



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

PUBLIC AGENDA

Thursday, May 21, 2020 at 8:30 am

VIA TELECONFERENCE

Due to the efforts to contain the spread of COVID-19, Niagara Regional Police Headquarters will not be open to the public to attend Board meetings until further notice. To hear the audio live stream meeting proceedings, please visit: <https://calendar.niagarapolice.ca/meetings>

CALL TO ORDER

ROLL CALL

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

MINUTES OF THE PREVIOUS MEETINGS

73. Minutes of the Public Board Meeting held Thursday, April 23, 2020.

Moved by:
Seconded by:

That the Minutes of the Public Board Meeting held Thursday, April 23, 2020 be adopted as circulated.

REPORTS FROM THE BOARD CHAIR

REPORTS FROM THE CHIEF OF POLICE

PRESENTATIONS

CONSENT AGENDA

- 74. **Quarterly Report - Overtime Activities Incurred by the NRPS – January 1 to March 31, 2020** – Service report dated May 6, 2020 providing a five-year uniform and civilian quarterly trend analysis specific to the policing activities/issues that impact overtime.
- 75. **Quarterly Report – Special Fund Administration – January 1 to March 31, 2020** – Service report dated April 14, 2020 submitted in accordance to the reporting requirements set out in Board By-law 376-2018.
- 76. **Annual Report – Accessibility Standards for Customer Service - January 1 to December 31, 2019** – Service report dated April 20, 2020 submitted in accordance to the reporting requirements set out in Board By-law 366-2017.

77. **Annual Report – Body Armour Equipment - January 1 to December 31, 2019** – Service report dated May 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 311-2011.
78. **Annual Report – Citizen Rewards - January 1 to December 31, 2019** – Service report dated April 16, 2020 submitted in accordance to the reporting requirements set out in Board By-law 327-2012.
79. **Annual Report – Disclosure of Secondary Employment - January 1 to December 31, 2019** – Service report dated April 30, 2020 submitted in accordance to the reporting requirements set out in Board By-law 284-2008.
80. **Annual Report – Elder and Vulnerable Adult Abuse - January 1 to December 31, 2019** – Service report dated April 27, 2020 submitted in accordance to the reporting requirements set out in Board By-law 213-2000.
81. **Annual Report – Explosives - January 1 to December 31, 2019** – Service report dated April 27, 2020 submitted in accordance to the reporting requirements set out in Board By-law 246-2000.
82. **Annual Report – Firearms Training - January 1 to December 31, 2019** – Service report dated May 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 221-2000.
83. **Annual Report – Fraud and False Pretence Investigations – January 1 to December 31, 2019** – Service report dated April 24, 2020 submitted in accordance to the reporting requirements set out in Board By-law 230-2000.
84. **Annual Report – Management of Police Records - January 1 to December 31, 2019** – Service report dated April 29, 2020 submitted in accordance to the reporting requirements set out in Board By-law 291-2009.
85. **Annual Report – Marine Unit - January 1 to December 31, 2019** – Service report dated April 14, 2020 submitted in accordance to the reporting requirements set out in Board By-law 227-2000.
86. **Annual Report – Marked General Patrol Vehicles - January 1 to December 31, 2019** – Service report dated April 20, 2020 submitted in accordance to the reporting requirements set out in Board By-law 257-2003.
87. **Annual Report – Missing Persons - January 1 to December 31, 2019** – Service report dated April 27, 2020 submitted in accordance to the reporting requirements set out in Board By-law 294-2010.
88. **Annual Report - Persons in Custody – January 1 to December 31, 2019** – Service report dated April 30, 2020 submitted in accordance to the reporting requirements set out in Board By-law 208/225-2000.
89. **Annual Report – Police Uniforms - January 1 to December 31, 2019** – Service report dated April 29, 2020 submitted in accordance to the reporting requirements set out in Board By-law 259-2003.
90. **Annual Report – Suspect Apprehension Pursuits - January 1 to December 31, 2019** – Service report dated May 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 338-2013.

Moved by:
Seconded by:

That the information be received.

NEW BUSINESS

91. **NRPS Financial Variance Overview – Year Ending March 31, 2020** - Service report dated May 7, 2020 providing an analysis of the 2020 first quarter financial operating results for the Service and the Board, along with the projected year-end forecast based on current indicators to include the impact of the COVID-19 pandemic.

Moved by:
Seconded by:

That the information be received.

92. **Records Management System (RMS) – Annual Maintenance/Support Renewal – June 1, 2020 to May 31, 2021** - Service report dated April 29, 2020 requesting approval of payment for continuation of the Records Management System annual maintenance and support services being provided to the Niagara Regional Police Service by Versaterm as indicated in the attached invoice and included in the 2020 Technology Services Operating Budget.

Moved by:
Seconded by:

That the Board approve payment of Invoice No. 2004-053 in the amount \$184,780.90, including HST (net of rebates), to Versaterm for continuation of the maintenance/support services being provided for the Service's Records Management System (RMS).

93. **Computer Aided Dispatch (CAD) - Annual Maintenance/Support Renewal – March 1, 2020 to February 28, 2021** - Service report dated April 29, 2020 requesting approval of payment for continuation of the Computer Aided Dispatch annual maintenance and support services being provided to the Niagara Regional Police Service by Versaterm as indicated in the attached invoice and included in the 2020 Technology Services Operating Budget.

Moved by:
Seconded by:

That the Board approve payment of Invoice No. 2003-029 in the amount \$258,657.64, including HST (net of rebates), to Versaterm for continuation of the maintenance/support services being provided for the Service's Computer Aided Dispatch (CAD) System.

SPECIAL FUND REQUESTS

With respect to the Special Fund Requests noted below, this will clarify that the Board has a discretionary pool of funds, which it uses for grants and donations. Disbursements from the fund are in accordance with guidelines provided in the Police Services Act, and also with Board policy. Section 132(2) of the Police Services Act establishes that the Niagara Police Services Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the police service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the Regional tax base.

94. **Special Fund Request – Ontario Association of Police Services Boards (OAPSB) –** Memo dated May 1, 2020 from Deb Reid, Executive Director, Niagara Police Services Board, providing a copy of the correspondence received from the Ontario Association of Police Services Boards confirming cancellation of the OAPSB 2020 Spring Conference and the request for Police Services Boards to continue sponsorship for the virtual Annual General Meeting being held on May 29, 2020.

Moved by:
Seconded by:

That the Board continue its sponsorship in the amount of \$1,000.00 from the Special Fund to the Ontario Association of Police Services Boards (OAPSB) in support of its 2020 virtual Annual General Meeting.

95. **Special Fund Request – Niagara Regional Police Service Chief's Honour Guard –** Service report dated May 8, 2020 requesting approval to purchase three ceremonial swords and the required accessories to accommodate the use of one sword by the Niagara Regional Police Service Chief's Honour Guard and the display of the additional two swords to commemorate the 50th Anniversary of the Service. *(This is a first time funding request from the Niagara Regional Police Service Chief's Honour Guard.)*

Moved by:
Seconded by:

That the Board authorize a donation in amount of \$4,690.26 from the Special Fund to the Niagara Regional Police Service Chief's Honour Guard to assist with the purchase of three ceremonial swords and the required accessories to accommodate the use/display of each sword.

OTHER NEW BUSINESS

IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE APRIL 23, 2020 CONFIDENTIAL MEETING)

96. **Special Investigations Unit (SIU) Public Reporting –** The following reports were provided to the Board at its April 23, 2020 Confidential Board Meeting and were approved for public release:

- C.75 **Special Investigations Unit (SIU) - Case Number 19-OCI-072**
- C.76 **Special Investigations Unit (SIU) - Case Number 19-OCI-039**
- C.77 **Special Investigations Unit (SIU) - Case Number 19-OCI-030**
- C.78 **Special Investigations Unit (SIU) - Case Number 18-OCI-327**

Moved by:
Seconded by:

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

97. **Information Sharing Protocol in Response to the COVID-19 Pandemic Public Reporting** – Report C.89 was approved by the Board at its April 23, 2020 Caucus Board Meeting about an Information Sharing Protocol with the Chief of Police to ensure the Board continues to fulfill its statutory responsibilities to facilitate timely and informed decision-making in the context of the pandemic.

Moved by:
Seconded by:

That, in accordance with Board direction, the above noted Information Sharing Protocol is reported back for public information.

98. **Board By-law 385-2020 – Disclosure of COVID-19 Status Information Public Reporting** – Report C.90 was approved by the Board at its April 23, 2020 Caucus Board Meeting, being a By-law to establish policy for the disclosure of COVID-19 status information in compliance with the direction and recommendations by the Ministry of the Solicitor General through its All Chiefs/Chairs Memorandums on this Regulation.

Moved by:
Seconded by:

That, in accordance with Board direction, the above noted Board By-law is reported back for public information.

ADJOURNMENT

During the COVID-19 pandemic, the Board will conduct its meetings virtually, through teleconference. The audio recording will be posted to the Niagara Police Services Board YouTube Account for members of the public to access. If there are any questions or concerns, please contact the Executive Director to the Police Services Board at 905-688-4111, Extension 5170 (office) or psb@niagarapolice.ca



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

PUBLIC MINUTES

Thursday, April 23, 2020

VIA TELECONFERENCE

CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 8:32 am.

ROLL CALL

PSB MEMBERS:

Mr. K. Gansel, Chair
Mr. B. Steele, Vice Chair
Mr. H. D'Angela
Mr. D. Eke
Mr. B. Gale
Mr. K. Gibson
Ms. T. McKendrick

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

NRPS MEMBERS:

Chief of Police B. MacCulloch
Deputy Chief B. Flynn, Operational Support
Deputy Chief B. Fordy, Support Services
Ms. W. Shreve, General Counsel
Superintendent B. Ash, Emergency & Investigative Services
Superintendent D. Meade, Executive Services
Superintendent C. White, District Operations
Mr. A. Askoul, Director of Information and Technology
Ms. L. DiDonato-DeChellis, Director of Business Services
Mr. G. Holden, Records Manager

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

MINUTES OF THE PREVIOUS MEETINGS

37. Minutes of the Public Board Meeting held Thursday, February 27, 2020.

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

That the Minutes of the Public Board Meeting held Thursday, February 27, 2020 be adopted as circulated.

Carried.

38. Minutes of the Public Accommodations Steering Committee Meeting held Thursday, March 12, 2020.

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

That the Minutes of the Public Accommodations Steering Committee Meeting held Thursday, March 12, 2020 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIR

Police Service Board Chair Ken Gansel welcomed all participants to the Teleconference Public Meeting of the Niagara Police Services Board. He stated that the Board believes holding its monthly meeting this way and at this time, is the appropriate and responsible approach to the current circumstances as government, public authorities and members of the public, all work together to address the unique and difficult challenges presented by the COVID-19 pandemic. Chair Gansel thanked everyone for joining the Board's first tele-meeting and recognized the Niagara Region residents, members of the media, and Niagara Regional Police staff who were listening online for their support and staying connected.

Chair Gansel said these are unprecedented times that we are living through and the daily updates from the Prime Minister and the Premier are stark reminders about our current reality. As the pandemic continues to evolve, he took the opportunity to thank Chief MacCulloch, his Executive Leadership Team, and the Uniform and Civilian Members of the Niagara Regional Police Service, who are working around the clock to keep Niagara's residents safe. These women and men are working under difficult circumstances, with rules and processes that are changing daily.

It is also critically important that the Board is able to continue with its governance and oversight work. While members can't meet in person as we normally do, these difficult times require us to think differently about how we will conduct our business. This Board is doing the best it can and is thankful to everyone that has worked to get the Board to this point. This is the first public tele-meeting and a lot of measures have been taken to ensure that this tele-meeting runs smoothly.

Tribute to Indigenous Lands – Although this meeting is taking place on the phone, the Board acknowledges the land on which the tele-meeting is held, is the traditional territory of First Nations peoples. In particular the Board recognizes and thanks the Haudenosaunee and Anishinaabe peoples, for their stewardship of these lands over the millennia as well as the First Nations peoples in Canada for their ongoing and important roles in caretaking of the lands beneath our feet, whenever we stand on Turtle Island.

Nova Scotia Mass Shooting Incident – Chair Gansel paused the meeting for a moment of silence to grieve with the people of Nova Scotia for the tragic events that happened last weekend. Honour was paid to RCMP Constable Heidi Stevenson, and all victims and the families of those who lost their lives so tragically through an act of senseless violence. Words cannot express the tremendous grief experienced by the entire nation. On behalf of the Board, he offered deepest sympathies to the victims, their families and friends.

REPORTS FROM THE CHIEF OF POLICE

Continuing COVID-19 Situation – Chief MacCulloch spoke to the realization of the COVID-19 pandemic, which have been an unprecedented time for the Niagara Regional Police Service, citizens of the Niagara Region and across the globe. The NRPS is alive to the seemingly constant changes to the situation as it pertains to the Niagara Region and ultimately the impact on its members.

The Service continues to see the fluidity of the situation with evolving Emergency Management and Civil Protection Act (EMCPA) Emergency Orders and recently an extension of all Emergency Orders until May 12, 2020 by Premier Doug Ford. This unfortunately will be our new "normal" for the time being.

The Service is focused on ensuring the health and safety of its members and is meeting regularly to ensure staff are prepared and the proper measures are in place for the continuous safety of our members. It is important to note that this is primarily a public health issue and the Service following the guidance of Public Health and medical professionals when making decisions that impact members and also ensuring the information that is shared is both reliable and accurate. Police staff are also working with various stakeholders of which include municipalities, the Region, and participation in the Emergency Operations Centre (EOC) to help guide us through these evolving times. Included within this mutual cooperation framework, members of the Service have at times assisted municipal by-law officers in ensuring the compliance of Emergency Orders through education and in some cases through being present when necessary enforcement action has been taken for offences committed. Chief MacCulloch thanked all the municipalities, and in particular their enforcement personnel, in managing and dealing with the various evolving Emergency Orders and in responding to the various issues and concerns identified within their communities. This no doubt has increased their work load and their efforts are recognized and appreciated.

Fortunately the Service has an adequate supply of N95 masks, gloves, hand sanitizer and wipes. This supply and the supply chains will continually be monitored and assessed taking a proactive approach to ensure that proper amounts of Personal Protection Equipment (PPE) are retained in stock for any potential future realities. Members of the Service while having been directed on the appropriate use of PPE when necessary have also been instructed in the responsible use of such equipment to ensure that the use of PPE is not exhausted at an unwarranted rate. Recently, the Province of Ontario has indicated the potential for the re-use of PPE in the event that police experience a shortage due to the protracted duration of the pandemic. Police staff are currently working through various procedures and processes to safely collect discarded PPE's, particularly masks. The Service has also taken steps to ensure the increased sanitization of our facilities, vehicles and equipment, which includes providing direction to its members and steps that should be taken to protect themselves from exposure during their tours of duty. The Service has also taken steps to address human resource considerations. This includes a redeployment strategy should the Service be impacted by sworn members becoming ill or required to stay home due to self-isolation or quarantine. This has meant the redeployment of officers from certain specialty units to work shifts concurrent with various front line personnel. This allows for quick redeployment if required.

As it pertains to absenteeism, on March 31st, the Service experienced a high point of 92 members, both sworn and civilian, absent from the workplace specifically related to COVID-19 concerns and 9.78% were front line uniformed members. This included members that were asymptomatic, symptomatic, and self-isolated due to contact with a suspected or confirmed positive COVID-19 individual. As of April 21st, the Service had a decrease in absenteeism with 34 members out of the workplace due to COVID-19 related reasons of which include six members awaiting COVID-19 testing or COVID-19 test results, four members being symptomatic, six members in self-isolation (asymptomatic), and currently 18 members out of the workplace due to being identified as high risk individuals, however; six of these members are working remotely from home. Of these numbers only five front line uniform members, being 1.5% of our total frontline uniform strength, are absent due to COVID-19 related issues. As of this date the NRPS has no confirmed cases of COVID-19 affecting any of its members.

The Service has also conducted a critical functions analysis determining which members are able to work from home when provided with the necessary technical equipment such as laptops. While these numbers could fluctuate currently 71 members of the Service, predominantly civilian, however some sworn staff as well are currently working from home. Another 115 members are currently involved in various shift rotations sometimes working from home and sometimes attending the workplace when required.

Also in response to the COVID-19 situation, the Service has enacted a Mobile Support Unit (MSU), which is able to respond to lower priority calls for service alleviating pressures on our front line officers. Where an officer would normally attend a location for a call for service, an officer is now able to take a report by phone when appropriate. This also minimizes unnecessary physical interaction between officers and members of the public when appropriate thus keeping with the spirit of physical distancing during these difficult times.

Initially, when the first EMCPA Emergency Orders were enacted on March 17th, the Niagara Regional Police Service experienced a drop in volume of calls for service. Since then, the calls for service volume has steadily increased, however; currently we are still running below pre-pandemic levels at 93% calls for service volume. There has and continues to be COVID-19 related calls for service however there has been no significant deviation of calls for service in respect of geographical areas as it pertains to any vulnerable group or any serious breaches of the peace related to the pandemic.

As part of this process the Service has in place a Pandemic Business Continuity Plan which serves as a blue print for steps to be taken during events such as this. Part of the plan addresses the need for the Service to cancel time off which includes annual leave, float time, and statutory holiday entitlement to maintain front line operations. As of this date, the Service has been able to maintain adequate staffing levels and does not require the cancellation of scheduled time off. Should the cancellation of time off need to occur at a future date and for a protracted period of time, this would likely have a significant financial impact on the budget that would be unprecedented.

For situational awareness and to ensure that staff are privy to all timely relevant developments as it pertains to COVID-19 and any Emergency Orders enacted, Chief MacCulloch continues to communicate with all Service members regularly utilizing mass email messaging and through virtual Town Hall meetings, which allows members to ask questions through electronic means so he can address any concerns. In total 31 mass email messages have been sent and as members of the Board are well aware they are also forwarded to the Board's Executive Director who in turn forwards the messages to the Board so that members are aware of developments as it pertains to the NRPS operating in the era of COVID-19.

Chief MacCulloch spoke to the cooperation and concern on the part of the Niagara Regional Police Association and the Senior Officers' Association through these unprecedented times and noted that an NRPA representative sits on the Niagara Region Police Service Pandemic Business Continuity Committee for input on the various issues and Emergency Orders. Both Associations have shown flexibility in the application of the Collective Agreements which include staggered start times for tours of duty and the temporary cessation of required two person patrol vehicles in certain districts all in order to practice proper physical distancing. There is currently one exception to the cessation of two person patrol vehicles and this is when a recruit officer is assigned to a coach officer for training purposes. Regardless of any exceptions made to the Collective Agreements, the Service will continue to work within the boundaries of the Collective Agreements through these COVID-19 times and continue to work collaboratively with the Niagara Region Police Association and Senior Officers' Association.

Chief MacCulloch advised of an enquiry as it pertains to succession planning at the Command level of the Service in the event members of Command are unable to perform their duties as a result of the pandemic. Succession planning has always been an integral part of the Service's strategy long before COVID-19 was ever on the radar. The Service is well equipped for members to move into another role or step up in rank should the need arise. However staff remain alive to developments that may occur and continually assess options going forward. The Service has taken steps to conduct virtual meetings to maintain physical separation minimizing contact among Command staff. This is in addition to internal measures taken to ensure cleanliness and the regular disinfection of office space.

Chief MacCulloch assured the Board that the Service has taken many steps in response to the COVID-19 issue and that many aspects of employee well-being and Service delivery are continually being monitored and addressed. This includes steps taken to comply with various Emergency Orders, one of which was received a week and a half ago as to mandated reporting requirements to the Ministry as it pertains to compliance checks under the Emergency Orders.

Chief MacCulloch offered a heartfelt thanks to all the members of the Niagara Regional Police Service Pandemic Business Continuity Committee who first met on March 12th to address the anticipated arrival of the COVID-19 virus to our Region and its impact. This Committee meets regularly, addressing and documenting any new issues, concerns or actions taken and its membership consists of approximately 25 senior police leaders to ensure the Service is well positioned to continue to support its members while fulfilling its mandate for public safety. Staff have worked late evenings and weekends to address various COVID-19 health concerns and navigate the evolving Emergency Orders to ensure internal systems and procedures are quickly put in place to keep police personnel safe and relay necessary information and enforcement legislation to the front line members so they can be operationally effective. Chief MacCulloch extended his heartfelt thanks to the Board for their support and all Service members for their continued professionalism throughout these uncertain times. The Niagara Regional Police and the citizens it serves, has a long road ahead and we must be diligent and patient with the realities of life today of which includes fear of illness, isolation from our extended families, physical distancing, closure of non-essential businesses just to name a few. This will no doubt be a slow and careful recovery process in getting back to normal as best we can.

SIU Case Closure – Incident of August 16, 2019 - A Niagara Regional Police Service officer was operating his police vehicle westbound on Woodlawn Road in the City of Welland when he observed a motorcycle with a single occupant travelling eastbound on the same roadway at a high rate of speed. The officer activated his roof lights in order to safely make a U-turn in an attempt to follow the motorcycle. Once the U-turn was completed the officer deactivated his emergency equipment and continued east on Woodlawn Road at a normal rate of speed. It was shortly after this that the Niagara Regional Police received reports of a collision at Woodlawn Road and River Road in Welland where a motorcycle was involved in a collision with a civilian vehicle. Various emergency services attended the location and a 25 year old male operator of the motorcycle was pronounced deceased at the scene. There was also indication that the motorcycle involved in this collision was the same one that had just passed by the Niagara Regional Police officer on Woodlawn Road at a high rate of speed. Given the death of the motorcyclist and the potential police involvement prior to the fatal motor vehicle collision, the SIU was notified and invoked their mandate to investigate. The SIU designated one Subject Officer and four Witness Officers.

On April 20, 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. Also, no concerns were expressed by the SIU Director in his notification letter. The SIU Director further commented that the Subject Officers conduct at all times appeared to have been prudent, well considered and in the best interests of the public and the safety of all users of the roadway.

SIU Case Closure – Incident of March 3, 2019 - Uniform officers from 2 District responded to an address in Niagara Falls in regards to a male that had been stabbed. Upon arrival, officers located a 55 year old male with stab wounds. The injuries to the victim were later determined to be non-life threatening. The victim pointed to another male on the street stating that he was responsible for assaulting him. As the officers attempted to arrest the male he violently resisted the arrest. Conducted Energy Weapons (CEWs) were deployed and the male tried to disarm police officers. The officers used multiple use of force options to gain control and handcuff the male. The male accused was transported to the GNGH for assessment since he displayed symptoms similar to excited delirium. Following a medical assessment the physician determined that the accused had sustained a nasal bone fracture.

As a result of the diagnosis of serious injury being the fracture which was alleged to have occurred during an interaction with police officers, the Special Investigations Unit was notified and invoked their mandate to investigate.

The SIU designated three Subject Officers and four Witness Officers. On April 21, 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.

International Association of Women in Policing Conference for 2021 – With the support of the Board, the Niagara Regional Police Service made preparations for a bid to host the International Association of Women in Policing (IAWP) Annual Training Conference for 2021. The IAWP has been in existence in some form or another since 1915 to educate and enlighten the public about women in law enforcement activities throughout the world, and to provide support and education for women in policing and related activities. In September 2019, members of the Service presented the bid at the IAWP Annual Training Conference in Alaska to host the 2021 IAWP Annual Training Conference in Niagara Falls and were successful in winning the bid. Resultantly the IAWP Training Conference was scheduled to be held locally at the Scotiabank Convention Centre September 20 - 24, 2021.

On April 14th, the Service received notification from the IAWP Board that the IAWP Annual Training Conference scheduled for Yogyakarta, Indonesia in September 2020 has been postponed in light of the global COVID-19 pandemic. Resultantly, the Indonesian IAWP Annual Training Conference scheduled for 2020 has been deferred to September 2021. Further, as a result of this decision, the IAWP Annual Training Conference scheduled for Niagara Falls in September 2021 has now been deferred to September 2022, in which the Niagara Regional Police Service will remain the host police service.

Although this decision is not ideal and the NRPS was looking forward to hosting the Conference in 2021, Chief MacCulloch has indicated to the IAWP that the Service will continue to work with the co-chairs and organizing committee to bring this endeavor to a successful realization. The Service will select appropriate dates for 2022 and secure venues and hotels that coincide with those dates.

Operational Statistics:

Attempted Murders

- 1 for this reporting period.

Homicides

- 1 for this reporting period with a total of 2 for 2020 to-date compared to year-end totals of 6 in 2019, 2 in 2018 compared 3 to in 2017 and 1 in 2016.

Homicide Incident of March 29, 2020 – Uniform officers from 2 District responded to the rural area of Marshall Road and Ort Road in the City of Niagara Falls following a report of found human remains. Further investigation at the scene revealed that the found human remains were located in a wooded area and were that of a male. A post mortem was conducted on March 30, 2020. The deceased was confirmed to be a 23 year old male from Toronto. Due to the evidence found, this matter was treated as a homicide investigation. On April 4, 2020, a 21 year old male and a 20 year old female, both of Scarborough, were arrested and each charged with 2nd Degree Murder. A 25 year old male and a 22 year old male were also arrested and each charged with Accessory after the Fact to Murder. The investigation remains ongoing.

Attempt Homicide Incident of April 11, 2020 – Uniform officers from 3 District responded to a residence on Ridge Road in the City of Welland following the report of a disturbance. Further investigation at the scene revealed that a 35 year old male assaulted a 37 year old male victim with a weapon prior to fleeing the scene. The victim was treated by EMS and transported to a local hospital for assessment before being airlifted to an out of town hospital with life threatening injuries. The 35 year old male was eventually located in St Catharines and arrested and charged with Attempted Murder and Uttering Threats. The victim in this matter is now expected to survive and remains in hospital recovering from his injuries. Both males are known to each other and the matter is now before the courts.

Fatal Motor Vehicle Collisions (MVC) (MTO Reportable)

- 3 for 2020 to date 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) (MTO Reportable)

- 2 for 2020.

