



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
PUBLIC MINUTES

Thursday, October 28, 2021
Meeting Held By Electronic Participation Only
ZOOM VIRTUAL MEETING

PSB MEMBERS:

B. Steele, Chair
D. Eke, Vice-Chair
H. D'Angela, Board Member
B. Gale, Board Member
K. Gibson, Board Member
J. Lawson, Board Member
T. McKendrick, Board Member

D. Reid, Executive Director
D. Cichocki, Executive Assistant

NRPS MEMBERS:

Chief of Police B. MacCulloch
Deputy Chief B. Flynn, Operational Services
Deputy Chief B. Fordy, Support Services
W. Shreve, General Counsel
Superintendent B. Ash, Emergency Investigative Services
Superintendent M. Giannico, District Operations
Superintendent J. Mackay, Operational Support
Superintendent D. Meade, Executive Services
A/Superintendent C. Healey, Corporate Services
Inspector R. LaPlante, Executive Officer to the Chief of Police
S/Sergeant N. Dave, Member Support Unit
D/Sergeant D. Biggar, Executive Officer to Deputy Chief
A. Askoul, Director of Information Technology
S. Sabourin, Corporate Communications Manager
M. Asher, Executive Assistant to the Chief

OTHERS:

R. Le Clair, Policing Services Advisor, Ministry of the Solicitor General

1. CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 9:00 am.

Chair Steele welcomed attendees to the virtual meeting of the Board, which was broadcasted on Zoom and live-streamed on You Tube.

The Board began its meeting by acknowledging that the land on which the meeting takes place is the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the lands protected by the “Dish with One Spoon” Wampum Agreement. Today, this gathering place is home to many First Nations, Metis, and Inuit peoples and acknowledging this reminds us that the great standard of living that we enjoy in Niagara, is directly related to the resources and friendships of the Indigenous people who make up our community.

2. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

3. ADOPTION OF MINUTES

3.1 Minutes of the Public Board Meeting held Thursday, September 23, 2021

Moved by: H. D'Angela
Seconded by: D. Eke

That the Minutes of the Public Board Meeting held September 23, 2021 be adopted as circulated.

Carried

3.2 Minutes of the Public Finance Committee Meeting held October 14, 2021

Moved by: H. D'Angela
Seconded by: D. Eke

That the Minutes of the Public Finance Committee Meeting held October 14, 2021 be adopted as circulated.

Carried

4. REPORTS FROM BOARD CHAIR

Welcome to the Ministry Policing Services Advisor - On behalf of the Board, Chair Steele welcomed Ron Le Clair to the meeting. Ron is with the Inspectorate of Policing at the Ministry of the Solicitor General and he serves as a Policing Services Advisor to Police Boards in Ontario. He joins the meeting as part of routine visits by Policing Services Advisors to Police Boards across the Province. The Board welcomes his continued attendance at our meetings.

National Police Memorial - On September 26, Chair Steele, Vice Chair Eke and Member Lawson joined Chief of Police Bryan MacCulloch at Police Headquarters for a ceremony to commemorate the annual Canadian Police and Peace Officers' Memorial Service to honour those brave men and women who died in the line of duty.

CAPG - Annual Conference - Board Members virtually attended the Canadian Association of Police Governance 2021 Annual Conference held from September 28 - 30. The conference theme was "Reimagining Community Safety and Well-Being: Inspiring Change" and the program featured a strong, diverse group of speakers; including the Federal Minister of Public Safety & Emergency Preparedness, the Privacy Commissioner of Canada, the Inspectorate of Policing and other leaders in the field of policing and police governance.

CAPG - Webinar Session - The Canadian Association of Police Governance hosts monthly webinars as part of its educational strategy to keep police boards and police executives across Canada apprised of issues currently impacting the policing community. On October 12, the Board attended a webinar on the lessons learned from shifting the RCMP to a Municipal Police Service, which was hosted by the Surrey, BC Police Board. The monthly webinar in November is entitled “Police Recruiting – Developing the Most Effective Strategy for a Reflective Service”. Further webinar details, including confirmation of the date, time and connection links will be provided to the Board when available.

