



HAMILTON POLICE SERVICES BOARD

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February 10, 2023

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister Trudeau:

RE: Bail Reform

The Hamilton Police Services Board is writing to add our voice to the growing call for change regarding a critical issue that affects public safety in our community as well as across the province. We urge an immediate re-evaluation of how the bail system accounts for public safety considerations through legislative reform.

Over the years, we have seen high-risk, repeat violent offenders released into our communities, who then await their trials for extended periods due to backlogs in the criminal justice system. We, along with other cities and communities across Ontario and Canada, continue to deal with concerning numbers of violent incidents involving individuals who reoffend when they are out on bail.

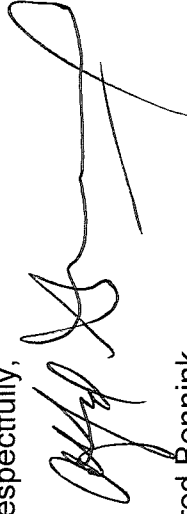
We wish to advocate in advancing bail reform and other legislative changes in an effort to enhance community safety in Hamilton and across Canada. We support meaningful amendments to the Criminal Code that address chronic violent offenders.

We endorse correspondence, as attached, from the Ontario Association of Police Services Board sent to the Honourable David Lametti, Minister of Justice and Attorney General of Canada and the Honourable Marco Mendicino, Minister of Public Safety that highlights suggested changes to bail reform made by the Toronto Police Services Board as follows:

- Require that Bail Hearings for the most serious firearm offences be heard by a judge of the Ontario Court or Superior Court, clearly conveying Parliament's view of the seriousness of these offences (and their impact on the public) as well as reflecting the views and concerns of the public about these incidents
- Add an additional route to First Degree Murder under Section 231 of the *Criminal Code*, by including death resulting from the discharge of a firearm in a congregate setting; this would act as a strong deterrent, clearly express society's disapprobation of such conduct and help maintain public confidence in the justice system; and
- Increase parole ineligibility to 2/3 of an individual's custodial sentence, for any offence where the court finds that the offender discharged a firearm in a congregate setting (including those who are found to be parties to such offences).

This complex issue requires a multi-faceted approach. We look forward to working with criminal justice stakeholders to assist in developing legislative, policy and resourcing solutions that protect and strengthen the safety of our communities.

Respectfully,



Fred Bennink
Vice-Chair, Hamilton Police Services Board

cc:

Hon. Chrystia Freeland, Deputy Prime Minister
Hon. David Lametti, Minister of Justice and Attorney General
Hon. Marco Mendicino, Minister of Public Safety
Chief Nishan Duraipappah, President Ontario Association Chiefs of Police (OACP)
Jennifer Malloy, Executive Director, Canadian Association of Police Governance (CAPG)
Board of Directors & Members of the Ontario Association of Police Services Boards (OAPSB)
Jim Hart, Chair, Toronto Police Services Board
Ryan Teschner, Executive Director & Chief of Staff, Toronto Police Services Board