



# REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD PUBLIC AGENDA

Thursday, April 22, 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, March 25, 2021

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That the Minutes of the Public Board Meeting held Thursday, March 25, 2021 be adopted as circulated.

4. REPORTS FROM BOARD CHAIR

5. REPORTS FROM THE CHIEF OF POLICE

6. PRESENTATIONS

6.1. Niagara Regional Police Service - Crime Reports/Mapping Tool

The Corporate Communications Unit will provide a demonstration on the NRPS crime reporting/mapping tool available on the Niagara Regional Police Service website, which provides valuable information about recent crime activity so the public can be more vigilant and implement crime awareness and prevention efforts in their homes, workplaces and community. *(There is no background documentation for this item.)*

That the presentation be received.

7. CONSENT AGENDA

7.1. Monthly Report - Niagara Regional Police Service - Ongoing COVID-19 Pandemic - April 2021

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Service report dated April 20, 2021 providing the Board with a detailed update regarding the impact of the COVID-19 pandemic on the Niagara Regional Police Service and the actions taken to mitigate risks.

<b>7.2.</b>	<b>Quarterly Report - Brock University Campus Security Services - January 1 to March 31, 2021</b>	<b>23</b>
	Report dated April 1, 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 while employed with Brock University Campus Security Services.	
<b>7.3.</b>	<b>Annual Report - Arrest - January 1 to December 31, 2020</b>	<b>26</b>
	Service report dated March 4, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 197-2000.	
<b>7.4.</b>	<b>Annual Report - Criminal Investigation Management and Procedure - January 1 to December 31, 2020</b>	<b>29</b>
	Service report dated February 17, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 198-2000.	
<b>7.5.</b>	<b>Annual Report - Crisis Negotiation - January 1 to December 31, 2020</b>	<b>36</b>
	Service report dated March 25, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 245-2000.	
<b>7.6.</b>	<b>Annual Report - Equal Opportunity Discrimination and Workplace Harassment Prevention - January 1 to December 31, 2020</b>	<b>39</b>
	Service report dated April 7, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 331-2012.	
<b>7.7.</b>	<b>Annual Report - Firearms Training - January 1 to December 31, 2020</b>	<b>42</b>
	Service report dated March 18, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 221-2000.	
<b>7.8.</b>	<b>Annual Report - Marine Unit - January 1 to December 31, 2020</b>	<b>46</b>
	Service report dated March 29, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 227-2000.	
<b>7.9.</b>	<b>Annual Report - Policing Aboriginal Occupations and Protests - January 1 to December 31, 2020</b>	<b>50</b>
	Service report dated March 10, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 324-2012.	
<b>7.10.</b>	<b>Annual Report - Proceeds of Crime - January 1 to December 31, 2020</b>	<b>54</b>
	Service report dated March 19, 2021 submitted in accordance to the reporting requirements set out in Board By-law 233-2000.	

<b>7.11.</b>	<b>Annual Report - Robbery Investigations - January 1 to December 31, 2020</b>	<b>58</b>
	Service report dated February 17, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 234-2000.	
<b>7.12.</b>	<b>Annual Report - Secure Holsters - January 1 to December 31, 2020</b>	<b>62</b>
	Service report dated March 24, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 269-2005.	
<b>7.13.</b>	<b>Annual Report - Skills Development and Learning Plan - January 1 to December 31, 2020</b>	<b>67</b>
	Service report dated March 18, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 250-2000.	
<b>7.14.</b>	<b>Annual Report - Stolen or Smuggled Firearms - January 1 to December 31, 2020</b>	<b>73</b>
	Service report dated March 23, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 211-2000.	
<b>7.15.</b>	<b>Annual Report - Tactical Units - January 1 to December 31, 2020</b>	<b>76</b>
	Service report dated March 15, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 242-2000.	
<b>7.16.</b>	<b>Annual Report - Underwater Search and Recovery Unit - January 1 to December 31, 2020</b>	<b>80</b>
	Service report dated March 29, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 273-2005.	
<b>7.17.</b>	<b>Ministry of the Solicitor General - PSB Re-Appointment of Tara McKendrick</b>	<b>84</b>
	Correspondence dated April 6, 2021 from Gita Ramburuth, Appointments Officer, Ministry of the Solicitor General, providing Order in Council No. 413/2021 reappointing Tara McKendrick to the Niagara Police Services Board for a further period of three years, effective April 1, 2021.	
<b>7.18.</b>	<b>Township of West Lincoln - Resolution - Medical Cannabis Grow Operations - Public Safety Concerns</b>	<b>86</b>
	Correspondence dated March 23, 2021 from Joanne Scime, Clerk, Township of West Lincoln, addressed to the Federal Minister of Health, advising of a resolution adopted at its Council Meeting held March 22, 2021 in support of the correspondence from the Niagara Police Services Board regarding Medical Cannabis Grow Operations - Public Safety Concerns. <i>(Refer to the attached letter dated November 4, 2020 from the Board).</i>	

**7.19. Town of Fort Erie - Resolution - Cannabis Licencing and Enforcement**

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Correspondence dated March 23, 2021 from Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie, addressed to the Federal Minister of Health, advising that at its meeting held March 22, 2021, the Municipal Council of the Town of Fort Erie received and supported the resolution from the Township of Brock recommending legislative changes to cannabis licencing and enforcement by Health Canada. *(Refer to the attached letter dated March 2, 2021 from the Township of Brock).*

**That the information be received.**

**8. NEW BUSINESS**

**8.1. Corporate Services Committee (CSC) - Councillor Information Request Respecting Report CSD 17-2021**

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Service report dated April 12, 2021 providing information requested at the Region's March 10, 2021 Corporate Services Committee meeting with respect to the PSB/NRPS Financial Variance Overview for the Year Ending December 31, 2020, that was included as Appendix 8 to Report CSD 17-2021, specifically the correlation between the NRPS Casino Unit loss of revenue and NRPS staff funding, and the status of NRPS project hiring from 2020/2021 and the budget impact. *(Refer to the attached letter dated March 26, 2021 from the Niagara Region.)*

**That the Board receives this report and forwards the report to the Region's Corporate Services Committee.**

**8.2. Special Fund Request - Canadian Association of Police Governance (CAPG) 2021 Governance Summits**

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Report dated April 6, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, providing a funding request from the Canadian Association of Police Governance to support the CAPG's 2021 Governance Summits being held on April 27 and June 30, 2021.

**That the Board authorize a donation at the Supporter Sponsor Level in the total amount of \$1,000 (\$500 for each summit) from the Special Fund to the Canadian Association of Police Governance in support of its 2021 Governance Summits.**

**9. OTHER NEW BUSINESS**

**10. IN CAMERA REPORTS**

**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, March 25, 2021**  
**Meeting Held By Electronic Participation Only**  
**ZOOM VIRTUAL MEETING**

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**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  
D. Cichocki, Executive Assistant

**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 J. Mackay, Operational Support  
Superintendent D. Meade, Executive Services  
Inspector D. Masotti, Executive Officer to the Chief  
A. Askoul, Director of Information Technology  
G. Holden, Records Manager  
L. Rullo, Finance Manager  
S. Sabourin, Corporate Communications Manager  
M. Asher, Executive Assistant to the Chief

**OTHERS:**

P. Hebert, Director, Ontario Police College  
D. Sprague, Police Services Advisor, Ministry of the Solicitor General

**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 we can safely resume our in-person meetings.

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

Prior to proceeding with the agenda items, the Board acknowledged the lands on which the virtual meeting is taking place as 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 as the 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, February 25, 2021**

Moved by: H. D'Angela

Seconded by: D. Eke

**That the Minutes of the Public Board Meeting held Thursday, February 25, 2021 be adopted as circulated.**

**Carried**

## **4. REPORTS FROM BOARD CHAIR**

**Welcome to Ministry Police Services Advisor** - On behalf of the Board, Chair Steele welcomed Duane Sprague to the meeting. Duane serves as the Police Services Advisor to the Policing Inspections, Investigation, Audit and Compliance Management Branch, under the Inspectorate of Policing at the Ministry of the Solicitor General. He is attending the meeting as part of his routine visits to police boards across the province and will provide the Board with a status update on the recent activities at the Ministry following the Chair and Chief's comments.

**PAO 2021 Employment Conference** - On March 1 and 2, the Board participated in the Police Association of Ontario (PAO) Virtual Annual Employment Conference on labour relations. The conference sessions provided comprehensive updates on crucial issues from the perspectives of associations and management as well as discussions on emerging issues and legal developments.

**Mobile Crisis Rapid Response Team (MCRRT) & Crisis Outreach And Support Team (COAST) Information Session** - On March 11, Board members participated in an information session that was held by the Niagara Regional Police Service (NRPS) and the Canadian Mental Health Association (CMHA) about the delivery of two very important services – the Mobile Crisis Rapid Response Team (MCRRT) and Crisis Outreach and Support Team (COAST). These programs work in partnership with the police and experienced mental health workers to respond to calls for service involving individuals in crisis, who are presenting symptoms of mental illness, behavioural disturbances or substance-abuse problems.

This session was extremely informative and highlighted the benefits of these programs to assist with the police response to mental health related calls for service, and the positive feedback from the community. At the conclusion of the session, the Board requested the Chief to provide a public report and presentation at a future meeting to Regional Council with the goal to educate the public about these services; and continue to expand on the advocacy work for additional funding through the Ministry of Health as well as alternative funding sources for program expansion.

**1 District Facility Project Update** - On March 23, Vice Chair Eke participated in the virtual Joint Region and Police Projects Steering Committee meeting. The next Committee meeting is scheduled for April 27. There is a full report on the agenda that details the progress made for the 1 District facility, as well as updates on the Headquarters parking lot expansion and the 911 Communications Backup Centre, listed under Item 7.18 and further updates will be provided as the project advances.

Vice Chair Eke provided a brief update on the discussions from the March 23 meeting. He announced that today, March 25, marks the move date of 1 District from 68 Church Street to 198 Welland Avenue in St. Catharines. In regard to the budget with Merit Construction, total expenditures are being realized in the amount of \$14,196,147, which is 97% of the budget. Contingencies are at 96% of the Service's 3% contingencies with 103 change orders. Landscaping and fencing remain to be completed due to weather conditions and it is anticipated that work will be completed the week of April 19.

With respect to the parking lot expansion at Police Headquarters, lighting in the lot has been improved and will be monitored to ensure there is adequate lighting in all areas. The asphalt will be laid and parking lines will be drawn as soon as weather permits.

The 911 Back-Up Centre at 3 District is now fully operational.

Vice Chair Eke advised that a decision was made to continue with the RMON/NRPS Joint Facilities Steering Committee meetings to monitor any issues that may arise regarding operations of the facility.

**Canadian Association of Police Governance (CAPG) – Monthly 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.

On March 11, the Board participated in a webinar with Ontario's First Inspector General of Policing. The next webinar will be held on April 29 at 12 pm and the topic of the session is "Body Worn Cameras and the Policy Considerations for Police Governance".

**Canadian Association of Police Governance (CAPG) – 2021 Virtual Governance Summits** - The CAPG will be holding two virtual Governance Summits on April 27 and June 30. The Summit on April 27 is entitled "Governance 101: A Refresher for Police Boards and Commissions".

It will explore the essentials of Police Governance, including core police governance concepts and best practices regarding accountability; community and government engagement; evaluations; communication; orientation procedures; and individual roles and responsibilities.

The June 30 Summit will focus on "Policy Development in Police Governance". Board Members have been pre-registered to participate in both Summits.

**Upcoming PSB Meetings** - There are no Committee Meetings scheduled in April. The next Board Meeting will be held Thursday, April 22, at 9:00 am, by electronic participation through Zoom.

## 5. REPORTS FROM THE CHIEF OF POLICE

**1 District Opening** - Further to Vice Chair Eke's comments, Chief MacCulloch spoke to the transition of 1 District from 68 Church Street to 198 Welland Avenue in St. Catharines. While that building has served this Service well there is no denying that it is past its prime and the new facility has been eagerly anticipated.

Chief MacCulloch thanked the Service members involved in bringing this building to a reality as well as the Board and the stakeholders who provided support in making this new facility a reality that will help better serve the Niagara community for decades to come. Specifically, recognition is given to Superintendent Richard Frayne, Inspector Shawn Dowd, Inspector John Sawicki and Mr. James Berg who have been in constant contact with Region staff to ensure this process has been as seamless as possible. He also recognized former Board Chair Ken Gansel and Board Vice Chair David Eke for their support and oversight on this project.

Once final design pieces are in place, the Service will finalize a date and provide information for an official grand-opening ensuring that the ceremony will be held in keeping with COVID-19 restrictions.

**SIU Case Closure - Incident of January 13, 2021** - Uniformed officers attended a call in Fort Erie in response to a request from EMS to assist with a 61-year-old male being transported in an ambulance. The male was being transported due to pain and light-headedness when EMS contacted police due to his extreme agitation. Officers attempted to calm the male but were not successful. Due to circumstances, the male was apprehended under the authority of the Mental Health Act and handcuffs applied. On route to the hospital, the male's condition deteriorated. Upon arrival, the male was quickly placed in the care of the emergency department. The male was pronounced deceased by medical personnel later that day. Given the interaction with police and subsequent passing of the male, the SIU was notified and invoked their mandate to investigate. One officer was designated as a Subject Officer and one officer was designated as a Witness Officer by the SIU. On March 10, the Service received notification from SIU Director Joseph Martino. In his closure letter he advised that the SIU had concluded their investigation and that there were no grounds for criminal charges against any officer.

### 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, 8 in 2018 and 3 in 2017.

Chief MacCulloch advised of a change in the Attempted Murder statistics for 2018 as previously reported, stating that the number has risen from seven to eight. Due to a court ordered publication ban in a specific matter, detail as to why this number has changed will be reported in the confidential portion of the meeting.



*Fatal Motor Vehicle Collisions (MVC)*

- 1 for this reporting period with a total of 2 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.

*Life Threatening Motor Vehicle Collision (MVC)*

- 0 for this reporting period.

**Fatal MVC - Incident of January February 1, 2021** - Officers responded to a report of a motor vehicle collision involving a child on Greenlane near Garden Gate Terrace in the Town of Lincoln. Investigation determined that a 67-year-old male driver and sole occupant of a pick-up truck was proceeding on Greenlane when a 4-year-old child on a toboggan entered the roadway. The pick-up truck struck the child. The child was transported to West Lincoln Memorial Hospital where he later succumbed to his injuries. It was determined that speed was not a factor in this collision. This investigation continues by members of the Collision Reconstruction Unit however it has been determined that no charges will be laid.

**St. Catharines Man Arrested for Online YouTube Threats** - In February, the Service was contacted by INTERPOL in the United States regarding threatening comments on YouTube. The initial investigation by INTERPOL led them to believe the YouTube user was from St. Catharines. The local investigation was assigned to St. Catharines Detectives, who were assisted by Detectives from the Cyber Crime and Technical Crimes Units. The investigation revealed that a YouTube user had posted threats of violence in the comments section of videos in January and February. On March 9, investigators arrested a 41-year-old St. Catharines man with threat offences. A search warrant was executed at the residence and the investigation in this matter continues.

**Two Roadside Suspensions issued During St. Patrick's Day R.I.D.E. Initiative** - On March 17, members conducted R.I.D.E. spot checks in Niagara Falls and St. Catharines. Throughout the night, officers stopped approximately 650 vehicles and inquired if any of the drivers had consumed any alcohol or drugs earlier in the evening. In total, 18 drivers were required to provide a sample of their breath for analysis. Two of the drivers provided samples that resulted in an "alert" and subsequently had their licences suspended for a period of three days. Two other drivers were charged with operating a vehicle with a suspended licence and another driver was charged for operating a vehicle with no insurance. Several tickets were also issued for various traffic related offences.

**NRPS Spring Food Drive** – The Niagara Regional Police Service recently concluded its first ever week-long Spring Food Drive. The Spring Food Drive led by members of the Community Engagement Unit saw the Service partner with nine local food banks and 12 local grocery stores to help support the demand for food and donations within Niagara. Where food drives in the past centered on the holiday season, the NRPS Spring Food Drive hoped to support the community given the unprecedented challenges that have come from the COVID-19 pandemic.

Over the five days that donations were accepted, 20,274 pounds in food and \$13,354.30 in cash/gift cards was received. Post Foods in Niagara Falls donated 4,109 pounds of cereal products. Powell Drywall in Welland donated 630 pounds in chicken meals and a number of the grocery stores also provided food donations to the food drive. The food banks that were supported by the food drive include:

- Salvation Army – Fort Erie;
- Port Cares – Port Colborne;
- Hope Centre – Welland;
- Pelham Cares – Pelham;
- Project Share – Niagara Falls, Niagara-on-the-Lake;
- West Lincoln Community Care – Smithville;
- Community Care – St. Catharines, Thorold;
- Grimsby Benevolent Fund – Grimsby, and
- Community Care of West Niagara – Beamsville.

Chief MacCulloch extended his thanks to the following participating grocery stores stating that without their support, this event would not have been possible:

- No Frills – Fort Erie;
- Sobeys – Port Colborne;
- No Frills – Welland;
- Zehrs – Welland;
- Food Basics – Pelham;
- Zehrs – Niagara Falls;
- Food Basics – McLeod Road, Niagara Falls;
- Foodland – Smithville;
- Superstore – St. Catharines;
- No Frills – Lake Street, St. Catharines;
- Superstore – Grimsby; and
- No Frills – Beamsville.

In closing, Chief MacCulloch recognized the outstanding support and generosity from the communities in Niagara during these challenging times. Chair Steele requested the Chief extend the Board's gratitude to all those who participated in this event.

## **6. PRESENTATIONS**

### **6.1 Ministry of the Solicitor General - Police Services Advisor for Zone 4 Police Boards**

Duane Sprague thanked the Board for the opportunity to provide a presentation on the recent activities at the Ministry of the Solicitor General. He advised that Paul Hebert, Director, Ontario Police College (OPC), is also in attendance today to provide the Board with an update on the COVID-19 outbreak at OPC.

Mr. Hebert advised that on February 22, 2021 the OPC was informed that an employee had contracted COVID-19 and measures were immediately put into place to mitigate exposure. A number of recruits were isolated pending next steps and over the next couple days the recruits were tested at an on-site health centre. As the positive case count went up, hard action was taken and on February 24 a pause was put into place with recruits required to return to their dorms until further notice.

On February 25, OPC arranged for mass testing of all 639 staff, students and recruits by Public Health. Individuals who tested negative were permitted to return home on February 26 and 27 to self-isolate and maintain proper protocols. Individuals who tested positive were held in isolation rooms separated from the student population and also given the option at the recommendation of Public Health to return home providing there was no risk imposed on any other individual or to the community. Literature was issued by Public Health with guidelines on what to do upon their return to their residence. On March 1, OPC retooled their training programs to upfront all the academy classes and provided virtual training for three weeks to all recruits. Therefore, when the recruits return they will only need to complete the practical skills and exam components.

Mr. Hebert advised that none of the positive cases were from a variant COVID-19 strain. Currently, there are 124 accumulative cases across the Province related to the outbreak, one remains outstanding and 123 are resolved. At OPC, 18 recruits tested negative and one tested positive and that individual will complete the 14-day isolation period by the weekend. The outbreak remains outstanding and OPC will be discussing with Public Health on March 29, the option to lift the outbreak should Public Health be satisfied that there are no more cases associated to the outbreak at OPC. The OPC will hold a briefing with the Minister to discuss the return of operations at the College. Pending approval, the OPC is looking at rapid testing of all staff and recruits as well as vaccine distribution at the College. The OPC will continue to communicate with Police Chiefs through the OACP and Ministry All Chiefs/Chairs bulletins.

Following report from the OPC Director, Mr. Sprague provided the following updates from the Ministry:

**Community Safety and Policing Act (CSPA)** - Regarding the regulatory work that is currently underway with the Community Safety and Policing Act, there are approximately 50 to 70 matters for regulation that need to be developed to bring the Act into force. Despite having a temporary pause on the engagement due to the pandemic, the Ministry has continued to host virtual meetings with stakeholders to address these matters and to ensure the Act is proclaimed in early 2022.

**Inspectorate of Policing** - Duties of the Inspector General are set out in the new Act. The Inspector will carry out a range of functions including inspections, monitoring and advisory services to policing and community safety partners. There was an All Chiefs Memorandum ACM 20-0147, dated October 2, 2020, that provides detailed information about the Inspectorate of Policing, and CSPA, Part 7 on e-laws. He also suggested the Board may want to contact Inspector General Devon Clunis and Deputy Inspector General Ken Weatherill, for a future presentation about their new duties and responsibilities.

The Board requested that the Executive Director make arrangements for a future presentation.

**Community Safety and Well-Being Plans** - The deadline for municipalities to prepare and adopt their Community Safety and Well-Being Plans is July 1, 2021. The Police Services Act requires every municipality in Ontario to prepare and adopt these Community Safety and Well-Being Plans.