Public Sector Network - On September 28, Board Members attended the Public Sector Network “2nd Annual Safer Cities Virtual Event” to discuss key strategies for creating and maintaining safe and resilient cities. On October 27, the Public Sector Network also hosted a webinar on “Building Resilience to Insider Risk” which explored ways to boost security and compliance while leveraging the best prevention and detection tools. The Public Sector Network events provide opportunities to bring together key government leaders, municipalities, policy makers, law enforcement, and other stakeholders to share best practices that foster community well-being.

Equity, Diversity and Inclusion Training Session - On October 6 and October 20, Board Members and Staff participated in the Equity, Diversity and Inclusion Training Sessions that were provided to the Niagara Regional Police Senior Leadership Team. The training was delivered and facilitated by an anti-racism, equity and inclusion expert, Rumina Morris, who provided engaging and interactive sessions to bridge the gap between the vision of being an inclusive organization and actioning those goals in an intentional and strategic manner.

OAPSB Zone 4 - Quarterly Meeting - On October 6, the Ontario Association of Police Services Boards held their Zone 4 Quarterly Meeting. Zone 4 consists of a total of 14 Police Services Boards, including municipal and OPP Contract Boards or First Nations police governance bodies that are located within the regions or counties of Brant, Haldimand, Halton, Hamilton, Niagara, Norfolk and Oxford. These quarterly engagements allow Boards within a certain geographic area to meet for the purpose of discussing matters related to police governance.

Kristen French Child Advocacy Centre Niagara - Spotlight Gala - On October 20, Chair Steele joined Chief MacCulloch and Deputy Chief Flynn at the Kristen French Child Advocacy Centre Niagara's Spotlight Gala held at the Americana Resort in Niagara Falls. The Gala commemorated the ongoing work being done throughout our local communities to help children and youth who have either witnessed or been victims of physical or sexual abuse or that have been subjected to acts of internet luring or were an unwilling witness of violence.

OAPSB Labour Conference - On November 18, the Ontario Association of Police Services Boards will hold their 2021 Labour Conference virtually. The program will provide learning opportunities about the labour relations landscape across Ontario, police executive contracts, discussion on employer challenges with WSIB, updates regarding the Community Safety and Policing Act, and provide further insights into diversity, equity and inclusion; and police hiring practices.

1 District Facility Project - St. Catharines Detachment - The Niagara Region and Police Service Joint Steering Committee meeting scheduled for October 26 was cancelled and the next meeting is scheduled for November 23 for consideration of the final report closing out the project. Further updates will be provided to the Board at its November 25 meeting. Member Gale raised concerns that the 1 District NRPS sign is not visible to the public unless you are directly in front of the building and there is no night lighting. Vice-Chair Eke will raise this matter with the Region's Public Works to determine any corrective measures.

Upcoming PSB Meetings - There are no Committee Meetings scheduled in November, and the next Board Meeting will be held Thursday, November 25 at 9:00 am. The meeting will be held by electronic participation through Zoom.

5. REPORTS FROM THE CHIEF OF POLICE

Niagara Regional Police Auxiliary Recruitment Drive – The Niagara Regional Police is pleased to announce that the Auxiliary Officer Program has reopened, and a recruitment drive has begun after being suspended due to COVID-19. The Auxiliary Officer Program is a great volunteer opportunity. Many auxiliary officers give their time to serve their community and give back. It has historically been found to be a means for persons who wish to become a sworn police officer to get real world law enforcement experience. Successful candidates will receive law enforcement training and will be able to assist the Service in uniform at events. With an authorized auxiliary officer strength of approximately 75 officers, the Service hopes to recruit approximately 40 new auxiliary officers to commence their local training in 2022. Information is available on our website at www.niagarapolice.ca for interested candidates.

Operational Statistics:

Homicides - Reporting Period of September 21 to October 25, 2021

- 0 for this reporting period with a total of 6 for 2021 to-date, compared to year-end totals of 5 in 2020, 7 in 2019, 2 in 2018 and 3 in 2017.

Attempted Homicides - Reporting Period of September 21 to October 25, 2021

- 0 for this reporting period with a total of 2 for 2021 to-date, compared to year-end totals of 3 in 2020, 2 in 2019, 8 in 2018 and 3 in 2017.

Fatal Motor Vehicle Collisions (MVC) - Reporting Period of September 1 to September 30, 2021

- 2 for this reporting period with a total of 20 for 2021 to date, compared to year-end totals of 16 in 2020, 13 in 2019, 13 in 2018, 16 in 2017, 16 in 2016.

