



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

PUBLIC MINTUES

Thursday, October 22, 2020

ZOOM VIRTUAL MEETING

CALL TO ORDER

The Public Meeting of the Regional Municipality of Niagara Police Services Board commenced at 9:02 am.

ROLL CALL

PSB MEMBERS: Mr. B. Steele, A/Chair
Mr. H. D'Angela
Mr. D. Eke
Mr. B. Gale
Mr. K. Gibson
Ms. T. McKendrick

Ms. D. Reid, Executive Director

NRPS MEMBERS: Chief of Police B. MacCulloch
Deputy Chief B. Flynn, Operational Support
A/Deputy Chief R. Frayne, Support Services
Superintendent B. Ash, Emergency & Investigative Services
Superintendent D. Meade, Executive Services
Superintendent M. Giannico, District Operations
A/Superintendent J. MacKay, Operational Support
Mr. A. Askoul, Director of Information Technology Services
Ms. L. Rullo, Finance Manager

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

MINUTES OF THE PREVIOUS MEETINGS

155. Minutes of the Public Board Meeting held Thursday, September 24, 2020.

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

That the Minutes of the Public Board Meeting held Thursday, September 24, 2020 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIR

Acting Chair Steele welcomed all participants to the meeting. He advised that during the COVID-19 pandemic, it is critically important that the Board continues with its governance and oversight work. Since April, the Board has held its monthly meetings virtually. For this meeting, Board members and police staff are connecting by Zoom and the Board will continue to meet virtually until in-person meetings can safely resume.

Acting Chair Steele thanked Chief MacCulloch, his Executive Leadership Team, and the Uniform and Civilian Members of the Niagara Regional Police Service who have been working diligently, at times under difficult circumstances. Niagara Region residents, members of the media, and Niagara Regional Police staff were also acknowledged for their support and for staying connected when viewing Board meetings.

Tribute to Indigenous Lands – The Board acknowledged that the land on which the meeting is held is the traditional territory of First Nations peoples. In particular the Board thanked and recognized the Haudenosaunee and Anishinaabe peoples for their stewardship of these lands over the millennia. The Board also recognized the contribution of Metis, Inuit and other Indigenous people both in shaping and strengthening this Region, Province and Country as a whole.

1 District Facility Project - On October 27, 2020, Member Eke will participate in the virtual Joint Region and Police Facilities Accommodations Steering Committee meeting. The Committee is also scheduled to meet on November 24, 2020 and further updates will be provided as the project advances. Specific to the new 1 District (St. Catharines) police facility, Members of the Board and the Service attended the location on October 2, 2020 for a tour and a first-hand look at the progression that has been made. It's important to note that attendees at that tour were limited and in keeping with COVID-19 guidelines regarding the number of people allowed at social gatherings. The build's completion remains on track with an anticipated move-in date of mid-February 2021. There is a full report providing a status update on that project for September 2020, listed at Item #157.

Canadian Association of Police Governance (CAPG) - Annual Conference - The Canadian Association of Police Governance (CAPG) is hosting its 2020 Annual Conference virtually from October 30 to November 2, 2020. This year's theme is entitled "Prioritizing Wellness Through Governance". Agenda topics will focus on current and emerging issues in policing and will include relevant and thought-leading presentations, opportunities for meaningful conversation and dialogue, and an opportunity to hear from engaging experts. All Board members are registered for the conference and are encouraged to participate in the virtual sessions being offered.

Canadian Association of Police Governance (CAPG) – Webinar - On November 10, 2020 at 12:00 pm, the CAPG will be hosting its monthly webinar as part of its educational strategy to keep police boards and police executives across Canada apprised of issues currently impacting the policing community. This month's Webinar is entitled "Training & Knowing Your Board Authority".

Ontario Association of Police Services Board (OAPSB) – 2020 Labour Seminar - On November 12 and 13, 2020 from 9:00 am to 12:00 pm, the Ontario Association of Police Services Boards will be hosting its annual Labour Seminar virtually. The virtual information sessions are designed to provide police board members and staff with updates on the labour relations landscape across Ontario, to educate boards about police executive contracts and to discuss current employer challenges associated with WSIB. Members interested in participating in the seminar are asked to confirm with Board staff no later than November 6.

