



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD PUBLIC AGENDA

Thursday, February 25, 2021, 9:00 am
Meeting Held By Electronic Participation Only
ZOOM VIRTUAL MEETING

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 view the live-stream meeting proceedings, please visit <https://calendar.niagarapolice.ca/meetings>

Pages

1. CALL TO ORDER
2. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST
3. ADOPTION OF MINUTES
 - 3.1. Minutes of the Public Board Meeting held Thursday, January 28, 2021 7

That the Minutes of the Public Board Meeting held Thursday, January 28, 2021 be adopted as circulated.
 - 3.2. Minutes of the Public Finance Committee Meeting held Thursday, February 11, 2021 22

That the Minutes of the Public Finance Committee Meeting held Thursday, February 11, 2021 be adopted as circulated.
4. REPORTS FROM BOARD CHAIR
5. REPORTS FROM THE CHIEF OF POLICE
6. PRESENTATIONS
7. CONSENT AGENDA
 - 7.1. Ministry of the Solicitor General - PSB Appointment Extension - T. McKendrick 26

Correspondence dated February 10, 2021 from Solicitor General Sylvia Jones, Ministry of the Solicitor General, advising that Tara McKendrick has been reappointed to the Niagara Regional Police Services Board, effective from February 20, 2021, for a period of three months or until such time as an appointment has been made by Order in Council, whichever occurs first.

7.2.	1 District Project Status Update - January 2021	27
	Memo dated February 8, 2021 from Nicole Menard, Senior Project Manager, Facilities, Niagara Region, providing the Board with a project status update on the NRPS 1 District facility for January 2021.	
7.3.	Response to Review of Police Strip Searches in Ontario - OIPRD	44
	Service report dated February 4, 2021 providing the Board with the Service's response to the review conducted by the Office of the Independent Police Review Director (OIPRD) entitled, "Breaking the Golden Rule: A Review of Police Strip Searches in Ontario", and notification of the changes that were made by the Service in order to comply with the OIPRD's recommendations.	
7.4.	Niagara Regional Police Service - Ongoing COVID-19 Pandemic	58
	Service report dated February 23, 2021 providing the Board with detailed monthly updates regarding the impact of the COVID-19 pandemic on the Niagara Regional Police Service and the actions being taken to mitigate risks.	
7.5.	Quarterly Report - Administration of the Public Complaints System - July 1 to December 31, 2020	62
	Service report dated February 2, 2021 submitted in accordance to the reporting requirements set out in Board By-law 301-2010.	
7.6.	Quarterly Report - NRPS Authorized Strength as at January 27, 2021	73
	Service report dated January 27, 2021 providing a summary of the actual versus the authorized strength by rank/salary band of the uniform and civilian complement of the Niagara Regional Police Service.	
7.7.	Quarterly Report - Special Fund Activity Report - October 1 to December 31, 2020	76
	Service report dated February 5, 2021 submitted in accordance to the reporting requirements set out in Board By-law 376-2018.	
7.8.	Annual Report - Accessibility Standards and Accessibility Standards for Customer Service - January 1 to December 31, 2020	81
	Service report dated February 5, 2021 submitted in accordance to the reporting requirements set out in Board By-laws 366-2017 and 367-2017. <i>(Steve Murphy, Accessibility Advisory Coordinator, Niagara Region, will be attending the meeting to address any questions the Board may have in regards to the Accessibility for Ontarians with Disabilities Act (AODA) and compliance requirements.)</i>	
7.9.	Annual Report - Collection of Identifying Information in Certain Circumstances - Prohibition and Duties - January 1 to December 31, 2020	83
	Service report dated February 1, 2021 submitted in accordance to the reporting requirements set out in Board By-law 360-2016.	

7.10.	Annual Report - Criminal Intelligence Unit - January 1 to December 31, 2020	89
	Service report dated January 29, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 196-2000.	
7.11.	Annual Report - Disclosure of Secondary Employment - January 1 to December 31, 2020	94
	Service report dated February 1, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 284-2008.	
7.12.	Annual Report - Drug Investigations - January 1 to December 31, 2020	96
	Service report dated February 1, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 223-2000.	
7.13.	Annual Report - Fundraising for Service Related Organizations - January 1 to December 31, 2020	100
	Service report dated February 2, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 186-1999.	
7.14.	Annual Report - Hate-Bias Motivated Crimes and Hate Propaganda Offences - January 1 to December 31, 2020	103
	Service report dated January 28, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 199/200-2000.	
7.15.	Annual Report - Informants and Agents - January 1 to December 31, 2020	109
	Service report dated January 28, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 207-2000.	
7.16.	Annual Report - Major Incident Command - January 1 to December 31, 2020	112
	Service report dated February 2, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 235-2012.	
7.17.	Annual Report - Marked General Patrol Vehicles - January 1 to December 31, 2020	117
	Service report dated February 2, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 257-2003.	
7.18.	Annual Report - Occupational Health and Safety - January 1 to December 31, 2020	119
	Service report dated January 29, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 330-2012.	
7.19.	Annual Report - Police Action at Labour Disputes - January 1 to December 31, 2020	121
	Service report dated January 13, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 240-2000.	

7.20. Annual Report - Public Order Units - January 1 to December 31, 2020 126

Service report dated February 2, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 239-2000.

7.21. Annual Report - NRPS 2019 -2021 Strategic Plan Status Update - January 1 to December 31, 2020 129

Service report dated February 5, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 356-2015.

That the information be received.

8. NEW BUSINESS

8.1. PSB/NRPS 2022-2025 Strategic Plan Development 167

Service report dated February 1, 2021 requesting the Board approve the commencement of the development of the NRPS 2022-2025 Strategic Plan to identify the processes that will form the basis for the future strategic direction of the Service over the next four years, and requesting that the Board appoint a PSB Member to serve as Co-Chair of the Strategic Plan Working Committee.

That the Board approve the commencement of the development of the 2022-2025 Strategic Plan as outlined in the report;

And further, that the Board appoint a Board Member to serve as Co-Chair of the Strategic Plan Working Committee.

8.2. Special Fund Request - 2020 United Way In-House Campaign 170

Service report dated November 23, 2020 requesting the Board approve a donation for the NRPS United Way in-house campaign to assist with costs associated with incentive prizes for contributions funded through employee payroll deductions and for any fundraising opportunities that may arise during the 2020-2021 campaign season.

That the Board approve a Special Fund donation in the amount of \$2,000.00 to support the 2020 United Way in-house donation campaign.

8.3. Police Services Board - 2021 Committee Representation 173

Report dated February 1, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, requesting the Board confirm the mandate and membership of Board Committees for 2021.

That the Board approves the Committee mandate as outlined in this report and confirm its Committee membership for 2021.

8.4. Police Services Board By-law - Update to NRPS Schedule of Fees and Charges

Correspondence dated February 3, 2021 providing the Board with a revised By-law to update the Niagara Regional Police Service Schedule of Fees and Charges.

That the Board approve revised By-law 389-2021, a By-law to Provide for the Imposition of Charges for Police Services, as appended to the report and authorize the Board Chair to execute the required documentation;

And further, that By-law 389-2021 be forwarded to Regional Council for approval.

9. OTHER NEW BUSINESS

10. IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE JANUARY 28, 2021 CONFIDENTIAL MEETING)

10.1. Special Investigations Unit - Case Number 19-OCI-289 — Incident of November 30, 2019 **177**

Service report dated December 4, 2020 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the Police Services Act, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

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

10.2. Special Investigations Unit — Case Number 20-OCI-115 - Incident of May 20, 2020 **181**

Service report dated December 15, 2020 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the Police Services Act, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

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

10.3. Special Investigations Unit — Case Number 20-OCI-145 - Incident of June 21, 2020 **185**

Service report dated January 4, 2021 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the Police Services Act, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

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

11. ADJOURNMENT

The Police Services Board will adjourn the public portion of the meeting and reconvene in-camera for consideration of confidential matters pursuant to Section 35(4) of the Police Services Act.



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
PUBLIC MINUTES

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

PSB MEMBERS:

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

D. Reid, Executive Director

NRPS MEMBERS:

Chief of Police B. MacCulloch
Deputy Chief B. Flynn, Operational Services
Deputy Chief B. Fordy, Support Services
W. Shreve, General Counsel
Superintendent B. Ash, Emergency Investigative Services
Superintendent D. Meade, Executive Services
Superintendent J. Mackay, Operational Support
A/Superintendent M. Lagrotteria, District Operations
A. Askoul, Director of Information Technology
G. Holden, Manager, Central Records
L. Rullo, Finance Manager
S. Sabourin, Corporate Communications Manager
M. Asher, Executive Assistant to the Chief

1. CALL TO ORDER

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

Chair Steele announced that during the COVID-19 pandemic, it is critically important that the Board continues with its governance and oversight work. Since April 2020, the Board has held its monthly meetings virtually and will continue with this practice until the Board can safely resume its in-person meetings.

Chair Steele extended thanks to Chief MacCulloch, his Executive Leadership Team, and the Uniform and Civilian Members of the Niagara Regional Police Service, who have been working diligently, and at times under difficult circumstances. He also thanked everyone joining today: Niagara Region residents, members of the media, and Niagara Regional Police staff who are watching online and staying connected.

Chair Steele recognized that today is "Bell Let's Talk Day", where Canadians and people around the world join in to help create positive change for people living with mental health issues. "Bell Let's Talk Day" and the ongoing impacts of COVID-19 mean that now more than ever, every

action counts in moving Canada's mental health forward. Bell will contribute five cents for every text, call, tweet, social media video using #BellLetsTalk, and by using Bell's Facebook frame or Snapchat filter. The Board encourages everyone to join in the conversation to support those who struggle with mental health by simply talking, texting and participating on social media.

Before proceeding with the agenda items, the Board acknowledged the land on which the virtual meeting is taking place is the traditional territory of First Nations peoples. In particular, the Board recognizes and thanked the Haudenosaunee and Anishinaabe peoples for their stewardship of these lands over the millennia, as well the contribution of Metis, Inuit and other Indigenous people, both in shaping and strengthening this Region in particular, and our Province and our Country as a whole.

2. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

3. ELECTION OF CHAIR AND VICE CHAIR

3.1 Calls for Nomination for Board Chair

Deb Reid, Executive Director, called for nominations for the position of Board Chair for a one year term (2021).

Moved by: H. D'Angela

Seconded by: K. Gibson

That Bill Steele BE NOMINATED as Chair of the Niagara Police Services Board for a one year term (2021).

Carried

3.2 Motion to Close Nominations for Board Chair

Deb Reid, Executive Director, called for a second time for nominations for the position of Board Chair. There being no further nominations, it was:

Moved by: K. Gibson

Seconded by: D. Eke

That nominations for the position of Chair of the Niagara Police Services Board for the 2021 term, BE CLOSED.

Carried

3.3 Voting for Position of Board Chair

There being only one nomination, the Executive Director called for a motion to confirm the election of the Board Chair.

That Bill Steele BE ELECTED to the position of Chair of the Niagara Police Services Board for the 2021 term.

Carried

3.4 Calls for Nomination of Board Vice Chair

Chair Steele called for nominations for the position of Board Vice Chair for a one year term (2021).

Moved by: B. Gale

Seconded by: K. Gibson

That Dave Eke BE NOMINATED as Vice Chair of the Niagara Police Services Board for a one year term (2021).

Carried

3.5 Second Call for Nominations for Board Vice Chair

Chair Steele called for any further nominations for the position of Board Vice-Chair.

There being one further nomination, it was:

Moved by: T. McKendrick

Seconded by: J. Lawson

That Henry D'Angela BE NOMINATED as Vice Chair of the Niagara Police Services Board for a one year term (2021).

Carried

3.6 Motion to Close Nominations for Board Vice Chair

Chair Steele called for a third time for nominations for the position of Board Chair.

There being no further nominations, it was:

Moved by: K. Gibson

Seconded by: B. Gale

That the nominations for the position of Vice Chair of the Niagara Police Services Board for the 2021 term, BE CLOSED.

Carried

3.7 Voting for Position of Board Vice Chair

There being two nominations, the Board Chair conducted a vote for the election of Board Vice Chair.

That, by way of Majority Vote, Dave Eke BE ELECTED to the position of Vice Chair of the Niagara Police Services Board for the 2021 term.

Carried

4. ADOPTION OF MINUTES

4.1 Minutes of the Public Board Meeting held Thursday, December 10, 2020

Moved by: H. D'Angela
Seconded by: J. Lawson

That the Minutes of the Public Board Meeting held Thursday, December 10, 2020 be adopted as circulated.

Carried

5. REPORTS FROM BOARD CHAIR

NRPS K9 Graduation Ceremony - On December 14, 2020, the Service held a Canine Graduation Ceremony at Police Headquarters to recognize Police Constable Wiley and Police Service Dog Rudy as the newest members of the NRPS Canine Unit. Due to on-going COVID-19 restrictions, the ceremony was not open to the public but there was access to a video link. The Board Chair attended in-person for the ceremony and other Board members were able to view the event online.

1 District Facility Project - On January 26, Vice Chair Eke participated in the virtual Joint Region and Police Facilities Accommodations Steering Committee meeting. There is a full report on the progress made for the 1 District (St. Catharines) facility as part of today's agenda, listed as Item 8.3. The Committee is also scheduled to meet on February 23 and further updates will be provided as the project moves forward.

Vice Chair Eke provided a verbal update and confirmed the new 1 District address as 198 Welland Avenue, St. Catharines, Ontario. He advised that construction has continued on track throughout the winter months and that the impact of the pandemic resulted with no incidents of COVID-19 and only a two day shut down since it was deemed an essential service. Municipal representatives from the City of St. Catharines were recently provided with a tour of the site and there were no issues raised. The NRPS radio system is now operational. The core construction of the build is now complete with only minor finishing issues in progress including painting, millwork and completion of site fencing on February 1 to secure the facility. The project remains on budget and is anticipated to remain within 3% contingency costs. The tentative move date from 68 Church Street into the new facility is targeted for March 18, 2021.

Vice Chair Eke also spoke to an issue regarding the additional staff parking lot that is now in use at Police Headquarters. The lot is currently being used by police staff and the completion of parking space line indicators will be completed when weather permits. A specific concern regarding ample lighting to the lot is being addressed with the Region.

Also discussed at the meeting was the temporary 911 Communications Back-Up site being constructed at the 3 District police facility in Welland. The new electrical distribution panel, fire alarm system, etc., have been installed and the Motorola radio system is in the process of being installed. The estimated completion date of the project is February 15, 2021. Transition of the existing 911 Back-Up Centre at 68 Church Street to 3 District is being coordinated by the Service's Director of Technology Services and the transition timeline is between February 15 - 28, 2021.

Board Award of Excellence - On January 18, the Board put out a call for nominations for the Board Award of Excellence to all Uniform and Civilian Members of the Service. This award was created in 2003 and recognizes a uniform or civilian member who has performed an outstanding service by making a significant contribution to the NRPS or the community and has demonstrated continued excellence in the performance of their duties. The Award will be presented at the NRPS Annual Awards Day Ceremony. A reminder to Service members that nominations close on February 26, at which time the Board will review the submissions and select a recipient.

Canadian Association of Police Governance – Webinar Sessions - The CAPG hosts monthly webinars as part of its educational strategy to keep police boards and police executives across Canada apprised of issues currently impacting the policing community. There was a webinar held on January 26 about “Victims’ Rights and Police Governance”, and there is another webinar on February 2 at 12 noon that will focus on the “Effective Evaluation of Police Leadership”. For those who are not able to join on the scheduled date and time, recorded sessions and presentation materials will be circulated to Board Members.

Mobile Crisis Rapid Response Team (MCRRT) – Information Session - On March 11 at 9:30 am, the NRPS and Canadian Mental Health Association (CMHA) will provide an information session/workshop to the Police Services Board about the Mobile Crisis Rapid Response Team (MCRRT) program, which will also include reference to the NRPS Crisis Outreach and Support Team (COAST) and the Crisis HUB. The presentation will be provided by CMHA representatives: Kelly Falconer, Manager; and Brandy Sand, Clinical Supervisor, Immediate and Brief Services. Further details and a copy of the presentation will be provided closer to the meeting date.

Ontario Association of Police Services Boards - Spring Conference & AGM - The OAPSB recently announced that they will holding their 2021 Spring Conference as a virtual event from May 27-29, 2021. The agenda will be posted on February 1, and Board members are encouraged to review the program and confirm their participation for early bird registration.

Upcoming PSB Meetings - The next Committee Meeting will be held Thursday, February 11 at 9:00 am, and the next Board Meeting will be held Thursday, February 25, at 9:00 am. These meetings will be held by electronic participation through Zoom.

6. REPORTS FROM THE CHIEF OF POLICE

Bell Let's Talk Day - Further to the comments provided by Chair Steele, Chief MacCulloch stated that this initiative certainly serves as a stark reminder to all of the importance of having open conversation with friends and family that pertain to mental health. The Niagara Regional Police Service knows far too well the devastating impact that is associated with Post Traumatic Stress Disorder (PTSD) and mental health, and more importantly the importance of mental health and wellness for both sworn and civilian members. He emphasized the importance for each of us to do all we can to breakdown the stigma associated with these issues.

Continuing COVID-19 Situation - The Niagara Regional Police Service continues to manage and adapt to the ever-changing reality of the COVID-19 pandemic and the impact it is having on the Niagara community and police members. The Niagara community has witnessed a whirlwind of COVID-19 developments since the last Board meeting in December and when last reported on December 10, 2020, the Niagara Region remained in the Orange-Restrict level. However as of December 21, 2020 Niagara was moved into the Red – Control Level under the Reopening Ontario Act, and on December 26, 2020 the Region entered a province-wide lockdown, where Niagara currently remains today. The increased restrictions under the lockdown included restricting indoor organized public events and social gatherings - except with members of the same household, prohibiting in-person shopping in most retail settings, restricting indoor access to shopping malls, and the prolonged closure of schools following the Christmas holiday break. Premier Ford cited over-burdened hospitals, rising case counts and mortality rates across the province for the need to impose further restrictions, as well as mounting evidence that the Public Health advice to remain home and not socialize with those outside of a single household was not being followed.

Additionally, on January 12, 2021, the Provincial Government declared a second State of Emergency under the Emergency Management and Civil Protection Act as a result of high COVID-19 transmission rates. This included further restrictions of which included a “Stay-At-Home” Order which took effect January 14, 2021. Under this Order, everyone must stay home and only go out for essential trips such as groceries, medical appointments, essential work and a variety of other exceptions as stated within the Order.

Keeping in step with the lockdown and to ensure the health and safety of police members and the public, the Service made the decision that effective December 22, 2020 the front desks at 1 District, 2 District, and 3 District facilities will open to the public for emergency access only. The front desks at 5 District, 6 District, and 8 District facilities will close to members of the public. The Records counter at Headquarters will remain open to the public by appointment only. The Collision Reporting Centres in St. Catharines and Welland will close, and the Collision Reporting Centre at Headquarters in Niagara Falls will continue to operate Monday to Friday from 10:00 am to 6:00 pm and Saturday from 10:00 am to 4:00 pm. The Centre is closed on Sundays. As of today, these restrictions currently remain in effect.

The Service has also reintroduced a return to remote work from home assignments for its members. As of December 17, 2020, there was a staged departure from the workplace for members whose job functions met the requirements for remote work. The Senior Command Team completed a review of each Unit to determine which functions can be performed remotely and members who are assigned to work remotely can expect to do so subject to a continuing review of conditions related to the pandemic.

At the last Board meeting, Chief MacCulloch reported that the Service had three members test positive for COVID-19. However, that count has now risen to 12 members. In each case, the Service has worked with Niagara Region Public Health to ensure contact tracing was undertaken as quickly as possible, and that further steps were taken in the workplace to mitigate the potential transmission of the virus, which included a deep cleaning of a positive testing members' work environment.

On January 6, 2021, the Service had an unannounced visit from Niagara Region Public Health who conducted an inspection of the Training Unit to confirm the Service was adhering to all required public health measures under the Reopening Ontario Act, including appropriate physical distancing, proper sanitizing of work areas, appropriate wearing of face coverings within the workplace, and confirmation that all employees and visitors were being screened prior to entering our facilities. Additionally, Niagara Region Public Health sought confirmation that the Service had taken appropriate steps to ensure that members were actually complying with the requirement to complete screening. Police staff were able to walk the Niagara Region Public Health Inspector through the NRPS COVID-19 Screening Tool, as well as the Compliance Dashboard, both developed in-house by the Service's exceptional NRPS IT Unit, which demonstrated that the Service was in compliance with all legislative requirements. The Public Health Inspector commented favourably on the proactive steps that the Service has taken to safeguard the workplace, including the use of the COVID-19 Screening Tool and Compliance Dashboard. There were a few minor recommendations related to the cleaning of the shared lunch area and the placement of additional hand sanitizer dispensers throughout the building, which were implemented on the same day that those recommendations were made.

On January 15, 2021, Chief MacCulloch released an open letter to the community as it pertained to the ongoing pandemic viewing this as an opportunity to demonstrate leadership on behalf of the NRPS in light of the alarming case counts and deaths tied to the virus in Niagara. Overall, he has received positive and supportive feedback regarding the letter from not only members of the Service, but more importantly in this circumstance, members of the public and other community leaders.

Life within Niagara Region continues to be far from normal and the Provincial and Public Health authorities continue to stress physical distancing, frequent hand-washing, respiratory etiquette, the wearing of face coverings or masks when physical distancing cannot be achieved, along with encouraging people to stay at home. The Service continues to encourage members to observe these same safety measures both in the workplace and in their personal lives while off-duty.

The Pandemic Business Continuity Committee continues to meet regularly to evaluate and determine how to adapt to the continuously changing restrictions and the reality of COVID-19. The Service continues to be vigilant and methodical in its approach to ensure the safety of all members. Staff will continue to be flexible and adaptable to changing circumstances based on a combination of government and public health direction and will continue to closely monitor what is taking place within the Niagara community. The Service will continue to work closely with its Emergency Services Partners at Fire and EMS, local municipalities, the Region and Public Health in participating in the Emergency Operations Centre (EOC) to help guide through these evolving times.

In terms of calls for service, the NRPS continues to trend at or above pre-pandemic levels. There has been no significant deviation of calls for service in respect to any geographic area within the Region, or in relation to any particular vulnerable group, or any serious breaches of the peace related to the pandemic. To-date, the NRPS has issued 91 Provincial Offence Notices for failing to comply with Orders and has received a total of 1,669 COVID-19 specific calls for service related to Emergency Management and Civil Protection Act (EMCPA) and Reopening Ontario Act (ROA) Orders. Members have been encouraged to use the following four 'E's approach to the enforcement of the Stay-At-Home Order and other Orders issued under the EMCPA and ROA:

1. 'ENGAGE' with individuals as you normally would during the course of your duties;
2. 'EXPLAIN' the reasons for your interaction in a professional manner;
3. 'EDUCATE' individuals on the legislation and compliance requirements;
4. 'ENFORCE' when and where appropriate to do so.

Since the start of the pandemic, the Service has been able to maintain adequate staffing levels and has not had to cancel any scheduled time off for members. The NRPS continues to maintain an adequate supply of PPE, including N95 and surgical masks, gloves, hand sanitizer and wipes and these supplies continue to be monitored and assessed to ensure the Service is well positioned for any future possibilities.

In an effort to safeguard and ensure that members have the most current and accurate information, Chief MacCulloch has issued 83 Service-wide email messages pertaining to COVID-19 and will continue to do so as the situation evolves. Additionally, he continues to host virtual Town Hall meetings when necessary as another means to share information and provide an opportunity for our members to ask questions related to COVID-19.

All members of the Service, sworn and civilian continue to do an outstanding job during this unprecedented challenge and Chief MacCulloch thanked them for their ongoing dedication and professionalism as they continue to serve the Niagara community.

SIU Notification – Incident of December 25, 2020 - The province's Special Investigations Unit is investigating the circumstances surrounding a police-involved shooting that occurred on December 25, 2020 that resulted in serious injuries to a 30 year old male. Preliminary information suggests that the Niagara Regional Police Service was notified by the Hamilton Police Service of a male who was involved in an earlier assault who was believed to be in the Grimsby area.

At approximately 2:46 am, officers located a vehicle of interest being operated in the area of Vansickle Road and St. Paul Street West, St. Catharines. Using a stop stick, officers managed to stop the vehicle. There was subsequently an interaction between NRPS officers and the 30 year old male who was driving the vehicle. While the male was outside of the vehicle, two officers discharged their firearms and the male was struck. The male was transported to hospital for treatment of gunshot wounds. The SIU was notified and invoked their mandate to investigate. Police took necessary steps to preserve the scene and any potential evidence pending the arrival of SIU investigators. A knife was located at the scene and is in the possession of SIU forensic investigators. SIU investigators have also taken possession of two police-issued firearms. In this instance, five officers have been designated as Witness Officers by the SIU and two officers have been designated as Subject Officers by the SIU.

SIU Notification – Incident of January 5, 2021 - The province's Special Investigations Unit is investigating the circumstances surrounding a police-involved shooting that occurred on January 5, 2021 that resulted in the death of a 27 year old male. Preliminary information suggests that at approximately 1:30 pm, police responded to a business in the area of Lundy's Lane and Corwin Avenue in Niagara Falls after an individual reported two people sleeping in a vehicle. Upon arrival of officers to the area, the vehicle fled. Officers followed the vehicle and made numerous attempts to stop it. The vehicle entered a ditch and came to a stop in the area of Niagara River Parkway and Line 3 in Niagara-on-the-Lake. There was an interaction and one officer discharged his firearm striking the male. The male was transported to hospital where he was pronounced deceased at 3:35 pm.

Given the circumstance, the SIU was notified and invoked their mandate to investigate. NRPS members along with officers from the Niagara Parks Police and Ontario Provincial Police took necessary steps to preserve the scene and any potential evidence pending the arrival of SIU investigators. In this instance, 29 NRPS officers, three Niagara Parks Police officers, and five OPP officers have been designated as Witness Officers by the SIU and one NRPS officer has been designated as a Subject Officer. Also of note, two NRPS officers were injured at the Niagara-on-the-Lake scene. The officers were treated at a local hospital for minor injuries and have since been released. Additionally, as a result of a parallel investigation conducted by NRPS Detectives into this matter, a 29 year old female was arrested and charged with two Possession of Stolen Property offences, Obstruct Police, and a Possession offence as it pertains to an illicit drug.

Operational Statistics

Homicides

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

Homicide - Incident of January 19, 2021 - Shortly after 4:00 am, 5 District uniform officers, assisted by members of the Niagara Parks Police responded to a residence located on the Niagara Parkway in Fort Erie for a disturbance possibly involving a firearm. Upon arrival, officers located two deceased females within the home, both of whom sustained obvious trauma to their bodies and both the victim of homicide.

Investigation determined that on the evening of January 18, 2021 leading into the early morning hours of January 19, a group of people, some from outside of the Niagara Region, attended a short term rental accommodation. The group included the two victims. A firearm was discharged and everyone fled the house prior to the arrival of officers. Evidence at the scene suggested that there were multiple people at the house. Detectives are attempting to determine the identity of everyone who was present before and when the incident occurred. The homicide victims have since been identified as 20 year old Juliana Pannunzio from Windsor and 18 year old Christina

Crooks from Toronto. Homicide Investigators are appealing to anyone who may reside or have a business in the area of the crime scene that has security cameras, doorbell cameras or dashboard cameras to contact police as they may have captured something that could assist the investigation. The investigation in this matter continues.

Fatal Motor Vehicle Collisions (MVC)

- 0 for this reporting period with a total of 0 for 2021 to-date, compared to year-end totals of 16 in 2020, 13 in 2019, 13 in 2018, 16 in 2017, 16 in 2016 and 15 in 2015.

Life Threatening Motor Vehicle Collision (MVC)

- 1 for this reporting period.

Life Threatening MVC - Incident of December 28, 2020 - Officers responded to a report of a pedestrian being struck by a motor vehicle at Bridge Street and Sixth Avenue in Niagara Falls. Investigation determined that a 19 year old male was operating a Honda motor vehicle eastbound on Bridge Street. Also at this time, a 55 year old male pedestrian was crossing Bridge Street at Sixth Avenue when he was struck by the Honda motor vehicle. The pedestrian was transported to an out of town hospital with suspected life threatening injuries where he currently remains. The driver of the Honda did not suffer any physical injuries. The investigation in this matter continues by the Collision Reconstruction Unit.

Enforcement Initiatives

Detectives Investigating Shooting in Niagara Falls - On January 2, 2021 at approximately 9:52 am, Niagara Falls uniform officers and Emergency Medical Services attended the area of Jepson Street and Chrysler Avenue in the City of Niagara Falls for an assistance call. Officers arrived on scene and observed a 25 year old male suffering from a gunshot wound. The male was airlifted to an out of region hospital with life threatening injuries. As a result of the investigation, detectives were able to identify a male suspect who was subsequently arrested on January 5, 2021. In the days to follow, three additional arrests were made as it pertains to this incident. This was a targeted incident, as such there are no on-going concerns for public safety. The victim in this matter continues to recover and his injuries are no longer considered life-threatening.

Detectives Investigating Fatality at Welland Recreational Canal - On January 9, 2021 at approximately 1:04 pm, Welland uniform officers attended the Welland Recreational Canal in the City of Welland for a marine call. Officers arrived on scene and were advised two males in their twenties were scuba diving in the Welland Recreational Canal. The divers became separated with one diver surfacing in an attempt to locate his diving partner who had become trapped under the ice. The trapped scuba diver was extricated by the Welland Fire Department. Life saving measures were immediately commenced however he was pronounced deceased. Foul play is not suspected.

Charges in Relation to Violation of COVID-19 Emergency Orders in Welland - The Niagara Regional Police Service continues to work with Municipal and Regional by-law enforcement partners in the on-going enforcement of Emergency Orders in regards to the pandemic. On January 12, 2021 at approximately 11:42 am, Welland uniform officers attended a residence in the City of Welland in regards to a COVID-19 related call for service. Officers arrived on scene and observed multiple people inside a residence, clearly in contradiction of the COVID-19 regulations. As a result, eight people were charged with Fail to Comply with a Continued Section of the Reopening Ontario Act and each were fined \$880. The Niagara Regional Police Service has been working in cooperation and collaboration with our community partners which includes Regional and Municipal by-law officials since the beginning of the pandemic in the enforcement of Emergency Orders.

7. PRESENTATIONS

There were no presentations.

8. CONSENT AGENDA

8.1 Ministry of the Solicitor General - Acknowledgement of Leadership During COVID-19 Pandemic

Letter dated January 8, 2021 from Mario Di Tommaso, Deputy Solicitor General, Community Safety, Ministry of the Solicitor General, extending appreciation to Police Services Boards for their leadership role in ensuring community safety during the unprecedented events over the past year due to the COVID-19 pandemic.

8.2 Medical Cannabis Grow Operations - Public Safety Concerns

Letter dated December 9, 2020 from Bonnie Nistico-Dunk, Clerk, City of St. Catharines, advising that the St. Catharines City Council approved a motion at its meeting held November 30, 2020 to endorse the Board's resolution/correspondence regarding public safety concerns with medical cannabis grow operations.