Chief MacCulloch is the co-chair on the Region's Committee working on the development of the CSWB Plan and anticipates a structured report with recommendations to Regional Council for approval in June 2021 to meet the required timelines.

**Court Security and Prisoner Transportation** - In September 2020, the Ministry hired an independent consultant, Goss Gilroy Inc., to conduct a review of court security and prisoner transportation in Ontario, including the design of the CSPT Program. This review is part of the Ministry's ongoing work to reduce court delays, leverage technology and improve public safety to build a more responsive and efficient justice system. Municipalities, police services and other justice sector partners were engaged during the review process. The Ministry will be reviewing findings and recommendations in the final report which is expected soon.

**Pandemic-Specific Supports** - In terms of pandemic-specific supports, the Ministry continues to support the coordination of communications to Police Services regarding updates to public health measures. The Ministry has also been continuing to work directly with Police Services to support the provision of Personal Protective Equipment to supplement existing procurement efforts and assist in addressing urgent shortages. The Ministry has been engaging police services regarding a rapid COVID-19 testing pilot being implemented by the Ministry of Health to support employers and employee safety in a variety of workplaces, including essential services. It is a voluntary program that provides rapid COVID-19 antigen tests to employers to administer in the workplace on asymptomatic employees, in order to assist in the early identification of an individual with COVID-19 that could otherwise be missed. Participants must be able to perform repaid antigen testing in accordance with the requirements set out by the Ministry of Health and must provide limited data including the number of tests used, number of participating employees, and number of positive/negative results.

**Training/Orientation for Police Services Board Members** - Mr. Sprague encouraged all Board Members to attend PSB training/orientation, whether through the OAPSB e-modules on the OAPSB website or via the Police Services Advisor. The Advisor is available to provide training to members on their roles/responsibilities with respect to the Police Services Act and police services board governance.

Moved by: B. Gale

Seconded by: K. Gibson

**That the presentation be received.**

**Carried**

**7. CONSENT AGENDA**

**7.1 Monthly Report - Niagara Regional Police Service - Ongoing COVID-19 Pandemic - March 2021**

Service report dated March 23, 2021 providing the Board with a detailed monthly update regarding the impact of the COVID-19 pandemic on the Niagara Regional Police Service and the actions being taken to mitigate risks.

**7.2 Quarterly Report - Overtime Activities Incurred by the Niagara Regional Police Service - October 1 to December 31, 2020**

Service report dated March 4, 2021 providing the Board with a five-year uniform and civilian quarterly and year-to-date trend analysis to include summaries of the overtime hours by activity category, which continues to be predominantly driven by the need to meet minimums resulting from occupational and non-occupational illness, injury and staffing shortages.

**7.3 Annual Report - Acoustic Hailing Devices - January 1 to December 31, 2020**

Service report dated February 26, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 335-2013.

**7.4 Annual Report - Child Abuse and Neglect - January 1 to December 31, 2020**

Service report dated February 22, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 219-2000.

**7.5 Annual Report - Child Pornography - January 1 to December 31, 2020**

Service report dated February 22, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 333-2013.

**7.6 Annual Report - Equipment - Body Armour - January 1 to December 31, 2020**

Service report dated March 3, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 311-2011.

**7.7 Annual Report - Illegal Gaming - January 1 to December 31, 2020**

Service report dated February 25, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 224-2000.

**7.8 Annual Report – Municipal Freedom of Information and Protection of Privacy Act - January 1 to December 31, 2020**

Service report dated March 3, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 283-2008.

**7.9 Annual Report - NRPS Tuck Shop - January 1 to December 31, 2020**

Service report dated March 2, 2021 informing the Board that net proceeds in the amount of \$843.70 have been received from the sale of the Services' souvenir and display sales program for the year 2020 and that the funds have been transferred to the Board's Special Fund Account.

**7.10 Annual Report - Parental/Non-Parental Abductions and Attempts - January 1 to December 31, 2020**

Serviced report dated February 23, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 295-2010.

**7.11 Annual Report - Safe Storage of Police Service Firearms - January 1 to December 31, 2020**

Service report dated February 23, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 258-2003.

**7.12 Annual Report - Sudden Death and Found Human Remains - January 1 to December 31, 2020**

Service report dated February 23, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 229-2000.

**7.13 Annual Report - Use of Force - January 1 to December 31, 2020**

Service report dated March 1, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 346-2014.

**7.14 Annual Report - Vehicle Theft - January 1 to December 31, 2020**

Service report dated February 25, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 235-2000.

Members Gibson and Gale asked about the high volume of vehicle thefts reported and questioned if the Service could provide further details on the total cleared and total recovered, as well as the main "hot-spot" locations of these thefts. Deputy Chief Flynn provided clarification on the statistics and stated he will look into obtaining further details on "hot-spot" locations and follow-up with the Board.

**7.15 Annual Report - Witness Protection - January 1 to December 31, 2020**

Service report dated February 24, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 210-2000.

**7.16 Short Hills Provincial Park - 2020-2021 Deer Harvest and Associated Policing Costs**

Service report dated February 19, 2021 advising the Board of the policing activities and associated costs of the 2020-2021 First Nations Deer Harvest held at Short Hills Provincial Park in St. Catharines on November 3, 4, 26, 27, December 10,11,17,18, 2020, and January 7, 8, 27, 28, 2021, which resulted in 244 hours of regular on duty officer time and a further 131 hours of overtime, at an estimated total cost to the Service in the amount of \$23,578.36, a cost higher than in previous years.

**7.17 Microsoft Office 365 (MS365-O365) Implementation Update**

Service report dated March 2, 2021 advising that on January 1, 2020, the Service renewed the Microsoft Enterprise Agreement (EA) as a subscription based MS365/O365 Platforms, which are being managed in a phased deployment approach in alignment with the NRPS Enterprise Information Management & Governance and Security best practices and policies.

**7.18 1 District Facility Project Status Update - February 2021**

Memo dated March 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 February 2021.

**7.19 Regional Municipality of Niagara (RMON) - Resolution - P25 Voice Radio Capital Budget Adjustment**

Correspondence dated March 1, 2021 from Ann-Marie Norio, Regional Clerk, RMON, providing notification of a resolution passed by Regional Council at its meeting held February 25, 2021 to approve and initiate the Board's recommended capital budget adjustment in the amount of \$2,402,810 respecting the P25 Voice Radio System Expansion Project.

**7.20 City of Thorold - Resolution - Medical Cannabis Grow Operations - Public Safety Concerns**

Correspondence dated February 18, 2021 from Donna Delvecchio, City Clerk, City of Thorold, advising that at its meeting held February 16, 2021, Thorold City Council received and supported correspondence from the Niagara Police Services Board pertaining to Medical Cannabis Grow Operations - Public Safety Concerns. *(The Board's November 4, 2020 letter is attached for reference.)*

As an update, Chair Steele advised that provinces across Canada have gained support from the Ministry of Health, who will be reaching out to local municipalities to seek input for recommended changes to the issuance of medical cannabis grow operations licences that would allow municipalities and local police services greater oversight. Chief MacCulloch advised that police services remain optimistic that the federal government will see fit to implement legislative changes that address the numerous loopholes and safety concerns that are negatively impacting local municipalities across the province as well as across Canada.

**7.21 City of Welland - Resolution - Medical Cannabis Grow Operations - Public Safety Concerns**

Correspondence dated March 4, 2021 from Tara Stephens, City Clerk, City of Welland, advising that at its meeting held March 2, 2021, Welland City Council received and endorsed correspondence from the Niagara Police Services Board pertaining to Medical Cannabis Grow Operations - Public Safety Concerns. *(The Board's November 4, 2020 letter is attached for reference.)*

Moved by: J. Lawson

Seconded by: T. McKendrick

**That the information be received.**

**Carried**

**8. NEW BUSINESS**

**8.1 Ministry of the Solicitor General - 2021 COVID-19 Relief Funding for Municipalities**

Correspondence dated March 12, 2021 from Richard Stubbings, Assistant Deputy Minister, Ministry of the Solicitor General, providing notification to Chiefs of Police and Board Chairs of the availability of additional provincial funding for municipalities to ensure the delivery of critical services and enable capital projects to stay on track in light of COVID-19. Specifically, the Ontario Government is providing an additional \$500 million through the 2021 Provincial COVID-19 Relief Funding for Municipalities program, which can include COVID-19 related operating pressures for policing.

Moved by: D. Eke

Seconded by: B. Gale

**That the information be received,**

**And further, that the Service consult with Niagara Region to identify critical COVID-19 related operating pressures for policing that can be addressed through this funding initiative for 2021.**

**Carried**

**8.2 Annual Report - Missing Persons - January 1 to December 31, 2020**

Service report dated March 1, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 386-2020.

Moved by: K. Gibson

Seconded by: J. Lawson

**That the information be received;**

**And further, that the report be provided to the Ministry of the Solicitor General and posted on the Niagara Regional Police Service website, pursuant to Section 8 of the *Missing Persons Act, 2018*.**

**Carried**

**8.3 Police Services Board - Board By-law 389-2021 - Citizen Rewards**

Correspondence dated March 1, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with a revised by-law to establish policy for citizen rewards by the Niagara Regional Police Service.

Moved by: T. McKendrick

Seconded by: H. D'Angela

**That the Board adopt By-law No. 389-2021 as appended to the report and authorize the Board Chair and Executive Director to execute the required documentation.**

**Carried**



**8.4 Special Fund Request - OAPSB Conference Sponsorship 2021**

Correspondence dated March 4, 2021 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with a copy of communication received from Mr. Patrick Weaver, President, Ontario Association of Police Services Boards (OAPSB), requesting a donation to support the OAPSB 2021 Spring Conference and Annual General Meeting.

Moved by: D. Eke

Seconded by: J. Lawson

**That the Board authorize a donation in the amount of \$1,000.00 from the Special Fund to the Ontario Association of Police Services Boards (OAPSB) in support of its 2021 Annual Spring Conference and Annual General Meeting.**

**Carried**

**9. OTHER NEW BUSINESS**

There was no other new business.

**10. IN CAMERA REPORTS**

There were no in camera reports.

**11. ADJOURNMENT**

The Police Services Board adjourned 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 10:19 am.

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William C. Steele, Chair

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Deb Reid, Executive Director



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Niagara Regional Police Service – Ongoing COVID-19 Pandemic  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2021-04-20

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### 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 the Niagara 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 Service members and the community.

As last reported by way of PSB report for the March 25, 2021 PSB monthly meeting, the Niagara Region remained in the Red-Control classification as per the “COVID-19 Response Framework: Keeping Ontario Safe and Open”. However as of April 3, 2021, as mandated by Premier Ford, the Niagara Region, along with the rest of Ontario, transitioned into an “Emergency Brake Shutdown”. The Premier cited his decision to an alarming surge in case numbers and COVID-19 hospitalizations across the province. Under the Shutdown, inside gatherings are not permitted with those outside of your household and outdoor gatherings are limited to 5 people. Restaurants, bars and other food and drink establishments return to take-out and drive-thru service only, and establishments such as hair salons and barber shops are prohibited from providing personal care services. Additionally, gyms and other indoor and outdoor sports and recreational fitness establishments are prohibited from opening to the public during the Shutdown.

In addition to the Emergency Brake Shutdown and citing the threat on the hospital system capacity and the increasing risks posed to the public by COVID-19 variants, the Ontario government declared a third provincial emergency under the Emergency Management and Civil Protection Act (EMCPA). Thus, effective April 8, 2021, Premier Ford issued a Province-wide stay-at-home order in an effort to slow the third wave of COVID-19. This state of emergency and stay-at-home order was to be in place for 28 days.

On April 16, 2021, the Provincial Government made a further announcement to increase public compliance with the stay-at-home order of which included the extension of the order until at least May 20, 2021. Additionally, the Province indicated that they were granting authority to police officers throughout Ontario to conduct random vehicle and individual stops to assist in enforcing the stay-at-home order. However, this granting of additional police powers was quickly rescinded by the Province in light of concerns expressed by many stakeholders including the Ontario Association of Chiefs of Police.

While the Service supports all measures necessary to limit the spread of COVID-19 in our community, our enforcement efforts continue to focus on the 4 E’s – Engage (with the individual), Explain (why we are there), Educate (on the rules and regulations), and Enforce (as a last resort).

For clarity, at no point were NRPS members directed to conduct random vehicle and individual stops to assist in enforcing the stay-at-home order. In fact, members were directed that they would not be conducting random vehicle or individual stops as it pertains to the stay-at-home order.

As before, our initiatives will be both complaint driven or proactive, with the goal of gaining compliance. Those that refuse to comply will be charged accordingly.

The Service, in keeping with Provincial restrictions and in consultation with the NRPS Occupational Health and Safety Coordinator, closed all of its fitness facilities as of April 3, 2021.

As previously reported, 1, 2, and 3 District facilities remain open to the public for emergency access only. The front desks at 5, 6, and 8 Districts remain closed to members of the public. The Records Counter at Headquarters is open to the public Monday to Friday from 8 am to 4 pm by appointment only. The Collision Reporting Centres in St. Catharines and Welland remain 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.

As previously reported for the March 25, 2021 PSB monthly meeting, the Service to date had 19 members test positive for COVID-19. However, since the last meeting, the count has risen to 25 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. This number is in addition to the 8 recruit members who previously tested positive for COVID-19 which was connected to the outbreak at the Ontario Police College (OPC) that affected well over 100 students and instructors. The outbreak at the OPC has since been resolved and students have since returned for on-site training effective April 12, 2021.

Life within the Niagara Region continues to be far from “normal” and until vaccines are widely available and the third wave is diminished, the Provincial and Public Health authorities continue to stress physical distancing, frequent hand-washing, respiratory etiquette, the wearing of face coverings or masks when physical distancing cannot be achieved, and remaining at home except for essential purposes such as attending a grocery store, pharmacy, accessing health care services, for outdoor exercise or for work that cannot be done remotely. 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 its approach to ensure the safety of all Service members. The Service remains 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 community.

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

The NRPS to date has issued 149 Provincial Offence Notices for failing to comply with Orders. Further, the Service has received a total of 2234 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 that the NRPS is 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 in the last month has been trending slightly above pre-pandemic levels. Additionally, 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 112 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.

We continue to see the impact of the 3<sup>rd</sup> wave of COVID-19 within our community. With rising case counts, and the increased prevalence of the new variants active within our community, there are legitimate concerns that our health system will become overwhelmed. Now is not the time to become complacent.

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 the 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 its 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.



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### **Submitted by:**

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

## **Appendices – N/A**



## Campus Security Services

**Brock University**  
Niagara Region  
1812 Sir Isaac Brock Way  
St. Catharines, ON  
L2S 3A1 Canada  
T 905 688 5550 x 4300  
F 905 688 6402  
www.brocku.ca

# REPORT OF THE BROCK UNIVERSITY CAMPUS SECURITY SERVICES

TO

## THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

**Date of Report:** April 1, 2021

**Date of Board Meeting:** April 22, 2021

**Chair Bill Steele  
and Members of the  
Regional Municipality of Niagara Police Services Board**

**Reference:** Quarterly Report on Brock University Special Constables

**Recommendation:** Receive for Information

### **Background:**

On January 29, 2004 in recognition of the ongoing formal relationship between the Regional Municipality of Niagara Police Services Board and Brock University, the Chair of the Board and the President of the University entered into an official protocol agreement.

In particular, the protocol addresses the requirement of the University to supply information to the Board, on a quarterly basis, pertaining to complaints, use of force, discipline and arrests associated to the officers designated as Special Constables (Article 27). At present, there are twelve members (one application pending) who have Special Constable status while on the University property. In compliance with this mandated accountability, the following information is provided for the Board's consideration:

### **COMPLAINTS**

During the 1st quarter of 2021, there were no reports of inappropriate conduct, during the exercise of their official duties, alleged against any Special Constable or member of Campus Security Services.

## **USE OF FORCE**

During the 1st quarter of 2021, the Special Constables and members did not require the need to utilize a use of force option.

## **DISCIPLINE**

During the 1st quarter of 2021, there were no occurrences that resulted in discipline against any member of the Campus Security Services.

## **MONTHLY STATISTICS**

Campus Security Services produces a statistical chart which captures our calls for service and crime stats. The types of calls and the number of them change considerably depending on the timing within the school year. Attached are the statistics for the 1st quarter of 2021 (January, February, and March). The statistical chart also displays the same quarter in year 2020 for comparative purposes.

**Relevant Policy Considerations:** Protocol agreement between the Niagara Regional Police Service and Brock University

**Cost of Recommendations:** Nil

**Alternative Options:** Not Receive Report

**Reasons for Recommendation:** Compliance with quarterly reporting requirements of Board and University protocol agreement.

**Prepared and approved by:**



**Donna Moody, Director  
Campus Security Services  
Brock University**

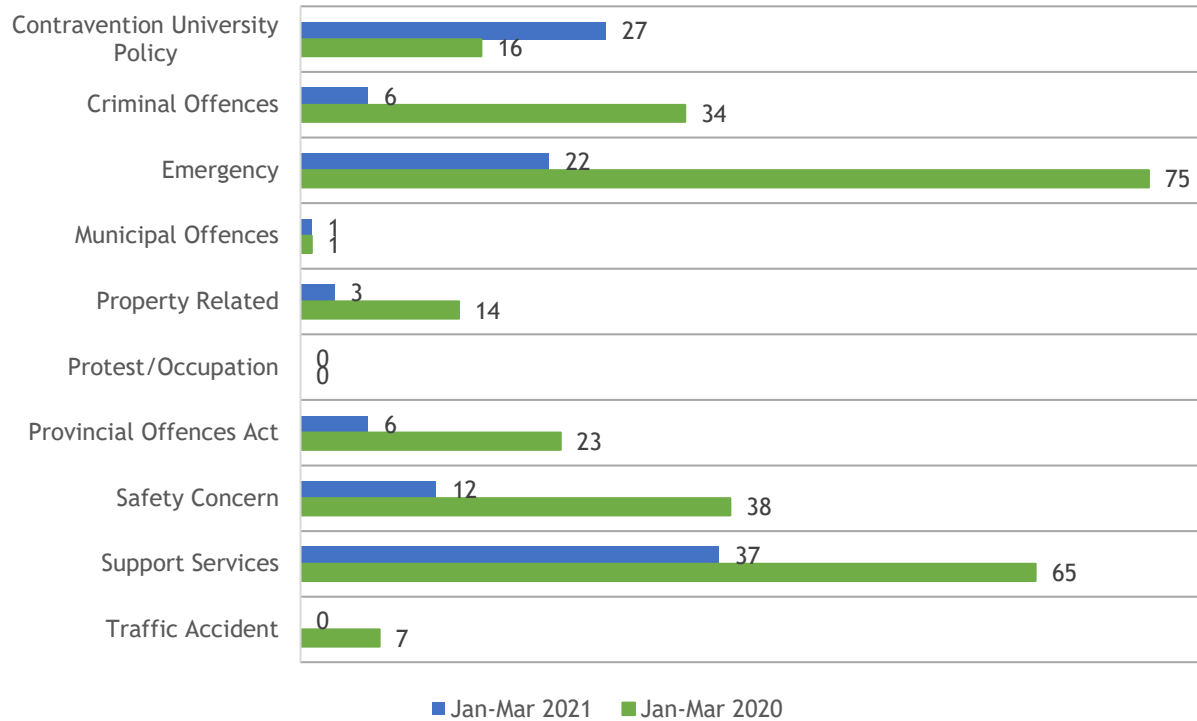
**Respectfully submitted by:**



**Scott Johnstone, Senior Associate VP  
Infrastructure & Operations  
Brock University**



## Brock University Campus Security Services 1st Quarter Report January - March 2020 vs 2021





# **NIAGARA REGIONAL POLICE SERVICE**

## **Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Annual Report – Arrest  
January 1, 2020 – December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-04

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### **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 197-2000 - Arrest
- The Chief is required to make a written annual report to the Board with respect to Arrests.
- This report will provide a summary of requirements to ensure the Service is in compliance with the By-law.

### **Financial Considerations**

Not Applicable

### **Analysis**

The Police Services Act - Ontario Regulation 3/99 Adequacy and Effectiveness of Police Service - section 29 requires a Police Services Board to have a policy on arrest. In addition to the requirements of the Police Services Board, section 13 (1) (j) requires the Chief of Police to establish procedures and processes in respect of arrest.

In order to meet the requirements of Provincial Adequacy Standards Regulations, the Regional Municipality of Niagara - Police Services Board enacted By-Law No. 197 - 2000 which contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

This report is submitted to the Board pursuant to By-Law No. 197 – 2000 with subsequent reports annually to continue the reporting process.

