



Public Safety / Sécurité publique  
Canada / Canada

Community Safety and Countering Crime Branch  
Secteur de la sécurité communautaire et de la réduction du crime

REC'D  
FEB 06 2018  
DM'S OFFICE

RECEIVED  
FEB 08 2018  
DM'S OFFICE

Routing Slip / Bordereau d'acheminement

CCM File No / No de dossier CCM : PS - 020796

DRAGON / RDIMS / SGDDI : \_\_\_\_\_

ADM's Quality Control / Contrôle de qualité du cabinet du SMA : \_\_\_\_\_

<u>Title / Titre</u> : Electronic Surveillance Designation Pursuant to Subsection 186(5) of the <i>Criminal Code</i>		<u>ACTION REQUIRED / MESURES À PRENDRE</u>		
Name / Nom	Date	Initials / Initiales	Approval or signature / Approbation ou signature (via)	Information (cc)
Originator / Auteur Colleen Lapointe-Lavictoire	FEB 06 2018	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Manager / Gestionnaire Rob Daly			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director / Directeur Renée Gobeil	Feb 6/18	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Director General / Directeur général			<input type="checkbox"/>	<input type="checkbox"/>
Chief Audit Executive / Dirigeant principal de la vérification			<input type="checkbox"/>	<input type="checkbox"/>
Director General Communications / Directeur général des communications Jamie Tomlinson			<input type="checkbox"/>	<input type="checkbox"/>
Executive Director & Senior General Counsel LS / Directeur exécutif et Avocat général principal SJ Michael Sousa			<input type="checkbox"/>	<input type="checkbox"/>
Assistant Deputy Minister PACB / Sous-ministre adjoint SAPC Jill Wherrett			<input type="checkbox"/>	<input type="checkbox"/>
Assistant Deputy Minister CSCCB / Sous-ministre adjointe SSCRC Kathy Thompson	FEB 06 2018	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chief Financial Officer and Assistant Deputy Minister CMB / Dirigeant principal des finances et Sous-ministre adjoint SGM Caroline Weber			<input type="checkbox"/>	<input type="checkbox"/>
Assistant Deputy Minister EMPB / Sous-ministre adjointe SGUP Patrick Tanguy			<input type="checkbox"/>	<input type="checkbox"/>
Senior Assistant Deputy Minister NCSB / Sous-ministre adjointe principale SSCN Monik Beauregard			<input type="checkbox"/>	<input type="checkbox"/>
Associate Deputy Minister / Sous-ministre déléguée Vincent Rigby			<input type="checkbox"/>	<input type="checkbox"/>
Deputy Minister / Sous-ministre Malcolm Brown	FEB 12 2018	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Minister / Ministre The Honourable / L'honorable Ralph Goodale		[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CONSULTATIONS: Non-applicable / NIL: **X**

If yes, enter details on reverse.



Public Safety    Sécurité publique  
Canada            Canada

Deputy Minister    Sous-ministre

Ottawa, Canada  
K1A 0P8

**PROTECTED B**

DATE:            FEB 12 2018

File No.: PS - 020796

**MEMORANDUM FOR THE MINISTER**

**REQUEST FOR DESIGNATION TO APPLY FOR AUTHORIZATIONS  
TO INTERCEPT PRIVATE COMMUNICATIONS**

(Signature Required)

**ISSUE**

Request to designate [REDACTED] who may intercept private communications under judicial authorization. Delays in approving these designation requests may affect police operations.

**BACKGROUND**

Before carrying out electronic surveillance, the law enforcement community must apply to a judge of a superior court of criminal jurisdiction for an authorization to intercept private communications by audio and video surveillance.

**Regular Process**

Subsection 186(5) of the *Criminal Code* authorizes you to designate persons and positions who may intercept private communications under judicial authorization. This includes both peace officers and civilian members of the law enforcement agencies, since a number of these agencies have civilians who carry out electronic surveillance functions without exercising peace officer powers.

Judicial authorizations to intercept private communications are limited by paragraph 186(4)(e) of the *Criminal Code* to a period not to exceed sixty (60) days. However, these authorizations may be renewed.

**Video Surveillance**

Designations made under section 186 with respect to the interception of private communications also include video surveillance.

.../2

**PROTECTED B**

Where law enforcement personnel have been authorized by warrant to observe, by means of a television camera or other similar electronic device, any person who is engaged in activities or in circumstances in which the person has a reasonable expectation of privacy, subsection 487.01(4) provides that the warrant "shall contain such terms and conditions as the judge considers advisable to ensure that the privacy of the person or of any other person is respected as much as possible".

**CURRENT STATUS**

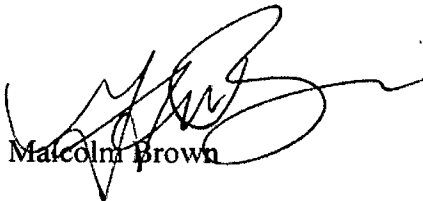
Derek Johnston from the Combined Forces Special Enforcement Unit in British Columbia has requested designation for [REDACTED] to intercept private communications pursuant to subsection 186(5) of the *Criminal Code* (TAB A).

