



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD

PUBLIC MINUTES

Thursday, August 27, 2009

Niagara Police Services Board
Multipurpose Room 1st Floor, 110 James Street, St. Catharines

CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 8:37 a.m.

ROLL CALL

MEMBERS PRESENT:

Mr. L. Iggulden, Chair
Mr. D. Martin, Vice Chair
Mr. B. Bentley
Mr. B. Smeaton
Mr. T. Shoalts
Mr. M. Woodhouse

Mr. W.B. McKaig, Solicitor
Ms. D. Morton, Executive Director
Ms. S. Taylor, Executive Assistant

OTHERS PRESENT:

Chief of Police W.E. Southall
Deputy Chief of Police J. Matthews
CAO G. Fuentes
Superintendent G. Skafffeld, Central Region
Superintendent S. Kenney, 2 District
A/Superintendent C. Scott, 1 District
A/Superintendent B. MacCulloch, Executive Services
Inspector C. Sexton, Investigative Support
Inspector D. Jastrubecki, Special Projects Executive Services
A/Inspector S. D'Annunzio, Executive Officer to the Chief
D/Sergeant G. Bench, Executive Officer to the Deputy Chief
D/Sergeant P. McCauley, Executive Officer to the CAO
S/Sergeant R. Frayne, QM, Fleet & Radio
P.C. J. Forgeron, Media Officer
Ms. M. George, Director of Business Services
Mr. A. Askoul, Director Information & Comm Technology
Dr. P. Divers, Corporate Analyst
Ms. A. Hepplewhite, Manager Corporate Records&InfoManagement
Ms. D. Stevenson, Information Systems Manager
Ms. C. Hunt, Coordinator Business Applications IT
Mr. B. Mantler, Coordinator Client Services IT
Ms. S. Wowk, Coordinator Operating Systems & Applications IT

Niagara Region
Police Association

Mr. P. DiSimoni, President

PRESENTATIONS:

Mr. Larry Tufford, former Police Services Board Member

Niagara Regional
Police Service

Sergeant Cindy White, Patrol Supervisor 1 District
Constable James Sunners, 5 District
Sergeant Craig Labaune, Casino Unit

Niagara Region

Mr. J. Bergsma, Commissioner of Corporate Services (Item 96.)

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETINGS

112. Minutes of the Public Board Meeting held Thursday, June 25, 2009.

Moved by: M. Woodhouse
Seconded by: B. Smeaton

That the Minutes of the Public Board Meeting held Thursday, June 25, 2009 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIRPERSON

Chair Iggulden reported the following:

Special Recognition – Larry Tufford

Chair Iggulden acknowledged Larry Tufford whose provincial appointment as a member of the Police Services Board expired on June 17. Following that date, the Board was advised by the Ministry of Community Safety and Correctional Services that Mr. Tufford would not be reappointed. Speaking on behalf of the Board, Chair Iggulden expressed extreme disappointment when that reappointment did not occur.

Chair Iggulden said that during Mr. Tufford's tenure, the Board has always been unanimous in all major decisions, helped in a big part by his attitude of cohesiveness. An example would be Mr. Tufford's contribution to the creation of the Service Executive Team, his responsibility for the appointment of Chief Southall, Deputy Matthews and CAO Fuentes, and his unwavering support of the Chief's recommended facilities plan.

His high level of integrity, his professional judgment, common sense and years of public sector experience will be missed, as well as the Christmas and Halloween candy and the monthly supply of mint lifesavers, and, not in the least, Mr. Tufford's honesty, integrity and friendship.

On behalf of the Board, Chair Iggulden presented Mr. Tufford with a commemorative plaque and a gift as a small token of the Board's great appreciation.

OCCPS Facilitation – Capital and Current Budget

On July 28 and 29, the Board and the Region of Niagara participated in a facilitation session in an attempt to achieve a resolution that would enable both sides to work cooperatively on facilities, budgets and other issues going forward. The two main areas of dispute are the 2006-2009 capital budgets and the Region's establishment of the Board's 2009 current budget. Chair Iggulden and Member Mal Woodhouse represented the Board.

Chair Iggulden said that the Board believes in accountability, and while transparency is a big part of ensuring accountability, the Mediator, Mr. Patrick Lesage, made it very clear at the start of the Mediation that the items discussed over the two-day period are confidential. If an agreement would not be reached, neither side is bound by any of the discussions, nor can any of the discussions be used at a later date, that is, at the OCCPS hearing.

Both sides had a good discussion on the facilities issue, and there was movement from both sides. Unfortunately though, there was not enough to reach an agreement that would satisfy the apparent needs of both sides.

The Board put its final compromise position to the Region which was ultimately not supported by the Region for recommendation to Regional Council.

Chair Iggulden noted that it was his understanding that the Board's final compromise position was discussed *in camera* with Regional Council at their July meeting, and the Regional Councillors have requested additional costings to be brought forward at their next meeting on September 10.

Regional Chair Partington said that he is optimistic that while we could not reach a decision at mediation, the discussions indicated that the two sides are not that far apart. Member Woodhouse and Chair Iggulden, and the rest of the Board do not share Chair Partington's optimism.

While the Region is not meeting again until September 10, the Board's Solicitor will be preparing for the OCCPS hearing which is scheduled for September 21. It is assumed the Region Solicitors will be doing the same.

Chair Iggulden has discussed with Chair Partington whether the Region would call a special meeting in August to address this issue and the additional information requested from staff. He did not know whether that would be possible.

The Board through the Pre-motion meetings, Mediation and the arguing of the Pre-Hearing Motions, has not become aware of any reason why it should not continue to the OCCPS hearing.

NRPS Swearing-In Ceremony

On August 13 Chair Iggulden joined Chief Southall and Service Executive at the NRPS Swearing-In Ceremony held at Club Italia in Niagara Falls when 21 new recruits and 3 currently serving police officers were welcomed to the Niagara Regional Police Service.