Fatal MVC Incident of February 21, 2020 - Police responded to a report of a pedestrian who had been struck by a motor vehicle on Lundy's Lane near Kalar Road in the City of Niagara Falls. Investigation determined that a 79 year old female was walking southbound across Lundy's Lane east of Kalar Road. Also at this time a Ford pick-up truck being operated by a 56 year old male was proceeding eastbound in the curb lane on Lundy's Lane. The pick-up truck struck the pedestrian. The pedestrian was transported by EMS to a local hospital without vital signs where she was pronounced deceased. There were no passengers in the pick-up truck and the driver sustained no physical injury. This collision remains under investigation by the Collision Reconstruction Unit.

Fatal MVC Incident of March 4, 2020 - Police responded to a report of a motor vehicle into a pond at a rural residential address on Foss Road in the Town of Pelham. Investigation determined that an 80 year old male was operating his Cadillac motor vehicle on his property when for unknown reason the vehicle entered a man-made pond. When the Cadillac was located, the male was found inside suffering from hypothermia. The male was transported to a local hospital by EMS. Unfortunately on March 15, 2020 the male passed away in hospital. This incident is attributed to driver error or a medical event on the part of the driver. The Collision Reconstruction Unit continues to investigate this matter.

Fatal MVC Incident of March 19, 2020 - Police responded to a report of a collision involving an E-Bike on Drummond Road near Dunn Street in the City of Niagara Falls. Investigation determined that a 52 year old male was operating his E-Bike southbound on Drummond Road north of Dunn Street when he lost control of his E-Bike and fell to the ground. The male was treated at the scene by EMS and transported to a local hospital where he was pronounced deceased. Emergency medical personnel at the hospital advised that the injuries to the male were not consistent with falling from the bike however more consistent with being struck by a motor vehicle. As a result, the Collision Reconstruction Unit was notified and continued with the investigation. As the investigation continued it was determined that after the male lost control of his E-Bike and had fallen to the ground he was struck by a Mazda motor vehicle that was also travelling southbound on Drummond Road. The Mazda motor vehicle did not stop and left the scene. It was eventually determined that a 26 year old male was driving the Mazda at the time of the collision and he has since been charged with Failing to Remain at the Scene of an Accident contrary to the Criminal Code. The investigation into this matter continues.

Serious Injury MVC Incident of February 1, 2020 - Police responded to a report of a three vehicle motor vehicle collision at Bunting Road and Ridgeview Avenue in the City of St Catharines. Investigation determined that a 45 year old male was operating a GMC, Sierra pick-up truck southbound on Bunting Road at a high rate of speed. While passing an uninvolved vehicle, the GMC entered the northbound lane of Bunting Road and struck a northbound Volkswagen Jetta head on that was being operated by a 29 year old male. The Volkswagen was redirected by the force of the collision and was subsequently struck by a northbound Chevrolet tow truck being operated by a 42 year old male. The GMC and the Volkswagen were demolished as a result of the collision. Drivers of both the GMC and Volkswagen had to be extricated by emergency services personnel and were transported to hospital with life threatening injuries. The injuries to both drivers have since been downgraded from life threatening and both are now at home recovering. The driver of the Chevrolet sustained no physical injury and there were no passengers in any of the vehicles. This collision investigation remains ongoing by the Collision Reconstruction Unit.

Serious Injury MVC Incident of February 3, 2020 - Police responded to a report of a pedestrian who had been struck by a motor vehicle on Mountain Road near Elm Tree Road in the Town of Grimsby. Investigation determined that a 34 year old female was walking near the centre of the roadway on Mountain Road during night time hours.

Also at this time a Toyota Corolla being operated by a 63 year old female was travelling southbound on Mountain Road when it struck the pedestrian. The pedestrian sustained life threatening injuries and was transported by EMS to an out of town hospital. The sole occupant of the Toyota did not sustain any physical injuries. While the pedestrian's injuries have since been downgraded from life threatening, her injuries are still considered serious and she remains in hospital. This collision remains under investigation by the Collision Reconstruction Unit.

Enforcement Initiatives

Joint Investigation Leads to Weapons Charges - A joint investigation involving the Niagara Regional Police Service, the Ontario Provincial Police (OPP) – Provincial Weapons Enforcement Unit (PWEU) and the Canada Border Services Agency (CBSA) has concluded into the illegal importation of prohibited weapons. The investigation commenced in early February 2020 when a prohibited firearm suppressor device was intercepted and seized at the CBSA International Mail Processing Centre in Toronto. On February 19, 2020, investigators from the NRPS, OPP – PWEU, CBSA (Southern Ontario Region Investigations) with the assistance of the NRPS 2 District – Niagara Falls Street Crime Unit, and the Emergency Task Unit executed a search warrant at a Fort Erie residence in the area of Belleair Boulevard and Dominion Road. A 26 year old male was arrested and charged with several criminal code offences related to the possession and importation of prohibited devices as well as drug related charges.

Downtown St. Catharines Shooting Investigation Results in 97 Charges - Detectives from the 1 District (St. Catharines) detective office along with the Special Investigations Services Unit (SIS) have continued to investigate the shooting incident that occurred in downtown St. Catharines on September 29, 2019, that resulted in six persons being shot. A six-month investigation into this incident has now concluded with further arrests and charges filed. With the assistance of the Niagara Regional Police Emergency Task Unit (ETU) and Hamilton Police Emergency Response Unit, multiple search warrants were executed on March 30 and April 2, 2020. As a result, four additional individuals were arrested for their alleged involvement in the shooting and/or alleged criminal acts discovered throughout the investigation. The investigation resulted in a total of 9 arrests and 97 Criminal charges having been laid. As the matter is now before the courts, no further information will be released to protect the integrity of the judicial process. On behalf of Niagara Regional Police Investigators, Chief MacCulloch thanked the public and the media for their cooperation and support over the course of this investigation as well as the York Regional Police Service, Toronto Police Service and Hamilton Police for their assistance throughout this investigation. This

Niagara Falls Robbery Leads to Arrests and Weapons Seizures - On April 12, 2020, 2 District – Niagara Falls uniform officers were called to a hotel in the area of Beaverdams Road and Kalar Road regarding a robbery with a gun. Officers attended the hotel and determined that three masked men attempted to force their way into a hotel room. The male victim in the room, who was not physically injured, saw that one of the suspects was carrying a gun. The commotion caused other hotel guests to be alerted and the suspects ran from the scene. The suspects jumped a nearby fence into the backyard of a neighbouring home. A second male victim was playing in the backyard with his children and while attempting to protect his children, one of the suspects slashed him with a knife. Another suspect pointed a gun at the second victim. This victim was treated at the scene and transported to a local hospital with non-life threatening injuries.

The suspects fled the scene to an awaiting car which officers located a short distance away. The persons in the car were arrested and weapons were recovered. The investigation subsequently led officers to another Niagara Falls hotel. Having received information that involved suspects were in a hotel room, the NRPS Emergency Task Unit, and Crisis Negotiators were called in to assist. After negotiating with the persons in the room, they agreed to surrender themselves to officers. As a result of the investigation four persons were then arrested and charged with numerous offences with a fifth suspect outstanding.

On April 18, 2020, 2 District Niagara Falls uniform officers responded to a report of a residential break and enter in Niagara Falls. The home owners located a male inside their home. The suspect ran from the house into neighbouring backyards.

A member of the NRPS K9 Unit along with Police Service Dog Bronson attended the scene. Accompanied by 2 District uniform officers a track of the suspect was conducted that led to a backyard on Pamela Drive near Alpine Drive. PSD Bronson located the suspect hiding near a shed. The fifth outstanding suspect, a 42 year old male was placed under arrest and is also now facing numerous charges.

PRESENTATIONS

There were no presentations.

CONSENT AGENDA

39. Short Hill Provincial Park – 2019/2020 Deer Harvest and Associated Policing Costs

The Board considered Service report dated March 10, 2020 providing a report to inform the Board of the policing activities and associated costs related to the 2019/2020 Deer Harvest conducted at the Short Hills Provincial Park in St. Catharines on the dates specified in the report throughout the months of October, November, December 2019 and January 2020.

40. Monthly Status Report – NRPS 1 District (St. Catharines) Facility Project

The Board considered report dated April 6, 2020 from Nicole Menard, Senior Project Manager, Niagara Region, and Report #18 from Board Chair Ken Gansel, providing the Board with a monthly status update report on the 1 District Project for March 2020.

41. Quarterly Report – Administration of the Public Complaints System – January 1 to March 31, 2020

The Board considered Service report dated April 6, 2020 submitted in accordance to the reporting requirements set out in Board By-law 301-2010.

42. Quarterly Report – Authorized Strength as at April 1, 2020

The Board considered Service report dated April 1, 2020 providing a summary of the actual versus authorized strength by rank/salary band of the uniform and civilian complement of the Niagara Regional Police Service.

43. Quarterly Report – Brock University Special Constables – January 1 to March 31, 2020

The Board considered Service report dated April 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.

44. Quarterly Report - Overtime Activities Incurred by the NRPS – October 1 to December 31, 2019

The Board considered Service report dated March 5, 2020 providing a five-year uniform and civilian trend analysis by quarter and year-to-date along with additional information that provides insight into the factors that impact the Service's requirement for overtime.

45. Annual Report – Acoustic Hailing Devices - January 1 to December 31, 2019

The Board considered Service report dated April 8, 2020 submitted in accordance to the reporting requirements set out in Board By-law 335-2013.

46. Annual Report – Use of Auxiliaries and Volunteers - January 1, 2018 to December 31, 2019

The Board considered Service report dated March 10, 2020 submitted in accordance to the reporting requirements set out in Board By-law 254/255-2003.

Further to Board direction, the Chief was requested to amend the yearly summary chart in future reports with an additional column for 'new auxiliary recruits' so the year-end numbers and start of the following year numbers better align.

47. **Annual Report – Respecting Equal Opportunity, Discrimination and Workplace Harassment Prevention - January 1 to December 31, 2019** – Report dated March 3, 2020 submitted in accordance to the reporting requirements set out in Board By-law 331-2012.
48. **Annual Report – Child Abuse and Neglect - January 1 to December 31, 2019**
The Board considered Service report dated March 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 219-2000.
49. **Annual Report – Child Pornography - January 1 to December 31, 2019**
The Board considered Service report dated March 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 333-2013.
50. **Annual Report – Collection of Identifying Information in Certain Circumstances - January 1 to December 31, 2019**
The Board considered Service report dated March 2, 2020 submitted in accordance to the reporting requirements set out in Board By-law 360-2016.
51. **Annual Report – Illegal Gaming - January 1 to December 31, 2019**
The Board considered Service report dated March 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 224-2000.
52. **Annual Report – Major Incident Command - January 1 to December 31, 2019**
The Board considered Service report dated April 7, 2020 submitted in accordance to the reporting requirements set out in Board By-law 235-2012.
53. **Annual Report – Municipal Freedom of Information and Protection of Privacy Act - January 1 to December 31, 2019**
The Board considered Service report dated April 8, 2020 submitted in accordance to the reporting requirements set out in Board By-law 283-2008.
54. **Annual Report – Parental and Non/Parental Abductions and Attempts - January 1 to December 31, 2019**
The Board considered Service report dated March 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 295-2010.
55. **Annual Report – Proceeds of Crime - January 1 to December 31, 2019**
The Board considered Service report dated April 8, 2020 submitted in accordance to the reporting requirements set out in Board By-law 233-2000.
56. **Annual Report – Public Order Units - January 1 to December 31, 2019**
The Board considered Service report dated April 7, 2020 submitted in accordance to the reporting requirements set out in Board By-law 239-2000.
57. **Annual Report – Safe Storage of Police Service Firearms - January 1 to December 31, 2019**
The Board considered Service report dated April 6, 2020 submitted in accordance to the reporting requirements set out in Board By-law 258-2003.
58. **Annual Report – Secure Holsters - January 1 to December 31, 2019**
The Board considered Service report dated April 6, 2020 submitted in accordance to the reporting requirements set out in Board By-law 269-2005.

59. **Annual Report – Stolen or Smuggled Firearms - January 1 to December 31, 2019** – The Board considered Service report dated April 7, 2020 submitted in accordance to the reporting requirements set out in Board By-law 211-2000.

Further to Board direction, the Chief was requested to include a narrative with further details in future reports to better explain the discrepancy between the number of seized firearms and the number of firearms sent for disposal.

60. **Annual Report – Sudden Death and Found Human Remains - January 1 to December 31, 2019**

The Board considered Service report dated February 19, 2020 submitted in accordance to the reporting requirements set out in Board By-law 229-2000.

61. **Annual Report – NRPS Tuck Shop – January 1 to December 31, 2019**

The Board considered Service report dated March 4, 2020 informing the Board that net proceeds in the amount of \$2,068.11 have been received from the sale of the Services' souvenir and display sales program for the year 2019, and that the funds have been transferred to the Board's Special Fund Account.

62. **Annual Report – Witness Protection – January 1 to December 31, 2019**

The Board considered Service report dated March 11, 2020 submitted in accordance to the reporting requirements set out in Board By-law 210-2000.

63. **Annual Report – Use of Force – January 1 to December 31, 2019**

The Board considered Service report dated March 10, 2020 submitted in accordance to the reporting requirements set out in Board By-law 346-2014.

64. **Annual Report – Vehicle Theft - January 1 to December 31, 2019**

The Board considered Service report dated March 1, 2020 submitted in accordance to the reporting requirements set out in Board By-law 235-2000.

65. **Annual Report – Youth Crime – January 1 to December 31, 2019**

The Board considered Service report dated March 19, 2020 submitted in accordance to the reporting requirements set out in Board By-law 236-2000.

Moved by: H. D'Angela

Seconded by: K. Gibson

That the information be received.

Carried.

NEW BUSINESS

66. **NRPS 2018 Annual Report – January 1 - December 31, 2018**

The Board considered Service report dated March 10, 2020 submitted in accordance to the reporting requirements set out in Board By-law 262-2003 providing a "draft" copy of the Niagara Regional Police Service's 2018 Annual Report and further requesting final approval of the Annual Report.

In order to ensure timely reporting, the Board requested the Chief to provide the 2019 Annual Report within the 2020 calendar year. It was recognized that there are timing challenges with the release of information from Statistics Canada as well as other ongoing NRPS workload matters, however; the Chief will endeavor to complete within that timeframe.

Moved by: D. Eke

Seconded by: B. Steele

That the Board approve the Niagara Regional Police Service's 2018 Annual Report;

And further, that the document be posted on the NRPS website and that Regional Council be notified of such.

Carried.

67. Ontario Police Video Training Alliance (OPVTA) - 2020 Membership Contract

The Board considered Service report dated March 1, 2020 requesting the Board approve the 2020 Membership Contract as appended to the report to serve as the contract template that will be entered into with each of the 83 new and returning OPVTA partnering policing agencies. *(The item was preapproved by the Board on March 5, 2020 and is before the Board for ratification.)*

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

That the Board authorize the Chief of Police to enter into contractual agreements in relation to the Ontario Police Video Alliance (OPVTA) membership for 2020;

And further, that the Chief of Police be authorized to make minor adjustments to the contract, as may be necessary, in consultation with Board counsel.

Carried.

SPECIAL FUND REQUESTS

With respect to the Special Fund Requests noted below, this will clarify that the Board has a discretionary pool of funds, which it uses for grants and donations. Disbursements from the fund are in accordance with guidelines provided in the Police Services Act, and also with Board policy. Section 132(2) of the Police Services Act establishes that the Niagara Police Services Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the police service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the Regional tax base.

68. Special Fund Request – Niagara Regional Police Pipe Band

The Board considered Service report dated March 2, 2020 requesting financial support to assist the Band with offsetting costs for uniform upgrade and replacement. *(Previous Board donations were approved as follows to assist the band with performance related costs: 2002 – 2003 - \$5,000; 2004 – 2006 - \$6,000; 2008 - \$8,000; 2009 - \$6,000)*

Moved by: B. Gale
Seconded by: K. Gibson

That the Board authorize a donation in amount of \$2,500.00 from the Special Fund to the Niagara Regional Police Pipe Band to assist with offsetting costs for uniform upgrades and replacements.

Carried.

69. Special Fund Request – International Police Hockey Tournament – NRPS Men's Over 35 Team

The Board considered Service report dated March 1, 2020 requesting the Board approve a donation to cover the registration fee for the team to participate in the 2020 International Police Hockey Tournament held in Ottawa, Ontario on February 27-28, 2020. *(The Board has approved annual donations for NRPS hockey teams in the amount of \$500 since 2006 and in January 2020 the Board approved a \$700 donation to two additional NRPS teams that competed in the event.)*

Moved by: B. Gale
Seconded by: K. Gibson

That the Board approve a donation in the amount of \$700.00 from the Special Fund to the NRPS Men's Over 35 Team competing in the 2020 International Police Hockey Tournament.

Carried.

70. Trivia Night Fundraising Initiative - Constable Dale Racine Educational Bursary

The Board considered Service report dated February 27, 2020 requesting the Board approve the Trivia Night fundraising initiative for the Constable Dale Racine Educational Bursary in accordance with Board By-law 328-2012.

Moved by: B. Gale
Seconded by: K. Gibson

That the Board approve the Trivia Night fundraising initiative for the Constable Dale Racine Educational Bursary.

Carried.

OTHER NEW BUSINESS

There was no other business reported.

IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE FEBRUARY 27, 2020 CONFIDENTIAL BOARD MEETING)

71. Special Investigations Unit (SIU) Public Reporting – The following reports were provided to the Board at its February 27, 2020 Confidential Board Meeting and were approved for public release:

- C.42 SIU Case Number 18-OFI-146**
- C.43 SIU Case Number 18-OCI-067**
- C.44 SIU Case Number 18-OCI-085**
- C.45 SIU Case Number 18-OFI-371**
- C.46 SIU Case Number 18-OCI-217**
- C.47 SIU Case Number 18-OCD-297**
- C.48 SIU Case Number 18-OCI-265**

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

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

Carried.

72. Recommendation to Award Contract – Police Services Board Electronic Meeting Management System/Software (C.67) – The Board considered correspondence dated March 10, 2020 from Deb Reid, Executive Director, Niagara Police Services Board, seeking Board approval to award the contract to eSCRIBE for the supply and implementation of an electronic meeting management software solution for the Niagara Police Services Board. The following motion was passed:

"That the Board approve the Subscription Agreement with eSCRIBE Software Ltd., to automate and manage Board agendas and reports, effective March 27, 2020, for a three (3) year term, under the terms and conditions as set out in the contractual documentation appended to the report;

And further, that the Executive Director be authorized to execute the required documentation and exercise automatic renewal options on behalf of the Board;

***And further, that the Board's decision be reported back on the Public Agenda.
Carried."***

Moved by: B. Steele

Seconded by: K. Gibson

That, in accordance with Board direction, the Board's decision be received for public information.

Carried.

ADJOURNMENT

The Public Meeting adjourned at 10:05 am.

Kenneth A.W. Gansel, Chair

Deb Reid, Executive Director



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

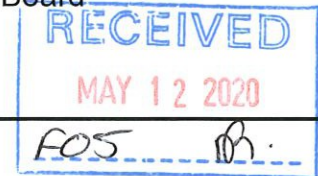
74.

PUBLIC AGENDA

Subject: Quarterly Report - Overtime Activities Incurred by the Niagara Regional Police Service, January 1 to March 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-05-06



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide a five-year uniform and civilian quarterly and year-to-date trend analysis.
- Overtime activity reports, included in the appendices, provide summaries of the overtime hours by activity categories. These categories were developed by the Executive Leadership Team and the hours are captured in the Service's time and attendance system.
- Overtime continues to be predominantly driven by the need to meet minimums resulting from occupational and non-occupational illness and injury and staffing shortages

Financial Considerations

There are no direct financial implications associated with the recommendation of this report.

Analysis

The overtime activity reports provide a summary of the overtime hours by activity categories. These categories were developed by the Executive Leadership Team and the hours are captured in the Service's time and attendance system.

Uniform Overtime Analysis:

As illustrated in Appendix 1, uniform members worked a total of 18,405 hours of overtime for the quarter ending March 31, 2020. For the same period in 2019, there were 13,380 hours of overtime; an increase of 5,023 hours, or 37.5%. In March 2020,

in response to the growing COVID-19 crisis the Service incurred overtime to prepare and implement a pandemic plan to support the measures mandated by federal and provincial government and health agencies. As of March 31, the Service incurred 161 hours of uniform overtime related to the pandemic; of which 86% were utilized to meet minimum staffing levels in operationally essential areas where members were out of the workplace due to COVID-19 related restrictions.

Overall the Service experienced a 49% increase in the uniform overtime hours incurred to meet minimums as compared to the same period in the previous year. Frontline staffing resources continue to be impacted by shortages mainly due to long-term illness and vacancies. In addition, the Service responded to a number of major incidents including a homicide and sudden death investigation. Auxiliary officer's training accounts for an increased portion of the overtime hours reported under administrative activities.

Civilian Overtime Analysis:

As illustrated in Appendix 2, civilian members worked a total of 5,069 hours of overtime for the quarter ending March 31. This represents an increase of 27% when compared with 3,990 hours incurred for the same period in 2019. At March 31, 2020, the total overtime incurred resulting from COVID-19 pandemic was 394 hours; 62% of the hours incurred were to meet minimum staffing levels in operationally essential units with the remaining overtime incurred mainly in Information Technology Services and Quartermaster to support the implementation of the pandemic plan.

For the quarter ended March 31, 2020, the main driver of civilian overtime was the result of meeting minimum staffing levels in the Communications and CPIC positions. Additional overtime was incurred for major investigations resulting from on scene attendance by civilian specialty personnel such as Forensics and Media Relations. An increase in voluminous freedom of information (FOI) requests accounts for an increase in administrative overtime hours.

As the year progresses, the Service continues to monitor overtime activity to address any areas of concern.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This report provides information required to monitor the Service's alignment with the 2019-2021 Business Plan goal to realize operational efficiencies and cost savings.


Relevant Policy Considerations

- Police Services Act
- Collective Agreements

Other Pertinent Reports

Not applicable

This report was prepared by Laura Rullo, Manager, Finance, reviewed by Lisa DiDonato-DeChellis, Director, Business Services and recommended by recommended by Bill Fordy, Deputy Chief of Police, Support Services.


Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

- Appendix 1 Uniform Overtime Hours Trend Analysis for the 1st Quarter
Appendix 2 Civilian Overtime Hours Trend Analysis for the 1st Quarter

Appendix 1
Uniform Overtime by Activity Hours
Quarterly

	2016 Q1 Jan.-Mar.	2017 Q1 Jan.-Mar.	2018 Q1 Jan.-Mar.	2019 Q1 Jan.-Mar.	2020 Q1 Jan.-Mar.
Meeting Minimums	4,839	4,928	6,814	4,679	6,979
Investigation Requirements:					
Major Investigation	1,810	3,461	3,413	3,386	5,418
Incident Follow Up	4,759	4,459	3,317	3,482	3,994
Follow Up Reports	353	225	123	23	15
SIU Investigations	30	19	24	42	2
Out of Service Deployment	6	16	-	-	-
	6,958	8,180	6,876	6,932	9,429
Administrative:					
Workload	1,021	1,311	775	513	796
Association Business	19	76	5	15	3
Meetings	344	258	143	214	170
Training and Special Events	67	204	236	485	569
Prisoner Transport	25	18	9	17	26
	1,475	1,867	1,168	1,245	1,564
Pro Active and Community Driven Events:					
Service Initiatives	452	609	386	336	119
Proactive Policing	-	43	37	96	87
Community Festivals or Events	55	2	15	85	42
Service Partnerships	-	-	-	7	24
	507	653	437	524	272
Sub-Total Before Unusual Activity	13,779	15,628	15,295	13,380	18,244
COVID-19	-	-	-	-	161
Total	13,779	15,628	15,295	13,380	18,405

Appendix 2
Civilian Overtime by Activity Hours
Quarterly

	2016 Q1 Jan.-Mar.	2017 Q1 Jan.-Mar.	2018 Q1 Jan.-Mar.	2019 Q1 Jan.-Mar.	2020 Q1 Jan.-Mar.
Meeting Minimums:	2,728	1,612	2,205	2,952	3,472
Investigation Requirements:					
Major Investigation	26	26	35	51	115
Incident Follow Up	69	32	52	107	61
Follow Up Reports	-	-	-	-	-
SIU Investigations	-	-	-	-	-
	95	58	87	158	176
Administrative:					
Workload	1,527	967	498	731	903
Association Business	-	-	-	3	2
Meetings	12	23	34	83	28
Training and Special Events	56	430	60	38	59
	1,595	1,420	591	855	992
Pro Active and Community Driven Events:					
Service Initiatives	-	15	12	14	19
Proactive Policing	10	-	8	8	8
Community Festivals or Events	-	-	-	-	6
Service Partnerships	12	13	15	3	2
	22	28	35	25	35
Sub-Total Before Unusual Activity	4,440	3,118	2,917	3,990	4,675
COVID-19	-	-	-	-	394
Total	4,440	3,118	2,917	3,990	5,069



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Special Fund Quarterly Activity Report for the Period of January 1, 2020 to March 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-14

RECEIVED

APR 29 2020

Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide the Board with a detail listing of quarterly activity in the Special Fund as well as a bank reconciliation in accordance to the Special Fund Administration, Limitations and Guideline By-Law 376-2018.
- The report shall contain reports on any reward(s) offered/paid, revenue, disbursements and provide the balance and unrestricted balance available to the Board.
- This report summarizes the balances and details the activities of the Niagara Regional Police Special Funds Accounts for the period of January 1, 2020 to March 31, 2020.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

The balances of the Police Special Funds as at March 31, 2020 and detailed in Appendix 1 are as follows:

Special Fund – Special Operating Account - #125-255-0 – \$ 43,926.23
Special Fund – General Operating Account (Informant) #103-543-5 – \$ 4,156.37
Total Special Funds – Special and General (Informant) Accounts – \$ 48,082.60

The summary of activities for the period ended March 31, 2020 is provided in Appendix 2. Informant payments during the period totalled \$12,750, made up of 35 payments ranging from \$100 - \$1,000 with a median of \$300.

