing program staff may need some time to prepare for the officer's visit. In providing reasonable notice officers will give program staff the opportunity to ensure the health, safety and security of staff and service recipients.

If there is any doubt as to the identity of the officer, the staff member shall:

1. Obtain the name, badge number, and extension number where the officer can be reached.
2. Telephone York Regional Police switchboard at 905-773-1221 and request the extension number provided by the officer to confirm the officer's identity.
3. Prior to the arrival of the police officer(s), the staff member shall advise any service recipients, who for whatever reason do not want to be seen by the police, to clear from the reception area.
4. Upon the arrival of the officer, the housing program staff member may allow the officer(s) entry into an area appropriate for the nature of the visit. (At times private space may not be available and it may be necessary to facilitate the investigation outside the housing program or offsite)

Communications with Housing Programs and Community Programs:

For the purpose of this Memorandum of Understanding, the following ranks and or positions within York Regional Police are designated to initiate contact with the program in order to communicate with service recipient and/or conduct investigations: Real time operations centre.

1. All inquiries should be made with the frontline staff.
2. When attempting to communicate with a service recipient and/or confirm their presence at the program, members will speak with the frontline staff and ask that a message be delivered to the service recipients if they are present.
3. Program staff members are not required to confirm or refute the presence of a service recipient.
4. Officers should be aware that when they leave a message for a service recipient, program staff is under no obligation to ensure the message is returned.
5. In the event that the above (1-4) are not resolved by frontline staff, a program manager will be contacted for follow-up at a later time.

Confirming Officers identity:

If the officer is calling from an outside phone, the staff member shall call the switchboard and ask for Communications. The staff members shall identify themselves and ask that the dispatcher confirm the officer is on route to the program.

If the officer is attending the program in a plain clothes capacity the officer shall show proper police identification. If not available, the housing program staff can contact the Communications bureau and confirm the identity of the officer.

Missing Person Investigations:

Definitions:

Missing Person: Defined in the Missing Persons Act, 2018, S.O. 2018, c. 3, Sched. 7, as follows:

1 (2) A person is a missing person if both of the following circumstances exist with respect to the person:

1. The person's whereabouts are unknown and,
 - i. The person has not been in contact with people who would likely be in contact with the person, or
 - ii. It is reasonable in the circumstances to fear for the person's safety because of the circumstances surrounding the person's absence or because of any other prescribed considerations. (No additional considerations have been prescribed at this time.)
2. A member of the police force is unable to locate the person after making reasonable efforts to do so.

Missing Person Investigation of an Urgent Nature

These investigations involve the location of a missing person who is reported to be at risk of bodily harm or death. There is reasonable fear for the person's immediate safety.

Where police are investigating a missing person incident of an urgent nature, they may have occasion to contact a housing program to inquire whether the person resides at this location; they may also contact a community program to inquire whether the person has been seen at this location. When applicable police will state the urgent need to share information, for example, person being in imminent danger while respecting the missing person's privacy. In the event the missing person is also wanted for a

criminal offense, officers will share the information with the program. If the housing program confirms that the person is residing at the housing program, police will arrange with the missing person to make physical contact to confirm the well-being of the individual. If a community program has seen the person, they will share the information with the police and notify the person should they encounter them again to confirm their well-being to the police.

It is the policy of all police services in Ontario to physically check on the well-being of the reported missing person(s) to confirm their identity and remove the missing person from CPIC.

Note: The service recipient is under no obligation to respond to the inquiry or confirm their presence in the housing program. The service recipient can physically attend any police station or speak to any police officer in Canada to confirm they are safe.

Missing Person Investigations without Immediate Urgency

Investigations involving missing persons where a person is missing and there is:

- No Risk the Missing Person will be seriously harmed, and/or;
- There is No Public Safety interest in locating the missing person and/or;
- No Risk the records may be destroyed.