8.3 NRPS 1 District (St. Catharines) Project Status Report - November/December 2020

Memo dated January 21, 2021 from Nicole Menard, Senior Project Manager, Facilities, Niagara Region, providing the Board with a Project Status Report on the NRPS 1 District facility for November/December 2020.

8.4 Quarterly Report - Brock University Special Constables - October 1 to December 31, 2020

Report dated January 6, 2021 from Scott Johnstone, Senior Associate Vice President, Infrastructure & Operations, Brock University, providing a quarterly report about complaints, use of force, discipline and arrests associated to officers designated as Special Constables and employed with Brock University Campus Security Services.

8.5 Annual Report - Promotion of Service Members - January 1 to December 31, 2020

Service report dated January 4, 2021 submitted in accordance to the reporting requirements set out in Board By-law 187-2000.

Moved by: D. Eke

Seconded by: T. McKendrick

That the information be received.

Carried

9. NEW BUSINESS

9.1 Niagara Police Services Board - 2020 Annual Report on Board Activities

Correspondence dated January 15, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, submitted in accordance with the Ministry of the Solicitor General's requirement for police boards to publicly release details about their activities.

Moved by: B. Gale
Seconded by: H. D'Angela

That the information be received and forwarded to Regional Council for information purposes.

Carried

9.2 Update to NRPS Schedule of Fees and Charges

Service report dated January 8, 2021 requesting the Board approve the recommended changes to the Schedule of Fees and Charges as outlined in the report and to direct staff to ensure that all documentation is updated accordingly.

Moved by: K. Gibson
Seconded by: D. Eke

That the Board approve the recommended changes as outlined in the report;

And further, that staff be directed to ensure that all documentation is updated accordingly.

Carried

9.3 Ontario Police Video Training Alliance (OPTVA) - 2021 Business Plan

Service report dated January 4, 2021 requesting the Board approve the 2021 OPVTA Business Plan, which reinforces both the NRPS and Board's commitment to public safety and organizational excellence through the continuance of developing police training materials for over 26,000 police officers representing 84 member agencies.

Moved by: J. Lawson
Seconded by: B. Gale

That the Board approve the 2021 Ontario Police Video Training Alliance Business Plan as outlined in the report.

Carried

9.4 Special Fund Request - Youth Lacrosse Initiative

Service report dated December 11, 2020 requesting the Board approve a donation for a youth lacrosse initiative that will offer 15 Indigenous/Non-Indigenous youth (ages 14-20 years) an opportunity to actively participate in a lacrosse camp three times per week. The camp teaches fundamental skills such as leadership, problem-solving, teamwork and respect, and police support of this initiative will continue to build relationships and promote strategies for Indigenous youth to be positive role models in the community.

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

That the Board approve a Special Fund donation in the amount of \$1,000.00 to the "Jace Sowden, John Howard Society" for the organization's lacrosse camp initiative.

Carried

10. OTHER NEW BUSINESS

10.1 Consolidation of Emergency Dispatch Service Niagara

Chair Steele referenced a motion brought forward at the Region's January 13, 2021 Corporate Service's Committee (CSC) meeting pertaining to report CSD 3-2021, entitled 'Next Generation 911 (NG911) Update' in which the Committee directed staff to continue the planning for the implementation of NG911 in coordination with partner agencies, boards and council and to develop a recommended model of a consolidated emergency dispatch service for Niagara. He then spoke to January 21, 2021 Regional Council meeting, at which time he brought forward a further amendment to the CSC motion to enhance the timelines in regard to the consolidation efforts, which was carried unanimously.

Deputy Chief Fordy provided some background on the topic. He advised that Chief MacCulloch, Fire Chief Smith, fire department representatives, himself and additional senior police staff assisted in the preparation of the report that was considered by the Corporate Services Committee. The report was developed to essentially seek Regional Council support to further examine what a consolidated emergency dispatch service might look like. As noted by Chair Steele, the report went through the Committee to Regional Council at which time Regional Council supported the motion to further examine the matter.

Deputy Chief Fordy advised of a meeting scheduled later this day with the 12 Fire Chiefs and Deputies for discussions on a consolidated dispatch service and the requirement to potentially move to digital technology for all 12 fire services and the potential co-location of police dispatch, fire dispatch and ultimately ambulance/EMS dispatch. It's anticipated that through this process, the matter will be ultimately referred back to Regional Council with recommendations pertaining to the technical needs, capital costs, stewardship of public monies and governance of a consolidated dispatch service. The timelines that have been established to move the process forward are entirely in keeping with the needs to comply with the Canadian Radio-Television and Telecommunications Commission (CRTC) deadline, which was initially June 2023 but due to the pandemic has now been moved to March 2024. Deputy Chief Fordy advised that although the timeline is aggressive, consolidation of emergency services will allow compliance with not only NG-911 but will also provide effective back-up services with the all respective agencies. Chair Steele advised that there will be a forthcoming interim report in March 2021 and a deadline date of June 2021 or prior for the matter to come to Regional Council at the recommendation of the Corporate Services Committee.

Vice Chair Eke questioned if the envisioned changes to a consolidated emergency dispatch service will be coordinated and/or have any impact on the NG-911. Deputy Fordy advised that the NG-911 has provided the impetus to initiate those discussions. The aggressive timeline completely ties in to allowing the ability to comply with the deadline filed by the CRTC. One of the benefits for the Niagara Region is the excellent relationships that Chief MacCulloch has developed with the Chiefs from EM S and Fire

Services and the common goal shared by those individuals to keep the Niagara community safe in a manner that is mindful of effective stewardship of public monies.

Member Gibson expressed a curiosity toward the related expenses and he expressed the importance of the need to keep a close focus on costings associated with radio use of analog versus digital and whether it will be a regional or municipal responsibility. Chair Steele provided clarity on the structure of Niagara stating the Region has 10 municipalities in which fire services are dispatched through the St. Catharines Fire, one municipality is dispatched through Tillsonburg and Niagara Falls Fire is independent. He advised that Port Colborne entered into a ten year plan with Motorola and that at the end of the term, analog will no longer be an option and digital will be the only option moving forward. Chief MacCulloch advised that the Service moved to a digital radio system some 4.5 years ago primarily because at that time the analog system was antiquated, unreliable and it became hard to find equipment needed for repairs. This further supports the need for all municipalities to move to a digital system for first responders.

Member McKendrick questioned if in due course there will be opportunity for other service providers to use this infrastructure to better coordinate crisis services, specifically recognizing the increase calls for mental health calls for police and EMS. Deputy Chief Fordy advised that there may be potential for discussion down the road. He stated that while Member McKendrick raises an issue for consideration, when the Service moved to its current digital radio system, it was created to allow for up to 2,000 portables and there are currently 900 portables deployed through the NRPS. Given that, should the situation arise for Fire Services to come aboard at the next phase and then ultimately ambulance services, there would be no need to purchase any additional towers, channels or hardware at their repeaters given the infrastructure to accommodate the "bigger machine" is already in place. With that being said, there would be additional costs to purchase portable/mobile and vehicle repeaters for the fire trucks, however much of the infrastructure is in place since the system was built for a future state.

10.2 New 1 District Opening Ceremony

Chief MacCulloch spoke the process of organizing an opening ceremony for the new 1 District police facility located at 198 Welland Avenue in St. Catharines. It was determined that the Service would reach out to Regional staff and the Board's Executive Director to begin discussions on the format for a virtual opening ceremony.

11. IN CAMERA REPORTS

(FOR PUBLIC RELEASE FROM THE DECEMBER 10, 2020 CONFIDENTIAL MEETING)

11.1 Special Investigations Unit - Case Number 19-OCI-272

Service report dated November 19, 2020 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the *Police Services Act*, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

Moved by: H. D'Angela
Seconded by: J. Lawson

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

Carried

11.2 Special Investigations Unit - Case Number 19-OVI-205

Service report dated November 19, 2020 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the *Police Services Act*, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

Moved by: H. D'Angela
Seconded by: J. Lawson

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

Carried

11.3 Special Investigations Unit - Case Number 19-OFD-313

Service report dated November 19, 2020 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the *Police Services Act*, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

Moved by: H. D'Angela
Seconded by: J. Lawson

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

Carried

11.4 Special Investigations Unit - Case Number 20-OCI-143

Service report dated November 19, 2020 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the *Police Services Act*, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

Moved by: H. D'Angela
Seconded by: J. Lawson

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

Carried

12. ADJOURNMENT

The Police Services Board adjourned the public portion of the meeting and reconvened in-camera for consideration of confidential matters pursuant to Section 35(4) of the *Police Services Act*.

The Public Meeting adjourned at 10:04 am.

William C. Steele, Chair

Deb Reid, Executive Director



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
FINANCE COMMITTEE PUBLIC MINUTES

Thursday, February 11, 2021
Meeting Held By Electronic Participation Only
ZOOM VIRTUAL MEETING

PSB MEMBERS:

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

D. Reid, Executive Director

NRPS MEMBERS:

- Chief of Police B. MacCulloch
- Deputy Chief B. Flynn, Operational Services
- Deputy Chief B. Fordy, Support Services
- W. Shreve, General Counsel
- Superintendent R. Frayne, Corporate Services
- Superintendent J. MacKay, Operational Support
- Superintendent D. Meade, Executive Services
- A. Askoul, Director of Information Technology
- Inspector D. Masotti, Executive Officer to the Chief
- L. Rullo, Finance Manager
- S. Sabourin, Corporate Communications Manager
- M. Asher, Executive Assistant to the Chief

1. CALL TO ORDER

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

2. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

3. ADOPTION OF MINUTES

There were no minutes from any previous meeting to adopt.

4. PRESENTATIONS

There were no presentations.

5. NEW BUSINESS

5.1 Ontario CCTV Grant Program Capital Project

Service report dated February 1, 2021 seeking Board approval for the creation of a capital project in the amount of \$180,000 to support the Ontario CCTV Grant Program and allow for proper accounting and tracking of asset purchases by way of funding in the amount of \$90,000 from the Ministry of the Solicitor General, \$15,000 from the City of St. Catharines, \$15,000 from the City of Niagara Falls, and \$60,000 from the Niagara Regional Police Service.

Moved by: B. Gale

Seconded by: K. Gibson

That the Board approve a gross capital budget adjustment in the amount of \$180,000 gross and \$0 net for the Ontario CCTV Grant Program funded from Other External Funding in the amount of \$120,000 and from the NRPS Capital Levy in the amount of \$60,000 (transferred from existing projects);

And further, that the Board forward this proposal to the Region's Commissioner and Treasurer for approval.

Carried

5.2 P25 Voice Radio System Expansion Capital Project

Service report dated February 5, 2021 requesting the Board approve a recommendation to Regional Council for the creation of a capital project in the amount of \$2,402,810 gross and \$0 net to support the P25 Voice Radio System Expansion.

Moved by: B. Steele

Seconded by: J. Lawson

That the Board recommend to Regional Council that a capital budget adjustment in the amount of \$2,402,810 gross and \$0 net be approved and initiated for the P25 Voice Radio System Expansion Project and that it be funded through Other External Funding in the amount of \$2,402,810.

Carried

5.3 NRPS/PSB Reserve Fund Balance - As at December 31 2020

Service report dated February 5, 2021 providing the Board with a summary of the Niagara Regional Police Service and Board Reserves in accordance with Board By-Law 384-2019 (Niagara Police Services Board Financial Reporting, Control and Procurement), and the Niagara Region's Reserve and Reserve Fund Policy (C-F-013), to formalize guidelines in order to effectively manage Niagara Region Reserves and Reserve Funds and ensure adequate reserves are held for both planned and unexpected future expenditures.

Moved by: K. Gibson

Seconded by: B. Gale

That the information be received.

Carried

5.4 NRPS/PSB Financial Variance Report for Period Ending December 31, 2020

Service report dated February 5, 2021 providing the Board with an analysis of the 2020 year-end financial results of the Service and Board and requesting, subject to approval by Regional Council, a transfer of \$69,084 from the Accumulated Sick Leave Reserve to offset the additional pay-out of Sick Credits, and a transfer of \$2,250 from the OPVTA Reserve to offset a slight deficit from current year operations.

Moved by: K. Gibson

Seconded by: J. Lawson

That subject to the approval by Regional Council of the Consolidated Regional Year End Transfer Report, the Board approves the following:

- 1. A transfer of \$69,084 from the Accumulated Sick Leave Reserve to offset the additional pay-out of Sick Credits, and;**
- 2. A transfer of \$2,250 from the OPVTA Reserve to offset a slight deficit from current year operations.**

Carried

6. OTHER NEW BUSINESS

6.1 Procurement Cards (P-Card) Management - NRPS Members

Verbal report from Member Gale regarding management of NRPS procurement cards issued to members of the Niagara Regional Police Service.

Member Gale advised that the Region's Audit Committee is considering performing an audit for procurement cards issued to Regional employees. He questioned if this practice would carry over to all Regional Agencies, Boards and Commissions (ABC's), to include the Niagara Regional Police Service. Ms. Rullo advised that Region's Internal Audit department currently excludes ABC's, however there is opportunity for individual ABC's to be included should they chose. With that being said, Ms. Rullo advised that police staff are very active in monitoring and reviewing Regional audit findings. The Service routinely implements any recommendations of the Region's Audit Committee into the Service's auditing processes, which includes procurement. This mirrored practice allows the Service to flush out any issues that may be realized within the police service and specific to procurement it serves to maintain compliance of the Board's Financial Management and Procurement By-law which is similar to that of the Region, with the exception of thresholds of limits for approval due to the variances in budget limits.

Ms. Rullo then referenced the Region's previous procurement audit, performed a few years ago, and she advised that the Service recently initiated a similar audit for the NRPS however, staff had to delay its completion due to COVID-19. The completion date of the Service's procurement audit is anticipated within the next couple months.

For the Board's interest, Chief MacCulloch advised that the Service's management of procurement cards mirrors that of the Region. Police staff utilize the region-wide Electronic Management Finance System (EMFS), which requires the same procurement card verification and approval processes required at the Regional level. He further advised that the Service continues to implement the Region's best practice procedures in order to ensure that the NRPS in maintaining transparency and accountability from a public service perspective.

DIRECTION: The Board directed that the Service report back with its audit findings for further discussion with the Board at an upcoming meeting.

7. ADJOURNMENT

The Public Finance Committee Meeting adjourned at 9:36 am.

William C. Steele, Chair

Deb Reid, Executive Director

Solicitor General

Office of the Solicitor General

25 Grosvenor Street, 18th Floor
Toronto ON M7A 1Y6
Tel: 416 325-0408
MCSCS.Feedback@Ontario.ca

Solliciteur général

Bureau du solliciteur général

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Tél. : 416 325-0408
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132-2021-641
By email

February 10, 2021

Tara McKendrick

Dear Tara McKendrick:

As you are aware, you were appointed to the Niagara Regional Police Services Board until February 20, 2021, at which time your appointment will expire.

Pursuant to subsection 27(10) of the *Police Services Act*, I hereby reappoint you to the Niagara Regional Police Services Board, effective from February 21, 2021, for a period of three months, or until such time as an appointment has been made by Order in Council, whichever occurs first.

I would like to take this opportunity to thank you in advance for your valuable service to the Niagara Regional Police Services Board.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Jones'.

Sylvia Jones
Solicitor General

MEMORANDUM

Subject: Niagara Regional Police Service 1 District Project Status Update

Date: February 8, 2021

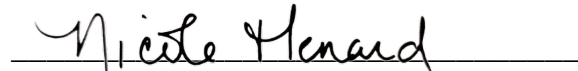
To: Deb Reid, Executive Director, Police Services Board

From: Nicole Menard, Sr. Project Manager, Construction, Energy & Facilities Management, Niagara Region

We are pleased to submit our January 2021 NRPS 1 District Project Status Report Update.

Please don't hesitate to contact the undersigned should you have any questions or require additional information.

Respectfully submitted and signed by



Nicole Menard
Senior Project Manager, Facilities
Construction, Energy, and Facilities Management



Project Status Report

Niagara Regional Police Service - 1 District

January 2021

Issued: February 8th, 2021

Executive Summary:

Information contained in this report summarizes project activities from December 2020 to end of January 2021.

- Substantial performance anticipated by end of February 2021.
- Interior finishes including millwork, painting, flooring, ceilings will continue until mid-February 2021.
- Exterior site works is approximately 95% complete as of the beginning of January 2021. Portions of landscaping have been completed (approx. 50%) as we are still experiencing warmer seasonal temperatures, but garden plantings and wood fencing shall be postponed until the spring of 2021.
- The project is tracking within the current revised project budget of \$20,495,519.

Key Accomplishments / Project Status:

Merit Contractors re-mobilized on-site since May 5, 2020:

- Commissioning of the new facility has been completed with a few noted deficiencies that are to be addressed in the coming weeks prior to substantial completion.
- Installation of site perimeter (excluding new wood fencing) has been completed.
- Touch up painting will continue on both floors, until substantial performance.
- The exterior aluminum clad panels have been completed.
- Installation of all site cameras have commenced with a tentative operational date of mid-February, which will allow NRPS to view the site, both exterior and interior, prior to receipt of substantial completion.
- Delivery and installations of Phase I & II furniture has been completed.
- All data drops and connections have been installed at all new workstations to allow for NRPS IT team to complete new phone and computer installations.
- All interior & exterior signage has been installed.
- Custom millwork has been installed with just minor touch ups to be completed.
- All LEED required documentation is being completed to allow for subsequent LEED certification to be approved.
- Scheduling of site training with NRPS and Niagara Region facilities team during the last 2 weeks of February 2021.
- The prime consultant and related site inspections are still maintaining on a monthly/weekly basis as required.
- Steering Committee meetings continue on a monthly basis to review overall project progress and to obtain approvals for any high level changes to the project scope.

- Bi-weekly Stakeholder engagement meetings scheduled to ensure all end-user concerns and requirements addressed prior to move-in.
- Monthly PSR's issued to ensure continued communication regarding project status.

Current Issues and Project Risks:

As of the last issued PSR (November/December 2020), Merit Contractors continues to adhere to all necessary COVID-19 health and safety protocols and has not reported any COVID-19 related health matters as of January 31st 2021. Upon arrival to the site, one must complete a COVID-19 health and screening form and sign in as a visitor.

The site appears to be respecting all new COVID-19 health and safety restrictions and maintains a clean and safe environment for their staff, trades and visitors to the jobsite.

The continued risk/challenge for this project will be continuing as an active construction project during the current COVID-19 pandemic. Even with all the health & safety protocols in place, the possibility of an outbreak on-site is always a possibility. The risk to construction related materials/supply chains, affected by the pandemic, continues to be an on-going concern as well.

Due to a combination of COVID-19 related delays, initially the site shut down and now the delay of the required high-pressure gas station has again revised date for substantial completion to the end of February 2021. Due to this delay, the PM team identifies the risk of potential additional costs related to the project, both from the general contractor and the prime consultant. No additional costs have been identified by the general contractor to-date. However, the prime consultant has provided the PM a high level extra associated with remaining on the project for longer than anticipated due to COVID-19. Currently the Project Management team is working closely with Legal towards a resolution with Stantec relating to their extra fee claims.

The project team continues to work closely together and holds bi-weekly conference calls to ensure continuation of communication and coordination of daily site activities. The project team's collective goal is to mitigate any further potential delays to the substantial completion timeframe and is currently working to take steps, even to reduce the tentative substantial completion date of end of February 2021.

Budget Cost Control:

The overall expenditures and commitments for the NRPS 1 District project are tracking within the \$20,495,519 budget.

Niagara Regional Police Service - 1 District						
Total Estimated Project Cost						
	Revised Council Approved Budget (as per CSD 13-2019)	Budget Decrease/ Reallocation	Revised Council Approved Budget	Expended & Committed as of 05/31/20	Contract Award/ Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C) - (D) - (E)
Total Estimated Project Cost (20000805 & 10PR1420)*						
(a) Construction (including Construction Contingency and 1.76% non-refundable HST)	15,094,841	452,072	15,546,913	15,409,277	4,813	132,823
(b) Project Contingency	835,470	(778,423)	57,047	-	-	57,047
(c) Property Acquisition	1,359,321	-	1,359,321	1,359,321	-	-
(d) Consulting Services	1,199,505	117,373	1,316,878	1,407,550	35,000	(125,673)
(e) Permitting	54,369	(0)	54,369	54,369	-	-
(f) Furniture, Fixtures and Equipment	203,520	133,350	336,870	384,865	9,901	(57,896)
(g) Project Management (In-House) and Operations	306,735	(96,735)	210,000	123,610	92,692	(6,301)
(h) Property Remediation	1,962,072	(308,081)	1,653,991	1,653,991	-	-
Total Estimated Project Cost	21,015,833	(480,444)	20,535,389	20,392,983	142,406	(0)
Project Funding Sources						
Regional reserves & debt	(17,069,313)	480,444	(16,588,869)	(16,446,463)	(142,406)	0
NRPS Capital Levy	(150,000)		(150,000)	(150,000)		-
Capital Interest Closeout	(679)		(679)	(679)		-
Capital Variance Project - Levy	(3,795,841)		(3,795,841)	(3,795,841)		-
	(21,015,833)	480,444	(20,535,389)	(20,392,983)	(142,406)	0
*All costs include 1.76% non-refundable HST						

Project Budget Summary:

The total forecasted construction cost as of January 31st, 2021 is \$15,121,830.62. Merit Contractors has submitted twenty-one (21) progress draws totaling \$14,071,973.90 (excluding HST) for work completed to date, representing 94.5% of the construction contract. We are currently tracking within the projects 3% construction contingency.

The total forecasted construction cost, excluding HST, to the end of the current reporting period summarized as follows:

Forecasted Construction Cost:

Original Contract Price:	\$14,833,000.00
Approved Changes to Date:	\$ 205,530.62
Identified Risks & Proposed Changes:	\$ 83,300.00
Forecasted Construction Cost as of January 31 st , 2021	\$15,121,830.62
Value of Work Completed to January 31 st , 2021	\$14,071,973.90 (94.5%)

Tracking and maintaining the project budget remains a top priority of the project team.

Schedule:

The project schedule revised to reflect a new substantial completion date of end of February 2021. This date (timeframe) revised due to the newly introduced high-pressure gas station. The project team is currently working towards mitigating the end of February timeframe and hopes to push closer to mid-February 2021. The PM team will have a better idea if this is achievable, once municipal occupancy received.

The Region PM and consultant team remain committed to working with Merit Contractors by providing information in a timely manner to mitigate any further impacts to the construction schedule. Occupancy is now, anticipated for early February 2021 with substantial performance to follow.

Objective for Upcoming Reporting Period:

Over the month of January 2021, the interior of the facility has seen dramatic changes. The finishing materials are coming together well with the installations of owner related FF&E (furniture, fixtures and equipment). Phase I and II for the related new furniture orders have been received on site. Furniture installations are still on-going with a tentative completion of mid-February 2021. New appliance throughout the facility are to arrive mid-February to ensure all are connected and running properly prior to move-in. IT works have also progressed nicely and as of the end of January 2021 were fully connected to the NRPS network.

Over the next month, the new facility will focus heavily on its critical path items

relating to achievement of municipal occupancy by the beginning of February 2021, follow by the subsequent projects substantial completion. Commissioning date of the facility revised to the first two weeks of January 2021. CFMS will continue to monitor the commissioning schedule and will assist in the organization of systems training for NRPS and NR Facilities staff.

NRPS IT team will continue to work with Clockwork Systems to ensure the connectivity of all security items is working properly with NRPS HQ controls. The goal is to have full eyes on the site and the interior of the facility in the coming weeks.

The PM team has successfully engaged a moving company to assist with the upcoming move tentatively scheduled for mid-March 2021. The PM team will continue to work closely with the NRPS “Move” Stakeholder team to ensure proper coordination of all NRPS staff being re-located to their new workspace accommodations.

Installation of AV rough-ins complete and the AV company is awaiting instructions from the PM team on when final AV equipment can be installed on-site. These final installations will likely take place 1 week prior to move in to ensure the protection of newly installed devices.

The project PM and prime consultant will continue with on-site visits to review ongoing works and to provide direction to site supervisor as needed.

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PROGRESS PHOTOS:



North Elevation – Final installed exterior signage



Ground Floor – Sample of interior signage installations



Equipment Rm. – Final installs of custom workstations



Community Mtg. Rm. – Custom kitchenette installations



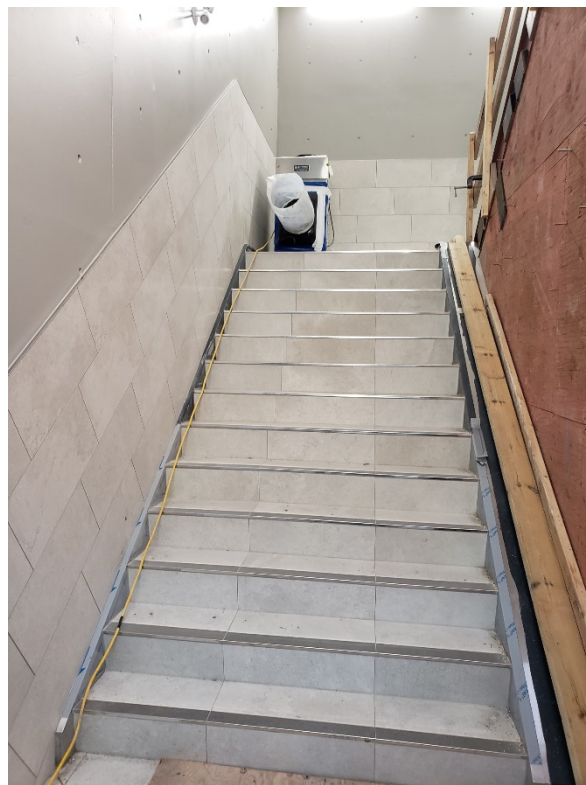
Parade Rm. – New rubber flooring installations



Gym – New rubber flooring installations



Ground Floor Mud Rm. – Completion of tile and millwork cubbies



Staff Entry/Exit Stair – Tile installation complete



Front Counter Area – New solid surface countertops installed



2nd Floor Storage Rm. – New glass frosting complete



Criminal Investigation Rm. 123 – Phase I furniture installs



Criminal Investigation Rm. 123 – Phase I furniture installs (chair delivery)



Criminal Investigation Rm. 123 – Phase I furniture installs completed



Criminal Investigation Rm. 123 – Phase I furniture installs completed



Exterior Emergency Phone – Install complete



Interior Emergency Phone – Install complete

APPENDIX I

NRPS HQ – PARKING LOT EXPANSION

- Parking lot expansion is now in use
- Asphalt top coat to be completed in Spring 2021
- Region currently investigating parking lot lighting options

APPENDIX II

911/COMMS BACKUP

- All Electrical rough-ins are complete
- New main breaker installed in main breaker panel
- New Automatic Transfer Switch (ATS) placed and commissioned within new Electrical Room
- New Electrical Distribution Panels have been mounted and wired
- New suspended drywall ceiling installed in new IT Room
- 3 District new main Fire Alarm Panel is installed, programmed and verified
- Fire Suppression System in new IT Room installed, programmed and verified
- Ductless Cooling System in new IT Room installed
- Communication wiring in new IT Room server rack complete. Field connections pending furniture arrival on-site
- All doors into Back-up 911 associated areas (IT Room & Operations) rekeyed to coincide with base building Medeco System. Access controls for the same doors progressing and nearing completion
- Concrete pad for new generator poured and cured
- New generator shipment has been delayed, a temporary/rental unit is on-site and wired
- Grounding for Motorola Radio system complete, field connections pending furniture arrival on-site
- Move schedule reviewed and accepted by all parties involved. Move to 3 District will occur throughout February
- City of Welland Building Inspector & Fire Prevention Officer scheduled to review site with engineer & contractor early February



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Response to Review of Police Strip Searches in Ontario
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-02-04

Recommendation(s)

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

Key Facts

- The purpose of this report is to summarize the Service's response to the review conducted by the Office of the Independent Police Review Director (OIPRD) entitled, "Breaking the Golden Rule: A Review of Police Strip Searches in Ontario".
- This report will acknowledge the incorporation of recommendations and indicate that all necessary changes were made.
- The report will confirm compliance with the OIPRD's recommendations.

Financial Considerations

There are no financial considerations associated with this report.

Analysis

In December of 2001, the Supreme Court of Canada made a ruling on the case of *R. v. Golden*, which directly impacted a police officer's ability to search a person incident to their arrest, and the constitutionality of evidence obtained during an improper search. The ruling had a significant impact on law enforcement and brought about significant changes across the country.

In November of 2019, the Niagara Regional Police Service received correspondence from the OIPRD detailing the changes made by the Toronto Police Service as a result of the *Golden* decision in a document referred to as "*Breaking the Golden Rule: A Review of Police Strip Searches in Ontario*" (herein after referred to as the "Review"). In advance of the review by the OIPRD, the Niagara Regional Police Service had already anticipated aspects of the *Golden* decision and had undertaken many improvements to policies well in advance of being directed to comply.

A thorough examination of existing policies, training and data collection was conducted under the authority of Superintendent Richard Frayne – Operational Support. Any

differences or deficiencies compared to the review document were identified and corrected.

Specifically, General Order 018.20 - *Persons in Custody* was issued which included key updates. Requirements that a young person has the option of having an adult of their choice present at the time of the strip search were added. A requirement was also made that an annual review of the practices surrounding strip searches would be conducted in conjunction with annualized reporting.

Throughout the General Order, improvements to the language surrounding supervisory accountability, privacy, personal dignity and stringent documentation of the details and justification surrounding strip searches were also made. Improvements were made to the training module concerning strip searches and data collection and retention methods were enhanced.

At the conclusion of the process in March of 2020, correspondence was sent to the OIPRD indicating that the Niagara Regional Police Service was in compliance with the requirements of the Review.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.


Relevant Policy Considerations

General Order 018.20 – Persons in Custody.

Other Pertinent Reports

OIPRD – Breaking the Golden Rule: A Review of Police Strip Searches in Ontario.

This report was prepared by Superintendent James Mackay, Operational Support in consultation with both Superintendent Richard Frayne – Corporate Services and Ms. Wanda Shreve – General Counsel, 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

January 19, 2021

Mario Di Tommaso
Deputy Solicitor General
The Ministry of the Solicitor General

Devon Clunis
Ontario Inspector General of Policing

Thomas Carrique
Commissioner
Ontario Provincial Police

Ontario Police Chiefs and Police Service Board Chairs

Dear Sirs and Madams:

Re: Strip Search Policy Update

The mandate of the Office of the Independent Police Review Director (OIPRD) includes a statutory obligation to monitor and respond to systemic issues in policing. On November 16, 2020, we completed our follow-up to our systemic review, [Breaking the Golden Rule: A Review of Police Strip Searches in Ontario](#). Our review found that police strip search procedures were out of date and varied widely throughout the province.

Accordingly, I recommend that the Ministry of the Solicitor General update the Policing Standards Manual, and the Search of Persons Guideline to ensure consistency in police strip search procedures throughout Ontario.

Additionally, I recommend that police services review their current strip search procedures and compare them to the new procedures recently developed by the Toronto Police Service (TPS) in response to our recommendations (see enclosures).