Upcoming PSB Meetings - The next Committee Meeting will be held Thursday, November 12, 2020 and the next Board Meeting will be held Thursday, November 26, 2020 at 9:00 am.

REPORTS FROM THE CHIEF OF POLICE

Continuing COVID-19 Situation - The Niagara Regional Police Service continues to manage and adapt to the ever-changing reality of the COVID-19 pandemic and the impact it is having on its members and the Niagara Region community. With the increased community spread of the COVID-19 virus, on October 10, 2020, the Government of Ontario reverted Toronto, Peel Region and Ottawa back to Stage 2 of the Province's framework to recovery plan. Also on this date, the Government imposed some additional restrictions to areas that remain in Stage 3 including the Niagara Region. The restrictions involve limiting the hours of operation for licensed establishments, bars, and restaurants to serve liquor and remain open to the public. Additionally, on October 19, 2020, York Region also reverted back to Stage 2. Further, the Province has again extended most of the Emergency Orders currently in place under the *Reopening Ontario Act* (ROA) until November 21, 2020.

On October 10, 2020, the Niagara Regional Police Service had its first member of the Service test positive for COVID-19. Additionally, on October 15, 2020 a second member tested positive. At this time there is no evidence to suggest these two cases are linked. Both members are self-isolating and remain at home recovering. The Service has worked closely with Niagara Region Public Health to ensure that contact tracing is conducted and anyone that was deemed to have been in "close contact" with the affected members, have been contacted by Public Health and provided specific instructions. Further, as a proactive measure, deep cleaning of any affected work area has been completed. The Service continues to stress to members that if they are not feeling well, even mildly symptomatic, that they cannot be in the workplace.

On October 16, 2020, in light of the increasing rate of COVID-19 numbers nationally, provincially and locally, the Niagara Regional Police Service enacted additional measures to prevent the spread of infection. This included the wearing of face coverings or masks by all members while inside all Niagara Regional Police Service facilities unless they are seated at their work area which is appropriately distanced from their co-workers. In the near future the Service will be issuing cloth masks to all members. In the interim, members may choose to wear their own cloth masks or wear a surgical mask. This new face covering or masking policy has been put in place to safeguard members and the workplace in accordance with best practices and Public Health guidance.

Further, to support the efforts of Public Health Officials, the messaging from the Government continues to emphasize a stronger enforcement approach rather than the educational approach that has been stressed in the past. Life within the Niagara Region continues to be far from "normal" and the Provincial and Public Health authorities continue to stress physical distancing, frequent hand-washing, respiratory etiquette, the wearing of face coverings or masks when physical distancing cannot be achieved, and encouraging people to stay at home when ill. The Service continues to encourage members to observe these same safety measures, both in the workplace, as well as in their personal lives when off-duty.

The Pandemic Business Continuity Committee continues to meet regularly to adapt methods as needed. The Service continues to be vigilant and methodical in its approach to ensure the safety of all its members. The Service will continue to be flexible and adaptable to changing circumstances based on a combination of Government and Public Health direction and the Service will continue to closely monitor what is taking place within our community. The Service continues to work closely with its Emergency Services Partners - Fire and EMS, the local area municipalities, the Region, Public Health, in participating in the Emergency Operations Centre (EOC) through these evolving times. The Service continues to assist municipal by-law officers in ensuring the compliance of Emergency Orders.

The Niagara Regional Police Service to date has issued five Provincial Offence Notices for failing to comply with Orders and has received 1,192 COVID-19 specific calls for service related to *Emergency Management and Civil Protection Act* (EMCPA) or *Reopening Ontario Act* (ROA) Orders. The Service continues to maintain an adequate supply of N95 and surgical masks, gloves, hand sanitizer and wipes, which is monitored and assessed to ensure the Service is well positioned for any future possibilities.

Since the start of the pandemic back in March, the Service has been able to maintain adequate staffing levels and has not had to cancel any scheduled time off for members. In terms of calls for service, currently the NRPS is trending at or near pre-pandemic levels. This has been the case for a little over five months now. There has been no significant deviation of calls for service in respect to any geographic area within the Region, or in relation to any particular vulnerable group, or any serious breaches of the peace related to the pandemic. In an effort to safeguard and ensure that members have the most current and accurate information, Chief MacCulloch has circulated 53 updates as mass email messages. He continues to host virtual Town Hall meetings when necessary as another means to share information and provide an opportunity for members to ask questions related to COVID-19.