Alternatives Reviewed

Not applicable

Relationship to Police Service/Board Strategic Priorities

To ensure compliance with the Special Fund Administration, Limitations and Guideline By-Law 376-2018.

Relevant Policy Considerations

Section 132 and 133 of the *Police Services Act* governs the disposition of personal property that comes into the possession of the police service and where the board may use the proceeds for any purpose that it considers in the public interest.

Other Pertinent Reports

Minute No. 6/2020 Special Fund Administration - October 1, 2019 to December 31, 2019.

This report was prepared by Laura Rullo, Manager, Finance, reviewed by Lisa DiDonato-DeChellis, Director, Business Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

- Appendix 1 Reconciliation of Balance of Special Funds
- Appendix 2 Summary of Special Funds Activity

Appendix 1
Niagara Regional Police Service
Reconciliation of Balance of Special Funds as at:

March 31, 2020

		Special Operating Account #125-255-0	General Operating Account #103-543-5	Total Special Funds
Balance per Bank Statement		\$ 46,826.23	\$ 6,656.37	\$ 53,482.60
<u>Outstanding Cheques:</u>				
<u>Description</u>	<u>Doc. #</u>			
Informant	1563		\$ 200.00	200.00
Informant	2020-31		\$ 600.00	600.00
Informant	2020-32		\$ 200.00	200.00
Informant	2020-33		\$ 400.00	400.00
Informant	2020-34		\$ 1,000.00	1,000.00
Informant	2020-35		\$ 100.00	100.00
OWLE 22nd Annual Awards Banquet	897	\$ 500.00		500.00
NRPS Cross Boarder Tug of War	898	\$ 1,400.00		1,400.00
OAPSB 2020 Conference and AGM	900	\$ 1,000.00		1,000.00
Total Outstanding Cheques		\$ 2,900.00	\$ 2,500.00	\$ 5,400.00
Available Bank Balance		\$ 43,926.23	\$ 4,156.37	\$ 48,082.60
Deposits not Recorded				
Bank Charges not Recorded				
Niagara Regional Police Service		43,926.23	4,156.37	48,082.60

Appendix 2: Niagara Regional Police Service: Summary of Special Funds Activity

			Activity Period		Account Number
Special Fund - Special Operating			01/01/2020 - 03/31/2020		125-255-0
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Jan/20	Previous Balance				26,769.91
3/Jan/20	Police Auctions Canada			1,735.25	28,505.16
7/Jan/20	Activity Fee		0.35		28,504.81
29/Jan/20	2020 Intl Police Hockey Tourn. - Womens	895	700.00		27,804.81
29/Jan/20	2020 Intl Police Hockey Tourn. - Mens	896	700.00		27,104.81
30/Jan/20	Tuck Shop Proceeds			2,068.11	29,172.92
4/Feb/20	Police Auctions Canada			5,544.45	34,717.37
6/Feb/20	Activity Fee		0.56		34,716.81
12/Feb/20	Police Auctions Canada			1,437.48	36,154.29
5/Mar/20	Activity Fee		0.62		36,153.67
9/Mar/20	OWLE 22nd Annual Awards Banquet	897	500.00		35,653.67
9/Mar/20	NRPS Cross Boarder Tug of War	898	1,400.00		34,253.67
9/Mar/20	CALEO Training Symposium - Returned	899	250.00	250.00	34,253.67
9/Mar/20	OAPSB 2020 Conference and AGM	900	1,000.00		33,253.67
9/Mar/20	AWIP - 2020 Conference	901	1,000.00		32,253.67
13/Mar/20	Siezed/Found Deposit			11,672.56	43,926.23
					43,926.23
					43,926.23
					43,926.23
	Totals		5,551.53	22,707.85	
31/Mar/20	Closing Balance - General Fund				\$ 43,926.23

			Activity Period		Account Number
Special Fund - General Operating (Informant)			01/01/2020 - 03/31/2020		103-543-5
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Jan/20	Previous Balance				\$6,907.74
7/Jan/20	Activity Fee		0.53		\$6,907.21
6/Feb/20	Activity Fee		0.32		\$6,906.89
5/Mar/20	Deposit			5,000.00	\$11,906.89
5/Mar/20	Activity Fee		0.52		\$11,906.37
16/Mar/20	Deposit			5,000.00	\$16,906.37
	Informant		12,750.00		\$4,156.37
					\$4,156.37
					\$4,156.37
	Totals		12,751.37	10,000.00	
31/Mar/20	Closing Balance - Informant Fund				\$4,156.37

31/Mar/20	Total Special Funds Closing Balance				48,082.60
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NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

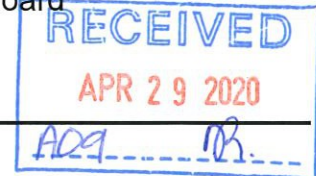
76.

PUBLIC AGENDA

Subject: Annual Report - Accessibility Standards for Customer Service -
By-law 366-2017 – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-20



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to comply with Police Services Board By-law 366-2017 that establishes the policy for Accessibility Standards for Customer Service.
- As per By-law 366-2017 the Chief of Police is to provide an annual written report to the Board that includes a summary of the procedures and the status of Service compliance with said procedures.
- For the year ended December 31, 2019, the Service complied with General Order – 2017-05 – Accessibility and the provisions of *The Accessibility for Ontarians with Disabilities Act, 2005*.

Financial Considerations

There are no financial implications relating to the recommendation contained within this report.

Analysis

General Order – 2017-05 – Accessibility provides a written summary of the policies and procedures of the Service with respect to ensuring that the Service is responsive to the diverse needs of all residents including those with disabilities, in providing equal access to services and facilities.

For the year ended December 31, 2019, the Service complied with General Order - 2017-05 and the provisions of *The Accessibility for Ontarians with Disabilities Act, 2005*.

Alternatives Reviewed

The only alternative is for the Board not to receive this report.

Relationship to Police Service/Board Strategic Priorities

This annual report is being issued in compliance with Board By-Law No. 366-2017.

Relevant Policy Considerations

No other relevant policy considerations.

Other Pertinent Reports

Board Report 149/2019 – By-Law No. 366-2017 Accessibility Standards for Customer Service received by the Board on July 25, 2019

This report was prepared by Lisa DiDonato-DeChellis, Director, Business Services and reviewed by Deputy Chief Bill Fordy, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

None



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

77.

PUBLIC AGENDA

Subject: Annual Report – Equipment - Body Armour – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-05-01



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 311-2011 – Equipment – Body Armour.
- The Chief is required to make an annual written report to the Board with respect to Equipment – Body Armour.
- This report sets out a summary of procedures required by this By-law and the status of Service compliance with those procedures.

Financial Considerations

Not applicable.

Analysis

In accordance with By-law 311–2011, the Chief shall develop and maintain written procedures governing the provision, use and function of body armour equipment and shall make a written report to the Board on or before August 30th of each year with respect to specific information. The report shall contain:

- a) a summary of the written procedures relating to body armour equipment;
- b) the status of Service compliance with the said procedures; and
- c) confirmation that members have been trained in accordance with section 4.2.

The following is a detailed response to each of the above noted requirements:

a) a summary of the written procedures relating to body armour equipment;

The written procedures pertaining to body armour are contained in General Order 068.07 'Body Armour'. The General Order addresses the issuance, mandatory wearing, maintenance, inspection requirements, and replacement policy for body armour.

Section 3.1 of the General Order ensures that employee representatives including, but not limited to, the Joint (NRPS/NRPA) Equipment Committee, and the Joint Occupational Health and Safety Committee are consulted as part of the acquisition of body armour process.

Section 3.16 addresses inspection of body armour; both the routine daily inspection by the issued member and an annual documented inspection to ensure the body armour is in proper working condition.

Section 3.19 also outlines the training and information that members who have been issued with body armour must receive. This training includes:

- proper use and care of body armour;
- limitations of the issued body armour;
- protection offered against handgun assault;
- protection/prevention of serious and potential fatal injuries from traffic accidents, knives, edged weapons, and physical assault with improvised weapons;
- information on the responsibilities and obligations of employers, supervisors, and employees under the Ontario Health and Safety Act; and

Section 3.20 goes on to identify the requirement for a medical examination of the member after experiencing blunt force trauma or penetration of the body armour.

b) the status of Service compliance with the said procedures;

Body armour is issued through quartermaster stores and members are instructed on the proper use and care at that time. The use, maintenance, and inspection of body armour is reinforced through front line supervisors and Duty Officers, who identify potential issues during routine line inspections and direct members to the quartermaster for further evaluation and possible replacement of their body armour. Members that are issued body armour are given in-service training that covers the procedures in General Order 068.07. They also receive specific information about the protective capacity, care, maintenance, and expected replacement cycle of their body armour. In this reporting period members' issued body armour received a formal, documented inspection as part of in-service training. Employee representatives including, but not limited to, the Joint (NRPS/NRPA) Equipment Committee, and the Joint Occupational Health and Safety

Committee have been consulted as part of the acquisition of body armour. The Service is in compliance with the procedures listed in the General Order.

c) confirmation that members have been trained in accordance with section 4.2.

Members have received the appropriate training in accordance with the procedures detailed in General Order 068.07 thus meeting the requirements of Section 4.2. Initial training occurred following the original issuance of body armour to members and is reinforced during an ongoing cycle of in-service training. Membership received body armour training during the time period of September – December 2019.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This report is for information purposes and has no immediate strategic priorities.

Relevant Policy Considerations

Board By-law 311-2011

Provincial Adequacy Standard AI-015

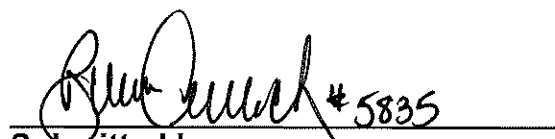
Niagara Regional Police Service – General Order 068.07 - Body Armour

Niagara Regional Police Service – General Order 127.07 - Audit and Inspection System

Other Pertinent Reports

171.2019 – Annual Report – Equipment – Body Armour – January 1 to December 31, 2018

This report was prepared by Todd Waselovich, Inspector, Labour Relations & Career Development. Reviewed by David Meade, Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.

A handwritten signature in black ink, appearing to read 'Bryan MacCulloch', followed by the number '#5835'.

Submitted by:

Bryan MacCulloch, M.O.M. #5835

Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

78.

PUBLIC AGENDA

Subject: Annual Report - Citizen Rewards
January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-16



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 327-2012 – Citizen Rewards.
- Police Services Board By-law 327-2012 establishes the policy for citizen rewards by the Niagara Regional Police Service.
- As per By-law 327-2012 the Chief is to provide the Board with annual status reports on rewards posted.
- No citizen awards were posted or paid during the year ended December 31, 2019.

Financial Considerations

There are no financial implications relating to the recommendation contained within this report.

Analysis

Since this By-law 327-2012 was enacted there has been only one award that has been recommended and posted.

- Murder of Livia Beirnes (2017) – The award has not been paid and remains posted as a maximum reward offer in the amount of \$50,000 for information leading to the arrest and conviction of the person responsible for the murder of Livia Beirnes.

Alternatives Reviewed

The only alternative is for the Board not to receive this report.

Relationship to Police Service/Board Strategic Priorities

This annual report is being issued in compliance with Board By-Law No. 327-2012.

Relevant Policy Considerations

No other relevant policy considerations.

Other Pertinent Reports

150/2019 – Annual Report - Citizen Rewards – January 1 to December 31, 2018
received by the Board on July 25, 2019

*This report was prepared by Lisa DiDonato-DeChellis, Director, Business Services and
recommended by Bill Fordy, Deputy Chief of Police, Support Services*



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

None



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

79.

PUBLIC AGENDA

Subject: Annual Report – 2019 Disclosure of Secondary Employment
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-04-30



Recommendation(s)

That the Niagara Police Services Board receive this report for information.

Key Facts

- Section 49 of the Police Services Act places restrictions on secondary activities of members of Police Services.
- Regional Municipality of Niagara Police Services Board By-Law 284-2008, establishes guidelines for members of the Niagara Regional Police Service who participate in secondary activities unrelated to their employment with the Niagara Regional Police Service.
- Section 4.1 of the By-Law requires that the Chief of Police report to the Police Service Board annually on disclosures made in this regard and the decision made by the Chief.

Financial Considerations

N/A

Analysis

The following secondary employment disclosures and decisions were made in 2018.

Uniform

Total disclosures made to the Chief: 5

1. Captain with the Canadian Armed Forces
2. Intelligence Training Program Instructor
3. Volunteer Fire Fighter
4. Social Worker/Therapist
5. Administration/Bookkeeping and Accounting Service

Five (5) applications were approved by the Chief.

Civilian

Total Disclosures made to the Chief: 8

1. Development of a Distance Learning Module
2. Model in Photo Shoots and Fashion Shows
3. Foster Parent
4. Uber Driver
5. Volunteer Fire Fighter
6. Wardrobe Consultant
7. Dispatcher
8. Clerical and Bookkeeping

Eight (8) applications were approved by the Chief.

Alternatives Reviewed

N/A

Relationship to Police Service/Board Strategic Priorities

N/A

Relevant Policy Considerations

Police Services Act, Section 49

Police Services Board By-Law 284-2008

Other Pertinent Reports

N/A

This report was prepared by Tina Ramsay, Executive Assistant to Chief of Police in consultation with Inspector David Masotti, Executive Officer to Chief of Police.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

N/A



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

80.

PUBLIC AGENDA

Subject: Annual Report – Elder and Vulnerable Adult Abuse
January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-27



Recommendation(s)

That the Niagara Police Services Board receive this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-Law 213-2000 – Elder and Vulnerable Adult Abuse.
- By-Law 213-2000 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.
- This report is submitted to provide the Board for review and consideration of information relating to the Service's response to Elder and Vulnerable Adult Abuse.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

In accordance with By-Law 213-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of elder and vulnerable adult abuse occurrences. This report will contain:

- a) a summary of the written procedures concerning elder and vulnerable adult abuse investigations;
- b) the status of Service compliance with the said procedures;
- c) a summary of training given to members regarding elder and vulnerable adult abuse;
- d) a summary of the steps taken by the Service to monitor and evaluate responses to elder and vulnerable adult abuse; and

- e) a summary of issues raised and/or discussed with community partners relating to elder and vulnerable adult abuse.

This Board report will outline each of the above and confirm our compliance with the By-Law.

- a) *“...a summary of the written procedures concerning elder and vulnerable adult abuse...”*

The Niagara Regional Police Service has specific policies related to the investigation of elder and vulnerable adult abuse occurrences. The following general order establishes rules, procedures and responsibilities for managing investigations into elder and vulnerable adult abuse incidents:

- G.O. 165.07 - Elder and Vulnerable Adult Abuse

Summary of Elder and Vulnerable Adult Abuse General Order:

- Policy
- Definitions
- General Procedures and Responsibilities
 - Investigating Officer
 - Uniform Supervisor
 - Quality Assurance Unit
 - Central Fraud Supervisor
 - District Detective Officer Supervisor; and
- Resources: Community programs and contact information

General Order 165.07 - Elder and Vulnerable Adult Abuse – meets all the requirements as outlined in the Provincial Adequacy Standards Regulation LE-021. It was revised in 2018 and is scheduled for review in 2020.

The Service has recognized that the majority of criminal elder or vulnerable adult abuse cases are financial in nature. The Service further recognized the need for a consistent review of all potential incidents involving elder or vulnerable adult abuse. The Officer-In-Charge of the Central Fraud Unit has been designated the main point of contact for elder or vulnerable adult abuse issues. Calls-for-service involving an elder or vulnerable adult are reviewed by the Officer-In-Charge of the Central Fraud Unit. Incidents requiring further investigation are forwarded to the appropriate investigative unit for further investigation.

The Officer-In-Charge of the Central Fraud Unit is also the main point of contact for the numerous community agencies and groups requesting assistance from the Niagara Regional Police Service in relation to senior or vulnerable adult issues.

b) *“...the status of Service compliance with the said procedures...”*

The Niagara Regional Police Service, as outlined by the Provincial Adequacy Standard LE-021 – Elder and Vulnerable Adult Abuse, has policies and guidelines that set out the rules and responsibilities of officers for providing assistance and investigation to the elder and vulnerable population. A Resource Attachment is included in this policy, detailing community and government agencies that are available to assist when required. The current reporting structure within the Niagara Regional Police Service will continue to be evaluated to ensure compliance with the procedures and Provincial Adequacy Standards.

c) *“...a summary of training given to members regarding elder and vulnerable adult abuse...”*

Currently, the Niagara Regional Police Service continues to provide officers with training in elder and vulnerable adult abuse investigations through the Fraud Investigators Course, which covers topics such as theft by Power of Attorney, and the Elder Abuse Investigation Course, which provides training on various topics related to the investigation of crimes against seniors. Elder Abuse training is also delivered through the online Canadian Police Knowledge Network (CPKN).

The Crisis Intervention Training program provides information on dementia, recognizing the signs and symptoms of dementia, and how these symptoms can be related to elder abuse.

The Niagara Regional Police Service Central Fraud Unit is readily available to frontline officers on Fraud-related investigations such as thefts and Power of Attorney matters.

d) *“...a summary of the steps taken by the Service to monitor and evaluate responses to elder and vulnerable adult abuse...”*

The summary of such steps and measures are detailed in the duties of the units involved in these investigations and are as follows:

- Review calls-for-service entered on Versadex to ensure quality control;
- Provide direct assistance to seniors and vulnerable adults, and/or their family members, who require advice or guidance with specific police-related issues or concerns, as well as emotional support and referrals to outside agencies to assist the elderly;
- Provide agency partners with support via information exchange, teleconferences, and assistance with visits where the senior or vulnerable person is being evaluated;

- Evaluate police response on a regular basis with regards to calls-for-service to ensure appropriate referrals to collateral services;
- Determine police response in relation to the Adequacy and Policing Standards and to the "Elder and Vulnerable Adult Abuse" – General Order 165.06 to ensure compliance;
- The Officer-In-Charge of the Central Fraud Unit is available to members of the community and community agencies/groups who have comments or concerns regarding the Service's response to elder or vulnerable adult issues;
- Members of the Central Fraud Unit conduct numerous presentations covering a wide area of fraud information to various community groups. In 2019, Central Fraud Unit Detectives attended several organized functions to educate and inform seniors within the Region on current trends relating to ongoing scams and Power of Attorney matters;
- When appropriate, the Officer-in-Charge of the Central Fraud Unit issues fraud alerts and media releases, all in an effort to educate the citizens of Niagara and reduce the number of victims that fall prey to the ever-changing fraud schemes.

Elder Abuse Statistics:

It is difficult to quantify statistics for Elder Abuse calls due to variations in the CCJS (Canadian Centre for Justice Statistics) reporting process. CCJS does provide for a primary offence code titled "Elder Abuse/Neglect"; however, not all elder abuse cases are captured through this primary offence code. Often times, reports are submitted under other related offence codes such as Fraud, Theft, Information, Threats, Assault, Sexual Assault, Welfare Check, etc., that reflect the nature of the allegation being made.

In 2019, the Niagara Regional Police Service received 45 "Elder Abuse/Neglect" reports, defined as such by CCJS. This is a small fraction of the actual calls involving seniors and/or vulnerable adults due to the reporting variations described above. (*Note: 2018 = 50 reports, and 2017 = 51 reports*).

- e) *"...a summary of issues raised and/or discussed with community partners relating to elder and vulnerable adult abuse..."*

Early recognition and intervention in elder abuse incidents has reinforced the importance of having a designated position responsible for elder and vulnerable adult issues. Incident reports involving elderly and potentially vulnerable adults that are classified as Information Reports and lack any criminality, or cannot be classified otherwise, are forwarded to the Officer-In-Charge of the Central Fraud Unit for review. This additional review has resulted in the early identification of potentially vulnerable

adults who lack support and can be referred to appropriate community support agencies. It is also beneficial to the early identification of elderly and vulnerable adults who were being victimized criminally, prompting an immediate investigation and stopping the abuse in a timely manner.

The Officer in Charge of the Central Fraud Unit is a member of the following committees that focus on Elder and Vulnerable Adult abuse and related issues: Niagara Elder Abuse Prevention Network, Law Enforcement Agencies Protecting Seniors (LEAPS), and Gatekeepers. A common goal of these committees is to unify knowledge and best practices when educating or investigating matters of senior/vulnerable adult abuse. The multi-disciplinary background of the committees' membership provides valuable insight and knowledge for individual case consultation, when necessary.

The Niagara Elder Abuse Prevention Network addresses broad issues and specific cases of alleged elder abuse, neglect, and self-neglect, to ensure that the most effective community response is implemented. The following agencies are members of the Network: the Alzheimer's Society, Gatekeepers, the Community Care Access Centre, the Region of Niagara Seniors' Programs, Niagara Regional Police Service, Behavioural Supports Ontario, Niagara Regional Housing and Community Support Services, Crime Stoppers, and Elder Abuse Ontario. This network brings together expertise and knowledge from a broad spectrum of individuals and organizations all geared to promoting awareness, prevention, and elimination of elder abuse and its related issues. Also, complex case conferences are held to deal with difficult cases where there are multiple stake holders so that each organization can bring its expertise and resources to assist an elderly person by identifying the lead agency tasked with coordinating the care to ensure the best possible outcome for the victim of abuse. By designating a central contact within the Niagara Regional Police Service, the Service is again a valuable part of this vital network as the Niagara Region experiences continued growth in its senior population.

Law Enforcement Agencies Protecting Seniors (LEAPS) is comprised of police agencies from throughout Southern Ontario. LEAPS provides a resource for investigators pertaining to strategies and techniques in dealing with elder abuse investigations.

Niagara Gatekeepers is a program that works to identify "at-risk" seniors and link them with community support agencies before a crisis situation develops. Gatekeepers has been successful in referring seniors to police when a suspected criminal offence is believed to have been committed. Investigators have also utilized Gatekeepers for the initial introduction to potential victims who were reluctant to seek assistance from police or in non-criminal cases where at-risk seniors required services beyond the offerings of police.

Behavioural Support Ontario (BSO) enhances services for older people exhibiting behaviours linked to cognitive impairments, people at risk, and responsible care-givers, by providing them with the appropriate services. The Behavioural Supports Team also

works closely with other community partners for the elderly to coordinate resources for clients.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Services Board By-laws and to maintain compliance with the Provincial Adequacy Standards Regulations.

Relevant Policy Considerations

Police Services By-Law 213-2000 - Elder and Vulnerable Adult Abuse
General Order – 165.07 Elder and Vulnerable Adult Abuse

Other Pertinent Reports

103.2019 - Annual Report – Elder and Vulnerable Adult Abuse – January 1 to December 31, 2018

This report was prepared by Todd Claydon, Detective Sergeant, Central Fraud Unit, in consultation with James Leigh, Inspector, Investigative Support Services, reviewed by Brian Ash, Superintendent, Emergency and Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

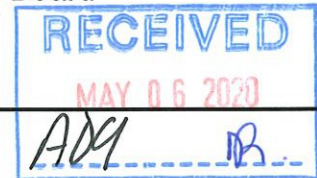
81.

PUBLIC AGENDA

Subject: Annual Report – Explosives
January 1, 2019 – December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-27



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 246-2000 – Explosives.
- The Chief is required to make an annual written report to the Board in respect to Explosives.
- The explosives role is the responsibility of the Explosive Disposal Unit (EDU).

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

In accordance with By-law No. 246-2000, the Chief shall make a written report to the Board each year in respect of police explosive forced entry and disposal which shall include:

- a) A summary of the procedures as required by this By-law;
- b) The status of Service compliance with the said procedures;
- c) Confirmation of the development and maintenance of the manual on forced entry and explosive disposal;
- d) Confirmation of training in accordance with section 5.3;
- e) A summary of the circumstances in which forced entry and explosive disposal services have been deployed.

The following is a detailed response to the above noted requirements:

- a) A summary of the procedures relating to explosives as required by this By-law;

General Order (GO) 136.06 – Explosive Disposal Unit, paragraphs 3.5 – 3.16 & 3.27 detail the circumstances, procedures, responsibilities and operational authorities for activation and deployment of the EDU for Explosive and Explosive Forced Entry occurrences. Further direction for EDU support to the Emergency Task Unit (ETU) for forced entry occurrences are found in GO 089.07 – Emergency Task Unit.

Initial response duties, responsibilities and procedures to be followed by the Communications Unit, Patrol Members and Supervisors, to occurrences involving found or suspected explosives, improvised explosive devices, chemical, biological, radiological, nuclear (CBRNE) devices, military ordnance, or at the scene of an explosion or bomb threat, are found in GO 136.06, paragraphs 3.17 – 3.33.

- b) The status of Service compliance with the said procedures;

The directions given by GO 136.06 meet or exceed the demands of By-law. 246-2000. Operationally, the procedures are strictly followed. The responsibilities and procedures for initial responders are similar to those of other frequently encountered crisis type incidents. The commonality in approach ensures maximum safety and efficiency in execution.

The Service currently has six fully trained, deployable officers who serve part-time as Police Explosive Technicians (PETs). Six of the members are trained for Explosive Forced Entry (EFE) and chemical, biological, radiological and nuclear (CBRN) incidents. The Service currently has two Explosive Detection Dogs and handlers that are certified by the Canadian Police College (CPC) as Explosive Detection Dog Handlers (EDDH).