Respectfully submitted,

Stephen Leach
Independent Police Review Director



01-02 Search of Persons

Status: Amended

Issued: R.O. 2020.10.09–0997

Replaces: R.O. 2020.06.05-0519

Rationale

The right to search a person is of paramount importance to the safety of prisoners, members, and all other persons employed within the criminal justice system. It is critical that officers make a proper evaluation of the potential risks, ensure that the appropriate type of search is conducted, and that they are diligent while searching persons in custody.

In December 2001, the Supreme Court of Canada made a ruling in the case of *R. v. Golden*, which directly impacted on the search of person incident to arrest.

The lawful authority for searching a person comes from statute or common law. Officers conducting searches must be able to articulate their authority and grounds for doing so. Information has been included in this Procedure that will assist officers in properly assessing the appropriate type of search to be conducted, and identify some of the risks that must be addressed (see [Appendix B](#)). In the absence of clear direction in the form of legislation, the courts have expressed some concerns with “routine police department policy applicable to all arrestees”. As a result, although this Procedure outlines possible risk factors, and places an obligation on police officers to address them, the decision as to what type of search is appropriate must be assessed on a case-by-case basis.

The Toronto Police Service (Service) agrees with the courts that clear legislative prescription as to when and how strip searches should be conducted would be of assistance to the police and to the courts.

Supervision

- Officer in Charge notification mandatory
 - after conducting a search at the station
 - regarding grounds and circumstances (Strip search)
 - there are reasonable grounds to believe the person under arrest has secreted weapons or evidence in a body cavity

Procedure

Searches of persons shall be conducted keeping in mind that the safety of Service members, the person being searched, and the public are paramount. All searches of the person should be conducted thoroughly and in a methodical manner. Searches of the person shall not be conducted in an abusive fashion or be conducted to intimidate, ridicule or induce admissions. Regardless of what type of search is undertaken, the dignity and the privacy of a person must always be given consideration.

All searches of the person shall be conducted by peace officers of the same sex unless circumstances make it impractical to do so, having regard to the immediate risk of injury, escape, or the destruction of evidence. Consideration shall be given when dealing with trans persons, wherever practicable (see [Appendix C](#)).

Items of Religious Significance

Section 2 of the *Canadian Charter of Rights and Freedoms* (Charter) gives everyone the fundamental “freedom of conscience and religion”. Section 8 of the Charter states that “everyone has the right to be secure against unreasonable search or seizure”.

Section 1 of the Ontario *Human Rights Code* states “Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.” From this section, creed is the issue that deals with religious beliefs.

The Service recognizes that special arrangements may have to be made when handling items, articles, apparel, or clothing a person identifies as having religious importance (item of religious significance). Members conducting searches of persons shall treat an item of religious significance with respect and handle the item appropriately.

Although there are a multitude of items of religious significance that differ between and amongst religions, any item of religious significance identified by a person shall be handled according to the process established in [Appendix D](#), unless circumstances make it impractical to do so, having regard for the

- immediate risk of injury
- immediate risk of escape
- immediate risk of destruction of evidence
- safety of the member
- safety of the person
- safety of the public

The member must be able to articulate why particular actions were or were not taken.

Duty to Accommodate Persons with Disabilities

The Service has a duty to accommodate persons with disabilities under the Ontario *Human Rights Code* and the *Accessibility for Ontarians with Disabilities Act*. When required, any infringement of a person’s right to be accommodated must be minimal in nature, and no more than is necessary to achieve the desired objective.

Therefore, when it is deemed necessary to remove an assistive device from a person with a disability to conduct a search, the device should be returned to the person as soon as practicable upon completion of the search.

Assessments regarding the retention of assistive devices shall be made on a case-by-case basis taking into consideration all risk factors, including those contained in [Appendix B](#). Members shall also consider all available accommodation options when making their assessment.

When it is determined that a person cannot be accommodated, members must clearly articulate the reasons for the determination in their memorandum book including all accommodation options considered.

Members shall be cognizant that persons requiring the aid of an assistive device may have an emotional as well as physical attachment to the device and shall treat the assistive device with respect at all times.

When considering the continued detention of an arrested person who is accompanied by a guide dog due to blindness, visual impairment, hearing impairment, or other physical disability, members shall make reasonable effort to have the guide dog accommodated by friends or relatives or call the Toronto Police Operations Centre for further resources such as Canine Vision Canada or the Humane Society. Guide dogs shall not be transported to court with a prisoner.

Grounds for Searching a Person

For a search to be lawful it must be reasonable and justified given all the circumstances and it must be conducted for a valid reason.

Search of a person without Warrant is *prima facie* unreasonable under s. 8 of the Charter. The onus is on the officers conducting and authorizing a search to demonstrate that the search is justified in law, necessary and reasonable. Searches conducted simply as a matter of routine or “standard procedure” is not justified in law. However, for safety reasons, except in extenuating circumstances, all persons under arrest must be searched prior to being placed in a police vehicle, prior to being brought into a police station, and prior to being placed in a police cell.

Stronger grounds are required as the level of intrusiveness of a search increases. A Protective search and Frisk search must be completed prior to any Strip search being conducted. The searching officer must obtain authorization from the Officer in Charge to determine if there is reasonable and probable grounds to authorize a Strip search. The more intrusive the search the more justification is required, and officers must be able to articulate the need for the more intrusive search ([see Appendix B](#)).

- ➔ *Strip searches shall not be conducted on persons brought into custody by Toronto Police officers based solely on the grounds that the person may come into contact with other persons in custody. Accordingly, persons in custody who have been Frisk searched are no longer restricted from being placed with those who have been Strip searched.*

Search Authorities

A police officer may search a person

- with a person's consent
- when authorized by statute
- after an arrest has been made (common law – incident to an arrest)

Consent Search

Consent search generally applies to persons who are not under arrest. A police officer must be able to demonstrate that consent for a search was informed and freely given. A person giving consent for a search must understand the possible consequences of the search prior to giving consent. A Consent search, in most instances, should not be used where other lawful authority exists.

Search Authorized by Statute

Specific statutes contain search provisions that can be used when circumstances warrant. The related statute should be referred to prior to conducting such searches; for example: the *Criminal Code*, the *Controlled Drugs and Substances Act*, and the *Liquor Licence Act*.

Search Incident to Arrest

The right to search as an incident to a lawful arrest is found in common law, and has been upheld by the Supreme Court, as long as the search is conducted for a valid objective and is not conducted in an abusive fashion. (Cloutier v. Langlois, 1990)

As an incident to arrest a police officer may search for

- weapons
- anything that could cause injury (including drugs and alcohol)
- anything that could assist in a person's escape
- evidence

Recording Searches

Wherever practicable, all Protective and Frisk searches including the removal of excess clothing must be captured on audio and video.

Full details of **all** searches shall be recorded in the memorandum book including the grounds for the type of search conducted. Appropriate entries shall be recorded in the applicable eReport for all Strip and Body Cavity searches and must be completed in its entirety.

Race-Based Data Collection

As outlined in Procedure [16-07](#), the new Toronto Police Services Board Policy entitled "Race-Based Data Collection, Analysis and Public Reporting" requires the Toronto Police Service (Service) to collect, analyze and publicly report on data related to the race of those individuals with whom Service members interact.

Court Officers/Custodial Officers

Court Officers/Custodial Officers may search persons in accordance with this Procedure in conjunction with unit-specific policies.

Member

1. When conducting a search shall
 - record all Protective and Frisk searches on audio and video, and if not able to do so, record reasons in the memorandum book
 - not use any more force than is necessary and reasonable under the circumstances to conduct a search
 - make every effort to provide persons who do not speak English or who by reason of disability have difficulty communicating
 - with the services of an interpreter in compliance with Procedure [04–09](#), or
 - other person who can assist the person in understanding the process
 - advise the person of the reason that they are being searched
 - search the person
 - search the area within the person's immediate surroundings, if applicable
 - remove weapons, anything that could cause injury (including drugs and alcohol), anything that could assist in the person's escape, or evidence of an offence, as applicable
 - seize all evidence obtained
 - ask the person if they have an item of religious significance on their person or in their possession, and comply with [Appendix D](#), when applicable
 - when required to remove an item of religious significance make reasonable effort to ensure the removal and search occurs in a private setting
 - when practicable, facilitate the replacement of an item as soon as possible when an item of religious significance (apparel or clothing only) is removed and held for any purpose and is not being immediately returned to that person
 - when required to remove an assistive device from a person with a disability
 - advise the person of the reason for removing the device
 - provide the person with the opportunity to remove the device themselves when self-removal does not pose potential risk of safety/injury to the person or member
 - treat the assistive device with respect at all times
 - in the case of prosthetic devices
 - whenever practicable allow for the removal of the device in a private area
 - when self-removal is not possible, ask the person how to properly remove the device
 - allow adequate space and range of motion for reattachment of the device
- ➔ *Prosthetic devices are attached to the body; therefore, improper removal can injure the person and/or damage the device.*
- return the device to the person as soon as possible upon completion of the search
- ➔ *Assessments regarding the retention of assistive devices shall be made on a case-by-case basis taking into consideration all risk factors, including those contained in [Appendix B](#). All available accommodation options shall also be considered when making an assessment.*
- ➔ *When it is determined that a person cannot be accommodated, the reasons for the determination must be clearly articulated in the memorandum book including all accommodation options considered.*
- record all relevant details in the memorandum book
2. When conducting a consent search of a person shall
 - ask for the consent of the person and explain the nature of the search
 - inform the person that they have a right to refuse consent

- inform the person of potential consequences of the search, including the possibility that anything seized may be used as evidence
 - immediately stop searching the person if consent is withdrawn, unless evidence has been disclosed that would permit continuation pursuant to lawful authorities
3. Prior to transporting an arrested person shall
 - search the police vehicle prior to placing the arrested person in the vehicle
 - for reasons of safety, ensure the arrested person has been searched except where the search would interfere with the administration of emergency medical assistance
 4. After arrival at the station with an arrested person shall
 - search the police vehicle
 - advise the Officer in Charge what type of search has been conducted and what has been found thus far
 - if a Frisk search has not been fully completed then ensure the Frisk search is completed in its entirety in front of the Officer in Charge and is audio and video recorded.
 - ensure the manner of Booking and Search Notice - Frisk Search is read to the person prior to the search
 - when it is believed that reasonable grounds exist for a Strip search, articulate to the Officer in Charge and advise them of the grounds and circumstances involved
 5. When reasonable and probable grounds have been satisfied and a Strip search is deemed necessary by the Officer in Charge, the searching officers shall
 - advise the Officer in Charge if the person identifies that they have an item of religious significance on their person or in their possession
 - search the person in a private area and ensure the search is audiotaped (if applicable), but not videotaped
 - be of the same sex as the person being searched, except in exigent circumstances
 - comply with [Appendix C](#) when searching trans persons
 - ensure the number of police officers involved in the search are no more than is reasonably necessary in the circumstances
 - where appropriate,
 - ask the person to remove clothing one article at a time,
 - document whether the arrested person removed items of clothing themselves, and
 - record all relevant details in the memorandum book and the Booking and Search Template
 - not remove of any more articles of clothing than necessary
 - not seize bras, underwire bras and string bikini tops unless there is reasonable grounds to believe it is necessary to do so

➔ *This action can amount to an unlawful Strip search.*

 - not perform any more visual inspection of the person's body than is necessary to achieve the objectives of the search
 - inspect each article of clothing in a methodical manner
 - permit the person to replace articles of clothing after inspection, where appropriate
 - provide replacement clothing for articles seized as evidence as soon as possible
 - not leave the person in a completely naked state after the search
 6. When a Strip search has been completed shall
 - ensure the Officer in Charge will complete the [Booking and Search Template](#)
 - if applicable, the Officer in Charge will complete the Trans Person Specific Details section of the [Booking and Search Template](#)

Police Officer

7. Where there are reasonable grounds to believe that a person under arrest has secreted weapons or evidence in a body cavity shall
 - consult with the Officer in Charge
 - escort the person to the hospital
 - comply with Procedure [03–06](#)
 - request that the person remove the item in a controlled area of the hospital and with a medical professional present, if possible
 - if the person is unable or unwilling to remove the item and consents to a search
 - ensure that the search is conducted by a qualified medical practitioner
 - remain with the person while the search is taking place (same sex officers only)
 - advise the Officer in Charge of the results
 - where the person refuses a Body Cavity search by a medical practitioner, and the item has not been removed
 - advise the Officer in Charge
 - restrain the person and hold in isolation pending a Show Cause Hearing
 - continuously monitor the person to ensure their safety and the safety of Service members until recovery of the item or substance is made
8. When a Body Cavity search has been completed shall complete a [Body Cavity Search Template](#) in compliance with item 6.

Officer in Charge

9. An Officer in Charge of a unit where persons are detained shall ensure
 - the decision to search a person has been evaluated based on reasonable and probable grounds and all risk factors, including those found in [Appendix B](#)
 - all arrested parties are advised, on camera, of the level of search to be performed and the manner and location in which it will be carried out
 - a Frisk search must be completed prior to any Strip search being conducted
 - when applicable, all Frisk searches must be audio and video recorded. If not, the reason shall be documented accordingly
 - searches are conducted appropriately and the required Booking and Search Template has been completed for all Strip and Body Cavity searches
 - every effort is made to provide persons who do not speak English or, who by reason of disability have difficulty communicating
 - with the services of an interpreter in compliance with Procedure [04–09](#), or
 - other person who can assist the person in understanding the process
 - prisoners' property is handled in compliance Procedures [01–03](#) and [09–06](#), as applicable
 - when an item of religious significance is removed from a person that the item is treated with respect and handled appropriately in compliance with [Appendix D](#)
 - assessments regarding the retention of assistive devices are made on a case-by-case basis taking into consideration all risk factors, including those contained in [Appendix B](#), and all available accommodation options
 - when it is determined that a person with a disability requiring the aid of an assistive device cannot be accommodated, the reasons for the determination are clearly articulated in the memorandum book, including all accommodation options considered

Note: Staff Sergeants shall book prisoners and authorize Strip Searches, unless at a Central lock-up where a designate can be appointed

10. Upon being consulted regarding a Strip search shall determine whether the search is appropriate, based on the information provided by the parading officer and the circumstances involved; and
 - where reasonable grounds to conduct a Strip search exist, shall
 - advise the arrested party of the authorization to conduct a Strip search
 - ensure the manner of Booking and Search Notice - Strip Search is read to the person prior to the search
 - ensure the arrested party is re-read their rights to counsel prior to the Strip search being conducted
 - provide the arrested party the opportunity to speak to counsel prior to the Strip search commencing
 - read the Audio Privacy notice prior to the phone call to counsel
 - escort to use the phone, give audio privacy, but maintain visual for safety
 - in rare circumstances, where the Officer in Charge believes that there are safety concerns that would prohibit the officer from allowing the arrested party access to counsel prior to the Strip search, shall explain on video to the arrested party and note the reason in the memorandum book.
 - ensure the Deferred Call to Counsel Notice be read by the Officer in Charge and noted in the Booking and Search Template.
 - where reasonable grounds do not exist, ensure a Strip search is not conducted
11. Upon being consulted regarding a Body Cavity search shall
 - determine whether the search is appropriate, given the circumstances
 - ensure that transporting and relieving officers accompanying an accused for the purpose of a Body Cavity Search are the same gender unless the person has self-identified as a trans person and requests otherwise [Appendix C – Trans Persons](#)
 - ensure the search is conducted by a qualified medical practitioner at a medical facility
 - ensure a [Body Cavity Search template](#) is completed

Appendices

[Appendix B – Risk Assessment – Type of Search](#)

[Appendix C – Trans Persons](#)

[Appendix D – Handling Items of Religious Significance](#)

Supplementary Information

Governing Authorities

Federal: Constitution Act, Part I, Canadian Charter of Rights and Freedoms; Controlled Drugs and Substances Act; Criminal Code.

Provincial: Accessibility for Ontarians with Disabilities Act; Anti-Racism Act, 2017; Liquor Licence Act; Ministry of Correctional Services Act; Ontario Human Rights Code; Police Services Act; Police Services Act, O. Reg 3/99, Adequacy & Effectiveness of Police Services; Provincial Statutes.

Other: Common Law (incident to arrest).

Relevant Case Law: Cloutier v. Langlois (Supreme Court of Canada) (1990); R. v. Flintoff (Ontario Court of Appeal) (1998); R. v. Coulter (Ontario Court of Justice) (2000); R. v. Golden (Supreme Court of Canada) (2001); R. v. Clarke, Heroux and Pilpa (Ontario Superior Court of Justice) (2003); R. v. MacDonald; R. v. Mann (Supreme Court of Canada) (2004); R. v. McGuffie (Ontario Court of Appeal) (2016); R. v. MacPherson (Ontario Native Council on Justice) (2018); R. v. Tonkin (Ontario Superior Court of Justice) (2020)

➔ *This is not an exhaustive list of all relevant cases.*

Associated Governance

TPSB Policies: TPSB LE-005 Arrests; TPSB LE-012 Search of Persons; TPSB Policy Accessibility Standards for Customer Service; TPSB Policy Race-Based Data Collection, Analysis and Public Reporting; TPSB Policy Search and Detention of Trans Persons; TPSB Policy Search of Persons.

TPS Procedures: [01–01](#) Arrest; [01–03](#) Persons in Custody; [03–06](#) Guarding Persons in Hospital; [04–09](#) American Sign Language and Language Interpreters; [09–06](#) Property of Persons in Custody; [12–01](#) Confidential Crown Envelope; [13–17](#) Notes and Reports; [16–07](#) Collection, Analysis and Reporting of Race-Based Data.

Office of the Independent Police Review Director, Breaking the Golden Rule: A Review of Police Strip Searches in Ontario.

Forms: eReports; Booking and Search Template; Body Cavity Search Template.

Notices for Booking Hall: [TPS 970](#) Booking and Search Notice – Manner of Search Notice – Frisk Search; [TPS 971](#) Booking and Search Notice – Manner of Search Notice – Strip Search; [TPS 972](#) Booking and Search Notice – Privacy Shield Notice; [TPS 973](#) Booking and Search Notice – Consular Access Notice; [TPS 974](#) Booking and Search Notice – Audio Privacy Notice; [TPS 975](#) Booking and Search Notice – Deferred Call to Lawyer Notice.

Definitions

For the purposes of this Procedure, the following definitions will apply:

Assistive Device means a device used to replace, compensate for, or improve the functional abilities of people with disabilities which includes a broad range of items such as mobility and visual/hearing aids, orthotics/prosthetics, speech devices, medical supplies, environmental controls and respiratory devices.

Disability means:

- a. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- b. a condition of mental impairment or a developmental disability;
- c. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d. a mental disorder, or;
- e. an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act; (“handicap”).

(Source: Ontario *Human Rights Code, Accessibility for Ontarians with Disabilities Act*)

Gender/Sex means the classification of individuals as male, female or transgender/transsexual.

Item of Religious Significance means any item, article, apparel, or clothing a person identifies as having religious importance.

Protective Search (Formerly Level 1) – This is used generally during Investigative Detention and involves a limited search of a person who has been detained by police when there is reasonable belief the person poses a safety risk. The scope of the search is limited to exterior patting of clothing such as pockets, waistband or areas that may reasonably conceal such items as weapons or implements that may be used as weapons, usually with open hands to maximize the ability to detect weapons through clothing. This search may also be described as a “safety search”, as that is the purpose and objective.

Frisk Search (Formerly Level 2) – This is used generally for Search Incident to Arrest and means a more-thorough search that may include emptying and searching pockets as well as removal of clothing, which does not expose a person’s undergarments, or the areas of the body normally covered by undergarments. The removal of clothing such as belts, footwear, socks, shoes, sweaters, extra layers of clothing, or the shirt of a male would all be included in a Frisk search. A Frisk search may be commenced in the field and concluded at the station.

A Frisk search conducted incident to arrest includes the area within the immediate control of the arrested person; common law also typically supports searching the entirety of a motor vehicle when a person was arrested in or moments after exiting it.

Members shall make every effort to video and audio record all Frisk searches. Members are also required to articulate the justification for the manner and circumstances under which these searches are conducted. For the purposes of this definition, “Pat Down Search” means the same as, “Frisk Search”.

Strip Search (Formerly Level 3) – *R. vs. Golden 2001 SCC 83* established that which constitutes a strip search and what types of circumstances may justify one. A Strip search includes all steps in Protective and Frisk searches as well as a thorough search of a person’s clothing and non-physical search of the body. That will often require removal or rearrangement of some, or all, of the person’s clothing to permit a visual inspection of a person’s private areas: namely the genitals, buttocks, breasts or chest, body cavity, and/or undergarments; the mouth was excluded from this definition despite being a bodily cavity.

The Supreme Court noted that strip searches “represent a significant invasion of privacy and are often humiliating, degrading and traumatic” and therefore require “a higher degree of justification in order to support the higher degree of interference with individual freedom and dignity.”

When considering whether a strip search is justified, the Supreme Court stated, “In addition to reasonable and probable grounds justifying the arrest, the police must establish reasonable and probable grounds justifying the strip search,” and “the police must establish they have reasonable and probable grounds for concluding that a strip search is necessary in the particular circumstances of the arrest.”

NOTE: The mere fact that portions of a person’s body normally covered by undergarments are exposed because of the way the person was dressed when taken into custody does not constitute a strip search, if the removal of such clothing was not caused by the police (i.e. the arrest of a naked person does not in itself constitute a strip search).

NOTE: The rearrangement of clothing that permits a visual inspection of a person’s private area constitutes a strip search.

Body Cavity Search (Formerly Level 4) – means a search of the rectum or vagina

Member – Prisoner Care & Control for the purposes of prisoner transportation, care and control, includes a

- police officer,
- court officer, and
- custodial officer.

Booking and Search Template means a statistical document created to record the pertinent details of all Frisk & Strip searches and the authorization of a Body Cavity search. The template allows the Service to electronically capture the data required to properly report on all Frisk & Strip searches of persons (including self-identified transgender/transsexual persons) conducted by members.

Body Cavity Search Template means a statistical document created to record the pertinent details of all Body Cavity searches. The template allows the Service to electronically capture the data required to properly report on all Body Cavity searches of persons (including self-identified transgender/transsexual persons) conducted by members.

Service Members' Perception Data means information derived from a member making a determination with respect to the race of an individual by observation, solely on the basis of that member's own perception.

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

Learn more about our Service **Core Values and Competencies** [here](#)





NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Niagara Regional Police Service – Ongoing COVID-19 Pandemic

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-23

Recommendation(s)

That the Niagara Police Services Board receive this report respecting the Niagara Regional Police Service (NRPS) and the ongoing COVID-19 Pandemic.

Key Facts

- In the latter part of 2019 and into 2020, local, national, and international media outlets were reporting of a new identified virus commonly termed as COVID-19 spreading amongst the population in China. It was indicated that COVID-19 had a higher mortality rate than the flu and was quickly identified as a serious concern internationally by the World Health Organization.
- In January 2020, the first identified case of COVID-19 was detected in Canada, and in early March 2020, Canada recorded its first COVID-19 related death.
- On March 17, 2020, the Provincial Government declared a state of emergency and issued its first Emergency Orders pursuant to the Emergency Management and Civil Protection Act (EMCPA) due to the impact of COVID-19.
- In anticipation of the March 17 EMCPA declaration by the Provincial Government, the Service had already activated a Pandemic Business Continuity Committee consisting of Service members. The Committee, which meets regularly or when necessary, updated the Services Pandemic Business Continuity Plan, which serves as a blue print for the Service's response to the ever evolving pandemic.
- On April 23, 2020, the Police Services Board (PSB) passed a motion endorsing the COVID-19 Information Sharing Protocol that provides the Service with clear direction on the Board's expectations with respect to ongoing communication. As the pandemic significantly continues to effect our community, the Service will regularly update the Board, by way of a PSB report, at its regularly scheduled Board meetings. The updates will pertain to the impact of COVID-19 upon the NRPS, and actions taken to mitigate risks.

Financial Considerations

- None

Analysis

The NRPS continues to manage and adapt to the ever-changing reality of the COVID-19 pandemic and the impact it is having on our members and the community.

When last reported to the Board at the monthly PSB meeting on January 28, 2021, our Region remained in a declared State of Emergency under the Emergency Management and Civil Protection Act with a Province-wide lockdown and associated Stay at Home Order in place. The Provincial Government declared an end to the State of Emergency effective February 9, 2021; however, the Stay at Home Order remained in place. On February 16, 2021, as mandated by Premier Ford, the Niagara Region transitioned to the Grey-Lockdown classification as per the "COVID-19 Response Framework: Keeping Ontario Safe and Open", whereas of the date of this report the Region remains. The decreased restrictions under the Grey-Lockdown classification include that retail stores are allowed to re-open with capacity limitations in place along with capacity limits on big box and grocery stores. Also on February 16, the Stay at Home Order came to an end. In addition, children have since been allowed to return to school for in-person learning, which obviously has an impact on Service employees with school aged children.

As reported at the last Board meeting, the Service made the decision that its 1, 2, and 3 District facilities would remain open to the public for emergency access only. The front desks at 5, 6, and 8 Districts were closed to members of the public. The Records counter at Headquarters remains open to the public by appointment only. The Collision Reporting Centres in St. Catharines and Welland were closed, and the Collision Reporting Centre at Headquarters continues to operate Monday to Friday from 10 am to 6 pm and Saturday from 10 am to 4 pm. These temporary measures remain in place to mitigate risks to Service personnel and members of the public. Additionally, remote work assignments by Service members continue for those members whose job functions meet the requirement for remote work.

The Service continues to adapt to the changing COVID-19 reality and the concerns around the new variants of the virus. Resultantly at minimum, members must now wear a medical-grade surgical mask at all times while in the workplace, unless they are alone at their personal workspace and appropriately distanced at least two (2) metres from others. Cloth face masks that were previously an option for members to wear in the workplace under appropriate circumstances, are no longer be permitted as a masking option.

As reported in the January 28, 2021, Board meeting, the Service to date had 12 members test positive for COVID-19. However, since the last meeting, the count has risen to 18 members that have tested positive for COVID-19. In each case, the Service has worked with Niagara Region Public Health to ensure contact tracing was undertaken as quickly as possible, and that further steps were taken in the workplace to mitigate the potential transmission of the virus, which included a deep cleaning of work areas following confirmed cases of COVID-19.

Life within our Region continues to be far from “normal” and until vaccines are widely available, the Provincial and Public Health authorities continue to stress physical distancing, frequent hand-washing, respiratory etiquette, and the wearing of face coverings or masks when physical distancing cannot be achieved. The Service continues to encourage members to observe these same safety measures, both in the workplace, as well as in their personal lives when off-duty.

The Service’s Pandemic Business Continuity Committee continues to meet regularly to evaluate and determine how to adapt to the continuously changing restrictions. The Service continues to be vigilant and methodical in our approach to ensure the safety of all our members. The Service continues to be flexible and adaptable to changing circumstances, based on a combination of government and public health direction and will continue to closely monitor what is taking place within our community.

The Service is also working closely with our Emergency Services Partners at Fire and EMS, local municipalities, the Region, Public Health, in participating in the Emergency Operations Centre (EOC) to help guide us through these times.

The Service to date has issued 124 Provincial Offence Notices for failing to comply with Orders. Further, the Service has received a total of 1772 COVID-19 specific calls for service related to Emergency Management and Civil Protection Act or Reopening Ontario Act Orders.

The Service continues to maintain an adequate supply of PPE, including N95 and surgical masks, gloves, hand sanitizer, and wipes. The supply chains for PPE continues to be monitored and assessed to ensure we are well positioned for any future possibilities.

Since the start of the pandemic, the Service has been able to maintain adequate staffing levels and has not had to cancel any scheduled time off of members.

In terms of calls for service, the Service had been trending at or above pre-pandemic levels. However, in January 2021, calls for service trended lower at 86% compared to usual levels. Anecdotally, it is believed that the reduced calls for service received by the NRPS is attributed to the now rescinded Stay at Home Order that was in effect throughout January. The significance of the Stay at Home Order being that there was less vehicle and pedestrian traffic, and generally less human interaction within the community. Other than already stated, there has been no significant deviation of calls for service in respect to any geographic area within the Region, or in relation to any particular vulnerable group, or any serious breaches of the peace related to the pandemic.

In an effort to safeguard and ensure that members have the most current and accurate information, Chief MacCulloch has sent out 93 Service wide email messages as it pertains to COVID-19, and will continue to do so as the situation evolves. Additionally, Chief MacCulloch continues to host virtual Town Hall meetings, when necessary, as another

means to share information and provide an opportunity for the members to ask questions related to COVID-19.

Despite the encouraging slowdown of new cases of COVID-19 within Niagara, there has been confirmation that new variants of COVID-19 are circulating within the province. Early indications are that these variants are more easily spread and could cause more severe illness. On a positive note, Niagara Health has announced that they have reopened its COVID-19 Vaccination Clinic for high-risk healthcare workers, dependent on the vaccine supply and as provincial direction permits.

All members of the Service, sworn and civilian continue to do an outstanding job during this unprecedented challenge, and their ongoing dedication and professionalism as they continue to serve our community is recognized and appreciated.

Alternatives Reviewed

To not receive this report.

Relationship to Police Service/Board Strategic Priorities

To provide Service members with the necessary resources to adequately and effectively deliver the quality of policing that Niagara expects and enjoys. To recognize that the NRPS must be mindful of the health and psychological wellness needs of our members that are faced on a daily basis, especially now in the throes of a pandemic. And in light of COVID-19, taking necessary actions to mitigate risks to Service members and members of the public.

Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

Not applicable.

This report was prepared by Dave Masotti, Inspector, Chief's Office and reviewed by Bryan MacCulloch, 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

PUBLIC AGENDA

Subject: Quarterly Report – Administration of the Public Complaints System
– July 1 to December 31, 2020 (Q3 and Q4)

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-02

Recommendation(s)

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

Key Facts

- The purpose of this report is to provide the Board with statistics that represent public complaints received for the periods of July 1, 2020 to September 30, 2020 (Q3) and October 1, 2020 to December 31, 2020 (Q4), compared to Q3 and Q4 of 2019.
- The public complaints process is administered by the Office of the Independent Police Review Director (OIPRD).
- Public complaints are received and reviewed by the OIPRD, and a determination is made regarding the complaint, including whether it is a Policy / Service Complaint or a Conduct Complaint and whether it is screened in for investigation, or screened out for a variety of reasons as determined by the OIPRD.
- Complaints can be retained for investigation by the OIPRD or referred to a Police Service for investigation.
- Public complaints that have been referred by the OIPRD to the Niagara Regional Police Service are investigated by the Professional Standards Unit.

Financial Considerations

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

Analysis

Policy / Service Complaints – July 1 to September 30, 2020 – Q3

New Complaints:

- There was a total of zero Policy / Service Complaints received in Q3, 2020, compared to two in Q3, 2019.

Open Complaints:

- There were no Policy / Service Complaints open for investigation at the conclusion of Q3, 2020, compared to two open for investigation at the conclusion of Q3, 2019.

Concluded Complaints:

- There were no Policy / Service Complaint investigations concluded in Q3, 2020. Comparatively, there were no Policy / Service Complaint investigations concluded in Q3, 2019.

