

Reforming CPIC
Some thoughts, 15 August 2012

Gary A Mauser, Professor Emeritus
Institute for Canadian Urban Research Studies
Beedie School of Business
Simon Fraser University
Burnaby BC, CANADA

Introduction

According to the RCMP website, CPIC's stated goal is to provide important "tactical information about crimes and criminals." Unfortunately, this laudable goal appears to have been buried in the rapid growth of CPIC-related databases in recent years. Muddled RCMP priorities endanger public safety.

In this note I examine two interrelated problems with CPIC that demand to be solved: (1) the unacceptably low priority assigned to collecting and maintaining up-to-date information about violent offenders, including their current address, and (2) the inappropriately high priority assigned to information about law-abiding citizens who hold firearm licences.

I make three recommendations to address these problems:

Recommendation #1: The current addresses of violent offenders who have been released from custody should be maintained and available on CPIC.

Recommendation #2: A higher priority must be placed on funding database development within the RCMP including maintaining current addresses for violent offenders while on probation or parole.

Recommendation #3: information about firearm licence holders should be removed from CPIC or, at least, access to licensees should be restricted to criminal investigations.

Violent offenders

Recommendation #1: The current addresses of violent offenders who have been released from custody should be maintained and available on CPIC.

CPIC does not now place a sufficiently high priority on maintaining up-to-date residence addresses for violent offenders. This is also necessary after their sentences have ended.

As shocking as it may seem, current addresses for violent offenders are often not available on CPIC while offenders are on probation or parole, and current addresses are simply not available after their release. It should come as no surprise that some violent offenders released from prison continue to pose a substantial risk to public safety.

Public safety demands that information about the residence and record of violent criminals should be readily available -- and kept current -- for offenders who have been convicted of a violent crime. This information should be maintained on CPIC not only during the court-imposed sentence (whether probation or parole), but also for 10 years after being released from custody.

CPIC comprehends a sprawling set of databases that are intended to respond to the demands of police in both investigative and tactical situations. The rapid proliferation of databases has challenged management's ability to develop rational priorities for their access and use. This disorganization threatens public safety and requires a systematic reassessment. Police deserve faster access to more timely information about violent criminals.

Statistics Canada reports that over 48,000 people are convicted in Canadian courts each year for committing violent crimes; there were 48,358 in 2010/2011 (Dauvergne 2012). Approximately one-third of these are placed in custody (16,067) and almost all of the others (36,474) put on probation (Statistics Canada 2005). Many offenders do not manage to complete their probation or parole term successfully. In one study, just 58% of statutory release completed their sentence successfully, and 74% of those receiving full parole managed to do so (Statistics Canada, 2005). Between 5% and 14% of these revocations are due to the commission of an offence.

A recent statistical study by Bonta et al (2010) show that even after serving their sentences, those who have been convicted of a violent crime pose a bigger threat to public safety (and to police officers, specifically) than do people who have never been convicted of a crime. In this study of federal offenders the reconviction rate was over 40% within three years after release. Approximately 13% of these reconvictions involved violent offences.

The study by Bonta et al included a sample of all releases (except for temporary passes) from federal penitentiaries during the three fiscal years 1994/95, 1995/96 and 1996/97. In this study, recidivism was defined as any new conviction for an offence committed within two years of release from prison. The study samples included all releases (except for releases on temporary passes) from federal penitentiaries during the three fiscal years 1994/95, 1995/96 and 1996/97, including under supervision and others after their WED (warrant expiry date).

Data base development

Recommendation #2: A higher priority must be placed on funding database development within the RCMP including maintaining current addresses for violent offenders while on probation or parole.

The present funding priorities of the RCMP do not appear to correspond with CPIC's stated goal of focusing on crimes and criminals. According to an article in the *Blue Line NewsWeek* there are 430,000 criminal records waiting to be filed into the Canadian Police Information Centre database, with more piling in every day (Lymburner, 2012). The backlog accounts for about 10% of the RCMP's complete criminal record file of 4.3 million records.

