



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
PUBLIC MINUTES

Thursday, July 22, 2021
Meeting Held By Electronic Participation Only
ZOOM VIRTUAL MEETING

PSB MEMBERS:

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

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

NRPS MEMBERS:

Chief of Police B. MacCulloch
Deputy Chief B. Flynn, Operational Services
Deputy Chief B. Fordy, Support Services
Superintendent B. Ash, Emergency Investigative Services
Superintendent R. Fryane, Operations Support
Superintendent D. Meade, Executive Services
A/Superintendent M. Lagrotteria, District Operations
A. Askoul, Director of Information Technology
Inspector D. Forbes, Operational Support
Inspector C. Healey, Fleet Services
Inspector D. Masotti, Executive Officer to the Chief
D/Sergeant D. Biggar, Executive Officer to Deputy Chief
D/Sergeant S. Rose, Executive Officer to Deputy Chief
G. Holden, Records Manager
L. Rullo, Finance Manager
S. Sabourin, Corporate Communications Manager
M. Asher, Executive Assistant to the Chief

1. CALL TO ORDER

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

Chair Steele welcomed attendees to the virtual meeting of the Board, which was broadcasted on Zoom and live-streamed on You Tube.

The Board began its meeting by acknowledging that the land on which the meeting took place as the traditional territory of the Haudenosaunee and Anishinaabe peoples, many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties and is within the lands protected by the “Dish with One Spoon” Wampum Agreement and is the home to many First Nations, Metis, and Inuit peoples. Acknowledging such reminds us that the great standard of living that we enjoy in Niagara, is directly related to the resources and friendships of the Indigenous people who make up our community.

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, June 24, 2021

Moved by: H. D'Angela

Seconded by: D. Eke

That the Minutes of the Public Board Meeting held Thursday, June 24, 2021 be adopted as circulated.

Carried

4. REPORTS FROM BOARD CHAIR

Moment of Silence for NRPS Member Mirjana Smiljanic - Chair Steele acknowledged Mirjana Smiljanic, a civilian member with our Police Service, who passed away on July 13. Mirjana began her career with the Niagara Regional Police Service in 2006 and held various assignments within the Service, most recently as an Analyst in the Real Time Operations Centre. Chair Steele expressed an overall sadness for Mirjana's loss and offered sincere condolences to her family and her many friends and colleagues throughout the Service.

Order of Merit - Deputy Chief Bill Fordy - On behalf of the Board, Chair Steele congratulated Deputy Chief Fordy on his accomplishment of being elevated to the 'Officer' level of the Order of Merit of Police Forces by the Governor General of Canada. The Officer of the Order of Merit of the Police Forces recognizes outstanding meritorious service in duties of responsibility over an extended period, usually at the regional or provincial level. Deputy Chief Fordy was presented with this prestigious award at a special ceremony held on July 13.

Being honoured in this capacity is great news, and his investiture at the Officer level is a reflection of the high quality of policing services that we enjoy in the Niagara Region. The Board is proud to see Deputy Chief Fordy recognized for his commitment and dedication to policing services in our community.

CAPG – Webinar Session - The Canadian Association of Police Governance 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. This month's webinar is scheduled for July 29. The session will be presented by Glenn Christie, Partner at Hicks Morley, and will focus on Municipal Council and Police Governance – the Legal Boundaries, Guidelines and Ethics.

CAPG – Round Table Discussion - The Canadian Association of Police Governance has extended an invitation for the Board to participate in a virtual round table discussion about rural policing in North America. The event is free and is being held on September 15, from 6 pm – 7:30 pm.

Big "12" Meeting - On September 17, the "Big 12" will be holding a virtual meeting for the Chairs, Vice-Chairs and Executive Directors of the 12 largest Police Services Boards in Ontario. The meeting provides a forum for information sharing and discussions will focus on emerging key issues that have province-wide implications for policing.