Complaint Duration:

- It took an average of 0 days to conclude a Policy / Service Complaint investigation in Q3, 2020, compared to 0 days in Q4, 2019.
- Based on the year to date for 2020, at the conclusion of Q3, it has taken 48 days to conclude a Policy / Service Complaint investigation, compared to 42 days in 2019.
- During Policy / Service Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 60 days to complete. There were no time extensions requested in Q3, 2020, as well, there were no time extension requests in Q3, 2019.

Requests for Review:

- Requests for Review by complainants regarding the conclusion of Policy / Service Complaint investigations are made to the Police Services Board, as opposed to the OIPRD. There were no Requests for Review filed with respect to a Policy / Service complaint investigation concluded in Q3, 2020. This compares to no Requests for Review in Q3, 2019.

Policy / Service Complaint – October 1 to December 31, 2020 – Q4

New Complaints:

- There was a total of two Policy / Service Complaints received in Q4, 2020, compared to one in Q4, 2019. Year to date in 2020, there was a total of four Policy / Service Complaints received, compared to a total of six in 2019.

Open Complaints:

- There were no Policy / Service Complaints open for investigation at the conclusion of Q4, 2020, compared to zero open for investigation at the conclusion of Q4, 2019.

Concluded Complaints:

- There were two Policy / Service Complaint investigations concluded in Q4, 2020 as No Further Action. Comparatively, there were two Policy / Service Complaint investigations concluded in Q4, 2019 as No Further Action. Year to date in 2020, there has been a total of five Policy / Service Complaint investigations closed compared to a total of seven in 2019.

Complaint Duration:

- It took an average of 37 days to conclude a Policy / Service Complaint investigation in Q4, 2020, compared to 69 days in Q4, 2019.
- Year to date for 2020, it has taken 38 days to conclude a Policy / Service Complaint investigation, compared to 49 days in 2019.
- During Policy / Service Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 60 days to complete. There were no time extensions requested in Q4, 2020, as well, there were no time extension requests in Q4, 2019. Year to date in 2020, there were no time extension requests for Policy/Service complaints compared to zero in 2019.

Requests for Review:

- Requests for Review by complainants regarding the conclusion of Policy / Service Complaint investigations are made to the Police Services Board, as opposed to the OIPRD. There were no Requests for Review filed with respect to a Policy / Service complaint investigations concluded in Q4, 2020. This compares to no Requests for Review in Q4, 2019. Year to date in 2020, there were no Requests for Review for Police/Service complaints, compared to one initiated and concluded in 2019.

Conduct Complaints – July 1 to September 30, 2020 – Q3

New Complaints:

- There was a total of 27 Conduct Complaints received in Q3, 2020, compared to 24 received in Q3, 2019.

Open Complaints:

- There were 14 Conduct Complaint investigations open at the conclusion of Q3, 2020, compared to 13 open for investigation at the conclusion of Q3, 2019.

Concluded Complaints:

- In Q3, 2020, There were 23 Conduct Complaint investigations concluded in Q3, 2019 (including investigations from previous quarters) compared to 24 in Q3, 2019.

Complaint Duration:

- It took an average of 73 days to conclude a Conduct Complaint investigation in Q3, 2020, compared to 100 days in Q3, 2019.
- Based on the year to date for 2020, at the conclusion of Q3, it has taken an average of 50 days to conclude a Conduct Complaint investigation, compared to an average of 91 days in 2019.
- During Conduct Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 120 days to complete. There was one time extension request in Q3, 2020, compared to one request in Q3, 2019.

Complaints Screened Out:

- In Q3, 2020, zero Conduct Complaints were classified by the OIPRD as frivolous, vexatious or made in bad faith and were screened out. This compares to three complaints screened out in this manner in Q3, 2019.
- In Q3, 2020, zero Conduct Complaints were classified as being more than six months old and screened out. This compares to three screened out in this manner in Q3, 2019.
- In Q3, 2020, 11 Conduct Complaints were screened out by the OIPRD for a variety of other reasons, including no misconduct alleged in the complaint, referral to the applicable court to dispute a charge, or an investigation was deemed not to be in the public interest by the OIPRD. This compares to six complaints screened out in this manner during Q3, 2019.

Resolutions:

- In Q3, 2020, there were no recommendations for a Customer Service Resolution by the OIPRD. In cases involving minor complaints, a Professional Standards Unit investigator attempts to resolve the complaint prior to a formal investigation. If successful, the matter is concluded. If unsuccessful, the matter is returned to the OIPRD for re-screening. The matter may then be concluded by the OIPRD or assigned for investigation. This compares to zero Customer Service Resolutions in Q3, 2019.

Withdrawn Complaints:

- In Q3, 2020, one Conduct Complaint was withdrawn by a complainant. This usually involves a Professional Standards Unit investigator meeting with a complainant at the commencement of a complaint investigation and providing answers to questions and explanations with respect to police procedures, officer safety concerns or charge processes and procedures that subsequently addressed the complainant's concerns. In Q3, 2019, Conduct Complaints were withdrawn on three occasions.

Unsubstantiated Complaints:

- In Q3, 2020, seven Conduct Complaint investigations were concluded as Unsubstantiated compared to six in Q3, 2019. These numbers can include case closures carried over from the previous quarter / year.

Requests for Review:

- In Q3, 2020, one complainant requested that the OIPRD conduct a review of the Professional Standards Inspector's decision regarding the conclusion of an investigation via the Request for Review process. This compares to one Request for Review in Q3, 2019.
- In Q3, 2020, the OIPRD concluded one Request for Review that had been initiated in a previous quarter, resulting in the OIPRD confirming the decision of the Inspector as Unsubstantiated. In Q3, 2019, the OIPRD concluded four reviews that had been initiated in previous quarters. There are currently no Requests for Review pending with the OIPRD.

Informal Resolution:

- In Q3, 2020, two Conduct Complaints resulted in an Informal Resolution before the completion of an investigation, compared to no complaints in Q3, 2019.

NR20-43 – A public complainant alleged that police used excessive force in an attempt to have her leave her husband's hospital room. Due to Covid-19, and new provincial mandates, the hospital had implemented a no-visitor policy. The complainant refused to leave the hospital as directed which resulted in a call to police for assistance. The responding officers met with the complainant to facilitate her compliance and she continued to refuse to leave as directed. The officers arrested the complainant for failing to leave the property when directed in compliance with the Trespass to Property Act. The complainant was escorted from the building and released unconditionally. A Professional Standards investigator had discussions with the complainant and she agreed to meet with the officers, to speak with them about her perspective of their interaction. The complainant was satisfied with this interaction and the matter was resolved.

NR20-79 – A public complainant alleged that an officer did not conduct a proper investigation regarding a domestic situation with neighbours, where three people were attacked, including the complainant. A Professional Standards investigator discussed the substance of the complaint with the complainant and provided her with an explanation and understanding of the actions and discretion of the officer. The officer was also provided with the complainant's perspective of their interaction. The complainant was satisfied with this and the matter was resolved.

Less Serious Misconduct:

- In Q3, 2020, one Conduct Complaint was concluded as less serious misconduct following an investigation and was resolved by way of Disposition without a Hearing. This compares to one complaint resolved in this manner in Q3, 2019.

NR20-03 – A public complainant became involved in a discussion with an officer regarding personal home repair services rendered. The officer later became aware that the complainant was bound by a Criminal Code driving prohibition and was also a suspended driver under the Highway Traffic Act. The officer investigated the incidents which resulted in the complainant being arrested and charged accordingly. The complainant later alleged that the officer sent him a threatening text and that he was stalking him. He further alleged that he was pulled over by the officer, arrested, placed in tight handcuffs, that his Indian Status Card was ripped up and that his driving record was falsified to show he was a suspended driver. The matter was retained and investigated by the OIPRD. The OIPRD investigation into the serious allegations resulted in all of the allegations being unsubstantiated and contrary to the evidence that was collected during their investigation. The OIPRD substantiated one allegation of Neglect of Duty in relation to the officer's note taking during the investigation. The matter was

resolved by way of Disposition without a Hearing where the officer agreed to the forfeiture of 4 hours of time off.

Serious Misconduct:

- In Q3, 2020, there were no Conduct Complaints substantiated as serious misconduct and referred to a *Police Services Act* Part V Disciplinary Hearing. This compares to no Disciplinary Hearing referrals in Q3, 2019.

Part V Disciplinary Hearing:

- In Q3, 2020, one Conduct Complaint was concluded after a *Police Services Act* Part V Disciplinary Hearing. This compares to zero Disciplinary Hearings concluded in this manner in Q3, 2019.

NR14-21 – *In March of 2014, the public complainant alleged that he had sustained a serious injury during his arrest. As a result of that allegation, the SIU was also notified and conducted an investigation which later determined that none of the involved officers had committed a criminal offence.*

On November 19, 2014, the OIPRD issued their Investigative Report regarding this matter and alleged serious misconduct (Neglect of Duty) against a Constable and a Staff Sergeant (now retired) for failing to obtain medical assistance for the public complainant.

Due to the fact that the Investigative Report was issued approximately eight-and-a-half months after the investigation was retained, it fell outside the six month timeline required for the issuance of a Notice of Hearing. Accordingly, the OIPRD directed the Service to apply to the Niagara Police Services Board (NPSB) for an extension of time to serve a Notice of Hearing as per the provisions of S. 83(17) of the Police Services Act and provide the written materials in support of the application. The matter was subsequently submitted to the NPSB for consideration in January 2015.

During the intervening years, the NPSB denied the request for the extension of time to serve a Notice of Hearing, a decision that was subsequently appealed by the OIPRD to the Divisional Court. Following that appeal, the Divisional Court directed the NPSB to reconsider the matter. Following reconsideration, the NPSB again denied the request, resulting in the OIPRD again appealing the decision to the Divisional Court. Following that appeal, the Divisional Court again directed the NPSB to reconsider the matter.

On June 27, 2019, the NPSB again reconsidered the matter and granted the extension of time to serve the Notice of Hearing. The Professional Standards Unit received documentation regarding this decision on July 12, 2019.

The Constable was subsequently served with a Notice of Hearing to appear before a Police Disciplinary Tribunal convened under Part V of the Police Services Act with a first appearance date of September 10, 2019.

Given his retirement in August of 2019, the Staff Sergeant was no longer subject to the provisions of the Police Services Act and accordingly, the OIPRD was notified that a Notice of Hearing would not be issued.

The Police Disciplinary Tribunal Hearing was held during the week of August 24 to August 28, 2020.

On September 30, 2020, the Constable was found Guilty of one count of Neglect of Duty and was issued with a Reprimand as Penalty. This disciplinary matter is now concluded.

Conduct Complaints – October 1 to December 31, 2020 – Q4

New Complaints:

- There was a total of 21 Conduct Complaints received in Q4, 2020, compared to 28 in Q4, 2019. Year to date for 2020, there was a total of 115 Conduct Complaints received, compared to 98 received in 2019.

Open Complaints:

- At the end of Q4, 2020, There were nine Conduct Complaint investigations open at the conclusion of Q4, 2020, compared to eight at the conclusion of Q4, 2019.

Concluded Complaints:

- There were 24 Conduct Complaint investigations concluded in Q4, 2020, (including investigations from previous quarters), compared to 32 concluded in Q4, 2019. Year to date for 2020, there was a total of 117 Conduct Complaint investigations concluded (which may include investigations commenced in 2019), compared to 95 concluded in 2019.

Complaint Duration:

- It took an average of 63 days to conclude a Conduct Complaint investigation in Q4, 2020, compared to 83 days in Q4, 2019.
- During Conduct Complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 120 days to complete. There was one time extension request in Q4, 2020, compared to zero in Q4, 2019. Year to date for 2020 shows a total of two Time Extension Requests. The 2019 year to date total was three.
- Year to date for 2020, it has taken an average of 55 days to conclude a Conduct Complaint investigation, compared to an average of 89 days in 2019.

Complaints Screened Out:

- In Q4, 2020, one Conduct Complaint was classified by the OIPRD as frivolous, vexatious or made in bad faith and was screened out. This compares to no complaints screened out in this manner in Q4, 2019. Year to date for 2020 shows a total of eight complaints classified as frivolous/vexatious. The 2019 year to date total was nine.
- In Q4, 2020, one Conduct Complaint was classified as being more than six months old and screened out. This compares to three screened out in this manner in Q4, 2019. The 2020 year to date total for these types of complaints was two. The 2019 year to date total was seven.
- In Q4, 2020, eight Conduct Complaints were screened out by the OIPRD for a variety of other reasons, including no misconduct alleged in the complaint, referral to the applicable court to dispute a charge, or an investigation was deemed not to be in the public interest by the OIPRD. This compares to eight complaints screened out in this manner during Q4, 2019. The year to date total for 2020 for these types of complaints was 39. The 2019 year to date total was 31.

Early Resolutions:

- In Q4, 2020, there were four recommendations for an Early Resolution by the OIPRD. In cases involving minor complaints, a Professional Standards Unit investigator attempts to resolve the complaint prior to a formal investigation. If successful, the matter is concluded. If unsuccessful, the matter is returned to the OIPRD for re-screening. The matter may then be concluded by the OIPRD or assigned for investigation. This compares to two Early Resolutions in Q4, 2019. Year to date in 2020 shows six Early Resolutions (three were successful) and 2019 year to date shows four (one was successful).

Withdrawn Complaints:

- In Q4, 2020, five Conduct Complaints were withdrawn by a complainant. This usually involves a Professional Standards Unit investigator meeting with a complainant at the commencement of a complaint investigation and providing answers to questions and explanations with respect to police procedures, officer safety concerns or charge processes and procedures that subsequently addressed the complainant's concerns. In Q4, 2019, Conduct Complaints were withdrawn on six occasions. Year to date for 2020 shows 18 complaints were withdrawn, 13 in 2019.

Unsubstantiated Complaints:

- In Q4, 2020, ten Conduct Complaint investigations were concluded as Unsubstantiated compared to seven in Q4, 2019. These numbers can include case closures carried over from the previous quarter / year. Year to date for 2020, there was a total of 23 unsubstantiated complaints compared to 21 in 2019.

Requests for Review:

- In Q4, 2020, two complainants requested that the OIPRD conduct a review of the Professional Standards Inspector's decision regarding the conclusion of an investigation via the Request for Review process. This compares to one Request for

Review in Q4, 2019. For the year 2020, the total amount of complainants that requested a review of their complaint was five. The 2019 year to date total was five.

- In Q4, 2020, the OIPRD concluded one Request for Review that had been initiated in a previous quarter, resulting in the OIPRD confirming the decision of the Inspector as Unsubstantiated. In Q4, 2019, the OIPRD concluded no Requests for Review. Year to date total in 2020 was four concluded Requests for Review (one from 2019). The 2019 year to date total was four.
- There are two Requests for Review currently pending with the OIPRD.

Informal Resolution:

- In Q4, 2020, there were no Conduct Complaints resulting in an Informal Resolution before the completion of an investigation. This compares to two complaints in Q4, 2019, concluding in the same way. Year to date total for 2020 is twelve and for 2019 three.
- In Q4, 2020, two Conduct Complaints resulted in an Informal Resolution following an investigation. This compares to three complaints resolved in this manner in Q4, 2019. The total amount for 2020 was six and zero were resolved in this manner in 2019.

NR20-58 – *A public complainant alleged that an officer, who was assigned to investigate a domestic situation involving the complainant and the complainant's partner, was involved in a romantic relationship with the complainant's partner at the time of the complainant's arrest for Criminal Harassment.*

Following a thorough Professional Standards Unit investigation, an allegation of Discreditable Conduct was substantiated. It was determined that the officer was not involved in a relationship with the complainant's partner prior to or at the time of the complainant's arrest. Following the arrest of the complainant, the officer was contacted several times by the complainant's partner for questions concerning the pending criminal case. The complainant's partner and the officer subsequently formed a friendship which later developed into a relationship which lasted for approximately one month.

Through consultation with the complainant and the officer, who acknowledged the misconduct, the matter was resolved by way of an Informal Resolution Agreement. The officer and the complainant agreed to the proposed penalty which consisted of the officer being removed from front line operational duties for a period of 18 months and transferred into the Central Court Unit. The complainant's criminal charges were later concluded by way of a Conditional Discharge.

NR20-67 – *A public complainant alleged that Detectives, who were assigned to investigate a weapons related incident that resulted in the complainant receiving an indirect threat of death, did not conduct a thorough investigation of the matter.*

Following a Professional Standards Unit investigation, it was determined that the Detectives laid multiple criminal charges against an accused party who directly

threatened two other parties while in possession of a replica firearm. The Detectives were aware of the indirect threat that was made against the complainant, but did not believe that criminal charges were warranted in relation to the indirect threat made against the complainant. The Professional Standards Unit investigation resulted in one allegation of Neglect of Duty being substantiated against both officers.

Through consultation with the complainant and the officers who acknowledged their misconduct, the matter was resolved by way of an Informal Resolution Agreement. The officers and the complainant agreed to the proposed penalty which consisted of the officers receiving a Letter of Reprimand, completing a review of the incident, investigative training with the Professional Standards Unit Inspector, and submitting a formal letter of apology to the complainant.

*At the conclusion of this matter, the complainant forwarded the following comments to the Professional Standards Unit, **"I would like to say thank you for all your work on my case. I want you to know how much it means to me that you took my case very seriously and made me feel very comfortable and showed me respect in regards to my concerns, Again thank you very much greatly appreciated."***

Less Serious Misconduct:

- In Q4, 2020, one Conduct Complaint was substantiated as less serious misconduct and was resolved by way of a Disposition without a Hearing. This compares to zero complaints concluded in this manner in Q4, 2019. Year to date for 2020, five Conduct Complaints were concluded by Disposition without a Hear. The 2019 year to date total was zero.

NR20-76 – *A public complainant alleged that an officer, who was assigned to investigate the theft of a cellular device, did not conduct a thorough investigation of the matter.*

Following a Professional Standards Unit investigation, one allegation of Neglect of Duty was substantiated against the officer. It was determined that the officer did not conduct a thorough investigation of the matter.

Through consultation with the OIPRD, the complainant and the officer, the matter was resolved by way of a Disposition without a Hearing. The involved officer acknowledged the misconduct and received a written reprimand.

Serious Misconduct

- In Q4, 2020, there were no Conduct Complaints substantiated as serious misconduct and referred to a *Police Services Act* Part V Disciplinary Hearing. This compares to one Disciplinary Hearing referral in Q4, 2019. Year to date in 2020, there was one hearing referral. The year to date total for 2019 was three.

Part V – Disciplinary Hearing:

- In Q4, 2020, there were no Conduct Complaints concluded after a *Police Services Act* Part V Disciplinary Hearing. This compares to zero Disciplinary Hearings concluded in this manner in Q4, 2019. Year to date in 2020, there was one hearing concluded in this manner and one in 2019.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

This report is submitted to provide the Board with the necessary and required information pursuant to By-law 301-2010 - Administration of the Public Complaints System, and in compliance with Provincial Adequacy Standards Regulations.

Other Pertinent Reports

141.2020 – Quarterly Report – Administration of Public Complaints System – April 1 to June 30, 2020

This report was prepared by Inspector Luigi Greco, 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

PUBLIC AGENDA

Subject: Quarterly Report – NRPS Authorized Strength as at January 27, 2021

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-01-27

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 summary of actual versus authorized strength by rank/salary band of the uniform and civilian complement on a quarterly basis.
- This report is for the quarterly period ending January 27, 2021.
- The Service's Executive Leadership Team is provided with an authorized strength analysis on a monthly basis.

Financial Considerations

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

Analysis

- In 2015, following a comprehensive staffing and workload review, the Niagara Police Services Board requested that the Chief of Police provide a quarterly report to the Board of actual versus authorized strength, by rank/salary grade for all uniform and civilian positions. In addition to the authorized strength, there are thirteen uniform pre-hire positions included in the annual budget to mitigate the impact of retirements on front line operations.

The quarterly report ending January 27, 2021 is in the chart below:

	Authorized	Actual
Chief of Police	1	1
Deputy Chiefs	2	2
Superintendents	5	5
Inspectors	14	14
Staff Sergeants	29	30
Sergeants	110	112
Constables	599	591
Prehires/Recruit Officers in Training	13	14
Uniform Total	773	769
Civilian SOA Band 11	1	1
Civilian SOA Band 10	0	0
Civilian SOA Band 9	2	2
Civilian SOA Band 8	5	5
Civilian SOA Band 7	1	1
Civilian SOA Band 6	4	3
Civilian SOA Band 5	0	0
Civilian SOA Band 4	0	0
Civilian SOA Band 3	0	0
Civilian SOA Band 2	1	1
Civilian SOA Band 1	4	4
Civilian NRPA Band 11	20	20
Civilian NRPA Band 10	64	65
Civilian NRPA Band 9	77	77
Civilian NRPA Band 8	9	9
Civilian NRPA Band 7	29	29
Civilian NRPA Band 6	51	43
Civilian NRPA Band 5	33	32
Civilian NRPA Band 4	17	21
Civilian NRPA Band 3	3	3
Civilian NRPA Band 2	0	0
Civilian NRPA Band 1	0	0
Civilian Total	321	316
Service Total	1094	1085

Alternatives Reviewed

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

Relationship to Police Service/Board Strategic Priorities

This report is being provided for information purposes at the request of the Board.

Relevant Policy Considerations

Police Services Act.

Other Pertinent Reports

158.2020 – Quarterly Report – NRPS Authorized Strength as at October 1, 2020

This report was prepared by Cheryl Pathe, EIS Coordinator, Human Resources, reviewed by Linda Blood, Manager, Human Resources and 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

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PUBLIC AGENDA

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

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-05

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 October 1, 2020 to December 30, 2020.
- The Special Operating Account has exceeded the \$75,000 limit and the excess amount of \$21,821.96 will be transferred to the general revenue account of the Service.

Financial Considerations

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 By-law 376-2018, Special Fund Administration, Limitations and Guidelines. 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.

In accordance with By-law No. 376-2018 section 8.1 *Special Operating Account: The Chief shall ensure that the balance not exceed \$75,000 and that any amount exceeding the limit be paid over to the general revenue account of the Service.*

Due to a decrease in donations experienced in 2020 as well as the routine transfers of auction proceeds and Found/Seized money, the special operating account has exceeded the \$75,000 limit during the quarter. As of December 31, 2020, the balance of the special operating account is \$96,821.96. The excess amount of \$21,821.96 will be transferred to the general revenue account of the Service.

Analysis

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

- Special Fund – Special Operating Account - #125-255-0 – \$96,821.96
- Special Fund – General Operating Account (Informant) #103-543-5 – \$4,641.69
- Total Special Funds – Special and General (Informant) Accounts – \$101,463.65

The summary of activities for the period ended December 31, 2020, is provided in Appendix 2. Informant payments during the period totalled \$10,500, made up of 20 payments ranging from \$100 - \$1,500 with a median of \$375.

Alternatives Reviewed

No alternatives exist.

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. 75/2020 Special Fund Administration – January 1, 2020 to March 31, 2020.

Minute No. 140/2020 Special Fund Administration – April 1, 2020 to June 31, 2020.

Minute No. 7.7/2020 2021-01-26 Special Fund Administration – July 1, 2020 to September 30, 2020.

This report was prepared by Courtney Woods, Financial Analyst, reviewed by Laura Rullo, Finance Manager, reviewed by Richard Frayne, Superintendent, Corporate 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 2: Niagara Regional Police Service: Summary of Special Funds Activity

			Activity Period		Account Number
Special Fund - Special Operating			10/01/2020 - 12/31/2020		125-255-0
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Oct/20	Previous Balance				53,222.12
6/Oct/20	Activity Fee		0.27		53,221.85
28/Oct/20	Canadian Association of Police Governance	908	1,000.00		52,221.85
28/Oct/20	Out of the Cold Dinner Program	909	500.00		51,721.85
30/Oct/20	Police Auctions Canada			7,051.30	58,773.15
5/Nov/20	Activity Fee		0.25		58,772.90
16/Nov/20	Receiver General - Forfeiture Order	910	240.00		58,532.90
20/Nov/20	Found/Siezed Money Deposit			39,838.80	98,371.70
4/Dec/20	Activity Fee		49.74		98,321.96
15/Dec/20	Socks for Change	911	1,500.00		96,821.96
					96,821.96
					96,821.96
	Totals		3,290.26	46,890.10	
31/Dec/20	Closing Balance - General Fund				\$ 96,821.96

			Activity Period		Account Number
Special Fund - General Operating (Informant)			10/01/2020 - 12/31/2020		103-543-5
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Oct/20	Previous Balance				\$5,147.13
6/Oct/20	Activity Fee		2.55		\$5,144.58
5/Nov/20	Activity Fee		1.19		\$5,143.39
17/Nov/20	Deposit			5,000.00	\$10,143.39
3/Dec/20	Deposit			5,000.00	\$15,143.39
4/Dec/20	Activity Fee		1.70		\$15,141.69
	Informant		10,500.00		\$4,641.69
					\$4,641.69
					\$4,641.69
	Totals		10,505.44	10,000.00	
31/Dec/20	Closing Balance - Informant Fund				\$4,641.69

31/Dec/20	Total Special Funds Closing Balance				101,463.65
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Appendix 1
Niagara Regional Police Service
Reconciliation of Balance of Special Funds as at:

December 31, 2020

		Special Operating Account #125-255-0	General Operating Account #103-543-5	Total Special Funds
Balance per Bank Statement		\$ 97,821.96	\$ 4,641.69	\$ 102,463.65
<u>Outstanding Cheques:</u>				
<u>Description</u>	<u>Doc. #</u>			
Canadian Association of Police Governance	908	\$ 1,000.00		\$ 1,000.00
Total Outstanding Cheques		\$ 1,000.00	\$ -	\$ 1,000.00
Available Bank Balance		\$ 96,821.96	\$ 4,641.69	\$ 101,463.65



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report - Accessibility Standards & Accessibility Standards for Customer Service – By-Laws 366-2017 and 367-2017 - January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-05

Recommendation(s)

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

Key Facts

- The purpose of this report is to provide an annual written report to the Board in respect of meeting the accessibility standards that includes a summary of the procedures and the status of Service compliance with said procedures as per Police Services Board By-Law No. 366-2017 Respecting Accessibility Standards, and By-Law No. 367-2017 Respecting Accessibility Standards for Customer Service.
- General Order 217.05 - Accessibility Standards, establishes the policy of the Niagara Regional Police Service.
- For the year ended December 31, 2020 the Service was in compliance with General Order – 217.05 – 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 217.05 - Accessibility Standards, establishes the policy of the Niagara Regional Police Service that Service members are responsive to the diverse needs of all residents by striving to provide equal access to services and facilities, including people with disabilities. This policy applies to all members of the Service as well as volunteers, contractors and agents.

For the year ended December 31, 2020, the Service was in compliance with General Order – 217.05 – Accessibility 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-Laws No. 366-2017 and 367-2017.

Relevant Policy Considerations

No other relevant policy considerations.

Other Pertinent Reports

08.2020 – Annual Report – Accessibility Standards – January 1 to December 31, 2019

76.2020 – By-Law No. 366-2017 Accessibility Standards for Customer Service – January 1 to December 31, 2019

This report was prepared by Richard Frayne Superintendent Corporate Services in consultation with Steve Murphy - Niagara Region Accessibility Coordinator, 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

PUBLIC AGENDA

Subject: Annual Report – The Collection of Identifying Information in Certain Circumstances – Prohibition and Duties
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-01

Recommendation(s)

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

Key Facts

- The purpose of this report is to inform the Board as to Service compliance with Ontario Regulation 58/16, (Collection of Identifying Information in Certain Circumstances).
- In compliance with the requirements of the regulation, the Niagara Police Services Board introduced By-Law 360-2016 and the Service introduced policy to provide direction to its members.
- In 2020, members of the Niagara Regional Police Service did not collect or attempt to collect identifying information from any persons in accordance Regulation 58/16.

Financial Considerations

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

Analysis

Regulation 58/16 was developed in response to concerns expressed by the community in relation to the police practice of "*carding*" or "*street checks*" throughout the Province and came into force on January 1, 2017.

The Regulation aimed to prevent the arbitrary collection of identifying information from members of the public by police officers and prescribed how the collection of information was to occur and under what circumstances. Interactions between the police and members of the public that were otherwise legally justified were not subject to the provisions of the Regulation.

Annual Report Niagara Regional Police Service January 1st to December 31st 2020 inclusive Collection of Identifying Information in Certain Situations		
Reporting Category	2020	2019
Number of attempted collections	0	0
Number of attempted collections in which identifying information was collected	0	0
Number of individuals from whom identifying information was collected	0	0
Number of times individuals informed that they were not required to provide identifying information to the officer	0	0
Number of times each of the following provisions were relied upon not to advise the individual of their right that they are not required to provide identifying information to the officer: <ul style="list-style-type: none"> ➤ might compromise the safety of an individual ➤ likely compromise an ongoing investigation ➤ might identify a confidential informant ➤ might disclose the identity of a person, contrary to law including the Youth Criminal Justice Act 	0 0 0 0	0 0 0 0
Number of times individuals were informed of the reason why the officer was attempting to collect identifying information	0	0
Number of times each of the following provisions were relied upon not to advise the individual of their right that they are not required to provide identifying information to the officer: <ul style="list-style-type: none"> ➤ might compromise the safety of an individual ➤ likely compromise an ongoing investigation ➤ might identify a confidential informant might disclose the identity of a person, contrary to law including the Youth Criminal Justice Act 	0 0 0 0	0 0 0 0
Number of times an individual was provided a receipt/documentation	0	0

Number of times an individual indicated they did not want a receipt/document	0	0
Number of times each of the following clauses were relied upon not to offer or give a receipt/document:		
➤ might compromise the safety of an individual	0	0
➤ might delay the officer from responding to another matter that should be responded to immediately	0	0
The number of collections from individuals perceived to be within the following groups based upon sex/gender		
➤ Male	0	0
➤ Female	0	0
Number of attempted collections of identifying information from individuals who were perceived to be within the following age groups		
➤ 0 to 10	0	0
➤ 11 to 19	0	0
➤ 20 to 29	0	0
➤ 30 to 39	0	0
➤ 40 to 49	0	0
➤ 50 to 59	0	0
➤ 60 to 69	0	0
➤ 70 to 79	0	0
➤ 80 to 89	0	0
➤ 90 to 99	0	0
➤ 100+	0	0
Number of attempted collections of identifying information from individuals who were perceived by the police officer to be within the following racial groups		
➤ White	0	0
➤ Japanese	0	0
➤ Korean	0	0
➤ Black	0	0
➤ Filipino	0	0
➤ Aboriginal	0	0
➤ Arab (Egyptian, Kuwaiti, Libyan)	0	0
➤ Chinese (Chinese, Taiwanese)	0	0
➤ Latin American (Chilean, Costa Rican, Mexican)	0	0
➤ South Asian (Bangladeshi, Punjabi, Sri Lankan)	0	0
➤ Southeast Asian (Vietnamese, Cambodian, Malaysian, Laotian)	0	0
➤ West Asian (Afghan, Assyrian, Iranian)	0	0
➤ Unknown (not seen and/or apparent racial group (population group) not provided)	0	0
➤ Visible Minority (not listed in the above group)	0	0

➤ Multiple Visible Minority (belong to a mixture of population groups)	0	0
Number of Freedom of Information Requests	0	0
Number of Public Complaints	0	0
Collection of Information that Led to an Arrest	0	0

Examination for Potential Over-Representation

The By-law requires that a statement be made, based upon an analysis of the information, as to whether the collections were attempted disproportionately from individuals within a group based upon the sex of the individual, a particular age, racialized group, or a combination of groups and if so, any additional information that the Chief of Police considers relevant, to explain the disproportionate number of attempted collections.

