



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
PUBLIC MINUTES

Thursday, February 25, 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

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 R. Frayne, Operations Support
Superintendent M. Giannico, District Operations
Superintendent D. Meade, Executive Services
Superintendent J. Mackay, Operational Support
Dr. J. Short, Service Psychologist
A. Askoul, Director of Information Technology
L. Rullo, Finance Manager
S. Sabourin, Corporate Communications Manager
M. Asher, Executive Assistant to the Chief

OTHERS:

Steve Murphy, Accessibility Advisory Coordinator, Niagara Region

1. CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 9:01 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.

Prior to 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 recognized 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. ADOPTION OF MINUTES

3.1 Minutes of the Public Board Meeting held Thursday, January 28, 2021

Moved by: B. Gale

Seconded by: K. Gibson

That the Minutes of the Public Board Meeting held Thursday, January 28, 2021 be adopted as circulated.

Carried

3.2 Minutes of the Public Finance Committee Meeting held Thursday, February 11, 2021

Moved by: H. D'Angela

Seconded by: J. Lawson

That the Minutes of the Public Finance Committee Meeting held Thursday, February 11, 2021 be adopted as circulated.

Carried

4. REPORTS FROM BOARD CHAIR

1 District Facility Project - On February 23, Vice Chair Eke participated in the virtual Joint Region and Police Facilities Steering Committee meeting. There is a full report on today's agenda outlining the progress made for the 1 District (St. Catharines) facility, the Headquarters parking lot expansion and the 911 Communications Back-up Centre. The next meeting is scheduled for March 23 and further updates will be provided as the project advances.

Vice Chair Eke provided an update on the discussions had at the February 23 meeting. He spoke to the 1 District facility project and advised that municipal occupancy has been approved and substantial approval is being finalized with Stantec for February 26. Building insurance, security, cameras and access controls are all in place. Enbridge Gas is completing the necessary installations for the back-up generator during the week of March 12. Furniture and office equipment is in place and electronic equipment is being installed during the week of March 12. The exercise gym equipment will be moved from 68 Church Street on either March 10 or 11.

The budget for this project remains on target with 97% completion and total of 93 work orders being issued. The official move in date remains dependent on the completion of some projects and is projected for either March 18 or March 25. In regard to the physical move, Vice Chair Eke advised that the Niagara Regional Police Service has submitted and put into place a move plan similar to

the one used when relocated members to the new 2 District/Headquarters facility that will be conducted over one-day. Once vacated, the 68 Church Street facility will have perimeter fencing installed and all doors and windows will be secured.

Vice Chair Eke spoke to the parking lot at police headquarters. He advised that police staff are currently utilizing the addition space and that completion of the lot's asphalt surface will be finalized in the spring. He also noted that low density lighting will be installed in two areas of the lot without any interference of the Ontario Hydro overhead power lines.

With respect to the 911 Back-Up location at the 3 District police facility in Welland, Vice Chair Eke advised that completion of the project is anticipated in the upcoming week.

OAPSB Zone 4 Meeting - On February 17, Board members participated in the Ontario Association of Police Services Boards Zone 4 virtual meeting that was hosted by the Halton Police Services Board. The Zone 4 meetings are held quarterly and is represented by a total of 14 police services boards, comprised of Municipal, OPP and First Nations police boards, that are located within the Zone 4 area in Ontario. The meetings provide a forum for information sharing and discussions on key issues that have province-wide implications for policing. The next meeting will take place during the OAPSB Spring Virtual Conference being held from May 26-28, 2021.

PAO 2021 Employment Virtual Conference - Emerging Issues and Legal Developments - On March 1 and March 2, from 9:00 am to 2:30 pm, Board Members, the Board Solicitor and Senior Police Staff will participate in the Police Association of Ontario (PAO) Annual Conference on Police Labour Relations. Conference participants will include police association executives, police services boards, chiefs, and managers from across Ontario and discussions will relate to the latest trends and emerging workplace issues. Participants can expect to hear comprehensive updates on crucial issues in the police employment world from the perspectives of associations, management and expert speakers.