### **By-Law No. 197 - 2000**

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By-Law No. 197 – 2000, a By-Law respecting arrest details the requirements of Provincial Adequacy Standard Regulation LE-005 - Arrest and specifies as follows:

- The Chief shall establish procedures on arrest that require compliance by Members with legal, constitutional and case law relating to arrest and detention.
- The Chief shall ensure that the procedures on arrest include a procedure for search and seizure incidental to arrest.
- The Chief shall ensure that Police Officers and Members, as appropriate, are kept informed of changes in the law relating to arrest and detention.
- The Chief shall make a written report to the Board on or before August 30 of each year. The report shall include:
  - a) a summary of the written procedures regarding arrest; and
  - b) confirmation of compliance with procedures regarding arrest and detention.

In order to demonstrate compliance with legislative/regulatory requirements, operational procedures regarding Arrest are found in General Order - 100.09 - Powers of Arrest. This Order provides specific detail on the authorization and requirements placed on Officers by the Charter of Rights and Freedoms, Criminal Code, Youth Criminal Justice Act, Common Law, Case Law, and various Provincial and Federal Statutes upon the arrest of individual(s). This Order was drafted and approved to comply with By-Law No. 197-2000 and Provincial Adequacy Standards Regulation LE-005 Arrest and reflects current Legislative, Constitutional, and Case Law authorities.

To ensure that this information remains current, this Order is reviewed on a bi-annual basis and was last modified on October 25, 2016 with the deletion of Section 3.25 (d).

The Order further describes circumstances when officers may conduct a search incident to the arrest and what items may be searched for. These searches include those conducted at the scene and/or when subject(s) are detained in custody.

It is the policy of the Service to require that all arrests comply with Legal, Constitutional and Case Law requirements. The arrest of persons is primarily performed by frontline officers. A standard by which the Service is able to measure its adherence to the Order is through judicial review. As noted in previous reports, consultation with the Niagara Crown Attorney revealed no concerns related to Charter of Rights infringements by Niagara Officers during arrests, this has been confirmed through the Staff Sergeant in charge of the 1 District Detective Services. This would indicate that Officers have complied with legislative procedures in relation to arrest and as such withstood scrutiny by the courts. Further, the limited challenges to arrest during the criminal process and/or through civil actions from defendants provide a basis of measurement for gauging the effectiveness of this policy.

The success achieved in matters relating to arrests can in part be attributed to the Service's ongoing emphasis on training as well as training bulletins. Issues surrounding powers of arrest and search incident to arrest are often part of the curriculum in training courses offered by the Service. To ensure adherence to established guidelines during arrest, training bulletins and annual training offer opportunities for a review of emerging legal issues associated to arrest and searches incident to arrest.

In addition to the training aspects associated to arrest, the Niagara Regional Police Service has posted detainee rights to counsel in all prisoner booking areas. The rights to counsel have been posted in both official languages.

### **Alternatives Reviewed**

Not Applicable.

### **Relationship to Police Service/Board Strategic Priorities**

To maintain compliance with Police Services Board By-Law 197-2000 Arrest.

### **Relevant Policy Considerations**

Provincial Adequacy Standard Regulation LE-005 – Arrest  
By Law 197-2000 Arrest

### **Other Pertinent Reports**

102-2020 – Annual Report – Arrest - January 1 to December 31, 2019

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



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

### **Appendices**

Not Applicable



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report - Criminal Investigation Management  
January 1, 2020 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-02-17

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### Recommendation

**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 198-2000 Criminal Investigation Management and Procedure.
- The Chief is required to make an annual written report to the Board concerning robbery investigations;
- This report is submitted to provide the Board with the necessary and required information relating to the Service's written procedures concerning robbery investigations

### Financial Considerations

Not applicable.

### Analysis

By-law No. 198-2000, a by-law respecting Criminal Investigation Management and Procedure was enacted as a result of *Provincial Adequacy Standards Regulation, Law Enforcement -006- Criminal Investigation Management and Procedures*.

This by-law details specific direction to the Chief including:

#### 4.1 Criminal Investigation Management Plan

- 4.1.1 The Chief shall prepare a criminal investigation management plan that addresses general criminal investigation procedures.
- 4.1.2 The Chief shall ensure that the criminal investigation management plan meets the requirements of O.Reg.3/99, including identifying the types of

occurrences which should be investigated through a combined or cooperative service delivery method.

4.1.3 The Chief shall ensure that the criminal investigation management plan makes reference to the existence of additional guidelines dealing with specific type of occurrences that address procedures and processes that are unique to that type of occurrence.

4.1.4 The Chief shall ensure that the criminal investigation management plan is reviewed on an annual basis and amended as required.

## **4.2 Procedures**

4.2.1 The Chief shall develop and maintain written procedures on and processes for undertaking and managing criminal investigations.

4.2.2 The Chief shall establish a selection process for criminal investigators which shall ensure that Members who provide this service meet the requirements of O.Reg.3/99.

## **4.3 Training**

4.3.1 The Chief shall ensure that the procedures developed and maintained in section 4.2 ensure that Members to whom a supervisor assigns an occurrence have the knowledge, skills and abilities to investigate that type of occurrence.

## **4.4 Investigative Supports**

4.4.1 The Chief shall ensure that the Service has investigative supports, including supports in the areas of scenes of crime analysis, forensic identification, canine tracking, physical surveillance, electronic interception, video and photographic surveillance, polygraph and behavioral science.

4.4.2 The Chief shall establish written procedures and processes in respect of the investigative supports referred to in section 4.4.1 above.

4.4.3 The Chief shall ensure that the procedures in respect of investigative supports include that a person providing investigative supports in the areas of scenes of crime analysis or forensic identification have successfully completed the required Ministry accredited training.

4.4.4 The Chief shall ensure that persons who provide any type of investigative supports have the knowledge, skills and abilities to provide that support.

This by-law also states the reporting requirements of the Chief as follows:

## **5 Report to the Board**

- 5.1 The Chief shall make a written report to the Board on or before August 30 of each year in respect of the Criminal Investigation Management Plan. The report shall include:
- a) a summary of the Criminal Investigation Management Plan;
  - b) the status of Service compliance with the said procedures;
  - c) confirmation that members have been trained in accordance with section 4.3; and
  - d) confirmation of the appropriate use of investigative support in accordance with section 4.4.

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

### **a) “...a summary of the Criminal Investigation Management Plan...”**

Written procedures regarding Criminal Investigation Management and Procedures are found in the following Niagara Regional Police Service General Order:

#### *GO-095.10 – Major Incidents and Routine Criminal Investigations*

This Order provides a Criminal Investigation Plan that addresses general criminal investigation procedures. It is intended to familiarize police officers with their duties and responsibilities as investigators to conduct routine criminal investigations, while also outlining the process to be followed when involved in incidents considered to be major in nature. The Order details the occurrences that are to be investigated by the first officer at the scene and the occurrences that are the responsibility of district detectives who will continue the investigation. The Order describes the duties of the investigating officer and the supervisor's guidelines for case management. Also included are arrest procedures that comply with the *Canadian Charter of Rights and Freedoms*. The provisions contained in this order address the items detailed in Sections 4.1.1 and 4.2.1 of the by-law.

Complementing the above order is a number of other Orders that deal exclusively with specific offences and investigations:

1. GO-020.12 – *Sexual Assault Investigations*
2. GO-021.07 – *Criminal Harassment*
3. GO-028.12 – *Sudden Death and Homicide*

4. GO-037.08 – *Fire Calls and Arson Investigation*
5. GO-060.05 – *Traffic Enforcement*
6. GO-061.10 – *Impaired Driving Offences*
7. GO-084.07 – *Child Abuse and Neglect*
8. GO-114.12 – *Domestic/Family Violence*
9. GO-165.07 – *Elder and Vulnerable Adult Abuse*
10. GO-173.10 – *Parental and Non-Parental Abduction*
11. GO-192.04 – *Technological Crime Unit Services*

**These Orders detail the duties and responsibilities of officers when responding to specific offences and emphasize when a supervisor is to be notified. These Orders also describe the duties and responsibilities of the supervisors and / or specialty unit officers in continuing the investigation. The provisions contained in these Orders address the items detailed in Section 4.1.3 of the by-law.**

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

The Service’s General Orders were prepared and approved to comply with the *Provincial Adequacy Standards Regulations*. The Orders establish the responsibilities of the supervisors in routine criminal investigations, major incidents, and specific types of occurrences. These Orders clearly explain their duty to ensure that all criminal investigations follow the described procedures. The supervisors of the District Detective Offices utilize the Versadex / Workflow system to monitor the status of individual investigations. The Versadex / Workflow system can provide information and statistics for individual officers and units within the Service, and allow tracking of individual crimes and trends. It is also used as a management tool to monitor caseloads and to ensure that the officer in charge of the investigation has completed the assignments within the prescribed time period.

**c) “...Confirmation that members have been trained in accordance with section 4.3”**

Officers assigned to the District Detective Offices are required to complete the Ontario Police College (OPC) approved Criminal Investigator Training (CIT) course. This two-week course provides training in criminal investigation and includes case management, crime scene management, search and seizure, interviewing, canvassing, and death investigation. The training involved in this course provides the investigator with the knowledge, skills and abilities to investigate criminal occurrences and serves as the basis for District and Investigative Support Detectives. In 2020, thirty-nine (39) NRPS officers completed the CIT course (*Source: NRPS Training Unit*).

Investigators within the District Detective Offices and some Investigative Support Units may be required to investigate major case threshold offences, which mandate the utilization of the Ontario Major Case Management (MCM) system. Threshold offences



include homicides and attempts, certain sexual assaults, suspicious missing persons, and non-familial abductions. The majority of investigators assigned to the District Detective Offices or Investigative Support Detectives conducting these types of investigations have received the Ontario MCM training module. This course provides specialized training to ensure compliance with the MCM Manual and to standardize investigative procedures across the Province. Components of this course include: fundamentals of major case management, crime scene management, search and seizure, judicial authorization to intercept private communications, strategic approach to investigative interviewing and statement admissibility, behavioural sciences, dangerous offenders, search incident command, the role of the Coroner, media / public appeal and victim issues. Officers who have successfully completed the OPC MCM training are available to investigate threshold offences. In 2020, eleven (11) NRPS officers received MCM training (*Source: NRPS Training Unit*). This training satisfies section 4.3 of the by-law.

**d) “...confirmation of the appropriate use of investigative supports in accordance with section 4.4”**

Criminal investigations are supplemented with investigative supports in the areas of scenes of crime analysis, forensic identification, canine tracking, physical surveillance, electronic interception, video and photographic surveillance, polygraph and behavioural science. These services are established in the following General Orders:

1. GO-075.11 – *Scenes of Crime Officer*
2. GO-077.10 – *Canine Unit*
3. GO-111.09 – *Special Investigative Services Unit and Technical Support Access*
4. GO-112.08 – *Mobile Surveillance*
5. GO-121.12 – *Forensic Services Unit*
6. GO-146.06 – *Polygraph Examination*
7. GO-192.04 – *Technological Crime Unit Services*

General Order 075.11 – *Scenes of Crime Officer*: The Scenes of Crime Officer (SOCO) supplements the duties of the Forensic Services Unit (FSU) by evaluating and investigating certain crimes as described in this order. This order establishes the guidelines for the Scenes of Crime Officer, and describes the occurrences that they are qualified to attend and other scenes that require the attendance of the FSU.

General Order 077.10 – *Canine Unit*: This order describes the responsibilities of the members of the Canine Unit and outlines the procedure for after hour call outs, as well as the type of occurrences where the use of a Canine Unit team is not suitable.

General Order 111.09 – *Special Investigative Services Unit & Technical Support Access*: This order outlines the responsibility of the unit and describes the duties of the members of the unit. These duties include physical surveillance, electronic interception, video and photographic surveillance.

General Order 112.08 – *Mobile Surveillance*: This order describes the objective of the Mobile Surveillance Unit and provides the investigator with the process to be used when requesting mobile surveillance assistance.

General Order 121.12 – *Forensic Services Unit*: This order establishes the mandate of the FSU. It provides the first responding officer with information on their responsibilities to protect a crime scene and identifies occurrences when the FSU must be notified to attend.

General Order 146.06 – *Polygraph Examination*: This order establishes the procedure and responsibilities of investigators requiring polygraph examinations to assist in investigations. This order also outlines the duties and responsibilities of the polygraph examiner.

General Order 192.04 - *Technological Crime Unit Services*: The purpose of this general order is to familiarize members with the function and capabilities of the Technological Crime Unit and to outline the procedure to be followed when requesting the services of the unit.

The Niagara Regional Police Service does not have a Behavioural Science Section but has requested and used the services of the Ontario Provincial Police Behavioural Sciences Section in past investigations.

The above mentioned Investigative Support General Orders provide the detail required to ensure that an investigator is aware of the capabilities and services that may assist in criminal investigations. These orders satisfy section 4.4.1 and 4.4.2 of the by-law.

## **Alternatives Reviewed**

Not Applicable

## **Relationship to Police Service/Board Strategic Priorities**

This report is submitted to the Board for consideration and approval of information relating to Criminal Investigation Management & Procedure in the Regional Municipality of Niagara to provide compliance with Police Services Board By-law 198-2000.

## **Relevant Policy Considerations**

- GO-020.12 – *Sexual Assault Investigations*
- GO-021.07 – *Criminal Harassment*
- GO-028.12 – *Sudden Death and Homicide*
- GO-037.08 – *Fire Calls and Arson Investigation*
- GO-060.05 – *Traffic Enforcement*
- GO-061.10 – *Impaired Driving Offences*
- GO-084.07 – *Child Abuse and Neglect*

GO-114.12 – *Domestic/Family Violence*  
GO-165.07 – *Elder and Vulnerable Adult Abuse*  
GO-173.10 – *Parental and Non-Parental Abduction*  
GO-192.04 – *Technological Crime Unit Services*  
GO-075.11 – *Scenes of Crime Officer*  
GO-077.10 – *Canine Unit*  
GO-111.09 – *Special Investigative Services Unit and Technical Support Access*  
GO-112.08 – *Mobile Surveillance*  
GO-121.12 – *Forensic Services Unit*  
GO-146.06 – *Polygraph Examination*  
GO-192.04 – *Technological Crime Unit Services*

### **Other Pertinent Reports**

18.2020 Annual Report – Criminal Investigation Management and Procedure – January 1, 2019 – December 31, 2019

*This report was prepared by Staff Sergeant Christopher Lemaich, 2 District Detective Offices in consultation with Inspector James McCaffery, 2 District Commander, and reviewed by Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.*



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**Submitted by:**

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



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Crisis Negotiation – January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-25

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### 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 245-2000 as it relates to Crisis Negotiation.
- The Chief is required to make a written annual report to the Board with respect to Crisis Negotiation.
- This report will set out a summary of the procedures required by this By-law and the status of Service compliance with the said procedures.
- The report will indicate confirmation of the development and maintenance of the manual on Crisis Negotiation.
- The report will have a summary of the circumstances in which a Crisis Negotiator was deployed.

### Financial Considerations

Not applicable.

### Analysis

In accordance with By-law 245-2000, the Chief shall make a written report to the Board each year with respect to Crisis Negotiation 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 crisis negotiation; and
- d) a summary of the circumstances in which a crisis negotiator has 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 Crisis Negotiators available within a reasonable response time to provide services seven days a week and 24 hours a day. The role of Crisis Negotiator is a part-time role performed by members assigned to other permanent positions within the Service. The Niagara Regional Police Service is in full compliance. The Service has a complement of 10 Crisis Negotiators. Due to recent transfers and succession planning, the Service has nine fully trained and operational Crisis Negotiators and one member awaiting a training opportunity prior to being deployed. All new members will be trained to meet the requirements of O.Reg.3/99. The Inspector of Emergency Services maintains the current list of qualified Crisis Negotiators. Copies of the list are located in the Duty Office and the Communications Unit and can be located electronically through the Computer Aided Dispatch System.

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

The procedures for Crisis Negotiator deployment, selection and training are clearly set out in General Order 133.08. The Service is in compliance with those procedures.

*c) confirmation of the development and maintenance of the manual on Crisis Negotiation;*

The Niagara Regional Police Service presently uses the Canadian Police College's "Guide for Incident Commanders and Crisis Negotiators" as its manual. Each Crisis Negotiator has an electronic copy as well as a hard copy. As new Crisis Negotiators attend the Canadian Police College or attend Ontario Police College accredited Crisis Negotiator training, the manual is updated.

*d) a summary of the circumstances in which a Crisis Negotiator has been deployed;*

In 2020, the attendance of a Crisis Negotiator occurred on 66 occasions. This is a marked increase from 26 incidents in 2019 and 18 incidents in 2018. This increase can be in part attributed to an improved process that ensures the safest approach to resolving critical incidents. This improvement includes proactively having Negotiators deployed in planned events, fully prepared to assist if crisis negotiations are required

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Classification of Calls	2020	2019	2018
Armed / Barricaded Persons	20	6	11
High-Risk Warrant / Arrests	39	11	1
Persons in Crisis	7	9	6
<b>Total Calls</b>	<b>66</b>	<b>26</b>	<b>18</b>

### Alternatives Reviewed

Not applicable.

### Relationship to Police Service/Board Strategic Priorities

This report is being brought forward to demonstrate the Service is meeting the requirements of By-law No. 245-2000, a By-law respecting Crisis Negotiation.

### Relevant Policy Considerations

Police Services Board By-law 245-2000, Crisis Negotiation  
General Order 133.08, Crisis Negotiators  
Policing Standards Manual (2000) ER-005 Hostage Rescue  
Policing Standards Manual (2000) ER-005 Crisis Negotiation

### Other Pertinent Reports

105.2020 – Annual Report – Crisis Negotiation – January 1 to December 31, 2019

*This report was prepared by Jamie Munro, Staff Sergeant, Emergency Services Unit and reviewed by Joe Garvey, Inspector, Emergency Services Unit and Brian Ash, Superintendent, Emergency & Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.*



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

### Appendices

Not applicable.



## NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report - Respecting Equal Opportunity, Discrimination and Workplace Harassment Prevention - January 1 – December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-04-07

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### Recommendation(s)

**That the Niagara Police Services Board receive this annual report respecting equal opportunity, discrimination and workplace harassment prevention.**

### Key Facts

- Regional Municipality of Niagara Police Services Board By-Law 331-2012 sets out the policy on equal opportunity, discrimination and workplace harassment prevention and requires that the Service provide the Board with an annual statistical report.
- A summary of the written procedures relating to equal opportunity; discrimination and workplace harassment prevention;
- Confirmation that Service members have received training on diversity and human rights;
- The number and nature of harassment complaints received in 2020 with disposition of such complaints;
- An analysis of grievance activity in 2020 that includes grievance status, outcomes and/or resolutions, and any observable trends, if they exist.

### Financial Considerations

- None

### Analysis

#### Written Procedures and Training:

In response to this By-Law the Service has prepared General Order 104.10 – Respectful Workplace Policy and General Order 222.04 – Workplace Violence that addresses the administration of occurrences deemed to be discriminating, harassing or violent in nature. Both General Orders define unacceptable behaviours, provide clear direction on reporting incidents, provide the duties and obligations of all members regardless of rank, and have procedures for the initiation of investigations for both formal and informal complaints.

All Service members are expected to be conversant with general orders, and all orders are electronically accessible on desktop computers and in each patrol vehicle's mobile data terminal. Further, the NRPS Training Unit, in cooperation with the Human Resources Unit, provides training on The Ontario Human Rights Code, and Workplace Harassment & Violence responsibilities and prevention. This training is provided for new Service hires, regular members, and during supervisor training courses.

#### Workplace Discrimination and Harassment Incidents:

In 2020, the Niagara Regional Police Service received six complaints of conduct related to discrimination or harassment in the workplace. Of these six complaints, it was ultimately determined through investigation that two complaints did not rise to the level of workplace harassment or discrimination. Three of the six complaints were substantiated as having occurred to some extent through investigation. Of these three substantiated complaints, one matter involved an offending employee of the Service and this matter has been dealt with in accordance with Service policy. The second matter involved an allegation of workplace violence. This matter was investigated accordingly and the offending member of the Service has been dealt with appropriately of which included further training on respectful workplace awareness. In the third matter, the offending individual is no longer employed with the Service. The final outstanding matter is still being assessed. It should also be noted that one discrimination or harassment in the workplace matter reported in 2019, of which was referred to an external investigator, also remains outstanding as of the date of this report.

#### Equal Opportunity Plan:

In keeping with the Service's strategic plan, the NRPS Recruiting Unit continues to seek recruitment from the diverse communities in Niagara through information sessions in partnership with community services.

In 2020, the NRPS Recruiting Unit received a total of 567 applicants for the position of police constable with 97 being female (17%) and 470 being male (83%). There were 59 new police constable recruits hired in 2020, including 13 females (22%) and 46 males (78%). Within the 59 new hires there were 8 (13.5%) recruits from a visible minority group.

As of December 31, 2020, the NRPS employed 767 sworn officers, with 133 being female which equated to 17.3% of all officer authorized strength.

#### Grievance Activity 2020:

In 2020, the Service received one formal grievance and two informal grievances all initiated by the Niagara Region Police Association. No grievances were filed by the Senior Officers Association.