CAPB 2009 Conference

Members Bentley and Woodhouse and the Board's Executive Director attended the 20th Annual Conference and General Meeting of the Canadian Association of Police Boards held in Sydney, NS, from August 14 – 16. The program theme was *A Fine Balance: Meeting the Challenge of Police Governance in a Changing World*. The conference objective is to provide members the opportunity to work collaboratively and productively to develop methods and practices that will ultimately improve police governance, including full accountability, transparency and oversight, and to bring about change that will enhance public safety for all Canadians. Delegates represented every province with police boards/commissions and much of the value of the conference was acquired through discussion groups, workshops, and information discussions held during various events.

SOA Summer Social

On August 18 Chair Iggulden and Mrs. Iggulden attended the Senior Officers' Summer Social Barbeque held at the Whirlpool Golf Course. The event hosted by the SOA was well received by all members and their guests.

NRPA Annual Family Day Picnic

On September 12 the Niagara Region Police Association will be hosting its 2nd Annual Family Day Picnic at the Association' clubhouse on Merritville Highway from 9 a.m. to 4 p.m. Last year's event proved successful in bringing members of NRPA together in a friendly setting that builds spirit and camaraderie for all police employees. Board members, staff and their families are encouraged to attend the event and participate in the many family activities throughout the day.

Business Plan Steering Committee

On September 17 the Board/Service Business Plan Steering Committee will meet at 9:30 a.m. in the Chief's boardroom. The purpose of the meeting is to review the business planning process in order to meet the requirements of the adequacy standards, background materials required for the development of the business plan, and to provide strategic direction on policing and organizational priorities, goals and objectives, and to agree on a future direction and strategy.

Members Woodhouse and Shoalts and the Board's Executive Director are the Board representatives on the Committee and will be attending the meeting.

OAPSB Zone 4 Meeting

On October 1 the Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police will be holding their quarterly Zone meeting hosted by the Niagara Regional Police Service. Prior to the meeting the NRPS will be holding a special seminar on mental health issues in the workplace for all Zone members and police management. The seminar will start at 9:00 a.m. immediately followed by the regular Zone meeting at Club Italia in Niagara Falls.

The Board's Executive Director will be attending, and any Board members interested in attending are asked to confirm their attendance with Board staff.

Upcoming Meetings – 1st Floor Boardroom, 110 James Street, St. Catharines

- Licencing Committee Meeting – Thursday, September 10 at 8:30 a.m.;
- Human Resources Committee Meeting – Thursday, September 10 at 9:30 a.m.;
- Next Board Meeting – Thursday, September 24, 8:30 a.m.

REPORTS FROM THE CHIEF OF POLICE

Chief Southall reported the following:

Police/Fire World Games – Vancouver - July 31 – August 9, 2009

NRPS Sergeant Cindy White, Sergeant Craig Labaune and Constable James Sunners participated with over 10,000 athletes in various sports. All three performed well in their respective events, proudly representing the Niagara Regional Police Service and the Niagara Region internationally.

Sergeant White, a Patrol Supervisor in St. Catharines, won a gold medal in the Cross Country Event held at Jericho Beach, silver in the ten thousand meter on the track, and silver in the five thousand meter on the track. Then, teamed with three women from Provincial Corrections, Federal Corrections and from the Abbotsford Police forming the Canadian Women's Relay Team, won silver in the 4x 400 meter relay and silver in the 4x1600 meter relay.

Casino Unit Patrol Supervisor Sergeant Labaune, appearing in his fourth World Police and Fire Games. began competing in 2001 in Indianapolis, Indiana as well as Quebec City, Adelaide, South Australia, and Vancouver. Sergeant Labaune originally trained for the 'Toughest Competitor Alive' event but an injury forced him to pull out just prior to the beginning of the Games. He then entered the hockey tournament with a Toronto team, the individual Men's Masters 50 metre freestyle swim, the Men's Open 20 swim and Co-Ed Open 20 Dragon boat Race with the South Australian State Police Team. He placed third in the heat for the swim, however, the hockey team made it into the playoff round with a 2-0-1 record but failed to advance.

Constable Sunners, Uniform Patrol 5 District Fort Erie, has competed in the World Police and Fire Games in Indianapolis, Quebec City, Adelaide and Vancouver. Constable Sunners commutes to work as part of his training throughout the year (until the temperature drops to minus 10 degrees C), normally posting 300 to 400 km on the bike each week. His main event is the Triathlon and Constable Sunners. At the Olympics he achieved a Bronze and posted the 10th fastest time on the course (out of about 300 competitors), and his time would have achieved gold in two of the younger age categories.

Introduction of New NRPS Civilian Promotions – Information Technology Unit

Chief Southall announced the successful candidates in the restructuring of the Information Technology Unit toward more efficient service delivery and to comply with Adequacy Standards. Present were Ms. Cathy Hunt, Business Systems and Applications Coordinator, Ms. Sheila Wowk, Operations Systems and Applications Coordinator, and Mr. Brian Mantler, Client Services and Service Management Coordinator. The IT Unit has over 50 technological projects active at this time.

NRPS Bio-Hazard Vehicle Kit

A/Inspector Richard Frayne presented an updated duffle bag that will be placed in the trunks of police vehicles, replacing the smaller existing emergency case, the contents of which have evolved to now contain first-aid kits, 'sharps' containers, emergency blankets, and 10-year old biohazard containers issued with gowns, gloves and bio-hazard packaging. All items are loosely stored with flares and fire extinguishers and become soiled/ruined/contaminated and/or expired. These maintenance and replacement issues are ineffective and time consuming.

September 11 identified concerns regarding terrorism. The SARS Epidemic 2003/2004 heightened awareness of the use of Personal Protective Equipment for police, and N95 Masks and disinfectant were added to the kits.

An internal audit to identify compliance with the Ministry of Labour Section 21 Committee Guideline on PPE for police identified three main areas to meet compliance, namely, First Aid Kits, Biohazard Kits and Chemical Biological Radioactive Nuclear (CBRN) gear.

