



Hamilton

Corporate Services

Memorandum

Date: January 14, 2011

To: Lois Morin, Administrator
Hamilton Police Services Board

From: Carolyn Biggs, Co-ordinator
Committee Services/Council/Budgets

Subject: Item 10 of General Issues Committee Report 11-002
HPSB – Theft of Gas Drive-Offs (City Wide) (PSB10-101)

Hi Lois,

City Council, at its meeting held on January 12, 2011, referred the above-noted item to the Audit, Finance and Administration Committee (AF&A) for their consideration.

By copy of this memo to Stephanie Paparella, Legislative Assistant for the AF&A Committee, I would ask that this matter be placed on the next appropriate agenda. I will also provide Stephanie with the background reports/information that was provided to the General Issues Committee.

Stephanie can be contacted at (905)546-2424 Ext. 3993 or by e-mail at Stephanie.Paparella@hamilton.ca.

Please do not hesitate to contact me if you require any additional information.

Thank you.

cab.
cab.

c.c. R. Rossini, General Manager
Finance and Corporate Services





Hamilton

CITY OF HAMILTON

Hamilton Police Services Board

TO: Mayor and Members General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: January 10, 2011	
SUBJECT/REPORT NO: Theft of Gas Drive Offs (City Wide) (PSB 10-101)	
SUBMITTED BY: Lois Morin Administrator Hamilton Police Services Board	PREPARED BY: Lois Morin 905-546-2727
SIGNATURE: <i>Lois Morin</i>	

RECOMMENDATION

That the Police Services Board respectfully requests the City of Hamilton to consider developing and enacting a Public Safety By-law requiring the pre-payment of gas, 24-hours a day, at all service stations throughout the City of Hamilton.

EXECUTIVE SUMMARY

The Police Services Board met on Monday, October, 18, 2010 and respectfully submits the above recommendation which, the Police Board approved and fully endorsed.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: n/a

Staffing: n/a

Legal: (See attached PSB 10-101)

HISTORICAL BACKGROUND (Chronology of events)

(See attached PSB 10-101)

POLICY IMPLICATIONS

(See attached PSB 10-101)

RELEVANT CONSULTATION

(See attached PSB 10-101)

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

(See attached PSB 10-101)

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

(See attached PSB 10-101)

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability,
3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development,
6. Environmental Stewardship, 7. Healthy Community

APPENDICES / SCHEDULES

HAMILTON POLICE SERVICES BOARD

- RECOMMENDATION -

DATE: 2010 October 18
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Glenn De Caire
Chief of Police
SUBJECT: *Theft of Gas Drive-Offs*
(PSB 10-101)

RECOMMENDATION:

That the Board request the City of Hamilton develop and enact a Public Safety By-law requiring the pre-payment of gas, 24-hours a day, at all service stations throughout the City of Hamilton.



Glenn De Caire
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – n/a

STAFFING – n/a

LEGAL – The matter will be forwarded to City Council for approval to develop and enact a Public Safety By-law.

BACKGROUND:

The theft of gas is a crime that has plagued the City of Hamilton for many years. Over a one (1) year period, from July 2009 – July 2010, there were 271 gas thefts reported to the Hamilton Police Service.

A complex analysis of this issue has revealed that only 5% of the reports taken resulted in charges and it is evident that the amount of police resources being exhausted on these investigations is significant.

This type of crime is completely preventable. Our research has shown that the theft of gas can lead to incidents of violence. It is our position that the City of Hamilton should enact a public safety by-law that will assist in the prevention of this crime.

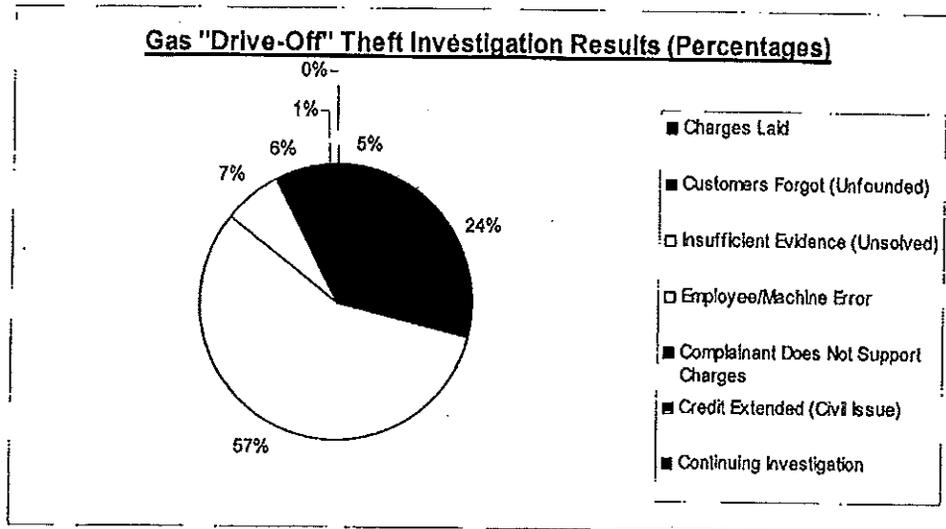
ISSUE

Gas theft is not a crime specific to our region. Police Services from all over the province, and the country, are experiencing the same frustration with regards to this crime trend.

