



# REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD PUBLIC AGENDA

Thursday, May 19, 2022, 9:00 am

Niagara Regional Police Service - Headquarters  
Community Room 1st Floor, 5700 Valley Way, Niagara Falls

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

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Pages

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT STATEMENT

3. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

4. ADOPTION OF MINUTES

4.1. Minutes of the Public Board Meeting held Thursday, April 21, 2022

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That the Minutes of the Public Board Meeting held Thursday, April 21, 2022 be adopted as circulated.

5. REPORTS FROM BOARD CHAIR

6. REPORTS FROM THE CHIEF OF POLICE

7. PRESENTATIONS

8. CONSENT AGENDA

8.1. Ministry of the Solicitor General - PSB Reappointment of Dave Eke

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Letter dated April 20, 2022 from the Honourable Sylvia Jones, Solicitor General of Ontario, confirming the reappointment of Dave Eke to the Niagara Police Services Board effective from June 20, 2022, for a period of six (6) months, or until such time as an appointment has been made by Order in Council, whichever occurs first.

<b>8.2.</b>	<b>Ministry of the Solicitor General - New Regulation Under the HTA to a Allow for a Large Quadricycle Pilot</b>	<b>18</b>
	Memorandum dated May 4, 2022 from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General, to all Chiefs of Police and Board Chairs, sharing a communication regarding a new regulation under the <i>Highway Traffic Act</i> , O. Reg. 411/22: Pilot Project - Large Quadricycles, establishing a ten-year pilot project to allow the use of large quadricycles on Ontario roads, which came into effect on April 21, 2022.	
<b>8.3.</b>	<b>Canadian Association of Police Governance - Police Strategic Plan Research Project</b>	<b>22</b>
	Letter dated April 22, 2022 from Jennifer Malloy, Executive Director, Canadian Association of Police Governance (CAPG), advising of an opportunity for CAPG members to participate in a research project with Dr. Tarah Hodgkinson (Wilfrid Laurier University) and Dr. Tullio Caputo (Carleton University) that is being undertaken to assist Boards and Commissions in determining the nature of any identified gap that exists between the delivery of policing services and the way that they are carried out. Stage one of the project consists of a semi-structural interview process with senior members of the CAPG and their respective police service senior members (Chief, Deputies, etc.).	
<b>8.4.</b>	<b>Niagara River Rescue and Recovery Operations</b>	<b>24</b>
	Service report dated May 4, 2022 submitted in response to Board direction provided at the January 27, 2022 Public Board Meeting requesting details related to rescue and body recoveries in the Niagara River basin, and including additional statistical information requested by the Board at the April 21, 2022 Public Board Meeting. This item was deferred to the May 19, 2022 Public Board Meeting and Niagara Parks Police Chief Paul Forcier will be in attendance for any discussion on this matter.	
<b>8.5.</b>	<b>Quarterly Report - NRPS Authorized Strength as at April 1, 2022</b>	<b>28</b>
	Service report dated April 13, 2022 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.	
<b>8.6.</b>	<b>Quarterly Report - Administration of the Public Complaints System - January 1 to March 31, 2022</b>	<b>31</b>
	Service report dated April 13, 2022 submitted in accordance to the quarterly reporting requirements set out in Board By-law 301-2010.	
<b>8.7.</b>	<b>Quarterly Report - Overtime Activities Incurred by the NRPS - January 1 to March 31, 2022</b>	<b>37</b>
	Service report dated April 28, 2022 providing the Board with a five-year uniform and civilian quarterly and year-to-date overtime trend analysis to include summaries of the overtime hours by activity category, which continues to be predominantly driven by the need to meet minimum staffing requirements, major investigation events, occupational/non-occupational illness, injury and staffing shortfalls.	