- c) Confirmation of the development and maintenance of the manual on forced entry and explosive disposal;

The comprehensive manual or Standard Operating Procedure (SOP) for the EDU is a living document. The EDU uses the CPC manuals from PET, Explosive Forced Entry (TPET) and Post Blast (PEPB) courses for its operational reference manual. All material is readily accessible to EDU members. The following items are contained in the SOP:

1. Mandate, functions and members responsibilities – GO 136.06;

2. Call-Out Procedures – GO 136.06;
3. Command and Control – GO 136.06 and GO 089.07;
4. Reporting Relationships – GO 136.06 and GO 089.07;
5. Operational Procedures and Training; GO 136.06 and;
 - Each member has access to the manuals and aide memoires for procedures and equipment;
 - CBRN SOP's are under development in conjunction with the "Niagara CBRN Team" (Police, Fire, Ambulance);
 - Training is detailed in a yearly plan.
6. Provision and Use of Equipment:
 - PET, TPET, PEPB, EDDH standards/ procedures (CPC);
 - Aide memoires - manufacturer's instructions.
7. Debriefing Process – GO 89.07; and
8. Recording and reporting use of police forced entry explosives and explosive disposal services;
 - Forced Entry: As per general occurrence reporting including Use of Force Reports, and ETU debrief report; GO 34.10 - Report Submissions; GO 53.21 - Use of Force; GO 89.07;
 - Explosive Disposal Services: As per GO 34.10, Canadian Bomb Data Centre (CBDC) Form 876, Incident Report-Explosives. Note: As of April 01, 2016, CBDC has been closed. Voluntary filing of incidents has been undertaken by RCMP.CBRNE-CBRNE-GRC@rcmp-grc.gc.ca. They will coordinate the incident analysis, archiving and dissemination portion of information formerly undertaken by CBDC;
 - Storage, tracking and recording of explosives for court, forensic analysis, destruction of seized, found, surrendered explosives; Versadex entry tracking; Canadian Centre for Forensic Science – submission procedures GO 035.12 – Found Seized or Received Property;

- Destruction of Explosives – Reference Manuals, Explosive Regulatory Division Regulations.

d) Confirmation of training in accordance with section 5.3;

The Niagara Regional Police Service ensures the training of PETs and EFE Technicians meet or exceeds the By-law, GO and provincial standards through the yearly training plan. Unit members participate in approximately 30 days of local maintenance training per year. Our technicians are required to attend the CPC every three to five years for re-certification. Every year, different members attend advanced technical courses. Lessons learned are brought back and incorporated into local training for the benefit of all. The Service maintains professional memberships in the Canadian Explosive Technicians Association (CETA) and International Association Bomb Technicians and Investigators (IABTI). Our members regularly attend conferences and seminars to remain cognizant of current and emerging tactics, trends and technologies.

EDU members are the core representatives for the Service with CBRNE Niagara, a joint unit of police, fire and EMS for response to incidents involving chemical, biological, radiological, and nuclear or explosive materials.

Emergency Services Units continually upgrade member CBRNE and related qualifications. During monthly training, EDU continues to work the job specific skills/equipment necessary to perform operations in all environments. These skills include EFE and Render Safe procedures.

e) A summary of the circumstances in which forced entry and explosive disposal services have been deployed;

EFE was not deployed during the reporting period. On a daily basis, the Unit assists other NRPS Units and the public in an advisory capacity for bomb threats and other explosive, firework, firearms type incidents. During 2019, the Unit recorded 25 deployments. Highlights are as follows:

- Fireworks or military ordnance – seized & destroyed (12);
- Suspicious packages- examined & rendered safe (6);
- Found explosives (1);
- Improvised Explosive Devices (1);
- Bomb threats (1);
- CBRN – Chem/Bio/Rad – suspicious powders/chemicals (1);
- Safety oversight for film shoots involving explosives (1 Special Duty);
- EDU assistance & presentations to outside organizations (2).

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This report is for information purposes and has no immediate strategic priorities.

Relevant Policy Considerations

Board By-law 246-2000 – Explosives.

Other Pertinent Reports

132.2019 – Annual Report – Explosives – January 1 to December 31, 2018.

This report was prepared by Sergeant Steve Ward, Explosive Disposal Unit in consultation with Inspector Joe Garvey, Emergency Services, reviewed by Superintendent Brian Ash, Emergency & Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

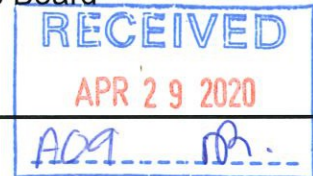
82.

PUBLIC AGENDA

Subject: Annual Report – Firearms Training
January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-05-01



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide the Board with the necessary and required information pursuant to the By-Law relating to procedures and processes on Firearms Training.
- By-Law 221-2000, A By-Law Respecting Firearms Training, was enacted as a result of Provincial Adequacy Standards LE-029, Preventing or Responding to Occurrences Involving Firearms.
- By-Law 221-2000 is a procedural directive that outlines the training of police officers in relation to firearms occurrences.
- By-Law 221-2000 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

Financial Considerations

Not applicable.

Analysis

This By-Law details specific requirements that are to be reported as follows:

The Chief shall make a written report to the Board on or before August 30 of each year in respect of preventing or responding to occurrences involving firearms. The report shall include:

- a) A summary of the written procedures concerning managing investigations and preventing offences/occurrences involving firearms;
- b) The status of Service compliance with the said procedures; and

- c) Confirmation that Members were trained in accordance with section 4.2 of this By-Law.

The following is a detailed response to each of the above noted requirements:

a) A summary of the written procedures concerning managing investigations and preventing offences/occurrences involving firearms;

Niagara Regional Police Service General Orders identify all the requirements of officers involved with firearms related investigations. In particular General Order 175.06 entitled Firearms – Investigations/Seizure/Property/Maintenance, includes direction on search and seizure; public safety search and seizure; prohibition orders; investigations; and the Firearms Interest to Police (FIP) category of CPIC. FIP is a file used to record data on a person, who in the last five years has been involved in a violent or mental health incident. A section of this General Order also speaks to section 117.04 of the Criminal Code of Canada, which establishes non-evidentiary and preventative search and seizure powers. This Order is available in an electronic form to all members. This General Order complies with By-Law 221-2000.

Other General Orders that pertain to firearms response and investigation are:

GO 053 - Use of Force
GO 089 - Emergency Task Unit
GO 095 - Major Incidents and Routine Criminal Investigations
GO 114 - Domestic/Family Violence
GO 117 - Search and Seizure
GO 121 - Forensic Services Unit
GO 035 - Found, Seized or Received Property

b) The status of Service compliance with the said procedures;

The Niagara Regional Police Service is in compliance with the policies and procedures relating to occurrences involving firearms.

c) Confirmation that members were trained in accordance with section 4.2 of this By-Law.

- 4.2.1 "The Chief shall ensure that Members are trained on all search and seizure powers available to officers under Part III and IV of the Criminal Code that may be relevant to search and seizure of firearms, ammunition or related licenses, certificates or permits as well as options for obtaining prohibition orders".
- 4.2.2 "The Chief shall ensure that Members involved in investigations into offences/occurrences involving firearms have the requisite knowledge, skills and abilities".

The Niagara Regional Police Training Unit provides officers with a number of courses and programs that address issues of both responding to and investigating firearms occurrences. The educational programming that is provided through the Training Unit ensures a consistent delivery of information to officers.

During this reporting period, the Training Unit offered an In-Service training session that included "Firearms Academic". "Firearms Academic" is an educational session on relevant case law, firearms safety procedures, reporting procedures, Provincial and Federal firearms legislation, and departmental policy and procedure on the use of issued firearms.

The Training Unit also makes available specialized courses with advanced firearms investigation components. These courses include:

- Basic Constable Training: all officers receive training in firearm classification and search and seizure of firearms during recruit training at the Ontario Police College.
- Domestic Violence Investigator - the presence of firearms is of special concern in incidents of domestic violence even if the firearm is not involved in the incident, officers are trained to consider seizing firearms in these instances.
- Forensic Shooting Scene Examination: this course is made available through the Ontario Police College to our Forensics Unit with the focus on ballistics.

The Service requires that certain investigative positions have a combination of the above noted courses to be qualified for that position. A "Request for Training" form is submitted through the Chain of Command with comments and subsequent approval granted for those who will require specific courses for investigative positions. The Ontario Police College allocates to the Service a number of seats per course and members attend the training as available. The Service has been diligent in ensuring that members involved in investigations into offences/occurrences involving firearms have the requisite knowledge, skills and abilities to be qualified for the investigative positions during the period covered by this board report.

The Niagara Regional Police Service is a member of the Provincial Weapons Enforcement Unit (PWEU), with a seconded member in the Unit. This Unit is a joint force operation responsible for large-scale firearm investigations. As a member, the Service has PWEU available for investigative support.

The Niagara Regional Police Service Video Unit has produced several training programs that are a blend of video, instructional narrative, and question/answer modules specific to the topic of firearm related investigations. Titles include Firearms 101 (Feb 2002); Characteristics of an Armed Person (Nov 2005); Seized Firearms Safety (Dec 2006); Firearm Seizures (Aug 2010); Containment for Patrol (2017) and

Use of Force Scenarios (2019). All of these training programs are available to all members of the Service through an internet portal or upon demand at the Video Unit. The Training Unit also posts bulletins relevant to recent legislative/ case law/ training updates to the Service's intranet portal - IRIS.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the Board By-Law 221-2000.

Relevant Policy Considerations

- Police Services Board By-Law 221-2000.
- Police Services Act of Ontario Regulation 926.
- Provincial Adequacy Standard LE-029.

Other Pertinent Reports

81.2019 – Annual Report – Firearms Training – January 1 to December 31, 2018.

This report was prepared by Lynda Hughes, Staff Sergeant, Training Unit in consultation with, Todd Waselovich, Inspector, Labour Relations & Career Development, and reviewed by David Meade, Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

83.

PUBLIC AGENDA

Subject: Annual Report – Fraud and False Pretence Investigations
January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-24



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-law 230-2000 – Fraud and False Pretence Investigations.
- The Chief is required to make a written annual report to the Board with respect to Fraud and False Pretence Investigations.
- This report is submitted to provide information to the Board for review and consideration of information relating to the Service's response to Fraud and False Pretence Investigations.

Financial Considerations

There are no financial implications relating to the recommendations contained within this report.

Analysis

In accordance with By-law 230-2000, the Chief shall make a written report to the Board on or before August 30th of each year in respect of investigations of fraud and false pretences. The report shall include:

- a) A summary of the written procedures concerning fraud and false pretence investigations;
- b) The status of Service compliance with the said procedures; and
- c) A summary of the steps taken by the Service to monitor and evaluate response to fraud and false pretence investigations.

This Board report will outline each of the above and confirm our compliance with the By-law:

a) *"...a summary of written procedures concerning fraud and false pretence investigations..."*

The Niagara Regional Police Service has specific policies related to the investigation of fraud and false pretence occurrences. The following general orders establish rules, procedures and responsibilities for managing investigations into fraud and false pretence incidents:

- Fraud Investigations - G.O. 172.07
- Major Incidents and Routine Criminal Investigations - G.O. 095.10

Summary of Fraud Investigations General Order:

- Reporting Requirements
- Investigative Support
- Accessing "Specialized Resources"
- Ensuring Assistance provided to Victims of Fraud
- Information Sharing
- Multi-jurisdictional occurrences
- Dissemination of information to the public on fraud

General Order 172.07 – Fraud Investigations meets all the requirements as outlined in the Provincial Adequacy Standards Regulation LE-038. It was revised in 2016 and is currently under review.

General Order 095.10 Major Incidents and Routine Criminal Investigations complements the Fraud Investigations General Order by outlining in detail how major incidents and routine criminal investigations, including fraud investigations, are to be conducted.

b) *"...the status of Service compliance with the said procedures..."*

The Service continually reviews compliance with the Provincial Adequacy Standards and police directives including General Orders.

General Order – 095.10 – Major Incidents and Routine Criminal Investigations obligates the District Staff Sergeant or Sergeant to review all occurrence reports submitted by members under their command and returns the occurrence report to the officer for follow-up investigation, if required. The Order also requires the District Detective Office, officer-in-charge, to review all occurrence reports pertaining to criminal investigations and return them to the original investigating officer, or re-assign as necessary to a

detective for follow-up investigation. That Order outlines a comprehensive list of steps that are required during any follow-up investigation.

The Provincial Adequacy Standard LE-038 requires the Chief of Police to ensure that officers investigating complex fraud and false pretences occurrences have the knowledge, skills and abilities required. All officers assigned to the Central Fraud Unit are required to have the following training:

- Criminal Investigation Training Course (Ontario Police College) provides the fundamental training required to conduct criminal investigations;
- Fraud Investigation Course (Ontario Police College) provides specialized training relative to fraud and false pretences investigations;
- Ontario Major Case Management Course (Ontario Police College) provides specialized training relative to the investigation and management of large-scale investigations;
- Investigative Interviewing Course (Ontario Police College) provides specialized training relative to the skills of interviewing and interrogation; and
- Search Warrant Course (Ontario Police College) provides investigators with the skill sets required to successfully prepare a range of applications for prior-judicial authorization for search and seizure activity.

In addition, Fraud investigators with this Service also participate in a number of associations such as the International Association of Financial Crime Investigators, the GTA Fraud Managers' Group, the Joint Agency Investigation and Liaison Committee and the Canadian Bankers Association. Our investigators' participation in these organizations provides a resource of contacts with other Fraud Investigators throughout North America, and has proven to be an invaluable asset to our Service.

- c) *"...a summary of the steps taken by the Service to monitor and evaluate response to fraud and false pretence investigations..."*

The Central Fraud Unit was created in 2006 and is comprised of a detective sergeant and seven detective constables. The unit reports to the staff sergeant of the Major Crime Unit.

All fraud and fraud-related incidents are reviewed by the officer-in-charge of the Central Fraud Unit, ensuring a consistent response to these investigations. Investigations requiring further investigation are either assigned to a Central Fraud Investigator or returned to the respective district for investigation by a district investigator or uniform officer.

In 2019, the Niagara Regional Police Service received 2614 fraud-related complaints as defined by the Canadian Centre for Justice Statistics (CCJS) in the categories of fraud, identity theft or counterfeit. This represents an increase from 2018 of 369 complaints by

16%. Charges were laid in 364 incidents, while 186 incidents were deemed unfounded or cleared otherwise. 59 cases from 2019 remain open investigations. Incidents cleared otherwise are incidents where sufficient grounds existed to lay a charge but charges were not pursued for a variety of reasons including cases where the complainant did not want to proceed with charges; the suspect was charged in other related incidents; charges were not pursued based on the recommendation of the Crown Attorney or police discretion.

Year	Total Incidents	Cleared unfounded or "otherwise"	Cleared by Charge
2017	2176	198	336
2018	2245	219	354
2019	2614	186	364

Education is crucial in reducing victimization to fraud. Therefore, in addition to conducting investigations, members of the Central Fraud Unit regularly deliver presentations covering a wide area of fraud information to various community groups. In 2019, Central Fraud Unit Detectives attended numerous organized functions to educate and inform seniors within the Region on current trends relating to ongoing fraudulent scams.

The number of fraud and scam incidents continues to increase throughout Canada and internationally. The Canadian Anti-Fraud Centre reports that there was 98 million dollars in fraud losses nationally in 2019. This is only a fraction of actual losses as many fraud incidents go unreported. With advances in technology, cyber-attacks and mass data breaches, financial crimes have become a global concern.

When appropriate the Niagara Regional Police Service issues fraud alerts and media releases, all in an effort to educate the citizens of Niagara and reduce the number of victims that fall prey to the ever-changing fraud schemes.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of the Police Services Board By-laws and to maintain compliance with the Provincial Adequacy Standards Regulations.

Relevant Policy Considerations

Police Services Board By-Law 230-2000 - Fraud and False Pretence Investigations
General Order 095.10 - Major Incidents and Routine Criminal Investigations
General Order 172.07 - Fraud Investigations

Other Pertinent Reports

102.2019 – Annual Report – Fraud and False Pretence Investigations – January 1 to December 31, 2018

This report was prepared by Todd Claydon, Sergeant, Central Fraud Unit in consultation with James Leigh, Inspector, Investigative Support Services, reviewed by Brian Ash, Superintendent, Emergency and Investigative Support recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

84.

PUBLIC AGENDA

Subject: Annual Report - Management of Police Records
By-Law No. 291-2009 – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-29



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to comply with Police Services Board By-Law 291-2009 that establishes the policy for the Management of Police Records.
- As per the By-Law, the Chief of Police is to provide an annual written report outlining written procedures and compliance.
- For the year ended December 31, 2019, the Service complied with written policies and procedures as outlined in General Order 006.07 Municipal Freedom of Information and Protection of Privacy Act and General Order 031.08 Retention and Destruction of Records.

Financial Considerations

There are no financial implications relating to the recommendation contained within this report.

Analysis

General Order 006.07 provides the provisions surrounding the processing of requests for information under the *Municipal Freedom of Information and Protection of Privacy Act*. General Order 031.00 provides the provisions surrounding the retention and destruction of records. For the year ending December 31, 2019, the Service complied with General Order 006.07 Municipal Freedom of Information and Protection of Privacy Act and General Order 031.00 Retention and Destruction of Records.

Purging of records is an ongoing process that commences each January and takes several months to complete. The regular destruction schedule was suspended due to a system upgrade the first quarter of 2020 but is in the process of being reinstated. Unique records are only destroyed after a physical examination and sign off by Service

staff, to ensure the retention schedule is being followed and its requirements met. Certificates of destruction are maintained permanently.

For the year ending December 31, 2019, the Service complied with written policies and procedures as outlined in General Order 006.07 Municipal Freedom of Information and Protection of Privacy Act and General Order 031.08 Retention and Destruction of Records.

Alternatives Reviewed

The only alternative is for the Board not to receive this report.

Relationship to Police Service/Board Strategic Priorities

This annual report is being issued in compliance with Board By-Law No. 291-2009.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

Board Report 210/2019 – By-Law No. 291-2009 Management of Police Records received by the Board on December 12, 2019

This report was prepared by Gary Holden, Manager – Records & Information Management in consultation with Lisa DiDonato-DeChellis, Director – Business Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

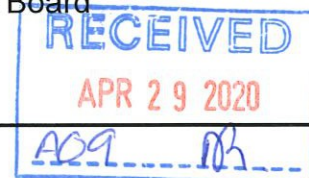
85.

PUBLIC AGENDA

Subject: Annual Report – Marine Unit
January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-14



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-law 227-2000 as it relates to the Marine Unit.
- The Chief is required to make a written annual report to the Board with respect to the Marine Unit.
- This report will set out the particulars with respect to the procedures required, and compliance with the procedures.
- This report will identify areas the Marine Unit has been utilized by other services including the extent of such utilization.

Financial Considerations

Not applicable.

Analysis

In accordance with By-law 227-2000, the Chief shall make a written report to the Board each year in respect to the Marine Unit and that report must include the following:

- a) a summary of the procedures required for the Marine Unit;
- b) the status of Service compliance with the said procedures; and
- c) whether or not the Marine Unit has been utilized by other services and the extent of such utilization.

This Board Report will outline each of the above and confirm our compliance with the By-law.

- a) a summary of the procedures required by this By-law;

Under section 19(1) of the Police Services Act the Niagara Regional Police Service must establish procedures and processes for the provision of police services with respect to all navigable bodies and courses of water within the Region of Niagara. General Order 144.07 sets out the procedures and policies of the Marine Unit. The Niagara Regional Police Service Marine Unit, unless otherwise provided by law, shall be responsible for effective waterways enforcement, general patrol and emergency response throughout the waters within the Region of Niagara.

b) The status of Service compliance with the said procedures;

The Niagara Regional Police Service Marine Unit is fully compliant with the policies and regulations as prescribed by the General Order, Criminal Code, and the Canada Shipping Act 2001. The 2019 Marine Unit is staffed with one Sergeant and six Constables. A current list of Marine Unit personnel is maintained by the Inspector of Emergency Services. An additional seven School Resource Officers are certified as coxswains to assist the Marine Unit with summer coverage in July and August.

With three members accredited by Transport Canada as course providers (Marine Emergency Duties A3 and Small Vessel Operator Proficiency), all members meet monthly emergency drills and annual theory and skills evaluations.

During the winter months (November to April) the members of the Marine Unit provide support to frontline patrol services. In addition to this support, the members conduct mandatory training in Surface Ice Rescue, Sub Ice Diving, and Swift Water Rescue to address the search, rescue and recovery of persons and vessels on the waterways within the jurisdiction of the municipality - Police Services Act Sec. 1(i).

c) Whether or not the Marine Unit has been utilized by other services and the extent of such utilization;

The 2019 Marine Unit participated in national marine security initiatives by providing support to the RCMP/U.S. Coast Guard Shiprider initiative through a Memorandum of Understanding between the NRPS and RCMP providing a senior member for projects and information sharing.

Members of the Marine Unit supported members of the Niagara Parks Police by providing training in the areas of Marine Emergency Duties A3 and Radio Operators Certificate – Marine (ROC-M). Meeting the needs to provide joint services for coordinated response.

The Niagara Regional Police Service Marine Unit provides support to the Joint Rescue Co-ordination Center (JRCC) and the Canadian Coast Guard (CCG) with search and rescue incidents on Lake Ontario, Lake Erie, Niagara River, and Welland River. During the 2019 season, the Marine Unit responded to 61 dispatch, JRCC and CCG requests including the search for missing persons as well as stranded, disabled, abandoned and overdue vessels.

The members of the Marine Unit are also part of the Services Hostage Rescue compliment and are referred to as the Tactical Support Group (TSG). In 2019 the members of the Marine Unit responded to 39 Emergency Task Unit operational requests that consisted primarily of ground searches, armed persons, and high risk warrant support.

The following Operational Comparison Chart has been included in order to show the activities of the Marine Unit over the last three years.

2017 to 2019 Operational Comparison Chart: Statistics Include Marine and Frontline Deployment Activity.

	2017	2018	2019
Calls for Service	497	551	640
Provincial Offence Notices	277	385	188
Arrests	20	13	9
Community Public Safety Events	22	12	12
Search & Rescue Calls	66	57	17
TSG calls for service	33	20	39
Explosives Disposal calls	3	4	5

NOTE: The drop in Provincial Offence Notices and Search & Rescue Calls between the years 2018 and 2019 can be attributed to three factors. First, the lack of recreational vessels on the water. Due to extreme high water levels many marinas and docks were not useable for vessels during the first couple of months of the marine season resulting in fewer vessels on the water. Second, the night shift hours for 2019 were adjusted for directed patrol in response to concerns of water bourne impaired operation after sunset. This resulted in marine patrol coverage for a longer time frame, however, fewer recreational vessels on the water leading to a reduced number of vessel stops and enforcement opportunities. Lastly, proactive strategies were used to educate boaters prior to them launching vessels in regards to laws and regulations.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Police Services Board By-law 227-2000, Marine Unit
General Order 144.07 – Marine Unit

Other Pertinent Reports

168/2019 Annual Report – Marine Unit – January 1 to December 31, 2018.

This report was prepared by Sergeant Jon Pilkington, Marine Unit, reviewed by Inspector Joe Garvey, Emergency Services Unit and Brian Ash, Superintendent, Emergency and Investigative Services recommended by Brett Flynn, Deputy Chief of Police, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

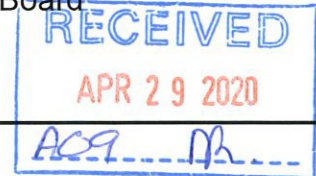
86.

PUBLIC AGENDA

Subject: Annual Report - Marked General Patrol Vehicles By-Law No. 257-2003 – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-20



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to comply with the annual reporting requirements of By-Law No. 257-2003 – Respecting Marked General Patrol Vehicles;
- The report includes a summary of the written procedures regarding marked general patrol vehicles, the status of Service compliance with said procedures and information specific to the acquisition and deployment of these vehicles
- For the period of January 1 to December 31, 2019, the Service complied with the written procedures regarding marked patrol vehicles

Financial Considerations

There are no financial implications relating to the recommendations contained in this report.

Analysis

- a. Written procedures regarding marked general patrol vehicles are provided in the following General Orders:
 - General Order 010.14 Service Vehicles
 - General Order 042.11 Suspect Apprehension Pursuit
 - General Order 138.06 Assistance to Motorist
 - General Order 139.05 Police Vehicle Escorts
 - General Order 191.06 Ride-Alongs
- b. The status of compliance with the said procedures:
 - For the period January 1 to December 31, 2019, the Service complied with the written procedures noted above.

c. The total number of police vehicles and kilometers traveled:

- The total number of police vehicles as of Dec 31, 2019, excluding fork trucks, trailers, marine vessels and ATVs, was three hundred and forty four (344). This includes patrol vehicles, surveillance vehicles, administrative vehicles, specialty vehicles, motorcycles and new vehicle inventory (yet to be deployed)
- The total annual distance traveled in a twelve month period by all service vehicles was approximately 7,500,000 kilometers.

Alternatives Reviewed

There are no alternatives.

Relationship to Police Service/Board Strategic Priorities

The Service is compliant with the requirements set out Niagara Regional Police Service's Board By-law No. 257-2003. Procedures regarding General Patrol Vehicles available for pursuits are clear and detailed. All of the references including General Orders and Adequacy Standards are available for review upon request.

Relevant Policy Considerations

Marked General Patrol Vehicles By-law No. 257 – 2003 Adequacy Standards AI-008.

Other Pertinent Reports

37/2019 Marked General Patrol Vehicles received by the Board February 20, 2019

This report was prepared by Sam Paterson, Fleet Manager, reviewed by Lisa DiDonato-DeChellis, Director, Business Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services



Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

None



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

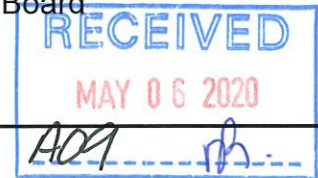
87.

PUBLIC AGENDA

Subject: Annual Report – Missing Persons
January 1, 2019 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-27



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to ensure that the Niagara Regional Police Service meets the requirements of Provincial Adequacy Standards Regulations in regards to missing persons.
- The Niagara Regional Police Service has clear and comprehensive policies related to missing persons investigations.
- The Service's General Orders entitled Missing Persons, Ground Searches and Major Case Management details the procedure and processes to follow when dealing with missing persons.

Financial Considerations

Not applicable.

Analysis

The Police Services Act - Ontario Regulation 3/99 Adequacy and Effectiveness of Police Service - section 29 requires a Police Services Board to have a policy on missing persons. In addition to the requirements of the Police Services Board, section 12. (1)(l) requires the Chief of Police to establish procedures and processes in respect to missing persons.

In order to meet the requirements of Adequacy Standards, the Regional Municipality of Niagara - Police Services Board enacted By-Law No. 294-2010 which contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

This report is submitted to the Board pursuant to By-Law No. 294-2010 with subsequent reports annually to continue the reporting process.

