



SAFER COMMUNITIES AND NEIGHBOURHOODS

2020 Annual Report





General information

Safer Communities and Neighbourhoods
Government of Yukon
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The Safer Communities and Neighbourhoods (SCAN) Unit plays an important role in building safer communities by responding to the concerns of Yukoners and disrupting certain property-based illicit activities.

These activities, referred to as “specified uses”, include the following actions:

- 1) illegal sale of alcohol and cannabis;
- 2) drug trafficking; and
- 3) illegal activities related to prostitution.

The SCAN Unit of the Department of Justice supports community safety by investigating and, if necessary, shutting down residential or commercial buildings that are used habitually to support the illegal activities outlined by the *Safer Communities and Neighbourhoods (SCAN) Act*.

Yukoners who are concerned about recurring crime that is undermining community safety can seek relief by reporting a complaint to SCAN. Filing a complaint is confidential and therefore does not expose the complainant to threats of violence, retaliation or intimidation from those involved in the criminal activity.

The SCAN Unit is a law enforcement agency within the Department of Justice and investigators are peace officers under the SCAN Act when carrying out their duties.

The SCAN Unit has been adapting to the constantly changing landscape of law enforcement in Canada.



The complaint process

The process starts when one or more residents of a community make a complaint to the SCAN Unit. The complainant's identity is confidential and will not be revealed at any time, nor will they be required to be involved in investigative or court proceedings that may result from the complaint.

Before proceeding with any action under the SCAN Act, investigators carry out a comprehensive investigation of the activities occurring at the property. Depending on the complexity of the investigation, this work can take weeks to months.

Investigations undertaken by the SCAN Unit are diverse and vary considerably from one file to the next. Generally, the progress of a SCAN file can be broken down broadly into the following stages:

- 1.** Complaints are registered and the SCAN Unit opens a file specific to the complaint. This starts the investigation.
- 2.** SCAN investigators conduct initial observations to validate the complaint. A SCAN investigation will not proceed if the complaint is determined to be baseless or vexatious. Specifically, an investigation will not proceed if a complainant is using the SCAN process with malicious intent or if the activities behind the complaint are not linked to the specified uses in the Act.
- 3.** When investigating the complaint, SCAN investigators may contact the resident(s) or property owner(s) of the identified property to advise them of the complaint (this is referred to as a 'conversational warning').
- 4.** If the initial information gathered by SCAN indicates that a specified activity is taking place at the property, SCAN will investigate further to determine whether or not the activity is habitual in nature and adversely affecting the community and neighbourhood.
- 5.** If the investigation reveals the presence of vulnerable person(s), an initial needs assessment is completed. Other service providers may be contacted, at this point, to assist the vulnerable persons.

This interaction allows the resident(s) or property owner(s) to identify any concerns they may have about the complaint. It also allows SCAN investigators to obtain information about the occupants of the property, including whether any vulnerable persons are present.

In many cases, these initial steps are sufficient to resolve the complaint. Should the contravention of specified uses continue after the initial warnings have been provided, the SCAN Unit may move to more formal avenues of resolution. Formal resolutions take numerous forms and may include, but are not limited to: written warnings, landlord assisted evictions or a community safety order.

What is a landlord assisted eviction?

Where an investigation reveals that there are specified activities occurring habitually and that adversely affect a community or neighbourhood, a landlord assisted eviction may be considered. This formal resolution requires the landlord to support the eviction of the tenant. SCAN then assists the landlord to end the tenancy either under the SCAN Act, or under the *Residential Landlord and Tenant Act* (RLTA).

Evictions under the SCAN Act are generally used when the landlord is concerned that the tenant may retaliate. In such circumstances, SCAN functions as an intermediary by supporting the landlord with the eviction and serving notice to the tenant and communicating the reasons for the eviction.

The landlord may also use the *Residential Landlord and Tenant Act*. If a hearing or appeal occurs, SCAN may provide evidence of illegal activity to the landlord and the director of residential tenancies to assist in Residential Tenancies Office processes.

Evictions under both SCAN Act and RLTA

Tenants are typically given 14 days notice that their tenancy has been terminated; however, these timelines may be extended at the request of the tenant(s). Currently, the SCAN Act allows tenancies to be ended in five days. This approach is considered only in exceptional circumstances, after a risk assessment has been completed and it has been determined that there is an elevated risk to public safety involving the property, the community and the neighbourhood.

What is a community safety order?