The formal grievance was resolved through mediation. Of the two informal grievances, the Service and the Niagara Region Police Association have resolved both.



In terms of total formal and informal grievances received in 2020, there was a reduction by one formal grievance when compared to 2019. From 2018, one formal grievance filed by the Senior Officers Association has been withdrawn and one informal grievance filed by the Niagara Regional Police Association remains pending.

### **Alternatives Reviewed**

To not receive this report.

### **Relationship to Police Service/Board Strategic Priorities**

In pursuit of equal opportunity, and discrimination and workplace harassment prevention, the Service continues to work towards organizational excellence that can only be achieved by creating a healthy and respectful work environment that supports fairness, opportunity, a sense of belonging, and promotes diversity. The Service continues to follow a comprehensive recruitment strategy that identifies quality candidates reflective of our community.

### **Relevant Policy Considerations**

PSB Bylaw 331-2012, Equal Opportunity, Discrimination and Workplace Harassment Prevention.

General Order 104.10 – Respectful Workplace Policy.

General Order 222.04 – Workplace Violence.

### **Other Pertinent Reports**

Not applicable.

*This report was prepared by Dave Masotti, Inspector, Chief's Office, in consultation with Todd Waselovich, Inspector, Professional Development and reviewed by Bryan MacCulloch, Chief of Police.*



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#### **Submitted by:**

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

### **Appendices**

Not Applicable.



# **NIAGARA REGIONAL POLICE SERVICE**

## **Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Annual Report – Firearms Training – January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-18

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### **Recommendation(s)**

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

### **Key Facts**

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

### **Financial Considerations**

Not applicable.

### **Analysis**

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

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

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

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

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

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

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

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

GO 053.22 - Use of Force  
GO 089.07 - Emergency Task Unit  
GO 095.10 - Major Incidents and Routine Criminal Investigations  
GO 114.12 - Domestic/Family Violence  
GO 117.09 - Search and Seizure  
GO 121.12 - Forensic Services Unit  
GO 035.13 - Evidence and Property Management

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

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

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

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

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

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

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

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

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

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

The Video Unit has produced several training programs that are a blend of video, instructional narrative, and question/answer modules specific to the topic of firearm related investigations. Titles include Firearms 101 (Feb 2002); Characteristics of an Armed Person (Nov 2005); Seized Firearms Safety (Dec 2006); Firearm Seizures (Aug 2010); Containment for Patrol (2017) and Prohibited Weapons (2020). All of these training

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

### **Alternatives Reviewed**

Not applicable.

### **Relationship to Police Service/Board Strategic Priorities**

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

### **Relevant Policy Considerations**

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

### **Other Pertinent Reports**

82.2020 – Annual Report – Firearms Training – January 1 to December 31, 2019.

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



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#### **Submitted by:**

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

### **Appendices**

Not applicable



# **NIAGARA REGIONAL POLICE SERVICE**

## **Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Annual Report – Marine Unit – January 1 to December 31, 2020  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2021-03-29

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### **Recommendation(s)**

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

### **Key Facts**

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

### **Financial Considerations**

Not applicable.

### **Analysis**

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

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

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

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

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

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

The Niagara Regional Police Service Marine Unit is fully compliant with the policies and regulations as prescribed by the General Order, Criminal Code, and the Canada Shipping Act 2001. The 2020 Marine Unit is staffed with one Sergeant and six Constables. A current list of Marine Unit personnel is maintained by the Inspector of Emergency Services. An additional seven School Resource Officers are certified as coxswains to assist the Marine Unit with summer coverage in July and August.

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

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

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

In 2020, the Marine Unit participated in national marine security initiatives by providing support to the RCMP/U.S. Coast Guard Shiprider initiative through a Memorandum of Understanding between the NRPS and RCMP providing a senior member for projects and information sharing.

Members of the Marine Unit provided support to Niagara Parks Police and Niagara Falls Fire Department through the use of equipment and personnel for Swiftwater Rescues in the Niagara Gorge.

The Niagara Regional Police Service Marine Unit provides support to the Joint Rescue Co-ordination Center (JRCC) and the Canadian Coast Guard (CCG) with search and rescue incidents on Lake Ontario, Lake Erie, Niagara River, and Welland River. During the 2020 season, the Marine Unit responded to 132 dispatched, JRCC and CCG requests including the search for missing persons as well as stranded, disabled, abandoned and overdue vessels.

The members of the Marine Unit are also part of the Services Hostage Rescue Team compliment and are referred to as the Tactical Support Group (TSG). In 2020 the members of the Marine Unit responded to 70 Emergency Task Unit operational requests that consisted primarily of ground searches, armed persons, and high risk warrant support.

The following operational chart has been included in order to show the activities of the Marine Unit over the past three years. Water-Related calls for service include search and rescue operations and missing persons investigations in proximity to water. Front line calls for service include police response to incidents while Marine Unit officer are redeployed to general patrol.

The increase in water related calls, water related enforcement and Search and Rescue calls in 2020 may be related to a significant increase in boating activity during the COVID restrictions of citizen's other recreational options.

The increase in front line redeployment calls for service since 2018 can be attributed to members of the Marine Unit being fully accredited, requiring less training resulting in more availability for redeployment.

The 2019 search and rescue calls were significantly lower than typical years due to high water levels making access to waterways by vessel difficult.

	2020	2019	2018
Calls for Service – Water-Related	132	90	72
Calls for Service – Front Line Redeployment	691	665	304
Provincial Offence Notices – Water Related	332	188	211
Arrests	3	9	13
Community Public Safety Events	3	12	12
Search & Rescue Calls	50	17	57
TSG calls for service	70	39	20
Explosives Disposal calls	5	5	4



### **Alternatives Reviewed**

Not applicable.

### **Relationship to Police Service/Board Strategic Priorities**

Not applicable.

### **Relevant Policy Considerations**

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

### **Other Pertinent Reports**

85/2019 Annual Report – Marine Unit – January 1 to December 31, 2019.

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



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#### **Submitted by:**

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

### **Appendices**

Not applicable.



## NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Policing Aboriginal Occupations and Protests  
January 1, 2020 – December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-10

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### 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 324-2012 as it relates to policing Aboriginal occupations and protests.
- The Chief is required to make a written annual report to the Board with respect to policing Aboriginal occupations and protests.
- This report is submitted to provide the Board with the necessary and required information relating to the Service's written procedures and response to Aboriginal occupations and protests.

### Financial Considerations

Not applicable.

### Analysis

The Niagara Regional Police Service (the Service) has written policies that establish procedures and responsibilities for all members in the policing and management of Aboriginal occupations and protests within the Region of Niagara. These policies appear in General Order 230.03, entitled *Policing Aboriginal Occupations & Protests*. It is the policy of the Service to protect the individual rights guaranteed within federal and provincial laws, inclusive of those specifically respecting the rights of Aboriginal persons of Canada as set out in the Canadian Charter of Rights and Freedoms.

The Service recognizes that conflicts may arise as Aboriginal communities and various levels of government work to resolve outstanding issues associated with matters such as land claims, self-determination and Aboriginal or treaty rights. It is the role of the Service to make every effort prior to an event to understand the issues and to protect the rights of all involved parties throughout the incident.

*Aboriginal occupation* means: the seizure and control of an area of land arising from assertions of Aboriginal or treaty rights by members of an Aboriginal group (General Order 230.03)

*Aboriginal trust* means: a physical demonstration related to assertions of Aboriginal or treaty rights by members of an Aboriginal group. (General Order 230.03)

In accordance with By-law No. 324-2012, the Chief shall make a written report to the Board each year in respect to Policing Aboriginal Occupations and Protests, and that report shall include the following:

- a) a summary of the procedures as required by this By-law;**
- b) the status of Service compliance with the said procedures;**
- c) a summary of the training given to members with respect to policing Aboriginal occupations and protests;**
- d) a summary of any incidents of police response to Aboriginal occupations and protests; and**
- e) a summary of the steps taken by the Service to monitor and evaluate response to Aboriginal occupations and protests.**

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

- a) "... a summary of the procedures as required by the By-law..."**

General Order 230.03, entitled *Policing Aboriginal Occupations and Protests*, provides guidelines and procedures regarding the Service's response to Aboriginal occupations and protests. This Order came into effect on January 28, 2014 and was updated in May 2018.

General Order 230.03 includes the following information:

- 1. Policy (Section 1.0)
- 2. Definitions (Section 2.0)
- 3. Procedures (Section 3.0)
  - Role of Service members

The Order places emphasis on officers to remain neutral, build trust, and use communication skills through negotiation, mediation, and dispute resolution.

With regard to Aboriginal communities, the Aboriginal Liaison Officer will: build trust, maintain contacts, remain current on issues, facilitate communications, and provide advice to the Service Executive and Incident Commanders.

The Order provides direction for Incident Commanders in the event of an Aboriginal occupation or protest, including multiple aspects of communication, mediation and arrangement of appropriate resources.

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

The Service maintains two Aboriginal Liaison Officers and two Provincial Liaison Team Officers. These officers fulfill the requirements of and maintain compliance with the Order.

The Ontario Provincial Police (OPP) developed and maintains a Provincial Liaison Team (PLT). The Service currently has two members involved as part of this team, to ensure police respond effectively and efficiently to major events involving First Nations. PLT members work with all involved parties leading up to and during these events to facilitate safe and lawful environments for the exercise of the rights to freedom of speech and peaceful assembly.

**c) "... summary of training given to members ..."**

Aboriginal Liaison Officers receive training in Aboriginal awareness (facilitated through the OPP), diversity and diversity related issues (facilitated through the Ontario Police College), and they attend the Fort Erie Native Centre for Aboriginal sensitization workshops. Training is periodically updated through courses, conferences, or workshops.

PLT officers receive training through the OPP on Aboriginal issues, diversity, culture, and effective management of disputes and protests. Training is periodically updated through courses, conferences, or workshops.

**d) "... summary of any incidents of police response to Aboriginal occupations and protests ..."**

In 2020 there were no Aboriginal protests within Niagara. On November 3, 4, 26 and 27, 2020, and December 10, 11, 17 and 18, 2020, the Ontario Government honoured the treaty rights of local Aboriginal communities (Haudenosaunee First Nations) by authorizing a traditional Aboriginal deer harvest at Short Hills Provincial Park in St. Catharines. As this location is a Provincial Park, the OPP retained primary jurisdiction over the event, assisted by the Ministry of Natural Resources (MNR). A separate report, entitled *Short Hills Provincial Park – 2020-2021 Deer Harvest and Associated Policing Costs* has also been submitted for the March 2021 Police Services Board meeting.

**e) "... summary of steps taken to monitor and evaluate police response..."**

To ensure the Service continues to monitor and evaluate responses:

General Order 230.03, entitled *Policing Aboriginal Occupations and Protests*, is readily available and is the responsibility of all members to be cognizant of, and to comply with.

It is the responsibility of Aboriginal Liaison Officers, to monitor and evaluate police response and identify incidents and issues which will be reported through the Chain of Command. Each incident or issue will be assessed, and the appropriate resources applied.

### **Alternatives Reviewed**

Not applicable

### **Relationship to Police Service/Board Strategic Priorities**

Not applicable.

### **Relevant Policy Considerations**

Police Services Board By-law 324-2012

General Order 230.03 Policing Aboriginal Occupations and Protests

### **Other Pertinent Reports**

143.2020 Annual Report – Policing Aboriginal Occupations and Protests – January 1, 2019 to December 31, 2019.

Police Service Board Report - Short Hills Provincial Park – 2020-2021 Deer Harvest and Associated Policing Costs (Item 7.16, March 25, 2021, Regular Public Board Meeting)

*This report was prepared by Staff Sergeant Eric Ellwood, 5 District Commander, reviewed by Inspector James McCaffery, 2 District, Commander, and Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.*



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#### **Submitted by:**

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

### **Appendices**

Not applicable



# **NIAGARA REGIONAL POLICE SERVICE**

## **Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Annual Report – Proceeds of Crime – January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-19

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### **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 233-2000 – Proceeds of Crime.
- By-Law 233-2000 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 the Board with the necessary and required information relating to the Service's response to proceeds of crime investigations.

### **Financial Considerations**

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

### **Analysis**

In accordance with By-Law 233-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of investigations into proceeds of crime.

The report shall include:

- a) A summary of the written procedures concerning proceeds of crime investigations;
- b) The status of Service compliance with the said procedures; and
- c) The amount of proceeds of crime seized, and the disposition of such proceeds.

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

- a) *“...a summary of the written procedures concerning proceeds of crime investigations...”*

The Service has one General Order that addresses the requirements of Provincial Adequacy Standards Regulations LE-041 and Niagara Regional Police Services Board By-Law 233-2000. General Order 110.07 – Proceeds of Crime and Offence Related Property was created to address the requirements of the Provincial Adequacy Standards Regulation. It establishes definitions, duties and responsibilities as well as the internal reporting process.

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

General Order 110.07 Proceeds of Crime and Offence Related Property is scheduled to be reviewed every two years to ensure continued compliance with By-Law 233-2000 and the corresponding Adequacy Standards. The General Order was reviewed in 2021 with minimal amendments that are pending final approval.

The mandate of the NRPS Proceeds of Crime/Asset Forfeiture Unit is to prosecute persons associated with the accumulation of assets derived from criminal activity throughout the Niagara Region and elsewhere in the Province of Ontario; and to identify, seize and cause to be forfeited those criminal assets.

A Proceeds of Crime Program is an essential component to successfully identify and seize assets associated to criminal organizations and individuals who profit substantially from criminal acts. In order to enhance and restore this component of major criminal investigations, a budgeted Proceeds of Crime Investigator was assigned to Special Investigative Services in September 2018. Shortly thereafter, this officer became part of the Provincial Asset Forfeiture Unit led by the Ontario Provincial Police.

- c) *“...the amount of proceeds of crime seized, and the disposition of such proceeds...”*

In 2020 the Service's Special Investigative Services (S.I.S.) - Proceeds of Crime Unit was involved in several major investigations. S.I.S. is responsible for the collection and submissions to the Seized Property Management Directorate (SPMD) of smaller assets seized during local investigations within the Niagara Region. During 2020, approximately \$2,696,890.00 in Canadian currency was seized, real estate totalling approximately \$8,800,000.00 was seized, and approximately \$311,000.00 in total vehicle seizures. The majority of these seizures continue to be held, awaiting judicial direction on forfeiture.

In particular, an illegal cannabis investigation dubbed Project Woolwich resulted in the seizure of \$2,533,255.00 in Canadian funds, \$18,578.00 in U.S. funds and \$379,383.00 in Chinese and South Korean Funds (seized as Offence Related Property). Furthermore,

a cannabis production facility in west St. Catharines was restrained in July of 2020 (NRPS GO #20-59117). The property's value was estimated at \$3,500,000.00 and it's related grow equipment was seized and valued at approximately \$102,460.00.

In 2020, members of the Proceeds of Crime/Asset Forfeiture Unit forwarded \$347,662.94 of forfeited cash to SPMD. This forfeited cash was as a result of seizures and judicial orders made prior to 2020.

The SPMD administers all seized property, and after disposition hearings (or other judicial orders), the property (excepting cash seizures) is liquidated. At times, Police Services can apply for various federally and provincially administered grants in an effort to access some of the funds for various enforcement or community safety initiatives. Seizures of cash and other assets forwarded to the SPMD by each Police Service are taken into consideration when decisions on granting funds are made.

The Proceeds of Crime/Asset Forfeiture portfolio for the Niagara Regional Police Service has met its performance objectives in accordance with Provincial Adequacy Standards.

### **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 233-2000 – Proceeds of Crime  
General Order 110.07 – Proceeds of Crime and Offence Related Property  
Provincial Adequacy Standards Regulation, Law Enforcement 041 – Proceeds of Crime

### **Other Pertinent Reports**

55.2020 Annual Report – Proceeds of Crime - 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 and Brian Ash, Superintendent, Emergency and Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.*



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**Submitted by:**

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

**Appendices**

Not applicable.



## NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report - Robbery Investigations  
January 1 – December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-02-17

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### Recommendation

**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 234-2000, Robbery Investigations;
- The Chief is required to make an annual written report to the Board concerning robbery investigations;
- This report is submitted to provide the Board with the necessary and required information relating to the Service's written procedures concerning robbery investigations.

### Financial Considerations

Not applicable.

### Analysis

By-law 234-2000, A By-law Respecting Robbery Investigations, was enacted as a result of *Provincial Adequacy Standards Regulation, Law Enforcement LE-042 – Robbery Investigations*. This By-law details specific requirements that are reported as follows:

The Chief of Police shall make a written report to the Board on or before August 30 of each year in respect of investigations into robbery occurrences. The report shall include:

- a) a summary of the written procedures concerning Robbery investigations; and
- b) the status of Service compliance with the procedures.

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

- a) “...a summary of the written procedures concerning Robbery investigations...”

General Order – 095.10 – *Major Incidents and Routine Criminal Investigations* was prepared and approved to comply with the *Provincial Adequacy Standards Regulation, Law Enforcement 042 – Robbery Investigations*.

In summary, this Order is intended to familiarize police officers with the duties and responsibilities necessary to conduct routine criminal investigations, while also outlining the process to be followed when involved in incidents considered to be of a major nature. The Order mandates that it is the responsibility of personnel assigned to the District Detective Services Unit to conduct robbery investigations.

General Order – 091.07 – *Alarms/Robbery Investigations*, was prepared and approved to comply with the *Provincial Adequacy Standards Regulation, Law Enforcement LE-042 – Robbery Investigations*.

In summary, this Order details the procedure to be followed when members respond to an alarm from a financial institution.

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

A wide range of specialized training is required and has been provided to investigators engaged in robbery investigations. Basic criminal investigative training is provided to members engaged in conducting various types of investigations. This training is delivered through the Ontario Police College (OPC) Criminal Investigator Training (CIT) course, with the course curriculum designed to include components related to robbery investigations. The Service’s Training Unit will host this satellite course. Members also have the opportunity to attend this course at the OPC and neighboring police services as positions become available. In 2020, thirty-nine (39) officers received CIT training (*Source – NRPS Training Unit*).

Investigators assigned to District Detective Services Units also receive Ontario Major Case Management training as space becomes available. This two-week course provides specialized training to ensure compliance with the *Ontario Major Case Management Manual* and to standardize investigative procedures across the Province. Components of this course include: fundamentals of Major Case Management (MCM), crime scene management, search and seizure and judicial authorization to intercept private communications, strategic approach to investigative interviewing and statement admissibility, behavioral sciences, dangerous offenders, search incident command, the role of the Coroner, media / public appeals, and victim issues.

The Service’s Training Unit conducts a satellite MCM course on an annual basis. Positions for a number of Service members are allotted in each class to provide training for NRPS members. In the past, additional members have also attended courses provided at the OPC and by neighboring police services. In 2020, eleven (11) NRPS officers received MCM training. (*Source – NRPS Training Unit*)

Other training in robbery investigations is also provided to select members through approved seminars and conferences.

The initial uniform patrol response to a reported robbery is in accordance with the procedures established in Order – 095.10 – *Major Incidents and Routine Criminal Investigations* and Order – 091.07 – *Alarms/Robbery Investigations*. Compliance is ensured by the oversight of the Uniform Patrol Sergeant at these occurrences, and a review of the completed initial reports by the Uniform Staff Sergeant.

Robbery investigations are forwarded to Detective Services Units for continued investigation. Detectives respond to the scene for this purpose, and further ensure compliance with established procedures. A Detective Sergeant or Detective Staff Sergeant (as the case may be) assigns investigations, reviews initial and supplementary reports and provides an additional level of quality control and compliance monitoring.

The following chart helps illustrate compliance with the written procedures by detailing the number of Robbery investigations conducted by the NRPS over the last five years and the manner in which they were cleared. (Source-2 District Analyst S. Valstar)

Year	Robberies	Unfounded	Cleared by Charge	Cleared Otherwise	Unsolved
2016	141	16	64	4	57
2017	168	19	69	4	76
2018	171	11	73	3	84
2019	157	7	57	3	90
2020	195	15	79	4	97

**\*\*Statistics current as of February 17, 2021.**

**\*Note:** Based on recommendations from the Police Information and Statistics (POLIS) Committee, some of the UCR Incident Clearance Status Options were changed in 2018. These changes may contribute to minor differences in the number of investigations that were cleared otherwise or unsolved, but they would not affect the investigations that were cleared unfounded or cleared by charge.

## Alternatives Reviewed

Not Applicable.

## Relationship to Police Service/Board Strategic Priorities

This report is submitted to the Board for consideration and approval of information relating to robbery investigations in the Regional Municipality of Niagara to provide compliance with Police Services Board By-law 234-2000.

## **Relevant Policy Considerations**

Police Services Board By-law No. 234-2000 Robbery Investigations.

General Order 095.01 - Major Incidents and Routine Criminal Investigations.

General Order 091.07 – Alarms/Robbery Investigations.

Provincial Adequacy Standards Regulation, Law Enforcement LE-042 – Robbery Investigations.