*The investigating officer shall consider using the **Missing Person Act (Section 4) Orders for Production of Records**. The Investigator must have reasonable grounds to believe that the records are in the custody of the specified order, and that the records will assist in locating the Missing Person.*

Upon receipt of a Judicial Authorization the Provider shall as soon as reasonably possible, produce copies of the records specified in the demand that are in their custody.

Missing Person Investigations Initiated by the Service Provider

1. In cases where the housing program reports that a service recipient is missing, an officer will be dispatched to take the report and initiate an investigation.
2. During the missing person investigation officers will ensure that the service recipient's residency at the housing program remains confidential.
3. The housing program will be requested to immediately contact the district if/when they have contact with the service recipient, or the service recipient returns to the housing program.

When a service recipient returns to the housing program after being reported as missing, confirmation and further investigation will be conducted in person (refer to Missing Persons Procedure). This “in person” attendance at the housing program will be communicated to the housing program by the investigating officer.

Interaction Guidelines between YRP Officers and Service Providers during Missing Persons Investigations

When an officer becomes aware of circumstances that require contacting a service provider to determine the whereabouts of the missing person, they shall adhere to the following guidelines:

1. The investigating officer will notify the service provider of the nature of the investigation and the reason for contacting the service provider. If service provider requires clarification, they may contact the officers’ originating unit.
2. The investigating officer shall conduct a background check on the complainant to verify the relationship, determine previous local contacts, charges/convictions, related intimate partner violence occurrences, and gather relevant investigative information prior to contacting the service provider.
3. The investigating officer must ensure that they do not share the location of potential victims of intimate partner violence.
4. The service provider will contact the service recipient (if present) and advise them of the police inquiry. The service recipient is under no obligation to respond to the inquiry or confirm their presence. The service recipient can physically attend any police station or speak to any police officer in Canada to confirm they are safe.
5. In cases where the service recipient’s presence at the housing program is confirmed, the location of the service recipient is not to be divulged to the complainant under any circumstances.

Missing Person Request to remove Media Release

When a missing person is the subject of a media release and the service recipient is in a place of safety and wishes for their pictures to be removed from media outlets, the housing program can contact the Real Time Operations Centre (RTOC) who will take steps to have the picture removed from the media release. The service recipient must agree to have an officer physically confirm their safety.

Housing program Service Recipient under Investigation:

In cases where a service recipient is a suspect in a matter under investigation, investigating officers will follow this policy with respect to contacting the housing program.

1. The investigating officer will explain to housing program staff the need to contact the service recipient or attend the housing program. In the event front line staff is unsure of how to proceed, they will contact their supervisor for clarification.
2. All attempts will be made to conduct the investigation (including any arrest) in a discrete manner, having regard for the presence of other service recipients and children.
3. The housing program is a place of safety where service recipients have a reasonable expectation of privacy. The investigating officer will request access to the housing program if necessary as part of their investigation.
4. The housing program contact protocols outlined in this policy do not apply if the housing program service recipient under investigation is not at the housing program.
5. When a housing program service recipient has been arrested at the housing program, if required the housing program manager may contact the Detective Sergeant of the Intimate Partner Violence Unit, the real time operations centre (RTOC) or designate should any questions surrounding the arrest arise.

Request for Support Initiated by the Service Provider:

Staff calls to the police may include requests for assistance when the Service Provider is on heightened security, there is suspicious activity on or near the Service Provider property, or a service recipient is exhibiting threatening behaviour toward program staff.

When the program staff call the police for assistance, program staff shall provide as much information as possible including the description of the person of concern, their name and birth date if known, a description of the vehicle including license plate, a location or last direction of travel and the reason for concern.