Where investigations under the SCAN Act reveal sufficient evidence of illicit, habitual activities that adversely affect the community and neighbourhood, the Director of Public Safety and Investigations may apply to the Supreme Court of Yukon for a community safety order (CSO). Once a CSO has been granted by the court, the resident may be required to vacate the premises, within a timeframe set out by the court, for up to 90 days.

Community safety orders may be considered when:

- an owner of the identified property is directly involved in a specified use, as defined by the SCAN Act;
- the owner is made aware of violations by the SCAN Unit and they refuse to take action to reduce the threat to public safety; or
- properties require special considerations such that closing the property is not an option. The SCAN Unit may also apply to the Supreme Court of Yukon to have special conditions put in place that deter those at the property from continuing activities that are considered specified uses under the SCAN Act ¹.

Protecting vulnerable persons

There are powers included in the SCAN Act to protect vulnerable persons. The SCAN Unit actively consults and works in cooperation with a variety of local service providers to promote safe and peaceful communities. Whenever proceeding with SCAN actions or resolutions, the SCAN investigators make every reasonable effort to work with service providers to provide protection and assistance to vulnerable person(s).

¹ This option is not a standard CSO and the tenant/owner may not be required to vacate the property.

Signs of illegal activity

If a property is being used for illegal activity, you may notice some common signs.

Seeing one of these signs does not always mean illegal activity is going on, but if they happen frequently, or all together, a problem may exist.

Common signs of illegal activities taking place at a property include:

- frequent or repeat visitors to the property, at all times of the day and night, who only go to the door or stay for very short periods of time;
- residents that are rarely seen, or that appear distant, secretive or evasive;
- residents who regularly meet vehicles or persons near the property for a short time;
- strange odours coming from the property; or
- known drug/alcohol users and/or traffickers visiting the property.

Number of complaints

The SCAN Unit received a number of complaints from the public in the last three calendar years. This data shows the number of people who have made a complaint about a property.

2018	2019	2020
76	90	105

The total number of complaints received by SCAN has continued to increase over the last three years.

In 2020, SCAN received and investigated 105 complaints. A single complaint can include more than one specified use. Complaints are property-based and may fall into one of three categories.

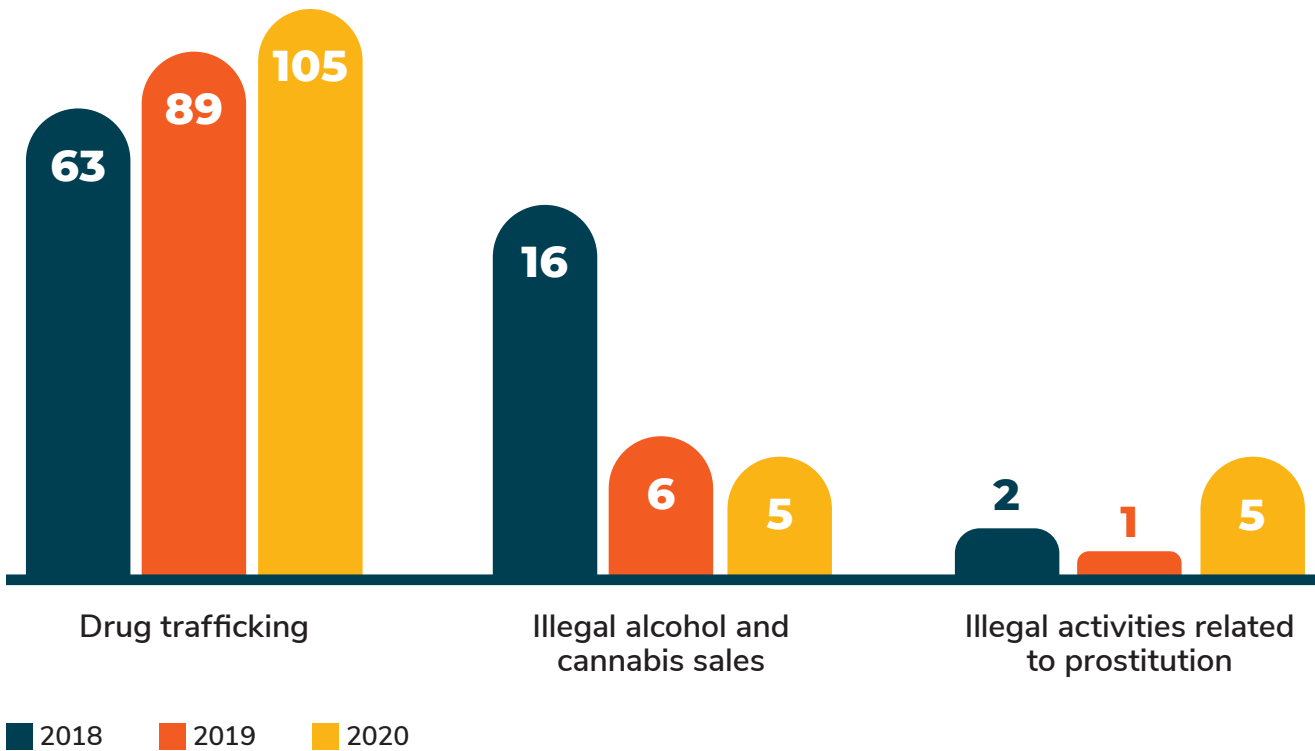
- **Operational closures** are investigations that are cleared or concluded by evictions, warnings or community safety orders.
- **File closures** are investigations that are cleared or concluded by other investigative outcomes that lack the evidence for an operational closure.
- **Open investigations** are investigations that are ongoing and are carried forward into the 2021 calendar year.