In 2020, the Service recorded zero regulated interactions. This is consistent with 2019 when zero regulated interactions also were reported. In the absence of any reported regulated interactions, an analysis is not possible.

Neighbourhoods

The By-law requires that the Service report on the neighbourhoods or areas where collections were attempted and the number of attempted collections in each neighbourhood or area. No collections were reported for the year 2020.

Compliance

The Service is required to report upon the determinations made by the Chief of Police (or their designate) as to whether the information entered into the database complied with sections 5 and 9(4)(a) of the Regulation. As spoken to earlier, the Chief has appointed a designate for this purpose – that being the Staff Sergeant in Charge of the Central Holding facility.

In relation to process, officers who attempt to collect information under the provisions of this Regulation are required to document information electronically within the Service's Records Management System as a COI (regulated interaction). The information collected remains "invisible" and is not accessible by any officer. The information is routed to the Staff Sergeant in Charge of Central Holding, who as the Chief's designate, is responsible to review the information to ensure that the collection was in compliance with the Regulation. Once satisfied that the collection or attempted collection of information complies with regulatory requirements, the Chief's designate approves the information and it becomes accessible to other officers. In the event that an issue is

identified, the Chief's designate may seek additional information from the involved officer in order to make an informed decision. If the collection or attempted collection does not appear to be compliant, access to the information remains restricted in accordance with the Regulation. Options to address non-compliant attempts to collect information range from additional training/awareness, to the application of discipline (dependent upon the seriousness of the situation).

In 2020, no information was collected by officers. Procedurally the Service remains in compliance with the Regulation. All requirements for the handling and reporting of regulated interactions are in place and are being met.

By Regulation, every police officer who attempts to collect identifying information about an individual from the individual, or who acts as the designate of the Chief of Police under Section 9 of the Regulation, must successfully complete the required training within the previous 36 months. In the fall of 2019, refresher training was provided to sworn officers by way on an e-learning module created and administered by the Ontario Police College through their e-Learning portal Ontario Police College Virtual Academy (OPCVA). Subsequent training is scheduled for 2022.

Annual Review

The Regulation, By-law and Service policy, all call for an annual review to determine whether it appears that Sections 5 (limitations on collection), 6 (duties to inform of rights and reasons before collecting, with exceptions) and 7 (document for individual – receipt/document, with exceptions) were complied with. This review is intended to analyze an appropriately sized random sample of collections of information within the database, within a margin of error of +/- 5% at a 95% confidence level.

Given the absence of a data set for 2020, this review was not possible.

Access to Restricted Information

The Service is required to report the number of times members were permitted to access identifying information to which access must be restricted by virtue of one or more of the following:

- | | | |
|------|---|---|
| i. | For the purpose of an ongoing police investigation | 0 |
| ii. | In connection with legal proceedings or anticipated legal proceedings, for the purpose of dealing with a complaint under Part V of the <i>Act</i> or for the purpose of an investigation or inquiry under clause 25(1)(a) of the <i>Act</i> , | 0 |
| iii. | In order to prepare the Annual Report or a report required due to disproportionate collection (under section 15 of the Regulation), | 0 |
| iv. | For the purpose of complying with a legal requirement, | 0 |
| v. | For the purpose of evaluating an officer's performance | 0 |

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

- Ontario Regulation 58/16: *"The Collection of Identifying Information in Certain Circumstances."*
- Niagara Police Services Board By-Law 360-2016: *"Collection of Identifying Information in Certain Circumstances."*
- Niagara Regional Police Service General Order 244.01: *"Collection of Identifying Information – Street Checks."*

Other Pertinent Reports

- 50.2020 – The Collection of Identifying Information ("COI") in Certain Circumstances – Prohibition and Duties – January 1 to December 31, 2019.
- Report of the Independent Street Checks Review, 2018: The Honourable Michael H. Tulloch.

This report was prepared by Superintendent David Meade, Executive Services, in consultation with Mr. Gary Holden, Records Manager, Staff Sergeant James Davies, Prisoner Management, Lead Street Check Verifier 2019 and Inspector Luigi Greco, Professional Standards Unit 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

PUBLIC AGENDA

Subject: Annual Report – Criminal Intelligence Unit
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-01-29

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 196-2000 – Criminal Intelligence Unit.
- By-Law 196-2000 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 with the necessary and required information pursuant to the operation of the Criminal Intelligence Unit.

Financial Considerations

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

Analysis

This report is submitted to provide the Board with the necessary and required information, pursuant to certain by-laws, relating to operation of the Criminal Intelligence Unit. Subsequent reports will follow annually to continue with this reporting process.

In 2020, Special Investigative Services included the Criminal Intelligence Unit, Surveillance, Morality, Guns Gangs and Grows Unit, the Opioid Education and Enforcement Unit and several officers seconded to various Joint Forces Operations (JFO) including the Biker Enforcement Unit, the Provincial Weapons Enforcement Unit, the Provincial Anti-terrorism Team, the Provincial Asset Forfeiture Unit, the Border Enforcement Security team and the Provincial Joint Forces Cannabis Enforcement team.

The Criminal Intelligence Unit itself is staffed by one Detective Sergeant and four Detective Constables. They are responsible for the collection and dissemination of

information on criminal individuals and groups. The Unit shares information internally as well as with other Police agencies in Canada and internationally. They are also responsible for the technical aspect of investigations under Part VI of the *Criminal Code*.

In accordance with By-Law 196-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of Criminal Intelligence. The report shall include:

- a) A summary of the written procedures concerning Criminal Intelligence;
- b) The status of Service compliance with the said procedures; and
- c) Confirmation that members have been trained in accordance with Section 4.3.

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

- a) *"...a summary of the written procedures covering Criminal Intelligence..."*

Written procedures regarding Criminal Intelligence are found in General Order 111.09 Special Investigative Services (SIS) Unit and Technical Support Access.

This Order is written to familiarize members with the structure, operation and responsibilities of the Criminal Intelligence Unit within SIS, which is responsible for gathering intelligence, monitoring and investigating criminal activities and disseminating information relative to organized crime, vice, drugs, terrorism, gangs and civil disorders. It also establishes guidelines for accessing specialized resources, equipment and technical expertise of the Criminal Intelligence Unit.

The Order provides members of the Criminal Intelligence Unit with clear instructions to direct and guide them in the execution of their duties. The order also provides a clear understanding of any constraints and expectations specific to their assigned duties. It is also to provide such instructions and understanding, where appropriate, in the form of subsidiary manuals directed at members of specific components, areas or functions within the Service.

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

The detection and suppression of organized crime and its activities, as well as terrorism and terrorist activity, are the responsibilities of all members of the Niagara Regional Police Service. All Districts and Units must carry out this responsibility in conjunction with each other.

The Criminal Intelligence Unit is a support service whose primary function is to enhance the capabilities and effectiveness of other Units and functions of the Niagara Regional

Police Service. This is achieved by providing specialized investigative assistance in the form of technical support, mobile surveillance, and information relative to criminal organizations, their members, associates and enterprises, as well as liaison capabilities with other law enforcement agencies.

This primary function is supported by secondary activities, which consist of tactical and strategic initiatives. These initiatives identify specific targets on a priority basis and formulate the appropriate balance of strategic/tactical response. Where crime, criminals or the public interest require a more comprehensive response, the Criminal Intelligence Unit ensures that a probe/project is carried out in concert with other Districts or Units for efficient use of police resources.

Tactical initiatives include the targeting of traditional and non-traditional organized crime groups, terrorist groups, their members, associates and enterprises, criminal organizations, and career criminals, with the intent to disrupt or dismantle criminal activities by way of judicial process.

The Criminal Intelligence Unit will support Districts, Units and other law enforcement agencies in all aspects of problem solving by making available the knowledge and expertise of Intelligence Unit Investigators.

Where any response or initiative involves another police service or enforcement agency, and a formal Joint Forces Operation is appropriate to deal with the matter, the Criminal Intelligence Unit ensures that suitable funding is sought, as appropriate.

To enhance transnational enforcement and intelligence gathering, the Service participates in an agreement with the U.S. Department of Homeland Security as a member of the Border Enforcement Security Task Force (BEST). In addition, membership in CISO serves as a resource for formal and informal partnerships.

The issuance of Intelligence bulletins to frontline and investigative members ensures a timely dissemination of information to ensure a broader understanding regarding activities and trends of career criminals and criminal organizations.

In summary, the Service is in compliance with the written procedures outlined in General Order 111.09.

- c) "...Confirmation that members have been trained in accordance with Section 4.3..."

An extensive range of specialized training is provided to members of the Criminal Intelligence Unit. This training is provided through the CISO at the Ontario Police College and includes the following courses:

- Human Source Development

- Intelligence Officer
- Outlaw Motorcycle Gangs
- Mobile Surveillance
- Proceeds of Crime Investigations
- Tactical, Intrusion Detection
- Witness Protection
- Public Officer Designation
- Interception of Private Communications
- Undercover Operations
- Video Surveillance
- Investigative Analysis
- Privacy Act
- Technical Orientation
- Technical Surveillance
- Clandestine Lab Investigation

CISO provides additional training in the form of workshops, seminars and conferences targeting the following:

- Street gangs
- Extortion
- Weapons and cigarette smuggling
- Illegal drug manufacturing
- Auto theft rings
- Money laundering

Where additional positions are available on these courses, workshops and conferences, they are offered to detectives in other investigative units to ensure that the Service has a complement of trained members for succession opportunities.

CISO also offers Outreach Training courses to provide basic knowledge of the subject matter on some select topics. This enhances the Service's ability to provide training to a larger number of officers at minimal cost to the Service. Outreach training that has been facilitated through the Service includes:

- Mobile Surveillance Introduction – 1 Week
- Mobile Surveillance Practical - 2 Weeks
- C-24 Lawful Justification – 2 Days
- Human Source Development – 3 Days

Members of SIS instruct on the Technical Support courses and the three week Mobile Surveillance course at the Ontario Police College, along with speaking at numerous other investigative training courses throughout the year.

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 Board By-law 196-2000 – Criminal Intelligence Unit
General Order 111.09 – Special Investigative Services and Technical Support Access
Provincial Adequacy Standards Guidelines LE-004 – Criminal Intelligence

Other Pertinent Reports

28.2020 - Annual Report – Criminal Intelligence Unit - January 1 to December 31, 2019

This report was prepared by Dave Gomez, Staff Sergeant, Special Investigative Services and in consultation with/reviewed by Inspector James Leigh, Investigative Support Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.

A handwritten signature in black ink, appearing to read "Bryan MacCulloch #5835", is written over a horizontal line.

Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – 2020 Disclosure of Secondary Employment
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-02-01

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

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

Analysis

The following secondary employment disclosures and decisions were made in 2020.

Uniform

Total disclosures made to the Chief: 9

1. Assistant Coach with Brock University Men's Ice Hockey
2. Volunteer Lieutenant Firefighter with Welland Fire and Emergency Services
3. Canadian Armed Forces
4. Volunteer Firefighter with Welland Fire and Emergency Services
5. Canadian Armed Forces
6. Fire Investigation with Origin and Cause
7. Independent Brokerage Agent under Northwood Mortgage Limited License
8. Primerica Canada Financial Services

9. Server at a local licensed restaurant

Eight (8) applications were approved by the Chief.
One (1) application was not approved by the Chief.

Civilian

Total Disclosures made to the Chief: 1

1. Senior Consultant / Independent Contractor with Fitch and Associates

One (1) application was approved by the Chief.

Alternatives Reviewed

There are no alternatives.

Relationship to Police Service/Board Strategic Priorities

Not applicable

Relevant Policy Considerations

Police Services Act, Section 49

Police Services Board By-Law 284-2008

Other Pertinent Reports

Not applicable

This report was prepared by Tina Ramsay, Executive Assistant to Deputy 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

None



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Drug Investigations
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-01

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 223-2000 – Drug Investigations.
- This By-law 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 with the necessary and required information relating to the operation of the Criminal Intelligence Unit.

Financial Considerations

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

Analysis

In accordance with By-law, 223-2000, the Chief shall make a written report to the Board on or before August 30 of each year with respect to Drug Investigations. This report shall include:

- a) A summary of the procedures for the investigations into drug-related offences other than simple possession;
- b) The status of Service compliance with said procedures; and
- c) A summary of Service assistance to other Police Services in respect of Drug Investigations.

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

- a) "...a summary of the procedures for the investigations into drug-related offences other than simple possession..."

The Service has five General Orders that address the requirements of Provincial Adequacy Standards Guidelines (LE-031) and Niagara Regional Police Services Board By-law 223-2000.

- General Order 117.09 - Search and Seizure
- General Order 120.07 - Morality – Drug Unit
- General Order 199.04 - Grow Operations and Clandestine Labs
- General Order 208.06 - Drug Related Offences
- General Order 141.06 – Informants and agents

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

The General Orders listed above are reviewed on a bi-annual basis to ensure compliance with the Adequacy Standards.

Training relative to drug investigations is conducted at The Ontario Police College provides training for drug investigations at both a introductory as well as advanced level. The Canadian Police College also provides Advanced Drug Investigator Training and Clandestine Lab Investigative Training.

Due to the Covid-19 Pandemic, the majority of the above-noted training opportunities were unavailable throughout the 2020 calendar year.

- c) "...a summary of Service assistance to other Police Services in respect of Drug Investigations..."

Members of the Service liaise, assist and work with various other Municipal/Provincial Police Agencies, the RCMP, as well as American Law Enforcement Agencies including the FBI, U.S. Border Patrol and U.S. Department of Homeland Security. These partnerships have resulted in international arrests and cash seizures, as well as the exchange of valuable information.

The Special Investigative Services Unit currently has four members seconded to various joint forces operations. These operations include the Ontario Provincial Police led Biker Enforcement Unit (BEU), the Provincial Weapons Enforcement Unit (PWEU), the Provincial Anti-Terrorism Squad (PATS) and the Border Enforcement Strategic Taskforce (BEST) in Buffalo, New York.

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. On an on-going basis, members of the Special Investigative Services Unit liaise with police partners provincially, nationally and internationally for the purpose of information sharing. This is key to the mandate of this Unit, in that the maximum amount of quality drug information is gathered, analyzed and shared with officers in investigative units and frontline policing.

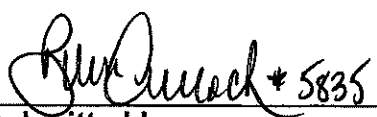
Relevant Policy Considerations

Police Services Board By-law 223-2000 – Drug Investigations
General Order 117.09 - Search and Seizure
General Order 120.07 - Morality – Drug Unit
General Order 199.04 - Grow Operations and Clandestine Labs
General Order 208.06 - Drug Related Offences
General Order 141.06 - Informants and agents
Provincial Adequacy Standards Regulation, LE-031 – Drug Investigations

Other Pertinent Reports

25.2020 - Annual Report – Drug Investigations – January 1 to December 31, 2019

This report was prepared by Dave Gomez, Staff Sergeant, Special Investigative Services in consultation with and reviewed by James Leigh, Inspector, Investigative Support Services. Reviewed by Brian Ash, Superintendent, 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

Appendix 1 – Drug Seizure Statistics Chart

Appendix 1

Drug/Seizure	2012	Value	2013	Value	2014	Value
Marihuana Dry	202,546 grams	\$2,025,460	11407.79 grams	\$114,077.9	335,773.5 grams	\$3,357,735
Marihuana Plants	6507	\$6,507,000	2329	\$2,329,000	1931	\$1,931,000
Hashish	275 grams	\$6,875	39.4 grams	\$985	586.17 grams	\$14,654.25
Cocaine	5679 grams	\$567,900	8546.64 grams	\$854,664	10,331.58 grams	\$1,033,158
MDMA	110 caps grams 44	\$5,940	2 caps 21.1 grams	\$1,498	131.7 grams	\$6,585
Oxycodone	893 pills	\$4,465	642 pills	\$3210	2808.5 pills	\$14,028
Heroin	729 grams	\$218,700	96.2 grams	\$21164	533.2 grams	\$117,304
Methamphetamine	661 grams	\$99,150	3797.53 grams	\$417,728	894.6 grams	\$71,568
Fentanyl (including Carfentanil)	51 patches 394 grams	\$10,200 \$98,500	259 patches 2531.33 grams	\$51,800 \$632,833	163 pills 7,729.8 grams	\$13,040 \$1,932,450
Hydromorphone	795 tabs	\$19,875	776 tabs	\$15,520	18 tabs	\$360
Morphine	49 tabs	\$490	232 tabs	\$3,480	0	0
Psilocybin	0.60 grams	\$6	57.05 grams	\$571	605.8 grams	\$6,058



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report Respecting Fundraising for Service Related Organizations - January 1, 2020 – December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-02

Recommendation(s)

That the Niagara Police Services Board receive this annual report respecting fundraising for Service related organizations.

Key Facts

- In 2020, members of the Niagara Regional Police Service were involved in several fundraising events throughout the Region.
- Despite the impact of the pandemic, organizations such as Community Care, Special Olympics, the United Way, Women's Place, Ride for Dad, Big Brothers Big Sisters, and Victim Services have all benefitted from members of the Service volunteering their time and making direct donations of money to the charitable cause.
- Often the participation of the Service in these events provides publicity for these outstanding community partners.
- The money raised by these worthwhile causes is administered by the individual charities, not the Service and not as the result of direct contribution from the Special Fund.
- Although these organizations have benefitted from their association with the Service, along with the work and dedication of our membership in supporting these causes, the efforts did not require reporting through the Niagara Regional Police Service to the Board as per By-Law 186-1999 with one exception, the Constable Dale Racine Educational Bursary Trivia Night fundraiser as will be detailed in the analysis portion of this document.

Financial Considerations

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

Analysis

Relevant sections of By-Law 186-1999, a By-Law Respecting Fundraising for Service Related Organizations state the following:

1 PREAMBLE

- 1.1 *"Whereas certain organizations are permitted by the Board to use the NRPS name and logo..."*

2 DEFINITIONS

- 2.6 *"Fundraising" means the solicitation of money for the benefit of a Service Related Organization and not the Service, and the sale of goods, services or licences by the Service Related Organization for the purpose of raising money for the benefit of that organization.*
- 2.11 *"Service Related Organization" means any individual group, club, team or organization which is comprised wholly or in part of Service Members and which uses the name or logo of the Service as part of its name, or which holds out as related to the Service.*

3 APPLICATION

- 3.1 *This by-law applies to:*
- i. Fundraising by Service Related Organizations,*
- 3.1.3. *The receipt and/or disbursement of any monies received on account of Fundraising by Service Related Organizations.*

4 RESTRICTIONS

- 4.3 *The Board shall not approve any Fundraising proposal which may in the opinion of the Board compromise the integrity, objectivity or impartiality of the Service.*

5 FUNDRAISING

- 5.1 *This Article applies to any Fundraising initiative undertaken by a Service Related Organization in which the total money proposed to be raised exceeds \$5,000.*
- 5.2 *No such Fundraising shall be undertaken without prior Board approval.*

Constable Dale Racine Educational Bursary Trivia Night Fundraiser:

This annual Trivia Night fundraising event is in memory of NRPS Police Constable Dale Racine where funds are raised in his honour for the Dale Racine Educational Bursary. This event is planned and coordinated by members of the NRPS who volunteer their time

and efforts. As a result of this event that took place on January 31, 2020, \$9,355 was raised for the educational bursary. Eight recipients of the bursary who were all registered to attend a University or College received \$1000 each towards their education. Left over funds will be carried over for future recipients of the Constable Dale Racine Educational Bursary.

In addition to the above information, there were no requests from Service related organizations to use the NRPS name and logo in 2020.

Alternatives Reviewed

To not receive this report.

Relationship to Police Service/Board Strategic Priorities

Participating in fundraising for Service related organizations allows members of the Service to be active participants and leaders in the community. It further allows Service members to work in collaboration with stakeholders from communities to make Niagara a better place to live, grow and play. This helps foster a culture of community collaboration and engagement.

Relevant Policy Considerations

PSB By-Law 186-1999 Fundraising for Service Related Organizations.

Other Pertinent Reports

Minute No. 28.2020 – Annual Report Respecting Fundraising for Service Related Organizations for time period of January 1 to December 31, 2019.

This report was prepared by Dave Masotti, 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.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

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PUBLIC AGENDA

Subject: Annual Report – Hate/Bias Motivated Crimes and Hate Propaganda Offences - January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-01-28

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 199/200-2000 Hate/Bias Motivated Crimes and Hate Propaganda Offences.
- The Chief is required to make a written annual report to the Board with respect to Hate/Bias Motivated Crimes and Hate Propaganda Offences.
- This report provides information to the Board for review and consideration of information relating to the Service's response to Hate/Bias Motivated Crimes and Hate Propaganda.

Financial Considerations

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

Analysis

In accordance with By-law 199/200-2000, the Chief shall make a written report to the Board on or before August 30 of each year with respect to Hate/Bias Motivated Crimes and Hate Propaganda Offences. The report shall include:

- a) A summary of the written procedures concerning the investigation of Hate/Bias Motivated Crimes and Hate Propaganda Offences, including changes since the date of the last report;
- b) The status of Service compliance with the said procedures;

- c) Confirmation that members dealing with Hate/Bias Motivated Crimes and Hate Propaganda Offences, have been trained in accordance with Section 4.5 of the By-law; and
- d) A report on the Service's involvement in community organizations to prevent the repetition of Hate/Bias Motivated Crimes and Hate Propaganda Offences.

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

- a) "...a summary of the written procedures concerning the investigation of Hate/Bias Motivated Crimes and Hate Propaganda Offences, including changes since the date of the last report ..."

Service General Order 027.07 on Hate Crime outlines the procedure to be followed when members are called upon to investigate hate propaganda offences or public complaints of hate or bias motivated crime.

Hate or bias motivated crimes and hate propaganda offences have an impact beyond the physical and emotional trauma to the victim. The victim's cultural, ethnic, religious or lifestyle group and the community as a whole, can also be affected. If left unchecked, these crimes can result in the escalation in varying degrees of tension between the different community groups.

The Niagara Regional Police Service takes a lead role in coordinating the response to hate or bias motivated crimes and hate propaganda offences. A strong Service and community response to this type of crime will show the perpetrators their actions will not be tolerated.

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

When the Service receives a report or reports of hate or bias motivated crime, the officer in charge of the District Detective Office where the incident occurred shall cause a full investigation to be conducted.

The Hate Crime Coordinator is a member of the Criminal Intelligence Unit within Special Investigative Services. The Coordinator shall be notified and kept apprised of the investigation's status and will become involved as necessary. The Service, in partnership with Victim Services Niagara, provides assistance to victims of crime, trauma and tragic circumstances in such instances.

Where prosecutions of hate or bias motivated crime result, the Ministry of the Attorney General provides further assistance to victims of crime through their Victim/Witness Assistance Coordinator. The Victim/Witness Coordinator liaises

with the Crown Attorney, police, victims and witnesses during the pre-prosecution and post-prosecution stages and acts as a support service.

In 2020, there were a total of ten (10) hate/bias reported incidents reported to the Service. The number of incidents reported dropped from the eleven incidents that were reported in 2019. There are a number of factors that can affect fluctuation in the number of reported hate crimes and the community groups that are victimized. These factors include international events, community educational programs, hate crime training and increased reporting.

There does not appear to be any pattern to the incidents for 2020.

Of the reported incidents, seven were classified as Mischief (three as graffiti). Of the other three reported incidents, one was classified as Harassment, one was classified as Information, and one was classified as an Assault.

Of the ten incidents, the Black community was targeted in six incidents, the Islamic community was targeted in two incidents, the LGBTQ2+ community was targeted in one incident, and the East Asian community was targeted in one incident.

Only one incident resulted in criminal charges but not as a hate crime after consultation with the senior crown attorney. All of the reports have been reviewed and each incident was investigated. It appears that all the investigative avenues have been pursued to identify suspects or ensure that the incident was properly addressed.

The following is the breakdown of the ten incidents:

2020	CITY	TYPE	DETAILS
Jun 2	STC	Harassment	Homophobic slurs towards member of LGBTQ2+ community
June 5	STC	Mischief	Anti-black racist remarks scratched into victim's vehicle
Jun 16	WEL	Mischief (Graffiti)	Anti-black racial slurs spray-painted onto public property
Aug 24	STC	Mischief	Anti-black racist remarks scratched into victim's vehicle
Sep 6	NFO	Mischief	Anti-black racist remarks made via electronic means
Sep 29	NFO	Mischief (Graffiti)	Anti-black racial slurs spray-painted onto property
Oct 20	STC	Mischief	Anti-black. Eggs thrown at residence and vehicle
Nov 14	WEL	Mischief (Graffiti)	Islamophobic remarks on property

2020	CITY	TYPE	DETAILS
Dec 5	NFO	Information	Islamophobic slurs uttered to individual
Dec 6	NFO	Assault	Racial slurs uttered toward East Asian person followed by an assault

The following is an annual comparison of Hate/Bias reported incidents for the past three years:

HATE/BIAS REPORTED INCIDENTS		
Year	Reported Incidents	Criminal Charges
2018	12	2
2019	11	0
2020	10	1

Note: The three criminal charges laid in relation to the reported incidents were not categorized as hate crimes.

- c) "...Confirmation that members dealing with Hate/Bias Motivated Crimes and Hate Propaganda Offences have been trained in accordance with Section 4.5 of the By-law..."

In order to provide the best police service to the Regional Municipality of Niagara, the Service provides its members with current and relative training. In addition, all new recruits attending the Ontario Police College receive mandated training on hate/bias crime in the Criminal Offences and Race Relations Modules.

Officers involved in the investigation of Hate/Bias Motivated Crimes and Hate Propaganda Offences are part of a network of 15 police services responsible for intelligence gathering and specialized support on investigations into hate/bias-motivated crimes. In 2020, the Niagara Regional Police Service continued to be an active partner of the provincial Hate Crime Extremism Investigative Team (HCEIT).

- d) "...a report on the Service's involvement in community organizations to prevent the repetition of Hate/Bias Motivated Crimes and Hate Propaganda Offences..."

The Service's School Resource Officer Program encourages information sharing between students and the police. This proactive approach affirms approachability to the police at the youth stage.

The Service strives to embrace the cultural diversity that reflects the ethnic backgrounds of the communities in the Regional Municipality of Niagara. Community spirit and involvement by Police Service members is most evident by membership in various ethnic organizations. Officers voluntarily participate in

cultural events in the community, which benefits the Police Service and the organizations by promoting partnerships and understanding.

At various times throughout the year, officers at the District level and officers assigned to the Special Investigative Services Unit meet with members of many ethnic and religious groups to address concerns and issues that have come to light in the groups. These partnerships are invaluable in establishing stakeholder information sharing and appropriate response to the issues raised.

The Service recognizes the importance of approachability in these types of incidents. Active programs have been designed to enhance the opportunities for police contact by the public and include community-based policing initiatives such as School Resource Officers and the Diversity, Equity and Inclusion Officer, as well as regular contact with various other community groups.

For the reasons stated above, the Service remains in compliance with By-law 199/200 – 2000 Hate/Bias Motivated Crimes and Hate Propaganda Offences.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

The training of Service members on current subject matter is continuous. It is through Community Policing, School Resource Officers, Crime Stoppers, Media Relations, community involvement and public contact that trust is gained.

Relevant Policy Considerations

Police Services Board By-law 199/200-2000 Hate/Bias Motivated Crimes and Hate Propaganda Offences.

General Order 027.07 – Hate Crime.

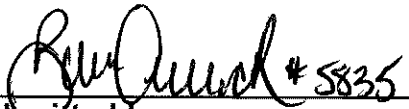
Provincial Adequacy Standards Guideline LE-007 – Hate/Bias Motivated Crimes.

Provincial Adequacy Standards Guideline LE-008 – Hate Propaganda.

Other Pertinent Reports

27.2020 – Annual Report – Hate/Bias Motivated Crimes and Hate Propaganda Offences – January 1 to December 31, 2019.

This report was prepared by Staff Sergeant Dave Gomez, Special Investigative Services, in consultation with and reviewed by Inspector James Leigh, Investigative Support Services. Reviewed by Superintendent Brian Ash, 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

PUBLIC AGENDA

Subject: Annual Report – Informants and Agents
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-01-28

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 207-2000 – Informants and Agents.
- By-law 207-2000, a By-law respecting Informants and Agents, was enacted as a result of Provincial Adequacy Standards Guideline, LE-015 – Paid Informants and Agents.
- This report is submitted to the Board for review and consideration of information relating to informants and agents and the duties and obligations of the Niagara Regional Police Service.

Financial Considerations

The Board receives a monthly report that details the administration of Special Funds. Total Disbursement of \$42,000 in Informants Fees from the General Operating Account occurred for the year ending December 31, 2020.

Analysis

In accordance with By-law, 207-2000, the Chief shall make a written report to the Board on or before August 30 of each year with respect to Informants and Agents. This report shall include:

- a) The status of the implementation of the written procedures regarding informants and agents;
- b) Confirmation of compliance with the provisions of the procedures regarding informants and agents; and
- c) On an anonymous basis, a summary of payments made to informants.

It is the policy of this Service to utilize information regarding criminal activity supplied through the informant process. When dealing with informants, consideration shall be given to the reliability of the information, any risk to the safety of members, the public and the protection of the informant's identity.

An informant is described as the giver of information and may be described as someone who provides information or assistance to a member of the Service on a continuing basis, which may prove useful in an investigation.

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

- a) "...the status of the implementation of the written procedures regarding informants and agents..."

General Order 141.06, Informants and Agents was developed in order to comply with the Adequacy Standards and the Board By-law. This General Order includes clear and strict guidelines for officers who deal with informants and agents. Specific procedures are in place regarding the roles and responsibilities of the individual officer, procedures regarding the Information and Reward Fund, the role of the Confidential Informant Controller, the use of Police Agents and the role of the Special Investigative Services Unit Commander.

- b) "...confirmation of compliance with the provisions of the procedures regarding informants and agents..."

The Niagara Regional Police Service complies with the provisions of the By-Law by ensuring that specialized training is available to investigators. This training is provided through either the Criminal Intelligence Service Ontario (CISO) or the Service's Center for Policing and Community Safety Studies. Those courses are as follows:

- Human Source Development Course
- Intelligence Officer Course
- Criminal Investigators Course
- Confidential Informant Handlers Course
- Confidential Informant Handlers Course - Advanced

The Confidential Informant Coordinator is involved in the training of frontline officers and detectives in the use of confidential informants. The Coordinator regularly provides briefings to all uniform shifts related to the General Order and is the main contact for the Service regarding confidential informant matters. The Coordinator administers the Informant Fund for the Service and ensures compliance with the General Order in that regard. The Coordinator participates with a committee chaired by CISO to develop and execute a plan to establish a central confidential informant data bank in the Province of Ontario. This will enhance the information sharing abilities of police services across Ontario. The system is currently being populated and is slated to be operational by the

spring of 2021, after which General Order 141.06 will be updated to reflect Provincial protocols.