Life Threatening Motor Vehicle Collision (MVC) - Reporting Period of September 1 to September 30, 2021

- 1 for this reporting period.

Fatal MVC – Incident of July 5, 2021 - At approximately 3:56 pm, officers responded to the report of a collision involving two motor vehicles and a transport truck on Victoria Avenue at Spring Creek Road in the Town of Lincoln. Investigations determined an 80-year-old female was operating her vehicle eastbound on Spring Creek Road and failed to stop for the stop sign at Victoria Ave. The vehicle entered Victoria Avenue into the path of a southbound pickup truck being operated by a 50-year-old male. The pickup truck was redirected into the path of a northbound tractor trailer as a result of the initial collision. The female was ejected from her vehicle and sustained life-threatening injuries. She remains in hospital. The 50-year-old male was found vital signs absent inside of his vehicle and was pronounced deceased at the scene. The operator of the tractor trailer, a 22-year-old male, suffered non-life-threatening injuries. The investigation into this matter continues by the Collision Reconstruction Unit.

Fatal MVC – Incident of September 17, 2021 – At approximately 4:48 pm, officers responded to the report of a motor vehicle collision at Scott Street West and Hiscott Street in the City of St Catharines. Investigation determined a 36-year-old male reversed his pickup truck out of a driveway. Simultaneously, a 32-year-old male of no fixed address was operating a motorcycle at a high rate of speed westbound on Scott Street West. The motorcycle collided with the pickup resulting in serious injuries to the motorcycle operator. The operator was transported to hospital where he was later pronounced deceased. The driver of the pickup truck was not injured. This incident remains under investigation by detectives from the Collision Reconstruction Unit.

Life Threatening MVC – Incident of September 1, 2021 - At approximately 6:29 am, uniform members responded to the report of a serious motor vehicle collision involving two motor vehicles on Caistorville Road south of Concession 3 Road in the Town of West Lincoln. Investigations determined a vehicle being operated by a 20-year-old male was travelling northbound on Caistorville Road when it collided with a southbound vehicle being operated by a 46-year-old male. Both males were transported to hospital sustaining life threatening injuries. This collision remains under investigation by detectives from the Collision Reconstruction Unit.

Enforcement Initiatives:

Niagara Falls Man Charged After Assaulting NRPS Officers - On October 6 at approximately 8:30 pm, an officer with the Traffic Enforcement Unit stopped a car in the area of Lundy's Lane and Kalar Road in Niagara Falls to investigate a possible impaired driver. While standing at the side of the road with the driver, an unknown man who had no connection to the traffic stop approached the officer. The unknown man began to video record, yell, and swear at the officer. The man was cautioned against obstructing the impaired investigation and told to move back. The man then suddenly spat in the officer's face. The male then resisted arrest before being placed inside of a cruiser where he continued to be combative and kicked another officer in the chest. Officers were able to secure the door for the man to be transported to the Prisoner Management Unit in Niagara Falls. No officers were injured. The man is facing five charges in total including obstruct police officer and assault police officer.

Detectives Investigating Mischief at Church in St. Catharines – On October 11 at 2:33 pm, detectives from St. Catharines began an investigation into mischief that occurred at 92 Geneva Street in St. Catharines. Investigation revealed that on October 10, an unknown male attended the Salem Chapel British Methodist Episcopal Church and allegedly intentionally damaged the Harriet Tubman statue. As a result of the investigation, detectives were able to identify the suspect who was subsequently arrested on October 13. Detectives have been working with the Salem Chapel British Methodist Episcopal Church to address the concern. At this time there is no indication that the vandalism was a hate motivated crime. The Service continues to provide the Crown with any pertinent details that are relevant to the investigation.

6. PRESENTATIONS

There were no presentations.

7. CONSENT AGENDA

7.1 NRPS 2020-2022 Diversity, Equity and Inclusion Strategic Plan - Status Update

Service report dated October 5, 2021 providing a status update on the work currently being undertaken by the Service to comply with the goals set out in the Niagara Regional Police Service 2020-2022 Diversity, Equity and Inclusion Strategic Plan.

7.2 Monthly Report - Niagara Regional Police Service - Ongoing COVID-19 Pandemic - October 2021

Service report dated October 26, 2021 providing the Board with a detailed update regarding the impact of the COVID-19 pandemic on the Niagara Regional Police Service and the actions taken to mitigate risks.