By-Law No. 294-2010, a By-Law respecting Missing Persons details the requirements of Adequacy Standard LE-026 – Missing Persons as well as Adequacy Standard. ER-007 - Ground Search

The criteria to be followed when investigating a missing person is specified as follows:

- The Chief shall develop and maintain procedures that set out the steps to be followed for undertaking investigations into reports of missing persons, including situations involving children, teenagers, elder and vulnerable adults.
- The Chief shall ensure that the procedures referred to above include a mechanism for investigative follow-up on outstanding missing person cases.
- The Chief shall establish procedures and processes to recognize and deal with the circumstances where there is the possibility of foul play and comply with the Ministry's designated Ontario Major Case Management Manual.
- The Chief shall ensure that an AMBER Alert activation is considered in all missing children investigations and Major Case Management is implemented in all cases involving AMBER Alert activation.

The criteria to be followed when conducting a ground search for a missing person / lost person is specified as follows:

- The Chief shall develop procedures on ground search for lost or missing persons.
- The Chief shall promote, through partnerships with other emergency service providers and volunteer groups the co-ordination of ground search services in the Regional Municipality of Niagara.

General Order – 076.12 – Missing Person

In order to demonstrate compliance with the legislative/regulatory requirements, operational procedures regarding Missing Persons are found in Niagara Regional Police Service General Order – 076.12 Missing Persons.

General Order – 076.12 outlines Service policy in accordance with the requirements of two relevant regulations; LE-026 and ER-007. The Order is reviewed bi-annually through the Office of the Deputy Chief of Police – Operational Services and was last reviewed and modified, effective September 20, 2018, at which time section 3.13 was amended. In addition to the amendment, sections 2.1 through 2.5 and sections 3.3 through 3.6 were added. The Order is scheduled for re-evaluation in September of 2020.

General Order – 076.12 establishes rules, procedures, and responsibilities of Service members involved in a missing person investigation according to their assigned areas of responsibility. This includes the establishment of a designated Missing Persons Coordinator at the District level.

The Order breaks down the responsibilities for conducting missing persons investigations specifically for:

- The initial responding Officer
- The Patrol Supervisor
- The Duty Officer
- The Officer in Charge of the District Detective Office
- The Investigative Support Services Inspector
- The Officer in Charge of the Offender Management Unit, and
- The District Missing Persons Coordinator

General Order – 076.12 mandates the use of a specifically formulated Search Urgency Form that provides our members with guidance in determining an appropriate search response in each case. The Search Urgency Form has been incorporated into Versadex as an electronic template.

The Order also mandates the Missing Person Questionnaire be used for special circumstances involving missing persons who fall into the following specific categories:

- Children under the age of 12
- Any young person whose disappearance demands a certain urgency
- A mentally handicapped person
- An aged or infirmed person
- A person believed to be contemplating suicide
- A victim of foul play
- An Alzheimer's patient

General Order - 076.12 addresses the initial investigation, the continuation and conclusion of the investigation, and the notification of complainants, family members and other agencies. It also addresses the procedures for investigating multi - jurisdictional missing persons, as well as the preparation and distribution of the Missing Person Bulletin.

General Order 177.06 - Ground Search

General Order 177.06 – Ground Search complements General Order 076.12 - Missing Persons Order by providing guidelines for expanding a search when it has been determined through the Search Urgency Form that to do so is prudent.

The Order is reviewed by the Officer in Charge of Emergency Services and was last modified effective, December 13, 2016 with the amendment of Section 3.22 (b) and Appendix "B". The Order is reviewed on a bi-annual basis, and as such, is scheduled for evaluation.

General Order 177.06 addresses the issues of:

- Command structure
- Communications
- Definitions and uses for the following:
 - Command Post,
 - Team Leaders,
 - Hasty Teams,
 - Urban Search Teams,
 - Search Overhead Teams,
 - Staging Areas, and
 - duties of all involved members, including:
 - Uniform Patrol Officers,
 - Patrol Supervisor,
 - Search Manager,
 - Search Incident Commander,
 - Communications Unit, and
 - District Detective Office.

In summary, General Order 177.06 recognizes that ground search incidents require specific training and skills to manage the required resources effectively as well as the participation and cooperation through partnerships with other emergency service providers and trained volunteer groups.

General Order 177.06 stipulates the extent of duties and responsibilities of agencies, organizations, and groups who provide mutual aid to this Service during a ground search.

Responsibility for the coordination and training of Search Managers and the coordination of training between Search Managers and assisting agencies, such as Search And Rescue Niagara (S.A.R.N.) rests with the Inspector in charge of Emergency Services.

Major Case Management General Order 202.05

The Major Case Management General Order addresses the requirement to use the procedures set out in the Ministry's designated Ontario Major Case Management Manual where there is a strong possibility of foul play in relation to a Missing Persons investigation.

Memorandum of Understanding re Search and Rescue Niagara (S.A.R.N.)

The Niagara Regional Police Service has entered into a Memorandum of Understanding with S.A.R.N. The intent of this memorandum is to outline the responsibilities of S.A.R.N. and the Niagara Regional Police Service as they pertain to the reporting, response, investigation, training, and command of volunteer members of the S.A.R.N. organization during local searches for missing persons.

The Niagara Regional Police Service recognizes its responsibility to the community to have in place a suitable response to missing person situations as outlined in section 29 of the Adequacy Standards. S.A.R.N. is a community based, non-profit, volunteer organization committed to assisting with lost or missing person incidents.

All members actively participating in the search for lost or missing persons with S.A.R.N. are trained in current search and rescue procedures. The Ontario Search and Rescue Volunteer Association (O.S.A.R.V.A.) basic search and rescue level one is the standard for training.

Compliance

As noted in General Order 076.12 all incidents of Missing Persons involve structured supervisory oversight. In addition, these occurrences are assigned to the Missing Persons Coordinator in District Detective Offices for review and investigation when required. This oversight, combined with the detailed auditing of Missing Persons occurrences, ensures that the Service is in compliance with all the requirements of General Orders and established policy.

Summary

The Service's General Orders entitled Missing Persons, Ground Searches and Major Case Management are clear and comprehensive policies related to missing persons investigations, and in conjunction with the memorandum of understanding with S.A.R.N., are in full compliance with Police Services Board By-Laws and Provincial Adequacy Standards Guidelines.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Service Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulations.


Relevant Policy Considerations

Niagara Regional Police Services Board pursuant to By-Law 294-2010 – Missing Persons.

Other Pertinent Reports

- Provincial Adequacy Standards Regulations LE-026 (Missing Persons)
- ER-007 (Ground Search For Lost or Missing Persons)
- By-Law 294 - 2010 (Missing Persons)
- General Order 076.12 (Missing Persons)
- General Order 177.06 (Ground Search)
- General Order 202.05 (Major Case Management)
- 190-2019 – Annual report – By Law No 294-2010 (Missing Persons)

This report was prepared by Bill Harris, Staff Sergeant 1 District, reviewed by Marco Giannico, Inspector, 1 District Operations in consultation with Cindy White, Superintendent, District Operations and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.


Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

88.

PUBLIC AGENDA

Subject: Annual Report - Persons in Custody By-Law 208/225 – 2000 – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-30



Recommendation(s)

That the Niagara Police Services Board receives for information.

Key Facts

- In compliance with Section 29 of the *Provincial Adequacy Standards Regulations*, Ontario Regulation 3/99 requires a Police Services Board to have a policy on prisoner care and control.
- In addition, section 13(1) (l) requires the Chief of Police to establish procedures and processes in respect of prisoner care and control and section 13(1) (m) requires the Chief of Police to establish procedures and processes in respect of prisoner transportation.
- This annual report is submitted to provide the Board with the necessary and required information, pursuant to By-Law 208/225-2000, relating to issues of Persons in Custody and covers the 2019 reporting period.

Financial Considerations

Not applicable.

Analysis

This annual report is submitted to provide the Board with the necessary and required information, pursuant to By-Law 208/225-2000, relating to issues of Persons in Custody.

By-Law No. 208/225 - 2000, Persons in Custody

By-Law 208/225-2000 was enacted as a result of Provincial Adequacy Standard Regulations (LE-016 - Prisoner Care and Control and LE-033 - Prisoner Transportation). This By-Law details specific requirements that are reported as follows:

The Chief shall make a written report to the Board on or before August 30 of each year. The report shall include:

- (a) a summary of the written procedures regarding prisoner care and control including prisoner transportation;
- (b) confirmation of compliance with the procedures regarding prisoner care and control including prisoner transportation; and
- (c) a summary of the training given to members involved in prisoner care and Members used to escort prisoners.

The following is a detailed response to each of the above noted requirements:

- (a) *"...a summary of the written procedures regarding prisoner care and control including prisoner transportation..."*

Written procedures regarding Prisoner Care and Control and Prisoner Transportation are found in Niagara Regional Police Service General Order – 018.21 – Persons in Custody (revised March 20, 2020).

This General Order details the responsibilities of members when transporting, detaining and searching persons taken into custody by members of the Police Service. The General Order was prepared and approved to comply with the *Provincial Adequacy Standards Regulations LE-016 and LE-033*.

General Order 018.21 – Persons in Custody specifies in detail the procedure to be followed when a person is detained and searched at a holding facility controlled by the Police Service. This General Order provides procedures relating to the responsibilities of Special Constables assigned to the Central Holding Facility as well as the Court Holding Facility. The General Order further provides procedures relating to the responsibilities of the Officer in Charge of both the Central Holding Facility and the Court Holding Facility regarding the search of prisoners, the documenting of the condition of prisoners, and documenting property taken from prisoners.

The General Order further provides direction for providing prisoner meals, the observation of prisoners, access to prisoners, and the detention and search of females, males, transsexual/intersex individuals and young offenders. It also provides guidelines for cellblock security, the release of prisoners, escorts of persons in custody, court appearances and the availability of medicine/medical facilities for prisoners.

The General Order outlines the procedures to be taken when a prisoner escapes custody, guidelines for the release of information regarding prisoners, the maintenance of holding facilities and the recording of data in Versadex.

The General Order is reviewed annually and amended as deemed necessary. Amendments were made in 2020 to ensure that procedures for search of prisoners were in alignment with recommendations made in the Office of the Independent Police Review Director's "Breaking the Golden Rule" report.

(b) *"...confirmation of compliance with the procedures regarding prisoner care and control including prisoner transportation."*

On May 4, 2014, our Service implemented the Prisoner Management and Quality Assurance Central Holding Facility which has incorporated some of the best practices currently being offered by other Services throughout the Province.

In October of 2016, 2 District/Headquarters became designated as our primary Central Holding Facility and receives all prisoners throughout the Region replacing 1 District in St. Catharines. The Holding Facility located at 3 District has remained operational as a secondary Holding Facility, should overflow of prisoners become an issue or in an emergency situation. Court Services/Prisoner Handling Unit are responsible for persons in custody who are transported to and from police or correctional facilities to one of the five court facilities in the Niagara Region for the purposes of the administration of justice.

During the reporting period, 4668 prisoners were processed through the Service's Central Holding Facility at 5700 Valley Way, and 7221 prisoners were processed through the various in-custody facilities at the courthouses at 59 Church Street, St. Catharines, 102 East Main St. Welland, and 445 East Main St. Welland (POA Court).

Persons in custody at our Court Holding Facility are the responsibility of the Court Services Unit Sergeant who is designated as the "Officer in Charge" of the holding facility as defined in the Criminal Code of Canada. .

There were no major incidents or issues reported regarding the detention and/or transportation of any persons while in custody at a Service facility during the reporting period.

(c) *"...a summary of the training given to members involved in prisoner care and members used to escort prisoners."*

Police Officers and Special Constables are trained in the Use of Force as required by the Police Services Act and the Policing Standards Manual for the Province of Ontario, under the authority of the Ministry of the Solicitor General.

With the exception of the firearms component, Special Constables are trained to equal levels of competence and proficiency with all Police Officers in the Province of Ontario and are re-qualified within every 12 months. Failure to qualify will result in removal of a member from active deployment to an area where Use of Force is not required. The temporary transfer continues until such time as the member is able to successfully re-qualify.

The Use of Force training includes instruction in tactical communication, empty hand techniques (hard and soft), grounding techniques, handcuffing, search, cell extraction, oleoresin capicum spray and impact weapons (hard and soft). To complement this training, members receive judgmental training regarding their ability to make appropriate decisions and intervene effectively in a given situation.

In addition to the above-mentioned training, Police Officers and Special Constables are trained in the application of cardio-pulmonary resuscitation (CPR) with a renewal of training every 3 years, and in 2020 were trained in the use of Narcan.

Prisoner Transport

Prisoner transportation, under the centralized model, falls under the responsibility of the arresting Uniform Officer who will take prisoners to the Central Holding Facility located at 2 District/Headquarters at 5700 Valley Way in Niagara Falls. Once lodged at the Central Holding Facility, Special Constables assigned to the Court Services Unit/Prisoner Handling are responsible for transporting prisoners to the Court Holding Facility at the Robert S.K. Welch Court House for bail hearings. The Prisoner Handling Unit is also responsible for the transport of people serving sentences or remanded in custody at various detention centres/ penitentiaries to the Niagara court houses for scheduled court appearances.

If a prisoner becomes ill while in custody at the Central Holding Facility, the Officer in Charge of the Central Holding Facility will arrange for the prisoner to be taken to hospital by EMS, accompanied by an officer.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Service Board By-Laws and to maintain compliance with the *Provincial Adequacy Standards Regulations*.

Relevant Policy Considerations

Niagara Police Services Board- By-Law 208/225-2000
Persons in Custody General Order 018.20 - Persons in Custody.

Other Pertinent Reports

108-2019 Persons in Custody By-Law 208/225-2000

This report was prepared by Patrick McCauley, Inspector, Court Services and Prisoner Management Unit, reviewed by Richard Frayne, Superintendent, Operational Support and Special Projects and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

89.

PUBLIC AGENDA

Subject: Annual Report - Police Uniforms
January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-29



Recommendation(s)

That the Niagara Police Services Board, receive this report for information.

Key Facts

- The purpose of this report is to provide the Board with an annual report stated in By-Law Respecting Police Uniforms (No. 259-2003).
- To provide a written report with a summary of the written procedures concerning police uniforms
- To provide an update on the status of Service compliance with said procedures.

Financial Considerations

There are no costs associated with this report.

Analysis

As per By-Law 259-2003, the Service has developed procedures on the provision and use of a standardized uniform that is issued to the Service's uniform officers, Special Constables and Auxiliary members. These uniform items are consistent with the requirements of the Police Service Act.

The Quartermaster Purchasing Coordinator is responsible for stocking, issuing and the recording of all new articles of uniform clothing and equipment to officers. The member is also responsible for ensuring that all returned unserviceable items and equipment are destroyed and that serviceable items are cleaned and reissued.

For the year ended December 31, 2019 the Service was in compliance with these General Orders.

Alternatives Reviewed

There are no alternatives to review.

Relationship to Police Service/Board Strategic Priorities

The Chief and the Service have General Orders that provide written procedures for the use of a standardized uniform by the Service's uniformed officers.

Relevant Policy Considerations

The policies and procedures are defined in the following General Orders:

- General Order – 048.08 – Uniform and Equipment Supply
- General Order – 049.17 – Dress Code
- General Order – 068.07 – Body Armour
- General Order – 206.05 – Equipment Committee

Other Pertinent Reports

130/2019 Annual Report Police Uniforms Bylaw No. 259-2003 January 1 to December 31, 2019 received by Police Services Board June 25, 2020.

This report was prepared by James Berg, Purchasing Coordinator, in consultation with Laura Rullo, Finance Manager, reviewed by Lisa DiDonato-DeChellis, Director Business Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

None



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

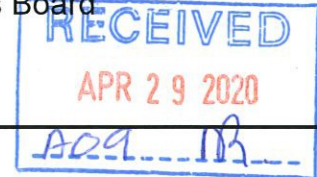
90.

PUBLIC AGENDA

Subject: Annual Report - Suspect Apprehension Pursuits – January 1 to December 31, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-05-01



Recommendation

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide the Board with information on Suspect Apprehension Pursuits (SAP) pursuant to Board By-law 338-2013.
- On October 24, 2013, Police Services Board By-law 338-2013 was enacted in response to the *Provincial Adequacy Standards Regulations LE-045*.
- This By-law contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

Financial Considerations

There are no costs associated to this report.

Analysis

This By-law details specific requirements that are to be reported as follows:

The Chief shall make a written report to the Board on or before August 30th of each year. The report shall include:

- a) a summary of the written procedures regarding Suspect Apprehension Pursuits;
- b) confirmation of compliance with the procedures regarding Suspect Apprehension Pursuits; and,
- c) the total number of Suspect Apprehension Pursuits and a summary of each.

The following is a detailed response to each of the above noted requirements:

a) A summary of the written procedures regarding Suspect Apprehension Pursuits (SAP):

Niagara Regional Police Service General Order 042.11 titled Suspect Apprehension Pursuits establishes written procedures on the management and control of SAPs. The procedures are in compliance with Ontario Regulation 266/10 of the Police Service Act. These procedures include:

- The circumstances in which an officer may pursue, or continue to pursue a fleeing motor vehicle that fails to stop. Factors to consider in assessing whether to initiate, continue, or discontinue pursuits, and the need for continual reassessment.
- The process of notifications that must take place through Dispatchers, Communications Supervisors, Patrol Supervisors, and the Duty Officer when a Suspect Apprehension Pursuit is both initiated and terminated.
- Police pursuit management, including the responsibility of all persons involved or monitoring the pursuit for its safe conduct. Pursuits may be discontinued by any of these individuals if there is a risk to public safety.
- Termination methods, including alternatives to Suspect Apprehension Pursuits, strategic following, termination for public safety considerations, and tactics for safely stopping fleeing vehicles.
- Pursuit restrictions such as the prohibition of using firearms for the sole purpose of attempting to stop a fleeing motor vehicle; use of unmarked vehicles; pursuits of known individuals for non-criminal offences; and the requirement for training approved by the Ontario Police College.
- All sworn members and communicators will receive training accredited by the Solicitor General with respect to Suspect Apprehension Pursuits.
- The Training Unit will prepare Fail to Stop Analysis Reports for review by the Chief of Police and the Board prior to release to the community.
- Reporting of pursuits using the Ministry's Fail to Stop Report, duty of the officer to complete such report, as well as Supervisory review, and analysis of reports, by a qualified instructor in the Niagara Regional Police Service Training Unit.

- Notifications through the Chain of Command to the Chief of Police, in the event of a pursuit that results in serious injury or death. As well as the requirement to make notification to the Special Investigations Unit.

b) Confirmation of compliance with the procedures regarding Suspect Apprehension Pursuits; and

The Niagara Regional Police Service is in compliance with the written procedures regarding SAPs. In 2019, the Niagara Regional Police Service Training Unit's SAP analyst reviewed all Fail to Stop reports to ensure compliance with Ontario Regulation 266/10 of the Police Services Act and General Order 042.11. A *Fail to Stop* report encompasses both a Fail to Stop and a Pursuit or SAP. A Fail to Stop is when a police officer does not initiate pursuit of a motor vehicle that fails to stop when signalled by the officer. A Pursuit or SAP is when a police officer does initiate a pursuit of a motor vehicle that fails to stop when signalled by the officer. Understanding the difference between the two is crucial, as the risk for the officer and our Service changes dependent upon the choice made by the officer.

Prior to 2016, the ten year average for pursuits was 34. However during the first four months of 2016, there were 19 pursuits. In an effort to curb the trend, this information was brought to the attention of the Niagara Regional Police Service Senior Executives. As a result, a Service wide culture change was initiated relating to SAPs. Duty Officers and Supervisors addressed the issue during platoon briefings and all sworn members received further academic training on pursuits as part of their fall In-Service Training (IST). In the end, the total number of pursuits in 2016 was 47. Since the introduction of the culture change initiative, Fail to Stop events steadily declined, with 37 in 2017 and 26 in 2018. In 2019, however, there was a resurgence in Fail to Stop events with 38. Although there was a rise in 2019, it is still within the ten year average of 37 and will be closely monitored, assessed and addressed should the trend continue into 2020.

The Niagara Regional Police Service is in compliance with the All Chiefs Memo from the Assistant Deputy Minister dated November 19, 1999, by providing front line officers with refresher training every two years. In 2018, members were given a one hour academic refresher course during IST to meet these standards. This training emphasized pursuit risk management that measured the needs of the community against the dangers of the pursuit and the need to apprehend the subject. The next SAP refresher course will be a practical IST session which is scheduled for Fall 2020.

c) The total number of Suspect Apprehension Pursuits and a summary of each.

The Training Unit submits an Annual Report to the Board summarizing all Fail to Stop reports prepared during the calendar year. For the reporting year of January 1, 2019 to December 31, 2019, there were 38 Fail to Stop reports submitted. These are summarized as follows:

Analysis

First Quarter

SAP Report One: January 2, 2019

- Police officer in full uniform and operating a fully marked police vehicle;
- Suspect initially stopped for a Highway Traffic Act offence. The drivers actions became criminal in nature and the vehicle fled;
- Pursuit was initiated for a Criminal Code offence;
- Pursuit terminated for public safety reasons after 1 km;
- Driver identified and charged with five Criminal Code offences and two Highway Traffic Act offences;
- Damage: suspect vehicle \$3,500; police vehicle \$5,000;
- Met the established SAP guidelines.

SAP Report Two: January 5, 2019

- Police officer in full uniform, and operating a fully marked police vehicle;
- Officer responded to a call for service of an impaired driver;
- Suspect fled in a motor vehicle;
- Pursuit was initiated for Criminal Code offence.
- Pursuit terminated in a collision with a light standard after 500 metres;
- Driver arrested and charged with four Criminal Code offences and two Highway Traffic Act offences;
- Damage: suspect vehicle \$10,000; Light Standard \$5,000;
- Met the established SAP guidelines.

SAP Report Three: January 5, 2019

- Police officer in full uniform and operating a fully marked police vehicle;
- attempt to stop a motor vehicle for a Highway Traffic Act offence ;
- Suspect failed to stop;
- pursuit not initiated;
- Suspect not identified, no charges laid;
- Damage Nil, Injuries Nil;
- Met the established SAP guidelines.

SAP Report Four: January 6, 2019

- Police officer in full uniform and operating a fully marked police vehicle;
- attempt to stop a motor vehicle for a Highway Traffic Act offence ;
- Suspect failed to stop;
- pursuit not initiated;
- Suspect not identified, no charges laid;

- Damage Nil, Injuries Nil;
- Met the established SAP guidelines.

SAP Report Five: January 8, 2019

- Police officer in full uniform and operating an unmarked police vehicle;
- Attempt to stop a motor vehicle for a Criminal Code offence;
- Suspect fled;
- Pursuit was initiated for a Criminal Code offence;
- Pursuit terminated for public safety reasons after 1 km;
- Driver identified and charged with five Criminal Code offences;
- Damage Nil, Injuries Nil;
- Met the established SAP guidelines.

SAP Report Six: January 11, 2019

- Police officer in full uniform, and operating a fully marked police vehicle;
- Officer responded to a call for service of an impaired driver;
- the suspect fled in a motor vehicle;
- Pursuit was initiated for Criminal Code offence.
- Strategic following employed with emergency equipment activated;
- Pursuit terminated by the rolling block technique after 2.7 km;
- Driver arrested and charged with two Criminal Code offences;
- Damage Nil, Injuries Nil;
- Met the established SAP guidelines.

SAP Report Seven: February 8, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- The driver of the suspect vehicle failed to stop;
- The police officer did not initiate a pursuit;
- Suspect not identified, no charges laid;
- Damage Nil, Injuries Nil;
- Met the established SAP guidelines.

SAP Report Eight: February 17, 2019

- A police officer in full uniform and operating a fully marked police vehicle;
- The driver of the suspect vehicle failed to stop, and a pursuit was initiated;
- pursuit was initiated for Criminal Code offence;
- The pursuit was terminated after 8.5kms for public safety reasons;
- Driver was identified and charged with five Criminal Code offences and one Highway Traffic Act offence;
- Damage NIL, Injuries NIL;

- This pursuit did not meet the established SAP guidelines and the police officer was reprimanded.

SAP Report Nine: February 17, 2019

- A police officer in full uniform and operating a fully marked police vehicle, located the suspect vehicle from SAP Report Eight. The driver was believed to be impaired and a threat to public safety;
- With assistance of other units, and with authorization from the Duty Officer, a rolling block manoeuvre was attempted;
- The suspect then struck into the side of a marked cruiser and fled;
- The pursuit was then terminated for public safety reasons;
- A short time later the suspect was located and arrested and charged with five Criminal Code offences and one Highway Traffic Act offence;
- Injuries NIL;
- The suspect vehicle sustained \$3,500 in damages;
- The police vehicle sustained \$5,000 in damages;
- Met the established SAP guidelines.

SAP Report Ten: February 24, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- Suspect vehicle failed to stop;
- The police officer did not initiate a pursuit;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Eleven: March 13, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for investigative reasons (B&E);
- Suspect vehicle failed to stop;
- The police officer did not initiate a pursuit;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Twelve: March 31, 2019

- A police officer in full uniform and operating a fully marked police vehicle, located a suspected impaired driver and attempted a traffic stop;
- Suspected failed to stop, and the officer initiated a pursuit with emergency equipment activated;

- At one point during the pursuit the suspect stopped his/her vehicle and put their vehicle in reverse colliding into the pursuing officer's vehicle;
- A short distance later the suspect was arrested and charged with four Criminal Code offences;
- The pursuit lasted for 1.3 km;
- The pursuing officer sustained minor injuries as a result of the collision;
- Estimated damage sustained to the suspect vehicle \$1,500;
- Estimated damage sustained to the police vehicle \$15,000;
- Met the established SAP guidelines.

Second Quarter

SAP Report Thirteen: April 6, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- Suspect vehicle failed to stop;
- The police officer initiated a pursuit with emergency equipment activated;
- After 800 metres the suspect stopped his/her vehicle and fled on foot;
- The driver was identified and charged with five Criminal Code offences and two Highway Traffic Act offences;
- Damages NIL, Injuries NIL;
- This event met the established SAP guidelines.

