



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA



**DAN ALBAS, MP**

CENTRAL OKANAGAN-  
SIMILKAMEEN-NICOLA



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Chair Gail Given  
Regional District of Central Okanagan  
1450 KLO Road  
Kelowna, BC V1W 3Z4

June 10, 2019

Dear Chair Given,

Thank you for your service and commitment to our great country.

Today I write to you to draw attention to proposed new legislation that will help modernize the Criminal Code in regard to natural disasters and evacuation orders.

Almost every province has had struggles with natural disasters- floods, fires, earthquakes and even tornadoes in recent years. We all know the very real impact these events have on our citizens in terms of their health, safety and to our local economies.

When these events occur, local, provincial and federal officials often must make tough decisions, such as evacuation orders to rapidly respond to these threats.

It is a testament to our strong commitment as Canadians, when our neighbours need help; we often rise to these challenges and support one another.

Unfortunately there are those who will take advantage of these public safety emergencies for their own gain by looting.

While it remains a fact of life that these challenges exist, we can act to address them.

I have recently tabled a private member's bill that proposes a simple amendment to the Criminal Code, creating an aggravating factor where a natural disaster or evacuation order is present.

This would indicate that Canadian society, through Parliament requires a Judge, upon sentencing to designate a stiffer penalty for those that break the law and loot during these challenging situations.

This legislation would help provide peace of mind for citizens under an evacuation order to comply, as they would know that the criminal justice system has their back.

As this is an issue that would complement local and provincial efforts in maintaining public order, I would like to ask if you consider supporting this legislation publicly.

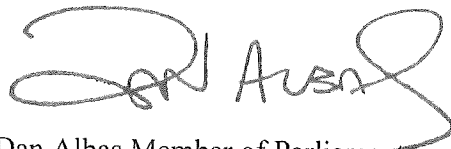
It is my belief that with enough public support that Parliament could act quickly to make this Bill law.

I have enclosed along with this letter a copy of Bill C-447 and a template support letter for your purview.

If you have any questions or feedback, my office and I would be happy to discuss them with you. Should you choose to support this legislative initiative, we would greatly appreciate a letter of support.

Thank you for your consideration of this legislation and request. It is my hope that initiatives like this will us all to better serve our citizens.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Albas', with a stylized flourish at the end.

Dan Albas Member of Parliament  
Central Okanagan-Similkameen-Nicola

Encl. (2)

First Session, Forty-second Parliament,  
64-65-66-67-68 Elizabeth II, 2015-2016-2017-2018-2019

HOUSE OF COMMONS OF CANADA

## BILL C-447

An Act to amend the Criminal Code  
(aggravating circumstance — evacuation  
order or emergency)

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FIRST READING, MAY 13, 2019

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Première session, quarante-deuxième législature,  
64-65-66-67-68 Elizabeth II, 2015-2016-2017-2018-2019

CHAMBRE DES COMMUNES DU CANADA

## PROJET DE LOI C-447

Loi modifiant le Code criminel (circonstance  
aggravante — ordre d'évacuation ou  
situation d'urgence)

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PREMIÈRE LECTURE LE 13 MAI 2019

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MR. ALBAS

M. ALBAS

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## SUMMARY

This enactment amends the *Criminal Code* to provide that taking advantage of the fact that a place is under an evacuation order or is experiencing a natural disaster or emergency is to be considered an aggravating circumstance for sentencing purposes.

## SOMMAIRE

Le texte modifie le *Code criminel* afin de prévoir que, aux fins de la détermination de la peine, est considéré comme une circonstance aggravante le fait de tirer indûment parti du fait qu'un endroit est visé par un ordre d'évacuation ou est touché par une catastrophe naturelle ou une autre situation d'urgence.

1st Session, 42nd Parliament,  
64-65-66-67-68 Elizabeth II, 2015-2016-2017-2018-2019

HOUSE OF COMMONS OF CANADA

## BILL C-447

An Act to amend the Criminal Code (aggravating circumstance — evacuation order or emergency)

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

R.S., c. C-46

### Criminal Code

1 Paragraph 718.2(a) of the *Criminal Code* is amended by adding the following after subpara- 5 graph (iii.1):

(iii.2) evidence that the offender, in committing the offence, took advantage of the fact that the place where the offence was committed was under a lawful evacuation order or was experiencing a natural disaster or other emergency, 10

1<sup>re</sup> session, 42<sup>e</sup> législature,  
64-65-66-67-68 Elizabeth II, 2015-2016-2017-2018-2019

CHAMBRE DES COMMUNES DU CANADA

## PROJET DE LOI C-447

Loi modifiant le Code criminel (circonstance aggravante — ordre d'évacuation ou situation d'urgence)

Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :

L.R., ch. C-46

### Code criminel

1 L'alinéa 718.2a) du *Code criminel* est modifié par adjonction, après le sous-alinéa (iii.1), de ce 5 qui suit :

(iii.2) que l'infraction perpétrée par le délinquant a été commise à un endroit qui était visé par un ordre d'évacuation autorisé par la loi ou qui était touché par une catastrophe naturelle ou une autre situation d'urgence et que le délinquant en a indûment tiré parti, 10



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May 22, 2019

Dan Albas, MP Central Okanagan – Similkameen – Nicola  
2562-B Main Street  
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Dear MP. Albas:

West Kelowna Council fully supports your proposed private members bill regarding action against looting in communities affected by emergency evacuation orders.

We stand with you in the belief that those who take advantage of emergency evacuations to engage in looting or vandalizing evacuated properties should be held accountable for these despicable acts to a much greater degree than is currently allowed in the Criminal Code.

Our community has experienced these atrocious crimes on multiple occasions as we have faced a variety of emergencies – from flooding to wildfire – that have prompted many of our neighbourhoods to be evacuated. Even though our emergency crews try to keep an eye on communities that have been evacuated, opportunistic criminals have found their way into these neighbourhoods and made off with valuables many times.

Media have covered these crimes, and the public outrage is clear, but it also serves to make people think twice about evacuating their priorities. We believe, like you, that people should not have to choose between protecting their property from shady characters and evacuating to a safe distance. Emergency responders should not have to spend valuable time convincing people to evacuate.

West Kelowna Council fully supports your Private Member's Bill C-447 and wishes you all the best in getting this important legislation passed.

Sincerely,

A handwritten signature in cursive script, reading "Gord Milsom".

Mayor Gord Milsom

cc:

West Kelowna Council