7.3 Quarterly Report - Administration of the Public Complaints System - July 1 to September 30, 2021

Service report dated October 8, 2021 submitted in accordance to the quarterly reporting requirements set out in Board By-law 301-2010.

7.4 Quarterly Report - NRPS Authorized Strength as at October 1, 2021

Service report dated October 1, 2021 providing a summary of the actual versus the authorized strength by rank/salary band of the uniform and civilian complement of the Niagara Regional Police Service.

7.5 Quarterly Report - Brock University Special Constables - July 1 to September 30, 2021

Report dated October 1, 2021 from Ken Chan, Vice-President, Administration, Brock University, providing a quarterly report about complaints, use of force, discipline and arrests associated to officers designated as Special Constables and employed with Brock University Campus Security Services.

7.6 Annual Report - Crime Analysis - January 1 to December 31, 2020

Service report dated September 29, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 195-2000.

7.7 Special Fund Donation Acknowledgement - Canadian Association of Police Governance (CAPG)

Letter dated October 19, 2021 from Carole McDougall, Chair, 2021 CAPG Conference Committee, acknowledging the Board's special fund donation to support the CAPG 32nd Annual Conference held virtually from September 28- 29, 2021.

Moved by: B. Gale

Seconded by: K. Gibson

That the information be received.

Carried

8. NEW BUSINESS

8.1 Regional Municipality of Niagara (RMON) - Updated Land Acknowledgement Statements

Correspondence dated September 24, 2021 from Ann Marie Norio, Regional Clerk, RMON, advising of a motion passed by Regional Council at its meeting held September 23, 2021 relating to practices associated with the Region's land acknowledgement statements.

Moved by: J. Lawson
Seconded by: T. McKendrick

That the Board adopt the use of the Niagara Region Land Acknowledgement Statements for the Police Services Board and Niagara Regional Police Service as outlined in the report, and as may be amended from time-to-time;

And further, that the short version be recited at Board and Committee meetings on a go-forward basis.

Carried

8.2 Police Services Board– 2022 Proposed Meeting Schedule

Memorandum dated October 1, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, providing the proposed meeting schedule for the year 2022.

Moved by: D. Eke
Seconded by: B. Gale

That the Board approve the Schedule of Regular Meetings for the Niagara Regional Police Services Board and Committee meetings for the year 2022 as presented.

Carried

8.3 Special Fund Request – Out of the Cold Dinner Program

Service report dated October 22, 2021 requesting the Board approve a donation to the Out of the Cold Dinner Program to provide meals and overnight accommodations to members of the community in need during the winter months. (*Previous donations are as follows: 2014-2015 - \$300; 2016-2018; 2020 - \$500.*)

Moved by: K. Gibson
Seconded by: J. Lawson

That the Board approve a donation in the amount of \$500.00 from the Special Fund to the Out of the Cold Dinner Program.

Carried

9. OTHER NEW BUSINESS

9.1 Police Services Board Meeting - Public Reporting of In Camera Items

Member Gale requested an update on a matter raised at the Board's September 23, 2021 meeting regarding the public reporting of in-camera items and the difference between the legislative requirements of the *Municipal Act* and *Police Services Act*.

Since that time, Advisor Le Clair provided Member Gale with a response based on legislation currently mandated through the *Police Services Act*. Advisor Le Clair stated that he will provide further information to the Board about the changes that will come into effect under the new *Community Safety and Policing Act (CSPA)*, 2019, that will have a direct impact on the mandate for the Board's meeting structure and public reporting.

The Board requested that Advisor Le Clair provide the information to the Board's Executive Director for dissemination to the Board Members.

10. IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE SEPTEMBER 23, 2021 IN CAMERA MEETINGS)

10.1 Police Services Board - Draft Operating Budget for 2022

Report dated September 10, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with a draft budget as approved by the Board at its Public Finance Committee Meeting held October 14, 2021 for incorporation into the police service budget and for public report.

10.2 Special Investigations Unit (SIU) Case Number 20-OFI-360 - Incident of December 25, 2020

Service report dated July 25, 2021 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the Police Services Act, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

Moved by: T. McKendrick

Seconded by: H. D'Angela

That in accordance with Board direction, the above noted in Camera reports be received for public information.

Carried

11. ADJOURNMENT

The Public Meeting adjourned at 9:25 am.

William C. Steele, Chair

Deb Reid, Executive Director