In closing, Chief MacCulloch advised that all members of the Service, sworn and civilian, continue to do an outstanding job during this unprecedented challenge and each are thanked for their continued dedication and professionalism as they continue to serve the Niagara community. With that being said, we are all seeing a current uptick of COVID-19 cases within the Niagara Region, as well as the Province, and now is certainly not the time to become complacent. The Service must do its part and continue to be vigilant in closely following the guidelines of Public Health Officials.

Niagara Regional Police Service Recruit Graduation - On June 5, 2020 a total of 18 new recruit constables commenced their careers with the Niagara Regional Police Service with their first day in the NRPS Training Unit. The recruits received approximately two weeks of introductory preparation. On June 24, 2020 they attended the Ontario Police College (OPC) for 10 weeks of COVID-19 modified intensive training and then came to Niagara to continue their in-house training. On September 25, 2020 a virtual Recruit Graduation Ceremony was held at the Training Unit and on September 27, 2020 the recruits began their training with a coach officer in the field. Chief MacCulloch extended his congratulations to all the new Constables in their achievements to date and wished them long and successful policing careers.

SIU Case Closure - On June 18, 2020 Niagara Regional Police Service personnel responded to Preakness Street in Niagara Falls regarding an Assist Ambulance call for service. Niagara Emergency Medical Services advised that a 39 year old female, who appeared to be under the influence of drugs, had fallen and may have sustained a head injury. Upon police arrival, officers stood by while paramedics tended to the female. The female suddenly ran from the area and while rounding a nearby SUV, fell and sustained an obvious injury to her left leg. As a result of the totality of circumstances, the female was apprehended under the *Mental Health Act* and subsequently transported by EMS to a local hospital for assessment where she was diagnosed with injury that would fit the mandate of the SIU. The SIU was notified and invoked their mandate to investigate. One Constable was designated as a Subject Officer by the SIU and one Constable was designated as a Witness Officer by the SIU. On October 6, 2020 the Service received notification from SIU Director Joseph Martino. In his closure letter he advised that the SIU has concluded their investigation and that there were no grounds for criminal charges against any officer. The SIU Director further concluded that the involved officers acted with tact, professionalism, kindness and compassion for the female's plight at the time of the incident.

Operational Statistics

Homicides

- 1 for this reporting period with a total of 4 for 2020 to-date compared to year-end totals of 7 in 2019, 2 in 2018, 3 to in 2017 and 1 in 2016.

Attempted Homicides

- 0 for this reporting period with a total of 3 for 2020 to-date compared to year-end total of 2 in 2019.

Homicide Incident of October 2, 2020 – Uniform officers from 3 District responded to the area of Highway 20 and Cream Street in the Town of Pelham for a welfare check. Once on scene, officers located a 74 year old male with serious injuries. The male was subsequently pronounced deceased at the scene. Due to the circumstances, members of the Homicide Unit took carriage of the investigation. Investigators believe that the victim may have interrupted an attempted theft on his nearby property and that a suspect vehicle was involved in this incident. On October 9, 2020 Investigators arrested a 39 year old male for the offence of Second Degree Murder. Further, on October 10, 2020, a 49 year old male was also arrested as it pertains to this matter and likewise charged with Second Degree Murder. This matter is now before the Court.

Fatal Motor Vehicle Collisions (MVC)

- 15 for this reporting period compared to year-end totals of 13 in 2019, 13 in 2018, 16 in 2017, 16 in 2016 and 15 in 2015.

Life Threatening Motor Vehicle Collision (MVC)

- 0 for this reporting period.