## **Other Pertinent Reports**

26-2020 - Annual Report - Robbery Investigations – January 1 to December 31, 2019.

*This report was prepared by Staff Sergeant Christopher Lemaich, 2 District Detective Offices in consultation with Inspector James McCaffery, 2 District Commander, and reviewed by Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.*



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**Submitted by:**

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

## **Appendices**

Not applicable.



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Secure Holsters – January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-24

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### Recommendation(s)

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

### Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 269-2005 – Secure Holsters.
- The Chief is required to make an annual written report to the Board with respect to Secure Holsters
- This report sets out a summary of procedures required by this By-law and the status of Service compliance with those procedures.

### Financial Considerations

Not applicable.

### Analysis

In accordance with By-law 269-2005, the Chief shall make a written report to the Board on or before August 30th of each year with respect to the secure holster equipment for police service firearms. The report shall contain:

- a) a summary of the written procedures relating to secure holster equipment for police service firearms;*
- b) the status of Service compliance with the said procedures; and*
- c) confirmation that members have been trained in accordance with section 4.2.*

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

- a) a summary of the written procedures relating to secure holster equipment for police service firearms;*

The Niagara Regional Police Service General Order 053.22 "Use of Force" section 3.51 adequately addresses the provision, use and function of secure holster equipment.

In preparing the written guidelines, the Service considered the following legislations:

Police Services Act - Ontario Regulation 926 – Equipment and Use of Force

Police Services Act - Ontario Regulation 268/10 - General

Police Services Act - Ontario Regulation 3/99 – Adequacy and Effectiveness of Police Services

The Occupational Health and Safety Act, R.S.O.1990

The specifics of the written direction are as follows:

- (a) All police officers, whether assigned to uniform or plainclothes duties, shall be issued with and receive appropriate training on the use of a secure holster that is designed to meet the needs of their particular assignment, in compliance with the requirements of the Policing Standards Manual;
- (b) Police officers issued with a secure holster shall:
  - i) use the holster in accordance with the manufacturer's instructions and the prescribed training;
  - ii) maintain and care for the holster in accordance with the manufacturer's instructions and prescribed training;
  - iii) regularly inspect their issued secure holster for damage or defect; and,
  - iv) Immediately report to their supervisor the absence of, or defect detected in any article of equipment or protective device issued to them, including their secure holster.
- (c) All officers, while wearing their issued uniform duty belt with a secure holster, shall wear the four (4) issued duty belt keepers. One shall be positioned directly in front of the secure holster and one directly to the rear of the secure holster.
- (d) Upon being made aware of the absence of, or defect detected in any article of equipment or protective device issued to a member under their command, a supervisor shall cause an investigation into the matter if appropriate and arrange for the absent or defective equipment to be replaced without delay (unless there is cause not to replace the equipment);

- (e) In accordance with the provisions of the Ontario Health and Safety Act, supervisors shall ensure that members under their command properly use and care for issued secure holsters. To accomplish this, supervisors shall routinely examine holsters during line inspections or other suitable opportunities and reinforce the requirement for members to maintain and care for this equipment as outlined in this General Order;
- (f) During annual Use of Force refresher training, secure holsters shall be examined for defects in compliance with the Policing Standards Manual, by members holding a designation from the Province as a "Use of Force Trainer." Any defects discovered will be addressed in accordance with this section.

In addition, General Order 048.08 entitled "Uniform and Equipment Supply" Section 3.8 - Inspection of articles of uniform and equipment:

Supervisors shall inspect articles of uniform and equipment issued to members, ensuring that the articles are serviceable.

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

The Chief of Police has established an "Equipment Committee" comprised of representatives from the general membership, Quartermaster Stores, Niagara Region Police Association, Senior Officer Association and representation from the Training Unit. This Committee endorsed the acquisition of the secure holster manufactured by Safariland. The Safariland model ALS 6360 level 3 secure holster meets the needs of the Service and complies with the Adequacy Standards AI-014. Ministry accredited "Use of Force" trainers working within the Training Unit evaluated the ALS 6360 holster and deemed it to be suitable for Service members. In addition, a low profile version identified as Safariland model ALS 6377 was acquired for use in plain clothes deployment and specialty units.

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

The responsibility of ensuring that all members are properly trained in the use, care and function of the secure holster rests with the members of the Training Unit. The members of the Training Unit who facilitate firearms and holster training are Ministry accredited "Use of Force" trainers as required by the Adequacy Standards.

The secure holster training begins with new recruits. Prior to attending the Ontario Police College, the recruits are trained on proper fitting, use and maintenance of their Safariland 6360 level 3 & 6377 ALS level 2 police duty holsters. They are also issued the Safariland Owner's Manual for the said holster. An entire 90-minute period is devoted to belt equipment and holster fitting. Recruits also receive an additional 10 hours of pistol training, during which they receive instruction on the use, function and limitations of the



issued Safariland holsters. Recruits are also provided with a molded plastic Glock 22 training pistol to practice holster functions.

Firearms facilitators at the Ontario Police College ensure that secure holster and firearms training are reinforced for 13 weeks. Successful completion of Firearms and Defensive Tactics training under supervision of qualified use of force facilitators at the Ontario Police College is required of all officers.

Mandatory annual Use of Force requalification sessions provided by the Training Unit ensure that members demonstrate confidence and competence in the use and function of their duty holster. These sessions also provide the opportunity to inspect issued belts, holsters and equipment under the supervision of instructors. If problems are found they are corrected, or new equipment is issued. Supervisors are made aware of their responsibilities in regards to inspection and maintenance to equipment issued to members under their command. These inspections are ongoing and will be completed during the next reporting period (2021) due to implemented safety measures in place for Covid-19. These safety measures have slowed the ability for our members to attend the Training Unit. Although all holsters have not been inspected by the Training Unit, they are inspected by the members on a daily basis according to Uniform and Equipment Supply General Order 48.08, as well as during routine line inspection by the member's supervisor.

Attendance records for annual requalification training are maintained by the Training Unit.

The Safariland police duty holsters continue to meet all expectations of the Service. Members continue to benefit from the continuity of equipment throughout the Service between uniform and specialty units. Members of the Service have demonstrated confidence and competence in the use and function of their issued police duty holsters.

### **Alternatives Reviewed**

Not applicable.

### **Relationship to Police Service/Board Strategic Priorities**

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

### **Relevant Policy Considerations**

Board By-law 269-2005

Provincial Adequacy Standard AI-014

Niagara Regional Police Service – General Order 053.22, "Use of Force"

Niagara Regional Police Service – General Order 048.08, "Uniform and Equipment Supply"

## Other Pertinent Reports

58.2020 Annual Report – Secure Holsters – January 1 to December 31, 2019

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



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**Submitted by:**

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

## Appendices

Not applicable



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Skills Development and Learning Plan – January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-18

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### Recommendation(s)

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

### Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 250-2000 – A By-law respecting the Skills Development and Learning Plan (AI-002).
- The Chief is required to ensure that the Skills Development and Learning Plan ensures the development and maintenance of knowledge, skills and abilities of members consistent with Ontario Regulation 3/99 and is reviewed on an annual basis and amended as required.
- This report sets out a summary of the Plan as called for in the reporting requirements of the By-law.

### Financial Considerations

Not applicable.

### Analysis

The By-law details specific requirements that are to be reported on by the Chief as follows:

- a. a summary of the Skills Development and Learning Plan; and
- b. the status of Service compliance with the said Plan.

The following is a detailed response to the above requirements:

- a. a summary of the Skills Development and Learning Plan*

The objective of the Skills Development and Learning Plan is to ensure the highest quality service to the residents and visitors of the Niagara Region by identifying, developing and effectively utilizing the knowledge, skills and abilities of our members. The plan focuses

on staff development in a planned, coordinated and continuous manner to optimize efficiency and promote safety, professional confidence and effective operations. Through the plan, the Service acknowledges the responsibilities it shares with members, supervisors and senior leaders for the development and maintenance of knowledge, skills and abilities to ensure the provision of adequate and effective policing.

#### Implementation of a Program to Coach or Mentor New Officers

General Order 017.06 – Coach Officer. This General Order sets out the procedure and criteria for senior staff in the selection process for Coach Officers. Coach Officers are selected once it has been identified that they possess the knowledge, experience and competencies to convey the best philosophies of the Police Service. The officers also serve as positive role models for Recruit Constables. Coach Officers' responsibilities are to observe the duties performed by the Recruit Constable over a minimum 60 working days. The Coach Officer provides guidance, direction and correction as needed.

The Coach Officer regularly reports to the Supervisor in charge of the platoon, with regard to the Recruit's performance. A Recruit Field Training Manual is completed by the Recruit and Coach Officer on a daily basis. At specified intervals (15, 30 and 60 days) a progress report is completed by the Coach Officer and Supervisor, then reviewed by the District Commander and Superintendent of District Operations.

The assessment is a comprehensive review of the Recruit's progress in relation to the identified core competencies i.e. Knowledge of the law, Officer Safety, Police Vehicle Operations, etc. Any identified deficiencies are dealt with immediately or through planned training activities.

A quarterly performance appraisal is also completed, initially by the responsible Coach Officer with subsequent quarterly appraisals by the recruit's immediate supervisor, throughout the first year of the recruit officer's probationary period.

At the completion of the coaching period, a final report is completed by the Coach, Sergeant and Staff Sergeant. This comprehensive review summarizes the Recruit's demonstrated knowledge, skills and abilities, and recommends either completion or extension of the field training stage of learning.

The completed Field Training Manual is forwarded through the Chain of Command to the Deputy Chief of Operations who will determine the suitability for independent placement.

#### Police Service's Criminal Investigation

Through the Career Development Officer in consultation with District and Unit Commanders each Criminal Investigative position within the Service has knowledge, skills and abilities identified. Officers are required to present with an acceptable level of KSA's in order to apply for a Criminal Investigative position. Those selected and assigned to Criminal Investigative positions will continue to enhance their skills development. In consultation with the District and Unit Commanders, the Superintendent of Executive Services and the Training Unit determine the assignment of the skill development courses

for criminal investigations that are held at both the Ontario Police College and the Canadian Police College.

- District Detective Offices
- Sexual Assault Unit
- Domestic Violence Unit
- Internet Child Exploitation Unit
- Investigative Analysis
- Cyber Crime Unit
- Homicide Unit
- Child Abuse Unit
- Intelligence Unit
- Centralized Fraud
- Offender Management Unit
- DNA Unit

The Niagara Regional Police Service provided several opportunities for members of investigative units to attend the Ontario Police College and/or the Canadian Police College to become qualified, re-qualified and to further develop their skills through various courses. Below are examples of courses routinely attended by members of the Service:

- Sexual Assault Investigation
- Search Warrant
- Investigating Offences Against Children
- IACP: Leadership in Police Organizations
- Investigative Interviewing Techniques
- Criminal Investigators Training
- Investigating Offences Against Children
- CEW Master Trainer
- Coaching Police Professionals
- Digital Technologies for Investigators (DTIC)
- Death Investigation
- Homicide Investigations
- Human Trafficking Investigation
- Drug Investigation
- Facilitating and Assessing Police Learning
- Ontario Major Case Management
- Managing Investigations Using Powercase

The Niagara Regional Police Service Training Unit provides the main source of all skills and knowledge development, through competent instructors who themselves have to be certified by the Ontario Police College. Throughout 2020, the Training Unit offered several courses pertaining to a variety of subjects. The majority of these courses were directed towards the members of the Niagara Regional Police Service, but on occasions where space permitted classes were supplemented by members of outside police agencies. The following are courses either instructed or facilitated by the Training Unit:

- Crown Brief Training
- Coach Officer Course
- Special Constable UOF In Service Training
- Shotgun Qualification & Requalification
- Search Warrant Course
- Criminal Investigators Training
- Use of Force Trainer
- CEW Master Trainer
- C8 Qualification & Requalification
- NRPS Supervisor Course
- Police Bicycle Qualification & Bicycle Refresher
- PEACE Model Interviewing
- Supervisor R2MR
- UOF & Firearms
- CEW Qualification & Requalification
- Domestic Violence Investigators Course

### Investigative Support Functions

Those areas designated by adequacy as providing an Investigative Support function include scenes of crime analysis, forensic identification, canine tracking, technical collision investigation and reconstruction, breath analysis, physical surveillance, electronic interception, video and photographic surveillance, polygraph and behavioral science.

Those members who are assigned to Investigative Support functions must possess the required knowledge, skills and abilities in order to enter into any of these specialty positions. Once assigned these Investigators continue to develop their skills through attendance at accredited training. In many cases, designations, basic qualification and regular requalification is required and provided. Depending on the field of specialty such training may be provided in-house through the Training Unit, individual support unit, CISO, the Ontario Police College and/or the Canadian Police College.

- Applied Forensic Videography
- Advanced Friction Ridge Analysis
- Basic Bloodstain Pattern Recognition
- Forensic Identification Officer
- Forensic Collection and Recovery of Human Remains
- Forensic Shooting Scene Examination
- Using the Internet as an Intelligence Tool (INTINT)
- Standardized Field Sobriety Testing (SFST)
- Technical Collision Investigation Level III
- Scenes of Crime officer (SOCO)

### Public Order Unit

The Niagara Regional Police Service has a protocol agreement with the Hamilton Police Service and the Waterloo Regional Police Service for the providing of these services when called upon.

### Emergency Response

Regulation 3/99 – Adequacy and Effectiveness of Police Services defines those units that may provide an emergency response function as Tactical Unit; Hostage Rescue Team; Major Incident Commanders; Crisis Negotiators; Police Explosive Forced Entry Technicians; Explosive Disposal Technicians. The Emergency Service Unit provides emergency response on a daily basis for the Service. Members that are assigned to emergency services must possess the knowledge, skills and abilities as prescribed by the adequacy standards. They are also provided with a high level of training both internally and externally to meet with current requirements according to international, national and provincial standards. Ministry accredited training is conducted in-house to develop new members of the Emergency Task Unit to the accepted standards for Hostage Rescue.

General Order 089.07 – Emergency Task Unit details the procedures and training for the Service in incidents involving emergency situations.

The majority of training required for Major Incident Command, Negotiators and Explosives is provided through the Canadian Police College. Officers who are engaged in such activities are required to maintain their qualifications through continuous training both internal and external and through practical work in the field.

- Critical Incident Commanders
- Crisis Negotiators
- Police Explosives Technicians Course
- Critical Incident Scribe
- Crisis Negotiators - Refresher
- Explosives Familiarizations Course (EFC)

The Niagara Regional Police Service also has given the opportunity for members to develop professionally through the achievement of a higher level of formal education, as per the policy of the Tuition Assistance Program General Order, 011.10. Throughout 2020 courses were taken by 27 sworn members and 10 civilian members. These courses were for the completion of University Degrees and College Diplomas in a variety of police and business related topics.

The Niagara Regional Police Service is committed to the continuous development of our sworn and civilian members. As such the Career Development Officer and Training Unit continue to refine and update the Skills Development and Learning Plan to provide a framework for short and long range career planning for members to ensure proper development and training at each stage of their career.

*b. the status of Service compliance with the said Plan*

The Niagara Regional Police Service is in compliance with Board Bylaw 250-2000 A By-law respecting the Skills Development and Learning Plan as well as Ontario Regulation 3/99 Adequacy and Effectiveness of Police Services.

## **Alternatives Reviewed**

Not applicable.

## **Relationship to Police Service/Board Strategic Priorities**

The Skills Development and Learning Plan directly supports the Board's Strategic Objective 3.4 Enhance employee training and development as stated in the 2019-2021 Strategic Plan.

## **Relevant Policy Considerations**

- By-law No. 250-2000 – Skills Development and Learning Plan (AI-002)
- Ontario Regulation 926 – Equipment and Use of Force

- General Order 030 – Training and Career Development
- General Order 017 – Coach Officer
- General Order 089 – Emergency Task
- General Order 011 – Tuition Assistance Program

### **Other Pertinent Reports**

114.2020 – Annual Report – Skills Development and Learning – January 1 to December 31, 2019

*This report was prepared by Jay Nesbit, Staff Sergeant, Career Development, and reviewed by Todd Waselovich, Inspector Labour Relations and Career Development, and by David Meade, Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.*



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**Submitted by:**

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

### **Appendices**

Not applicable.





# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Stolen or Smuggled Firearms  
January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-03-23

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### 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 211-2000 – Stolen or Smuggled Firearms.
- By-Law 211-2000 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 the Board for review and consideration of information relating to Stolen or Smuggled Firearms by the Niagara Regional Police Service.

### Financial Considerations

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

### Analysis

In accordance with By-Law 211-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of stolen or smuggled firearms. The report will contain:

- a) A summary of the written procedures concerning investigations into stolen or smuggled firearms; and
- b) The status of Service compliance with the said procedures.

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

- a) *“...a summary of the written procedures concerning investigations into stolen or smuggled firearms...”*

Written procedures regarding stolen and smuggled firearms are found in General Order 175.06 FIREARMS – Investigations/Seizure/Property/Maintenance. This General Order gives officers specific instructions on firearm investigational procedure in the various circumstances they may encounter.

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

The procedures, duties and responsibilities as set out in General Order 175.06 - FIREARMS – Investigations/Seizure/Property/Maintenance ensure that the Service is compliant with the Provincial Adequacy Standards Regulation LE-019.

The Niagara Regional Police Service has assigned a member of the Service to the Provincial Weapons Enforcement Unit on a full-time basis and is therefore able to effectively satisfy the provisions of the General Order. The assigned member deals with local firearms issues as well as being involved in investigative projects across Ontario and into the United States.

Training initiatives instituted by the Province and by the Service have ensured a regular review of the above-noted requirements by Service members. The recruit training process and the coach officer training processes ensure that new Service members, upon being appointed, obtain knowledge of and comply with the requirements of the General Order and the policies associated to it.

The following is a brief overview and yearly comparison illustrating the number of firearms seized, reported lost or stolen firearms, and firearms sent for disposal through the Niagara Regional Police Service:

	2018	2019	2020
<b>Seized Firearms</b>	663	672	565
<b>Reported lost/stolen</b>	91	71	*17
<b>Sent for Disposal</b>	320	368	370

\* The reduction in the number of Reported Lost/Stolen Firearms for 2020 is not attributed to any Service initiatives but it is believed to be the result of Covid-19 Stay at Home Orders.

Seized firearms include seizures resulting from criminal investigations, found firearms, firearms voluntarily submitted to police for disposal, firearms seized as a result of a Judicial Order and firearms seized by members of the Canada Border Services Agency.

Not all firearms are subject for disposal upon seizure. Firearm(s) that are deemed as evidence and form the basis of a criminal charge must be retained until the court process

has been completed. Upon conviction, the courts can order that the item be sent for destruction. In the absence of any such order, the item must be returned to the owner and/or depending on the circumstances the owner could consent to the item(s) being sent for destruction.

When firearm(s) are seized in the interests of public safety in accordance with Section 117.04 of the Criminal Code, the item(s) seized must be retained pending the outcome of a mandatory disposition hearing. Again, the item could be the subject of a forfeiture/destruction order or ordered to be returned to the owner.

### **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 211-2000 – Stolen or Smuggled Firearms  
General Order 175.06 – FIREARMS - Investigations/Seizure/Property/ Maintenance  
Provincial Adequacy Standards Regulation, Law Enforcement 019 – Stolen or Smuggled Firearms

### **Other Pertinent Reports**

59.2020 Annual Report – Stolen or Smuggled Firearms - 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 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

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**Subject:** Annual Report – Tactical Units – January 1 to December 31, 2020  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2021-03-15

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### Recommendation(s)

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

### Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with Board By-law 242-2000 – Tactical Units.
- The Chief is required to make an annual written report to the Board in respect to Tactical Units.
- The Tactical Unit role remains the responsibility of the Emergency Task Unit.

### Financial Considerations

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

### Analysis

In accordance with By-law #242-2000, the Chief shall make a written report to the Board each year in respect to Tactical Units and must include the following:

- a summary of the procedures as required by this by-law;*
- the status of Service compliance with the said procedures;*
- confirmation of the development and maintenance of the manual on tactical unit services;*
- a summary of the circumstances in which the tactical unit has been deployed;  
and*
- confirmation that Members are trained in accordance with Section 5.3.*

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

- a) *a summary of the procedures relating to Tactical Units as required by this By-law;*

The Tactical Unit role remains the responsibility of the Emergency Task Unit and the written procedures are set out in General Order 089.07 Emergency Task Unit. As required, the written procedures include:

- i. The circumstances in which a tactical unit will be deployed, including the process for obtaining the services of the tactical unit and reporting relationships.
- ii. The tactical unit can undertake containment, the apprehension of an armed barricaded person, an explosive force entry if it uses the services of a police explosive entry technician.

