

## Finance & Audit Committee Resolution

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Committee Meeting Date: March 1, 2022

Agenda Item: 6.c

Resolution Number: 2022-03-01- 120

Moved by: R. Gato

Seconded by: B. Ostrander

Council Meeting Date: March 16, 2022

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"That the Finance and Audit Committee receive the correspondence from the City of Brantford and the Township of Adelaide Metcalfe, regarding 'Revolving Door of Justice' for information; and

Further That the Committee recommend that County Council support the correspondence and that staff forward this to the Provincial officials, PMO and the municipalities in Ontario."

Carried [Signature]  
Committee Chair's Signature

Defeated \_\_\_\_\_  
Committee Chair's Signature

Deferred \_\_\_\_\_  
Committee Chair's Signature

## Council Resolution

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Moved By W. Cane

Agenda  
Item 10

Resolution Number  
2022-03-16- 157

Seconded By J. Henderson

Council Date: March 16, 2022

"That Council adopt all recommendations from the five Standing Committees, as contained within the Committees' Minutes (meetings held on February 28, March 1, and March 2, 2022) with the exception of any items noted which require separate discussion, and/or any items identified by Members which require separate discussion."

Recorded Vote  
Requested by \_\_\_\_\_  
Councillor's Name

Carried   
Warden's Signature

Deferred \_\_\_\_\_  
Warden's Signature

Defeated \_\_\_\_\_  
Warden's Signature

## MacDonald, Nancy

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**From:** Sasha Hill Smith <SHillSmith@brantford.ca> on behalf of Kevin Davis <kevindavis@brantford.ca>  
**Sent:** Tuesday, February 8, 2022 12:36 PM  
**To:** Mayor's Office  
**Subject:** Addressing the Revolving Door of Justice (Draft)  
**Attachments:** Addressing the Revolving Door of Justice - Accountability for Sureties a....pdf  
**Categories:** CTTE Correspondence

You don't often get email from kevindavis@brantford.ca. [Learn why this is important](#)

### CAUTION: External E-Mail

Good day fellow heads of council:

I expect your office, like mine, receives many inquiries from residents desperate that something be done to combat the increase in property drug and gun related crime.

Like me, you probably experience a feeling of helplessness, not sure what immediate steps you or your council can take to help residents whose homes and cars have been broken into.

Like me, you have probably made inquiries of members of your police service and found that they too are frustrated. Frustrated that after spending a lot of time and hard work apprehending those who repeatedly commit these crimes, some of which can be very serious, to find that the person they arrested has not been held in jail but released on bail, sometimes even before their shift has ended! When you ask for further information you may be shocked, as I was, to discover that some of the most prolific of wrongdoers, have a long list of outstanding charges, many being repeat infractions of prior bail orders. You then see first-hand what the revolving door of justice looks like and believe me it is discouraging. A system that seems to cater to criminals and gives short shift to protecting the law abiding citizens of your community.

Your next reaction is likely to then blame *"the judges"*.

However if you dig deeper, by speaking to senior police officers and crown attorneys, you will likely discover the problem is not usually "the judges" but the rules they are required to follow.

If you dig even deeper, you will discover the rule maker for bail provisions is the federal government, which several years ago passed legislation reforming the bail laws. The impact of those rules makes it much more likely that a repeat offender will not be held in custody pending a final disposition of their charges. Many of those offenders will then continue their crime sprees regardless that they are subject to fairly severe release orders.

**I have been there.**

I then went one step further and asked our police chief, Rob Davis , and our federal MP Larry Brock (a former 30 year crown attorney), how the federal government should change the bail rules to better protect our law abiding citizens. The end result are the attached resolutions that reflect their



combined wisdom. The only "political input" was in regards to the preamble and the title. I had to do something to make this stand out from the many resolutions you receive!

I am proud to report that our council have passed these resolutions *unanimously* (see attached). We're asking your council to do the same and join what we hope will be a growing movement with broad support from across the province telling our federal government that we do not want the bail laws weakened we want them strengthened so that our residents feel safer and have greater confidence in our judicial system. I encourage you to do the same in your municipality.

Kind regards,

**Mayor Kevin Davis**

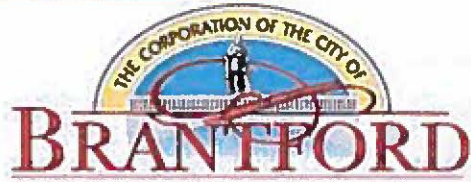
City of Brantford

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January 28, 2022

Association of Municipalities of Ontario (AMO)

Sent via email: [policy@amo.on.ca](mailto:policy@amo.on.ca)

To whom it may concern:

Please be advised that the Council of the Corporation of the City of Brantford adopted the following resolution at its City Council meeting held on January 25, 2022:

**12.5.2 Addressing the Revolving Door of Justice – Accountability for Sureties and Swift Justice – Resolution**

WHEREAS the City of Brantford has experienced a substantial increase in criminal activity leaving residents fearful for their personal safety and losing confidence in the criminal justice system; and