If the program staff has a call for service to report other types of offences such as thefts, mischief or disputes and altercations within the program, then the program staff will cooperate with the police investigation by allowing officers to conduct a thorough investigation, which may include the interviewing of witnesses and examination of the scene where the incident occurred. The program staff will provide a quiet and private interview area for the police to speak to the involved parties, if available. It will be the

decision of the parties involved in the incident as to whether they wish to have program staff who are not directly involved with the incident offer support in the interview with the police. If the police are dealing with a suspect of the incident, then police procedure for interviewing suspects/accused will prevail and program staff may not be allowed to remain in the room.

911 Calls:

Service Providers can expect the following response from police regarding 911 calls initiated from within the program. Please keep in mind that the call could originate from a service provider's telephone line or a service recipient's cell phone.

Police Communications will call back the number from where the 911 call came from to verify and confirm the 911 call.

1. Uniformed officers will respond to the program site to investigate the 911 call. Police will articulate clearly to the first contact at the program that they are responding to a 911 call for assistance and provide as many details as they can.
2. The police will request entry and ask the staff to escort the officer through the program site to attend to the emergency. Program staff have knowledge of the layout and of the service recipients which is invaluable. If it is not safe for the program staff to attend with the officer, they will stand by in a safe place.
3. Once the situation is under control, the officer will obtain sufficient information to complete a report and leave the premises respecting the Memorandum of Understanding.

If in the event program staff refuses police entry, then officers will take the steps necessary to gain entry and deal with the emergency.

If a 911 call is placed, the program staff may expect a three-tiered response (police, fire, ambulance). In medical emergencies, this includes supporting paramedics and in their absence provisioning of emergency response, including First Aid/CPR, administration of Narcan.

In non-emergency calls involving mental health crisis, involvement of the Mental Health Support Team can be requested if available.

Arrest on an outstanding Warrant:

Where circumstances allow, police are to call ahead if they intend to execute a warrant. See *Communication with Housing Programs and Community Programs*. This will allow program staff to call in extra staff as required and make childcare arrangements if necessary.

The program staff will return the officer's call to verify the caller's identity and advise whether the service recipient is in fact at their program at that time. If the person named on the warrant is not a service recipient, police will be advised. If the person named is a service recipient, but have since departed, the program personnel will immediately provide police with the most recent known address (if applicable).

If the subject is not in the program, but program staff know the whereabouts, program staff will not contact them to warn of the outstanding warrant.

Police at the door with a Child Apprehension Order:

If police decide to attend a housing program, without notice, to execute a court order to apprehend a child, housing program personnel will request to see the court order.

A copy of the apprehension order will always be available. In cases where housing program service recipients must relinquish custody of children, housing program staff/police will attempt to make the process as smooth as possible to limit the trauma and disruption experienced by the parent or guardian, the children and the other service recipients.

Housing program staff **will not** interfere with the execution of a child apprehension order. Housing program staff will understand that if a police officer has a valid child apprehension order that police have the legal right to enter the housing program and apprehend the children. Any failure to cooperate could constitute grounds for an obstruction of justice charge.

Police may attend the housing program with the Children's Aid Society (CAS) in order to assist in a Children's Aid Society investigation and apprehension.

If the subject is in another housing program, the police will be advised of the whereabouts, if known. Police will contact that housing program and advise the staff that the police are on their way with the order if appropriate. This is only to allow the housing program the opportunity to prepare for police arrival.

Apprehensions under the Mental Health Act:

Police may attend the Program to execute one of the following Mental Health Act (MHA) Forms if the subject of the Form is believed to be at the location. These Forms authorize the police to apprehend an individual for the purposes of receiving treatment and or assessment in a mental health facility.

- (a) **Form 2, MHA:** Also referred to as an “Order for Examination”, the Form 2 is an order issued by a Justice of the Peace authorizing police to bring the person named in the order to a mental health facility.
- (b) **Form 9, MHA:** Also referred to as an “Order for Return”, the Form 9 is issued by the person in charge of a mental health facility that has authority over a detained person who has left the facility without leave. The Form authorizes police to apprehend and return the person.
- (d) **Form 47, MHA:** A Form 47 or “Order for Examination” is issued for violation of the terms of a Community Treatment Order and authorizes police to apprehend a person and return them to the mental health facility.