The Joint Occupational Health and Safety Committee, the Equipment Committee and with the assistance of Niagara Region (Nia-Chem) amalgamated the existing kits into the red bag for cruisers:

- Red Insert** (First Aid Kit) – Meets Federal and Provincial legislation (for member and public);
- Orange Insert** – Biohazard Kit – Universal Precautions for handling and disposing of bodily fluids;
- Blue Insert** – 'Sharps' container, evidence tubes & foaming germicidal spray to be used for on-the- scene cruiser decontamination.

Additionally there are two full Chem-max biological suits; blankets and ear plugs.

The equipment meets all NIOSH – National Institute for Occupational Health and Safety standards - provides protection against hepatitis, Aids, Norwalk, SARS, staphylococcus, MRSA, streptococci and H5N1.

Currently 55 of 108 uniform patrol cars will receive the new kit; the remaining 53 will have the old gear, and 25 kits are ready to deploy. Training is complete on First Aid and Biohazard with trained individuals and an on-call vendor for car decontamination for a large scale exposure.

H1N1 Pandemic Planning

The Service is actively preparing a pandemic plan and following best practices in seeking guidance from WHO, CDC, and the Regional Health Department.

Gaps in deployable equipment have been identified as the all-vehicle kit-equipment operation should be completed. Currently, 100 vehicles have bits and pieces of the proposed kit, and 100 vehicles have little if anything.

All officers have the potential to become first responders during emergencies. There are gaps in training on masks: up to 30 people will attend the N95 the trainer training next week offered by Niagara EMS trainers. Additional training is being arranged on the Advantage 3000 CBRN mask of which there are 600 in stock and already in limited use.

Gaps in Controls and Process are monitored to ensure equipment is properly used, maintained and expiration dates are noted. Replacement stock is immediately available.

Operational Statistics

Marihuana Grow Operations

For the period January 1 through August 26, 2009:
Total street value seized \$8,836,000 compared to \$19,016,000 for 2008;
Total equipment seized \$437,000 compared to \$595,900 for 2008.

Homicides

For the period January 1 through August 26, 2009:
2 compared to 5, same period 2008.

Robberies

For the period June 24 through August 26, 2009:
43 with 18 cleared, a 42% clearance rate this period.

Traffic Fatality Statistics

For the period January 1 through August 21, 2009:
17 collisions (19 deceased), compared to
15 collisions (16 deceased), same period 2008.

Life-Threatening Injury Collisions

For the period January 1 through June 24, 2009:
19 compared to 21, same period 2008,

The NRPS is continuing with its aggressive traffic enforcement plan.

PRESENTATIONS

96. **Region of Niagara – 2010 Budget Guidance**

Mr. John Bergsma, Commissioner of Corporate Services, Niagara Region, provided a slide presentation regarding the 2010 budget guidance, process and schedule.

Mr. Bergsma highlighted Council's policy on priority decisions, reviewed the economic conditions in Niagara (including the unemployment rates, population growth, average taxpayer household income), and discussed the Regional annual increase in relation to taxpayer affordability. The Region has established an overall 2010 budget guidance of 3.0% and operational guidance to Regional departments of 1.73%. He stated that September 24th was a critical date for the Police as the Region's Budget Review Committee will be meeting that day to review department and agencies, boards and commissions budgets that cannot meet the Region's 2010 budget guidance. Police will have the opportunity to make a special case if it is determined that the Service cannot meet the 2010 budget guidance of 3.0%. Mr. Bergsma stressed that there will be an attitude of fiscal flexibility

toward the 2010 police budget and that the earlier the police budget is presented the better the Region's Corporate Management Team will be able to appreciate and accommodate any challenges.

Chair Iggulden expressed concern about meeting the September 24th target date and asked if there will be flexibility of the deadline in view of the September 21st OCCPS Hearing. Mr. Bergsma replied that he did not have a full answer but the Board/Service will need to be more transparent and make a business case to support the police budget request. The constant struggle/challenge is information sharing between Regional/Police staff. Mr. Bergsma advised that if the police are able to identify early in the process as to what issues and risks the police have the better Regional staff can accommodate the Service request. It does not have to be completed in the same fashion as Regional departments but police must share enough information to make an educated guess. Chair Iggulden emphasized that the Vice-Chair of the Board also Chair's the Regional Finance Committee and information is shared on a regular basis. Mr. Bergsma noted that the September 24th date is flexible but Regional staff will need to know the size of the police challenges and a "ballpark" figure at a very high-level with the range of funding required.

The Board noted that there is a fundamental differing view of process being presented to the Board. Mr. Bergsma noted that the 1.73% increase for Regional departments with revenue are on a "net" basis. The Board felt that the Region should measure departments on gross not net dollars.

Member Woodhouse noted that there is a fundamental differing view of the process being presented to the Board and the budget process demonizes the Service. The Service is funded by the Region and its budget includes items that other Regional departments are not subjected too (i.e. debt charges/revenue streams, offsetting grants, waste management). There is a fundamental disagreement with the method in which the comparators are made without the knowledge and understanding of the *Police Services Act*. He noted that the Police are handcuffed by the *Act* that does not allow for detailed operational information to be shared with Regional staff leaving the Service at a disadvantage in the process. The Niagara Police Services Board is in place for that reason. With Member Woodhouse's experience as a Regional Councilor, he has familiarity with the affordability principle that has to be tied to realities, e.g., taking over airport. Why would the Region expand service levels when the affordability issue is so critical. There has been an acknowledgment of budget management by all as a step forward, however, there has to be an acknowledgment of differences – \$750,000 in legal costs to go to OCCPS, taxpayers' interest – the message by the Board to illustrate an element of trust that it is doing its job. The Board and Service are bound by legislation. There is no problem with principle and direction, but there has to be an acknowledgment of fairness in the comparison of apples to apples.

Mr. Bergsma noted that the Police were not demonized and responded that in 2007 and 2008, it did not occur because the Service received more funding than the guide lines. In 2009, the discussions did not happen. He noted that challenge is manageable as the ambulance service received more than 3.4 % last year because they were part of the process. To resolve that there will have to be some flexibility, and the Region will work to create that flexibility. He emphasized that the Region has more flexibility now than when the police present in November.