SAP Report Fourteen: May 31, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- The driver of the suspect vehicle failed to stop, and a pursuit was initiated;
- The pursuit lasted for 0.5 km before the suspect stopped his/her motor vehicle and fled into a residence;
- The driver was identified and a warrant was issued;
- As a result, one Criminal Code offence and six Highway Traffic Act offences were laid;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Fifteen: June 3, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- The suspect vehicle failed to stop;
- The police officer initiated a pursuit;
- The pursuit was terminated after 0.5 km for public safety reasons;

- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Sixteen: June 7, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop an E-bike for a Criminal Code offence;
- Suspect vehicle failed to stop and a pursuit was initiated;
- The pursuit was terminated after 1 km and the vehicle was lost;
- The driver was later identified and a warrant was issued resulting in four Criminal Code offences and five Highway Traffic Act offences being laid;
- Damages NIL, Injuries NIL;
- Did not meet the established SAP guidelines, the officer was reprimanded.

SAP Report Seventeen: June 19, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- Suspect vehicle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

Third Quarter

SAP Report Eighteen: July 18, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- Suspect vehicle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Nineteen: July 21, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Criminal Code offence;
- Suspect vehicle failed to stop and a pursuit was initiated;
- The pursuit was terminated after 3 km for public safety reasons;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Twenty: July 21, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- Suspect vehicle failed to stop;
- Officer did not initiate a pursuit as the driver was known to police;
- A warrant was issued and the driver being charged with five Criminal Code offences;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

Sap Report twenty-one: July 25, 2019

- A police officer in full uniform and operating a fully marked police vehicle, located a suspected impaired driver and attempted a traffic stop;
- Suspected vehicle failed to stop;
- The officer did not initiate a pursuit for public safety;
- No charges were laid;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

Sap Report Twenty-two: August 7, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Criminal Code offence;
- Suspect vehicle failed to stop, and a pursuit was initiated;
- The pursuit lasted for 0.3 km before the suspect stopped his/her vehicle;
- The driver was arrested and charged with five Criminal Code offences and two Highway Traffic Act offences;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

Sap Report Twenty-three: August 24, 2019

- A police officer in full uniform and operating a fully marked police vehicle, located a suspected stolen vehicle and attempted a traffic stop;
- Suspect vehicle failed to stop and a pursuit was initiated with emergency equipment activated;
- The pursuing officer terminated the pursuit for public safety reasons;
- The suspect vehicle continued a short distance before colliding with two other vehicles;
- The suspect and passengers were arrested and charged with eleven Criminal Code offences;

- Injuries NIL;
- Estimated damage sustained to the suspect vehicle #1, \$5,000;
- Estimated damage sustained to vehicle #2, \$5,000;
- Estimated damage sustained to vehicle #3, \$1,000;
- Did not meet the established SAP guidelines and the officer was reprimanded.

SAP Report Twenty-four: August 31, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop an off-road motor vehicle for a Highway Traffic Act offence;
- The suspect vehicle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Twenty-five: September 9, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for investigative reasons (Armed Person);
- The suspect vehicle failed to stop, and a pursuit was initiated;
- After 0.85 km the suspect voluntarily stopped his/her motor vehicle;
- The driver was charged with one Criminal Code offence and one Highway Traffic Act offence;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Twenty-six: September 13, 2019

- A police officer in full uniform and operating a fully marked police vehicle,
- Attempted to stop a motor vehicle for a Criminal Code offence;
- Suspect vehicle failed to stop and a pursuit was initiated;
- The pursuit ended after 1 km with the suspect collided with a guardrail;
- The suspect was charged with three Criminal Code offences;
- Estimated damage sustained to the suspect vehicle \$10,000;
- Injuries NIL;
- Met the established SAP guidelines.

Fourth Quarter

SAP Report Twenty-seven: October 7, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motorcycle for a Highway Traffic Act offence;

- The driver of the motorcycle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report twenty-eight: October 23, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for investigative reasons (Robbery);
- The suspect vehicle failed to stop and a pursuit was initiated;
- The officer used strategic following as a pursuit tactic;
- The pursuit was terminated after 2.6km for public safety reasons;
- No charges were laid as no suspect was identified;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Twenty-nine: October 31, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- The driver of the suspect vehicle failed to stop;
- The police officer did not initiate a pursuit as the driver had been identified;
- The driver was charged with four Highway Traffic Act offences;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Thirty: October 31, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Criminal Code offence;
- The suspect vehicle failed to stop and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit was terminated after 1.4 km for public safety reasons;
- The driver was identified and charged with five Criminal Code offences and one Highway Traffic Act offence;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Thirty-one: November 8, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted a traffic stop for a Criminal Code offence;
- The suspect vehicle failed to stop and a pursuit was initiated;
- The pursuit was terminated for public safety reasons;

- The suspect vehicle continued a short distance before colliding with a fence;
- The suspect fled on foot and subsequently arrested;
- He/she was charged with four Criminal Code offences and one Highway Traffic Act offence;
- Injuries NIL;
- Estimated damage sustained to the suspect vehicle \$10,000;
- Estimated damage sustained to the fence \$5,000;
- This pursuit did not meet SAP guidelines and the officer was reprimanded.

SAP Report Thirty-two: November 14, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a stolen motor vehicle;
- The suspect vehicle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Thirty-three: November 18, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- The suspect vehicle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report thirty-four: November 19, 2019

- A police officer in full uniform and operating a fully marked police vehicle, responded to a call for service of an impaired driver;
- Upon police arrival the suspect fled in their motor vehicle;
- The officer initiated a pursuit with emergency equipment activated;
- The pursuit lasted 5.8 km before officers performed a rolling block;
- As police were exiting their vehicles, the suspect put his/her vehicle in reverse and collided into the marked cruiser;
- The suspect then fled, driving in the wrong direction on the QEW;
- Officers did not pursue for public safety;
- Estimated damage sustained to the suspect vehicle is unknown;
- Estimated damage sustained to service vehicle is \$3,000;
- No charges were laid;

- Injuries NIL
- Met the established SAP guidelines.

SAP Report Thirty-five: November 22, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Criminal Code offence (Theft);
- The vehicle failed to stop and a pursuit was initiated with emergency equipment activated;
- The pursuit was terminated after 0.5 km for public safety reasons;
- The suspect was identified and charged with two Criminal Code offences and one Highway Traffic Act offence;
- The suspect was involved in a collision subsequent to the pursuit being terminated;
- Estimated damage sustained to the suspect vehicle \$1,000;
- Injuries NIL
- Met the established SAP guidelines.

SAP Report Thirty-six: November 23, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a stolen motor vehicle;
- The suspect vehicle failed to stop;
- The officer did not initiate a pursuit;
- No charges were laid;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Thirty-seven: December 1, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Criminal Code offence (Assault);
- The suspect vehicle failed to stop;
- The officer did not pursue for public safety reasons;
- Further investigation resulted in the driver being identified and charged with two Criminal Code offences;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

SAP Report Thirty-eight: December 11, 2019

- A police officer in full uniform and operating a fully marked police vehicle, attempted to stop a motor vehicle for a Highway Traffic Act offence;
- The suspect vehicle failed to stop, and a pursuit was initiated;

- The pursuit lasted for 0.5 km before the suspect stopped his/her vehicle and fled on foot;
- The driver was identified and a warrant was issued for two Criminal Code offences;
- Damages NIL, Injuries NIL;
- Met the established SAP guidelines.

Of the 38 Fail to Stop events in 2019, 34 were found to meet standard which shows that officers are making the right choice when faced with these situations. In the fall of 2020, the practical refresher course will be focusing on pursuit prevention tactics. The Training Unit will emphasize public safety as the paramount consideration in any pursuit, weighted against the immediate need to apprehend the suspect. All Highway Traffic Act and Criminal Code SAP events will be discouraged by prioritizing the safety of the community and stressing the exigency of the event. Officers will have to articulate the immediate need to apprehend the suspect against the safety of the community. Efforts will continue to be focused on tactical alternatives to SAPs with public safety being the measure of standard.

The Service's Training Unit will continue to provide SAP training which is in compliance with General Order 042.11. The Training Unit will continue to report relevant findings and, when appropriate, make recommendations to Senior Executive Staff and the Board as it relates to training issues

The Training Unit will also continue to analyze and monitor any relevant trends or changes as it relates to SAPs.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with Board By-law 338-2013.

Relevant Policy Considerations

- Police Services Board By-law 338-2013.
- Police Services Act of Ontario Regulation 266/10.
- Provincial Adequacy Standard LE-045.
- NRPS General Order 042.11.

Other Pertinent Reports

87.2019 – Annual Report – Suspect Apprehension Pursuits – January 1 to December 31, 2018.

This report was prepared by Kris Hamilton, Constable, Training Unit in consultation with Lynda Hughes, Staff Sergeant, Training Unit, Chris Stewart, Sergeant, Training Unit, and Todd Waselovich, Inspector, Labour Relations & Career Development. Reviewed by David Meade, Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



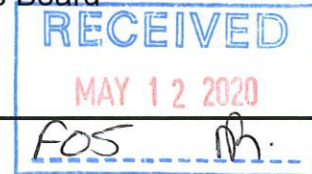
NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

91.

PUBLIC AGENDA

Subject: NRPS Financial Variance Overview for the Year Ending March 31 2020
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-05-07



Recommendation(s)

That the Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of the report is to provide an analysis of the 2020 first quarter financial results of the Service and Board as per the Service's Financial Reporting, Control and Procurement of Goods and Services By-Law 384-2019.
- For the period ending March 31, 2020, the Service and Board have a combined net expenditure before indirect allocations deficit of \$295,104.
- Based on the results for the first three months of the year and known COVID-19 financial impacts continuing until at June 30, 2020, the Service is forecasting a slight surplus of \$306,546 by the end of this fiscal year.
- To date, the most significant risk to the year-end financial position is the impact of the mandated measures by government and health agencies in response to the COVID-19 pandemic continuing beyond June 30, 2020. The forecasted incremental net cost impact resulting from COVID-19 pandemic is \$911,494.

Financial Considerations

There are no direct financial implications from receipt of this report.

Analysis

The year-end variance summary (Appendix 1) provides a synopsis of the combined financial operations for the Police Service and the Board for the period ended March 31, 2020. The variance compares the result for 2020 to the budget approved by the Police Service Board and Regional Council.

For the period ending March 31, 2020, the Service and Board have a combined Net Expenditure before Indirect Allocations deficit of \$295,104.

At this time, the Service is forecasting a slight surplus position of \$0.3 million by the end of this fiscal year despite the projected net cost impact of \$0.9 million resulting from the implementation of the COVID-19 emergency measures. This projected net impact assumes emergency measures will be in effect to June 30, but the Service may continue to realize revenue losses and further net cost through to the end of the fiscal year. The Service anticipates the mitigation of these extraordinary costs mainly from uniform hiring lags and lower fuel rate savings.

In March 2020, in response to the growing COVID-19 crisis, the Service initiated the emergency response plan to support the measures mandated by government and health agencies. Activities included the purchase of additional and alternative infection control supplies and personal protective equipment, introduction of social distancing protocols, and the introduction of administrative leave for identified members out of the workplace due to COVID-19 related restrictions. A financial impact summary is provided as Appendix 2.

A detailed discussion of the actual performance to budget by major expense category follows:

Personnel Costs:

Year-to-date at March 31, Personnel Costs exceeded the approved budget by \$109,858 which represents 0.3% of the total Personnel budget; this variance is primarily due to greater than budgeted civilian salaries resulting from the backfilling of operationally essential civilian positions and sick leave payouts; offset by savings realized within uniform salaries.

Based on year-to-date results, the Service is forecasting personnel costs to be under budget by approximately \$1.3 million by year-end. In addition to projected net personnel cost savings resulting from COVID-19, the Service is also anticipating uniform salary savings due to lags in the replacement of vacant positions offset by the expected continued trend in civilian salaries spent for the backfilling of operationally essential positions.

Other Operational Expenditures:

Other Operational Expenditures are comprised of all other operating expenditures excluding Personnel Costs. For the period ending March 31, the Other Operational Expenditures resulted in a net deficit of \$143,657. The deficit is mainly the result of timing of expenditures.

The projected year-end position for other operational expenditures is anticipated to be favorable by approximately \$0.3 million. In addition to a projected net savings of

\$174,930 resulting from the COVID-19 emergency measures the Service anticipates continued savings from the lower than budgeted fuel rate that is expected to year end.

Recoveries & Revenues:

For the period ending March 31, Gross Revenues and Recoveries were slightly below budget levels; this is the net result of potential shortfall from third party revenue sources. The year-end forecast includes a \$1.4 million shortfall in revenues and recoveries. This forecast is based on assumptions that the COVID-19 pandemic measures will continue until at least June 30, 2020 with some residual impacts ongoing until the end of the year.

At this time, the Service is not anticipating any impact to provincial grant programs and the forecast does not include the impact to funding resulting from Regional and Municipal revenue stream funding.

Conclusion:

The detailed variance analysis has been prepared based on results of operations at March 31, 2020. At this time, the Service is closely monitoring the potential impact of COVID-19 pandemic on its financial position and assessing mitigation opportunities.

Alternatives Reviewed

The only alternative is for the Board not to receive this report.

Relationship to Police Service/Board Strategic Priorities

To ensure compliance to the Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service By-Law 384-2019.

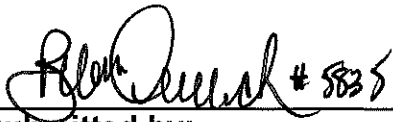
Relevant Policy Considerations

- Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service By-Law 384-2019
- Municipal Act

Other Pertinent Reports

- Finance Committee Minute No.3.2019 – 2020 Niagara Regional Police Service and Board Approved Operating Budget

This report was prepared by Laura Rullo, Manager, Finance, reviewed by Lisa DiDonato-DeChellis, Director, Business Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

- Appendix 1 Niagara Regional Police Service and Board Variance Summary
- Appendix 2 Financial Impact of COVID-19 ending March 31, 2020

Appendix 1
Niagara Regional Police Service and Board
March 2020 Variance Summary

	2019 Actual	2020 Budget	YTD March 2019 Actual	YTD March 2020 Budget	YTD March 2020 Actual	% Budget Spent	Act vs. Budget (Surplus/Deficit)	2020 Forecast	Forecasted Variance	
									\$	%
Police Service										
Uniform Salaries	77,091,676	82,170,354	19,007,901	19,874,737	19,222,405	23%	662,332	78,693,621	3,476,732	4.2%
Uniform Overtime	5,932,873	3,134,747	977,677	772,507	1,246,793	40%	(474,286)	5,976,226	(2,637,478)	-84.1%
Total Uniform	83,024,549	85,305,101	19,985,578	20,647,244	20,469,198	24%	178,045	84,469,847	839,254	1.0%
Civilian Salaries and Wages	28,939,606	29,713,875	6,924,718	7,388,317	7,497,931	25%	(109,613)	29,637,488	76,367	0.3%
Civilian Overtime	1,147,548	535,965	171,747	138,646	231,869	43%	(93,223)	629,188	(93,223)	-17.4%
Total Civilian	30,087,154	30,249,840	7,096,465	7,526,963	7,729,800	26%	(202,836)	30,266,676	(16,836)	-0.1%
Other Salaries and Wages	2,431,858	2,372,884	543,765	510,061	514,427	22%	(4,376)	2,262,336	110,548	4.7%
Total Salaries and Wages	115,543,561	117,927,825	27,625,809	28,684,258	28,713,425	24%	(29,167)	116,994,859	932,966	0.8%
Employee Benefits	28,675,253	30,375,014	7,720,652	8,316,927	8,202,104	27%	114,823	29,952,860	422,454	1.4%
WSIB	1,764,524	1,700,000	475,444	425,001	503,137	30%	(78,136)	1,700,000	-	0.0%
Sick Leave Payouts	1,206,490	700,000	566,839	175,000	261,955	37%	(86,956)	700,000	-	0.0%
Specialty Allowance	1,691,779	1,841,822	(17,059)	6,516	17,434	1%	(10,916)	1,841,822	-	0.0%
Other Allowances and Benefits	735,335	3,875,175	161,430	927,008	946,512	24%	(19,504)	3,879,495	(4,320)	-0.1%
Total Benefits and Allowances	34,063,382	38,492,010	8,897,307	9,850,461	9,931,142	26%	(80,691)	38,073,876	418,134	1.1%
Total Personnel Costs	149,606,943	156,419,835	36,523,116	38,534,709	38,644,567	25%	(109,856)	155,066,735	1,351,100	0.9%
Telephone & Communications	882,143	930,180	217,491	232,550	235,225	25%	(2,675)	948,673	(18,493)	-2.0%
Other Administrative Expenses	2,943,530	3,282,796	778,054	820,729	744,764	23%	75,965	2,976,745	306,051	9.3%
Total Administrative Expenses	3,825,672	4,212,976	995,545	1,053,279	979,989	23%	73,289	3,925,418	287,558	6.8%
Total Operational & Supply	2,476,286	2,273,188	458,344	630,966	789,736	35%	(158,740)	2,441,844	(168,666)	-7.4%
Total Occupancy & Infrastructure	311,149	360,720	107,921	90,179	105,642	29%	(15,463)	410,720	(50,000)	-13.9%
Fuel	1,380,156	1,469,542	295,828	367,388	307,854	21%	59,534	1,200,874	268,668	18.3%
Maintenance Contracts	3,074,733	3,300,059	720,217	825,022	848,645	26%	(23,623)	3,300,059	-	0.0%
Other Equipment, Vehicles and Technology	1,804,598	2,053,592	495,654	513,391	615,213	30%	(101,821)	2,063,222	(9,630)	-0.5%
Total Equipment, Vehicles and Technology	6,199,485	6,823,193	1,511,689	1,705,801	1,771,711	25%	(65,910)	6,564,155	259,038	3.8%
Transfer to Capital Levy Reserve	1,200,000	1,200,000	300,000	300,000	300,000	25%	-	1,200,000	-	0.0%
Transfer to Benefits Liabilities Reserve	-	-	-	-	-	0%	-	-	-	0.0%
Transfer to Vehicle & Eqm Repl. Reserve	1,500,000	1,500,000	375,000	375,000	375,000	25%	-	1,500,000	-	0.0%
Transfer to Contingency Reserve	250,000	250,000	62,500	62,500	62,500	25%	-	250,000	-	0.0%
Transfer to WSIB Reserve	200,000	200,000	50,000	50,000	50,000	25%	-	200,000	-	0.0%
Total - Transfers to Reserve Fund	3,150,000	3,150,000	787,500	787,500	787,500	25%	-	3,150,000	-	0.0%
Financial Expenditures	6,118	1,000	583	250	1,362	136%	(1,112)	2,112	(1,112)	-111.2%
Intercompany Chargebacks	145,905	177,533	32,365	44,383	20,104	11%	24,279	148,824	28,709	16.2%
Total - Financial Expenditures and Chargebacks	152,024	178,533	32,968	44,633	21,466	12%	23,167	150,936	27,697	15.5%
Total Gross Expenditures	165,721,563	173,418,445	40,417,093	42,847,097	43,100,611	25%	(253,515)	171,711,807	1,706,658	1.0%
Total Recoveries	(1,568,469)	(1,567,991)	(400,311)	(389,488)	(374,249)	24%	(15,249)	(1,557,991)	-	0.0%
Grants	(9,651,756)	(9,638,429)	(2,501,949)	(2,384,606)	(2,483,095)	26%	98,490	(9,636,919)	98,490	-1.0%
Fees	(5,800,277)	(5,428,043)	(1,501,325)	(1,337,677)	(1,155,122)	21%	(182,555)	(3,969,829)	(1,458,213)	26.9%
Other Revenues	(2,328,766)	(2,185,763)	(608,500)	(546,441)	(604,166)	28%	57,724	(2,145,394)	(40,369)	1.8%
Transfer From Accum. Sick Lv. Res. Fund	-	(250,000)	-	(62,500)	(62,500)	25%	-	(250,000)	-	0.0%
Total Revenues	(17,780,799)	(17,402,235)	(4,511,774)	(4,331,224)	(4,304,883)	25%	(26,341)	(16,002,142)	(1,400,092)	8.0%
Net Exp. before Indirect Allocations	146,372,295	154,458,220	35,405,008	38,126,375	38,421,479	25%	(295,104)	154,151,674	306,546	0.2%

Appendix 2: COVID-19 Pandemic Financial Impact Summary

	Note	Expenses as of Date	Expenses Incurred to Date	Forecast to Dec 31
Direct Costs Supported by Approved Operating Budget				
Permanent Members on Administrative Leave	1	Apr 18	567,182	963,218
Members on Rotating Shifts	2	Apr 18	39,746	146,411
Direct Costs Supported by Approved Operating Budget	3		606,928	1,109,629
Net Incremental Costs related to COVID-19				
Direct Costs:				
Personnel Costs Specific to COVID-19 Activities	4	Apr 18	96,069	142,697
Other Supply Costs	5	Apr 30	189,165	324,165
Lost Revenue	6	Apr 30	525,000	1,699,861
Sub-Total -Direct Costs			810,234	2,166,723 A
Estimated Potential Savings:				
Personnel Costs	7			(558,839)
Other Supply Costs	8			(696,390)
Sub-Total -Estimated Potential Savings				(1,255,229) B
Net Incremental Costs Related to COVID-19	9			911,494 C= A+B

Note:

1. Permanent member on administrative leave due to COVID-19 restrictions where possible these members are working from home and are only replaced when operationally essential.
2. Positions identified where working from home is not possible and rotating shifts were implemented to support COVID-19 restrictions.
3. The projected costs are based on the assumption that COVID-19 emergency measures will be in effect to June 30th.
4. Temporary member salaries incurred due to self isolation from travel/contact during initial onset of pandemic. Overtime costs incurred to implement initial phase of pandemic.
5. Includes the purchase of additional and alternative infection control supplies, personal protective equipment and other costs resulting from implementation of COVID-19 measures.
6. Anticipated loss of third party revenues.
7. Estimated personnel cost savings resulting from reduction in use of temporary pool and overtime due to COVID-19 restrictions assumed to be in effect to June 30.
8. Estimated savings to conference/workshop registrations and travel related costs to end of year, special duty labor costs and lower than anticipated fuel rates during COVID-19 emergency measures.



NIAGARA REGIONAL POLICE SERVICE
Police Services Board Report

PUBLIC AGENDA

Subject: Records Management System (RMS) Annual Maintenance & Support for the period of June 1, 2020 to May 31, 2021

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-29



Recommendation(s)

That the Niagara Police Services Board approve the 2020 annual maintenance renewal – Invoice #2004-053 - for the Niagara Regional Police Services Records Management (RMS) System in the amount of \$184,780.90 including HST (net of rebates).

Key Facts

- The purpose of this report is to present the Versaterm yearly maintenance/support renewal for the RMS System.
- The renewal amount is included in the 2020 Technology Services Operating Budget.
- The RMS System is a mission critical application and renewal invoice includes licensing, emergency after-hours support, on-site upgrades, support of several internal and external application interfaces and application Portals.
- RMS Upgrades and updates maintain an up-to-date system with current software versions that are supported by companies supplying these licenses and maintaining on the Service's behalf to current C.P.I.C. standards.

Financial Considerations

In 2019, The RMS annual maintenance/support fees were \$178,534.87, including HST (net of rebates).

The overall fees for 2020 represent a 3.5% increase over the previous year. This is due to the annual 3% yearly increase and a prorated cost of purchase of an additional 15 MRE licenses that resembles the 0.5% increase.

Analysis

Software maintenance is a part of the Software Development Life Cycle. The purpose of this agreement is to work with Versaterm to modify and update the application, correct problems, improve performance and enhance functionality.

Alternatives Reviewed

None Proposed

Relationship to Police Service/Board Strategic Priorities

An up-to-date RMS allows the Service to maintain alignment with the 2019-2020 Business Plan as it utilizes its investments in technology solutions to realize operational efficiencies and cost savings through automation and digitalization.

Relevant Policy Considerations

Regional Municipality of Niagara Police Services Board By-Law 384-2019, Financial Reporting, Control and Procurement in the NRPS.

Other Pertinent Reports

N/A

This report was prepared by Tracey McDowall, IT Operations Systems Coordinator, Technology Services, in consultation with Rany Audeh Manager, Technology Projects & Systems and reviewed by Akram Askoul, Director, Technology Services recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Appendix 1 2004-053_Niagara RMS Support



VERSATERM

INVOICE #2004-053

April 23, 2020

TO: Niagara Regional Police Service
5700 Valley Way
Niagara Falls, Ontario L2E 1X8

Attention: Tracey McDowall, Operations Systems Coordinator
Tracey.McDowall@niagarapolice.ca

REFERENCE: CAD/RMS System Contract – Agreement #NRPS-01
Between the Regional Municipality of Niagara Police Services Board
And Versaterm Inc.

PARTICULARS: **RMS Annual Maintenance/Support**
For the period: June 1, 2020-May 31, 2021

RMS (200 Licences):	\$ 102,948.00
Records Application	
Document Attachments	
MRE (163 licences) /Ticketing/PDF Integration	
MRE (15 licences)	Prepaid
MRE/Mugshot Display (6 lic for Niagara Parks Police)	
Upgrade Support	
Interfaces:	\$ 44,140.00
LEIP (633 officers)	
CPIC	
Niche/MDT-RMS Mugshot/ Incharge	
Ontario Powercase Interface	
Push-to-Talk/Emergency	
CAD UNS GPS	
RESTFul API (GPS)	
Web API Interface	
Four J's:	\$ 21,215.00
1 BDL Development License	
205 RMS RunTime Licenses	
Informix:	\$ 13,282.00
IDS Workgroup V10 Unlimited Users 400 PVU	

AMOUNT: \$181,585.00
13% HST 23,606.05 VERSATERM INC. HST #10175 6807 RT0001
\$205,191.05

TERMS: Net 45 days

1

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NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

93.

