



Dawn Black, MP
New Westminster
- Coquitlam

Mayor and Council
West Vancouver Municipal Hall
750 - 17th Street
West Vancouver, BC
V7V 3T3

February 24th, 2009

Dear Mayor Goldsmith-Jones and West Vancouver Municipal Council,

Over the past days and weeks, there has been an increased awareness around the issues of crime and community safety. Addressing these critical issues will require multi-faceted responses from all levels of government.

I am writing to make you aware of a Bill which I have introduced in the House of Commons, which will address one small but important component of the crime problem facing our cities. Bill C-315 seeks to amend the Criminal Code to make it an indictable offence for a person to leave their province of residence when they know or believe that a warrant of arrest has been or will be issued for them.

There is a serious problem in British Columbia and around the country with so-called 'non-returnable warrants', where alleged criminals evade arrest because the warrant is specific to the location where the crime was committed and other jurisdictions cannot afford the cost of returning the suspect for prosecution. A 2005 study by the Vancouver Police Department conducted over a three month period found over 700 suspects subject to more than 1500 non-returnable warrants. 84% of the suspects had 4 or more prior convictions, many for serious crimes such as sexual assault.

The Canadian Association of Chiefs of Police has been joined by provincial Justice Ministers in calling for legislative action at the federal level to fix this loophole in our criminal justice system, but these calls have so far been ignored by the federal Government.

I urge you to support Bill C-315, and to inform the federal Minister of Justice Hon. Rob Nicholson of your position on the matter.

For your information, I have enclosed a copy of the Bill, as well as the remarks I made in the House of Commons during its introduction.

Please don't hesitate to contact me if you would like further information on my efforts to see this important legislation adopted.

Yours sincerely,

Dawn Black, MP
New Westminster-Coquitlam-Port Moody



House of Commons

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Criminal Code

[Bill C-315. Introduction and first reading]

Ms. Dawn Black (New Westminster—Coquitlam, NDP)

moved for leave to introduce Bill C-315, An Act to amend the Criminal Code (leaving province to avoid warrant of arrest or committal).

She said: Mr. Speaker, I am pleased to reintroduce this bill that addresses a glaring loophole in our criminal justice system. There is a serious problem in Canada with regional arrest warrants that are issued across the country but are not executed because of the cost of returning the accused to the area of the alleged crime.

This is of particular concern in British Columbia. A 2005 study by the Vancouver Police Department found that over a three month period, it came into contact with 726 people, subject to 1,582 of these kinds of warrants. Eighty-four per cent of these people had four or more criminal convictions, including sexual assault and other serious crimes. This has seriously eroded public confidence in the criminal justice system in the lower mainland of Vancouver.

My bill would make it an indictable offence for a person to leave the province of jurisdiction where he or she knows or has reason to believe that a warrant for his or her arrest has been or will be issued.

The Canadian Association of Chiefs of Police has called for this kind of action, a call that has been supported by provincial justice ministers right across Canada. The chiefs of police in my community of New Westminster and of Port Moody support it but so far it has been totally ignored by the federal government.

I urge the government and my colleagues in this House to help me get this important legislation through the House of Commons and right what is a very serious wrong.

(Motions deemed adopted, bill read the first time and printed)

C-315

Second Session, Fortieth Parliament,
57-58 Elizabeth II, 2009

HOUSE OF COMMONS OF CANADA

BILL C-315

An Act to amend the Criminal Code (leaving province to avoid
warrant of arrest or committal)

FIRST READING, FEBRUARY 12, 2009

MS. BLACK

402128

C-315

Deuxième session, quarantième législature,
57-58 Elizabeth II, 2009

CHAMBRE DES COMMUNES DU CANADA

PROJET DE LOI C-315

Loi modifiant le Code criminel (départ de la province pour se
soustraire à un mandat d'arrestation ou de dépôt)

PREMIÈRE LECTURE LE 12 FÉVRIER 2009

M^{ME} BLACK

HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

BILL C-315

PROJET DE LOI C-315

An Act to amend the Criminal Code (leaving province to avoid warrant of arrest or committal)

Loi modifiant le Code criminel (départ de la province pour se soustraire à un mandat d'arrestation ou de dépôt)

R.S., c. C-46

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :

L.R., ch. C-46

1. The *Criminal Code* is amended by adding the following after section 139:

1. Le *Code criminel* est modifié par adjonction, après l'article 139, de ce qui suit :

Warrant of arrest or committal

139.1 Every person who knows or believes that a warrant of arrest or committal has been issued or will be issued in respect of that person in the province where the person resides and who, in order to evade, delay or prevent arrest or committal, leaves that province before or after a warrant of arrest or committal has been issued in respect of that person in that province, is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years less a day.

139.1 Quiconque croit ou sait qu'un mandat d'arrestation ou de dépôt a été ou sera délivré à son égard dans sa province de résidence et qui, dans le but de retarder ou d'empêcher son arrestation ou son emprisonnement, ou de s'y soustraire, quitte la province avant ou après la délivrance du mandat, est coupable d'un acte criminel et passible d'une peine d'emprisonnement maximale de deux ans moins un jour.

Mandat d'arrestation ou de dépôt

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