After a general discussion, it was recognized that there is a need to understand the difference in funding between Board/Service and Region. The Service committed to provide a list of issues/risks and funding requirement for each by the September 24th deadline and the CAO will provide to the Region and Board.

Moved by: D. Martin
Seconded by: T. Shoalts

That the presentation be received.

Carried.

DEPUTATIONS

A. CONSENT AGENDA

113. **Regional Municipality of Niagara – CL 10-2009 July 9, 2009 CSC 9-2009 July 2, 2009**

The Board considered a letter dated July 10, 2009 from Kevin Bain, Regional Clerk, RMON, providing the Board with the July 9 approval by Regional Council of its Corporate Services Committee recommendations respecting the Initiation of Capital Project ZPO0905 IT Equipment Replacement CSD 97-2009, and receipt of CSC 28-2009 Purchasing – 2009 Vehicle Replacements ZPO0901.

114. **Regional Municipality of Niagara – CL 11-2009 July 30, 2009 PHSS 10-2009 July 21, 2009**

The Board considered a letter dated July 31, 2009 from Kevin Bain, Regional Clerk, RMON, providing the Board with the July 30 approval by Regional Council of its Public Health and Social Services Committee recommendations respecting the Service System Manager Liaison with Council's Boards and Agencies, Report COM 38-2009 attached for information.

115. **Regional Municipality of Niagara – CL 11-2009 July 30, 2009 CSD 115-2009 Budget Transfer between New Police Facilities Projects – Grimsby and Fort Erie**

The Board considered a letter dated July 31, 2009 from Kevin Bain, Regional Clerk, RMON, providing the Board with the July 30 approval by Regional Council of its Corporate Services Committee recommendations regarding Report CSD 115-2009 July 30, 2009 relating to the \$400,000 Budget Transfer between the New Police Facilities Projects in Grimsby and Fort Erie, and notification that the property disposition request will be dealt with through a future report to the Corporate Services Committee.

CAO Fuentes reported that the proceeds from the sale of the Grimsby and Fort Erie facilities are necessary for the Service to achieve budget guidelines as part of the long-term facility strategy.

116. **City of Niagara Falls – Police Headquarters**

The Board considered a letter dated August 4, 2009 from Dean Iorfida, City Clerk, City of Niagara Falls, providing a Motion passed by the Niagara Falls City Council that the Council supports the efforts of the Police Services Board in determining the location of the NRP Headquarters to achieve the best possible policing for Niagara at the best cost using the most efficient means, incorporating the best practices without political influence or interference.

117. **City of Niagara Falls – Amendments to the *Highway Traffic Act* to Deter Illegal Taxi Cab Operations**

The Board considered a letter dated August 10, 2009 from Dean Iorfida, City Clerk, City of Niagara Falls, providing a Resolution unanimously passed by the Niagara Falls City Council relative to the illegal taxicab trade in the Region, attaching a letter to the Honourable Jim Bradley, Minister of Transportation, stressing the failure of any deterrence to the illegal taxi business, and further, a response dated August 21, 2009 from Linda McAusland, Director, Transportation Policy Branch, Ministry of Transportation, reiterating the Ministry's significant concerns relating to driver's licence suspensions and vehicle impoundment for offences not related to serious road safety offences, and confirming that the current amendments to the *Highway Traffic Act* provide municipalities with stronger enforcement tools to stop illegal taxicab operations.

118. **Brock University Campus Security Services – 2009 Second Quarter Report on Special Constables**
The Board considered Report 147/2009 dated July 6, 2009 from Steven Pillar, Vice President, Finance and Administration, Brock University, providing information relating to complaints, use of force, discipline and monthly statistics for calls for service associated to the Special Constables employed through the Brock University Campus Security Services for the second quarter of operations from April 1 through June 30, 2009.
119. **Annual Report – Community Patrol & Problem-Oriented Policing**
The Board considered Service report 146/2009 dated July 6, 2009 providing the Board with the Service compliance with the Provincial Adequacy Standards Regulation CP-001 concerning Community Patrol and Problem-oriented Policing; the summary of written procedures through the General Orders in both general and directed patrol; the status of Service compliance through satisfaction of the minimum staffing as established by the Uniform Collective Agreement and subsequent deployment by frontline supervisors toward problem-oriented policing initiatives such as the targeted enforcement including traffic enforcement, and detailed examples of steps taken by the Service to promote, implement and evaluate such initiatives, often in conjunction with other enforcement or community partners, pursuant to Board By-law 191-2000.
120. **Annual Report – Criminal Intelligence Unit**
The Board considered Service report 152/2009 dated June 25, 2009 providing the Board with a summary of the written procedures concerning criminal intelligence including NRPS General Order 111.06, status of Service compliance with Provincial Adequacy Standard Regulation LE-004 with the Unit as a support service providing specialized investigative assistance, and detailed confirmation of training afforded to members, pursuant to Board By-law 196-2000.
121. **Annual Report – Hate/Bias Motivated Crimes & Hate Propaganda Offences**
The Board considered Service report 156/2009 dated June 25, 2009 providing the Board with a summary of the written procedures concerning the investigation of Hate Bias Motivated Crimes and Hate Propaganda Offences including NRPS General Order 027.04 – *Hate Crime* in compliance with Provincial Adequacy Standard Regulation LE-007 *Hate Bias Motivated Crimes* and LE-008 *Hate Propaganda*; the status of Service compliance with the procedures; confirmation of training afforded to members; and reporting on the Service's involvement in community organizations to prevent the repetition of such crimes, pursuant to Board By-law 199/200-2000.
122. **Annual Report – Internal Task Forces**
The Board considered Service report 203/2009 dated August 12, 2009 providing the Board with a summary of the written procedures concerning Internal Task Forces in compliance with Provincial Adequacy Standard Regulation LE-010 – *Investigative Task Forces*; description of the one ongoing Internal Task Force established within the NRPS in 2006, accounting of the costs involved, and the subsequent arrest of one suspect, pursuant to Board By-law 202-2000.
123. **Annual Report – Search and Seizure**
The Board considered Service report 167/2009 dated July 16, 2009 providing the Board with a summary of the written procedures concerning Search and Seizure including NRPS General Orders; status of Service compliance with Provincial Adequacy Standards Regulations LE-011 and LE-012, and confirmation of both mandatory and optional training for members, pursuant to Board By-law 203/204-2000.
124. **Annual Report – Informants & Agents**
The Board considered Service report 153/2009 dated June 25, 2009 providing the Board with the status of the implementation of the written procedures concerning Informants and Agents including NRPS General Order 141.04 *Informants & Agents* in compliance with Provincial Adequacy Standard Regulation LE-015; status of Service compliance said procedures, and an summary of payments on an anonymous basis made in 2008 to informants, pursuant to Board By-law 207-2000.

