

Draft Regulations

Draft Regulation

Police Act
(R.S.Q., c. P-13.1)

Police services

— Police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to replace Schedule G to the Police Act in accordance with section 353.12 of that Act. Schedule G lists the various services that a police force must provide according to the level applicable to it, on the basis of the population to be served. The draft Regulation seeks to better reflect the specific needs of the population served and improve the efficiency of police forces and the coordination of the services provided by them according to the applicable level of jurisdiction.

Study of the matter has revealed no financial impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Sophie Cayouette, Direction de l'organisation et des pratiques policières, ministère de la Sécurité publique, 2525, boulevard Laurier, 4^e étage, Québec (Québec) G1V 2L2; telephone: 418 644-3461; fax: 418 646-3564.

Any interested person wishing to comment on the matter may submit written comments to Jacques P. Dupuis, Minister of Public Security, 2525, boulevard Laurier, 5^e étage, Québec (Québec) G1V 2L2, within the 45-day period.

JACQUES P. DUPUIS,
Minister of Public Security

Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction

Police Act
(R.S.Q., c. P-13.1, s. 81)

CHAPTER I GENERAL

1. Municipal police forces and the Sûreté du Québec must provide police services in accordance with the level applicable to them under sections 70 and 71 of the Police Act (R.S.Q., c. P-13.1) as set out in the following chapter. The Sûreté du Québec provides services of a higher level than those required of municipal police forces as well as level 6 services.

CHAPTER II POLICE SERVICES PER LEVEL

2. Level 1 (population less than 100,000) consists of the following services:

1^o Policing

- (a) round-the-clock patrol;
- (b) response to any request for help from a citizen within a reasonable time and dispatching;
- (c) road patrolling;
- (d) enforcement of the Act respecting off-highway vehicles (R.S.Q., c. V-1.2) and off-road vehicle and snowmobile trail patrol;
- (e) recreational boating safety;
- (f) transportation of accused persons;
- (g) hit and run incidents;
- (h) prevention programs;
- (i) crime scene securing;
- (j) containment.

2° Investigations

Subject to the obligations corresponding to higher levels, the criminal or penal offences under the jurisdiction of police forces consist of the following:

- (a) kidnapping;
- (b) sexual assault;
- (c) sexual offences;
- (d) child pornography when caught in the act;
- (e) assault;
- (f) fatal work injury, in cooperation with the Sûreté du Québec;
- (g) robbery;
- (h) taxing;
- (i) extortion of vulnerable persons or persons who depend on their family circle;
- (j) breaking and entering;
- (k) fire;
- (l) auto theft;
- (m) production, trafficking and possession of illicit drugs at local or street level;
- (n) street prostitution;
- (o) bad cheques, credit card or debit card fraud;
- (p) scams, false pretences, false statements;
- (q) theft and possession of stolen goods;
- (r) offence-related property;
- (s) vehicle accidents;
- (t) mischief;
- (u) criminal offence causing death or life-threatening bodily injuries, committed while driving a vehicle, in cooperation with the Sûreté du Québec;
- (v) reckless driving;
- (w) impaired driving;

- (x) street gang crime;
- (y) suspicious object or bomb threat, if negative;
- (z) weapons and discovery of explosives;
- (aa) use of counterfeit money;
- (bb) death under mysterious circumstances;
- (cc) death or bodily harm threatening the life of a child under three years of age, in cooperation with the Sûreté du Québec;
- (dd) disappearances;
- (ee) runaways.

3° Emergency measures

- (a) peaceful crowd control;
- (b) rescue operations;
- (c) forest search and rescue;
- (d) emergency response to local disaster.

4° Support services

- (a) crime scene dusting and photography;
- (b) production and pooling of tactical and operational criminal intelligence relating to persons, groups or phenomena affecting their territory;
- (c) significant contribution to criminal intelligence exchanges between police forces and bodies in charge of enforcing the law;
- (d) management of human sources of intelligence;
- (e) routine contribution to the Violent Crime Linkage Analysis System (ViCLAS), the Québec criminal intelligence data bank and the Sûreté du Québec fingerprint bank;
- (f) detention;
- (g) custody of exhibits;
- (h) court liaison;
- (i) taking of a bodily substance for forensic DNA analysis;

- (j) warrant management and tracking of individuals;
- (k) police records management;
- (l) public affairs;
- (m) Québec Police Intelligence Centre (QPIC) input and retrieval;
- (n) internal affairs;
- (o) technical equipment and use of force instructor;
- (p) services of a breath analysis expert;
- (q) bertillonage;
- (r) information collection for the registration of sex offenders under the Sex Offender Information Registration Act (S.C. 2004, c. 10);
- (s) low-risk dynamic intervention;
- (t) entry of data in the Québec data bank on recovered firearms.

3. Level 2 (population ranging from 100,000 to 199,999 or less if it is part of a municipality referred to in section 71 of the Act) consists of the following services, in addition to the services listed for Level 1:

1° Investigations

- (a) murder with imminent arrest;
- (b) criminal negligence causing death;
- (c) attempted murder;
- (d) fatal work injury;
- (e) financial institution or armoured car robbery;
- (f) fire involving fatality;
- (g) series of fires;
- (h) major fire involving commercial, industrial, institutional, government or community buildings;
- (i) commercial or real estate fraud;
- (j) illegal lottery;
- (k) criminal offence causing death or life-threatening bodily injuries, committed while driving a vehicle;

- (l) production, trafficking and possession of illicit drugs involving suppliers of local or street dealers;
- (m) freight theft;
- (n) criminal offence committed by a crime ring;
- (o) keeping a common gaming or betting house and cheating;
- (p) counterfeit money offences.