WHEREAS the City of Brantford strives to create vibrant, safe, livable neighbourhoods in its community; and

WHEREAS concerns continue to be raised by businesses, the post-secondary institutions in the downtown area and their student bodies, neighbourhood associations, citizens and others; and

WHEREAS bringing matters related to criminal charges more expeditiously through the court system will create a greater deterrence to such behaviour, and therefore improve the safety and security of citizens in this community; and

WHEREAS each year a significant sum of surety money is forfeited further to breaches of the conditions of judicial interim release orders ("bail"); however, the necessary steps are not taken to collect this forfeited money, thus leaving a substantial financial resource unavailable;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Kevin Davis, Mayor of the City of Brantford, on behalf of the Council of The Corporation of the City of Brantford, correspond with the Honourable Prabmeet Sarkaria, President of the Treasury Board and the Honourable Doug Downie, Attorney General of Ontario, insisting that steps be taken immediately by the government to:

- i. provide additional judicial resources dedicated to Brantford to allow for matters to move as expeditiously through the court system as possible; and
  - ii. provide such additional space and/or technological resources for the local court to ensure there is adequate space and technological resources to most efficiently address the significant local caseload and consequently decrease the time a matter takes to be fully resolved; and
  - iii. dedicate the required resources to collect the forfeited surety monies and reinvest that money back into the provincial judicial system; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM), Ontario Big City Mayors (OBCM) and the list of other Ontario Municipalities with a request that those municipalities pass similar resolutions; and
- C. THAT the City Solicitor BE DIRECTED to send the letter referenced in Clause A to Brant County, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation to determine if they are willing to be signatories to the letter.

I trust this information is of assistance.

Yours truly,



Tanya Daniels  
City Clerk  
[tdaniels@brantford.ca](mailto:tdaniels@brantford.ca)

cc All Ontario municipalities  
Ontario Big City Mayors (OBCM)  
Federation of Canadian Municipalities (FCM)





## TOWNSHIP OF ADELAIDE METCALFE

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February 15, 2022

The Corporation of the City of Brantford  
Tanya Daniels, City Clerk  
PO Box 818  
Brantford, ON  
N3T 2J2

### **RE: SUPPORT OF RESOLUTION – CLOSING THE REVOLVING DOOR OF JUSTICE**

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Please be advised that the Council of the Township of Adelaide Metcalfe, at the regular meeting of February 7, 2022, supported your resolution and the following was passed.

**MOVED by** Councillor Brodie  
**SECONDED by** Deputy Mayor Hendrikx

**THAT Council support the resolution from the City of Brantford regarding “Closing the Revolving Door of Justice”. CARRIED.**

WHEREAS the City of Brantford has experienced a substantial increase in criminal activity leaving residents fearful for their personal safety and losing confidence in the criminal justice system; and

WHEREAS the increase in criminal activity is due in part to the failure of the justice system to hold in pre-trial custody many of the likely-to-reoffend individuals, including those who are in serious breach of prior bail conditions, a situation commonly referred to as the “revolving door of justice”; and

WHEREAS those involved in the justice system, from Justices of the Peace to those who have been arrested, acknowledge the “catch and release” bail system contributes to the increase in crime. One individual in particular, who plead guilty to several break and enter charges, together with breaches of probation and release order charges, advised the court during sentencing that he had been arrested 8 times in the previous year and felt that the system bore responsibility for failing to keep him in custody; and that being released repeatedly without the appropriate supports made it all but impossible for him to discontinue the criminal activity he engaged in; and

WHEREAS concerns continue to be raised by businesses, post-secondary institutions in the downtown area and their student bodies, neighbourhood associations, and citizens regarding the increased criminal activity; and



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WHEREAS there is a pressing need for common sense bail reform that gives priority to the dignity and safety of victims over the wellbeing of criminals;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Kevin Davis, Mayor of the City of Brantford, on behalf of the Council of The Corporation of the City of Brantford, correspond with the Honourable David Lametti, Minister of Justice and Attorney General of Canada, insisting that steps be taken immediately by his government to strengthen the bail system, including:
- i. imposing more demanding and stringent surety and supervision requirements; and
  - ii. imposing more substantive and effective consequences for continued breaches of a judicial interim release order (as known as "bail") resulting in pre-trial incarceration, which changes are required to safeguard law abiding citizens and to restore the citizens faith in the criminal justice system; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to Brant/Brantford MP Larry Brock and MPP Will Bouma; and
- C. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the Brantford Police Services Board, Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Ontario Big City Mayors (OBCM); and
- D. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the heads of all Ontario Municipalities with a request that those municipalities consider adopting a similar resolution; and
- E. THAT the City Solicitor BE DIRECTED to send the letter to be sent to the Honourable David Lametti to Brant County, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation to determine if they are willing to be signatories to the letter.

**CARRIED.**

Kind regards,

Mike Barnier  
Legislative Services Manager/Clerk