Upcoming Meetings - In keeping with meeting schedule practices for Regional Council, local area municipalities and Agencies, Boards and Commissions; as well as other Police Services Boards, there are no Board or Committee meetings scheduled during the month of August. The Board meetings will reconvene in September. The next Committee Meeting will be held Thursday, September 9 at 9:00 am, and the next Board Meeting will be held Thursday, September 23 at 9:00 am with both meetings being held in the Community Room at Niagara Regional Police Headquarters. Meeting details will be confirmed closer to the meeting dates.

The Board has been meeting virtually since March 2020 due to the COVID-19 pandemic and is preparing to return to in-person meetings starting in September. The number of people allowed at each meeting will be dependent on provincial regulations in place at that time. Police Services Board meetings will continue to be livestreamed on the PSB You Tube Channel and posted on the website for public viewing.

5. REPORTS FROM THE CHIEF OF POLICE

NRPS Collaborating with CAA Niagara and Municipal Partners - The Niagara Regional Police Service is working in collaboration with CAA Niagara and municipal partners to distribute "Slow Down" lawn signs to reduce vehicle speed, particularly in urban areas to further enhance public safety for children who may be outside playing and for pedestrians. The signs themselves will contain the "Niagara Regional Police Service" wordmark in conjunction with "CAA" and municipal partner wordmarks. This initiative will be launched later this month and underscores the collaborative effort to keep our communities safe. Details on signage distribution is currently being assessed and information on how to obtain this signage will be posted to the Service's social media outlets in the near future. Chief MacCulloch advised this information will be circulated to the Board when available.

Operational Statistics:

Homicides

- 1 for this reporting period with a total of 6 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

- 2 for this reporting period with a total of 2 for 2021 to-date, compared to year-end totals of 3 in 2020, 2 in 2019, 8 in 2018 and 3 in 2017.

Homicide Incident of June 26, 2021 - At approximately 3:00 am, uniform officers were called to a residence in the area of Church Street and Queenston Street in St. Catharines. Upon arrival, officers located a 22-year-old female inside who was subsequently pronounced deceased. It was determined that the female died as a result of a gunshot wound. On June 29, a 21-year-old male was arrested and charged with 1st Degree Murder in relation to the female's death. The Homicide Unit has carriage of this investigation and the matter is now before the courts.

Homicide Incident of June 27, 2021 - Shortly after 5:00 am, uniform officers responded to a 911 call at a campground on King Street in Lincoln. Upon arrival, it was determined that an altercation occurred between two persons which led to an assault and stabbing. A 41-year-old male suspect fled the scene prior to police arrival. The victim was transported to a hospital with injuries that were determined to be non-life threatening. Two days later, the male suspect was arrested and charged with offences of Attempt Murder, Assault with a Weapon, Choking, and Forcible Confinement. This matter is now before the courts.

Homicide Incident of July 4, 2021 - Shortly after 6:00 pm, uniform officers responded to a report of a disturbance in the area of Jubilee Drive and Redhaven Crescent in Niagara Falls. Upon arrival, officers located a 28-year-old female suffering from a serious stab wound. It was determined that the female had an interaction with a 37-year-old male who fled prior to police arrival. The victim was transported to an out of town hospital with injuries that were determined to be non-life threatening.

The male suspect was eventually located on the Garden City Skyway after being involved in a motor vehicle collision. A lengthy standoff ensued with police personnel of which included NRPS Crisis Negotiators. This incident also resulted in the closure of traffic on the Skyway. At approximately 2:00 am, the male was taken into custody, and thereafter the bridge was reopened to traffic. The male has been charged with Attempt Murder and Criminal Harassment. This matter is now before the courts.

Fatal Motor Vehicle Collisions (MVC)

- 1 for this reporting period with a total of 10 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 of June 26, 2021 - Officers responded to a report of a motor vehicle incident involving a 70-year-old male operating an agricultural tractor at a property on Chippawa Road in Port Colborne. Investigation determined that the male was operating a tractor up a steep incline when it rolled over pinning the operator. The male suffered fatal injuries and was pronounced deceased at the scene. The investigation into this matter continues by the Collision Reconstruction Unit.