2° Emergency measures

- (a) crowd control involving risk of disturbance.

3° Support services

- (a) crime scene and criminal identification expert;
- (b) fire scene expert;
- (c) reconstructionist (collision investigation);
- (d) vehicle identification;
- (e) computer-generated composite sketching;
- (f) production and pooling of strategic criminal intelligence relating to persons, groups or phenomena affecting their territory.

4. Level 3 (population ranging from 200,000 to 499,999) consists of the following services, in addition to the services listed for Level 1 and Level 2:

1° Investigations

- (a) murder;
- (b) life-threatening kidnapping;
- (c) extortion;
- (d) fatal aircraft accident;
- (e) proceeds of crime;
- (f) production, trafficking and possession of illicit drugs involving high-level suppliers;
- (g) gang crime corresponding to applicable service level;

(h) criminal offence committed by criminal organizations operating on an inter-regional basis, in cooperation with the Sûreté du Québec;

(i) child pornography;

(j) procuring;

(k) common bawdy-house;

(l) event involving a police force, upon request by the Minister;

(m) computer data mischief or theft;

(n) theft, illegal use or possession of explosives without lawful excuse;

(o) death or bodily harm threatening the life of a child under three years of age.

2° Emergency measures

(a) Intervention involving armed and barricaded suspect (no shots fired, no hostages).

3° Support services

(a) physical surveillance;

(b) database retrieval;

(c) infiltration;

(d) analysis of pure version statements;

(e) dog team (drugs, guarding and tracking);

(f) special unit;

(g) moderate-risk intervention;

(h) return to Québec of an individual who has contravened a decision or order of the Commission d'examen des troubles mentaux.

5. Level 4 (population ranging from 500,000 to 999,999) consists of the following services, in addition to the services listed for Levels 1, 2 and 3:

1° Investigations

(a) murder or attempted murder committed by criminal organizations operating on an inter-regional basis, in cooperation with the Sûreté du Québec.

2° Emergency measures

(a) crowd control involving high risk of disturbance or riot, in cooperation with the Sûreté du Québec;

(b) intervention involving barricaded and armed suspect, and shots fired.

3° Support services

(a) electronic surveillance;

(b) high-risk intervention;

(c) special weapons and tactics team.

6. Level 5 (population 1,000,000 or more) consists of the following services, in addition to the services listed for Levels 1, 2, 3 and 4:

1° Policing

(a) recreational boating safety on the St. Lawrence River.

2° Investigations

(a) terrorist incident management;

(b) importation and exportation of illicit drugs, in cooperation with the Sûreté du Québec;

(c) weapons and explosives trafficking;

(d) extraprovincial kidnapping;

(e) betting and bookmaking;

(f) criminal offence committed by a ring operating on an inter-regional basis;

(g) judicial or municipal civil servant corruption;

(h) commercial or real estate fraud committed by a person or an entity referred to in the Proceeds of Crime (Money Laundering) and Terrorist Financing Act (S.C. 2000, c. 17) and its regulations.

3° Emergency measures

(a) helicopter operations;

(b) crowd control involving high risk of disturbance or riot;

(c) intervention involving hostages or an active shooter.

4° Support services

- (a) underwater diving;
- (b) defusing and handling of explosives (explosives experts);
- (c) infiltration at top level of criminal organization;
- (d) polygraph and hypnosis;
- (e) dog team (explosives);
- (f) operations security intelligence;
- (g) evaluation and protection of justice collaborators;
- (h) video interrogation support;
- (i) use of undercover civil agents.

7. Level 6 establishing the jurisdiction of the Sûreté du Québec consists of the following services, in addition to the services listed for Levels 1, 2, 3, 4 and 5:

1° Investigations

- (a) coordination of investigations during unusual events;
- (b) coordination of investigations of murders and assaults by predator;
- (c) police cooperation to counter organized crime;
- (d) crime relating to State revenues, security or integrity;
- (e) coordination of investigations of series of fires at inter-regional level;
- (f) criminal offence by a ring operating in and outside Québec;
- (g) misappropriation of funds;
- (h) fraudulent securities transactions;
- (i) crime within provincial or federal detention centres;

(j) cybersurveillance;

(k) international judicial cooperation.

2° Emergency measures

(a) coordination of recovery operations and maintenance of order during emergencies or civil disturbances of provincial scope.

3° Support services

- (a) protection of international VIPs;
- (b) protection of the National Assembly;
- (c) State security investigations and intelligence;
- (d) security and integrity of government computer systems;
- (e) ViCLAS coordination;
- (f) criminal profiling;
- (g) composite sketching;
- (h) specialized criminal identification;
- (i) centralized fingerprint database;
- (j) Interpol liaison;
- (k) QPIC management;
- (l) permanent emergency service unit;
- (m) coordination and registration of information in the National Sex Offender Registry.

8. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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