The Department has verified that the request is in accordance with all policies and requirements. See attached for the verification checklist (TAB B).

**RECOMMENDATION**

It is recommended that you sign the attached [REDACTED] for [REDACTED] (TAB C).


Should you require additional information, please do not hesitate to contact me or Ms. Kathy Thompson, Assistant Deputy Minister, Community Safety and Countering Crime Branch, at (613) 990-2703.

  
Malcolm Brown

Enclosures: (3)

I approve: 

I do not approve:

  
Ralph Goodale, P.C., M.P.

\_\_\_\_\_  
Ralph Goodale, P.C., M.P.

Prepared by: Colleen Lapointe-Lavictoire



**Combined Forces  
Special Enforcement  
Unit  
British  
Columbia**

**Mailing Address:**

Mailstop # 408/409  
14200 Green Timbers Way  
Surrey, BC  
V3T 6P3  
Telephone: [REDACTED]  
Fax: [REDACTED]

January 31, 2018

Ms. Colleen Lavictoire  
Part VI CC Coordinator  
RCMP Policy Division  
Public Safety and Emergency Preparedness  
12<sup>th</sup> Floor, Room 12A-5  
Laurier Avenue West  
Ottawa, Ontario K1A 0P8

Dear Madam:

**Re: Part VI of the Criminal Code of Canada Designations**

On behalf of the Combined Forces Special Enforcement Unit – British Columbia, please designate the following individual(s) pursuant to Section 186(5), 487.01(4) and (5) of the Criminal Code.



Should you have any questions regarding this request, please do not hesitate to contact Julie Young at [REDACTED]

Yours truly,

Derek Johnston  
Intercept Manager

Email: [REDACTED]  
Office: [REDACTED]

**VERIFICATION CHECKLIST FOR ELECTRONIC SURVEILLANCE DESIGNATIONS /**  
**LISTE DE CONTRÔLE POUR DÉSIGNATIONS DE SURVEILLANCE ÉLECTRONIQUE**

The Community Safety and Countering Crime Branch (CSCCB), Public Safety Canada, has verified that: / Le Secteur de la sécurité communautaire et de la lutte contre le crime (SSCRC), Sécurité publique Canada, a vérifié que:

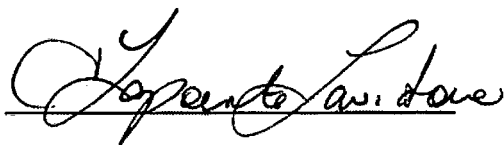
- the request has been submitted by the authorized individual;/ la demande a été soumise par un individu autorisé;
- the individual(s) being proposed for designation would not already possess the designation; and / une désignation n'a pas déjà été accordée à l'individu(s); et
- the designation package (memo and certificate[s]) is prepared accurately and correctly/ le paquet de désignations (note de service et certificat[s]) est préparé correctement et avec précision.

**Next Steps Post Approval: / Prochaines étapes après approbation**

Upon Deputy Minister/Ministerial approval, CSCCB will: / Une fois que l'approbation du Ministre/Sous-ministre sera reçue, SSCRC fera:

- update its designation database; and / une mise à jour de sa base de données des désignations; et
- forward the certificate[s] to the appropriate official from the requesting police agency / suivre le[s] certificat[s] à l'individu approprié du service de police faisant demande.

Reviewed by: / Revue complétée:

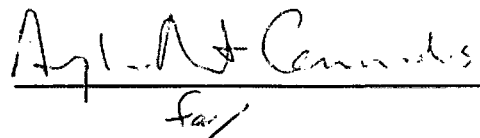


Colleen Lapointe-Lavictoire  
Program Specialities Officer - Designations/  
Agente des programmes spécialisés – Désignation

FEB 06 2018

Date

Approved by: / Approuvé par:



Kathy Thompson  
ADM, CSCCB / SMA, SSCRC

Feb. 9 / 18

Date

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**is withheld pursuant to section  
est retenue en vertu de l'article**

**16(1)(c)**

**of the Access to Information  
de la Loi sur l'accès à l'information**



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Canada            Canada

Ottawa, Canada  
K1A 0P8

FEB 26 2018

Derek Johnston  
Intercept Manager  
RCMP "E" Division Headquarters  
CFSEU-BC, Mailstop #408/409  
14200 Green Timbers Way  
Surrey, British Columbia V3T 6P3

Dear Mr. Johnston:

The following is in response to your letter dated January 31, 2018, in which you requested the designation of [REDACTED] from the CFSEU-BC pursuant to subsections 186(5), 487.01(4) and (5) of the *Criminal Code*.

Please find enclosed the designation [REDACTED] signed by the Minister of Public Safety and Emergency Preparedness. Also, I would appreciate being notified in writing each time an individual ceases to require certification for purposes of his or her work with the CFSEU-BC so that the individual's designation may be rescinded.

Once again, thank you for your continued assistance in this matter. If you require additional information please feel free to contact me at (613) 991-9932, or Colleen Lapointe-Lavictoire, Program Specialities Officer – Designations at (613) 991-3303.

Yours sincerely,

for Rob Daly  
Manager, Firearms and Operational Policing Policy Division  
Public Safety Canada

Enclosures: [REDACTED]