PUBLIC AGENDA

Subject: Computer Aided Dispatch (CAD) Annual Maintenance & Support for the period of March 1, 2020 to February 28, 2021

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-04-29



Recommendation(s)

That the Niagara Police Services Board approve the 2020 annual maintenance renewal – Invoice #2003-029 - for the Niagara Regional Police Services Computer Aided Dispatch (CAD) System in the amount of \$258,657.64 including HST (net of rebates).

Key Facts

- The purpose of this report is to present the Versaterm yearly maintenance/support renewal for the CAD System.
- The renewal amount is included in the 2020 Technology Services Operating Budget.
- The CAD System is a mission critical application and this invoice includes licensing for CAD, Mobile Data Terminals (MDT's), emergency after-hours support, on-site upgrades and the support of several internal and external application interfaces.
- CAD Upgrades and updates maintain an up-to-date system with current software versions that are supported by companies supplying these licenses and maintaining them on the Service's behalf to current C.P.I.C. standards.

Financial Considerations

In 2019, The CAD annual maintenance/support fees were \$249,343.55, including HST (net of rebates).

The overall fees for 2020 represent a 3.7% increase over the previous year. This is due to the annual 3% yearly increase and a prorated cost of purchase of an additional 15 MDT licenses that resembles the 0.7% increase.

Analysis

Software maintenance is a part of the Software Development Life Cycle. The purpose of this agreement is to work with Versaterm to modify and update the application, correct problems, improve performance and enhance functionality.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

An up-to-date CAD system allows the Service to maintain alignment with the 2019-2020 Business Plan as it utilizes its investments in technology solutions to realize operational efficiencies and cost savings through automation and digitalization.

Relevant Policy Considerations

Regional Municipality of Niagara Police Services Board By-Law 384-2019, Financial Reporting, Control and Procurement in the NRPS.

Other Pertinent Reports

Not applicable.

This report was prepared by Tracey McDowall, IT Operations Systems Coordinator, Technology Services, in consultation with Rany Audeh Manager, Technology Projects & Systems, reviewed by Akram Askoul, Director, Technology Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Appendix 1 Versaterm Invoice #2003-029



VERSATERM

INVOICE #2003-029

March 4, 2020

TO: Niagara Regional Police Service
5700 Valley Way,
Niagara Falls, ON L2E 1X8
Attention: Tracey.McDowall@niagarapolice.ca

REFERENCE: CAD/RMS System Contract – Agreement #NRPS-01
Between the Regional Municipality of Niagara Police Services Board
And Versaterm Inc.

REFERENCE: **CAD Annual Maintenance/Support**
For the period: March 1, 2020 to February 28, 2021

PARTICULARS:	CAD:	\$ 98,152.00
	Police CAD Application (20 positions)	
	Interfaces – CPIC	
	Interfaces – GIS/911/PTT/Master Clock/Permitted Alarms	
	Interface – CAD/ProQA	
	Upgrade Support	
	Mobiles:	\$ 92,247.00
	MDT Application (173 Licenses)	
	Versaterm RFGate/RFLink (173 Licenses)	
	Versadex H/MDT-RMS/CPIC Link (50 licenses)	
	e-Ticketing (154 Licenses)	
	AVL-GPS and AVRR	\$ 28,030.00
	7 X 24 Emergency Support	\$ 10,855.00
	<i>** No additional charge for the first three (3) support calls</i>	
	<i>** On the fourth call and thereafter:</i>	
	<i>- additional Emergency Support per call premium \$600</i>	
	<i>- additional Emergency Support per hour premium \$450 after second hour</i>	
	Four J's Maintenance:	\$ 8,300.00
	1 Genero Compiler License/75 CAD RunTime Licenses	
	Informix Maintenance:	\$ 16,600.00
	IDS Workgroup V10 Unlimited Users 400 PVU (Production)	
	IDS Workgroup V10 Unlimited Users 100 PVU (Impl/Dev/Test)	

AMOUNT:	\$ 254,184.00	
13% HST	<u>33,043.92</u>	VERSATERM INC. HST #10175 6807 RT0001
	<u>\$ 287,227.92</u>	

TERMS: Net 45 days

1

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94.

INTERNAL CORRESPONDENCE

To: Chair and Members
From: Deb Reid
Dept: Niagara Police Services Board
Dept: Executive Director
Niagara Police Services Board

Date: May 1, 2020

Re: Donation from Special Fund – Ontario Association of Police Services Boards

Purpose:

To provide the Board with notification of the cancellation of the Ontario Association of Police Services Boards (OAPSB) 2020 Spring Conference and request to continue its sponsorship of the virtual Annual General Meeting being held on May 29, 2020.

Background:

The OAPSB is a non-profit provincial organization representing municipal police services boards, and the so-called 'OPP Boards'. The OAPSB, and its predecessor, the Municipal Police Authorities (MPA), have been in existence for over 54 years assisting police services boards in discharging their duties of governance and oversight. It provides a wide variety of services designed to assist police services boards in discharging their duties, including the annual meeting and conference, which is designed to inform and enlighten those in government responsible for policing in Ontario so that they may better understand the governance perspective.

Discussion:

At the February 27, 2020 meeting, the Board authorized a donation in the amount of \$1,000 from the Special Fund to the OAPSB in support of its 2020 Spring Conference and Annual General Meeting. On March 23, 2020 the Board received notification that due to the COVID-19 pandemic, the OAPSB 2020 Spring Conference that was scheduled to be held in Toronto from May 27 – 30, 2020 has been cancelled, and that the Annual General Meeting will be conducted virtually on May 29, 2020 at 3:00 pm. On April 21, 2020 an email was received from the OAPSB requesting the Board consider continuing its support for the Annual General Meeting. (Copies of the communications are attached).

The Board has a discretionary pool of funds, which it uses for grants and donations. Disbursements from the fund must be in accordance with guidelines provided in the *Police Services Act*, and also with Board policy. This request meets the Board's Special Fund criteria and the Board has supported this conference for 17 years in the amount of \$1,000 for each year from 2003 - 2019, and in 2011 as the conference host Board in the amount of \$10,000.

Pursuant to the Board's Special Fund By-law 376-2018, Section 6.2 of the funding guidelines, the Chair has "authority to pre-approve disbursements from the Special Fund on an exception basis and in keeping with the general policy statement with such approved item being placed on the next Board agenda."

On April 24, 2020, the Big 12 Police Services Boards and OAPSB Zone 4 were canvassed to determine their course of action. Those that supported the Spring Conference have all indicated that they will be maintaining their sponsorship level contributions to the virtual Annual General Meeting. This matter was discussed with the Board Chair and the disbursement was redirected to the OAPSB virtual Annual General Meeting and this report serves as notification as required by Board by-law.

Recommendation:

That the Board continue its sponsorship in the amount of \$1,000.00 from the Special Fund to the Ontario Association of Police Services Boards (OAPSB) in support of its 2020 virtual Annual General Meeting.



Deb Reid
Executive Director

Encl.



Ontario
Association of
Police Services
Board

180 Simcoe St, London, ON N6B 1H9

oapsb@oapsb.ca

Tel. 1-800-831-7727

23 March 2020

2020 SPRING CONFERENCE CANCELLATION

Dear Members,

OAPSB values the safety and well-being of our members and stakeholders above all else. The COVID-19 pandemic is showing no signs of slowing down in the near future, and with the conference only 9 weeks away, the OAPSB Board of Directors has opted to cancel the 2019 Spring Conference and conduct the Annual General Meeting virtually. We believe this is the prudent course of action, in everyone's best interests. It also means that we fall short of our annual funding goals, while experiencing some sunk costs related to conference preparations thus far, as well as new costs setting up a virtual AGM. Accordingly, we would appreciate any financial assistance you can provide in the form of sponsoring the virtual AGM.

In the coming weeks:

- the website will be updated regarding this event cancellation
- registered delegates will be reimbursed their conference registration fees in full
- registered delegates will be encouraged to cancel their conference hotel reservations
- staff will contact sponsors regarding their pledges
- information regarding virtual nominations to the next Board of Directors will be promulgated
- instructions regarding the virtual AGM 2020 will be developed and promulgated

Additionally, please be advised that Chair Phil Huck and Director Robin Doobay have departed the OAPSB Board of Directors, as a result of expiring provincial appointments. The OAPSB Board of Directors has selected Patrick Weaver as its Chair until the first Board meeting after the (virtual) AGM.

Thank you for your understanding and your continued support to OAPSB and public safety. Please stay healthy.

Patrick Weaver
Chair

Fred Kaustinen
Executive Director

Deb Reid

From: Holly Doty <oapsb@oapsb.ca>
Sent: Tuesday, April 21, 2020 3:04 PM
To: Deb Reid
Subject: OAPSB Virtual AGM - Member Support (Niagara PSB and Zone 4)

ATTENTION: This email originated from a sender outside of the NRPS. Please avoid clicking links or opening attachments from external senders unless you are certain it is safe to do so. BE CAREFUL - If you are unsure, please contact itSolutions.

Good afternoon Deb!

I hope you are well and staying safe and healthy.

As you may have heard that although we cancelled the Spring Conference we are continuing to offer a Virtual AGM on May 29th, 2020. See details here: <https://oapsb.ca/events/>

Please accept my thanks for your member partnership commitment towards the Spring Conference. As I finalize the wrap up of one event and launch the new format for the virtual event we would like to ask you to consider continuing your support for the AGM.

To date you confirmed a partnership of \$1000 (Niagara) and \$1000 (Zone 4) which we have received. Would you like to redirect that funding to the AGM (in part of full)?

Member recognition will still be applied to the virtual event. Your logo and participation will be highlighted during the live remarks and on our website.

I appreciate your consideration.

Holly Doty, CMP
Ontario Association of Police Services Boards
180 Simcoe St, London, ON N6B 1H9
T: 1-800-831-7727 | C: 519.636.7707
oapsb@oapsb.ca



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

95.

PUBLIC AGENDA

Subject: Special Fund Donation for the purchase of a Ceremonial Sword, Scabbard, and accompanying leather belt holder for the Niagara Regional Police Service Chief's Ceremonial Guard

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-05-08



Recommendation(s)

That the Niagara Police Services Board approve a Special Fund donation of \$4,690.26 for the purchase of three ceremonial swords and scabbards, two display cases, and one leather belt holder for use by the Niagara Regional Police Service Chief's Ceremonial Guard, and to commemorate the 50th Anniversary of the Service. This will assist with offsetting costs for equipment upgrade and replacement.

Key Facts

- The purpose of this report is to seek the Board's approval for a \$4,690.26 Special Fund donation for the purchase of three ceremonial swords and accessories to replace the ageing equipment currently in use by the Niagara Regional Police Service Chief's Honour Guard, and to mark the Service's upcoming 50th Anniversary.
- The ceremonial swords will have etched upon the blade the Niagara Regional Police Service badge, an inscription of the "Niagara Regional Police Service" name, and a further inscription, "In commemoration of 50 years of service to the citizens of the Niagara Region 1971 - 2021" which will commemorate 50 years of existence of the Niagara Regional Police Service.
- The Chief's Honour Guard serves as ceremonial representation for the Chief of Police and the Service as a whole at various occasions, including police memorials and funerals.

Financial Considerations

- \$4,690.26 Special Fund donation

- If this request is approved by the Board, the cheque can be made payable to the Niagara Regional Police Service to the attention of Finance Manager Laura Rullo who will facilitate payment to the vendor.

Analysis

The Niagara Regional Police Service Honour Guard has existed in some form or other for upwards of 40 years. In 2010, Chief Wendy Southall officially established the Niagara Regional Police Service Chief's Ceremonial Guard, in its current form. The impetus for the establishment of the Chief's Ceremonial Guard was in preparation for the Service's 40th anniversary in 2011.

The Chief's Ceremonial Guard is a ceremonial unit whose primary duty is to honour those officers who have died in the line of duty. This includes participation in police funerals and memorials. Main annual events include the Police and Peace Officers National Memorial in Ottawa, the Ontario Police Memorial in Toronto, and Remembrance Day ceremonies. Secondary functions include attending community events as directed by the Chief of Police. The Chief's Ceremonial Guard is comprised of 25 members including Sworn Officers, Special Constables, and Auxiliary Officers, who attend an average of 30 to 40 events per year. Members of the Chief's Ceremonial Guard train in order to perform at the highest level, and look forward to celebrating the Service's 50th anniversary in 2021.

The current ceremonial sword, scabbard, and accompanying leather belt holder utilized by the Chief's Ceremonial Guard are all worn and not up to standard for a Chief's Ceremonial Guard Unit. The Service identified Guthrie Woods Products Limited, a Canadian company based out of Stittsville, Ontario as the vendor that could produce a suitable ceremonial sword and scabbard at a competitive price and up to the exacting standards required. Guthrie Woods Products Limited is a company that has been in existence for many years and has an excellent record of providing ceremonial swords, medallions, and other accoutrements to the Canadian military and other Canadian Police Services.

The ceremonial sword style is a 1897 British Infantry pattern, which is appropriate for the Chief's Ceremonial Guard and fits well with the local Lincoln and Welland Infantry Regiment. The blade will be forged stainless steel with the Niagara Regional Police Service badge and name etched on one side of the blade, and on the other side of the blade in commemoration of the Service's 50th anniversary, the following inscription will be etched: "In commemoration of 50 years of service to the citizens of the Niagara Region 1971 – 2021". All writing on the sword will be in script. The sword's scabbard will be nickel-plated. Total cost for the ceremonial sword, scabbard, and accompanying leather belt holder is \$1401.96.

In recognition of the Service's upcoming 50th Anniversary, it is proposed that two additional ceremonial swords be commissioned to commemorate this historic event. The additional swords would be replicas of the Chief's Ceremonial Guard sword, for display

in prominent places designated at the discretion of the Chief, and the Board. The cost of the additional two ceremonial swords and enclosed display cases is \$3,288.30.

Board approval is requested for a donation of \$4,690.26 from the Special Fund for the purchase of three ceremonial swords and scabbards, one leather belt holder, and two enclosed display cases. This donation will assist with offsetting costs for equipment upgrade and replacement, and in commemoration of 50 years of service of the Niagara Regional Police Service to the citizens of the Niagara Region.

Alternatives Reviewed

To not support this request.

Relationship to Police Service/Board Strategic Priorities

The Niagara Regional Police Service Chief's Ceremonial Guard in its participation at various events enhances the image of the Niagara Regional Police Service. This also aligns with the community engagement goals and objectives of the NRPS Business/Strategic Plans.

Relevant Policy Considerations

PSB Bylaw 376-2018 Special Fund Administration, Limitations and Guidelines

Other Pertinent Reports

Not Applicable.

This report was prepared by Dave Masotti, Inspector, Chief's Office; amended by Paul Koscinski A/Inspector, Chief's Office and reviewed by Bryan MacCulloch, Chief of Police.



Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable

Guthrie Woods Products Limited

P.O. Box554
Stittsville, Ontario K2S 1A6

QUOTE

Quote No.: 1665
Date: 05/08/2020
Page: 1
Ship Date:

Sold To:

Niagara Regional Police Service
5700 Valley Way
Niagara Falls, ON L2E 1X8

Ship To:

Niagara Regional Police Service
5700 Valley Way
Niagara Falls, ON L2E 1X8
Attn: P. Koscinski/D. Masotti

Business No.: 86839 2473 RT0001

Item No.	Quantity	Unit	Description	Tax	Unit Price	Amount
271-I	2	Set	(1461-Canada) Infantry Officer's sword + nickel plated metal scabbard	H0	895.00	1,790.00
175-crest	2	Each	Laser engraving, right side of blade: NRPS crest + inscription combination; as per layout provided V01-1	H0	85.00	170.00
175	2	Each	Laser engraving: inscription, includes set up charges as per layout V01-1 provided	H0	50.00	100.00
DISC-175	1	Each	Discount on engraving services: repeat engraving setup paid under Quote 1660	H0	-50.00	-50.00
275-DC1	2	Each	Display Case: ceremonial sword, horizontal wall mounted style; solid walnut construction - choice of finish/stain from selection provided - choice of fabric colour for backboard cover from selection provided Lead time for sword engraving: 7-10 business days ARO Lead time for display case produciton: 8-10 weeks ARO Shipped using most economical means - cost is extra and can be estimated once order confirmed and package weights/dimensions can be determined. Deposit (\$1,500.00) required for custom orders. Balance due upon receipt. Method of payment: electronic funds transfer (EFT) H0 - HST0 13% HST0	H0	450.00	900.00
Guthrie Woods Products Limited HST0: #86839 2473 RT0001						378.30
Shipped by						
Comments					Total Amount	3,288.30
Sold By: Paoloni, Tanya						

Guthrie Woods Products Limited

P.O. Box554
Stittsville, Ontario K2S 1A6

SALES ORDER

Order No.: 1660
Date: 05/01/2020
Page: 1
Ship Date:

Sold To:

Niagara Regional Police Service
5700 Valley Way
Niagara Falls, ON L2E 1X8

Ship To:

Niagara Regional Police Service
Honour Guard
Attn: Craig Labaune
5700 Valley Way
Niagara Falls, ON L2E 1X8

Business No.: 86839 2473 RT0001

Item No.	Ordered	Unit	Description	Tax	Unit Price	Amount
271-I	1	Set	(1461-Canada) Infantry Officer's sword + nickel plated metal scabbard	H0	895.00	895.00
175-crest	1	Each	Laser engraving, right side of blade: NRPS crest + "Niagara Regional Police Service" below in SCRIPT font	H0	85.00	85.00
175	1	Each	Laser engraving, left side of blade: three lines in SCRIPT font "In commemoration of 50 years of service // to the citizens of the Niagara Region // 1971 ~ 2021"	H0	50.00	50.00
			Digital engraving layout V01 provided for review/final approval.			
275-K2	1	Each	Sword Accessories: sword knot, metallic gold acorn/cord	H0	18.00	18.00
275-B6-WN	1	Each	Sword belt; white leather w/blank nickel plated buckle/findings	H0	155.00	155.00
275-BK01	1	Each	Booklet: Sword Care and Maintenance N/C	H0		
			Deposit (\$524.00) required for custom engraved orders. Balance due upon receipt.			
			Shipped via Canada Post Expedited; transit time to be confirmed.			
			Sword is in stock at time of quote. Please allow approximately 7 business days to complete engraving work prior to shipment.			
			Freight	H0		37.67
			H0 - HST@ 13% HST@			161.29
Guthrie Woods Products Limited HST@: #86839 2473 RT0001						
Shipped By:						
Comment: as discussed 30 April 2020 (C. Labaune)					Total Amount	1,401.96
Sold By: Paoloni, Tanya						



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

96.

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 19-OCI-072
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-02-25



Recommendation(s)

1. That the Niagara Police Services Board receives this report for information, and
2. That the Niagara Police Services Board makes the report available to the public.

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 267/10 S. 11 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by, the police force and the conduct of its police officers.
- On November 12, 2019, the SIU notified the Service that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent S.11 investigation by the Service's Professional Standards Unit (PSU) determined there were no issues with respect to officer conduct, policies or services provided by the Niagara Regional Police Service.

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On April 8, 2019 at approximately 5:29 p.m., Niagara Regional Police Sergeant A.B. was on routine patrol in a marked police cruiser when he observed a male acting suspiciously in the vicinity of the old St. Catharines Courthouse at King Street and James Street in St Catharines.

Sergeant A.B. subsequently observed suspected drug use by the male and intervened. Upon identifying the male as C.D., it was noted that he was wearing a sheathed knife on his belt and it was determined that he was the subject of outstanding arrest warrants for weapons and fail to appear offences.

When Sergeant A.B. moved to arrest the male, he attempted to flee causing Sergeant A.B. to take hold of him. As he did so, C.D. attempted to strike Sergeant A.B., who then took C.D. to the ground. Sergeant A.B. continued to struggle with C.D., who was on his back, refusing to comply with the directions of Sergeant A.B.

C.D. was restrained until Constables E.F. and G.H. arrived to assist. C.D. continued to struggle with the officers as they attempted to handcuff him and he grabbed the holstered pistol of Constable E.F. C.D. was ordered to remove his hand and was punched several times in the head by Constable E.F. when he failed to do so. The strikes proved effective and C.D. removed his hand. The officers eventually succeeded in rolling C.D. onto his stomach and were able to secure him in handcuffs.

Subsequent to the arrest, it was noted that C.D. had sustained an injury to his nose and he was transported to the hospital by EMS for examination.

At 10:45 p.m., C.D. was diagnosed with a fractured nose, treated and released to police custody to be held pending a bail hearing. As a result of a diagnosis of serious injury meeting the mandate of the SIU, a notification was made to the SIU and they invoked their mandate to investigate.

During the subsequent SIU investigation, Constable E.F. was designated as a Subject Officer and Sergeant A.B. and Constable G.H. were designated as Witness Officers.

On November 12, 2019, the SIU concluded the investigation of this matter. In his decision letter, Interim SIU Director Mr. Joseph MARTINO wrote, *"The file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

Within the SIU investigative report, Mr. MARTINO further noted, *"Given the Complainant's combative behaviour to that point, a loaded firearm in his possession would have posed a grave and imminent risk of serious bodily harm and death to all involved. In the circumstances, I am satisfied that the punches struck by the (Subject Officer), intended to free the officer's firearm from the Complainant's hold, and which met their purpose, were a proportional and measured response to the threat at hand, and accordingly, legally justified"*.

In accordance with Ontario Regulation 267/10 Section 11, the PSU conducted an investigation and review of this incident which considered the following three areas:

1. The policies of the Police Service,
2. The services provided by the Police Service, and
3. The conduct of its police officers.

The Section 11 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the Niagara Regional Police Service, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, Service occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses, and any other information and evidence available on a case by case basis.

1. The Policies of the Niagara Regional Police Service

PSU investigators determined that the following General Orders had primary relevance in this matter and they have also been reviewed accordingly in the context of this incident.

1. General Order 095.09 – Major Incidents and Routine Criminal Investigations
2. General Order 100.09 – Powers of Arrest
3. General Order 053.20 – Use of Force
4. General Order 018.20 – Persons In Custody
5. General Order 168.06 – Officer Note-taking
6. General Order 079.09 – Special Investigations Unit

Upon review, it was determined that the involved officers were fully compliant with the listed General Orders and no issues were identified.

2. Services Provided by the Niagara Regional Police Service

There were no issues identified relating to the services provided by the Niagara Regional Police Service during this incident.

3. Conduct of Niagara Regional Police Officers

There were no officer conduct issues identified during the SIU investigation or the PSU investigation and review of this incident with regard to compliance with General

Orders or legislation. On behalf of the SIU, Interim Director Joseph Martino thanked the members of the Service for their cooperation during the investigation.

The PSU investigation and review of this incident was undertaken in compliance with S. 11 of Ontario Regulation 267/10 made under the *Police Services Act*. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified regarding compliance with governing General Orders, the services provided or the conduct of the involved Police Service members. No corrective actions were necessary and no changes are required to existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 11(4) of Ontario Regulation 267/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

The *Police Services Act* provides that meetings of the Police Services Board shall be open to the public subject to exceptions that are set out in Subsection 35(4). The applicable exception to be considered in this case is whether or not "the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

1. There are no public security matters revealed in this report.
2. This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C246.2019 – Legal Indemnification – SIU Case 19-OCI-072

This report was prepared by Luigi Greco, Acting Superintendent, Executive Services, and recommended by David Meade, Acting Deputy Chief, Support Services.

Bin *for*

Submitted by:
Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 19-OCI-039
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-03-06



Recommendation(s)

1. That the Niagara Police Services Board receives this report for information, and
2. That the Niagara Police Services Board makes the report available to the public.

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 267/10 Section 11 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by the police force and the conduct of its police officers.
- On October 25, 2019, the SIU notified the Niagara Regional Police Service (NRPS) that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent Section 11 investigation by the Professional Standards Unit determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On February 18, 2019 at approximately 12:30 p.m., uniform members of the NRPS responded to a residential address on Niagara Street in the City of Welland with regard to a violent domestic disturbance.

Reportedly, the family of A.B. had recently developed serious concerns regarding his deteriorating mental health and aggression. On this date, A.B. had insisted that his

sister owed him eighty dollars and refused to acknowledge that he was mistaken. The disagreement eventually escalated to a serious altercation with A.B. assaulting both his sister and brother-in-law with a weapon described as a heavy metal door stop.

A.B. and his brother-in-law subsequently engaged in a physical fight during which A.B. was said to have received several punches and an elbow strike to the abdomen. The brother also reported that during the altercation, the two men fell to the floor and that he landed on top of A.B. with his full weight.

Responding officers were advised by the dispatcher of the assault in progress, with the sister reporting that A.B. was "going crazy". The dispatcher further advised that she could hear the person being assaulted while on the line. Upon the arrival of the first unit, the dispatcher further advised that the suspect had fled the residence and was currently at the back of the house. Officers were also advised that the suspect A.B. suffered from mental health issues.

Constable C.D. was the first officer to arrive on scene. Upon arrival, he observed a lone male, later identified as A.B., at the back of the property. Constable C.D. exited his police cruiser and immediately confronted A.B., who disregarded the directions given by Constable C.D. and fled on foot toward a main floor apartment door. Constable C.D. was confident that A.B. was the suspect involved in the assault and was concerned he was attempting to re-enter the apartment of the victims.

Constable C.D. gave chase and used his foot to prevent A.B. from closing the apartment door. Constable C.D. forced the door open and was immediately attacked by A.B. who was attempting to strike him with closed fists. Constable C.D. took physical control of A.B. and grounded him. Constable C.D. attempted to apply handcuffs to A.B. however he refused to follow direction or produce his hands. Constable C.D. subsequently pulled A.B. toward the apartment door and then pinned him to the ground while waiting for backup officers. During this time, Constable C.D. felt A.B. attempt to bite his hand and he delivered two elbow strikes to A.B.'s head to stop the assault.

Constable E.F. and Constable G.H. subsequently arrived to assist and despite continued resistance by A.B., the officers were able to gain control and apply handcuffs, placing A.B. under arrest for Assault and Assault Police.

While onscene, A.B. complained of pain in his foot and an ambulance was requested. A.B.'s sister communicated her concerns to the officers regarding his deteriorating and undiagnosed mental health condition, and based on the totality of the circumstances, grounds were subsequently formed to also apprehend A.B. under Section 17 of the *Mental Health Act*.