<b>8.8. Quarterly Report - Special Fund Activity - January 1 to March 31, 2022</b>	<b>40</b>
Service report dated April 27, 2022 submitted in accordance to the quarterly reporting requirements set out in Board By-law 392-2021.	
<b>8.9. Annual Report - Acoustic Hailing Devices - January 1 to December 31, 2021</b>	<b>45</b>
Service report dated April 13, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 335-2013.	
<b>8.10. Annual Report - Arrest - January 1 to December 31, 2021</b>	<b>49</b>
Service report dated March 24, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 197-2000.	
<b>8.11. Annual Report - Citizen Rewards - January 1 to December 31, 2021</b>	<b>53</b>
Service report dated April 27, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 390-2021.	
<b>8.12. Annual Report - Communicable Diseases - January 1 to December 31, 2021</b>	<b>58</b>
Service report dated April 22, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 253-2003.	
<b>8.13. Annual Report - Community-Based Crime Prevention - January 1 to December 31, 2021</b>	<b>60</b>
Service report dated April 22, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 192-2000.	
<b>8.14. Annual Report - Criminal Harassment - January 1 to December 31, 2021</b>	<b>69</b>
Service report dated February 1, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 220-2000.	
<b>8.15. Annual Report - Criminal Investigation Management and Procedures - January 1 to December 31, 2021</b>	<b>73</b>
Service report dated February 1, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 198-2000.	
<b>8.16. Annual Report - Domestic-Family Violence - January 1 to December 31, 2021</b>	<b>80</b>
Service report dated April 21, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 336-2013.	
<b>8.17. Annual Report - Elder and Vulnerable Adult Abuse - January 1 to December 31, 2021</b>	<b>86</b>
Service report dated April 20, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 213-2000.	

<b>8.18.</b>	<b>Annual Report - Fraud and False Pretence Investigations - January 1 to December 31, 2021</b>	<b>91</b>
	Service report dated April 20, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 230-2000.	
<b>8.19.</b>	<b>Annual Report - Hostage Rescue - January 1 to December 31, 2021</b>	<b>95</b>
	Service report dated April 13, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 243-2000.	
<b>8.20.</b>	<b>Annual Report - Officer Note Taking - January 1 to December 31, 2021</b>	<b>98</b>
	Service report dated April 28, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 214-2000.	
<b>8.21.</b>	<b>Annual Report - Persons in Custody - January 1 to December 31, 2021</b>	<b>100</b>
	Service report dated April 29, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 208/225-2000.	
<b>8.22.</b>	<b>Annual Report - Policing Aboriginal Occupations and Protests - January 1 to December 31, 2021</b>	<b>105</b>
	Service report dated March 30, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 324-2012.	
<b>8.23.</b>	<b>Annual Report - Problem Oriented Policing and Community Patrol - January 1 to December 31, 2021</b>	<b>109</b>
	Service report dated April 26, 2022 submitted in accordance to the annual reporting requirements set out in Board By-laws 191-2000 and 193-2000.	
<b>8.24.</b>	<b>Annual Report - Proceeds of Crime - January 1 to December 31, 2021</b>	<b>119</b>
	Service report dated April 21, 2021 submitted in accordance to the annual reporting requirements set out in Board By-law 233-2000.	
<b>8.25.</b>	<b>Annual Report - Property Offences (Including Break and Enter) - January 1 to December 31, 2021</b>	<b>123</b>
	Service report dated April 25, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 222-2000.	
<b>8.26.</b>	<b>Annual Report - Robbery Investigations - January 1 to December 31, 2021</b>	<b>128</b>
	Service report dated February 1, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 234-2000.	
<b>8.27.</b>	<b>Annual Report - Suspect Apprehension Pursuits - January 1 to December 31, 2021</b>	<b>132</b>
	Service report dated April 20, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 338-2013.	

**8.28. Annual Report - Tactical Units - January 1 to December 31, 2021** 141

Service report dated April 13, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 242-2000.

**8.29. Annual Report - Use of Force - January 1 to December 31, 2021** 145

Service report dated April 20, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 346-2014.