- c) "...on an anonymous basis, a summary of payments made to informants..."

The Board receives a monthly report that details the administration of Special Funds. Disbursement of \$42,000 in Informants Fees from the General Operating Account occurred for the year ending December 31, 2020.

The cost associated to informants varies annually depending on both the type and number of investigations.

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 Guidelines.


Relevant Policy Considerations

Police Services Board By-law 207-2000 – Informants and Agents
Provincial Adequacy Standards Guideline, LE-015 – Paid Informants and Agents
General Order 141.06 - Informants and Agents

Other Pertinent Reports

17.2020 - Annual Report – Informants and Agents - January 1 to December 31, 2019.

This report was prepared by Staff Sergeant Dave Gomez, Special Investigative Services, in consultation with Detective Sergeant Dave Santo, Covert Operations and reviewed by Inspector James Leigh, Investigative Support Services and Superintendent Brian Ash, Emergency & Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report - Major Incident Command
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-02

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 235-2012 as it relates to Major Incident Command.
- The Chief is required to make a written annual report to the Board with respect to Major Incident Command.
- This report will set out the particulars with respect to the procedures required, compliance with the procedures, the Major Incident Command Manual, and deployment of Major Incident Commanders.

Financial Considerations

Not applicable.

Analysis

In accordance with By-law 235-2012, the Chief shall make a written report to the Board each year in respect to Major Incident Command and that report must include the following:

- a) a summary of the procedures 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 Major Incident Command; and
- d) a summary of the circumstances in which Major Incident Commanders have been deployed.

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;

The Niagara Regional Police Service is required to have trained Major Incident Commanders available within a reasonable response time to provide their services, seven days a week and 24 hours a day. The written procedures for the deployment of a Major Incident Commander (with respect to incidents that are tactical in nature) are set out in General Order 235.03 entitled Major Incident Command, which was approved by the Chief of Police on December 21, 2017. This policy provides clear direction with respect to all aspects of Major Incident Command and is consistent with the language and direction found within the Adequacy Standards Regulations and the Policing Standards Manual.

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

The Niagara Regional Police Service is in compliance. The Service has a total of four Senior Officers who have received Ministry Accredited Training with respect to Major Incident Command. The Inspector in charge of Emergency Services acts as the Primary Major Incident Commander for those incidents that call for a tactical response. Other Senior Officers who have received training in this area provide support as needed on a part-time basis. The Inspector of Emergency Services maintains a current list of members qualified to act as Major Incident Commanders. Copies of the list are also available to the Duty Office and Communications Units.

- c) confirmation of the development and maintenance of the manual on Major Incident Command;

Previously, the Niagara Regional Police Service relied only upon the Canadian Police College Training Manual for Incident Commanders, to serve as its manual with respect to Major Incident Command. This was supplemented by a number of Service General Orders and the Regional Municipality of Niagara Emergency Plan. The new Major Incident Command General Order (spoken to above), when taken in conjunction with Major Incident Command Training manuals and other supporting General Orders, has been drafted in such a way as to better reflect the requirement for the Service to develop and maintain a Major Incident Command Manual. These reference materials are maintained in the Command Post.

In 2020, the services of a Major Incident Commander were used on 82 occasions, an increase from previous years. This increase, in part, can be attributed to an improved process that requires the engagement of key personnel across command areas, ensuring a considered approach to safely resolving all critical incidents.

Incidents Lead by a Major Incident Commander	
2018	36
2019	66
2020	82

The following is a summary of the circumstances in which Major Incident Commanders were deployed from January 1, 2020 to December 31, 2020:

January 2020 (11 Incidents):

- 4 – High-Risk Arrests
- 3 – High-Risk Search Warrants
- 4 – Barricaded Person

February 2020 (8 Incidents):

- 4 – High-Risk Arrests
- 2 – High-Risk Search Warrants
- 1 – Barricaded Person
- 1 – V.I.P. Protection Detail during Protest (Premier)

March 2020 (8 Incidents):

- 3 – High-Risk Arrests
- 4 – High-Risk Search Warrants
- 1 – Barricaded Person

April 2020 (4 Incidents):

- 1 – Armed Person
- 3 – Barricaded Person

May 2020 (6 Incidents)

- 6 – High-Risk Search Warrants

June 2020 (7 Incidents):

- 2 – High-Risk Arrest
- 1 – High-Risk Search Warrant
- 2 – Barricaded Person
- 1 – Major Protest
- 1 – Ground Search for Person in Crisis

July 2020 (10 Incidents):

- 1 – High-Risk Arrest
- 5 – High-Risk Search Warrants
- 2 – Barricaded Persons
- 1 – Ground Search Person in Crisis
- 1 – High Angle Rescue Person in Crisis

August 2020 (3 Incidents):

- 1 – High-Risk Arrest
- 1 – High-Risk Search Warrants
- 1 – Barricaded Person

September 2020 (6 Incidents):

- 2 – High-Risk Arrests
- 4 – High-Risk Search Warrant

October 2020 (9 Incidents):

- 5 – High-Risk Arrest
- 2 – High-Risk Search Warrant
- 2 – Ground search Person in Crisis

November 2020 (3 Incidents):

- 1 – High-Risk Arrest
- 1 – High-Risk Search Warrant
- 1 – Barricaded Person

December 2020 (7 Incidents):

- 6 – High-Risk Arrest
- 1 – High-Risk Search Warrant

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

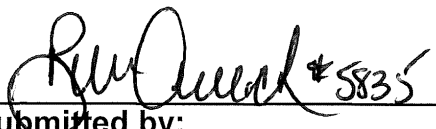
Relevant Policy Considerations

Police Services Board By-law 235 – 2012, Major Incident Command
General Order 235.03 – Major Incident Command

Other Pertinent Reports

52.2020 – Annual Report – Major Incident Command – January 1 to December 31, 2019.

This report was prepared by Joe Garvey, Inspector, Emergency Services Unit and 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

PUBLIC AGENDA

Subject: Annual Report - Marked General Patrol Vehicles By-Law No. 257-2003 – January 1 to December 31 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-02

Recommendation(s)

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

Key Facts

- To provide the Board with an annual report as stated in By-Law No. 257-2003 – Respecting Marked General Patrol Vehicles.
- To provide the Board with 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, 2020, 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:

- During the period January 1, 2020 to December 31, 2020, the Service was in compliance 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, 2020, excluding fork trucks, trailers, marine vessels and ATVs, was three hundred and forty two (342). This includes surveillance vehicles, new vehicles stock (yet to be deployed) motorcycles and currently deployed units.
- The total annual distance traveled in a twelve month period was approximately 6,200,000 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.

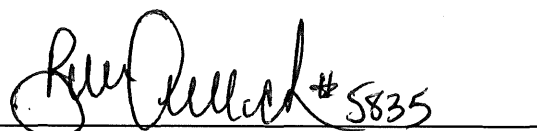
Relevant Policy Considerations

Marked General Patrol Vehicle's By-law No. 257 – 2003 Adequacy Standards AI-008.

Other Pertinent Report

86/2020 Marked General Patrol Vehicles received by the Board April 29, 2020

This report was prepared by Sam Paterson, Fleet Manager, reviewed by Richard Frayne, Superintendent of Corporate 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

PUBLIC AGENDA

Subject: Annual Report – Occupational Health and Safety - January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-01-29

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 Board By-law 330-2012 – Occupational Health and Safety.
- The Chief is required to make an annual written report to the Board with respect to Board By-law 330-2012.
- For the period ending December 31, 2020, the Service was in compliance with the written policies and procedures.

Financial Considerations

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

Analysis

In accordance with Board By-law 330-2012, Occupational Health and Safety, the Chief shall make an annual written report to the Board which shall include:

- (i) A summary of the procedures as required by the By-law; and
- (ii) The status of Service compliance with said procedures

General Order 087.10 – Occupational Health and Safety Program outlines the Service's Occupational Health and Safety program pursuant to the Occupational Health and Safety Act, R.S.O.1990 and its regulations, as well as Provincial Adequacy Standards.

The General Order outlines the responsibilities of the Chief, supervisors/managers and all members with respect to ensuring that the highest level of health and safety standards are achieved and maintained. In addition, important aspects of the Service's health and safety program are described within this General Order, including the composition and

role of the Joint Health and Safety Committee, the reporting of critical and non-critical injuries/illness, WHMIS, and workplace inspections.

There are numerous other General Orders which outline safe work practices and the responsibility of members and supervisors to ensure that precautions are taken in their day-to-day work.

Pursuant to the Occupational Health and Safety Act, General Order 087.09 – Occupational Health and Safety Program is reviewed on an annual basis in conjunction with the Joint Health and Safety Committee.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This report is being provided for information purposes.

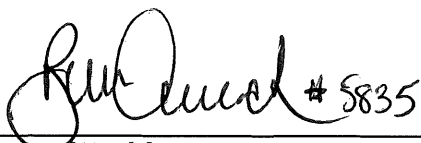
Relevant Policy Considerations

The aforementioned General Order, together with the relevant Collective Agreement(s), and the Occupational Health and Safety Act, guide the occupational health and safety program for the Service.

Other Pertinent Reports

20.2020 – Annual Report – Occupational Health and Safety – January 1 to December 31, 2020.

This report was prepared by Linda Blood, Manager, Human Resources, 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

PUBLIC AGENDA

Subject: Annual Report - Police Action at Labour Disputes
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-01-13

Recommendation(s)

The Niagara Police Services Board receives this report for information.

Key Facts

- The purpose of this report is to provide the Board with information regarding police activity in relation to Labour Disputes across the Niagara Region.
- The reporting period is January 1, 2020 to December 31, 2020.
- This report provides a summary of requirements to ensure the Service is in compliance with this by-law.

Financial Considerations

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

Analysis

The Niagara Regional Police Service has written policies that establish procedures and responsibilities for all members of the Service in the policing and management of labour disputes in the Region of Niagara. These policies reside in General Order 132: *Labour Disputes*. It is the policy of the Service to protect life and property by maintaining peace and order and by preventing the commission of offences through the establishment of a neutral presence at labour disputes.

While labour disputes are essentially civil matters, they are of particular concern to police officers as they involve dealing with parties in conflict where the rights of the public may be affected.

Summary of Police Procedures:

Section 3.2 of General Order 132 states that it is the role of police to:

- a) Preserve the peace, prevent the commission of offences, and enforce the law including offences against persons and property, in accordance with the powers and discretion available to them under law;

- b) Maintain neutrality and impartiality when dealing with representatives from management or labour during the course of a labour dispute, or when a trade union undertakes organizing activities;
- c) Ensure that all parties involved, management, labour, and the public, are able to exercise their legal rights; and,
- d) Ensure the free flow of traffic on public roadways.

Policy also acknowledges that peaceful picketing for the purposes of conveying information is not an offence. Persons involved in picketing are exercising their rights to express their concerns and should not be looked upon as criminals.

Police recognize that picketers have the right to convey the message they have a dispute with their employer regarding the terms and conditions of their employment. Accordingly, they are entitled, as pedestrians, to continue to walk on public property for the purpose of conveying their message, provided they do not constitute a traffic hazard or impede other pedestrians wishing to enter or leave the affected premise.

Employers have the right to continue to operate their businesses during a strike. Practically speaking, this means that vehicles and people have the right to enter or leave the employer's premises.

Police must try and balance the right of picketers to convey their message with the right of employers to continue to operate businesses and the rights of people to enter or leave the employer's premises. Officers should ensure that picketers are given sufficient time to convey their message. Further, there are no special rules that apply to a breach of the peace that takes place during a strike. They are to be dealt with in the same manner as any other breach of the peace.

Officers are encouraged to make notes so that if called upon to give evidence in Court, they can testify as to the length of time picketers took to convey their message and the length of delay experienced by vehicles and people entering or leaving the employer's premises.

If a Court issues an Injunction Order, the officers of this Service may be called upon to assist the Sheriff in the execution of the Injunction Order.

Importantly, policy states that uniformed police presence, other than Labour Liaison Officers, should be limited at a strike location unless there is a perceived threat to peace and order, or traffic and crowd control problems exist, or there is a history of violence or disorder during labour disputes between the employer and the trade union.

Public Order Unit:

Public Order Units shall be used only as a last resort. The decision for this type of police action shall only be made by a Senior Officer, and then only after all other means have been exhausted to control serious breaches of the peace.

Trained/Experienced Labour Dispute Officers:

The Niagara Regional Police Service currently has seven (7) trained Labour Dispute Officers that remain of the original twenty-five (25) Officers trained in 2011. At the present time, there is one (1) officer who did not take the training, but does have actual Labour dispute experience.

The role of the Labour Dispute officer is to keep the peace, thereby reducing the need for uniform response. The officers are under the direction of individual District Commanders or Duty Office, who are responsible for coordinating the implementation of these procedures.

The Labour Dispute Officers shall report on all labour disputes in their respective Districts, which will permit the District Commanders to report all updates to the Superintendent on the status of all labour disputes within the Region of Niagara.

When a Labour Dispute is anticipated, the respective District Labour Dispute Officer shall:

- a) Operate in an advisory capacity to the District Commander;
- b) Meet separately with the union and the employer to determine the intentions of both sides;
- c) Report directly to the District Commander, all circumstances pertaining to ongoing and anticipated labour disputes;
- d) Maintain a file on all anticipated and current labour disputes in the Region of Niagara;
- e) Maintain continual liaison with other policing agencies in relation to labour disputes in their specific area, which, in turn, could affect service in the Region of Niagara; and,
- f) Assist the Training Unit in relation to labour disputes.

Police Response:

Upon receipt of information in relation to a possible impending strike, lock-out, or labour demonstration, within the Region of Niagara, the Labour Liaison Officer shall:

- a) Complete a strike/pre-strike report including all the necessary information requested on the form;
- b) Submit a General Incident Report and include an estimate of traffic, crowd control and crime problems expected; and,
- c) Maintain a current daily strike activity log at the Division and forward a copy to the Labour Liaison Coordinator.

Upon the request of a trade union, an employer, or any other member of the public, the police service will provide information to the requester on the procedures of the police service during a labour dispute and the role the police service will play during the course of a labour dispute.

Videotaping shall only be done when appropriate and by an officer readily identifiable as a member of the Service.

Lawful and Unlawful Picketing;

Many disputes involve picketing. In these cases, it is important for police to understand the distinction between lawful and unlawful conduct by picketers.

Only informational picketing is lawful. That is, picketing is permitted only for the purpose of communicating information. Picketers may communicate information through a variety of means including placards, shouted slogans, pamphlets, and the mere fact of solidarity exhibited by the number of persons present on picket. However, they may not interfere with or obstruct the lawful right to enter or leave that premise. Ontario Courts have confirmed that picketing is unlawful if it interferes with the rights of entrance or exit from private property.

Service Compliance with Procedures:

The Niagara Regional Police Service maintains Labour Dispute Officers. These officers fulfill the requirements of and maintain compliance with General Order 132, Labour Disputes. Service response to labour disputes remains in compliance with established procedure and protocol.

Training

There is no formal training available for Police Officers within the Province of Ontario; however, the Niagara Regional Police Service did conduct its own training session in cooperation with the Hamilton Police Service in 2011. The Service currently has eight (8) officers available to address labour disputes within the Niagara Region.

Strikes and Labour Disputes Attended

High School Teachers – O.S.S.T.F., E.T.F.O., and O.E.C.T.A. – District School Board of Niagara

- Province-wide rotating “Walk Outs” – numerous schools in Niagara.
- NRPS Officers monitored 6 schools in January and February holding information pickets.

Summary of Response

Labour Dispute Officers attended picket lines and ensured communication between the two sides. All the premises remained open and experienced minor time delays. There were no further issues.

Alternatives Reviewed

Not Applicable

Relationship to Police Service/Board Strategic Priorities

This report is being brought forward to the Board for Information only as per the Adequacy & Effectiveness Regulation Annual Reporting Requirement, pursuant to By-Law confirms 240-2000 – Police Action at Labour Disputes.

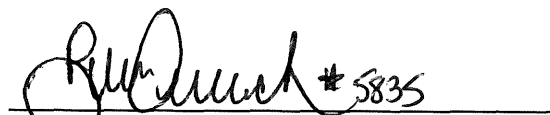
Relevant Policy Considerations

By-Law 240-2000 – Police Action at Labour Disputes
General Order 132.06 – Labour Disputes
Police Services Act – s.20 Ont. Reg. 3/99
Policing Standards Manual (2000) – Part PO-002

Other Pertinent Reports

26-2020 – Annual Report – Actions at Labour Disputes

This report was prepared by Constable James Taylor in consultation with Inspector Shawn Dowd, reviewed by Superintendent Marco Giannico, 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

PUBLIC AGENDA

Subject: Annual Report - Public Order Units
January 1 to December 31, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-02-02

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 239-2000 – Public Order Units.
- The Chief is required to make a written annual report to the Board with respect to Public Order Units.
- The Service does not have a Public Order Unit. Instead the Board has entered into agreements with the Police Boards of Hamilton and Waterloo for the delivery of the Public Order function.

Financial Considerations

Not applicable.

Analysis

In accordance with By-law 239-2000, the Chief shall make an annual written report to the Board in respect to Public Order Units that must include the following:

- a) a summary of the procedures referred to in Section 4.1;
- b) confirmation that the existing Protocol complies with legislative requirements;
- c) a summary of the circumstances in which the Public Order Unit has been utilized.

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

- a) a summary of the procedures referred to in Section 4.1;

Section 18 of Ontario Regulation 3/99 of the *Police Services Act* (referred to as the Adequacy and Effectiveness of Police Services Regulation) requires a Police

Service to have a Public Order Unit. As opposed to maintaining its own Public Order Unit, the Regulation permits a Police Services Board to enter into an arrangement with another Police Service for the provision of this function.

The Regional Municipality of Niagara Police Services Board has entered into an agreement with Police Services in both Hamilton and Waterloo regarding the delivery of the Public Order function. The procedure for accessing either the Hamilton Police Service or Waterloo Regional Police Service Public Order Units is addressed within the Shared Services Agreement, as well as the General Order entitled Civil Disturbances and Mass Arrests. This policy also addresses the circumstances that call for the notification of appropriate officials in relation to Sections 63 to 68 of the *Criminal Code of Canada* in relation to unlawful assemblies and riot situations.

Niagara Regional Police Service General Order 150.06 – Civil Disturbances and Mass Arrests defines the circumstances justifying the potential deployment of a Public Order Unit, the notifications required, and the manner in which the deployment is approved and activated.

- b) confirmation that the existing Protocol complies with legislative requirements;

The Service is in compliance with legislative requirements. The current agreements with the Hamilton Police Services Board and the Waterloo Regional Police Services Board fulfill the legislative requirements listed within Section 18 of O. Reg. 3/99 of the *Police Services Act*.

- c) a summary of the circumstances in which the Public Order Unit has been utilized;

The services of a Public Order Unit were not required during the reporting period.

For the reasons stated above, the Service remains in compliance with By-law 239-2000 as it relates to Public Order Units.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

Not applicable.

Relevant Policy Considerations

Police Services Board By-law 239-2000, Public Order Units.
General Order 150.06 – Civil Disturbances & Mass Arrests

Other Pertinent Reports

56.2020 – Annual Report – Public Order Units – January 1 to December 31, 2019.

This report was prepared by Joe Garvey, Inspector, Emergency Services and 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

PUBLIC AGENDA

Subject: 2019 - 2021 Strategic Plan Status Update
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-02-05

Recommendation(s)

That the Niagara Police Services Board accept the 2019-2021 Strategic Plan status report.

Key Facts

- The purpose of this report is to provide a status update on the Service performance measures and targets identified in the 2019-2021 Strategic Plan.
- The report demonstrates a contrast between Year 1 baseline and the targets identified in Year 2 in a COVID-19 environment.
- Overall, the Service demonstrated its capacity to adjust to the changing environment experienced in Year 2 (2020) against the backdrop of a pre-COVID-19 environment in Year 1 (2019).
- Appendix A provides a comprehensive and detailed overview of Year 1 and Year 2 outcomes).

Financial Considerations

N/A. Approved operational budget and provincial grants support the Plan.

Analysis

The Adequacy Standards Regulation directs the Service to provide a status report update on its current Strategic Plan. This report details all goals, objectives, performance metrics, targets and outcomes contained in the 2019 – 2021 Strategic Plan.

In a comparison of Year 1 (2019 baseline year) compared to Year 2 (2020) we see that COVID-19 had a real impact on the Service and Board's vision that was established in 2018 when the Plan was under development. Having said that, the Service was capable of re-adjusting its strategy to maximize its opportunity to reach desired results contained in the Plan (see Appendix A for a comprehensive and detailed overview of Year 1 and Year 2 outcomes).

At a high level, the following occurred to date:

- a. In year 1 (2019) of this Plan the Service completed a comprehensive data driven analysis of the workload and performance of our frontline patrol function. As a result, a report titled “Managing Patrol Performance” was submitted to the Board in Q-2 of year 1. The Report recommended that our frontline required 40 net new frontline uniform officers for Districts 1, 2 & 3 to meet a 7 minute response time to Priority 1 (emergency) calls for service. During 2020 budget deliberations in Q-4 the Board supported the Service and approved the new additional hires. In 2020 (Year 2) the Region approved the Service’s budget, including the 40 net new uniform additions
- b. In year 1 of this plan the RTOC moved to full-time operations, 24/7, on June 16, 2019 after hiring 8 civilian crime analysts. As of the end of year 1 the Service had a total of 30 CCTV cameras installed and operational in downtown St. Catharines and in the tourist areas of Niagara Falls. In Year 2 the Service secured additional provincial funding to purchase more cameras to address guns and gang violence in downtown St. Catharines and in the tourist area of Niagara Falls. The impact of these cameras will not be realized until Year 3 (2021) of this plan.
- c. In Year 1 of this Plan a Diversity, Equity & Inclusion Plan was in the planning stages. The Plan was completed and adopted in Year 2. As contained in the Plan, the Service would develop a Chief’s Inclusionary Council with members in the community from diverse communities sitting on the committee. In Year 1 the committee was formed. There are 19 members from diverse communities, 4 of which are Indigenous community members. In Year 1, 5 meetings were held. In Year 2 only 4 meetings were held as we had to make adjustments and prepare to use virtual platforms to host meetings.

The Strategic Plan, based on community input, recommended that the Service reach out to the International Student population at Brock University and Niagara College. These students experience a number of difficult situations as it relates to Landlord/Tenant issues, fraud, and in some cases human trafficking solicitation. In year 1 the SROs and recruit members attended Niagara College to participate in 3 international student orientation sessions. Our officers addressed many issues with the students concerning Canadian law, fraud and landlord/tenant disputes. Approximately 950 students in total attended the 3 sessions that began the week before the start of each semester (Fall, Spring, and Winter 2019). Also in year 1 the Fraud Unit attended Brock University to make presentations on fraud related matters to the International Students Association. In year 2, the SROs attended 1 international student orientation session at Niagara College in January of 2020 (Winter Session) with 350 international students in attendance. No other sessions were scheduled in year 2 due to the College’s COVID-19 closure.

- d. The Service recognized in the development of the Plan that we needed to collaborate and partner with EMS to address people in crisis and special

populations. This partnership has been slow to come together to create a viable partnership. However starting in January of Year 3, a committee of multiple partners have come together to work on a collaborative and coordinated approach to people in crisis and other special populations. These community partners include: Niagara Regional Police (Superintendent Marco Giannico, District Operations), EMS, CMHA-Niagara, Niagara Health System, and Welland-McMaster Family Health Centre. Currently the police operate MCRRT, with a CMHA-Niagara mental health worker riding with a patrol constable 12:00pm-12:00am. This arrangement is funded through a Community Policing and Safety grant. EMS similarly has a mental health nurse riding with EMTs 9:00am-9:00pm. Their arrangement is funded through funds from Welland-McMaster Family Health Centre and QUEST. These community partners are working toward finding a permanent and long term funding source that will enable police, EMS and the hospitals to address people in crisis and special populations in a coordinated manner.

- e. In recognition of the need of the Service to communicate more directly with the members of the Service, it was determined, at the direction of the Chief that Chief Town Hall meetings should be built into the Plan. It was decided that 4 town hall meetings would take place each year. However, do to the success of the exchange and dialogue additional town hall meetings were scheduled. In Year 1 (2019) the Chief had 8 Town Hall meetings at Police Headquarters and virtually on-line. In year 2 the Chief conducted a total of 7 Town Hall virtual meetings with the emphasis on the COVID-19 measures and actions that have, or will be taken, by the Executive Leadership Team to protect the safety of our members. The Chief also prepared 86 memorandums in Year 2 through to February 3, 2021 specifically addressing COVID-19.
- f. As part of the Service's wellness initiatives, resiliency training for our new recruits was established and implemented. In total, 98 recruits completed the assessment (40 in Year 1 and 58 in Year 2).
- g. Over the course of this 3-year cycle, the Service worked toward a reduction of non-occupational illness. Unfortunately we are unable to determine if an impact was made. The average sick time in 2020 as compared to 2019 has decreased by 11.5%. However, due to the pandemic, alternate provisions were approved by the service to encode non-occupational lost time in relation to the pandemic as Administrative Leave and not as part of the Sick Plan. This change has significant impact to the above noted decrease.
- h. In Year 1 the Service worked diligently to become an internationally recognized emergency police dispatch centre. On September, 30th, 2019 the Niagara Regional Police Service received its official accreditation as a centre of excellence by the International Academy of Emergency Police Dispatch and is valid until September 30th, 2022.

-
- i. It was an objective of the Service to implement an information management and governance model that converted hardcopy records into electronic files that are stored and retrievable over the course of this Plan and beyond.

Information Management & Governance is a continuous process not a project with an end. RIM implemented MOVEit Transfer in late 2019 (Year 1). It is the secure, electronic file transfer system. The application allows the Service to disclose information in a consistent, redacted format while providing auditing abilities. RIM continues to work towards automating our Record Check process through a third party agreement with Corps Commissionaires.

In Year 2 the Service completed a full rewriting of the Classification and Retention Schedule which now provides security classifications for each type of record RIM is also working with I/T on the SharePoint (hybrid option) upgrade and Office 365 projects as a big part of the Information Management and Governance focus.

While we have undertaken a large project of digitizing 13 cold case homicides (numerous boxes and audio/visual media) we have not met the goal of getting historical hardcopy records digitized.

Finally, in Year 2 RIM and Technology Services completed the health check and upgrade of Enterprise Content Management (ECM). The Services continues to work on growing/improving ECM and connecting it to SharePoint in the pending upgrade of IRIS.

For a complete accounting of our progress, see Appendix A attached.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

The Strategic Plan provides the roadmap of Board and Service priorities over the next four years

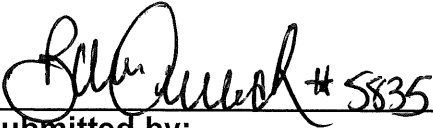
Relevant Policy Considerations

PSB By-law 356-2015

Other Pertinent Reports

Not applicable.

This report was prepared by Paul P. Divers, Ph.D., Corporate Analyst and recommended by Bill Fordy, Deputy Chief of Police, Support Services.

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

Appendices

Appendix A: 2019 -2021 Strategic Plan Status Update

APPENDIX A

2019 -2021 Strategic Plan Status Up-date

Goal One

Improve Public Safety

Colour Coding:

Completed

Not Completed

Perpetual

Results Pending

Objective 1.1: To effectively respond to calls for service. Champion: Deputy Chief of Police, Support Services

Performance Metric	Target	Compliance	Status
Average response time to emergency calls for service (Priority 1).	Respond to emergency calls within 7 minutes for urban and 10 minutes for rural calls for service. Achieve 80% compliance of standard.	In year 1 (2019) of this plan the Service completed a comprehensive data driven analysis of the workload and performance of our frontline patrol function. As a result, a report titled "Managing Patrol Performance" was submitted to the Board in Q-2 of year 1. The Report recommended that our frontline required 40 net new frontline uniform officers for Districts 1, 2 & 3 to meet a 7 minute response time to Priority 1 (emergency) calls for service. During 2020 budget deliberations in Q-4 the Board supported the Service and approved the new additional hires. In Year 2 the Region approved the Service's budget, including the 40 net new uniform additions. In year 2 of the plan the Service commenced the hiring of the new additional recruit officers, in addition to replacing retirements and departures. In Q-2 of	Results Pending Year 3, end of Q-4

		year 3 (2021) of this plan, the remaining additional recruit officers will be deployed. Currently the recruits are at the Ontario Police College (OPC). We expect to see the results of this addition by the end of year 4 of this plan in our larger urban districts. No additional officers were deployed to the smaller rural districts (5, 6 & 8) since they were meeting the 10 minute response time expectation to emergency calls for service 80% of the time.	
Budget Source	Operating budget		

Objective 1.2: To enhance crime reduction strategies. (Champion: Superintendent, Operational Support)

Performance Metric	Target	Compliance	Status
The development of a real time, Region wide, common operating picture (COP), to ensure situational awareness at all levels and provide real time actionable intelligence to first responders and criminal investigators.	<p>Establish a baseline of the activities of a fully operational RTOC program and the services it can provide to officers.</p> <p>Achieve a 10% increase in assistance in calls for service in year 2. Achieve a further 5% increase in year 3.</p>	In year 1 of this plan the RTOC moved to full-time operations, 24/7, on June 16, 2019 after hiring 8 civilian crime analysts. As of the end of year 1 the Service had a total of 30 CCTV cameras installed and operational in downtown St. Catharines and in the tourist areas of Niagara Falls. In year 1 RTOC assisted to 879 calls for service were responded to after it was operating full-time. In year 2, the Service responded to 2,570 calls, a notable increase over the previous year. In year 2 we also applied for additional funds from the Ministry of the Solicitor General to install an additional 12 cameras in St. Catharines and Niagara Falls. In Q-4 we were informed that our grant application was successful and the Ministry will send us the funds in Q-1, year 3. The City of St. Catharines and Niagara Falls each contributed \$15,000.00, the Service \$60,000.00 and the Ministry \$90,000.00, for a total of \$180,000.00.	Year 2 surpassed the year 1 baseline.

