



## 05-10 Threatening/Harassing Telephone Calls

**Status:** Amended

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### Rationale

Threatening, indecent or harassing telephone calls can be very distressing to anyone that has received one. This offence can occur any time, and is usually received by the victim in the home.

The telephone service provider (service provider) can assist police with the investigation, but only after a number of steps have been taken. Except in life threatening or exigent circumstances, the service provider is prohibited from releasing Call Trace or subscriber information to police without a search warrant. The Call Trace service should be used in serious situations only.

The service provider may only release the details of a trace to the police and is prohibited from releasing any of the information to the complainant.

### Procedure

#### Police Officer

1. When investigating incidents involving threatening or harassing telephone calls shall
  - determine whether the complainant has received threatening or harassing telephone calls
  - conduct a thorough investigation in an attempt to identify the offender using the Call Display and Caller ID options on the complainant's telephone, if available
  - determine whether the complaint warrants a telephone call investigation
  - advise the complainant that
    - Call Trace only works on the last incoming call. If the complainant receives another call, a call waiting or visual call waiting beep before completing the Call Trace, the number of the new call will be traced instead of the threatening/harassing call.
    - Call Trace works even when the caller has blocked their name and number
    - their service provider may charge a fee for each successful Call Trace
    - Call Trace may not be available in certain service areas
    - some service providers may not offer the Call Trace feature
    - Call Trace may not be available if the complainant uses VoIP
    - it is difficult or impossible to trace a telephone call originating from a VoIP subscriber
    - Call Trace may not work on
      - a line that has the Call Trace block
      - some mobile telephone numbers
      - calls from switchboard telephone numbers
      - calls from other local and long distance service providers
  - advise the complainant on how to activate Call Trace, if available from their service provider



### Governing Authorities

**Federal:**

- Criminal Code

**Provincial:**

- Community Safety and Policing Act (Ontario Regulation)
  - O. Reg. 392/23, Adequate & Effective Policing (General)

### Associated Governance

**Toronto Police Service Board:**

- Adequacy Standards Compliance Policy
  - Part 5 LV LE-028 Criminal Harassment

**Toronto Police Service Procedures:**

- Chapter 1 Arrest & Release
- 02–17 Obtaining a Search Warrant
- 02–18 Executing a Search Warrant
- 02–19 Report to a Justice/Return to a Search Warrant/Order for Continued Detention
- 04–24 Victim Impact Statements
- Chapter 5, Appendix A Excerpt from Guideline LE–029 – Preventing or Responding to Occurrences Involving Firearms
- 05–21 Firearms

**Forms:**

- eReports;
- Form 1 Information to Obtain Search Warrant
- Form 5 Warrant to Search
- Form 5.2 Report to a Justice

### Definitions

For the purposes of this Procedure, the following definitions will apply:

**Justice** means a Justice of the Peace or a Provincial Court Judge  
[Source: S. 2 CC].

**Voice over Internet Protocol (VoIP)** means a technology that allows telephone calls to be made over the Internet or other computer networks, rather than over the traditional telephone network.

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