A best practices business case revealed a 2005 criminal case, from British Columbia, of a 24-year old gas station employee named Grant De Patie. This young man was dragged underneath a car for seven (7) kilometers after he tried to stop a \$12.00 gas theft. In response to Grant's death, British Columbia became the first and only province, in Canada, to enact a 'pay-before-you-pump' provincial law in 2008, which is now known as *Grant's Law*. This law falls under the *British Columbia Workplace Safety Act* known, as WorkSafe B.C.

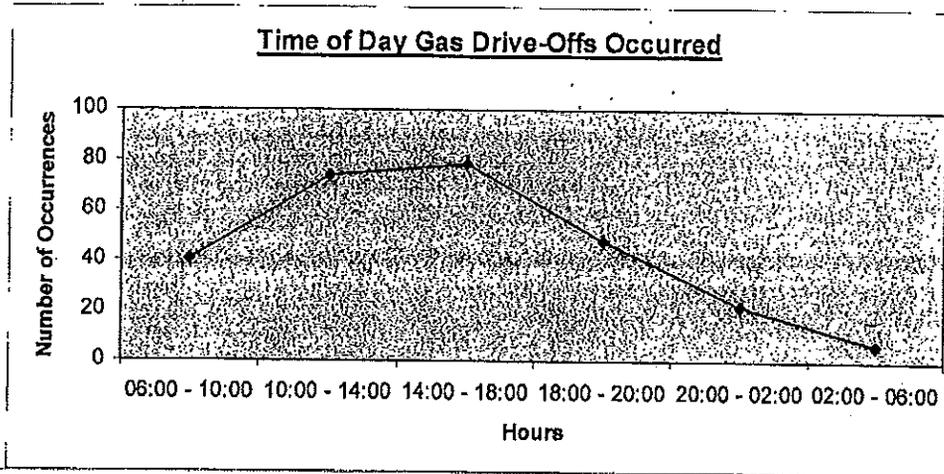
ANALYSIS

A comprehensive analysis was completed on the 271 gas thefts reported to the Hamilton Police Service. The statistics showed that the value of gas stolen varied greatly ranging from \$5.06 to \$189.96. The analysis also revealed surprising results with regard to the outcome of these gas theft investigations (*see pie chart on next page*).



The majority of these investigations go unsolved (57%) or it is a situation where customers forgot to pay (24%). More importantly, these statistics prove that every gas theft could have been prevented had the gas station adhered to a 24-hour pre-payment policy.

While several gas bars in our region (42%) do have a pre-payment policy during late evening hours (typically 10 p.m.-6 a.m.) our review showed that the majority of gas thefts actually occur between the hours of 10:00 a.m. – 6:00 p.m. (see line graph below).



In August of 2010, a letter and survey was sent to the 89 gas bar owners in our region. The letter explained that the Hamilton Police Service was conducting research about gas theft and requested they complete an enclosed short survey.

Thirty-eight completed surveys were received back and revealed several interesting facts. The most disturbing statistic was that 29% of the gas bar owners surveyed indicated that their employees had experienced an act of violence while trying to stop a gas theft.

The percentage for 'acts of violence' was alarming because, in most cases, the crime was never reported to the police. One (1) gas bar manager, who has been in the business for 21 years, disclosed that she had been violently assaulted 15 years ago while trying to stop a gas theft and had her two (2) front teeth knocked out. She further advised that more recently, one (1) of her employees suffered serious injuries because he was dragged underneath a car when he tried to stop a gas and dash.

Research revealed that the main reason the gas station owners are not implementing a 24-hour gas pre-payment policy is because the major gas corporations have advised the gas station owners that it is against company policy to make gas pre-payment mandatory, because it is not 'customer friendly'. However, a few stations in the city have chosen to ignore this policy and adopt a 24-hour pre-payment policy because they too recognize the risk of injury and loss of revenue.

The gas station owners have expressed frustration with their company's policy and the majority of gas station owners are in support of mandatory 24-hour pre-payment.

RECOMMENDATION

The analysis of this issue has led us to conclude that this type of crime is completely preventable and the introduction of a City of Hamilton by-law making 24 hour gas pre-payment mandatory would help eliminate gas theft in our city. A Public Safety By-law for the pre-payment of gas would also eliminate the number of violent crimes that occur because of gas thefts.

CONCLUSION

The Hamilton Police Service believes that a By-law would be a proactive approach in order to avoid any such incidents as the one (1) that took the young life of Grant De Patie. Furthermore, it is apparent from the surveys received that this is a great concern for our gas bar owners.

The amount of police resources being spent on these crimes, coupled with the low percentage of charges laid, are strong indicators that prevention strategies must be implemented.

Most importantly, the risk of injury or loss of life is far too great a consequence for what is ultimately a 100% preventable crime. Therefore, it is our position that the Board recommend to the City of Hamilton, that a By-law be enacted to ensure all service stations, within the City of Hamilton, comply with a 24-hour pre-payment policy.

GD/K. Leendertse