Complaint type, by specified use ▼

The majority of SCAN complaints relate to the specified use of trafficking in controlled substances from a property. Complaints regarding the illegal sale of liquor is the second most prominent specified use investigated by SCAN.

The *Safer Communities and Neighbourhoods Act* notes activities related to prostitution as a specified use that SCAN may investigate even though prostitution itself is not an illegal activity. There are, however, a number of illegal activities related to prostitution that provide the grounds for a SCAN investigation.

It is important to note that complaints related to prostitution are very rare and have been almost exclusively noted as a secondary element to a complaint of drug trafficking or bootlegging.



Complaints in Whitehorse and other communities ▼

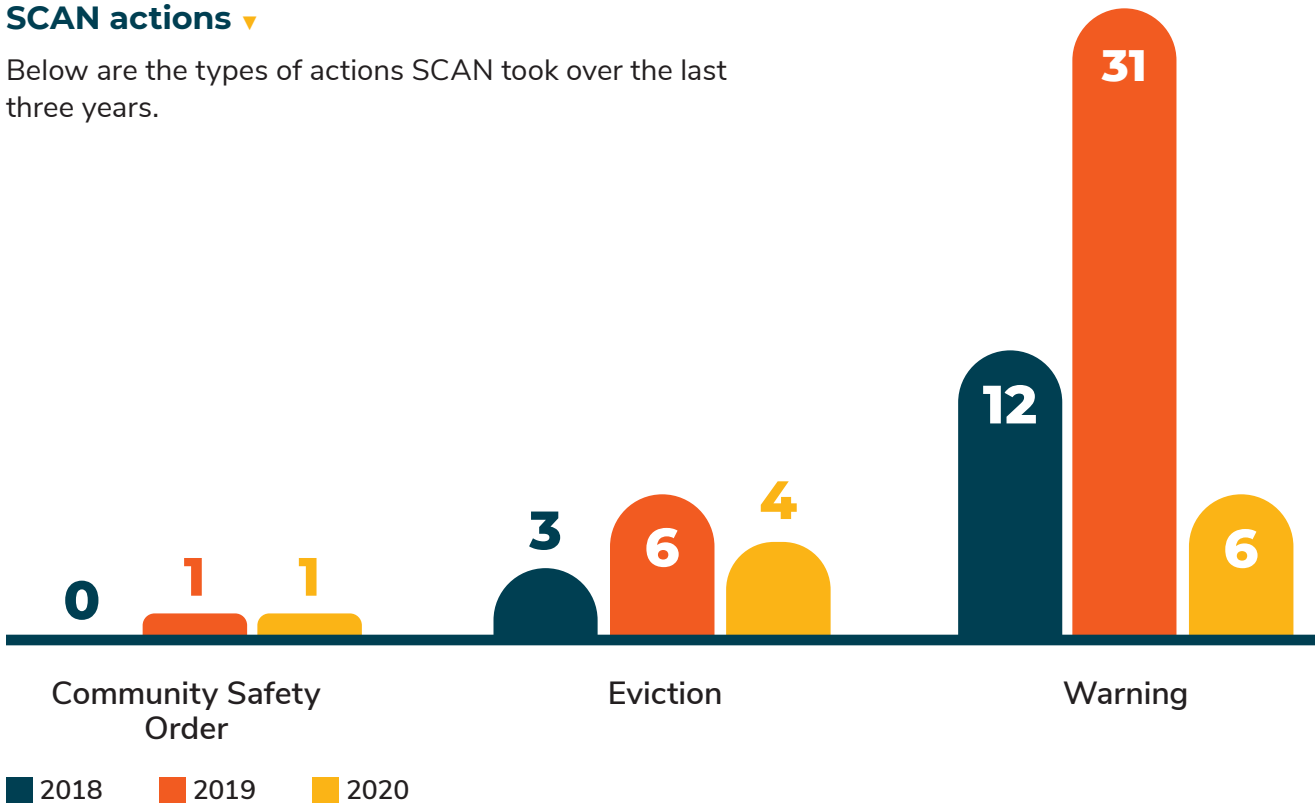
While the majority of complaints come from Whitehorse are on the rise, the number of community-based complaints remain comparable to 2019.