125. **Annual Report – Stolen or Smuggled Firearms**
The Board considered Service report 150/2009 dated June 25, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE 019 – Stolen or Smuggled Firearms; the Service's written procedures on and processes for undertaking and managing investigations into stolen or smuggled firearms including General Order 175.04; Service compliance through membership in the Provincial Weapons Enforcement Unit and provincial training initiatives; a summary of the written procedures and Service compliance relative to investigations and confirmation of the availability of training to Service members, pursuant to Board By-law 211-2000.
126. **Annual Report – Elder and Vulnerable Adult Abuse**
The Board considered Service report 161/2009 dated July 15, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulations LE-213 for Elder and Vulnerable Adult Abuse; written procedures including the General Order 165.03 reflecting the response to the community by the Service; the status of Service compliance with the said procedures; a summary of the training given to members; a summary of the monitoring through the Senior Support/Vulnerable Adult Coordinator by the Service for evaluation; a summary of activities, issues raised, discussed and recognition achieved with community partners, pursuant to Board By-law 213-2000.
127. **Annual Report – Officer Note Taking**
The Board considered Service report 198/2009 dated August 13, 2008 providing the Board with a summary of the written procedures concerning Officer Note Taking in compliance with Provincial Adequacy Standards Regulation LE-022; Service compliance with the said procedures including General Order 168.04 identifying the prescribed method of note taking, and supervisory responsibility for storage of notebooks as outlined in General Order 168.04; confirmation of training for Service members, pursuant to Board By-law 214-2000.
128. **Annual Report – Bail & Violent Crime**
The Board considered Service report 186/2009 dated July 24, 2009 providing the Board with compliance with the Provincial Adequacy Standards Regulation LE-023 relating to Bail and Violent Crime; written procedures regarding Bail as detailed in General Order-019.04 *Violent Crime Bail* outlining procedures to be followed in bail hearings; confirmation of procedural compliance with General Order-016.04-Crown Brief Submissions providing specifics pertaining to the judicial presentations and continuing quality of bail files ensured through review by the Charge Coordinator's Unit and the 2004 Crown Protocol and monthly meetings with the office of the Attorney General (Crown Attorney's office); designation of a Court Services Sergeant as a Crown Liaison Officer whose responsibility is direct contact with the Crown Attorney's office to address immediate concerns and resolutions, pursuant to Board By-law 215-2000.
129. **Annual Report – Supervision**
The Board considered Service report 154/2009 dated June 27, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-025 relating to Supervision; the NRPS chain of command for both Uniform by rank and Civilian members with reporting responsibilities; the detailed responsibilities of supervisory members; the development of members through the promotional system with the assistance of the Career Development and the Training Units, and summarized 2008 promotions, pursuant to Board By-law 217-2000.
130. **Annual Report – Child Abuse and Neglect**
The Board considered Service report 176/2009 dated August 1, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-027 relating to Child Abuse and Neglect through General Order 84.03; 2008/09 (January 2008 – July 1, 2009) statistical analysis; the 2001 Child Abuse Protocol for the Niagara Region; compliance recognized through multi-disciplinary coordination; NRPS support to the Child Advocacy Centre; summary of officer training, pursuant to Board By-law 219-2000.

131. **Annual Report – Firearms Training**

The Board considered Service report 194/2009 dated August 11, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-029 relating to training and managing investigations involving firearms by members of the Niagara Regional Police Service; written procedures through eight various General Orders; full Service compliance; identification of issues in the Courts area related to evidentiary protocols following physical seizure of firearms; training through the Ontario Police College as well as in-house; January to August 2009 firearm examination statistics, pursuant to Board By-law 221-2000.

132. **Annual Report – Drug Investigations**

The Board considered Service report 151/2009 dated June 25, 2009 providing the Board with a summary of the written procedures concerning Drug Investigations including NRPS General Orders 117.05 *Search and Seizure*, 208.01 *Drug Investigations*, and 199.01 *Grow Operations and Clandestine Labs* designed to address potentially hazardous situations which reflect procedural changes relative to the Versadex electronic Record Management System in compliance with Provincial Adequacy Standard Regulation LE-031 *Drug Investigation*; a summary of Service assistance to other police agencies, pursuant to Board By-law 223-2000.

133. **Annual Report – Sexual Assault Investigation**

The Board considered Service report 163/2009 dated July 22, 2009 providing the Board with a summary of the written procedures concerning Sexual Assault Investigations including the community driven 1998 Protocol (under review) with the Niagara Regional Sexual Assault Centre, the Sexual Assault Treatment Centre – Niagara, the Crown Attorney and the NRPS, and NRPS General Order 020.06 *Sexual Assault Unit* in compliance with Provincial Adequacy Standard Regulation LE-034; Service compliance with the Ministry's designated Ontario Major Case Management manual; confirmation that the Protocol formulated by the agency representatives to the previous regulation and through Ministry review; a summary of the training provided to Unit members and the 2008 caseload summary; compliance with established monitoring and response evaluations, and a summary of issues dealt with in 2008 by the Sexual Assault Committee, pursuant to Board By-law 226-2000.