Enforcement Initiatives:

Three Persons Arrested in Relation to Niagara Falls Commercial Break and Enter - On June 16, at approximately 2:15 am, uniform officers from the Niagara Regional Police Service (NRPS) responded to a break and enter alarm at a department store in Niagara Falls. The officer's initial investigation determined that unknown suspects had climbed onto the roof. The suspects caused damage to the roof and were able to get inside the store. Once inside the store the suspects

stole a significant amount of merchandise, primarily watches. The estimated value of the stolen merchandise is \$30,000. The suspects then fled from the scene prior to the arrival of police.

Detectives from the 2 District Street Crime Unit were assigned to the investigation. As a result of the investigation, detectives were able to identify three suspects in relation to the break and enter. On June 23, all three suspects were arrested with resulting search warrants locating the stolen property. A 20-year-old male, 40-year-old male and 49-year-old female were all charged with Break Enter and Commit Theft.

Niagara-on-the-Lake Traffic Stop Results in Drug Seizure - On July 1, at approximately 4:30 pm, a Niagara Regional Police Service Traffic Enforcement Unit officer was on patrol on Highway 405 near Stanley Avenue in Niagara-on-the-Lake. The officer observed a vehicle and a subsequent database check determined the registered owner was a suspended driver. The officer initiated a traffic stop. One of the passengers in the car was not wearing a seatbelt and provided a false identity to the officer. As the officer was attempting to confirm the identity; a quantity of suspected drugs and proceeds of crime money was found in the car. All three of the persons in the car were arrested. Officers seized suspected methamphetamine and suspected fentanyl with an estimated street value of \$60,000 along with over \$900 in Canadian currency. A 37-year-old male, 37-year-old female and a 41-year-old male were all arrested and charged with numerous drug related offences. The individuals charged all reside in the Niagara Region.

Man Arrested Following St. Catharines Stabbing - On July 5, at approximately 6:25 pm, uniform officers responded to a report of a stabbing in St. Catharines. Officers located a male victim in his 50's suffering from stab wounds. The victim was treated at the scene by Niagara Emergency Medical Services paramedics and transported to a local hospital with serious injuries. He was subsequently flown by Ornge Air Ambulance to an out of region hospital. A 29-year-old male was arrested and charged with aggravated assault.

6. PRESENTATIONS

A presentation was provided by the Chief of Police as part of the 2022 Capital Budget and 9-Year Capital Forecast, listed as Item 8.2 on the Agenda.

7. CONSENT AGENDA

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

Service report dated July 21, 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 the mitigate risks.

7.2 Quarterly Report - Special Constables - Brock University Campus Security Services - April 1 to June 30, 2021

Report dated July 6, 2021 from Ken Chan, Vice President, Administration, 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.

7.3 Quarterly Report - NRPS Authorized Strength as at July 1, 2021

Service report dated July 2, 2021 providing a summary of the actual versus the authorized strength by rank/salary band of the uniform and civilian complement of the Niagara Regional Police Service.

7.4 Annual Report - Community-Based Crime Prevention - January 1 to December 31, 2020

Service report dated June 28, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 192-2000.

In regard to the 1 District - St. Catharines and Thorold Foot Patrol initiative detailed in the report, specifically the comment regarding NRPS patrol officers performing five NARCAN rescues in 2020, Member Gale requested that for public interest, the Service confirm the total number of NARCAN rescues that were performed by NRPS officers at the next Board meeting.

7.5 Annual Report - Homicide and Attempted Homicide Investigations - January 1 to December 31, 2020

Service report dated July 7, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 231-2000.

7.6 Annual Report - Officer Note Taking - January 1 to December 31, 2020

Service report dated June 22, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 214-2000.