- b) *the status of service compliance with the said procedures:*

The Service is in compliance with Board By-law 242-2000. Niagara's Tactical training is accredited by the Ministry of the Solicitor General as required under Regulation 3/99 of the Police Services Act for Adequacy and Effectiveness of Police Services. Current accreditation is valid until July 31, 2021

- c) *confirmation of the development and maintenance of the manual on Tactical Unit services:*

The General Order, along with written standard operating procedures and the Tactical Response Team's Course Training Standards, fulfill the obligation of a written manual that is available to each team member. Written copies of the procedures are presented to team members as they receive training. A central copy of updated procedures is available to all members. The Tactical Response Team's Course Training Standards are reviewed on an ongoing basis and have been accredited by the Ministry of the Solicitor General.

- d) *a summary of the circumstances in which the tactical unit has been deployed:*

The services of the Emergency Task Unit were utilized on 186 occasions in 2020, representing a slight increase from 2019 and a substantial increase in comparison to 2018.

---

Tactical Unit Calls:

Year	2020	2019	2018
No. of Calls	186	182	146

This total also includes non-tactical operations for which the Emergency Task Unit is responsible including VIP security, community demonstrations, search and rescue operations involving vulnerable persons and calls relating to persons in crisis. In addition, Emergency Task Unit members responded to tactical calls that did not require the entire Tactical Unit and were handled by an Immediate Response Team (typically made up of four on-duty members of the Emergency Task Unit).

Summary of major circumstances in which the tactical unit was deployed in 2020:

- 36 High-Risk Arrests
- 29 High-Risk Warrants
- 28 Ground Searches – Missing Persons and Evidence
- 38 Armed and/or Barricaded Persons
- 10 High-Risk Canine Tracks
- 6 V.I.P. Details

e) *confirmation that Members are trained in accordance with Section 5.3:*

All members of the Emergency Task Unit are trained within the guidelines of Provincial Adequacy Standards.

## Alternatives Reviewed

Not applicable.

## Relationship to Police Service/Board Strategic Priorities

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

## Relevant Policy Considerations

Board By-law 242-2000 – Tactical Units

## Other Pertinent Reports

115.2020 – Annual Report – Tactical Units – January 1 to December 31, 2019.

*This report was prepared by Constable Brent Austen, Emergency Task Unit, in consultation with Inspector Joe Garvey, Emergency Services, and reviewed by Superintendent Brian Ash, Emergency & Investigative Services and recommended by Brett Flynn, Deputy Chief of Police, Operational Services.*



---

**Submitted by:**

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

**Appendices**

Not applicable



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Underwater Search and Recovery Unit – January 1 to December 31, 2020

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 21-03-29

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### 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 273-2005 as it relates to the Underwater Search and Recovery Unit (USRU).
- The Chief is required to make a written annual report to the Board with respect to the USRU.
- This report will set out the particulars with respect to the procedures required, compliance with the procedures, confirmation of the development and maintenance of the reference file on all diving hazards, and confirmation of training.
- This report will provide a summary of the circumstances in which the USRU has been deployed.

### Financial Considerations

Not applicable.

### Analysis

In accordance with By-Law 273-2005, the Chief shall make a written report to the Board each year in respect to the Underwater Search and Recovery Unit and that report must include the following:

- a) a summary of the procedures required for the Underwater Search and Recovery Unit;
- b) the status of Service compliance with the said procedures;
- c) confirmation of the development and maintenance of the reference file on all diving hazards;
- d) confirmation of training in accordance with section 5.3; and
- e) a summary of the circumstances in which the Underwater Search and Recovery Unit has 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 provide 24/7 USRU services to support police operations within the jurisdiction of the Niagara Regional Police Service and their contracted partners (St. Lawrence Seaway Management Corporation and Waterloo Regional Police Service).

Deployment and response is designed to ensure that a fully trained and equipped police diving service is available in a timely manner and in compliance with Provincial Adequacy Standard ER-009 Underwater Search and Recovery Units. The written procedures for deployment are clearly set out in General Order – 088.07 Underwater Search and Recovery Unit. These written procedures include the circumstances in which the USRU will be deployed, including the process for obtaining the services and reporting relationships.

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

The Niagara Regional Police Service is in full compliance with this By-Law. The Police Service has a total of eight trained and competent officers who serve as police divers. The procedures for deployment, selection and training are clearly set out in General Order – 088.07 and Provincial Adequacy Standard ER-009. One diver is a qualified Police Explosives Technicians (PET). The Service's USRU has provided search and recovery services to the Waterloo Regional Police Service on a contract basis since 1998.

*c) Confirmation of the development and maintenance of the reference file on all diving hazards.*

A reference file identifying diving hazards throughout the Region has been developed in cooperation with USRU partners, including the St. Lawrence Seaway Management Corporation and Ontario Power Generation. The file is maintained on an ongoing basis and is available to members of the Dive Unit by accessing the USRU network drive on the Service's computer system or by paper copies located in USRU vehicles.

On a yearly basis members of the USRU take part in a tour of the canal and lock systems of the Welland Canal to identify any changes/updates to hazard files.

*d) Confirmation of training in accordance with section 5.3.*

The Niagara Regional Police Service ensures that In-Service Training of NRPS Police Operations Divers meets or exceeds competency requirements determined by:

- i. General Order 088.07 Underwater Search and Recovery Unit.
- ii. Provincial Adequacy Standard ER-009 Underwater Search and Recovery Units.
- iii. Canadian Standards Association (CSA) - a Competency Standard for Diving Operations CAN/CSA Z275.4.
- iv. Occupational Health and Safety Act and Diving Regulation 629/94 (including Section 21 Police Health and Safety Committee).

Proof of competency of Service diving supervisors and divers is dependent upon successful completion of a Diver Certification Board of Canada (DCBC) audit and competency evaluation. Qualified members must present a DCBC certification card upon the request of a Ministry of Labour Diving Inspector as proof of qualifications in Restricted/Unrestricted SCUBA and Restricted Surface-Supplied Air categories while engaged in Service training or operational dives.

The members conducted 96 training dives in 2020 with 50 using SCUBA apparatus and 46 using Surface Supplied Air apparatus, an average of 12 training dives per member.

*e) A summary of the circumstances in which the Underwater Search and Recovery Unit has been deployed.*

The USRU was operationally deployed 38 times in 2020. This includes one incident which required multiple days of searches being conducted by members. Also, one incident to assist Waterloo Regional Police Service with a search for a missing person.

The following is a summary of the 38 circumstances in which the USRU was deployed from January 1, 2020 to December 31, 2020.

<b>Underwater Search and Recovery Unit Deployments</b>	<b>2020</b>
Search for Missing Persons	1
Body Recoveries	21
Investigations Involving Vehicle/Vessel Investigations	7
Evidence and Property Recovery	3
Assisting Other Police Services	1
Public Relations Events	5

The following is a 3 year comparison of USRU deployments. The identified increase of USRU deployment is in part the result of recognizing officer safety concerns, and the need for proactive rescue options, when body recoveries are necessary in the Niagara River.

	2020	2019	2018
USRU Deployments	38	23	22

### **Alternatives Reviewed**

Not applicable.

### **Relationship to Police Service/Board Strategic Priorities**

Not applicable.

### **Relevant Policy Considerations**

General Order 088.07 – Underwater Search and Recovery Unit

### **Other Pertinent Reports**

116.2020 – Annual Report – Underwater Search and Recovery Unit – January 1 to December 31, 2019

*This report was prepared by Jon Pilkington, Sergeant, Marine Unit, reviewed by Joe Garvey, Inspector, Emergency Services Unit and 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**

Not applicable.

Ministry of the Solicitor General

Ministère du Solliciteur général

Public Safety Division

Division de la sécurité publique

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3



RECEIVED  
BIO 12  
APR 06 2021  
Public Agenda

April 6, 2021

Mrs. Tara McKendrick

Dear Mrs. McKendrick:

I am pleased to enclose a copy of Order in Council No. 413/2021, re-appointing you as a member of the Niagara Region Police Services Board for a further period of three years, effective April 1, 2021.

Should you have any questions or concerns, please do not hesitate to contact me at the Training Strategy and Program Development Unit at (437) 245-3666.

Once again, thank you for your continued support and commitment to policing in Ontario.

Sincerely,

A handwritten signature in black ink, appearing to read "Gita Ramburuth".

Gita Ramburuth  
Appointments Officer  
Training Strategy and Program Development Unit



**Executive Council of Ontario  
Order in Council**

On the recommendation of the undersigned, the Lieutenant Governor of Ontario, by and with the advice and concurrence of the Executive Council of Ontario, orders that:

**Conseil exécutif de l'Ontario  
Décret**

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure de l'Ontario, sur l'avis et avec le consentement du Conseil exécutif de l'Ontario, décrète ce qui suit:

PURSUANT TO section 27 of the *Police Services Act*, as amended, Tara L. McKendrick of Welland be further reappointed as a member of the Regional Municipality of Niagara Police Services Board to serve at the pleasure of the Lieutenant Governor in Council for a period not to exceed three years effective from the date this Order in Council is made.

-----  
EN VERTU DE l'article 27 de la *Loi sur les services policiers*, dans sa version modifiée, Tara L. McKendrick, de Welland, est de nouveau nommée, à titre amovible à la discrétion du lieutenant-gouverneur en conseil, membre de la Commission des services policiers de la municipalité régionale de Niagara pour une période maximale de trois ans prenant effet le jour de la prise du présent décret.

**Recommended: Solicitor General  
Recommandé par: La solliciteure générale**

**Concurred: Chair of Cabinet  
Appuyé par: Le président/la présidente du Conseil des ministres,**

**Approved and Ordered:  
Approuvé et décrété le: APR 01 2021**

**Administrator of the Government  
L'administrateur du gouvernement**

O.C./Décret: 413 / 2021

---

**CLERKS DEPARTMENT**

March 23, 2021

Delivered by Email

The Honourable Patty Hajdu  
Minister of Health  
[Patty.hajdu@parl.gc.ca](mailto:Patty.hajdu@parl.gc.ca)

Dear Minister Hajdu:

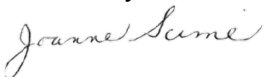
Re: Medical Cannabis Grow Operations –Public Safety Concerns

This is to confirm that at the March 22, 2021 Council Meeting the following resolution was adopted with respect to the above noted matter:

That the correspondence received from the Regional Municipality of Niagara Police Services Board regarding Medical Cannabis Grow Operations - Public Safety Concerns attached as Appendix A; be received and supported, and; That, copy of this resolution be forwarded to Niagara's MPs, MPPs, Niagara's 12 local municipalities, Ministries as outlined in Appendix A as well as the Niagara Police Service Board.

If you have any questions or concerns regarding the above, do not hesitate to contact the undersigned.

Sincerely,



Joanne Scime, Clerk

Copies to:

The Honourable Bill Blair, Minister of Public Safety and Emergency Preparedness  
The Honourable David Lametti, Minister of Justice and Attorney General of Canada  
MP Dean Allison, Niagara West  
MP Chris Bittle, St. Catharines  
MP Tony Baldinelli, Niagara Falls  
MP Vance Badawey, Niagara Centre  
President Micki Ruth, Canadian Association of Police Governance  
Chief of Police Bryan Larkin, President, Canadian Association of Chiefs of Police  
The Honourable Christine Elliott, Deputy Premier and Minister of Health  
The Honourable Doug Downey, Attorney General

The Honourable Sylvia Jones, Minister of the Solicitor General  
MPP Sam Oosterhoff, Niagara West  
MPP Jennie Stevens, St. Catharines  
MPP Wayne Gates, Niagara Falls  
MPP Jeff Burch, Niagara Centre  
Chair Patrick Weaver, Ontario Association of Police Services Board  
Chief of Police Paul Pedersen, President, Ontario Association of Police Chiefs  
Niagara Municipalities  
Board Members, Niagara Police Services Board

X:\cl-Clerks\Council\Council-2021\Letters\ Medical Cannabis Grow Operations –Public Safety Concerns



REGIONAL MUNICIPALITY OF NIAGARA  
**POLICE SERVICES BOARD**

5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

Tel: (905) 688-4111 Fax: (289) 248-1011  
E-mail: [psb@niagarapolice.ca](mailto:psb@niagarapolice.ca)  
Website: [www.niagarapolice.ca](http://www.niagarapolice.ca)

November 4, 2020

DELIVERED BY EMAIL

The Honourable Patty Hajdu  
Minister of Health  
[patty.hajdu@parl.gc.ca](mailto:patty.hajdu@parl.gc.ca)

Dear Minister Hajdu:

**RE: Medical Cannabis Grow Operations - Public Safety Concerns**

We are writing on behalf of the Regional Municipality of Niagara Police Services Board and the Niagara Regional Police Service to request Health Canada address proper regulation of the cannabis industry, specifically with designated medical growers who are operating outside of their medical designations.

The *Federal Cannabis Act* controls the production, distribution, sale and possession of cannabis in Canada, including the application and licensing of personal and commercial medical cannabis production, which should be compliant with local municipal by-laws according to criteria set out for applicants in the process administered by Health Canada as the agency responsible for approval of cannabis production facilities.

Our concerns are for the significant number of operations growing for personal medical use under the certificate/registration system set up by Health Canada. Under the legislation, an adult individual is eligible to produce cannabis for their own medical purposes. The amount permitted to grow for personal use is contingent upon the maximum daily amount prescribed by a medical practitioner and whether or not the plants are going to be grown inside, outside or a combination of both. Health Canada's regulations govern the growing of medical cannabis and allow an individual to designate another individual to grow it on their behalf.

A maximum of four (4) certificates for growing medical cannabis for personal purposes are permitted per property. As a result, a significant amount of medical cannabis may be grown on a property for personal medical use. Designated growers are permitted to grow up to 500 plants per individual license, or potentially 2,000 plants. Further, Health Canada treats the certificates as medical information and as such, operators are not required to provide their certificates to municipalities or police, which prevents municipalities or the police from determining if an operation is legally permitted or not. This is exacerbated by minimal oversight or concern from Health Canada.

Police enforcement efforts across southern Ontario, including Niagara, indicate that many growers are producing well in excess of the maximum licensed number of plants. It has become clear that the excess being produced by designated growers is being funneled to the illicit market which is mostly controlled by organized crime.



This was well documented during a large-scale, multijurisdictional illicit cannabis growing investigation in August of this year, where police seized over an estimated \$42 million in drugs, equipment, weapons and other items. This included 101,049 illegal cannabis plants; 1,921 pounds of illegal cannabis bud; 21 pounds of illegal cannabis shatter and three pounds of illegal cannabis hash.

Unfortunately, this is not an uncommon occurrence. In July 2020, Niagara Regional Police made arrests and seizures at a large illicit cannabis operation in the City of St. Catharines with over 17,000 plants. The investigation resulted in the arrest of eleven people, with an estimated \$34 million in cannabis plants. In 2018, Niagara Regional Police arrested one individual for growing over 1,000 plants at an estimated worth of over \$1 million. In 2017, Niagara Regional Police busted two large medical grow operations that were operating under fraudulent Health Canada medical licenses for personal or designated use. In 2016, an individual was arrested with 500 plants and in 2015 the Niagara Regional Police arrested another person with over 1,000 plants that was also valued at just over one million dollars.

It is apparent that criminal enterprises are abusing the Health Canada registration, using it as a loophole to grow well over the allotted amount. These organized crime groups have been exploiting Health Canada medical, personal and designate cannabis production, instead growing the plants to sell illegally. Health Canada has strict rules governing licensing, odour, security, light pollution, chemical contamination, fire hazards and the like for federally-licensed grow facilities, however; no such oversight applies to personal and designated growers.

**We are therefore urging the Federal Government to expand the legislative framework to provide greater oversight to address public safety concerns with the personal and designated medical growers who are operating outside the boundaries of their medical designations.**

These unlicensed operations have become a significant concern for residents in the Niagara Region and our local municipalities from both a health and safety lens as well as from a land use and building code situation. Local municipal governments have responsibility for the enforcement of local by-laws and ensuring life-safety compliance with fire and building code regulations, but Health Canada has no process in place to share licensing information with local authorities about the location of medical cannabis production facilities. **By way of copy, we are calling on Niagara's MPs and MPPs for support, and urging the Niagara Region and Councils of its 12 local municipalities to call on the Federal Government to put in place the needed controls and oversight permissions that will provide safety, health and personal comfort to all residents of Niagara.**

Minister, we need your help to get these issues under control. We are asking that Health Canada take action against operations that cross the line into criminality. Police resources are stretched and the need to establish criminality limits police ability to respond to these operations that are causing such concern. Police enforcement is an important tool but we need other ways to manage the growing problems these unlicensed operations are creating. We need Health Canada to implement practices that will improve the sharing of information regarding cannabis certificates with police and municipalities, outline requirements for compliance with municipal zoning by-laws, include appropriate monitoring and inspections, and consider the need to revisit the formula for determining the maximum number of plants permitted under a certificate.

The Board and Police Service would certainly be willing to further engage with Ministry personnel in an effort to share our experiences and work collaboratively to increase the effectiveness of the legislation and enhance public safety.

Your consideration of the concerns raised in this letter would be greatly appreciated and we look forward to your response.

Yours truly,



William C. Steele  
Acting Board Chair



Bryan R. MacCulloch, M.O.M.  
Chief of Police

Copies to:

The Honourable Bill Blair, Minister of Public Safety and Emergency Preparedness  
The Honourable David Lametti, Minister of Justice and Attorney General of Canada  
MP Dean Allison, Niagara West  
MP Chris Bittle, St. Catharines  
MP Tony Baldinelli, Niagara Falls  
MP Vance Badawey, Niagara Centre

President Micki Ruth, Canadian Association of Police Governance  
Chief of Police Bryan Larkin, President, Canadian Association of Chiefs of Police

The Honourable Christine Elliott, Deputy Premier and Minister of Health  
The Honourable Doug Downey, Attorney General  
The Honourable Sylvia Jones, Minister of the Solicitor General

MPP Sam Oosterhoff, Niagara West  
MPP Jennie Stevens, St. Catharines  
MPP Wayne Gates, Niagara Falls  
MPP Jeff Burch, Niagara Centre

Chair Patrick Weaver, Ontario Association of Police Services Boards  
Chief of Police Paul Pedersen, President, Ontario Association of Chiefs of Police

Regional Chair Jim Bradley and Members of Council, Niagara Region  
Mayor Dave Bylsma and Members of Council, Town of West Lincoln  
Mayor Frank Campion and Members of Council, City of Welland  
Mayor Jim Diodati and Members of Council, City of Niagara Falls  
Mayor Betty Disero and Members of Council, Town of Niagara-on-the-Lake  
Mayor Sandra Easton and Members of Council, Town of Lincoln  
Mayor Kevin Gibson and Members of Council, Township of Wainfleet  
Mayor Jeff Jordan and Members of Council, Town of Grimsby  
Mayor Marvin Junkin and Members of Council, Town of Pelham  
Mayor Wayne Redekop and Members of Council, Town of Fort Erie  
Mayor Walter Sendzik and Members of Council, City of St Catharines  
Mayor Bill Steele and Members of Council, City of Port Colborne  
Mayor Terry Ugolini and Members of Council, City of Thorold

Board Members, Niagara Police Services Board





## Community Services

### Legislative Services

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MAR 23 2021  
Public Agenda

March 23, 2021  
File #120203

The Honourable Patty Hajdu  
Minister of Health  
House of Commons  
Ottawa, ON K1A 0A6  
[Patty.hajdu@parl.gc.ca](mailto:Patty.hajdu@parl.gc.ca)

Health Canada  
70 Colombine Driveway  
Ottawa, Ontario  
K1A 0K9  
[Hcinfor.infosc@canada.ca](mailto:Hcinfor.infosc@canada.ca)

Honourable and Dear Madam:

#### Re: Township of Brock - Cannabis Licencing and Enforcement

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of March 22, 2021 received and supported correspondence from the Township of Brock dated March 2, 2021 requesting Health Canada to confirm designated growers conform with local zoning and control by-laws; notify local authorities of any licence issued, amended, suspended, reinstated or revoked; provide dedicated communication with local governments and Police Services; allow Police Services to lay charges when licenced operators grow in excess and provide enforcement support and guidance to local municipalities for dealing with land use complaints relating to Cannabis.

Attached please find a copy of the Township of Brock's correspondence dated March 2, 2021.

Thank you for your attention to this matter.

Yours very truly,

Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk

[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

Attach

c.c.