SCAN continues ongoing outreach with First Nations governments and communities outside of Whitehorse.



SCAN actions ▾

Below are the types of actions SCAN took over the last three years.



Combined actions – Files with RCMP or other law enforcement

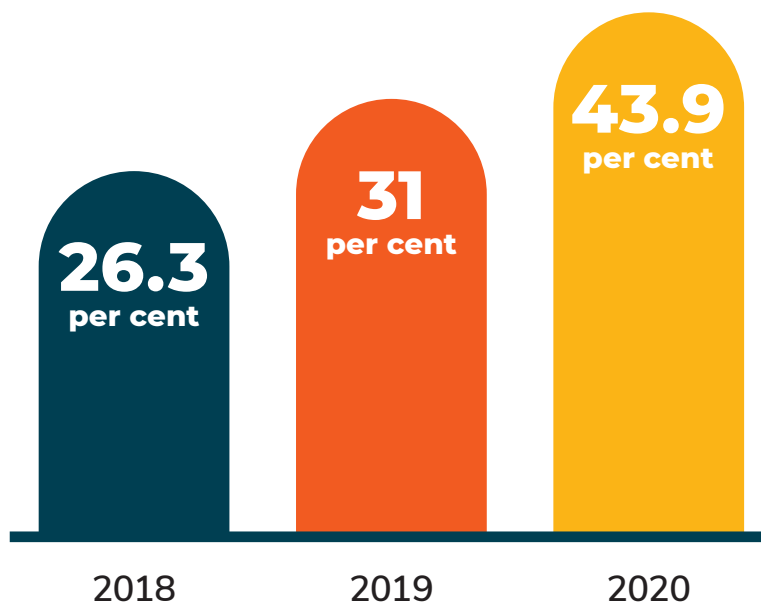
Combined actions are cases where the SCAN Unit and the RCMP are conducting parallel investigations into complaints related to the same property or persons. Whenever it is lawful and appropriate, the SCAN Unit and the RCMP may share information and take separate, but coordinated, actions to address illegal activities at properties connected to specified uses. SCAN still protects complainant information in these situations. Complainant information is not shared with the RCMP or other government agencies.

It is important to note that there is clear separation between the SCAN Unit’s investigations that are conducted under territorial legislation and the RCMP’s criminal investigations.

2018	2019	2020
3	15	26

Complaints related to suspected organized crime ▼

Of increasing concern to the Department of Justice and its enforcement partners is the involvement of organized crime groups – whether southern-based gangs or stand-alone criminal groups – in the territory. The following table depicts the percentage of files where information has shown that the specified uses at a property are connected to organized crime. Organized Crime is defined in the Criminal Code as a collection of three or more persons involved in the facilitation or commission of one or more serious offences that results in the receipt of a material benefit by the persons.



Protocols with Yukon First Nations governments

At the time of drafting this annual report in 2020, the Director of Public Safety and Investigations had entered into agreements with nine Yukon First Nations governments to support communication and decision-making related to investigations on Settlement Land. As of 2022, there are now agreements with 10 Yukon First Nations governments.



Contact

If there is a suspicious property in your neighbourhood, please do not approach the occupants or attempt to investigate it yourself.

You can contact SCAN by:

- phoning **867-456-SCAN (7226)**;
- toll free **1-866-530-SCAN (7226)**; or
- use the **online SCAN form** to report the property.

Your information will remain confidential.

A member of the SCAN Unit will contact you about your concerns.



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