




HAMILTON POLICE SERVICE

INFORMATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	February 23, 2023
SUBJECT:	2022 Year End Report: Hamilton Police Services Board Auction Account
REPORT NUMBER:	23-007
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

INFORMATION

The Hamilton Police Service is one of several municipal police organizations that utilizes the services of Police Auctions Canada, an internet based company that holds public auctions online to sell property that is acquired by police services in compliance with the *Police Services Act*.

Part IX (Regulations and Miscellaneous) of the *Police Services Act* authorizes the sale of property in the possession of a police service. Sections 132(1) and 132(2) of the Act provide as follows:

132. (1) This section applies to personal property of all kinds, except firearms and money, that comes into the possession of a police force under either of the following circumstances:

- 1. The property was stolen from its owner or was found abandoned in a public place, and the chief of police is unable to determine who owns it.*
- 2. The property was seized by a member of the police force in the lawful execution of his or her duties, all legal proceedings in respect of the property have been completed, there is no court order for its disposition and there is no legal requirement, apart from this section, that it be retained or disposed of.*

132. (2) The chief of police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest.

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These provisions authorize the Chief to sell property that comes into the possession of the Police Service and permits the Board to use the proceeds for any purpose that it considers in the “public interest”. The term “public interest” is not defined in the *Act* and connotes a very broad discretion for the Board to deal with these funds.

Auction Account dispositions include the purchase of tickets to attend various community and charitable related events and in support of community organizations through sponsorship requests and are approved by the Board.

Organizations supported by the Auction Account in 2022 include the following:

AIDS Network of Canada
Aboriginal Health Centre
CYO Children’s Fundraiser
Canada Beyond the Blue
Catholic Children’s Aid Society
Crime Stoppers of Hamilton
Dr. Bob Kemp Hospice
Good Shepherd
Hamilton Black History Council (Reverend John C. Holland Awards)
Hamilton Police Retirees Association
Interval House of Hamilton
Jamaica Foundation
Liberty for Youth
Muslim Association of Canada
OWLE Awards
St. Joseph’s Villa Foundation
The Bridge
Wayside House of Hamilton
Wesley Urban Ministries
YWCA Hamilton

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Due to an unreconciled deposit of \$3,640.52 in 2021, the following table is a correction to Board Report 22-003, and summarizes the cash flow in the Auction Account (proceeds and dispositions - cash basis):

Auction Account Balance – January 1, 2021		\$ 31,280.11
Deposits – Proceeds from Sale of Property	\$ 42,694.06	
Total Dispositions of Funds	<u>(\$19,491.70)</u>	
Net Increase (Decrease) to Balance	<u>\$ 23,202.36</u>	\$ 23,202.36
Bank Charges		<u>(\$ 213.38)</u>
Auction Account Balance - December 31, 2021		<u>\$ 54,269.09</u>

The following table summarizes the cash flow in the Auction Account (proceeds and dispositions - cash basis) for the 2022 calendar year:

Auction Account Balance – January 1, 2022		\$ 54,269.09
Deposits – Proceeds from Sale of Property	\$ 31,936.38	
Total Dispositions of Funds	<u>(\$29,683.34)</u>	
Net Increase (Decrease) to Balance	<u>\$ 2,253.04</u>	\$ 2,253.04
Bank Charges		<u>(\$ 45.00)</u>
Auction Account Balance - December 31, 2021		<u>\$ 56,477.13</u>

CONCLUSION

As at December 31, 2022, the Auction Account Balance was \$56,477.13.

APPENDICES AND SCHEDULES ATTACHED

Not applicable

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