Fatal MVC Incident of September 6, 2020 – Police responded to a report of a serious motor vehicle collision at Stanley Avenue and Robinson Street in the City of Niagara Falls. Investigation determined that a 53 year old male was operating a motorcycle southbound on Stanley Avenue approaching Robinson Street. Also at this time, a 52 year old male was operating a Nissan motor vehicle northbound on Stanley Avenue when it commenced a left hand turn onto Robinson Street. The motorcycle and Nissan subsequently collided. The operator of the motorcycle was transported to a local hospital by EMS where he was subsequently pronounced deceased. The driver of the Nissan did not sustain any physical injury. The collision remains under investigation by detectives of the Collision Reconstruction Unit.

Enforcement Initiatives:

NRPS Operation "Loud and Clear" in Niagara Falls - In response to complaints of vehicles being operated within the community and causing excessive noise, the Niagara Regional Police Service have stepped up enforcement of motor vehicles with defects or that have been modified to become louder, specifically in the Niagara Falls and Niagara on the Lake area. Over the course of the initiative, 2 District uniform officers stopped and inspected vehicles in the City of Niagara Falls and Town of Niagara on the Lake for excessive noise. A total of 52 Provincial Offences Notices were issued for failing to have a muffler, improper mufflers and unnecessary noise contrary to the *Highway Traffic Act*. It was intended that this operation show the public that their complaints over vehicles causing excessive noise were heard "Loud and Clear". Although this particular initiative has ended, the Niagara Regional Police Service (NRPS) will continue its efforts to inspect vehicles causing excessive noise and lay charges where appropriate across the Niagara Region.

Male Arrested for Assault Police in Grimsby - On October 7, 2020 at approximately 10:00 am, 8 District Uniform Officers attended the area of Murray Street and Olive Street in the Town of Grimsby in response to a naked male attempting to enter numerous houses in the area. Police arrived on scene and located the male. One officer while attempting to ascertain the welfare of the male, was assaulted by the individual. The male again advanced on the officers, resulting in a Conducted Energy Weapon (CEW) deployment, which was ineffective. The male continued to resist arrest, then fled on foot and barricaded himself within his residence. The Niagara Regional Police Emergency Task Unit, K9 and Crisis Negotiators attended the scene and contained the residence while attempting to engage with the male. Out of an abundance of caution, a nearby school and daycare were placed on lockdown. At approximately 6:07 pm, the situation came to a peaceful end and the 50 year old male was arrested and charged with two counts of Assault Police.

Three People Arrested in Relation to Human Trafficking Investigation in Niagara Falls - In June 2020, Detectives from our Human Trafficking Unit, with the assistance of our Special Victims and Intelligence Units, and the Halton Police Service Human Trafficking Unit commenced an investigation in relation to a Niagara Falls residence in the area of Buckeye Crescent and Kalar Road. During the course of the investigation, Detectives were able to identify three suspects. On October 16, 2020, Detectives executed a warrant at the residence and three suspects were arrested and are now facing various charges including kidnapping and forcible confinement. Detectives have reason to believe that members of the public may have further information in relation to this matter and that there may be additional victims of human trafficking. Police are encouraging anyone with information on this matter to contact Detectives in the Human Trafficking Unit or contact CrimeStoppers 1-800-222-8477 (TIPS).

PRESENTATIONS

156. Special Recognition – Kenneth A.W. Gansel – Former Chair, Vice Chair, Member – Niagara Police Services Board

The Board considered a video presentation to formally recognize Mr. Kenneth A.W. Gansel, whose provincial appointment to the Niagara Police Services Board expired on August 31, 2020. *(The video was pre-recorded on October 8, 2020 given that during the COVID-19 pandemic, the Board has ceased its practice of holding in-person Board meetings and is continuing to conduct its meetings virtually in keeping with provincial mandated requirements regarding the limited number of persons at gatherings.) (No background documentation was provided.)*

Moved by: K. Gibson
Seconded by: T. McKendrick

That the presentation be received.

Carried.

CONSENT AGENDA

157. NRPS 1 District (St. Catharines) Project Status Report – September 2020

The Board considered a memo dated October 7, 2020 from Nicole Menard, Senior Project Manager, Facilities, Niagara Region, providing the Board with a Project Status Report on the NRPS 1 District facility for September 2020.