Budget Source	Provincial grant
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Objective 1.2 (Cont'd): To enhance crime reduction strategies. (Champion: Superintendent, Operational Support)

Performance Metric	Target	Compliance	Status
Expand the existing St. Catharines CCTV model to other areas of the Region	Expand the existing St. Catharines CCTV model to other areas of the Region.	Expansion took place in St. Catharines and Niagara Falls. Currently the Service has 34 cameras, with 12 additional cameras being purchased and installed in Q-1 year 3. The Service also submitted a grant application in December 2020 for an additional 12 cameras through the Ministry of the Attorney General. This expansion will result in Welland obtaining CCTV coverage.	Completion expected in Q-2, year 3 (2021).
Budget Source	Provincial grant		

Objective 1.2 (Cont'd): To enhance crime reduction strategies. (Champion: Superintendent, Operational Support)

Performance Metric	Target	Compliance	Status
Engagement of community stakeholders to provide NRPS access to existing CCTV cameras.	Establish a baseline in Year 1 Increase engagement of community stakeholders entering into CCTV camera sharing agreements in Years 2 and 3.	Partially. We were able to find support and partner with the City of Niagara Falls which will enable us to install CCTV cameras in its tourist core. The cameras and hardware were purchased in Year One and was scheduled to be installed and on-line in Q-1 of Year Two of CSP Grant. Unfortunately with the spread of COVID-19 and current emergency measures in the Province, there will be a delay in the installation of the cameras. In Year One we had also worked on a second partnership with the Town of Niagara-on-the-Lake. After many discussions it was realized that the Towns infrastructure was so old that it would have been too cost-prohibitive for them to upgrade at this time. We are hoping that upgrades will be made in the coming years and we can resume the establishment of this partnership. Finally in an	Results pending. In Q-1, year 3 (2021), Niagara College's Security Services contacted the author of this report in order to establish a

		ongoing partnership with the City of Port Colborne we were able to leverage this relationship for us to be able to set-up a mobile CCTV system during Canal Days in the City during the summer of 2019. We will consider such a policing delivery model in the future for other major summer events across the Region.	Memorandum of understanding on access and usage of their CCTV system on both the Welland and Niagara-on-the-Lake campuses. The RTOC is currently working with the College and the agreement should be completed and a working partnership should be in place before the end of year 3.
Budget Source	Provincial grant		

Objective 1.3: To reduce crime. (Champion: Superintendent, District Operations)

Performance Metric	Target	Compliance	Status
Violent Crime Rate	2% reduction each year	No. Year 1 had an increase of 9.3% (over 300 additional incidents. The primary drivers were sexual assault (+75 incidents), indecent/harassing communications (+213 incidents) and threats – person death/harm (+45 incidents). Year 2 should be similar due a trend we discovered in large increases in domestic and family violence, particularly during the COVID-19 emergency order	Perpetual. Awaiting results for Year 2 (2020). Increases have been seen

		declaration under the <i>Emergency Management and Civil Protection Act</i> .	across the country.
Budget Source	Operational budget		
Property Crime	5% reduction in property crime.	No. Year 1 saw an increase of 11.1% incidents. The primary drivers were theft under \$5,000 (+206 incidents), Shoplifting under \$5,000 (+312 incidents), Mischief (+324 incidents) and fraud – identity theft/identity fraud (+144 incidents). Unlike violent crimes, we are expecting a decrease in year 2 property crimes over year 1 due to the COVID-19 emergency order declaration set out in the <i>Emergency Management and Civil Protection Act</i> .	Perpetual. Awaiting results for Year 2 (2020). Increases have been seen across the country.
Budget Source	Operational budget		
Number of crime prevention initiatives among our Auxiliary Officers.	Number of crime prevention initiatives among our Auxiliary Officers.	<p>In 2019 the Auxiliary Unit fulfilled 119 tasks related to special events, crime prevention, community oriented events, foot patrol and distributing crime prevention/investigative flyers for a total of 9,556 hours of committed service.</p> <p>In Year 1 (2019) there were 119 deployments tasks related to special events, crime prevention, community oriented events, foot patrol and distributing crime prevention/investigative flyers, which involved 431 personnel, who completed 9,570 hours. In Year (2020) there were 10 deployments, which involved 47 personnel, who completed 1,012 hours.</p> <p>Due to the COVID-19 Pandemic, the Auxiliary Unit was suspended In March of 2020. A plethora of community related events had been</p>	Not completed due to the impact of COVID-19.

		<p>scheduled for the Auxiliary Unit, but all had to be cancelled due to the Pandemic</p> <p>Unfortunately, the Auxiliary Unit has suffered from a significant decrease in active member retention and new applicants over the last few years.</p> <p>In 2019, there were approximately 52 Auxiliary members at the end of the year (December 31st 2019).</p> <p>By the end of 2020 (December 31st), said number decreased to 35, which further created staffing issues, while attempting to meet some of the deployment taskings. That being said, the program was suspended in March.</p> <p>An Auxiliary recruitment drive in 2019 provided an additional 8 new Auxiliary recruits, but again, due to COVID-19, the training of said new candidates could not be commenced.</p>	
Budget Source	Operational budget		
Public perception of uniform visibility and approachability through day-to-day activities (i.e., foot and bicycle patrol and regular contact with downtown and tourist area	Poll downtown business merchants in year 1, 5% improvement year after year.	<p>Our survey of the public's perception of uniform visibility and approachability we found in year 1 that 4/5ths of respondents wanted t-o see more foot patrol in our major cities. St. Catharines - 82%, Niagara Falls - 85%, Welland 83% and Thorold - 87%. In the 2020 Service budget we added two constables to our authorized strength to support the community's desire for greater foot and bicycle patrols.</p> <p>In year 2 a survey was not conducted due to the COVID-19 emergency declaration and social distancing measures in the downtown cores and the community as a whole.</p>	Not completed as of the end of year 2 (2020). Completion expected in Year 3 as part of the data collection process in preparation of the 2022-2025 Strategic Plan.

business merchants and service providers).			
Budget Source	Operating budget		

Objective 1.4: Expand the Real Time Operations Centre (RTOC). (Champion: Superintendent, District Operations)

Performance Metric	Target	Compliance	Status
# of times RTOC assists and/or is used by frontline officers.	Create a baseline of RTOC usage in year 1. A 10% increase in year two for each, followed by an additional 5% increase in year 3.	Baseline was created in year 1. As previously stated the RTOC became fully operational following the hiring of a civilian RTOC analyst in June 2019. A total of 879 assists occurred in 2019, while 2,570 assists occurred in year 2 (+192%).	Baseline completed in year 1 and a 192% increase in RTOC usage in year 2.
Budget Source	Provincial grant		
# of community stakeholders that collaborate with the Service to provide access to existing CCTV cameras over	Year 1, 5 stakeholders enter into camera sharing agreements. Year 2 and 3 an additional 10% of community stakeholders enter into CCTV camera sharing agreements.	As previously stated...partially. We were able to find support and partner with the City of Niagara Falls which will enable us to install CCTV cameras in its tourist core. The cameras and hardware were purchased in Year One and was scheduled to be installed and on-line in Q-1 of Year Two of CSP Grant. Unfortunately with the spread of COVID-19 and current emergency measures in the Province, there will be a delay in the installation of the cameras. In Year One we had also worked on a second partnership with the Town of Niagara-on-the-Lake. After many discussions it was realized that the Towns infrastructure was so old that it would have been too cost-prohibitive for them to upgrade at this time. We are hoping that upgrades will be	Results pending. In Q-1, year 3 (2021), Niagara College's Security Services contacted the author of this report in order

the course of the Plan.		made in the coming years and we can resume the establishment of this partnership. Finally in an ongoing partnership with the City of Port Colborne we were able to leverage this relationship for us to be able to set-up a mobile CCTV system during Canal Days in the City during the summer of 2019. We will consider such a policing delivery model in the future for other major summer events across the Region.	to establish a Memorandum of understanding on access and usage of their CCTV system on both the Welland and Niagara-on-the-Lake campuses. The RTOC is currently working with the College and the agreement should be completed and a working partnership should be in place before the end of year 3.
Budget Source	Provincial grant		

Objective 1.5: Enhance road safety. (Champion: Superintendent, Emergency & Investigative Services)

Performance Metric	Target	Compliance	Status
Collision fatality rate.	5% reduction each year.	Year 1 saw a 13.3% reduction in fatal injury collisions over 2018 (13 vs.16). Year 2 however saw a 23% increase in fatal injury collisions (16 fatalities vs 13 in year 1).	Perpetual

Budget Source	Operating budget
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Objective 1.6: Enhance waterway safety. (Champion: Superintendent, Emergency & Investigative Services)

Performance Metric	Target	Compliance	Status
Waterway safety, enforcement and education.	Establish baseline in 2019 to determine the compliance with water safety regulations and increase compliance in 2020 and 2021.	<p>In Year 1 (2019) the Marine Unit issued 311 Offence Notices (PONs and formal Warnings. This number includes all offences that a nexus have a nexus to the water environment, i.e., Canada Shipping Act, Fish and Wildlife Conservation Act, Trespass to Property Act, and Liquor License Act.</p> <p>In Year 2 (2020) we saw an increase overall of vessel traffic and waterway related calls for service. In total, 332 PONs were issued.</p>	Perpetual
Budget Source	Operating budget		
	Annual joint training exercise.	<p>During Year 1 (2019) the Marine Unit conducted joint training with Niagara Parks Police in relation to Small Vessel Operation Proficiency (SVOP) and Marine Emergency Duties A3 (MedA3). Swiftwater training was conducted with St. Catharines Fire Services. Also, an information session was conducted with Port Colborne Fire Services to provide information on the abilities and response of the Marine and USRU.</p> <p>Year 2 was a challenging year due to COVID-19. Only 1 training presentation was scheduled for Niagara Falls Fire about unit response and abilities. Joint training was planned, however, due to COVID-19 it was cancelled.</p>	Perpetual
Budget Source	Operating budget		

Objective 1.7: To develop a strong frontline approach to traffic initiatives. (Champion: Superintendent, District Operations)

Performance Metric	Target	Compliance				Status
# of frontline officers receiving mandatory speed detection equipment training	25% of frontline officers in Year 1 trained; 50% by Year 2; 75% by Year 3.					Perpetual
			RADAR	LIDAR	TOTAL	
		2019	81	83	164	
		2020	83	65	148	
		Frontline strength in Year 1 (2019) was 320. In 2020, frontline strength was officially 360, although the members were still not deployable (40 new officers budgeted). The additions skew the percentage of trained officers, in addition to smaller class sizes due to COVID-19. Nonetheless, we met our targets.				
Budget Source	Operating budget					

Objective 1.8: Increase collaboration with community partners to address the harm associated to substance abuse.

Performance Metric	Target	Compliance	Status
Increase collaboration with community partners to address the harm associated to substance abuse.	# of collaborative consultation and intelligence sharing with GTA police agencies about high level dealers regarding drug traffickers.	<p>In Year 1 (2019), in consultation with our GTA partners Niagara had 17 incidents wherein persons from the GTA were arrested and charged with drug offences.</p> <p>In 2020, in collaboration with our GTA partner, 34 incidents wherein persons from the GTA were arrested and charged with drug offences.</p>	Perpetual
Budget Source	Operating budget		

Objective 1.9: Enhance support for victims of intimate partner violence through increased collaboration with community partners.

Performance Metric	Target	Compliance	Status
Referrals to victim services in cases identified as at-risk for intimate violence.	Establish baseline in 2019. 5% increase in subsequent years.	<p>In 2019, there were 323 referrals to Victim Services Niagara (VSN) on behalf of victims of intimate partner violence.</p> <p>In 2019, the DVU Sergeant attended 10 High Risk Review Team (HRRT) case conferences involving high-risk intimate partner violence cases, and five Domestic Violence Committee meetings, to discuss collaborative response to intimate partner violence with community partners, including VAW shelters, victim support, and justice partners. The DVU Sergeant also attended four quarterly reviews, and 26 individual application reviews respecting the Mobile Tracking Emergency Response Service (MTERS) for victims of intimate partner violence.</p> <p>In 2020, the number of domestic violence referrals to VSN rose to 503, an increase of more than 55%. Due to the COVID-19 pandemic restrictions and stay at home orders, the Special Victims Unit worked collaboratively with its community partners to increase awareness of the potential risk for increased intimate partner violence, and the availability of resources to support victims of domestic violence. In 2020, the DVU Sergeant attended nine HRRT case conferences, four Domestic Violence Committee meetings, four quarterly reviews and 22 individual MTERS application reviews.</p>	Perpetual
Budget Source	Operating budget		

Objective 1.10: Improve outcomes for victims of intimate partner violence and their families.

Performance Metric	Target	Compliance	Status
Pursue partnerships to establish an early intervention program in response to first-time intimate partner violence.	Early intervention program established and operational.	<p>In 2019, the Domestic Violence Unit worked on enhancing collaborative partnerships and a referral process to improve access to counselling programs for victims of domestic violence, and early intervention programs for abusive partners.</p> <p>In partnership with the Crown Attorney's Office, Victim Witness Assistance Program, Design for a New Tomorrow and the Family Counselling Centre Niagara the Service is moving toward increased participation in an early intervention program, currently offered as the Partner Assault Response (PAR) and delivered by Design for a New Tomorrow, in partnership with the Family Counselling Centre Niagara. In early 2020, discussions began on how to expand the scope of an early intervention program, and to streamline the referral process at the start of a criminal justice proceeding, but have been delayed due to the pandemic. These discussions have recently renewed and are progressing toward an enhanced model of delivery, involving the John Howard Society.</p>	Perpetual
Budget Source	Operating budget		

Objective 1.11: To create a network of justice partners in order to become more operationally efficient in the investigation of internet child exploitation and cybercrime.

Performance Metric	Target	Compliance	Status
# of cybercrime/	Increase of one partnership/networking	In 2019, members of the ICE Unit delivered training sessions at the Queenston-Lewiston Bridge, Peace Bridge, and Rainbow Bridge, providing over 150 Canada Border Services Agency (CBSA) Officers	Perpetual

<p>internet child exploitation partnerships and networking activities with criminal justice partners.</p>	<p>activity in each year of the plan.</p>	<p>training in relation to the identification and handling of child exploitation material. This training has been instrumental in the success of prosecutions involving travelers returning to Canada, and has allowed members of the CBSA the ability to have easier access to the NRPS ICE investigators, as the knowledge in relation to Child Exploitation investigations is specialized.</p> <p>In early 2020, additional training was delivered to CBSA, however, this outreach has been affected by the COVID-19 pandemic. The ICE Unit continues to work collaboratively with the CBSA during child exploitation investigations at the border.</p> <p>Throughout 2019 and 2020, the ICE Unit has continued to work with the National Child Exploitation Coordination Center (NCECC). NCECC refers cases to the NRPS ICE investigators reported by Internet Service Providers and Social Media platforms.</p> <p>The NRPS ICE Unit continues to be a member of the Ontario Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet.</p> <p>In 2019 and 2020, the NRPS ICE Unit collaborated with numerous police services across Ontario to conduct joint investigations in relation to child exploitation.</p> <p>Additionally, in November 2019 the ICE Unit partnered with the United States Federal Bureau of Investigation (FBI) to conduct a child exploitation and Internet luring investigation, which resulted in an arrest and charges brought against an accused in the Niagara Region. This collaboration has resulted in an increased exchange of information between the Service and FBI, as we continue to investigate child exploitation on the Internet.</p> <p>In 2019, the ICE Unit expanded its public awareness efforts across the Niagara Region. Detectives partnered with Community Living agencies to educate adults and youth with intellectual disabilities, their families, and their care givers, on how to stay safe on the internet, and what to</p>
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		<p>do if negative or exploitative behaviour is observed. Detectives also attended Elementary and Secondary schools to educate students on the potential risk of exploitation via the internet. Members also participated with Project Impact (Intensive Measures Police and Community Together) educating at risk youth in relation to internet safety.</p> <p>Members of the ICE Unit also began a strong relationship with the District School Board of Niagara's Parent Involvement Committee (PIC). Members attended the annual conference in 2019, and provided two sessions to over 400 attendees on the subject of internet safety.</p> <p>Although this activity was decreased in 2020, due to the pandemic, the ICE Unit continued to provide outreach to community agencies virtually, where possible. The ICE Unit remains committed to making information accessible to the public. The NRPS website contains resources available to members of the community that provide helpful information on how to stay safe online.</p> <p>In the fall of 2020, the Service entered into a contract with the OPP to provide additional staffing to ICE Unit, partially funded by a Federal grant. This grant funding was made available to address an influx of child exploitation cases referred for investigation following a multi-jurisdictional major project. This partnership has resulted in a positive increase of investigations carried out by the ICE Unit.</p> <p>In 2019, the Cyber Crime Unit carried out a project with the Hamilton Police and Peel Police Cyber units to build a Cyber Web portal where information is shared with participating police services, in order to increase collaboration and information sharing.</p> <p>Also in 2019, the Cyber Crime Unit partnered with the National Cyber Crime Coordination Center (NC3), which was established to facilitate the exchange of information by police services, on a national level.</p>
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		<p>In 2020, the Cyber Crime Unit continued its partnership with NC3, and has participated in a collaborative project to identify and track multi-jurisdictional crypto-currency related investigations.</p> <p>In 2019, the Service entered into a Memorandum of Understanding with the Canadian Centre for Child Protection (C3P), which has enhanced our collaborative partnership in the delivery of public safety messaging and has improved response to missing and exploited children investigations. This enhanced partnership has also created additional opportunities for collaboration in other areas of community safety, including response to human trafficking.</p> <p>In 2020, the pandemic restrictions have limited further enhancements of the Service's collaboration with C3P, an example of which was the cancelled Missing and Exploited Children Training Conference, also cancelled for 2021. However, the exchange of information and resource materials continues, largely unaffected.</p>	
Budget Source	Operating budget		

Objective 1.12: To review and revise Special Victims protocols to ensure greater inclusion of our community partners in supporting victims of crime.

Performance Metric	Target	Compliance	Status
# of community partners' responding to violence.	Review the Sexual Assault Response Protocol to increase at least two additional community partners. Revise protocols to increase the scope of involvement of	In 2019, the Niagara Region Sexual Assault Centre (CARSA) agreed to assume a leadership role by chairing the Sexual Assault Response Protocol and advisory committee, a role that has been historically fulfilled by the Service. This moved the protocol in line with accepted best practices and has helped to improve transparency. In consultation with partner agencies, and at the recommendation of the chair, the respective representatives decided that mandated agencies	Perpetual

	<p>community partners by year 3 of this plan.</p>	<p>would maintain the current level of protocol participation, and look for ways to expand advisory participation.</p> <p>In 2019, the SAU Sergeant facilitated training for Niagara Health System nursing staff assigned to the Sexual Assault/Domestic Violence Treatment Program as Sexual Assault Nurse Examiners. The training sessions brought together investigators, Crown counsel and nurses, in an effort to increase skills in note-taking and court testimony for new staff working with sexual assault victims. In late 2020, the Service entered into a Memorandum of Understanding with Niagara Region Sexual Assault Centre (CARSA), Centre de Santé Communautaire Hamilton/Niagara, Gillian's Place and Women's Place of South Niagara to launch the Niagara Region Sexual Violence Advocate Case Review Program. This program represents a best practice and is in line with the recommendations of the Canadian Association of Chiefs of Police and the Ontario Association of Chiefs of Police, contained in the Canadian Framework for Collaborative Police Response on Sexual Violence. The implementation of case review is planned to begin in 2021.</p> <p>The Service is involved in the Niagara Region Human Trafficking Emergency Response Protocol. In 2019, the Human Trafficking Unit has been working with protocol partners led by YWCA Niagara to support the opening of a crisis shelter for victims of human trafficking. Protocol partners, including the YWCA Niagara, CMHA Niagara, FACS Niagara, Victim Services, RAFT with support from others are collaborating on a situation table that would review and respond to cases of acutely elevated risk involving human trafficking victims. In 2020, the Service participated in consultations with its Niagara Region Human Trafficking Emergency Response Protocol partners, as part of a project led by YWCA Niagara in partnership with the Niagara Region Community Service, to establish an emergency shelter for survivors of human trafficking. This important community project has been supporting human trafficking survivors by providing emergency shelter and access to therapeutic and skill-building programming.</p>
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Budget Source	Operating budget		
Scope of involvement of community partners supporting special victims increasing the scope of their involvement, including case review and situation tables.	<p>Review of the Child Abuse Protocol for the Niagara Region with integration of the revised Child Youth and Family Services Act.</p> <p>Completion of revised protocol signed and implemented by end of 2019.</p>	<p>In 2019, The Child Abuse Unit and FACS Niagara have presented a draft protocol for the review of the Crown Attorney's Office. Resources issues in the Crown's office have contributed to a delay in the review process.</p> <p>In 2020, new amendments to the Child, Youth and Family Service Act came into force, necessitating a further review of the Child Abuse Protocol. Interim measures have been put into effect, to establish increased information sharing, made possible by legislative changes. These changes have improved access to records, held by FACS Niagara, relevant to investigations of historical allegations conducted by the Service. In addition to further review of the joint protocol, an overarching review of information sharing between the Service and FACS Niagara has been undertaken, and a revised protocol is nearing completion in early 2021.</p>	Completed
Budget Source	Operating budget		

Goal Two

Foster a Culture of Community Collaboration & Engagement

Objective 2.1: To foster continuous, collaborative engagement and dialogue with our community partners. (Champion: Superintendent, Emergency & Investigative Services)

Performance Metric	Target	Compliance	Status
# of special victim interagency meetings (e.g., FACS, Sexual Assault Centre, Elder Abuse Prevention Network, Youth Resources Niagara, etc.) with a police presence.	<p>Liaison Officer(s) from the Special Victims Unit will be assigned to special victims agencies in Year 1.</p> <p>Year two – Assigned police at 100% of agencies requesting a police presence.</p> <p>Via a survey in year three, 80 percent of stakeholders will express satisfaction with increased police involvement.</p>	<p>Starting in 2019, SVU Staff Sergeant represented the Service at the Coalition to End Violence Against Women, and sat on the Research and Strategy sub-committee. The SVU Staff Sergeant participated in five CEVAW meetings and four sub-committee meetings.</p> <p>In 2019, the SVU Staff Sergeant participated in five meetings of the Niagara Region Emergency Human Trafficking Response Protocol; and four meetings as a member of the steering committee for the YWCA Niagara emergency shelter for human trafficking survivors, name "Home, to New Beginnings."</p> <p>In 2020, the SVU Staff Sergeant participated in one Human Trafficking protocol meeting and three policy meetings as a member of the steering committee for the new YWCA Niagara emergency shelter for human trafficking survivors.</p> <p>The SVU Staff Sergeant also represented the Service on the Niagara Region Human Trafficking Emergency Response Protocol, and later as a member of the steering committee for the YWCA Niagara emergency shelter for human trafficking survivors.</p> <p>Together with a representative FACS Niagara, the SVU Staff Sergeant represented the Service as a liaison to the Kristen French Child Advocacy Centre Niagara's Board of Directors. In 2019, the SVU Staff Sergeant participated in six KFCACN board meetings.</p>	Pending

In 2019, the CAU Sergeant attended four Child Abuse Review Team (CART) case conferences with FACS Niagara, and facilitated two joint training sessions of FACS Niagara staff and members of the CAU. In 2020, the CAU Sergeant attended one CART meeting, one joint protocol meeting, three board meetings with the Kristen French Child Advocacy Centre Niagara Board of Directors, and conducted two presentations to Brock University and Niagara College students, pursuing careers in policing. Opportunities for engagement during the pandemic have been limited to individual case phone consultations. In March, 2019, SVU Staff Sergeant participated as a member of a discussion panel during an Indigenous Anti-Human Trafficking community presentation in Fort Erie, organized by the Niagara Chapter of Native Women.

In June, 2019, SVU Staff Sergeant attended a gathering organized by the Niagara Regional Native Centre and YWCA Niagara, and participated in discussions about Violence Against Women and the then newly released report on National Inquiry into Missing and Murdered Indigenous Women and Girls.

In August, 2019, with CEVAW partners, SVU Staff Sergeant attended a Human Trafficking roudtable, facilitated by FACS Niagara, with The Honourable Jill Dunlop, Associate Minister of Children and Women's Issues.

In December, 2019, SVU Staff Sergeant participated on a panel of community leaders organized by the Niagara Falls Chamber of Commerce to bring awareness of the issue of human trafficking. In 2020, the SVU Staff Sergeant continued to represent the Service on CEVAW and its Research and Strategy Sub-committee, while working collaboratively on a Domestic Violence Report Card, prepared in partnership with Brock University; five CEVAW meetings, and three sub-committee meetings.

In 2020, the SVU Staff Sergeant also facilitated consultation meetings between CEVAW agencies and the Niagara Region Community

		<p>Services staff during a Community Safety and Well-Being Planning session.</p> <p>In 2020, the SVU Staff Sergeant continued to represent the Service as a liaison to the board of directors of the Kristen French Child Advocacy Centre Niagara, and attended one in person meeting and four virtual meetings.</p>	
Budget Source	Operating budget		
Police presence in diverse communities.	<p>Create a Community Police Diversity Advisory Committee with members from each diverse group by end of Year 1.</p> <p>80% of Committee members agree they are contributing to the betterment of the community and the Service by the end of the Plan.</p>	<p>In Year 1 of this Plan the Diversity coordinator began the process of completing the Service's Diversity, Equity & Inclusion Plan. The Plan was completed and adopted in Year 2. A survey of members' satisfaction level will occur in Year 3.</p> <p>Outreach for Inclusionary Council community members began in 2018 and the first meeting occurred in January, 2019 (Year 1). There are 19 members from diverse communities, 4 of which are Indigenous community members. In Year 1 5 meetings were held. In Year 2 only 4 meetings were held as we had to make adjustments and prepare to use virtual platforms to host meetings. The intent in Year 3 is to hold 6 meetings with Inclusionary Council members.</p>	Pending
Budget Source	Operating budget		
# of international student orientation sessions attended at	2 times a year at both Post-Secondary institutions.	<p>In year 1 the SROs and recruit members attended Niagara College to participate in 3 international student orientation sessions. They addressed many issues with the students concerning Canadian law, fraud and landlord/tenant disputes. Approximately 950 students in total attended the 3 sessions that began the week before the start of each semester (Fall, Spring, and Winter 2019). Also in year 1, the</p>	Perpetual

Brock University and Niagara College.		<p>Fraud Unit attended Brock University to make presentations on fraud related matters to the International Student Association. In year 2, the SROs attended 1 international student orientation session in January of 2020 (Winter 2020) with 350 international students in attendance. No other sessions were scheduled in year 2 due to the College's COVID-19 closure.</p> <p>International Student Orientation Sessions – this included international student sessions for Niagara College, Brock, Ridley College, Christian Collegiate (Fort Erie), Fort Erie International Academy, and Full Bright Academy (Fort Erie)</p>	
Budget Source	Provincial grant		
# of Information videos on safety and the law in Canada will be made available in various languages (e.g., Mandarin, Hindi, Punjabi, Arabic, French, etc.).	5 videos in different languages by the end of the business cycle.	Three videos were available in Year 1: English, Mandarin and Arabic. No videos were made in 2020 (Year 2). However our website can be translated into 109 different languages for those who are not fluent in English.	Not Completed
Budget Source	Operating budget		

# of presentations to support newcomers to Canada (e.g., refugees and new immigrants).	<p>Establish baseline in Year 1</p> <p>Increase by 5% in subsequent years.</p>	<p>5 newcomer presentations were made in 2019 (Year 1) at the Folk Arts Centre, Welland Multicultural and Heritage Council, and YMCA Immigration and Employment Services. In total 87 newcomer participants were involved.</p> <p>Only 1 presentation, with 25 attendees, was made at the Folk Arts before COVID-19 arrived in Year 2.</p> <p>In addition, those organizations sit on our Chief of Police – Community Inclusion Council and have received presentations on things like our Diversity Strategic Plan, Recruiting, SROs, and our Internal Inclusion Committee.</p>	Perpetual Unsuccessful in Year 2 due to COVID-19.
Budget Source	Operating budget		
# of special events supported by member attendance (e.g., Chief's Ceremonial Guard).	5 per year.	<p>In Year 1 the Chief's Ceremonial Guard attended 25 special events. Some of the events included: Chief's Gala, CALEO Conference, Ontario Police Memorial, Annual Awards Ceremony, Tug of War, Badges on the Border, Remembrance Day, Santa Clause Parades in Niagara Falls and Niagara-on-the-Lake, National Police Memorial, and a number of Vigil Stands for former police members.</p> <p>In Year 2 there were only 3 events due to COVID-19. They included: Chief's Gala, Funeral Vigil Stan, and a Media Salute (Half Mast)</p> <p>In Year 2 the "Chief's Ceremonial Guard" went through a name change following an up-date in General Order 234.03. The "Chief's Ceremonial Guard" will now be referred to as the "Chief's Honour Guard and Colour Party."</p>	Perpetual
Budget Source	Operating budget		

Objective 2.2: To enhance communication of key messages regarding policing and public safety issues. (Champion: Inspector: Executive Officer to the Chief of Police)

Performance Metric	Target	Compliance	Status
# of internet traffic to the Service's website.	5% increase per year.	In Year 1 there were 2,242,968 visits to our website. In Year 2 there were 6,344,406 visits to our website.	Perpetual
Budget Source	Provincial grant		
# of social media platform engagements.	5% increase per year.	Twitter 352,000 visits in Year 1 and 202,900 visits in Year 2. The significant drop in 2020 is most likely due to the impact of COVID-19 and residents staying at home and socially distancing.	Perpetual
Budget Source	Provincial grant		
# of public announcements, advisories and/or other public releases.	2-3 per month in Year 1, 10% increases in Year's 2 and 3.	In Year 1 there were 550 media releases from the Service. In Year 2 there were 673 media releases. In Year 2 there was a 22.4% increase in the number of announcements made over Year 1.	Perpetual Exceeded expectations.
Budget Source	Provincial grant		
Level of community satisfaction with	Maintain 80+% in citizen satisfaction with the police service. Compare 2019 Community	Eighty percent satisfaction was achieved in Year 1. Year 3 is underway as part of the 2022 – 2025 Strategic Plan initiative.	Pending

external communication.	Satisfaction Survey with the 2021 Community Satisfaction Survey.		
Budget Source	Operating budget		

Objective 2.3: To establish relationships, protocols and Memorandums of Understanding with our community stakeholder groups (Champions: Superintendent, Emergency & Investigative Services and Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
Partner with EMS to address people in crisis and special populations.	Create and approve a protocol with EMS to address people in crisis and special populations. Signed protocol executed by the end of year one.	This partnership has been slow to come together to create a viable partnership. However starting in January of Year 3, a committee of multiple partners have come together to work on a collaborative and coordinated approach to people in crisis and other special populations. These community partners include: Niagara Regional Police (Superintendent Marco Giannico, District Operations), EMS, CMHA-Niagara, Niagara Health System, and Welland-McMaster Family Health Centre. Currently the police operate MCRRT, with a CMHA-Niagara mental health worker riding with a patrol constable 12:00pm-12:00am. This arrangement is funded through a Community Policing and Safety grant. EMS similarly has a mental health nurse riding with EMTs 9:00am-9:00pm. Their arrangement is funded through funds from Welland-McMaster Family Health Centre and QUEST. These community partners are working toward finding a permanent and long term funding source that will enable police, EMS and the hospitals to address people in crisis and special populations in a coordinated manner.	Pending
Budget Source	Operating budget		

Relationships with Indigenous people.	Work with Indigenous people to address officer training requirements for understanding indigenous rights and to improve cultural competence and sensitivity in Year 1. Training video created by the end of Year 1. Mandatory training in Year 2.	In Year 1, 3 meetings and presentations took place with the Indigenous groups. Thirty-five (35) indigenous peoples provided insights to assist us in learning more about indigenous culture. In Year 2 via ZOOM technology,, 4 meetings took place with 90 indigenous attendees	Perpetual
Budget Source	Operating budget		