7.7 Annual Report - Police Uniforms - January 1 to December 31, 2020

Service report dated July 2, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 259-2003.

7.8 Annual Report - Violence and Harassment Prevention in the Workplace - January 1 to December 31, 2020

Service report dated June 25, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 332-2013.

7.9 Annual Report - Youth Crime - January 1 to December 31, 2020

Service report dated June 24, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 236-2000.

7.10 Canadian Association of Police Governance (CAPG) - Summit Sponsorship Acknowledgement

Letter dated July 6, 2021 from Jennifer Malloy, Executive Director, CAPG, acknowledging the Board's support toward the CAPG's Virtual Governance Summits: "Governance 101: A Refresher for Police Boards and Commissions" held on April 27th, and "Policy Development in Police Governance" held on June 30th.

7.11 Health Canada - Medicinal Cannabis Safety Concerns - Response to PSB-NRPS Inquiry

Email dated June 29, 2021 providing a response from Joanne Garrah, Director General, Licensing and Medical Access Directorate, Controlled Substances and Cannabis Branch, Health Canada, to the Board and Service's joint letter dated November 4, 2020 addressed to The Honourable Patty Hajdu, Minister of Health, to request Health Canada address proper regulation of the cannabis industry, specifically with designated medical growers who are operating outside of their medical designations. *(A copy of the PSB/NRPS joint letter is attached for reference.)*

7.12 Town of Fort Erie - Licensing of Cannabis Operations – Illegal Operations

Letter dated June 22, 2021 from Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie, addressed to The Right Honourable Justin Trudeau, Prime Minister of Canada, to advise of the resolution passed by the Municipal Council of the Town of Fort Erie at its meeting held June 21, 2021 regarding a number of locally identified concerns relating to illegal cannabis grow operations, and to seek resolve by the Federal Government to combat any future illegal cannabis activities.

7.13 RMON - 2022 Budget Planning and Timetable

Letter dated July 6 , 2021 from Ron Tripp, Acting Chief Administrative Officer, RMON, advising of the Budget Review Committee-of-the-Whole recommendations as approved by Regional Council at its meeting held June 24, 2021 relating to the 2022 budget planning and timetable for Niagara's Agencies, Boards and Commissions (ABC's).

Moved by: B. Gale

Seconded by: K. Gibson

That the information be received.

Carried

8. NEW BUSINESS

8.1 Capital Project Close Out Report - For the Year 2021

Service report dated July 12, 2021 requesting Board approval to close completed capital projects and return the balance of the funds to their original source.

Moved by: J. Lawson

Seconded by: T. McKendrick

That the Board approve the closure of the completed projects identified in the report and the transfer of funds to the Police Capital Reserve, resulting in a net transfer to the Police Capital Levy of \$94,092.25.

Carried

8.2 Capital Budget and 9-Year Capital Forecast - Budget Year 2022

Service report dated July 12, 2021 requesting the Board approve the proposed 2022 Police Service Capital Budget and 9-Year Capital Forecast. *(A copy of the NRPS 2022 Budget Presentation is attached to the report.)*

After the presentation and discussion of the capital budget request, the Board approved the recommendations as outlined by the Service.

Chair Steele also suggested the Service include specific cost-saving measures in staff resources and/or program efficiencies as part of future budget reports in order to better demonstrate the value-added benefits of the items proposed that would reduce future costs.