The Honourable Christine Elliott, Minister of Health, Ontario [christine.elliott@ontario.ca](mailto:christine.elliott@ontario.ca)

The Honourable Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock [laurie.scottco@pc.ola.org](mailto:laurie.scottco@pc.ola.org)

The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs [minister.omafr@ontario.ca](mailto:minister.omafr@ontario.ca)

The Honourable Marie-Claude Bibeau, Minister of Agriculture and Agri-Food [MarieClaude.Bibeau@parl.gc.ca](mailto:MarieClaude.Bibeau@parl.gc.ca)

Tony Baldinelli, MP, Niagara Falls [tony.baldinelli@parl.gc.ca](mailto:tony.baldinelli@parl.gc.ca)

Wayne Gates, MPP [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)

Becky Jamieson Municipal Clerk, Township of Brock [becky.jamieson@brock.ca](mailto:becky.jamieson@brock.ca)

Chief of Police, Bryan MacCulloch, Niagara Regional Police Service [deb.reid@niagarapolice.ca](mailto:deb.reid@niagarapolice.ca)

Association of Municipalities of Ontario [mturner@amo.on.ca](mailto:mturner@amo.on.ca)

Ontario Municipalities

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca)



The Corporation of  
The Township of Brock  
1 Cameron St. E., P.O. Box 10  
Cannington, ON L0E 1E0  
705-432-2355

March 2, 2021

The Honourable Patty Hajdu  
Minister of Health Canada  
Via email: [Patty.Hajdu@parl.gc.ca](mailto:Patty.Hajdu@parl.gc.ca)

Health Canada  
Ottawa, Ontario  
via email: [hcinfo.infosc@canada.ca](mailto:hcinfo.infosc@canada.ca)

Dear Honourable Madam:

Re: Cannabis Licencing and Enforcement

---

Please be advised that the Council of the Township of Brock, at their meeting held on February 22, 2021 adopted the following resolution:

**Resolution Number 22-2**

MOVED by **Michael Jubb** and SECONDED by **Cria Pettingill**

WHEREAS the Government of Canada introduced Bill C-45 (the Cannabis Act) to create the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation, and possession;

WHEREAS the police have not been given lawful authority to lay charges under the Cannabis Act to appropriately respond to violations of Health Canada Registrations and Licenses;

WHEREAS there is no direct communication or dedicated effort to provide a communication channel between Municipal government staff or Police Agencies for dealing with Health Canada Registrations and Licenses;

WHEREAS the Township of Brock has not been consulted by Health Canada prior to the issuance of licenses for properties not in compliance with municipal zoning by-laws; the future;

BE IT RESOLVED THAT the Township of Brock requests that Health Canada:

1. Require Federal Licenses and Registrations for Designated Growers to conform with local zoning and control by-laws;
2. Ensure local authorities are provided with notification of any licence issuance, amendment, suspension, reinstatement or revocation within their region;

Received by  
MARCH 22, 2021  
COUNCIL

If this information is required in an accessible format,  
please contact the Township at 705-432-2355.

3. Provide dedicated communication with local governments and Police services;
4. Provide lawful authority to Police agencies to lay charges when registered or licences operations grow in excess of their registration or licence through Health Canada; and,
5. Provide enforcement support and guidance to local municipalities for dealing with land use complaints relating to Cannabis.

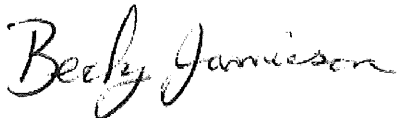
AND FURTHER BE IT RESOLVED THAT the Township of Brock will forward this motion by email to the following partners: All municipalities in Ontario; the MP and MPP of Haliburton-Kawartha Lakes-Brock; the Minister of Agriculture, Food and Rural Affairs; the Minister of Agriculture and Agri-Food; and the Durham Region Police Services with the request that the Federal government enact legislation to better support local governments with land use management and enforcement issues as they relate to Cannabis Production and Processing.

**MOTION CARRIED**

Thank you for your consideration. Should you have any questions please do not hesitate to contact the undersigned.

Yours truly,

THE TOWNSHIP OF BROCK



Becky Jamieson  
Municipal Clerk

BJ:dh

- cc. The Honourable Christine Elliott, Minister of Health, Ontario –  
christine.elliott@ontario.ca  
The Honourable Laurie Scott, MPP, Haliburton-Kawartha Lakes-Brock -  
laurie.scottco@pc.ola.org  
Jamie Schmale, MP, Haliburton-Kawartha Lakes-Brock - Jamie.schmale@parl.gc.ca  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs –  
minister.omafra@ontario.ca  
The Honourable Marie-Claude Bibeau, Minister of Agriculture and Agri-Food - Marie-  
Claude.Bibeau@parl.gc.ca  
Inspector Ryan Connolly, DRPS - northdivision@drps.ca  
Ontario municipalities



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Corporate Services Committee - Councillor Information Request  
Respecting Report CSD 17-2021

**Report To:** Chair and Members, Niagara Police Services Board

**Report Date:** 2021-04-12

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### Recommendation(s)

**That the Niagara Police Services Board receives this report and forwards the report to the Region's Corporate Services Committee.**

### Key Facts

- At the Corporate Services Committee meeting held on March 10, 2021, along with the Region consolidated December 31, 2020 year end financial results that included the Niagara Regional Police Service (NRPS) and Board Financial Variance Overview.
- Councillor Redekop requested information regarding whether there was a correlation between the staff savings from normal operations and the loss of the Casino revenue reported in the NRPS year end variance overview report. There is no correlation between the two offsetting variances.
- Further, the Councillor requested a status on the hiring of the 40 Officers approved within the 2020/21 budgets and its budget impact. In 2020, the NRPS had planned to hire 60 police constables; 40 to fill new positions and 20 to fill vacancies from normal attrition. By the end of December 2020, the NRPS had hired a total of 59 officers, 11 currently serving and 48 new recruits of which 14 attended the Ontario Police College training program in January 2021.
- The uniform savings net of overtime savings for the year 2020 was \$1.8M this includes the lag in the hiring of the 40 new officers and other uniform vacancies resulting from attrition.
- No financial information for the 2021 budget year is available. The NRPS reports its financial results quarterly beginning with the first quarter period ending March 31, 2021 anticipated reporting to Police Service Board at the May 2021 Board meeting.

### Financial Considerations

No financial implications resulting from the recommendation.

## Analysis

At the Corporate Services Committee meeting held on March 10, 2021, the following information request was made with respect to the Niagara Regional Service and Board Financial Variance Overview for the Year Ending December 31, 2020, that was included as Appendix 8 to Report CSD 17-2021.

*“Provide information respecting **the correlation** between the Niagara Regional Police Services (NRPS) Casino Unit loss of revenue and NRPS staff funding and the status of NRPS project hiring from 2020/2021 and the budget impact”*

For the year ending December 31, 2021, the NRPS reported a net deficit of \$0.5M exclusive of the Board surplus. This is the result of net incremental costs related to COVID-19, totalling \$3.5M offset by a reported surplus from normal operations, totalling \$(3.0)M.

The majority of the net costs associated to COVID-19 was from loss of Casino revenue in the amount of \$3.15M due from the City of Niagara Fall. The NRPS was able to mitigate the impact of COVID-19 mainly from the savings in the compensation category. The main contributors to the favourable variance savings include a reduction to claims processed for health and dental benefits, the 2020 NRPA wage increase that was implemented incrementally over three periods within the year and savings to uniform salaries related to front-line uniform vacancies and lags experienced during the hiring process.

In response to the CSC question, there is no direct correlation between the loss of City of Niagara Falls Casino revenue and salary savings reported from normal operations.

In May 2020, the NRPS was notified by Region Corporate Services staff that it would not receive any further transfer payments from the City of Niagara Falls while Casinos remained closed due to COVID. During the pandemic, the NRPS did not reduce its deployment model for frontline response Region wide, including the areas around the casinos. As predicted, the NRPS did experience a minimal and temporary reduction of ‘normal type’ calls for service at the early phase of the pandemic. However, this experience was short-term and by the fall of 2020 the calls for service returned to pre-pandemic levels which included Officers responding to different types of calls related to Quarantine and Reopening Ontario Act matters that added a new complexity.

Included in the \$3.0M surplus from normal operations, is \$1.8M in uniform salary savings mainly the result of uniform vacancies and lags experienced in the hiring process from normal attrition and the hiring of 40 new officers effective July 1, 2020, approved in the 2020 Budget.

For the 2020 year, the NRPS planned to hire 60 uniform officers; 20 to replace vacant positions from retirements and other terminations and 40 for the new budget positions. By December 2020, the NRPS had hired 59 officers, 11 currently serving and 48 new

recruits with 14 planned to attend the January 2021 Ontario Police College training program. While there are lags in hiring uniform staff due to the lengthy recruiting process it is important to note that these savings to uniform regular wages are offset by overtime dollars incurred to meet staffing minimums.

In response to the second part of the question “*the status of NRPS project hiring from 2020/2021 and the budget impact*” as noted above the Service has hired the 40 new officers approved in the 2020 budget effective July 1, 2020 and the remaining half year compensation in the 2021 budget. Although, it is difficult to separate the net uniform savings realized between the lag in the hiring of the 40 new officers budgeted for July 1 effective date, from other vacancies nevertheless, the net savings to uniform salary for the 2020 year is estimated to be \$1.8M.

At the time of this report, no financial information for the 2021 budget year is available. The NRPS reports its financial results quarterly beginning with the first quarter period ending March 31, 2021, anticipated reporting to Police Service Board at the May 2021 Board meeting.

### **Alternatives Reviewed**

None

### **Relationship to Police Service/Board Strategic Priorities**

The Police Service Board is accountable to Regional Council for the Niagara Regional Police Budget and to provide quarterly financial reporting on any significant variances between actual and planned expenditures.

### **Relevant Policy Considerations**

None

### **Other Pertinent Reports**

- Corporate Service Committee Meeting March 10, 2021 –CSD 17-2021 2020 Year-End Results and Transfer Report.
- Police Service Board Finance Committee February 11, 2021 – Niagara Regional Service and Board Financial Variance Overview for the Year Ending December 31, 2020



*This report was prepared by Laura Rullo, Manager, Finance, reviewed by Richard Frayne, Superintendent, Corporate Services and recommended by Bill Fordy, Deputy Chief of Police, Support Services.*



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

**Appendices**

None

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

March 26, 2021

**CSC 3-2021, March 10, 2021**

**Report CSD 17-2021, Appendix 8, March 10, 2021**

Deb Reid, Executive Director  
Niagara Regional Police Services Board  
5700 Valley Way  
Niagara Falls, ON L2E 1X8

**RECEIVED**  
*FO5*  
**MAR 29 2021**

***SENT ELECTRONICALLY***

2020 Year-End Results and Transfer Report

Report CSD 17-2021, Appendix 8

At the Corporate Services Committee meeting held on March 10, 2021, the following information request was made with respect to the Niagara Regional Service and Board Financial Variance Overview for the Year Ending December 31, 2020, that was included as Appendix 8 to Report CSD 17-2021:

“Provide information respecting the correlation between the Niagara Regional Police Services (NRPS) Casino Unit loss of revenue and NRPS staff funding and the status of NRPS project hiring from 2020/2021 and the budget impact.”

It would be appreciated if you could provide this information to us at your earliest convenience.

A copy of Report CSD 17-2021 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:kl

CLK-C 2021-056

cc: T. Harrison, Commissioner/Treasurer, Corporate Services  
K. Beach, Executive Assistant to the Commissioner/Treasurer, Corporate Services  
H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer

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**Subject:** 2020 Year-End Results and Transfer Report

**Report to:** Corporate Services Committee

**Report date:** Wednesday, March 10, 2021

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## **Recommendations**

1. That the unaudited summarized financial results of the Niagara Region as detailed in Appendix 1, **BE RECEIVED**;
2. That the 2020 year-end operating surplus for levy-supported programs including agencies, boards and commissions of \$37,306 thousand **BE TRANSFERRED** as follows:
  - \$69 thousand **BE TRANSFERRED** from the Accumulated Sick Leave Reserve as per NRPS recommendation to their Board in Appendix 8
  - \$2 thousand **BE TRANSFERRED** from the Ontario Police Video Training Alliance (OPTVA) Reserve as per NRPS recommendation to their Board in Appendix 8
  - \$6,600 thousand **BE TRANSFERRED** to the Hospital Contribution Reserve (to be formally established in CSD 19-2021) to fund the committed contribution to the new West Lincoln Hospital.
  - \$230 thousand related to the Niagara Foreign Trade Zone (NFTZ) and Foreign Direct Investment activities **BE TRANSFERRED** to the Taxpayer Relief Reserve to fund the 2021 NFTZ and investment attraction activities in collaboration with Team Niagara.
  - \$30,547 thousand **BE TRANSFERRED** to the Taxpayer Relief Reserve;
3. That the 2020 year-end operating surplus for rate-supported programs of \$4,222 thousand **BE TRANSFERRED** to reserves as follows:
  - \$1,493 thousand **BE TRANSFERRED** to the Waste Management Stabilization Reserve
  - \$1,863 thousand **BE TRANSFERRED** to the Wastewater Stabilization Reserve
  - \$500 thousand **BE TRANSFERRED** to the Water Capital Reserve
  - \$366 thousand **BE TRANSFERRED** to the Water Stabilization Reserve
4. That encumbrances of \$16,275 thousand (Appendix 2) **BE RECEIVED** for information and that the deferral of these expenditures be included in the 2021 operating budget; and
5. That the transfers of \$10,394 thousand from the capital variance projects to Capital Reserves **BE RECEIVED** for information.

## Key Facts

- The unaudited results of Niagara's 2020 budget are a surplus of \$37,306 thousand in the levy-supported programs and a surplus of \$4,222 thousand in the rate-supported programs. These results include the Region's \$49 million in COVID-19 gross costs and additional COVID-19 funding of \$47.9 million (general Municipal Safe Restart funding of \$18.9 million and \$28.9 million in program-specific funding). As this funding was unknown until late in the year after the Region employed extensive mitigation, including the redeployment of staff resources and the re-prioritization of planned work at the start of the pandemic, it contributed largely to the year-end surplus. The COVID-19 funding is recommended in this report to be set aside in reserve to support COVID-19 costs as reported in the 2021 budget and 2022 forecast and as reflected in Table 2 of this report.

*Table 1: Consolidated Surplus/Deficit Summary (in thousands)*

	2020 Surplus/(Deficit) after indirect allocations	2020 Surplus/(Deficit) Percentage of Budgeted Gross Expenditures	2019 Surplus/(Deficit) Percentage of Budgeted Gross Expenditures
Regional Depts. & General Government	\$37,410	6.72%	0.16%
Court Services	(\$391)	(4.81%)	7.24%
NRH	\$655	0.99%	2.03%
NRPS	(\$368)	(0.20%)	0.44%
NPCA	\$0	0.0%	0.13%
<b>Total Levy-Supported Surplus</b>	<b>\$37,306</b>	<b>4.52%</b>	<b>0.44%</b>
Water	\$866	1.86%	(1.13%)
Wastewater	\$1,863	2.16%	(1.46%)
Waste Management	\$1,493	2.68%	(2.13%)
<b>Total Rate-Supported Surplus</b>	<b>\$4,222</b>	<b>2.24%</b>	<b>(1.58%)</b>

- The overall variances as a percentage of gross budgeted expenditure are higher than in the prior year as a result of funding announcements that came late in the year. A 5-year summary of the surplus/deficit can be found in Appendix 3.
- The recommendations included in this report have been guided by the Operating Surplus/Deficit Policy approved by Council in July 2018, which states that "year-

end surpluses will be allocated to those areas that have been identified as underfunded per the Reserve and Reserve Fund Policy and/or one-time funding needs as recommended by Council,” with funds allocated to stabilization reserves, capital reserves and to support key initiatives.

- In alignment with the corporate strategies and the Operating Surplus/Deficit Policy, NRH made the recommendation to their Board to return the surplus to the Region to be addressed in this report. The NRPS deficit is being addressed with overall corporate surplus. See Appendix 8 and 9 for full the ABC reports.
- Funding of \$16,275 thousand has been set aside in the encumbrance reserve as of December 31, 2020. \$12,333 thousand (75.8%) of the total encumbrance amount is related to various incentive and grant programs such as the Combined Sewer Overflow (CSO) Program, Smarter Niagara Incentive Program (SNIP), Public Realm Investment Program (PRIP), Gateway Tax Increment Grant (TIG) and the Waterfront Investment Program (WIP). For the amounts encumbered, a spending obligation (in the form of a purchase order, contract or other legally binding commitment) has been made against the 2020 operating budget; however, the product or service has not been received in the year. The budgeted funds will be transferred back to the 2021 operating budget when the product or service is received and the related budgeted expense will be grossed up for the year.
- In accordance with the Budget Control By-Law, capital variance projects (CVP) are allocated surplus from capital projects and used for funding capital project deficits in the year. The CVP are maintained at a target balance of \$1 million at the beginning of each year, per the Capital Asset Management Policy. Balances greater than \$1 million are transferred to capital reserves at year-end. Transfers to the General Capital Levy of \$5,601 thousand, Wastewater capital of \$3,664 thousand, Water capital of \$347 thousand and Waste Management Capital of \$782 thousand were completed at year-end. The 2021 capital budget utilizes \$7 million of this funding.

## **Financial Considerations**

The recommendations in this report will fully allocate the 2020 year-end operating surplus to reserves. Full explanations for the surpluses and deficits can be found in Appendix 4 and are summarized on the Consolidated Year-End Funding Surplus/ (Deficit) Review in Appendix 1.

## Analysis

Full analysis and explanation of the rate and levy-supported programs can be found in the Annual Financial Update in Appendix 4 and on the Region's website. The report is Accessibility for Ontarians with Disabilities Act compliant. Hard copies of the report can be made available upon request.

### December 2020 Financial Update

(<https://www.niagararegion.ca/business/finance/quarterly-reports/default.aspx>)

### Reserve Impacts Based on Report Recommendations

The Niagara Region's Operating Surplus/Deficit Policy outlines how annual operating surpluses or deficits are addressed at year-end, giving consideration to affordability, sustainability and Niagara Region's credit rating. This Policy applies to all departments, agencies, boards and commissions consolidated within the Niagara Region.

The Policy states that year-end surpluses will be allocated to those areas that have been identified as underfunded per the Reserve and Reserve Funds Policy and/or one-time funding needs as recommended by Council. The Policy states that for corporate stabilization reserves, the minimum balance target is 10% to 15% of Operating Expenses.

The recommended allocations for the year-end surpluses include the following:

- \$6,600 thousand to a new Hospital Contribution Reserve (to be formally established by Council through future report CSD 19-2021). This contribution, in conjunction with the annual contribution of \$1.5 million established in the 2021 budget, will allow the Region to save the required \$12,600 thousand towards the funding commitment for the West Lincoln Hospital by 2024;
- \$230 thousand resulting from the return of surplus grant funding related to the Niagara Foreign Trade Zone (NFTZ) and Foreign Direct Investment activities to be used to fund the 2021 NFTZ and investment attraction activities in collaboration with Team Niagara through the Taxpayer Relief Reserve. The NFTZ established itself as a resource to exporters in Niagara and marketed the designation as a competitive advantage for Niagara in attracting investment. With this foundational work in place, it is planned that the operations of the NFTZ be brought back into the Region's Economic Development

department so that there could be closer alignment with investment attraction activities;

- \$71 thousand from Niagara Regional Police reserves, including the Police Accumulated Sick Leave Reserve (\$69 thousand) and the Ontario Police Video Training Alliance (OPTVA) Reserve (\$2 thousand), per the recommendations of the Niagara Police Service Board to fund related operational deficits during the year;
- The balance of the levy surplus of \$30,547 to the Taxpayer Relief Reserve, with the intention of using these funds to support COVID-19 related pressures as approved in future operating budgets, including funding of the pandemic division within Public Health for 2021 and 2022;
- \$500 thousand to the Water Capital Reserve to help fund capital infrastructure work, given that the Water Stabilization Reserve is within the funding targets; and
- The balance of the rate surpluses to the respective stabilization reserves, including \$366 to the Water Stabilization Reserve, \$1,863 to the Wastewater Stabilization Reserve and \$1,493 to the Waste Management Stabilization Reserve.

The chart below shows a summary of the stabilization reserve balances after the transfers recommended in this report and uses of the reserve included in the multi-year budget requirements for the COVID-19 related costs as presented in the 2021 Budget and 2022 forecast.

*Table 2: 2020 to 2023 Stabilization Reserve Projection (in thousands)*

Reserve Description	Actual Reserve Balance at December 31, 2020	Forecasted Reserve Balance at December 31, 2021	Forecasted Reserve Balance at December 31, 2022	Forecasted Reserve Balance at December 31, 2023
<b>Stabilization Reserves</b>				
Taxpayer Relief	\$53,509	\$27,718	\$20,117	\$20,962
Water Stabilization	\$3,431	\$3,438	\$3,445	\$3,452
Wastewater Stabilization	\$3,254	\$3,271	\$3,288	\$3,305
Waste Management Stabilization	\$6,365	\$2,942	\$2,064	\$2,688
Police Contingency	\$704	\$954	\$954	\$954
Police Services Board Contingency	\$242	\$242	\$242	\$242

The following shows the forecasted balance of the stabilization reserves at December 31, 2023 after the recommended transfers included in this report relative to the minimum target balances as outline in the Reserve and Reserve Funds Policy.