134. **Annual Report – Marine Unit**

The Board considered Service report 164/2009 dated July 10, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE-035 regarding the NRPS Marine Unit; written procedures set out in the relevant General Order 144.03 in compliance with the *Police Services Act* outlining the responsibility of the NRPS in provision of police services to all navigable bodies within the Niagara Region; full compliance through the provision of eight fully trained officers augmented with one RCMP officer and one Niagara Parks Police officer for the 2009 season; established relationships with the Marine Security Enforcement Teams comprised of the RCMP, the Canadian Coast Guard and local police services, and the U.S. Marine Unit counterparts including the Erie County Sheriffs, Niagara County Sheriffs, US Coast Guard Buffalo and Youngstown; continuation of the working relationship with the Canadian Coast Guard in Port Weller including the provision of a secure seasonal docking site; a working association with the Ministry of Natural Resources Conservation Officer toward marine and conservation environment, pursuant to Board By-law 227-2000.

135. **Annual Report – Child Pornography**

The Board considered Service report 172/2009 dated August 1, 2009 providing the Board with a summary of the written procedures concerning Child Pornography including NRPS General Order 169.04 *Child Pornography* in compliance with Provincial Adequacy Standard Regulation LE-036; participation in the *Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet* Program which lead to the largest Canadian takedown to date; 2008 investigative statistics; international daily monitoring through dedicated staffing to the *Internet Child Exploitation (I.C.E.)*; introduction of a formal Canadian training regime; nearly 100% conviction rate on all charges with the assistance the Crown Attorney, pursuant to Board By-law 228-2000.

136. Annual Report – Parental/Non-Parental Abductions

The Board considered Service report 166/2009 dated July 15, 2009 providing the Board with a summary of the written procedures concerning Parental/Non-Parental Abductions including NRPS General Order 173.04 in compliance with Provincial Adequacy Standard Regulation LE-040; summary of the 2008 reported parental and non-parental abduction/forcible confinement or attempts; Service compliance to the Ministry's designated Ontario Major Case Management Manual regulations through Ministry review; specialized training to members consisting in part of the Ontario Major Case Management Course since July 2008 by 41 NRPS members, and 46 NRPS members who have completed the General Investigative Techniques Course; daily monitoring of calls for service by the Investigative Analysis Unit, pursuant to Board By-law 232-2000.

137. Annual Report – Proceeds of Crime

The Board considered Service report 174/2009 dated June 25, 2009 providing the Board with a summary of the written procedures concerning Proceeds of Crime including NRPS General Orders 110.03 *Proceeds of Crime* and 120.04 *Morality Related Offences* in compliance with Provincial Adequacy Standard Regulation LE-041; Service compliance through annual review of the regulations for updating; secondment of two NRPS members to the London Integrated Proceeds of Crime Section (LIPOC); a Service member assigned to the Provincial Asset Forfeiture Unit (PAFU); summarized crime property and assets seized, pursuant to Board By-law 233-2000.

138. Annual Report – Vehicle Theft

The Board considered Service report 160/2009 dated June 25, 2009 providing the Board with a summary of the written procedures concerning Vehicle Theft including NRPS General Orders 187.02 *Vehicle Theft*, 095.06 *Major Incidents and Routine Criminal Investigations*, 034.04 *Report Submission* and 057 *Vehicle Towing, Seizure and Release* in compliance with Provincial Adequacy Standard Regulation LE-043; Service compliance through updated procedures available through the Versadex electronic Records Management System; secondment of an NRPS Officer to the Provincial Auto Theft Team (PATT); specialized internal and external training; yearly summary of vehicle thefts January 1, 2004 through December 31, 2008; multi-jurisdictional investigation Project POINT GUARD featuring Canadian/US enforcement agency involvement targeting a local car dealer, pursuant to Board By-law 235-2000.

139. Annual Report – Youth Crime

The Board considered Service report 199/2009 dated August 13, 2008 providing the Board with a summary of the written procedures concerning Youth Crime including NRPS General Order 085.03 *Young Persons* in compliance with Provincial Adequacy Standard Regulation LE-044 and federally through the *Youth Criminal Justice Act* (YCJA); statistical evidence to the decreasing level of youth crime in Canada attributed to the YCJA; clarification of public and judicial misconceptions regarding youth crime; Service compliance through the successful 2 District pilot project, a full-time Student Resource Officer; summarized 2008 accomplishments, the NRPS youth officer position to coordinate various programs such as threat assessment and the *NRPS Extrajudicial Measures Referral Program*, and other youth-directed programs, pursuant to Board By-law 236-2000.

140. Annual Report – Victim's Assistance

The Board considered Service report 168/2009 dated July 31, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation VA-001 relative to Victim's Assistance as directed through the revised General Order 115.08 to enhance services through collaboration with the Victim Witness Assistance Program (VWAP), Niagara Victim Crisis Support Services (NVCSS) and community/justice partners; Service compliance status with the said procedures; activities and detailed evaluation of the Niagara Victim Crisis Support Service; pilot project relating to the dedicated Domestic Violence Investigative Unit with a Model B response to domestic incidents was approved for continuation in 2009; internal and external website have been updated with current information; statistical compliance information , pursuant to Board By-law 238-2000.

141. **Annual Report – Public Order Unit**

The Board considered Service report 179/2009 dated July 28, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation PO-001 regarding Public Order Units; written procedures as set out in the *Police Services Act* and the relevant General Orders require and permit an agreement with the Hamilton and the Waterloo Regional Police Services to make available Niagara's Public Order Unit for civil disturbances and mass arrests, linkage under the Criminal Code of Canada to address unlawful assemblies and riot situations; the NRPS Public Order Unit has not been required during the reporting period, pursuant to Board By-law 239-2000.

142. **Annual Report – Preliminary Perimeter Control**

The Board considered Service report 187/2009 dated August 12, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation ER-001 regarding Preliminary Perimeter Control; written procedures as set out in General Order 089.01 Emergency Task Unit outlining operating procedures; verification of Ministry accreditation; confirmation of development and maintenance of the manual on containment team services; confirmation of the specialized training as well as the Marine and Canine Units to the Emergency Task Unit standards; pursuant to Board By-law 241-2000.