Mobile Crisis Rapid Response Team (MCRRT) – Information Session - On March 11 at 9:30 am, the Niagara Regional Police Service 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. Further details and a copy of the presentation will be provided closer to the meeting date.

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. A webinar focusing on "Effective Evaluation of Police Leadership" was held on February 2 and an upcoming webinar with Ontario's First Inspector General of Policing is scheduled for March 11 at 12 noon.

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 program will be released in the coming weeks and will feature guest speakers, educational sessions, board training and provide important legislative updates. Board members are encouraged to review the agenda program and confirm their participation with Board staff by March 31st for the early bird registration.

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

5. **REPORTS FROM THE CHIEF OF POLICE**

Niagara Regional Police Service - Ongoing COVID-19 Pandemic - Chief MacCulloch advised that in order to streamline his verbal reports that are provided at each Board meeting, on a go forward basis the Service will be submitting written reports to advise of the Service's COVID-19 pandemic updates. The update for the current reporting period is listed as Item 7.4 on this agenda.

Operational Statistics

Homicides

- 0 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 and 3 in 2017.

Attempted Homicides

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

Fatal Motor Vehicle Collisions (MVC)

- 1 for this reporting period with a total of 1 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.

Fatal MVC - Incident of January 22, 2021 – Officers responded to a report of a single motor vehicle collision on Ridge Road near Doan's Ridge Road in Welland. Investigation determined that a 25-year-old male sole occupant of a vehicle left the roadway at a high rate of speed. The vehicle left the roadway and struck a hydro pole. The male was pronounced deceased at the scene and the investigation continues by the Collision Reconstruction Unit.

Life Threatening MVC - Incident of January 7, 2021 - Officers responded to a report of a pedestrian struck by a motor vehicle on Queenston Street near Woodburn Avenue in St. Catharines. Investigation determined that an 89-year-old female pedestrian was crossing Queenston Street when she was struck by a passing motor vehicle which failed to remain at the scene. The victim's injuries were initially believed to be life threatening, but have since been downgraded and the victim continues to recover. The suspect vehicle in this matter is still being sought and the investigation continues by the Collision Reconstruction Unit.

Enforcement Initiatives

Two Arrested for Human Trafficking - On February 4, the Human Trafficking Unit, with the assistance of our Cybercrimes and Child Abuse Units, Uniform Patrol and District Detectives, commenced an investigation into allegations of Human Trafficking. As a result of the investigation, detectives were able to identify a male and a female suspect, who were arrested and charged with numerous offences including sexual assault, forcible confinement and trafficking in persons under 18 years of age.

Largest Seizure of Fentanyl in Niagara History - Since January, members of the Major Drug and Gang Unit, with assistance from the Intelligence Unit, have been investigating the sales of illegal drugs. As a result of the investigation, detectives were able to identify a male suspect. On February 4 the suspect was the subject of a traffic stop by the Ontario Provincial Police for allegedly stunting at a speed of 160 km/h in a 100km/h zone on the QEW in the Town of Lincoln. A subsequent search of the vehicle resulted in the discovery of 1,025 fentanyl tablets, 25 grams of cocaine and \$1,400 in currency.

Detectives from the Major Drug and Gang Unit executed warrants at residences in St. Catharines, Niagara Falls and Lincoln. A search of the Niagara Falls residence resulted in the discovery of a massive fentanyl pill production operation. The double garage area of the residence had been extensively modified to accommodate an industrial size pill press. Due to the quantity of fentanyl and related materials present, the OPP's Clandestine Lab Investigation Response Team was requested to assist with the safe dismantling of the site. Detectives seized over 180 kilograms of an unknown powder, 100 kilograms of cutting agents, 20,000 fentanyl pills, 160 grams of cocaine and \$150,000 in equipment. In all, the estimated street value of the drugs seized is approximately \$3.6 million, which is the largest seizure of fentanyl in Niagara history. The pills were packaged in bottles intended to look like legitimate prescription medications and pose a threat of serious harm or death. One St. Catharines male was arrested and charged with numerous drug related offences.