**That the information be received.**

**9. NEW BUSINESS**

**9.1. Police Services Board - Revision to July Meeting Date** 156

Memorandum dated April 8, 2022 from Deb Reid, Executive Director, Niagara Police Services Board, advising of a request made by Board Chair Steele to reschedule the July meeting date for the Police Services Board's regular monthly meeting from Thursday, July 21, 2022 to Tuesday, July 19, 2022.

**That the Board amend its regular monthly meeting date from July 21, 2022 to July 19, 2022.**

**9.2. Police Services Board By-law Revision – Policy for Compliance with the Municipal Freedom of Information and Protection of Privacy Act** 157

Memorandum dated May 5, 2022 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with a revised by-law as required for compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, and the Ontario Ministry of the Solicitor General.

**That the Board adopt By-law No. 395-2022 as appended to the report and authorize the Board Chair and Executive Director to execute the required documentation.**

**9.3. Police Services Board Draft By-law - Right to Disconnect from Work Policy** 161

Memorandum dated May 11, 2022 from Deb Reid, Executive Director, Niagara Police Services Board, requesting the Board approve the draft Board By-law to "Establish Policy for the Right to Disconnect From Work", in accordance with the mandated legislation of Bill 27, the *Working for Workers Act, 2021*, which introduces a new requirement for employers in Ontario with 25 or more employees to have a written policy on disconnecting from work for all employees covered by the *Employment Standards Act, 2000*.

**That the Board adopt By-law No. 396-2022 as appended to this report and authorize the Board Chair and Executive Director to execute the required documentation.**

#### **9.4. Niagara Regional Police Service - Update to Schedule of Fees and Charges**

170

Service report dated April 28, 2022 providing an updated Schedule of Fees and Charges for the Niagara Regional Police Service, which forms part of the Board's By-law "Imposition of Charges for Police Services", and requesting that subject to Board approval, the Service implement the recommended changes to its fee structure.

**That the Board approve the following:**

1. **The revised fee of zero (\$0) dollars for police Criminal Record Checks (CRC), and police Criminal Record and Judicial Matters Checks (CRCJMC) for volunteers as set out by legislation; and**
2. **The establishment of a \$20 fee for police record checks for students completing an uncompensated placement for academic credit.**

#### **9.5. Special Fund Request - Motorcycle Ride for Dad**

174

Service report dated April 9, 2022 requesting the Board consider a donation to the Motorcycle Ride for Dad campaign to raise money for prostate cancer awareness, research and education through the local Ride for Dad – Niagara Chapter fundraising initiative that will take place in multiple cities throughout Canada, including the Niagara Region. (*Previous Board donations: 2010-2012 - \$300, 2014-2019 - \$500*).

**That the Board approve a donation in the amount of \$500.00 from the Special Fund as a contribution to the 2022 Motorcycle Ride for Dad Campaign.**

### **10. OTHER NEW BUSINESS**

### **11. IN CAMERA REPORTS**

#### **11.1. Special Investigations Unit - Case Number 21-OFD-007 - Incident of January 5, 2021**

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Service report dated March 30, 2022 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.32 of Ontario Regulation 268/10 made under the Police Services Act, the Service completed its review and investigation into this matter and determined there were no issues with respect to officer conduct, policies or services provided by the Niagara Regional Police Service.

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

### **12. 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, April 21, 2022**  
**Niagara Regional Police Service - Headquarters**  
**Community Room 1st Floor, 5700 Valley Way, Niagara Falls**

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**PSB MEMBERS:**

B. Steele, Chair  
D. Eke, Vice-Chair  
H. D'Angela, Board Member  
B. Gale, Board Member  
J. Lawson, Board Member  
  
W. McKaig, Board Solicitor  
D. Cichocki, Executive Assistant

**NRPS MEMBERS:**

Chief of Police B. MacCulloch  
Deputy Chief B. Fordy, Support Services  
A/Deputy Chief B. Ash, Operational Services  
Superintendent R. Frayne, Corporate Services  
Superintendent M. Giannico, District Operations  
A/Superintendent L. Hughes, Operational Support  
A/Superintendent J. Leigh, Emergency Investigative Services  
Inspector D. Masotti, Executive Officer to the Chief  
D/Sergeant K. Fiddes, Executive Officer to Deputy Chief  
Constable R. Campbell, Casino Patrol Unit  
Constable B. Emmerson, Casino Patrol Unit  
P. Divers, Corporate Analyst  
L. Rullo, Finance Manager  
S. Sabourin, Corporate Communications Manager  
M. Asher, Executive Assistant to the Chief