Chief MacCulloch provided an update on the information contained in Appendix 1 of the report confirming that the Niagara Region Procurement for construction of the Headquarters Parking Lot Expansion project closed on October 9, 2020. He stated that the Region has come to an agreement and is awaiting the return of a fully executed agreement from Hydro One. He also advised that he will be meeting with Regional staff on October 23, 2020, to confirm timelines for the stages of the project and the targeted completion date. Chief MacCulloch will provide the Board with an update following the meeting.

In regard to any budget concerns for the new 1 District build, the Board questioned the option to repurpose any existing furniture/equipment from the current 1 District facility to the new 1 District facility. Chief MacCulloch advised of a meeting being held in the upcoming week to discuss the various mitigation strategies for the new 1 District facility. Those discussions will include any repurposing options that are available to the Service. Chief MacCulloch will provide the Board with an update following the meeting.

158. Quarterly Report – NRPS Authorized Strength as at October 1, 2020

The Board considered Service report dated October 1, 2020 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.

159. Quarterly Report – Brock University Special Constables – July 1 to September 30, 2020

The Board considered report dated October 1, 2020 from Scott Johnstone, Senior Associate, Vice President, Infrastructure and Operations, Brock University, providing information relating to the complaints, use of force, discipline and arrests associated to officers designated as Special Constables employed through Brock University Campus Security Services.

160. Annual Report – Brock University Campus Security Services – January 1 to December 31, 2019

The Board considered email dated October 7, 2020 from Rebecca Rose, Administrative Assistant, Brock University, Campus Security Services, providing the 2019 Annual Report for Brock University Campus Security Services.

161. Annual Report – Communications and Dispatch – January 1 to December 31, 2019

The Board considered Service report dated October 6, 2020 submitted in accordance to the reporting requirements set out in Board By-law 194-2000.

162. Annual Report – Community Based Crime Prevention – January 1 to December 31, 2019

The Board considered Service report dated October 9, 2020 submitted in accordance to the reporting requirements set out in Board By-law 192-2020.

163. Annual Report – Supervision – January 1 to December 31, 2019

The Board considered Service report dated October 7, 2020 submitted in accordance to the reporting requirements set out in Board By-law 217-2000.

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

That the information be received.

Carried.

NEW BUSINESS

164. City of St. Catharines – City Council Motion – Niagara Regional Police Service – Operation “Loud and Clear”

The Board considered letter dated October 14, 2020 from Bonnie Nistico-Dunk, City Clerk, St. Catharines, advising of a motion passed by St. Catharines City Council at its October 5, 2020 meeting regarding a formal request for the Niagara Regional Police Service to expand Operation “Loud and Clear” from 2 District, Niagara Falls, to 1 District, St. Catharines.

Chief MacCulloch spoke to this initiative, which is based on feedback from the community and police working in those areas to develop community-oriented policing initiatives to address public concerns. This is an initiative that the Service can push out to the officers in 1 District and the Chief will have them work towards addressing the concerns that have been expressed in the letter from St. Catharines City Council. The Board also concurred with the Chief that this initiative can be expanded to all Districts across the Service in an effort to step-up enforcement of motor vehicles causing excessive noise Region-wide.

Moved by: K. Gibson
Seconded by: H. D’Angela

That the information be received;

And further, that the item be referred to the Chief of Police for consideration to expand the Niagara Regional Police Service’s Operation “Loud and Clear” to 1 District, St. Catharines/Thorold.

Carried.

165. Niagara Police Services Board – Board By-law No. 386-2020 – Missing Persons

The Board considered memo dated October 5, 2020 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with a draft ‘revised’ by-law as required for compliance with the *Missing Persons Act, 2018* and the Ontario Ministry of the Solicitor General.

Moved by: T. McKendrick
Seconded by: H. D’Angela

That the Board adopt By-law No. 386-2020 as appended to this report;

And further, that the Acting Board Chair and Executive Director be authorized to execute the required documentation.

Carried.

166. Niagara Police Services Board - Board By-law No. 387-2020 – Use of Board Issued Equipment and Technology

The Board considered memo dated October 14, 2020 from Deb Reid, Executive Director, Niagara Police Services Board, providing a draft By-law to establish policy and guidelines for the use of Board issued equipment and technology.

Moved by: D. Eke
Seconded by: T. McKendrick

That the Board adopt By-law No. 387-2020 as appended to this report;

And further, that the Acting Board Chair and Executive Director be authorized to execute the required documentation.