Chief MacCulloch expressed his gratitude toward the collaborative policing effort that has resulted in the substantial removal of these illicit and deadly drugs from the streets of Niagara stating further that the health and safety of Niagara's communities and residents is the Service's top priority and this criminal activity will not be allowed to flourish in Niagara.

Shooting in Welland - On February 15, uniform officers were called to a home in Welland in response to a shooting. Investigation revealed that two males in their 20's had been involved in an altercation in which one of them allegedly shot the other. The victim sustained minor physical injuries as a result of the shooting. The suspect fled prior to police arrival but was arrested a short time later and charged with assault with a weapon. Investigation has revealed that this was a targeted incident.

Firearm Charges in St. Catharines - On February 17, at 11:50 am, uniform officers, the Emergency Task Unit, K9 and Crisis Negotiators attended a Queenston Street home in St. Catharines in response to an Armed/Barricaded Person call for service. Investigation revealed a male had approached his neighbor, in a multi-unit complex about his mail being stolen. As a result, a male suspect allegedly produced a gun and waved it at the other male. Officers immediately contained the residence and evacuated people in the area. At approximately 3:40 pm, officers executed a warrant, arresting the suspect who is now facing charges, including theft of mail and pointing a firearm.

6. PRESENTATIONS

There were no presentations.

7. CONSENT AGENDA

7.1 Ministry of the Solicitor General - PSB Appointment Extension - T. McKendrick

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

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

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

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

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

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

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

Service report dated February 5, 2021 submitted in accordance to the reporting requirements set out in Board By-laws 366-2017 and 367-2017.

Steve Murphy, Accessibility Advisory Coordinator, Niagara Region, was in attendance to provide the Board with an update on the efforts currently underway at the Region and the Niagara Regional Police Service to meet compliance with the Accessibility for Ontarians with Disabilities Act (AODA). Mr. Murphy advised that Niagara Region is well situated and exceeding minimal compliance in the areas of customer service, transportation, employment and public spaces.

However, he did advise of an overall issue that is being met throughout the province in regard to the information and communication standards for accessible electronic documents. The Province of Ontario is aware of the efforts currently being undertaken in Niagara Region to meet compliance in this area through various initiatives involving

software updates, document reformatting, training sessions, etc. Communication is ongoing between the Region and the Service to address these concerns and at this time expert staff remain diligent in resolving all identified issues to meet full compliance in a timely manner.

7.9 Annual Report - Collection of Identifying Information in Certain Circumstances - Prohibition and Duties - January 1 to December 31, 2020

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

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

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

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

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

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

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

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

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

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

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

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

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

Moved by: K. Gibson

Seconded by: D. Eke

That the information be received.

Carried

8. NEW BUSINESS

8.1 PSB/NRPS 2022-2025 Strategic Plan Development

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.

Moved by: J. Lawson

Seconded by: H. D'Angela

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 Member Kevin Gibson to serve as Co-Chair of the Strategic Plan Working Committee.

Carried

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

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.

Moved by: J. Lawson

Seconded by: D. Eke

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.

Carried

8.3 Police Services Board - 2021 Committee Representation

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.

Moved by: B. Gale

Seconded by: K. Gibson

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

Carried

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.

Moved by: D. Eke

Seconded by: H. D'Angela

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.

Carried

9. OTHER NEW BUSINESS

There was no other new business raised.

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

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.

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

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

Carried

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

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.

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

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

Carried

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

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.

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

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

Carried

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.

The Public Meeting adjourned at 9:48 am.

William C. Steele, Chair

Deb Reid, Executive Director