Moved by: H. D'Angela

Seconded by: D. Eke

That, subject to approval by Regional Council of the consolidated Capital Budget, the Board approve the following with regards to the 2022 Police Service Capital Budget and Forecast:

1. **That the 2022 Capital Budget of the Niagara Regional Police Service of \$3,916,900, as summarized in Appendix 1, be approved;**
2. **That financing in the amount of \$3,916,900 be initiated upon approval of the 2022 Capital Budget and be allocated to the projects as summarized in Appendix 1. *(Financing for the 2022 Capital Budget is from the Police Capital Levy Reserve in the amount of \$1,498,900, from the Vehicles and Equipment Reserve Fund in the amount of \$2,078,000 and from debenture debt in the amount of \$340,000); and***
3. **That the 9-Year Capital Forecast be received as a guideline for the development of future Capital Budgets.**

Carried

8.3 Purchase Order Issuance to Lightning Equipment Sales Inc.

Service report dated July 13, 2021 requesting Board approval to issue a purchase order for specialized equipment in the amount of \$200,000 to Lightning Equipment Sales Inc., as the sole source supplier for emergency warning lights, sirens and compartment barriers, in accordance with Board By-law 384-2019, Financial Reporting, Control and Procurement.

Moved by: K. Gibson

Seconded by: J. Lawson

That the Board approve the issuance of a \$200,000 Purchase Order for Lightning Equipment Sales Inc. for the annual purchase of various special equipment installed in police vehicles.

Carried

8.4 Proposed Amendments to the Administration, Limitations and Guidelines of the Special Fund By-Law

Service report dated July 12, 2021 recommending amendments to the Board's current Administration, Limitations and Guidelines of the Special Fund By-Law to increase the limit of the Special Operating Account from \$75,000 to \$90,000 as well as the disbursement limit authorized by the Chief from \$5,000 to \$10,000 for the same account, and to increase the limit for the General Operating Account from \$50,000 to \$110,000.

Moved by: T. McKendrick

Seconded by: H. D'Angela

That the Board's Administration, Limitations and Guidelines of the Special Fund By-Law No. 376-2018 be repealed and replaced with the By-law No. 392-2021 as appended to this report;

And further, that the Board Chair and Executive Director be authorized to execute the required documentation.

Carried

8.5 Special Fund Request - Annual Niagara Golf Marathon

Service report dated June 4, 2021 requesting the Board approve a donation in support of the Niagara Golf Marathon being held August 17, 2021 at the Royal Niagara Golf Club for fundraising and the proceeds being donated to the Niagara Health Foundation, Community Care of St. Catharines and Thorold, Pathstone Mental Health and Wellspring Niagara. *(The item was deferred from the June 24, 2021 meeting for further review of the Board's Special Fund policy to ensure the funding request meets the guiding principles of the Board's Special Fund By-law.)*

Moved by: D. Eke

Seconded by: J. Lawson

That the Board authorize a donation in the amount of \$250.00 from the Special Fund for a hole sponsorship in support of the Niagara Golf Marathon fundraising initiative.

Carried

8.6 Big Red Meats Fundraising Initiative - Constable Dale Racine Educational Bursary

Service report dated June 28, 2021 advising the Board of the results of the "Big Red Meats" fundraising initiative held in support of the Constable Dale Racine educational bursary in lieu of the Constable Dale Racine Trivia Night, which was postponed indefinitely due to the COVID-19 pandemic gathering restrictions and is now tentatively scheduled for January 28, 2022.

Moved by: D. Eke
Seconded by: B. Gale

That the information be received;

And further, that the Board authorize the Service to continue with fundraising efforts for the Constable Dale Racine educational bursary by returning to the Trivia Night fundraiser tentatively scheduled for January 28, 2022.

Carried

9. OTHER NEW BUSINESS

There was no other new business raised or discussed at the meeting.

10. IN CAMERA REPORTS

10.1 Special Investigations Unit - Case 20-OOD-355 - Incident of December 3-4, 2020

Service report dated June 1, 2021 advising that the SIU concluded their investigation in this matter and found no grounds for criminal charges against any police officer, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the Police Services Act, the Service completed its review and investigation into this matter and concluded that there are no identified policy/service/officer conduct issues.

Moved by: K. Gibson
Seconded by: J. Lawson

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

Carried

11. ADJOURNMENT

The Public Meeting adjourned at 10:49 am.

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

William C. Steele, Chair

Deb Reid, Executive Director