Objective 2.4: To re-align resources to create greater community engagement opportunities. (Champions: Superintendent, Emergency & Investigative Services and Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
Resources re-aligned (e.g., SPEAR Program).	SPEAR program oversight transferred from the Training Unit to Emergency Services (emergency preparedness).	The location of SPEAR was reevaluated by the Executive Leadership Team and officially transferred to our Community Engagement Unit, Executive Services on September 1, 2019. Community Engagement was subsequently moved to District Operations following an organizational review in 2020 and approved by the Board in a November 2020 Board Report on the organizational structure.	Completed
Budget Source	Operating budget		
Align resources to	Re-purpose School Police Emergency Action	A constable position was repurposed in year 1 of this plan. Thirty-non (39) youth presentations were conducted in year 1 of this plan.	Perpetual

respond to community needs.	<p>Response (SPEAR) uniform position to create a Community Engagement Officer position under Corporate Communications & Community Engagement.</p> <p>20 prepared presentations per year for young children (10) and senior citizens (10) will be prepared in order for officers to deliver consistent safety and educational messages in each of their respective districts.</p> <p>Establish community engagement baseline contacts in Year 1 and 5% increase in each of the next two years.</p>	<p>No senior citizen presentation were conducted in year 1, but planned for year 2. However, no presentations were conducted in year 2 of this plan due to COVID-19. It appears we will be significantly delayed in year 3 of this plan as COVID-19 continues to play havoc on our community.</p>	Unsuccessful to-date due to the impact of COVID-19.
Budget Source	Operating budget		

Goal Three
Enhancing Organizational Excellence

Objective 3.1: To enhance internal communication. Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
Attendance at four (4) Town Hall meetings with members across the Districts.	Establish baseline in 2019 with live feed Town Hall meetings. Increase participation by 5% in subsequent years.	In Year 1 (2019) the Chief had 8 Town Hall meetings with 580 members in attendance at Police Headquarters and virtually on-line. In year 2 the Chief conducted a total of 7 Town Hall virtual meetings in year 2 with the emphasis on the COVID-19 measures and actions that have, or will be taken, by the Executive Leadership Team to protect the safety of our members, with 1,921 members in attendance. A 231.2 % increase. The Chief also prepared 86 memorandums in Year 2 through February 3, 2021 specifically addressing COVID-19.	Perpetual Yes in year 1 and 2.
Budget Source	Operating budget		
Expand opportunities for member input.	Establish a baseline satisfaction with a 5% increase each year.	Members Satisfaction Survey will be conducted in Year 3 as part of the data collection process in preparation for the 2022-2025 Strategic Plan.	Results Pending
Budget Source	Operating budget		

Objective 3.2: To promote and enhance employee mental and physical well-being. (Champion: Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
# of initiatives re: health and wellness in the workplace (e.g. workshops, published articles, webinars)	50% of members participate in at least one initiative in Year 1; 75% participate in Year 2.	<p>In Year 1 of this Plan the Service provided 10 Wellness initiatives. The initiatives included a Wellness Fair, Family Bowling, Health eating Lunch/Learns, Family Avondale ice cream night, Learn your Blood Type, Chili Cook-off, Soup Cook-off, Flu Clinic, Concussion Seminar, Walking challenge, Family Skate. The Wellness Committee indicates that 75% of our members were involved in at least one initiatives, while others were involved in a variety of initiatives.</p> <p>In Year 2 due to pandemic restrictions, the Wellness Committee provided 6 wellness initiatives. Participation still remained at the 75% participation level according to the Wellness Committee. These initiatives were Lunch/learn with Trybe – healthy alternatives, International Cook –off, Walking Challenge, Flu Clinic, Hydration Challenge, Family Skate Day.</p>	Completed - Successful
Budget Source	Operating budget		
Level of employee satisfaction with Service efforts to address well-being.	Maintain 80% or greater level of employee satisfaction.	This will be addressed in the Member Satisfaction and Strategic Plan Survey planned for mid-March in 2021 (Year 3)	Results pending
Budget Source	Operating budget		

Resiliency training for new recruits.	Develop in 2019 and implement resiliency training for new recruits in 2020.	<p>From Recruiting and Career Development a new process for assessing recruits was developed and implemented resiliency. In total, 98 recruits completed the assessment (40 in Year 1 and 58 in Year 2).</p> <p>From Member Support # of initiatives and % are hard to track. The Service send out multiple webinars, training, information packages, but we have no ability to track who participates in them due to confidentiality concerns</p> <p>Member Support presents at every Post OPC class on our unit and resilience. We also provide every recruit with a resilience tip card for their wallet. 6 easy tips for day to day life</p> <p>We have initiated the New Officer Wellness Evaluation - new officers meet with the Service Psychologist twice in their first year on the job to help with the transition and develop healthy, resilient strategies early in their careers. The program was approved early 2020. Three recruit classes have participated in the program. The second meeting occurs near the 1 year anniversary of graduation so the December 2019 graduating class are the only recruits who have fully completed the program (the other two classes are in progress).</p>	Completed
Budget Source	Operating budget		

Objective 3.3: To have a healthy workforce. (Champion: Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
Employee attendance.	Non-occupational illness decreased by 5% each year.	The average sick time in 2020 as compared to 2019 has decreased by 11.5%. However, due to the pandemic, alternate provisions were approved by the Service to code non-occupational lost time in relation	Perpetual

		<p>to the pandemic as Administrative Leave to track the impact of COVID-19. This change had a direct impact to the above noted decrease.</p> <p>If we combine both the sick time and administrative leave time together for 2020 and compare to 2019, there would be an overall increase of +8.1% over 2019. Given that 2020 included a Global Pandemic, an overall increase would be expected.</p> <p>Despite the continuation of the delivery of our essential service to the community, there were no pandemic related occupational illnesses reported. Additionally, there were not a significant number of members who contracted Covid-19 during 2020. Only 9 members contracted the virus (outside of the workplace) during 2020 which represents 0.84% of our member population.</p>	
Budget Source	Operating budget		

Objective 3.4: Enhance employee training and development. (Champion: Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
Mandatory training compliance.	# of training opportunities.	All deployable sworn members received In-Service Training in Year 1 and Year 2 of the Plan. Training included Use of Force, firearms re-qualification, CEW qualification & re-qualification. In Year 1 members in specialty detective units received further training at the Canadian and Ontario Police Colleges. Throughout Year 1 university and college courses were taken by 27 sworn members and 9 civilian members. Year 2 was a much more challenging year since most C=police college course were unavailable. However 6 Service members were accepted and enrolled at the 10 week Rotman Police Leadership Program (half a day, 3 days per week)	Perpetual

Budget Source	Operating budget
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Objective 3.5: To develop a comprehensive recruitment strategy that identifies quality candidates reflective of our community. (Champion: Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
# of applicants.	10% increase in the # of applicants.	In Year 1, 40 new recruits were hired in 2019. In Year 2, 59 new recruits were hired in 2020. This is a 47.5% increase over Year 1. Much of this increase can be attributable to the 40 additional frontline constables add to our strength.	Completed
Budget Source	Operating budget		
# of members from diverse communities hired.	10% increase in diversity hires in Year 3 over Year 1.	In Year 1, 3 recruits were from diverse communities and 11 were women. In Year 2 8 recruits were from diverse communities and 13 were women. Year 2 resulted in a 18.1% increase in women hired and a 166.7% increase in recruits from diverse communities hired.	Completed in Year 2.
Budget Source	Operating budget		

Objective 3.6: Excellence in Dispatch. (Champion: Superintendent, Executive Services)

Performance Metric	Target	Compliance	Status
Accreditation	Achieve recognition as an Accredited Centre of Excellence in Year 1.	On September, 30 th , 2019 the Niagara Regional Police Service received its official accreditation as a centre of excellence by the International Academy of Emergency Police Dispatch and is valid until September 30 th , 2022.	Completed

Budget Source	Operating budget
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Objective 3.7: To ensure efficient deployment of human, financial and material resources. (Champion: Deputy Chief of Police, Support Services)

Performance Metric	Target	Compliance	Status
Annual reviews of specialized services.	Conduct three each year.	In Year 1, 3 program reviews took place (By-law and Licensing with a recommendation that it be sent back to the Region; a review of the Communications Unit by an external accreditation agency, resulting in accreditation; and an Attendance Management Review through a LEAN process). In Year 2 a complete organizational structure review began and is ongoing; a re-structuring review of Business Services units; and a Records & Information Management review.	Perpetual Years 1 & 2 completed.
Budget Source	Operating budget		
Annual MPP (Managing Patrol Performance)	Annual Review.	Year 1 baseline report. Year 2 analysis underway to examine 2020 patrol performance. Data runs and analysis will be presented to the PSB by the end of Q1 2021.	Perpetual
Budget Source	Operating budget		

Objective 3.8: Modernization of Records Management. (Champion: Deputy Chief of Police, Support Services)

Performance Metric	Target	Compliance	Status
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Information management and governance.	Develop a governance model and completion of implementation plan. All records electronically filed, stored and retrievable – 50% by 2020, 80% by 2021.	<p>Information Management & Governance is a continuous process not a project with an end. RIM implemented MOVEit Transfer in late 2019 (Year 1). It is the secure, electronic file transfer system. The application allows the Service to disclose information in a consistent, redacted format while providing auditing abilities. RIM continues to work towards automating our Record Check process through a third party agreement with Corps Commissioners.</p> <p>In Year 2 the Service completed a full rewriting of the Classification and Retention Schedule which now provides security classifications for each type of record RIM is also working with I/T on the SharePoint (hybrid option) upgrade and Office 365 projects as a big part of the Information Management and Governance focus.</p> <p>While we have undertaken a large project of digitizing 13 cold case homicides (numerous boxes and audio/visual media) we have not met the goal of getting historical hardcopy records digitized.</p> <p>Finally, in Year 2 RIM and Technology Services completed the health check and upgrade of Enterprise Content Management (ECM). The Services continues to work on growing/improving ECM and connecting it to SharePoint in the pending upgrade of IRIS. That being said most records today are created electronically and that will be our focus with the SP upgrade going forward.</p>	Completed
Budget Source	Operating budget		



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

PUBLIC AGENDA

Subject: 2022 - 2025 Strategic Plan
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2021-02-01

Recommendation(s)

That the Niagara Police Services Board approves the commencement of the development of the 2022-2025 Strategic Plan.

Key Facts

- Pursuant to the Adequacy Standards Regulation (AI-001 The Framework for Business Planning) the Police Services Board must prepare, at least once every three years, a business plan that addresses the core business functions of the Police Service, including how it will provide adequate and effective police services. This has changed to at least once every four years, under the Comprehensive Police Services Act.
- Consistent with the Adequacy Standards Regulation and Police Services Board By-law, the Service with Board approval and involvement will engage in a number of activities that will form the basis for the future strategic direction of the Service over the next four years.
- The Service requests that the Board identify a PSB member to Co-Chair the Strategic Plan Working Committee along with the Deputy Chief of Police, Support Services.
- Following PSB consultation, the Strategic Plan will be presented to the Board at its December 2021 Board meeting for approval and adoption.

Financial Considerations

A cost of approximately \$18,000.00, including H.S.T. will be incurred to engage residents of Niagara to provide input into the plan using Telephone Town Halls technology.

Analysis

Since the adoption of the Adequacy Standards in 2000, police services were required to develop a Business Plan, at least once every three years. However, in the soon to be enacted *Comprehensive Ontario Police Services Act, 2019, S.O. 2019, c. 1 - Bill 68* stipulates in section 61 that,

(1) The Minister shall, in accordance with the regulations, if any, prepare and adopt a strategic plan for the provision of policing by the Commissioner.

(2) The Minister shall review and, if appropriate, revise the strategic plan in accordance with the regulations, if any, at least once every four years.

In the preparation of the Plan, the following activities will take place:

1. Internal Environmental Scan (member profile, organizational needs review, etc.)
2. External Environmental Scan (e.g., socio-demographic profile of the Region, crime trends, etc.)
3. Internal Members Satisfaction and Strategic Plan Survey
4. Chief's Town Hall meetings
5. Community Satisfaction Survey
6. Consultation with the Police Services Board
7. External Stakeholder Focus Groups, including elected officials, health and social services agencies, members from various diversity communities, school boards, Brock University and Niagara College, first responders/law enforcement agencies and downtown business associations from each municipality)

The development of the 2022-2025 Strategic Plan comes with some challenges not seen in previous plans. These challenges are due to the ongoing COVID-19 pandemic that is still impacting our community, and will likely do so throughout the development of this plan. The 3 challenges that need to be addressed are:

1. Determining the number of Service members that will participate in the development of the plan.

Historically the Service has always provided the opportunity for many members from across the Service and across the hierarchies in both our sworn and civilian positions. This will be far more difficult to do this time in light of provincial physical distancing and social gathering guidelines associated with COVID-19. At this time we are recommending that a smaller group of Service members representing sworn and civilian members be selected and work as a group on Microsoft TEAMS.

2. Feedback and input from our community stakeholder groups.

In previous plans we conducted community stakeholder focus group meetings with our community partners to obtain their valuable input in our Community Room at police headquarters. This will not occur this year but believe that we can effectively conduct these stakeholder focus groups via the ZOOM platform.

3. Feedback and input from the community at large.

In the past we have conducted community satisfaction surveys to obtain community feedback. Previous methods included both on-line surveys and telephone surveys. However, both of these approaches have come with their own challenges and have not netted a satisfactory return. On-line survey respondents are not easily identified as residents of Niagara. And, telephone surveys are extremely expensive (\$50,000.00) and are time consuming.

To connect with the residents of Niagara we recommend that we conduct Telephone Town Halls. This platform can also integrate with ZOOM. This technology has been used by other government agencies such as Government of Alberta, Government of Manitoba, Region of Durham, Region of Peel, and the City of Toronto in order to receive feedback from the residents they serve.

We are confident we can obtain reliable and valid information in the creation of the 2022-2025 Strategic Plan by adjusting our methodology during these trying times.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

The Strategic Plan provides the roadmap of Board and Service priorities over the next four years

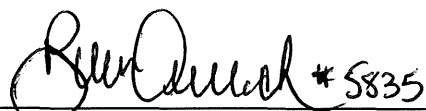
Relevant Policy Considerations

PSB By-law 356-2015

Other Pertinent Reports

Not applicable.

This report was prepared by Paul P. Divers, Ph.D., Corporate Analyst 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

PUBLIC AGENDA

Subject: Special Fund Request – 2020 United Way in-house campaign donation request

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-11-23

Recommendation(s)

That the Niagara Regional Police Services Board approves a Special Fund donation of \$2000.00 to support the 2020 United Way in-house donation campaign.

Key Facts

- The purpose of this report is to seek the Board's approval for a \$2000.00 Special Fund donation for the United Way in-house campaign with the Niagara Regional Police Service.
- This donation will assist in costs associated with incentive prizes for signing up for payroll deduction along with setting up fundraising events throughout the 2020-2021 campaign season if opportunity arises.
- Any amount not used will be included in the total funds raised for the campaign and will help to fund programs that run with financial grants through the United Way to support those in our Communities who are in need.

Financial Considerations

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 By-law 376-2018, Special Fund Administration, Limitations, and Guidelines. 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.

Analysis

The United Way Committee focuses on raising payroll donations to support programs which benefit our communities across Niagara which are funded through the United Way of Niagara.

The United Way Niagara offers support to over 100 community agencies such as the Distress Centre of Niagara and Niagara Victim Crisis Support Services by providing funding for more than 200 programs.

The effects of the pandemic are pushing more people to their mental, financial and physical limits. The gap between those who live in need every day and those who do not has always existed, but these times of crisis widen that gap. We need to keep our community safe and traditional fundraising methods are no longer accessible even though those in need in our community are in need now more than ever. Many residents of Niagara are accessing services provided through the United Way for the first time, adding to the 120,000 people who already access the over 150 programs provided through funding from the United Way.

- Local 2-1-1 data shows a near doubling of calls since the pandemic from people looking for help accessing food, shelter, or mental health programs.
- Victim Services has also seen twice the calls in response to intimate partner violence.
- Opioid overdoses have increased. Approximately 11 people in Niagara die every month from overdose.

COVID-19 has challenged all of us to evaluate our priorities and blessings. While some of us have been lucky enough to be able to work, many in our community have lost their jobs and are struggling to pay mortgages or rent, many fear losing their homes. Or have already. While some in our community are able to cope with the mental health stress associated with lock down and changes in circumstance, many still face a battle with addictions or are experiencing mental health challenges or addictions.

Programs supported through the United Way include Victim Services Niagara, Canadian Mental Health Association, Niagara Region Homeless Outreach, Bethlehem Housing and Support Services, Meals on Wheels, Community Care, Community Living, Family Mental Health Support Network of Niagara and Gillian's Place.

The Committee is requesting that the Niagara Region Police Services Board consider making a contribution of up to \$2,000.00 towards the current campaign to assist with costs needed for fundraising. This is an increase from previous years to balance the ability for members to contribute as they normally do and the challenges faced with traditional fundraising methods. Any amount not utilized for this purpose will be added as a contribution to the 2020 United Way Niagara Campaign and directly benefit members of our Niagara communities who are desperately in need of services this year.

In 2019, the NRPS in-house campaign raised a total of \$87,689.88 through special events and our payroll deduction initiatives. Consideration by the Board in this matter and their continued support is appreciated.

Alternatives Reviewed

The Committee reviewed the amount traditionally requested from the Board of \$1000.00, however, recognized the need of the community and the challenges that are facing the members of our Service who donate through payroll deduction and decided to request a higher amount as the donated funds directly impact our community in a positive way.

The Committee is appreciative of any amount which the Board feels appropriate to authorize as a contribution.

Relationship to Police Service/Board Strategic Priorities

This donation provides an opportunity for the Board to convey a message of their support to the many persons in need and experiencing crisis in the Niagara Region who are accessing programs and services funded through the United Way.

Relevant Policy Considerations

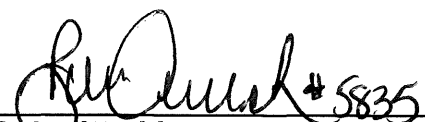
Police Services Board By-law 376-2018 Special Fund Administration, Limitations and Guidelines

s. 132(2) Police Services Board Act

Other Pertinent Reports

None

This report was prepared by Amy DuFour, Executive Assistant to Superintendents and Directors in consultation with Constable Joanne Carter, 1 District & United Way Loaned Rep, Sgt Mathew King, 1 District, United Way Co-Chair and reviewed by Superintendent Richard Frayne, Corporate 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



INTERNAL CORRESPONDENCE

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

Date: February 1, 2021

Re: Police Services Board – 2021 Committee Representation

Objective:

The purpose of this report is to confirm the mandate and membership of Board Committees.

Background and Discussion:

The Board operates with a system of Standing Committees centered on four main aspects of the Board's area of interest - Human Resources, Finance, Administration and General Business. Operating within the four main Committees, there are seven sub-committees. These sub-committees are issue oriented, and while some have operated over a number of years, or recur on a regular basis (i.e. Bargaining, Information Technology, Strategic/Business Plan, Accommodations/Facilities, etc.); others conclude their mandate when the issue is resolved or brought to an end (i.e. Grievance and Public Complaints).

On an annual basis, the Board appoints the Committee Chairs and forms the Committees with a minimum of two members. The Board Chair, where not specifically named, is an ex-officio member for the remainder of the Committees. Since 2015, the Board has been operating on a Standing Committee-of-the-Whole structure where all Members of the Board are Committee Members. Meetings are set on regularly scheduled days, normally the second Thursday of the month or at the call of the Committee Chair. An agenda is prepared and circulated to the Committee members. Following each meeting, minutes are prepared containing the Committee recommendations and distributed to the full Board as an item on the Board agenda for consideration and adoption. Any issues requiring formal Board approval are placed on the next Board agenda with a notation that the item was recommended from the appropriate Committee.

With respect to the Committee structure, a breakdown of the individual Committees along with the mandate of each is outlined below.

1. Human Resources Committee

The Human Resources Committee shall have the authority to inquire into and make recommendations to the Board with respect to any matters affecting the human resources of the Niagara Regional Police Service or the Board that fall within the purview of the Board.

The Human Resources Committee consists of the following sub-committees:

- **Bargaining/Negotiations** - Shall have the authority delegated to bargain under the *Police Services Act*. The Chief or designate, the Board Solicitor or agent, or such other person as the Board deems necessary, may be invited to attend negotiation meetings in the capacity of advisors, pursuant to the provisions of the *Police Services Act*. The Committee will make recommendations to the Board.

- **Grievance** – Shall have the authority to decide on all grievances with respect to any differences arising between the Service and Association from the interpretation, application or administration of the collective agreements, in accordance with the grievance procedure outlined in the collective agreements. The Committee will notify the Board of its decision in these matters.

2. Finance Committee

The Finance Committee shall have the authority to inquire into and make recommendations to the Board with respect to any matters affecting the budget of the Niagara Regional Police Service or the Board. With the assistance from police financial staff, the Committee assists the Board in fulfilling its responsibilities in the areas of financial planning, budget, preparation and monitoring, auditing, quality assurance and risk management. There is one sub-committee as follows:

- **Strategic Planning Committee** – Responsible for preparing a strategy for the development of a the NRPS strategic plan, in conjunction with the Chief of Police, as required by the Provincial Adequacy Standards Regulation, including monitoring and compliance as well as reporting and making recommendations to the Board.

3. Administration Committee

The Administration Committee consists of the following individual sub-committees:

- **Accommodation Steering Committee (NRPS Facilities)** – Shall have the authority to inquire into and make recommendations to the Board in the preparation of a strategy for the development of a long-term facilities plan, in conjunction with the Chief of Police, considering all options and strategies for police service delivery that may affect future facility decisions. The Accommodation Steering Committee has authority for specific project oversight and approvals, including but not limited to the approval of final design/concept, pre-qualification selection of contractors and/or the selection of a general contractor as well as any special project related concerns that may adversely affect the timing and/or budget.
- **Information Technology Committee** – Shall have the authority to inquire and make recommendations to the Board in the preparation of a strategy for the development of an Information Technology Plan, in conjunction with the Chief of Police, that supports and aligns with the Strategic Plan of the Niagara Regional Police Service. The Information Technology Plan will be based on evaluation of the Service's information technology needs, including its capacity to electronically share information with other agencies, organizations and community groups; will require the periodic review of key business processes, practices and related technology to identify possible changes that may reduce the administrative workload of front-line officers; and will address information technology acquisition, updating, replacement and training.
- **Policy and Governance** – At the direction of the Board, the Committee shall review policy and governance matters to facilitate effective Board decision-making in these areas, conduct periodic reviews of Board policies as required, and provide input to enhance the quality of the Board's discussion on policy and governance matters, including the adequacy and effectiveness of key governing documents and framework policies and government relations.
- **Public Complaints** – Shall have authority to review the police service's disposition of complaints made about the policies of or services provided by the Niagara Regional Police Service at the request of the complainant, and makes recommendations to the Board within 30 days for approval as required by Part V of the *Police Services Act*.

4. General Business Committee

The General Business Committee is responsible for reporting and making recommendations to the Board on matters affecting the Board, namely:

- the authority to negotiate compensation and/or performance management of Executive Non-Association staff; and
- the authority to consider urgent matters that do not fall under the purview of any specific committees and authority for the Board Chair and Vice-Chair to determine whether or not the General Business Committee can make a decision, or whether the matter must be brought before the full Board.

Summary:

The Board has established Committees to assist it in fulfilling its responsibilities. Committee membership is reviewed annually and whenever there is significant turnover in Board members. This report has been prepared so the Board may confirm the mandate and membership in each of the Human Resources, Finance, Administration and General Business Committees for the year 2021. All Board members were recently canvassed regarding committee membership and their preferences have been taken into account in the attached list of proposed Committee representation.

Recommendation:

That the Board approves the Committee mandate as outlined in this report and confirm its Committee membership for 2021.



Deb Reid
Executive Director

Encl.



Regional Municipality of Niagara Police Services Board 2021 Committee Representation

- **HUMAN RESOURCES COMMITTEE**

Tara McKendrick, Committee Chair
Bill Steele, Board Chair
David Eke, Vice-Chair
Henry D'Angela, Member
Bob Gale, Member
Kevin Gibson, Member
Jen Lawson, Member

Sub Committees:

Bargaining
Jen Lawson, Committee Chair
Grievance

- **FINANCE COMMITTEE**

Henry D'Angela, Committee Chair
Bill Steele, Board Chair
David Eke, Vice-Chair
Bob Gale, Member
Kevin Gibson, Member
Jen Lawson, Member
Tara McKendrick, Member

Sub Committees:

NRPS Strategic Plan

- **ADMINISTRATION COMMITTEE**

Bill Steele, Board/Committee Chair
David Eke, Vice-Chair
Henry D'Angela, Member
Bob Gale, Member
Kevin Gibson, Member
Jen Lawson, Member
Tara McKendrick, Member

Sub Committees:

Accommodations Steering Committee
David Eke, Committee Chair
Information Technology
Policy/Governance
Public Complaints

- **GENERAL BUSINESS COMMITTEE**

Bill Steele, Board Chair
David Eke, Vice-Chair



NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 19-OCI-289 – Incident of November 30, 2019

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-12-04

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 July 27, 2020, 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 30, 2019, at 10:42 a.m., the NRPS were called to attend the Central Avenue Bridge in Fort Erie regarding a male who was hanging over the bridge and then observed pulling himself back up. The male was identified as AB and was the same male that officers (CD, EF, GH) had dealt with earlier in the same area.

At 10:45 a.m., Constable CD arrived in the area and parked beside the male. The male walked in a southern direction and then ran toward the center of the bridge. Constable CD chased after the male who then jumped head first over the bridge railing. Constable CD managed to grab hold of AB's sweatshirt for brief moment. Regrettably, AB's body slipped through the sweatshirt and he fell down onto an embankment five metres below the bridge. Constable CD immediately attended to the male and requested EMS. Constable GH and Sergeant EF arrived and also assisted with controlling the scene. AB was transported by EMS to a hospital in Buffalo, where he was diagnosed and treated for fractures to his pelvis, a rib, and femur.

As a result, of the injuries that were sustained during an interaction with Police, the SIU was notified and invoked their mandate.

The SIU designated Constable CD as a Subject Officer and Sergeant EF and Constable GH as Witness Officers. The SIU also identified one Civilian Witness.

On July 23, 2020, the SIU closed its investigation into this matter. In his decision letter Director Mr. Joseph Martino wrote "In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer".

In the SIU Investigative Report, Director Martino states *"the evidence establishes that the SO discharged his duties professionally throughout his encounter with the Complainant. Accordingly, there is no basis for proceeding with charges in this case, and the file is closed."*

A copy of the SIU report was publicly posted on the SIU's website at the following links:

https://www.siu.on.ca/en/directors_reports.php and

https://www.siu.on.ca/fr/directors_reports.php.

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 079.09 – Special Investigations Unit Investigations
2. General Order 167.07 – Mentally Ill Persons

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, 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

C.8.7.2020 – Request for Legal Indemnification – Special Investigations Unit Occurrence 19-OCI-289 – Incident of November 30, 2019

This report was prepared by Inspector Luigi Greco, Professional Standards Unit, 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 20-OCI-115 – Incident of May 20, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2020-12-15

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 August 28, 2020, 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 Wednesday, May 20, 2020, at 11:09 p.m., police were called to the A1 Star Inn at 8627 Lundy's Lane in Niagara Falls regarding a disturbance. While investigating the matter, Sergeant AB formed the grounds to arrest EF, for Causing a Disturbance. Sergeant AB arrested EF at 11:53 p.m. and was assisted by Constable CD. During the arrest, EF's aggression amplified and he became uncooperative. Physical control was

attained after a brief struggle and EF continued being uncooperative by dropping his body to the ground intentionally.

After being secured inside the police cruiser, EF complained of a sore right ankle and was taken to the Greater Niagara General Hospital. He was later confirmed to have a dislocated and fractured right ankle.

On May 21, 2020, the SIU was notified of the incident and invoked their mandate. The SIU designated Constable CD as a Witness Officer, Sergeant AB as a Subject Officer and also identified six Civilian Witnesses.

On August 28, 2020, the SIU closed its investigation into this matter. In his decision letter Director Mr. Joseph Martino wrote "In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer".

In the SIU Investigative Report, Director Martino states *"I am satisfied that there are no reasonable grounds to believe that either the WO or the SO acted other than lawfully in their encounter with the Complainant, there is no basis for proceeding with charges in this case and the file is closed."*

A copy of the SIU report the report was publicly posted on the SIU's website at the following links:

https://www.siu.on.ca/en/directors_reports.php

https://www.siu.on.ca/fr/directors_reports.php .

In accordance with Ontario Regulation 267/10 Section 11, the NRPS 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 053.21 – Use of Force
2. General Order 079.09 – Special Investigations Unit
3. General Order 100.09 - Powers of Arrest
4. General Order 95.10 – Major Incidents and Routine Criminal Investigations

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, 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

C.8.12.2020 – Request for Legal Indemnification – Special Investigations Unit Occurrence 20-OCI-115 – Incident of May 20, 2020

This report was prepared by Inspector Luigi Greco, 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 20-OCI-145 – Incident of June 21, 2020

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2021-01-04

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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 29, 2020, 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 June 21, 2020, at 4:04 a.m., police were called by the victim, who reported that her boyfriend – AB was outside of her home on Summit Avenue in Welland, armed with a hammer, banging on her door, smashing planters, and had struck her with a planter when she tried to stop him.

Officers arrived at the scene at 4:14 a.m., and the accused AB fled from police. A perimeter was quickly formed and a K9 Unit attended the area to assist. At 07:30 a.m., Constable CD observed the accused AB run into a house on Raymond Street in Welland. Constable CD pursued the accused into the house and attempted to arrest the accused on a stairway. The accused actively resisted and fought with Constable CD who was being assisted by Constable EF. At 07:31 a.m., the accused was controlled and arrested for Mischief, Assault and Resist Arrest.

The accused complained of injuries and was subsequently taken to the Welland County General Hospital for treatment. The accused was medically assessed and a CT scan indicated he had three fractured ribs and fractures along the bone by his nose.

The SIU was notified of the diagnosis of "serious injury" at 11:31 a.m. The SIU later elected to invoke their mandate.

On July 7, 2020, the SIU designated Constable CD and Constable EF as the Subject Officers. Constables GH, IJ, KL and Sergeant MN were designated as Witness Officers.

The SIU also identified one Civilian Witness.

On October 29, 2020 the SIU closed its investigation into this matter. In his decision letter SIU Director Mr. Joseph MARTINO wrote "there were no grounds in the evidence to proceed with criminal charges against the subject officers".

A copy of the SIU report was publicly posted on the SIU's website at the following links:
https://www.siu.on.ca/en/directors_reports.php
https://www.siu.on.ca/fr/directors_reports.php.

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 053.21 – Use of Force
2. General Order 079.09 – Special Investigations Unit
3. General Order 100.09 – Powers of Arrest

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, Mr. Martino thanked the members of the 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 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.

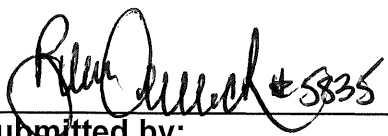
Relevant Policy Considerations

Not applicable.

Other Pertinent Reports

C.8.14.2020 – Request for Legal Indemnification – Special Investigations Unit Occurrence 20-OCI-145 – Incident of June 21, 2020

This report was prepared by Inspector Luigi Greco, Professional Standards Unit, 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.