

Alberta



# SAFER COMMUNITIES AND NEIGHBOURHOODS



# Overview

- What is SCAN?
- Complaint and Investigations
- Community Safety Orders
- Partnership with Law Enforcement and Supporting Agencies



# SCAN Legislation

- SCAN Act was proclaimed in October of 2008
- Purpose is to target properties, not individuals
- Holds property owners accountable for activity occurring on, or in relation to, their property
- Empowers citizens through a community complaint-driven process
- Ultimately aims to improve community safety
- SCAN applications for Community Safety Orders are heard in Court of Kings Bench



# SCAN Legislation

The evidence within a SCAN investigation and application to court must meet the 2-part test as prescribed in the Act:

- activities have been occurring on or near the property named in the application that give rise to a reasonable inference that it is being **habitually** used for a **specified use**, and
- the community or neighbourhood is **adversely affected** by the activities;



# SCAN Legislation

## Specified uses include:

- Manufacturing, import, purchase, sale, transport, giving, possession, storage, consumption, or use of liquor as defined in the Gaming, Liquor, and Cannabis Act
- Use or consumption as an intoxicant of an intoxicating substance
- Possession, growth, use, consumption, sale, transfer, or exchange of a controlled substance as defined in the CDSA
- Child sexual abuse or activities related to child sexual abuse
- Prostitution or activities related to prostitution
- Commission or promotion of a criminal organization offence
- Accommodation, aid, assistance, or support of a gang or criminal organization
- Any other use prescribed in the regulations



# Complaint and Investigation

Any person may make a complaint to SCAN. The complaint:

(a) states that the person believes

(i) that the person's community or neighbourhood is being adversely affected by activities on or near a property in the community or neighbourhood, and

(ii) that the activities indicate that the property is being habitually used for a specified use

## **Section 31(1) SCAN Act:**

**No person shall disclose the identity of the complainant, or any information by which the complainant may be identified.**





# Complaint and Investigation

Property can be commercial or residential, and does not have to be a dwelling (a business, for example).

Provided the criteria within the Act is met, the owner will be held responsible for the activity occurring at their property.





# Complaint and Investigation

## Collection of Evidence

- SCAN unit receives initial complaint via phone or email
- Investigator conducts complainant interview
- Search of police or other electronic databases
- Investigator observations (surveillance, interviews)
- Police activity (collaborate with police to gain direct or real evidence)
  - Informal interview
  - Traffic stops
  - Search warrants
  - Arrests/charges
  - Calls for service
  - Surveillance
- Interviews (property owner, tenants, witnesses, others)





# Complaint and Investigation

Prove or Disprove





# Complaint and Investigation

## Informal and Formal Resolutions

Based on the evidence collected, the Director of Law Enforcement can decide to take informal action, formal action, or to do nothing at all (in case of vexatious or false complaints).

### Informal:

- Verbal conversation/warning with owner
- Opportunity to gather evidence from owner
- Provide evidence during a Residential Tenancy Dispute Resolution Service hearing
  - Owner-driven process
- Provide options/support to cooperative owners
  - Evictions, proper screening of tenants, etc.
- Serve SCAN Warning Letter, signed by the Director of Law Enforcement

### Formal:

- Apply to courts for a Community Safety Order
  - Owner is **unable** or **unwilling** to control the activity at the property



# Community Safety Orders

In case of uncooperative owners...





# Community Safety Orders



**SCAN**  
Safer Communities and Neighbourhoods

## **NOTICE**

**This property has been CLOSED by order of the court  
pursuant to the  
*Safer Communities and Neighbourhoods Act***

**UNLAWFUL TO ENTER PROPERTY**

To report a problem property in your neighbourhood contact SCAN toll free  
at 1-866-960-7226 or online at [www.scan.alberta.ca](http://www.scan.alberta.ca)  
Your report remains confidential.

Alberta  Government





# Community Safety Orders

## Application to Court of King's Bench

The application is a request for a CSO, which may contain various conditions as deemed appropriate, if granted.

- Application drafted by a SCAN investigator and Alberta Justice Legal Team containing affidavit and exhibit evidence
- Typically results in termination of all tenancies and eviction of all persons
- Typically results in 90 day physical closure of the property (90 day max)
- SCAN monitoring of the property for 1 year (or more)
- Various conditions as deemed appropriate on a case-by-case basis





# Partnerships

## Collaboration

- Past collaboration and successes with policing partners
  - Numerous warrant executions
  - Building inspections with SHIP, CSRT, AHS Public Health, etc.
  - Joint operations
- Information sharing is critical
  - SCAN members share all observations, particularly where observations may be of interest to policing partners or where crimes have been committed, or are about to be committed
  - Can assist with identification of targets, wanted persons, stolen vehicles, NTI, BOLO, etc.
- SCAN resources
  - Surveillance
  - Investigations / ITO-ready notes / photos / video
- Police assistance with SCAN investigations
  - Electronic Databases – reports, info posts, intel
  - Traffic Stops – road-side observations and evidence
  - Investigations
  - Search Warrants
- Constant open communication with community members



# Partnerships

## Collaboration

- While police investigate people, resulting in arrests/charges, SCAN can investigate the property, resulting in termination of tenancy or property closures
- SCAN investigators have significant experience in dealing with properties and their respective owners, and have a long track record of success in positive resolutions without having to attend court or use additional resources
- SCAN can target properties well known to police
- Information sharing and resource sharing substantially improves the quality and efficiency of results, with the best interests of each involved agency



# Questions / Contacts

**Investigator Rob Pracic** (SCAN Calgary)

403-888-8310

[robert.pracic@gov.ab.ca](mailto:robert.pracic@gov.ab.ca)

**Investigator Jason Carrier** (SCAN Lethbridge)

403-542-0372

[Jason.carrier@gov.ab.ca](mailto:Jason.carrier@gov.ab.ca)

**Inspector Mike Dirkson** (SCAN South)

403-312-3737

[michael.dirkson@gov.ab.ca](mailto:michael.dirkson@gov.ab.ca)

**SCAN Complaint Line**

1-866-960-SCAN (7226)

<https://www.alberta.ca/report-suspicious-property.aspx>