Carried.

167. Special Fund Request – Canadian Association of Police Governance (CAPG)

The Board considered memo dated October 13, 2020 from Deb Reid, Executive Director, Niagara Police Services Board, providing a request from the Canadian Association of Police Governance to support its 31st Annual Meeting and Conference being held virtually from October 30 to November 2, 2020.

Moved by: K. Gibson
Seconded by: T. McKendrick

That the Board continue its sponsorship in the amount of \$1,000.00 from the Special Fund to the Canadian Association of Police Governance (CAPG) in support of its 2020 virtual Conference and Annual General Meeting.

Carried.

168. Special Fund Request – Out of the Cold Dinner Program

The Board considered Service report dated September 28, 2020 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 - \$500.*)

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

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.

OTHER NEW BUSINESS

Decriminalization of Personal Possession of Illegal Drugs – Regional Council Motion and Letter to Federal Government – Member Gale spoke to the recent Niagara Regional Council motion requesting the Federal Government study the decriminalization of personal drug possession and requested comments from the Chief with respect to the position of the Canadian Association of Chiefs of Police (CACP) and the Niagara Regional Police Service on this matter.

Chief MacCulloch advised that generally speaking many, and certainly not all, police leaders are in support of decriminalization. The major concern is that there needs to be a really robust support system or network in place to clearly address all of the four pillars related to drug addiction, specifically education, harm reduction, treatment, and enforcement.

The Ontario Association of Chiefs of Police (OACP) is working on a white-paper to address this issue. The CACP has already released a white-paper and is supportive as long as there are significant support networks in place to regulate and provide the necessary support to individuals. Chief MacCulloch stated that in many jurisdictions, including Niagara, the supports around treatment are lacking. There are a number of harm-reduction strategies that are not employed consistently across the Province and there are also concerns related to organized crime. The experience with the illegal grow operations in Niagara has been a disappointing response from Public Health Canada with respect to their responsibilities to regulate the illegal cannabis industry. As a result, the medical part of the illegal cannabis industry has been significantly exploited by organized crime, which is a multi-billion dollar industry. If this were to happen with the opioids industry, this would have a devastating impact on the community in terms of overdoses and deaths beyond what we are already experiencing in Niagara.

Chief MacCulloch explained that he is supportive of decriminalization as long as there are significant support networks in place to regulate and provide the necessary support to individuals. In a nutshell, the Chief feels that we should not put the cart before the horse. There is a place for decriminalization however; support systems must be in place before decriminalization can take place as opposed to vice-

versa so that it can be properly addressed. He further noted that many other Police Chiefs share the same view, particularly those in northern Ontario, and other rural parts of Ontario, as well as across Canada, where they don't necessarily have robust support systems in place and the concern is that by decriminalizing drugs this will make an already difficult situation even more difficult.

With regards to the cannabis industry, Chief MacCulloch explained that there are two different types of grow operations. There is the legal grow operations that have been endorsed by the Federal Government so members of the public can legally acquire cannabis either online or through distribution stores/outlets. The problem is that organized crime has infiltrated the health component/area of growing cannabis and as a result of that there is a flood of illegal cannabis that has entered the market.

Member Gale commented that he has received correspondence from citizens of Niagara Falls about a notice that was circulated expressing concern about a proposed multi-million dollar winery/cannabis grow operation in the area of Mountain Road and QEW/Kalar Road, Niagara Falls. He would like to know who issues the permits for these types of establishments and if police are consulted in the process.

Chief MacCulloch advised that it depends on the stream. For example, if it is the legal recreational stream for supplying cannabis through the Federal Government to members of the public, then the police are consulted and notified when an application is made. When it is the medical/health stream, police are not notified because it is deemed to be personal health information. The Chief further noted that for the 'recreational/personal use' stream, the police and municipalities are notified and made aware of applications filed. A/Chair Steele added that on the 'recreational/personal use' grow operations, those applications do come forward to the municipality and it is regulated by the municipal site plans and by-laws on where the grow operations can be located in accordance with federal regulations. The 'medical/health' grow operations is a real issue for municipalities since no information is provided on these types of operations.

