



## 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

- hang up immediately after receiving a threatening/harassing telephone call
- lift the receiver and listen for the dial tone
- press \*57 to trace the last call (or dial 1157 on a rotary telephone)
- wait for a recording to advise whether the call was traced successfully
- hang up
- advise the complainant that, should they forget, the Call Trace instructions are available on their service provider's website and in the White Pages
- advise the complainant to note the date and time of each call, as well as any conversation with the suspect, which may later be used in criminal proceedings
- obtain the information outlined in [Chapter 5, Appendix A](#) to help determine whether reasonable grounds exist to believe there is a threat to safety, if applicable
- complete the applicable eReports, noting that the complainant has been informed of the Call Trace feature

### Case Manager

2. When assigned to a threatening/harassing telephone call investigation shall contact the complainant to determine whether a successful trace has occurred.
3. If a successful Call Trace is not obtained, or if Call Trace is not available
  - advise the complainant to continue maintaining a log consisting of the dates and times of each call, and any conversation with the suspect
  - complete the applicable eReport or add supplementary information to the original eReport
4. If a successful Call Trace has been obtained, and the nature of the calls warrant a telephone call investigation shall
  - contact the appropriate service provider and obtain their file number to include in the appropriate appendix in an application for a search warrant, if desired
  - comply with Procedures 02–17, 02–18 and 02–19
  - add supplementary information to the original eReport
5. If the suspect is identified shall
  - comply with applicable procedures in Chapter 1
  - conduct a Person Query, including a CPIC and Canadian Firearms Registry On-line (CFRO) check
  - determine if the suspect/accused owns, possesses or has access to weapons, firearms, ammunition, explosives or the related authorizations, licences, certificates or permits and comply with Procedure 05–21
  - ensure the type of information contained in Chapter 5, Appendix A is obtained to help determine whether reasonable grounds exist to believe there is a threat to safety
  - consider and exercise all powers of search and seizure, with and without warrant, relating to weapons, firearms, ammunition, explosives or related authorizations, licences, certificates or permits
  - consider applying for a prohibition order or seeking a revocation where reasonable grounds exist to believe it is not desirable in the interests of safety for the offender to possess weapons

# Supplementary Information

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## Governing Authorities

**Federal:** Criminal Code.

**Provincial:** Police Services Act, O. Reg 3/99, Adequacy & Effectiveness of Police Services.

## Associated Governance

**TPSB Policies:** TPSB LE-028 Criminal Harassment

**TPS Procedures:** Chapter 1 Arrest & Release; 02–17 Obtaining a Search Warrant; 02–18 Executing a Search Warrant; 02–19 Report to a Justice/Orders 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.

We are dedicated to delivering police services, in partnership with our communities, to keep Toronto the best and safest place to be.

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