143. **Annual Report – Tactical Units**

The Board considered Service report 185/2009 dated August 12, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE-037 respecting the Tactical Unit, a responsibility of the Emergency Task Unit, with written procedures found in General Order 089.01 detailing the circumstances for deployment and the Unit's specified usage; compliance acknowledged by Ministry review; confirmation of the development and maintenance of the manual, acknowledged by Ministry accreditation; summary of the Unit's 12-month deployment, pursuant to Board By-law 242-2000.

144. **Annual Report – Explosives**

The Board considered Service report 181/2009 dated July 28, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation ER-006 regarding Explosives; written procedures as set out in General Orders 136.04 and 089.02 outlining the requirements to have seven fully trained police Explosive Forced Entry and Explosive Disposal Technicians at all times as well as five fully trained HAZMAT technicians and four CBRN; provided leadership in the development of joint CBRN for EMS and fire departments; additional informal mutual aid arrangements with a number of neighbouring agencies in the event of a major incident; the existence of continually updated technical manuals; training meeting/exceeding mandated requirements; national professional memberships; Unit deployment has occurred 22 times in the reporting period, pursuant to Board By-law 246-2000.

145. **Annual Report – Emergency Planning**

The Board considered Service report 180/2009 dated August 11, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation ER-008 concerning the development and maintenance of Emergency Planning in cooperation with the Niagara Regional Public Health Department Public Safety Division and other Regional emergency stakeholders, pursuant to Board By-law 248-2000.

146. **Annual Report – Skills Development and Learning Plan**

The Board considered Service report 193/2009 dated August 10, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation AI-002 relative to Skills Development and Learning Plan; the Plan and its objectives summarized; organizational description of the NRPS Training Unit and its challenges with the evolution of the Service and community; a detailed listing of the 2009 courses provided by the Training Unit and other agencies including videos produced by the Ontario Police Training Video Alliance; implementation of a 'mentor' program for new officers; ongoing development of NRPS core unit and support unit abilities; provision of the Ontario Major Case Management Course with the subsequent certification of 15 members, pursuant to Board By-law 250-2000.

147. **Annual Report – Use of Auxiliaries and Volunteers**

The Board considered Service report 149/2009 dated July 15, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulations AI-006 and AI-007 relative to the use of Auxiliaries and Volunteers; recruitment and initiation of auxiliary members as formulated in General Orders 12.05 and 25.04 stipulating training requirements for a total of ninety hours plus additional monthly training in specified areas; the recruitment and oversight process; the actual strength of the NRPS Auxiliary and the two Chaplains who are sworn as Auxiliary Police Inspectors; the detailed time NRPS Auxiliary officers were used in permitted policing activities and community services for a 2008 total of 10,417 hours; comparison of the 2005/2009 budget associated to the NRPS Auxiliary Unit, pursuant to Board By-law 254/255-2003.

148. **Annual Report – Safe Storage of Police Service Firearms**

The Board considered Service report 195/2009 dated August 11, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation AI-009 relating to the safe storage of police service firearms; written procedures reflected in General Order 053.10 conforming to the Policing Standards Manual; reporting of no incidents in 2009 (to date) relating to the use of a firearm; Service compliance in the mandated annual accreditation of Service members for Use of Force training, pursuant to Board By-law 258-2003.

149. **Annual Report – Sex Offender Registry**

The Board considered Service report 162/2009 dated July 17, 2009 providing the Board with the local file summary of the registrants on the Sex Offender Registry to June 26, 2009; written procedures concerning Sex Offender Registry including NRPS General Order 178.02 *Sex Offender Registry* in compliance with a rate of 100% with the Provincial Adequacy Standard Regulation LE-046; Service compliance as a function of the High Risk Offender Unit; specialized staff training, pursuant to Board By-law 261-2003.

150. **Annual Report – Secure Holster**

The Board considered Service report 192/2009 dated August 6, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation AI-014 relating to the provision, use and function of secure holster equipment; a summary of written procedures through General Orders; compliance through initial and annual training sessions at the Ontario Police College and during annual officer re-qualification; recommended transition following extensive testing to a less costly replacement holster exhibiting improved durability and safety, pursuant to Board By-law 269-2005.

151. **Annual Report – Speed Detection Devices**

The Board considered Service report 201/2009 dated August 13, 2009 providing the Board with a summary of the written procedures concerning use of Speed Detection Devices including annually updated NRPS General Order 124.04; the status of Service compliance with the Provincial Adequacy Standards Regulations AI-013 through the Speed Management Coordinator (SMC); listing of NRPS speed measuring devices; confirmation of Unit member technical training, pursuant to Board By-law 270-2005.

152. **Annual Report – High Risk Individuals**

The Board considered Service report 177/2009 dated July 17, 2009 providing the Board with a summary of the written procedures concerning High Risk Individuals including NRPS General Order 190.02 *Police Response to High Risk Individuals* in compliance with Provincial Adequacy Standard Regulation LE-047; Unit costs; community driven Offender Management Protocol (under review) to outline the coordinated effort to effectively manage persons in or returning who pose a threat to community safety; Service compliance with said procedures including Protocol with Brock University Psychology Program for risk assessments; confirmation of training, pursuant to Board By-law 272-2005.