Member Gale asked if there are any regulations or controls around the smell/offensive odours from grow operations. A/Chair Steele advised that there are controls, however; it depends if a license was granted under the new system or grandfathered in under the old licensing system. The old system allows operators to vent the greenhouse into the air, whereas the new licensing system requires top quality air controlled systems. The position to the Federal Government is that the municipalities don't want any grandfathering if it is a detriment to the community.

Chief MacCulloch added that this creates a method for people to infiltrate the illegal grows under the auspice of it being a medical license and that such licenses are being issued by Health Canada to grow 500 plants. He advised that the Courts have weighed in on this and there is case law to support individuals to grow their own cannabis for a medical purpose and further, that individuals who may not necessarily have the ability or knowledge to grow it themselves, can go to someone else to grow it on their behalf. We are experiencing this in Niagara, where an organization or individual can grow for up to four people who have medical licenses. In theory, there could be 2,000 plants grown in one location and this is causing farms and greenhouses to be bought throughout Niagara and converted to grow medical marijuana for individuals on a personal license. There are limitations in enforcement efforts and police are working with Health Canada to find those situations where they are over-growing. Chief MacCulloch spoke about a recent grow operation in St. Catharines, where police found thousands of plants that were being grown over the limit.

The Board and the Service discussed the needed assistance of Health Canada to implement specific mandate for the medical grow operation stream, specifically in regard to methods currently in place that allow medicinal licensed individuals/organizations to grow cannabis for up to four people who procure a medical license, which ultimately allows the individual/organization to infiltrate the illegal grow operation market under the auspice of it being a medical issued license. This in turn raises stemming issues toward the proper use of mandated air control equipment that is required for legal grow operation individuals/organizations to alleviate the odor of the cannabis plants, which is now negatively impacting the property value of homes in close proximity of grow operation facilities.

Other areas of needed support from Health Canada include implementing practices that will allow easier monitoring of the allotted grow quantity of medicinal cannabis for each individual/organization in keeping with the license restrictions issued by Health Canada. Currently, the responsibility to ensure

growers are operating in accordance to their licensed quantities lies with Health Canada. Police enforcement only comes into play in the overgrowing component making it difficult for police to even act on suspected criminal activity regarding overgrowing of the product since the regular routine oversight component lies with the Federal Government.

At the conclusion of the discussion, the Board directed that the Board Chair, Chief of Police and his staff, and the Executive Director, draft a letter to Health Canada addressing the illegal medical/health stream of the cannabis industry that has been infiltrated by organized crime, including no controls for odour or measures in place by Health Canada to curtail these issues. It was also recognized that Niagara is the largest area in Ontario with illegal medical grow operations and this is impacting every single municipality across the Niagara Region. It was further directed that the letter be copied to all Niagara MP's, the local area municipalities, as well as the Niagara Region with an added request that the Region urge its local Mayors and Regional Councillors to speak with each of their respective councils in an effort to make this a Region-wide push to the Federal Government. The letter should also include reference that this matter was raised as a result of a notice that Board Member and Regional Councillor Bob Gale received regarding a new proposed cannabis facility at Mountain Road and QEW/Kalar Road, Niagara Falls. A copy of the notice will be emailed to the Board's Executive Director.

IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE SEPTEMBER 24, 2020 CONFIDENTIAL MEETING)

- 169. Police Services Board – Draft Operating Budget for 2021** – The following report was provided to the Board at its September 24, 2020 Confidential Board Meeting and the Board approved amending the report for public release:

- **C.169 Police Services Board – Draft Operating Budget for 2021**

Moved by: K. Gibson
Seconded by: T. McKendrick

That, in accordance with Board direction, the amended report be received for public information.

Carried.

- 170. Special Investigations Unit (SIU) Public Reporting** – The following report was provided to the Board at its September 24, 2020 Confidential Board Meeting and was approved for public release:

- **C.159 Special Investigations Unit (SIU) – Case Number 19-OCI-311**

Moved by: T. McKendrick
Seconded by: H. D'Angela

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

Carried.

ADJOURNMENT

The Public Meeting adjourned at 10:48 am.

William C. Steele, Acting Chair

Deb Reid, Executive Director