Police will contact the service provider and advise the staff that the police are on their way with the order if appropriate.

Change of Victim’s Contact Information:

Police and Victim/Witness Assistance Program (VWAP) will understand that the resident may or may not be in a housing program when they need to contact them. Keeping police informed of any changes in address or phone number is the responsibility of the resident and housing program staff cannot force a resident to call the police or VWAP.

If not there, the housing program will take the message and encourage the resident to call police. If no longer a resident, the housing program will provide the last known address and/or phone number if service recipient consents.

Service of Witness Subpoenas

If a police officer or document server attends the Housing program unannounced to serve a subpoena, the Housing program may not divulge the location of the resident due to their policy on confidentiality.

Retrieving Personal Belongings:

In cases where a housing program service recipient requires personal effects from their home address, if safety is a concern, the person will request police service recipient to meet at the residence solely to keep the peace and stand-by while they retrieve personal effects for themselves and children.

Personal belongings may include: clothing, medications, assistive devices, tools of their trade, personal and / or legal documents etc. It is helpful to write a list of intended items for collection but is not imperative. Police will *not* attend for the purposes of child exchange or access to children.

Human Trafficking:

Service Providers and York Regional Police commit to work collaboratively to raise awareness of and supporting victims of Human Trafficking.

Receiving a disclosure of Human Trafficking

When receiving a disclosure of Human Trafficking from a service recipient the service provider will first and foremost support their immediate safety needs as a threat to their safety may be imminent. Staff will support the service recipient in contacting 911 or police communications if a uniform officer is required. The YRP Human Trafficking Investigators can be reached at 905-830-0303 Ext: 6800 or by email at ht@yrp.ca for further assistance.

Seeking support in suspected cases of Human Trafficking

In suspected cases of Human Trafficking where a disclosure has not occurred the Service Provider can contact the YRP Human Trafficking Investigators at 905-830-0303 Ext: 6800 or by email at ht@yrp.ca for education and support. Note that if the service recipient is deemed to be at threat of imminent danger call 911 or police communications if a uniform officer is required. The Human Trafficking Investigators will be notified and can respond to support and follow-up with the service recipient.

Other Circumstances:

If any inquiry is made regarding a service recipient whose partner is an employee of York Regional Police or any other Police Service the housing program staff member shall:

- Obtain the name and badge number of the inquiring officer.
- Advise the officer that they are unable to provide any information at that time.
- Contact the York Regional Police Detective Sergeant of the Intimate Partner Violence Unit if the service recipient consents.

Training and Information Dissemination:

Upon execution of this agreement, all parties agree to work collaboratively to design and implement training materials and information dissemination strategies on an ongoing basis through the lifetime of this agreement to ensure that the terms of this MOU are understood and implemented to the best ability of the respective partners covered in this agreement.

Term of MOU:

This MOU starts on January 1st, 2024 and continues unless otherwise indicated or terminated. The Parties intend to review this MOU on an annual basis to ensure that it is fulfilling its purpose and to make any necessary amendments. To be valid, any amendment must be in writing and signed by all Parties.

This MOU, together with any Schedules and other documents delivered with this MOU, constitutes the entire understanding between the Parties.

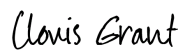
WE, THE UNDERSIGNED duly execute this MOU on behalf of the Parties we have the respective authority to represent.

360° kids

Blue Door Support Services

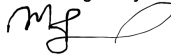
Inn From The Cold

DocuSigned by:



Clovis Grant, CEO

DocuSigned by:



Michael Braithwaite, CEO

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Amy Watson, Executive Director

John Howard Society of York Region

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Shannon Speirs

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Krasman Centre

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Susan Dobson

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Rochele Saunders

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Sandgate Women's Shelter

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Michelle Smith

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York Regional Police

Jim MacSween
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