The deplorable state of RCMP databases creates serious problems for serving police officers, and especially for judges, who use the database to hand down appropriate sentences. In June this year, Justice Stephen Hunter in Belleville, Ont., found an eight-year gap in one offender's criminal history file during a manslaughter sentencing hearing.

Carole Gaudes, acting officer of criminal records management services for the RCMP at the Ottawa-based RCMP headquarters, told the *Blue Line* that her staff of about 60 record analysts is unable to cope with the overburdened system, and that there are 430,000 criminal records waiting to be filed into the Canadian Police Information Centre database, with more piling in every day. The backlog accounts for about 10% of the RCMP's complete criminal record file of 4.3 million records. Gaudes is hoping a singular automated system – much like law enforcement agencies use to register criminal charges in the system – will be created for courtrooms soon. But that funding could be hard to get, considering fiscal constraints in the federal budget (Lymburner, 2012).

Funding priorities are not the only problem. CPIC's poor organization threatens public safety in that the size and complexity of CPIC renders it awkward to use in most tactical situations. Importantly, the database structure of CPIC artificially places a higher priority on accessing information about law-abiding citizens who own firearms than on current information about violent criminals. CPIC needs to be re-designed to better aid police quickly and easily locate the information about criminals and suspects. This mismatch, in part, derives from the complexity of criminal records compared with the simplicity of firearm licences. Criminal records have many sources and formats, which makes access and evaluation difficult, at best. In contrast, the simplicity of firearm licensing data facilitates access to information about law-abiding citizens.

CPIC needs to be redesigned so that its informational structure better reflects strategic priorities. It is crucial that database structure facilitates rapid access to the most relevant information on criminals. At present, less important material, even irrelevant data, is more readily available on CPIC than potentially life-saving information. For example, the simplicity of firearm licence data ensures that it has easy access, and therefore a *de facto* higher priority. In contrast, the complexity of criminal records makes it extremely difficult to keep current and all but buries vital information, such as the current address of violent offenders, even when available.

CPIC and firearm licences

Recommendation #3: information about firearm licence holders should be removed from CPIC or, at least, access to licensees should be restricted to criminal investigations.

If the primary purpose of CPIC is “to provide important tactical information to police and courts about crimes and criminals,” it is inappropriate to include information about law-abiding citizens. It follows that information from the Canadian Firearms Registry Online (CFRO) should not be available on CPIC, since it only contains information on law-abiding firearms licence holders and lawfully registered firearms.

The CFRO does not and cannot provide information on unlicensed owners or illegally held firearms. The best estimate is that approximately half of firearms stock in Canada has been registered (Mauser 2007). Any officer who relies upon CFRO to check for firearms prior to attending a call is placing his or her life in unnecessary danger. None of this is to deny that police should have the power, as part of an investigation, to inquire if a person has a firearms licence or to identify the owner of a particular restricted weapon.

It does not improve public safety that information about law-abiding firearms owners has a de facto higher priority on CPIC than information about violent criminals. Violent offenders, even after serving their sentence, pose a much higher risk to the public than do licensed firearms owners.

The almost two million firearms licence holders enrolled with the CFRO are law-abiding citizens. The term “law-abiding” is not used loosely here. Licensed firearms purchasers have been screened for criminal records since 1979, and it has been illegal since 1992 for people with a violent criminal record to own a firearm (Mauser 2007). Nevertheless, firearms licence holders are obliged to keep their address information current, even though violent offenders after leaving prison are not.

Despite lurid media accounts of murders involving firearms, law-abiding gun owners (i.e., those with valid licences) do not threaten public safety. Canadians who have a firearms licence are less than one-third as likely to commit murder as other Canadians. Statistics Canada data show that licensed gun owners have a homicide rate of 0.60 per 100,000 licensed gun owners between 1997 and 2010.¹ Over the same period, the average national homicide rate was 1.85 per 100,000.

The gun registry is rarely useful to police for solving crimes. Virtually all crimes committed with firearms involve illegally possessed firearms. During the eight years from 2003 to 2010, there were 4,811 homicides; 1,485 of those involved firearms. Statistics Canada reports that only 135 were registered. In just 73 cases – that is only 4.9 percent of all firearm homicides – was the gun registered to the accused, and some of those may be innocent.² The police have been unable to provide a case where gun registration was instrumental in identifying a murderer (Breitkreuz 2010; Auditor General, 2002).