A.B. was transported to the Niagara Health System, St. Catharines, by ambulance and at 5:05 p.m. he was diagnosed as having sustained two fractured ribs and a collapsed

lung. As a result of a diagnosis of serious injury, a notification was made to the SIU and they invoked their mandate to investigate.

During the subsequent SIU investigation, Constable C.D. was designated as a Subject Officer and Constable E.F., Constable G.H., Constable I.J. and Acting Sergeant K.L. were designated as Witness Officers.

On October 25, 2019 the SIU concluded the investigation of this matter. In his decision letter, Interim SIU Director Mr. Joseph MARTINO wrote, *"The file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

Within the SIU investigative report, Director MARTINO determined that Constable C.D. was justified in his actions and in his use of force, including the use of an elbow strike in responding to A.B.'s attempt to bite Constable C.D., although he speculated that it was "implausible" that the officer remained at risk of being bitten after the first elbow strike and questioned the "propriety" of the second elbow strike.

Despite this, Director MARTINO concluded, *"That said, I am prepared to give (Constable C.D.) the benefit of the doubt in light of the leeway the law accords police officers who resort to force in violent and dynamic circumstances; what is required is a reasonable response, not an exacting one: R. v. Nasogaluak, [2010] 1 SCR 206; R. v. Baxter (1975), 27 CCC (2d) 96 (Ont. C.A.). Though perhaps ill-advised, I am unable to reasonably conclude that the second elbow strike ran afoul of the latitude prescribed by the criminal law"*.

In accordance with Ontario Regulation 267/10 Section 11, the Service's Professional Standards Unit conducted an investigation and review of this incident which considered the following three areas:

1. The policies of the Police Service,
2. The services provided by the Police Service, and
3. The conduct of its police officers.

The Section 11 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the Niagara Regional Police Service, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses and any other information and evidence available on a case by case basis.

1. The Policies of the Niagara Regional Police Service

Professional Standards Unit investigators determined that the following General Orders had primary relevance in this matter and they have also been reviewed accordingly in the context of this incident.

1. General Order 095.09 – Major Incidents and Routine Criminal Investigations
2. General Order 167.07 – Mentally Ill Persons
3. General Order 100.09 – Powers of Arrest
4. General Order 053.20 – Use of Force
5. General Order 168.06 – Officer Note-taking
6. General Order 079.09 – Special Investigations Unit

Upon review, it was determined that the involved officers were fully compliant with the listed General Orders and no issues were identified.

2. Services Provided by the Niagara Regional Police Service

There were no issues identified relating to the services provided by the NRPS during this incident.

3. Conduct of Niagara Regional Police Officers

Aside from the previously noted commentary of SIU Interim Director MARTINO, there were no officer conduct issues identified during the SIU investigation or the Professional Standards Unit investigation and review of this incident with regard to compliance with General Orders or legislation. On behalf of the SIU, Mr. MARTINO thanked the members of the Police Service for their cooperation during the investigation.

The Professional Standards Unit investigation and review of this incident was undertaken in compliance with Section 11 of Ontario Regulation 267/10 made under the *Police Services Act*. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified regarding compliance with governing General Orders, the services provided or the conduct of the involved Police Service members that required corrective action, and no changes are required to existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.

- 2) To not make the report available to the public.

Subsection 11(4) of Ontario Regulation 267/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

The *Police Services Act* provides that meetings of the Police Services Board shall be open to the public subject to exceptions that are set out in Subsection 35(4). The applicable exception to be considered in this case is whether or not "the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

1. There are no public security matters revealed in this report.
2. This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C11.2020 – Legal Indemnification – SIU Case 19-OCI-039

This report was prepared by Inspector Michael Woods, Professional Standards Unit and reviewed by Superintendent David Meade, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 19-OCI-030
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-03-06



Recommendation(s)

1. That the Niagara Police Services Board receives this report for information, and
2. That the Niagara Police Services Board makes the report available to the public.

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 267/10 Section 11 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by the police force and the conduct of its police officers.
- On October 23, 2019, the SIU notified the Niagara Regional Police Service (NRPS) that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent Section 11 investigation by the Professional Standards Unit determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On February 6, 2019, members of NRPS 1 District (St. Catharines) Street Crime Unit obtained Judicial Authorization under the Controlled Drugs and Substances Act to enter and search a multi-unit residence on Niagara Street, St. Catharines.

Due to information regarding the possible presence of weapons in the residence, the services of the Emergency Task Unit (ETU) were employed to affect the entry to the residence at approximately 5:15 p.m.

Upon entry, ETU Constables A.B., C.D. and E.F. proceeded to the top floor of the residence and entered a bedroom which was found to be occupied by a female and a male later identified as G.H., who was lying on a bed.

G.H. refused to comply with the directions of the officers and had to be physically dragged from the bed by Constable A.B. As G.H. was taken to the ground, his torso landed on a small silver metallic box on the floor beside the bed which subsequently caused him pain and difficulty breathing.

Constable E.F. offered G.H. the services of Niagara EMS on two occasions which he declined, however out of an abundance of caution, Constable E.F. requested EMS attend to assess G.H.

Following assessment by EMS, G.H. was transported to the Niagara Regional Police Central Holding Facility however, upon arrival, he continued to complain of pain and difficulty breathing and it was determined that G.H. should be examined at the hospital.

G.H. was subsequently transported to the Niagara Health System, Niagara Falls, where he was later examined and it was determined that he had sustained two fractured ribs. As a result of a diagnosis of serious injury, a notification was made to the SIU and they invoked their mandate to investigate.

During the subsequent SIU investigation, Constable A.B. was designated as a Subject Officer and Constable C.D., Constable E.F. and Constable I.J. were designated as Witness Officers.

On October 23, 2019, the SIU concluded the investigation of this matter. In his decision letter, Interim SIU Director Mr. Joseph MARTINO wrote, *"The file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

Within the SIU investigative report, Mr. MARTINO further noted, *"There is no indication on this account that (G.H.) was struck in any manner or that said force was anything more than marginal in nature. On this record, I am unable to reasonably conclude that the force used by (Constable A.B.) in aid of what was at the time a lawful detention fell outside the range of what was reasonably necessary in the circumstances"*.

In accordance with Ontario Regulation 267/10 Section 11, the Service's Professional Standards Unit conducted an investigation and review of this incident which considered the following three areas:

1. The policies of the Police Service,
2. The services provided by the Police Service, and
3. The conduct of its police officers.

The Section 11 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the Service, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses and any other information and evidence available on a case by case basis.

1. The Policies of the Niagara Regional Police Service

Professional Standards Unit investigators determined that the following General Orders had primary relevance in this matter and they have also been reviewed accordingly in the context of this incident.

1. General Order 117.08 – Search and Seizure
2. General Order 089.07 – Emergency Task Unit
3. General Order 053.19 – Use of Force
4. General Order 168.06 – Officer Note-taking
5. General Order 079.09 – Special Investigations Unit

Upon review, it was determined that the involved officers were fully compliant with the listed General Orders and no issues were identified.

2. Services Provided by the Niagara Regional Police Service

There were no issues identified relating to the services provided by the NRPS during this incident.

3. Conduct of Niagara Regional Police Officers

There were no officer conduct issues identified during the SIU investigation or the Professional Standards Unit investigation and review of this incident with regard to compliance with General Orders or legislation. On behalf of the SIU, Interim Director Joseph MARTINO thanked the members of the Police Service for their cooperation during the investigation.

The Professional Standards Unit investigation and review of this incident was undertaken in compliance with Section 11 of Ontario Regulation 267/10 made under the

Police Services Act. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified regarding compliance with governing General Orders, the services provided or the conduct of the involved Police Service members. No corrective actions were necessary and no changes are required to existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 11(4) of Ontario Regulation 267/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

The *Police Services Act* provides that meetings of the Police Services Board shall be open to the public subject to exceptions that are set out in Subsection 35(4). The applicable exception to be considered in this case is whether or not "the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

1. There are no public security matters revealed in this report.
2. This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C245.2019 – Legal Indemnification – SIU Case 19-OCI-030

This report was prepared by Inspector Michael Woods, Professional Standards Unit and reviewed by Superintendent David Meade, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.

 #5835

Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 18-OCI-327
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2020-03-06



Recommendation(s)

1. That the Niagara Police Services Board receives this report for information, and
2. That the Niagara Police Services Board makes the report available to the public.

Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 267/10 Section 11 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by the police force and the conduct of its police officers.
- On September 27, 2019, the SIU notified the Niagara Regional Police Service (NRPS) that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent Section 11 investigation by the Professional Standards Unit determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On November 5, 2018 at approximately 12:57 a.m., a female contacted the NRPS Communications Unit to advise she was going to jump off a bridge in St.Catharines following a domestic dispute with her boyfriend. Initial investigation by the Communications Unit determined the identity of the female to be A.B.

NRPS Constable C.D. immediately responded to the bridge and located A.B. who was talking on a cell phone. Constable C.D. initiated verbal contact however A.B. attempted to flee. Constable C.D. pursued A.B., who climbed over the bridge railing. Constable C.D. grabbed A.B.'s leg and sweater however A.B. struggled free from Constable C.D.'s grasp, pushing away and causing her sweater to rip before falling approximately 30 feet to the grassy embankment below. Constable C.D. immediately called for an ambulance and guided responding units and EMS to A.B.'s location.

Sergeant E.F. responded to Constable C.D.'s location to assist while Constable G.H. and Constable I.J. responded to the location where A.B. had landed and assisted EMS with her recovery and transport to hospital.

As a result of the fall, A.B. sustained a fracture to her spine, a rib fracture on the left side and a collapsed lung. As a result of the diagnosis of a serious injury which occurred during an interaction with police, the NRPS notified the SIU who invoked their mandate to investigate.

During the subsequent SIU investigation, Constable C.D. was designated as a Subject Officer and Sergeant E.F. and Constables G.H. and I.J. were designated as Witness Officers.

On September 27, 2019, the SIU notified the NRPS that the investigation into this matter had concluded. In his decision letter, Interim SIU Director Mr. Joseph MARTINO wrote, *"In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

Within the SIU Investigative Report, Director MARTINO further noted, *"On this record, there is no basis to reasonably conclude that (Constable C.D.) ran afoul of the limits of care prescribed by the criminal law. Indeed, the evidence indicates the officer's swift action prevented (A.B.) from reaching a point on the bridge over Highway (redacted), from which location a descent would have been much more perilous"*.

In accordance with Ontario Regulation 267/10 Section 11, the Service's Professional Standards Unit conducted an investigation and review of this incident which considered the following three areas:

1. The policies of the Police Service,
2. The services provided by the Police Service, and
3. The conduct of its police officers.

The Section 11 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the NRPS, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the SIU at the conclusion of their investigation upon the consent of the civilian witnesses and any other information and evidence available on a case by case basis.

1. The Policies of the Niagara Regional Police Service

Professional Standards Unit investigators determined that the following General Orders had primary relevance in this matter and they have also been reviewed accordingly in the context of this incident.

1. General Order 167.07 – Mentally Ill Persons
2. General Order 168.06 – Officer Note-taking
3. General Order 079.09 – Special Investigations Unit

Upon review, it was determined that the involved officers were fully compliant with the listed General Orders and no issues were identified.

2. Services Provided by the Niagara Regional Police Service

There were no issues identified relating to the services provided by the NRPS during this incident.

3. Conduct of Niagara Regional Police Officers

There were no officer conduct issues identified during the SIU investigation or the Professional Standards Unit investigation and review of this incident with regard to compliance with General Orders or legislation. On behalf of the SIU, Interim Director Joseph MARTINO thanked the members of the Police Service for their cooperation during the investigation.

The Professional Standards Unit investigation and review of this incident was undertaken in compliance with Section 11 of Ontario Regulation 267/10 made under the *Police Services Act*. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

In conclusion, there were no issues identified regarding compliance with governing General Orders, the services provided or the conduct of the involved Police Service members. No corrective actions were necessary and no changes are required to existing General Orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 11(4) of Ontario Regulation 267/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

The *Police Services Act* provides that meetings of the Police Services Board shall be open to the public subject to exceptions that are set out in Subsection 35(4). The applicable exception to be considered in this case is whether or not "the desirability of avoiding disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public."

In considering whether or not to make this report available to the public, it is respectfully submitted that the Board consider the following factors:

1. There are no public security matters revealed in this report.
2. This report does not reveal any intimate financial or personal matters.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

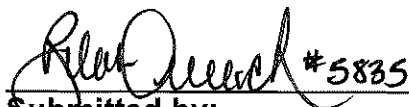
Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C229.2019 – Legal Indemnification – SIU Case 18-OCI-327

This report was prepared by Inspector Michael Woods, Professional Standards Unit, reviewed by Superintendent David Meade, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.

 #5835

Submitted by:

Bryan MacCulloch, M.O.M. #5835
Chief of Police

Appendices

Not applicable.



INTERNAL CORRESPONDENCE

To:	Chair and Members	From:	Deb Reid
Dept:	Niagara Police Services Board	Dept:	Executive Director Niagara Police Services Board

Date: April 17, 2020

Re: Information-Sharing Protocol in Response to the COVID-19 Pandemic

Background Information:

On March 11, 2020, the World Health Organization (WHO) assessed COVID-19 as a pandemic. On March 17, 2020, the Province of Ontario declared a State of Emergency as a result of the pandemic and the Niagara Region, and Niagara's 12 local area municipalities, jointly declared a State of Emergency on April 3, 2020.

As a result, the Niagara Regional Police Service has taken a number of steps to protect its members and ensure that policing services continue to be delivered to the Niagara communities. It is also noted that over the past month, a number of new powers have been conferred upon police officers across the Province related to the enforcement of various Provincial Orders, potentially impacting workload and capacity. Given the evolving public health emergency, it is critical to ensure the continuity of adequate and effective policing services, as well to provide assurance to the community that the Board remains continually engaged in its civilian governance and oversight roles.

Discussion:

In order to ensure that the Board continues to fulfill its statutory responsibilities, it is recommended that an information-sharing protocol related specifically to the pandemic be adopted. The purpose of the protocol is to provide the Service with clear direction on the Board's expectations with respect to ongoing communication. Where a critical point such as the current emergency arises, an effective information-sharing protocol enables the Board to discharge its statutory functions – in particular, to consult with the Chief of Police in generally determining the Service's priorities and objectives, as well as to create policies, if necessary. To perform its role, the Board must remain aware of operational capacity and challenges related to the pandemic. As required by the *Police Services Act*, this consultation and any direction must not result in the Board directing the Chief with respect to day-to-day operations.

In the coming months, the Board should also monitor the implementation of the 2019 – 2021 Strategic Plan, which was put in place on January 1, 2019, prior to the public health emergency. The objectives and measurements described in the Plan may need to be adjusted as a result of the current operational context, and further discussion with the Service should occur when the opportunity allows.

COVID-19 Information-Sharing Protocol:

The COVID-19 pandemic has and will continue to have substantial effects on policing in the Niagara Region. To facilitate timely and informed decision-making in the context of this pandemic, it is recommended that the Board approve the information-sharing protocol proposed below.

The Chief of Police or his designate shall ensure that:

1. The Board is informed as soon as possible of matters that have the potential to impact business continuity, including the following:
 - a. Any substantial deficiencies in deployment levels of sworn officers and/or civilians that would impact the provision of adequate and effective policing and enforcement of provincial orders related to the pandemic;
 - b. Any deficiencies in supplies or equipment, including personal protective equipment, necessary to maintain operations, including the response to the pandemic.
2. Further, that the Board is informed as soon as practical regarding:
 - a. Situations that may involve the need for flexibility in the application of the collective agreements;
 - b. Any abnormal increases in calls for service or crime across the Region or in any particular geographic area, or against any particular vulnerable group, or any serious breaches of the peace related to the pandemic;
 - c. Developments in respect of emergency management planning;
 - d. A summary of the actions taken by the Service to enforce provincial orders, including with respect to maintaining public order;
 - e. A summary of significant complaints known to the Service arising specifically from its response to the pandemic and in enforcing provincial orders;
 - f. Member wellness, for example: the number of sworn or civilian Members that cannot report for duty due to self-isolation or infection with COVID-19; and
 - g. Succession planning at the Command level in the event members of Command are unable to perform their duties as a result of the pandemic.
3. In the event of a critical incident, which includes any significant event that would affect the ability of the Service to deliver adequate and effective policing or could bring the Service's reputation into disrepute, the Chief will report directly and, as soon as practical, to the Chair of the Board. The Chair and/or Executive Director of the Board will advise all other Board Members as soon as practical.

Conclusion:

The COVID-19 pandemic has, and is likely to continue to have impacts with respect to policing in the Niagara Region. The Service, through the Chief of Police, has been providing relevant and timely updates to the Board through the Chair and the Executive Director. To facilitate responsive and informed decision-making in the context of this pandemic, it is recommended that the Board approve the recommendations in this report pertaining an information-sharing protocol.

Recommendation:

That the Board approve the recommendation to adopt the COVID-19 Information-Sharing Protocol as outlined in the report;

And further, that the COVID-19 Information-Sharing Protocol be reported back on the Public Agenda.

A handwritten signature in black ink, appearing to read "Deb Reid". The signature is fluid and cursive, with the first letter "D" being large and prominent.

Deb Reid
Executive Director



INTERNAL CORRESPONDENCE

To:	Chair and Members	From:	Deb Reid
Dept:	Niagara Police Services Board	Dept:	Executive Director Niagara Police Services Board

Date: April 20, 2020

Re: Draft Board By-law 385-2020 – Disclosure of COVID-19 Status Information

Purpose:

The purpose of this report is to request the Board approve the attached Board By-law to "*Establish Policy for the Disclosure of COVID-19 Status Information.*"

Background Information and Discussion:

As part of the effort to support emergency frontline responders and contain the spread of COVID-19, the Provincial Government has issued an Emergency Order under the *Emergency Management and Civil Protection Act*, which allows police services to obtain COVID-19 status information from a specified custodian. Through this order, first responders have access to COVID-19 status information (positive status only) of individuals they are coming into contact, which will help to protect and reduce the potential spread of the virus to first responders and to those they come into contact with in the community.

The disclosure of personal health information related to COVID-19 (positive) status of an individual, must only be used to prevent, respond to or alleviate the effects of the COVID-19 emergency. This includes, ensuring appropriate measures are taken to protect police personnel when responding to a call. This information cannot be used for any other purpose.

Through a memorandum sent on April 6, 2020 to all Ontario Police Services Boards, from the Ontario Ministry of the Solicitor General, Public Safety Division and Public Safety Training Division, the Province encouraged Police Services Boards and Chiefs of Police to develop policies and procedures related to COVID-19 (positive) status information by a Chief of Police within a Police Service. On April 9, 2020, a follow-up memorandum was sent providing additional guidance related to authorized users for the disclosure of COVID-19 status information to communication and dispatch centres. In response to both memorandums, a Board By-law has been developed and a draft is attached for the Board's review and consideration.

The draft By-law has been reviewed by the Board Solicitor, the Service's General Counsel and the Chief of Police and it is now recommended for Board approval. In addition, the Service has prepared a Routine Order that aligns with the By-law, with processes in place to safeguard the access, disclosure and retention of personal health information of individuals obtained through the Ministry of Health database. The Routine Order developed by the Service was also reviewed by the Board's Solicitor and both the Board policy and Service procedures are in sync.

Recommendation:

That the Board adopt By-law No. 385-2020 as appended to this report;

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

And further, that the Board's By-law 385-2020 be reported back on the Public Agenda.

A handwritten signature in black ink, appearing to read "Deb Reid". The signature is fluid and cursive, with the first letter "D" being large and prominent.

Deb Reid
Executive Director

Encl.



BY-LAW NO. 385-2020

**A BY-LAW TO ESTABLISH POLICY
FOR DISCLOSURE OF COVID-19 STATUS INFORMATION**

1. PREAMBLE

- 1.1 WHEREAS subsection 31(1) of the Police Services Act ("the Act") provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to the police service in the municipality;
 - c. establish priorities for the effective management of the police service; and
 - e. direct the Chief of Police and monitor his or her performance;
- 1.2 AND whereas subsection 31(6) of the *Act* provides that the Board may, by by-law, make rules for the effective management of the police service;
- 1.3 AND whereas O. Reg. 3/99 prescribes standards for adequacy and effectiveness of police services;
- 1.4 AND whereas the Ministry of the Solicitor General Policing Standards requires a police services board to have a policy with respect to communicable diseases for the purpose of workplace safety under the *Act*;
- 1.5 AND whereas the Niagara Regional Police Service has developed such policy, being By-law 253-2003, a By-law Respecting Communicable Diseases;
- 1.6 AND whereas the Niagara Regional Police Service has issued a General Order in compliance with the said Board policy respecting Communicable Diseases;
- 1.7 AND whereas the COVID-19 coronavirus is a communicable disease as defined in the *Health Protection and Promotion Act*;
- 1.8 AND whereas COVID-19 issues have led the Premier of Ontario declaring a State of Emergency under the provisions of the *Emergency Management and Civil Protections Act*;
- 1.9 AND whereas the *Occupational Health and Safety Act*, R.S.O. 1990, c.O.1 as amended, set out the responsibilities of employers, supervisors and workers for workplace safety;

- 1.10 AND whereas O. Reg. 120/20 – Access to COVID-19 Status Information by Specified Persons under the *Emergency Management and Civil Protection Act*, permits disclosure of COVID-19 Status Information to members of police services;
- 1.11 AND whereas the Board is required to develop a policy dealing with the disclosure of such information to Service members.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 “Act” means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 “Board” means the Regional Municipality of Niagara Police Services Board;
- 2.3 “Chief” means the Chief of the Niagara Regional Police Service;
- 2.4 “COVID-19 Status Information” means, in relation to an individual, the individual’s name, address and date of birth, and whether the individual has had a positive test for the COVID-19 coronavirus;
- 2.5 “Exposure to COVID-19” means a situation where a Member of the Service believes he/she has been exposed, during the course of carrying out his/her duties, to droplets from a person;
- 2.6 “Member” means a Member of the Niagara Regional Police Service;
- 2.7 “Ministry” means the Ministry of the Solicitor General of Ontario;
- 2.8 “Service” means the Niagara Regional Police Service.

3. BOARD POLICY

- 3.1 The Board is committed to maintaining high quality policing services during the COVID-19 pandemic and to protecting the health and safety of all Niagara Regional Police Service Members. The Board recognizes that uniform and civilian Police Service Members are at risk for exposure to COVID-19 in the course of their duties, and that the level of risk is related to the individual’s role and responsibilities within the Police Service.
- 3.2 The Board understands that Members have been instructed to take all necessary precautions to prevent the spread of the COVID-19 coronavirus, and to prevent the Member contracting same.
- 3.3 In accordance with Ontario Regulation 120/20, an Emergency Order issued under the *Emergency Management and Civil Protection Act*, Members have limited and controlled access to COVID-19 status when dealing with members of the public to preserve their health and prevent community spread.

- 3.4 The Board is committed to addressing the issue of disclosure of COVID-19 Status Information of individuals to Members in a responsible manner to enhance the safety of Members and to protect the privacy of individuals where appropriate. Recognizing the sensitivity of this information, every reasonable precaution to protect its confidentiality will be taken.
- 3.5 The Board believes that the Board and Service Members share responsibility for following established policy, procedures and protocols to safeguard themselves and others against occupational exposure to communicable diseases, including COVID-19.
- 3.6 It is therefore the policy of the Board that the designation and maintenance of a system dealing with the disclosure of such COVID-19 Status Information be conducted professionally and thoroughly and in accordance with the procedures established by the Chief as directed in this By-law.

4. DIRECTION TO THE CHIEF

4.1 PROCEDURES

- 4.1.1 The Chief shall develop and maintain written procedures that ensures the collection, access, use, disclosure and destruction of COVID-19 Status Information is done in a manner that is consistent with this By-law, the *Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, section 255 of the *Municipal Act, 2001* (regarding retention and destruction of records directly related to any law enforcement activity), and any further direction/recommendations by the Ministry of the Solicitor General through its All Chiefs Memorandums on this Regulation.
- 4.1.2 The said procedures shall ensure that COVID-19 Status Information about the COVID-19 (positive) status of an individual must only be used to prevent, respond to or alleviate the effects of the COVID-19 emergency, such as ensuring appropriate measures are taken to protect police personnel when responding to a call.
- 4.1.3 The said procedures shall ensure that the First Responders COVID-19 Risk Look-Up web portal created by the Ministry of the Solicitor General will only be accessible to authorized users designated by the Chief who are involved in communications and dispatch services. The health information will be stored within the highest possible regard for security within the Communications Unit and an individual's COVID-19 Status Information shall not be captured or recorded in any generally accessible local system or CPIC.
- 4.1.4 The said procedures shall include procedures for ensuring the confidentiality of such information in accordance with the requirements of the legislation.
- 4.1.5 The said procedures shall ensure that Service Members may continue to confirm the COVID-19 (positive) Status Information of an individual they have interacted with after the interaction while the Emergency Order remains in effect.
- 4.1.6 The said procedures shall ensure that Service Members who are not authorized users designated by the Chief do not contact specified custodians (i.e. licensed laboratories and Medical Officers of Health (public health units)) for COVID-19 status information.

4.1.7 The said procedures shall ensure that Information collected pursuant to the Emergency Order is destroyed as soon as it is permitted by law.

4.2 *CO-ORDINATION – DESIGNATED OFFICER*

4.2.1 The Chief shall designate a Member or Members of the Service with responsibilities for overseeing the release of COVID-19 Status Information.

5 REPORT TO THE BOARD

5.1 Upon the termination of the Emergency Order, the Chief shall make a written report to the Board detailing compliance with this By-law.

6. IMPLEMENTATION

6.1 This By-law shall come into force on the date of its enactment and shall automatically be repealed upon termination of the Emergency Order, O. Reg. 120/20.

6.2 The Chief shall implement this By-law, where applicable, through General Order.

ENACTED AND PASSED this 23rd day of April, 2020.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson _____

Executive Director _____