*Table 3: Stabilization Reserve Targets (in thousands)*

Reserve Description	Reserve Balance After Transfers at December 31, 2023	Target Balance	Target Balance
		Low (10%)	High (15%)
Taxpayer Relief	\$20,962	\$57,263	\$85,895
Water Stabilization	\$3,452	\$2,387	\$3,581
Wastewater Stabilization	\$3,305	\$6,476	\$9,715
Waste Management Stabilization	\$2,688	\$5,296	\$7,944
Police Contingency	\$954	Determined by NRPS	Determined by NRPS
Policy Services Board Contingency	\$242	Determined by NRPS	Determined by NRPS

Based on the table above, the following stabilization reserves are underfunded, as they are not meeting the minimum target balance thresholds established:

- Taxpayer Relief
- Wastewater Stabilization
- Waste Management Stabilization

Reserve balances below the minimum target may impact the ability to manage future operational risks.

#### Unspent 2020 Budgeted Reserve Transfers

Budgeted reserve transfers that are unspent during the year are returned to their originating reserves in accordance with the Reserve and Reserve Fund Policy. In 2020, the following funds were returned to reserves:

- Unused drainage assessment funding by local area municipalities of \$9 thousand
- Unused active transportation/bike lane funding by local area municipalities of \$23 thousand
- Unused funds for Niagara Falls and St. Catharines GO Stations not fully operational of \$719 thousand
- Unused funds for ICOPS division reorganization of \$29 thousand
- Unused Waste Management service level campaign funding of \$64 thousand
- Unused funds for sick leave payouts of \$51 thousand
- Unused funding for Human Resources Information Systems project of \$830 thousand



- Unused funding for Community Benefit Charge Study of \$150 thousand
- Unused funding for Niagara Airports of \$144 thousand
- Unused funding for the 50<sup>th</sup> anniversary of the Niagara Region of \$39 thousand

### Encumbrances

Encumbrance accounting is a mechanism to facilitate the accounting of goods and services where an obligation to purchase has occurred in the year but the goods or services have not been received by year-end. An obligation to purchase can be in the form of a purchase order, contract or other legally binding commitments. Funds are requested to be set aside in the encumbrance reserve for use in the following year.

Incorporated in the year-end operating funding surpluses are encumbrances totalling \$16,275 thousand (see Appendix 2). As part of the year-end reporting process, the Financial Management and Planning division has reviewed each encumbrance request with the originating department. The encumbrances identified will be transferred to the encumbrance reserve at December 31, 2020 and transferred back to the respective departments in 2021. Encumbrance balances that have been carried forward from a year prior to 2020 have also been identified in Appendix 2.

The majority of the encumbrance requests in 2020 relate to various incentive and grant programs, which are in partnership with the local area municipalities (LAMs) and can span multiple years.

### Capital Variance Project Transfer to Capital Reserve

Throughout the year, project variances are transferred to or from the Capital Variance Project (CVP) to be used in-year in accordance with the Budget Control By-Law.

During 2020, a total of 92 projects were closed (compared to 117 projects in 2019). As a result of the project closures and budget reductions, a total of \$16,095 thousand and \$15,727 thousand were returned to the CVP in 2020 and 2019 respectively.

At the end of the year, the balance of the CVPs are reviewed and the amount in excess of \$1 million is transferred to the appropriate capital reserve (see *Capital Variance Project Summary* in Appendix 4 for more detail).

The following is a summary of the amounts transferred to the respective capital reserve from each CVP and the balances remaining in the CVP as of December 31, 2020.

Table 4: 2020 Capital Variance Project Transfers to Reserve (in thousands)

CVP Description	CVP Balance Before Transfer to Reserve	Transfer to Reserve	CVP Balance After Transfer to Reserve
Levy Programs	\$6,601	\$5,601*	\$1,000
Waste Management	\$1,782	\$782	\$1,000
Wastewater	\$4,664	\$3,000**	\$1,000
Water	\$1,347	\$347	\$1,000
<b>Total</b>	<b>\$14,394</b>	<b>\$10,394</b>	<b>\$4,000</b>

\* \$4,000 of the amount transferred to reserve has been committed to the approved 2021 capital budget

\*\* \$3,000 of the amount transferred to reserve has been committed to the approved 2021 capital budget

#### COVID-19 Financial Impacts Summary

Staff tracked costs directly related to the emergency throughout the year which have been incorporated in the comprehensive financial results above. Total gross COVID cost related to the emergency is \$49 million, with a net COVID cost of \$1.1 million after applying confirmed program-specific and Municipal Safe Re-start funding to support the COVID-19 emergency and be utilized as per each funding agreement.

The table below also includes strategic and other mitigations (offset by additional non-COVID pressures) that the Region was able to put in place to help manage the cost of the emergency, resulting in the total net surplus of \$41.5 million.

Table 5: 2020 COVID-19 Financial Impacts

(in thousands)	Levy	Water/ Wastewater	Waste Management	Total
<b>Total COVID Gross Cost</b>	<b>\$ 47,421</b>	<b>\$ 1,117</b>	<b>\$ 448</b>	<b>\$ 48,987</b>
Less: Confirmed Funding Matched to Expenses	(47,911)	-	-	(47,911)
<b>Net COVID Cost to Region</b>	<b>(490)</b>	<b>1,117</b>	<b>448</b>	<b>1,076</b>
Less: Strategic and Other Mitigations	(16,261)	(3,671)	(1,892)	(21,824)
Less: Redeployed resources	(20,555)	(175)	(49)	(20,780)
<b>Net Budget Surplus</b>	<b>\$ (37,306)</b>	<b>\$ (2,729)</b>	<b>\$ (1,493)</b>	<b>\$ (41,528)</b>

Further detail on the corporate assumptions and cost categories can be found in Appendix 5, a more detailed breakdown by operating department in Appendix 6 and a summary of the confirmed funding announcements in Appendix 7.

## **Alternatives Reviewed**

Council may direct staff to consider alternative options for the consolidated net surplus position of \$41,528 thousand however this is not recommended as the report recommendations have been made in accordance with policies and 2021 and 2022 budget commitments.

## **Relationship to Council Strategic Priorities**

Providing formal financial reporting to Council and the public supports the Council Strategic Priority of Sustainable and Engaging Government.

Supporting the COVID-19 emergency response directly supports Council's strategic priority of a Healthy and Vibrant Community.

## **Other Pertinent Reports**

- CSD 30-2020 COVID-19 Preliminary Overview of Financial Impacts (April 23, 2020)
- CSD 31-2020 Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings (April 23, 2020)
- CSD 34-2020 COVID Cash Flow Update (May 21, 2020)
- CSD 35-2020 COVID-19 Financial Impact Update (May 21, 2020)
- CSD 39-2020 COVID Cash Flow Update (June 25, 2020)
- CSD 40-2020 COVID-19 Financial Impact Update (June 25, 2020)
- CSD 46-2020 COVID Cash Flow Update (July 23, 2020)
- CSD 47-2020 COVID-19 Financial Impact Update (July 23, 2020)
- CSD 50-2020 COVID Cash Flow Update (August 13, 2020)
- CSD 51-2020 COVID-19 Financial Impact Update (August 13, 2020)
- CSD 56-2020 Q2 2020 Financial Update (CSC September 9, 2020)
- CSD 57-2020 COVID-19 Cash Flow Update (September 17, 2020)
- CSD 63-2020 COVID-19 Cash Flow Update (October 22, 2020)
- CSD 69-2020 COVID-19 Financial Impact Update (October 22, 2020)
- CSD 76-2020 Q3 2020 Financial Update (CSC December 9, 2020)

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**Prepared by:**

Melanie Steele, MBA, CPA, CA  
Associate Director, Reporting & Analysis  
Corporate Services

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**Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

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**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with the Corporate Leadership Team and consolidated ABCs and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.*

**Appendices**

Appendix 1	Consolidated Year-End Funding Surplus/(Deficit)
Appendix 2	Detailed Summary of Encumbrances by Department
Appendix 3	5 Year Funding Surplus/(Deficit) Analysis
Appendix 4	Q4 2020 Financial Update
Appendix 5	COVID-19 2020 Financial Impact Summary
Appendix 6	COVID-19 Financial Impact by Department
Appendix 7	Confirmed COVID-19 Funding Announcements
Appendix 8	NRPS Financial Variance Overview for the Year Ending December 31, 2020
Appendix 9	NRH 2020 Year-End transfer Report (NRH 3-2021)

## Niagara Regional Police Services Statement of Operations (in thousands of dollars)

	Year to Date Budget	Year to Date Actual	Year to Date Budget vs Actual Variance Amount	Year to Date Budget vs Actual Variance Percentage
Compensation	\$157,060	\$154,298	\$2,762	1.8%
Administrative	\$4,220	\$3,541	\$679	16.1%
Operational & Supply	\$2,277	\$2,622	-\$345	-15.2%
Occupancy & Infrastructure	\$361	\$267	\$94	26.1%
Equipment, Vehicles, Technology	\$6,991	\$6,645	\$346	4.9%
Financial Expenditures	\$1	\$6	-\$5	-469.6%
<b>Total Expenses</b>	<b>\$170,910</b>	<b>\$167,379</b>	<b>\$3,531</b>	<b>2.1%</b>
Federal & Provincial Grants	-\$9,737	-\$9,641	-\$96	-1.0%
By-Law Charges & Sales	-\$6,068	-\$2,177	-\$3,891	-64.1%
Other Revenue	-\$2,186	-\$2,241	\$55	2.5%
<b>Total Revenues</b>	<b>-\$17,991</b>	<b>-\$14,059</b>	<b>-\$3,932</b>	<b>-21.9%</b>
Intercompany Charges	-\$1,361	-\$1,407	\$46	-3.4%
<b>Total Intercompany Charges</b>	<b>-\$1,361</b>	<b>-\$1,407</b>	<b>\$46</b>	<b>-3.4%</b>
<b>Net Expenditure (Revenue) Before Transfers &amp; Indirect Allocations</b>	<b>\$151,558</b>	<b>\$151,913</b>	<b>-\$355</b>	<b>-0.2%</b>
Transfers From Funds	-\$250	-\$250	\$0	0.0%
Transfers To Funds	\$3,150	\$3,150	\$0	0.0%
<b>Total Transfers</b>	<b>\$2,900</b>	<b>\$2,900</b>	<b>\$0</b>	<b>0.0%</b>
<b>Net Expenditure (Revenue) Before Indirect Allocations</b>	<b>\$154,458</b>	<b>\$154,813</b>	<b>-\$355</b>	<b>-0.2%</b>
Indirect Allocations & Debt	\$15,723	\$15,736	-\$13	-0.1%
<b>Total Indirect Allocations &amp; Debt</b>	<b>\$15,723</b>	<b>\$15,736</b>	<b>-\$13</b>	<b>-0.1%</b>
<b>Net Expenditure (Revenue) After Transfers &amp; Indirect Allocations</b>	<b>\$170,181</b>	<b>\$170,549</b>	<b>-\$368</b>	<b>-0.2%</b>

# Niagara Regional Police Services - Continued

## Variance Analysis (in thousands of dollars)

For the period ending December 31, 2020, Niagara Regional Police Service's financial result was a combined Net Expenditure before Indirect Allocations deficit of \$355. The Service recommended a transfer from reserves of \$71, which will reduce the deficit to \$284. The deficit consists of a \$532 deficit attributable to the Service, offset by a \$248 surplus attributable to the Police Service Board. The following factors contributed to this deficit:

**Compensation** – Compensation expense was below the approved budget by \$2,762. This favourable variance is primarily due to the net result of savings realized within uniform salaries due to hiring lags, employee benefits and the 2020 NRPA wage settlement, partially offset by increased spending of civilian salaries to backfill operationally essential civilian positions, WSIB claims experience, and sick leave payouts from greater than budgeted retirements. Additionally some savings were realized as a result of COVID-19 restrictions including savings in court time as a result of courts operating at reduced and modified capacity, as well as savings in special duty expense due to cancelled events, however special duty savings are fully offset by a reduction in Revenue.

**Administrative** – Administrative expense was below the approved budget by \$679. This favourable variance is the result of savings in legal expenses for the Police Services Board, as well as COVID-19 related savings in staff development due to reduced travel and cancelled events, conferences and training as well as savings in administrative mileage and travel expenses. These savings were offset partially by PPE purchases including gloves, masks and disinfectant purchased at the onset of the pandemic for frontline staff.

**Operational & Supply** – Operational & Supply expense was above the approved budget by \$345. This unfavourable variance is the result of two major special investigations, as well as increased uniform expenses required to outfit the significant number of constables hired during the year as a result of retirements and the 40 Officer Program Change. In addition, there were increased costs from COVID-19 supply costs for PPE, IT hardware to equip members to work from home, building renovations such as Plexiglas barriers and signage, and deep cleaning decontamination costs.

**Occupancy & Infrastructure** – Occupancy & Infrastructure expenses was below the approved budget by \$94. This favourable variance is the result of savings in leases for the IT disaster recovery site, which is now being charged through indirect allocations, as well as minor building renovations-based requests and projects completed during the year.

**Equipment, Vehicles & Technology** – Equipment, Vehicles & Technology was below the approved budget by \$346. This favourable variance is mainly due to savings in fuel costs due to lower than budgeted fuel rates throughout the year.

**Recoveries & Revenues** – Recoveries & Revenues were below the approved budget by \$3,932. This unfavourable variance is the result of a shortfall of third party revenue received from the City of Niagara Falls due to the Casino closures as well as reductions in fees for service, special duty and secondment revenues as a result of closures and/or event cancellations imposed by the COVID-19 emergency orders.

## Conclusion

The detailed variance analysis has been prepared based on results of operations at December 31, 2020. The Service's year-end deficit of \$284 represents 0.2% of the total budget. The results include the actual expenditures incurred and provisions for all known liabilities and offsetting revenues at December 31, 2020.



## INTERNAL CORRESPONDENCE

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

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**Date:** April 6, 2021

**Re: Canadian Association of Police Governance (CAPG)  
Governance Summit Sponsorship Request – April 27 and June 30, 2021**

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Purpose:

To provide the Board with a copy of a request received from the Canadian Association of Police Governance (CAPG) to support the CAPG's 2021 Governance Summits.

Background and Discussion:

The Board has recently received a request for Board sponsorship of the 2021 Governance Summits of the Canadian Association of Police Governance (CAPG) being held virtually on April 27, 2021 and June 30, 2021. The summit on April 27<sup>th</sup> is entitled Governance 101: A Refresher for Police Boards and Commissions and the summit on June 30<sup>th</sup> will focus on policy development in police governance. The Board has purchased tickets to attend both events at a bundled rate of \$600, which includes complimentary registration for up to 10 individuals at each event. A copy of the email from the CAPG is attached for your review.

The CAPG is the only national organization solely dedicated to excellence in police governance in Canada. Established in 1989, the CAPG represents municipal Police Services Boards/Commissions across Canada. These Boards/Commissions employ in excess of 30,000 police personnel, representing approximately three-quarters of municipal police personnel in Canada. As a non-profit association, the CAPG relies on the support of its members and partners who value the importance of effective policing and police governance nation-wide. It provides a wide variety of services designed to assist Police Services Boards/Commissions in discharging their duties, including monthly webinar sessions, an annual general meeting and conference, as well as police governance summits, which are designed to inform and enlighten those in government responsible for policing in Canada so that they may better understand the governance perspective.

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.

This request meets the Board's Special Fund criteria and the Board has supported the CAPG as a sponsor of various events for the past 22 years. Therefore, it is recommended that the Board approve a donation at the CAPG Supporter level in the total amount of \$1,000; which represents \$500 for each Governance Summit being held in April and June 2021.

**Recommendation:**

**That the Board authorize a donation at the Supporter Sponsor Level in the total amount of \$1,000.00 (\$500 for each summit) from the Special Fund to the Canadian Association of Police Governance (CAPG) in support of its 2021 Governance Summits.**



Deb Reid  
Executive Director

Encl.



**Deb Reid**

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**From:** Canadian Association of Police Governance <communications@capg.ca>  
**Sent:** Thursday, April 1, 2021 3:00 PM  
**To:** Deb Reid  
**Subject:** 💡 A Unique Sponsorship Opportunity for our Members

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

[View this email in your browser](#)

The following message is an exclusive CAPG membership communication sent solely to the designated CAPG liaison. Please distribute this email to all members of your organization.



## **SPONSORSHIP OPPORTUNITY 2021 GOVERNANCE SUMMITS**

Dear Regional Municipality of Niagara Police Services Board,

It is thanks to your contributions like yours that we are able to keep registration fees low in order to encourage even the smallest of police boards and commissions to participate in our unique events.

***All packages include complimentary registration for up to 10 individuals. Pricing is PER EVENT (April or June) and dependant upon availability.***

## ***SPONSORSHIP STREAMS***

### **Official Governance Summit Sponsor**

**2 available, choose between April or June**

**- \$10,000**

#### ***Inclusions:***

- your logo + hyperlink + blurb in pre-event email and Summit web page
- verbal recognition of sponsor during opening and closing remarks
- 3-minute video looped before and after sessions
- logo or banner on login screen
- dedicated social media shoutout during event

### **CAPG Supporter Package - \$500+**

*Choose between April or June*

- Your board's logo in rotation on the main event page and related Summit emails to subscribers

### **Sponsor a Session - \$2,500**

*2 available, choose between April or June*

- Display your organization's name and logo with hyperlink alongside your chosen session in the agenda, the Summit webpage and throughout the event platform.

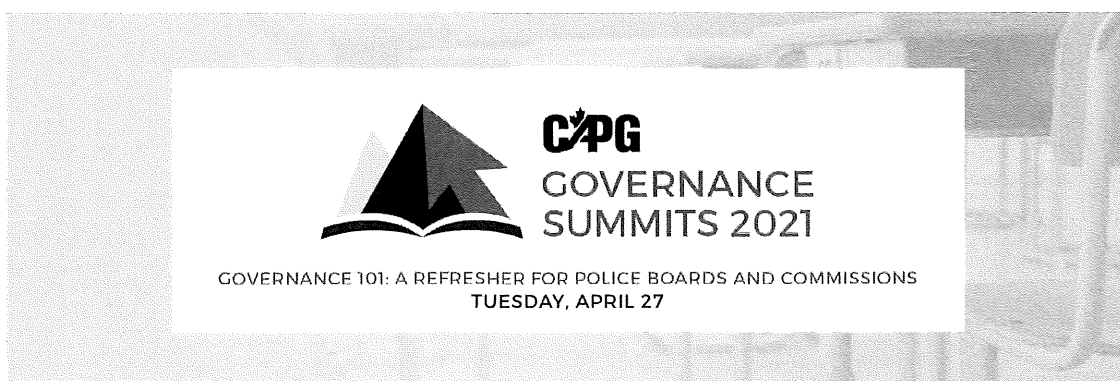
### **Lobby Video - \$1,500**

*2 available, choose between April or June*

- Play a message or promotional video on the lobby splash page (3-4 minutes with audio)

**OUR POLICE GOVERNANCE SUMMITS:** Two one-day comprehensive workshop-style events designed to allow attendees to engage, network and discuss challenges related to policing and police governance.

Please contact [communications@capg.ca](mailto:communications@capg.ca) to register as a sponsor!



## **Governance 101**

### **A Refresher for Police Boards and Commissions**

Date: **April 27, 2021**

Time: 11:00 AM - 3:00 PM EST | **Register up to 10 people for a single low rate!**

We have gathered Executive Directors from across Canada to share their own insights, best practices and real-world experiences. These four key areas will be explored by our seven experts, highlighting case studies and lessons learned:

- 1. Orientation and Roles and Responsibilities**
- 2. Assessing Board Effectiveness**

### 3. Communication

### 4. Board – Chief Relations

The 4-hour session will include a Q&A session so we ask participants to send their questions in advance.

**Facilitator Barb Mantello will be joined by:**

- Ryan Teschner, ***Toronto Police Services Board***
- Fred Kaustinen, ***Ontario Association of Police Services Boards***
- Mafalda Avellino, ***Regional Municipality of York Police Services Board***
- Heather Spicer, ***Calgary Police Commission***
- Matt Barker, ***Edmonton Police Commission***
- Krista Ferraro, ***Ottawa Police Services Board***
- Stephanie Johanssen, ***Vancouver Police Board - newly added***

*Prices are per organization. Up to 10 organization members may attend under a single registration. You will be prompted to provide contact information for your chosen attendees upon registration.*

**We hope you can join us for this unique collaboration between Police Governance leaders!**

**Register Now**

**Mark your calendar!**

**CAPG Governance Summits 2021**

**April 27th**

Governance 101: A Refresher for Police  
Boards and Commissions

**June 30th**

Policy Development in Police Governance

*Add event to calendar*



## Adjusting to a Virtual Format

This virtual event delivers the same access to Police Governance knowledge, resources and community we have spent decades building and cultivating only in a broader, more accessible and safer format.

We do know, however, that there can be bumps along the way when it comes to adjusting to a new method of learning. The following video gives an in-depth overview of our virtual event platform - Pheedloop.

If you have specific questions or concerns, please feel free to reach out to us. We are here to help!



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