The justification for linking CFRO data to CPIC appears to be a concern about spousal murders with firearms. Registry proponents point out that almost one-third (30%) of female spousal homicides involves shootings, and that many of these homicides end in the suicide of the perpetrator (AuCoin 2005). Thus, for many reasons, prevention appears more appropriate than traditional police methods. These points are superficially compelling, but founder after further analysis. Consider that exceptionally few (5%) firearm homicides involve legal firearms (Mauser 2012). Over half (53%) of those accused of spousal homicide had a criminal record and cannot legally own firearms (AuCoin 2005; Mahony 2011).

Perhaps police should place a higher priority on reining in criminal gangs than spousal murders. As a result of demographic changes, spousal homicides have been decreasing since the 1970s and in 2010 accounted for only 12% of homicides. Gang slayings are more frequent than spousal murders. In 2010 approximately 17% of homicides were gang-related and this percentage has been increasing since recording began in 1991 (Mahony 2011).

References

AuCoin, Kathy, ed. (2005). *Family Violence in Canada: A Statistical Profile 2005*. Cat. 85-224-XIE2005000. Statistics Canada.

Auditor General of Canada (2002). Royal Canadian Mounted Police—Canadian Firearms Program. In chapter 11, Other Observations, *Report of the Auditor General of Canada, 2002* (December). <<http://www.oag-bvg.gc.ca/domino/reports.nsf/html/20021211ce.html#ch11hd3c>>

Bonta, James, Tanya Rugge, and Mia Dauvergne (2008) *The Reconviction Rate of Federal Offenders, 2003-02*. Solicitor General Canada. <http://www.publicsafety.gc.ca/res/cor/rep/2003-02-rec-rte-eng.aspx>

Breitkreuz, Garry. 2010. What police have said about the long-gun registry. <http://www.garrybreitkreuz.com/publications/2010/978.pdf>

Dauvergne, Mia. Adult criminal court statistics in Canada, 2010/2011. *Juristat*. Component of Statistics Canada catalogue no. 85-002-X. Statistics Canada. May 28, 2012.

Lymburner, Morley S. Mounties admit records a mess, *Blue Line NewsWeek*, 6 July 2012, vol 17, No 27

Mahony, Tina H. Homicide in Canada, 2010. *Juristat*. Statistics Canada cat. no. 85-002-X. October 26, 2011

Mauser, Gary A. A presentation to Senate Committee on Legal and Constitutional Affairs on Bill C-19, The Senate of Canada, Ottawa, Ontario, 28 March 2012. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2040531

Mauser, Gary (2007). *Hubris in the North: The Canadian Firearms Registry*. Public Policy Sources, The Fraser Institute, Vancouver BC. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=998898

RCMP. *Canadian Police Information Centre*. (CPIC). <http://www.rcmp-grc.gc.ca/nps-snp/cpic-cipc-eng.htm>

RCMP. *Canadian Firearms Program*. <http://www.rcmp-grc.gc.ca/cfp-pcaf/rep-rap/2010-comm-rpt/cfplawenforcement-loipcaf-eng.htm>

Statistics Canada. *Adult Correctional Services in Canada, 2003/04*. Statistics Canada Canadian Centre for Justice Statistics. Catalogue no. 85-211-XIE. December 2005.

¹ Statistics Canada reports that 164 licensed gun owners were accused of committing murder over the 14-year period (1997-2010), for an average of 11.7 owners per year. With just under 2 million licensed owners, this gives a homicide rate of 0.60 per 100,000 licensed gun owners. Source: G. Mauser, Special Request, Statistics Canada, CCJS, Homicide Survey, November 2010 extraction. There were 2,501

shooting homicides and 8,174 homicides in total during this 14-year period. Source: Statistics Canada, CANSIM using CHASS, October 2011 extraction.

² Source: G. Mauser, Special Request, Homicide Survey, Statistics Canada, November 2011 extraction, Table 2b. Firearm homicides type ownership registration status to 2010.xlsx