153. **Annual Report – Underwater Search and Recovery Unit**
The Board considered Service report 165/2009 dated July 10, 2009 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation ER-009 regarding the NRPS Underwater Search and Recovery Unit; written procedures as set out in the relevant General Order outlining the operations of the six member Unit, available at all times within reasonable response time; maintenance of detailed diving hazard information; operations in accordance with the relevant requirements stipulated by regulations including the Canadian Standards Association Competency Standard, Occupational Safety Code for Diving Operations and Occupational Health and Safety Act Diving Regulation; Unit deployment record, Appendix C, indicates 30 dives in 2008 and 10 times in 2009 in Niagara and the Kitchener Waterloo Region, pursuant to Board By-law 273-2005.
154. **Quarterly Report – Policing Standards Unit – Administration of the Public Complaints System**
The Board considered Service report 196/2009 dated August 10, 2009 providing the Board with information relating to the administration of complaints made by members of the public against the police for the second quarter, period April 1 through June 30, 2009 and statistical yearly comparison, pursuant to Board By-law 173-1997.
155. **Quarterly Report - Suspect Apprehension Pursuits**
The Board considered Service report 191/2009 dated July 6, 2009 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-045 as to the required information relative to suspect apprehension pursuits conducted by Service members for the period April 1 to June 30, 2009, pursuant to Board By-law 237-2000.
156. **NRPS Fuel Expenditures & Initiatives Update – to July 2009**
The Board considered Service report 208/2009 dated August 13, 2009 providing the Board with NRPS vehicular fuel costs to July 2009, a summary of cost-saving initiatives by the NRPS including the use of alternate fuels, the use of hybrid vehicles, the conversion to dual fuel sources and the initiation of a Fuel Purchasing Card Program, pursuant to Board By-law 289-2009.
157. **Special Fund – May 1 – May 31, 2009**
The Board considered Service report 141/2009 dated June 30, 2009 providing the Board with a summary of the transactions for the Niagara Regional Police Special Funds for the period May 1 through 31, 2009.
158. **Special Fund – June 1 - 30, 2009**
The Board considered Service report 155/2009 dated July 29, 2009 providing the Board with a summary of the transactions for the Niagara Regional Police Special Funds for the period June 1 through 30, 2009.

Moved by: M. Woodhouse
Seconded by: B. Bentley

That the information be received.

Carried.

159. **KPMG Audit Report – 2008 Special Operating & General Operating Accounts (Special Fund)**
The Board considered a letter dated July 30, 2009 from KPMG LLP providing the Board with Financial Statements of the Niagara Regional Police Service Board for the year ending December 31, 2008.

At the Board's request, the matter was deferred until the September meeting pending further clarification from the Service of the \$20,000 transfer between accounts as noted on the Statement of Receipts, Disbursements and Bank Balance.

Moved by: M. Woodhouse
Seconded by: B. Bentley

That the item be deferred.

Carried.

B. OTHER NEW BUSINESS

160. **NRPS Variance Report – to July 31, 2009**
The Board considered Service report 197/2009 dated August 12, 2009 providing the Board with a financial overview and year-end forecast for both the Service and the Board for the period ending July 31, 2009.

Moved by: B. Smeaton
Seconded by: T. Shoalts

That the information be received.

Carried.

161. **Request for Sponsorship – Wellspring Niagara Fundraising Golf Tournament**
The Board considered a memorandum dated August 10, 2009 from Deb Morton, Executive Director, providing the Board with a letter received from Ms. Ann Mantini-Celima and Ms. Amy Datema from Wellspring Niagara requesting a donation to the 2nd Annual 'Swing Hard to Live Strong' Fundraising Golf Tournament in support of Deborah Roberts, a civilian Service member who is currently battling three different types of cancer.

Moved by: T. Shoalts
Seconded by: B. Bentley

That the Board authorize a donation in the amount of \$500.00 from the Special Fund to the Wellspring Niagara 2nd Annual 'Swing Hard to Live Strong' Fundraising Golf Tournament.

Opposed: M. Woodhouse

Carried.

162. **Funding Request – YWCA Niagara Week Without Violence**
The Board considered Service report 202/2009 dated July 10, 2009 requesting the Board approve a funding request to assist the YWCA *Week Without Violence* Steering Committee to convene the 2009 edition of the *Power of Being a Girl*, a multi-agency sponsorship of the week-long presentation to champion the cause of non-violence, to disseminate information regarding the event and to assist in coordinating/organizing the activities during the event scheduled for October 15, 2009. (Previous Board donations: \$500 - 2007, \$500 - 2008.)

Moved by: B. Smeaton
Seconded by: T. Shoalts

That the Board authorize a donation in the amount of \$500.00 from the Special Fund to assist the YWCA with the 2009 *The Power of Being a Girl* Conference scheduled for October 15, 2009.

Opposed: M. Woodhouse **Carried.**

163. **Board – By-law No. 130-1991**

The Board considered Service report 145/2009 dated July 13, 2009 requesting the Board rescind By-law No. 130-1991 which has become redundant following the development and/or enhancement of the Provincial Adequacy Standards and the Service's General Orders from the regulations found in the Regulations Manual as referenced in By-law 130-1991.

Moved by: B. Bentley
Seconded by: D. Martin

That the Board rescind By-law No. 130-1991 enacted and passed October 31, 1991.

Carried.

164. **Board – By-law No. 260-2002**

The Board considered Service report 205/2009 dated July 19, 2009 requesting the Board rescind By-law No. 260-2002 Providing for the Imposition of Charges in Respect of Applications for Employment with the Niagara Regional Police Service which has become redundant since the 2002 adoption by the Service of the applicant certification through *Applicant Testing Services* as sanctioned by the Ontario Association of Chiefs of Police.

Moved by: D. Martin
Seconded by: T. Shoalts

That the Board rescind By-law No. 260-2002 enacted and passed March 28, 2002.

Carried.

165. **Ontario Association of Police Services Boards (OAPSB) Fall Seminar – “Exploring Crime Prevention” & Board Governance Training Seminar October 22 & 23, 2009**

The Board considered a Communication from the Ontario Association of Police Services Boards regarding their upcoming two-day seminar to be held in Richmond Hill on October 22 and 23, 2009 which will highlight crime prevention, restorative justice, and informative board governance sessions.

Moved by: B. Bentley
Seconded by: M. Woodhouse

That any member wishing to attend the Ontario Association of Police Services Boards' Fall Seminar contact the Board's Executive Director.

Carried.

2009.08.27

PUBLIC MINUTES ...

ADJOURNMENT

The meeting adjourned at 10:59 a.m.

Chairperson

Executive Director