**OTHERS:**

R. LeClair, Policing Services Advisor, Ministry of the Solicitor General  
H. Zehr, Policing Services Advisor, Ministry of the Solicitor General

**1. CALL TO ORDER**

The Public Meeting of the Niagara Police Services Board commenced at 9:04 am.

## 2. LAND ACKNOWLEDGEMENT STATEMENT

The Board began its meeting by acknowledging that the Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hattiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississauga's of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Regional Municipality of Niagara Police Services Board stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

## 3. DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

## 4. ADOPTION OF MINUTES

### 4.1 Minutes of the Public Board Meeting held Thursday, March 24, 2022

Moved by: B. Gale

Seconded by: D. Eke

**That the Minutes of the Public Board Meeting held Thursday, March 24, 2022 be adopted as circulated.**

**Carried**

## 5. REPORTS FROM BOARD CHAIR

**Welcome to Ministry Policing Services Advisor** - On behalf of the Board, Chair Steele welcomed Ron LeClair and Hank Zerh to the meeting. Ron and Hank are with the Inspectorate of Policing at the Ministry of the Solicitor General and they serve as a Policing Services Advisors to Police Boards in Ontario. They attended the meeting as part of their routine visits by Policing Services Advisors to Police Boards across the Province. The Board was pleased that Ron and Hank attended the meeting and Board Members look forward to their continued participation at future meetings.

**NRPS Presentation at Local City and Town Council Meetings** - At its meeting held December 16, 2021, the Niagara Police Services Board passed a motion requesting the Service attend a Council Meeting for each of Niagara's local municipalities to address any local police related questions or concerns specific to each Municipal Council. In addition, any Board Members who represent or reside in the respective municipality attend the Council meeting as a Board representative for this important initiative.

To date, presentations have been made to Port Colborne City Council, Fort Erie Town Council, Niagara Falls City Council, Town of Lincoln Council, Thorold City Council and West Lincoln Town Council. Upcoming presentations have been scheduled as follows:

- Wainfleet Town Council on May 10 at 7 pm;
- Welland City Council on May 17 at 7 pm; and
- Niagara-on-the-Lake Town Council on May 30 at 6 pm.



**Ontario Association of Police Services Boards Zone 4 Quarterly Meeting** - The Ontario Association of Police Services Boards is holding its Zone 4 Quarterly Meeting on May 11 from 9:00 am to 11:00 am. Zone 4 consists of a total of 14 Police Services Boards, including municipal and OPP Contract Boards, and First Nations police governance bodies, that are located within the regions or counties of Brant, Haldimand, Halton, Hamilton, Niagara, Norfolk, and Oxford. These quarterly engagements allow Boards within a certain geographic area to meet for the purpose of discussing matters related to police governance.

**Canadian Association of Police Governance Webinar Sessions** - 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. On April 7, Board Members attended a webinar entitled “The Impact of Hate Crimes on Your Community”, to examine the outbreak of hate crimes across Canada, within the scope of the current global health, economic and civil unrest crises. A webinar is also being held later this day at 12:00 pm entitled “Churn at the Top – Why is it so Hard to Get the Right Chief?” for discussion on the various aspects of recruiting and hiring the “right” choice as police chief, and on May 19 from 12:00 pm – 2:00 pm, the CAPG is holding a Research Roundtable.

**NRPS Annual Awards Ceremony** - On May 9, the Niagara Regional Police Service, along with the Niagara Police Services Board, the Niagara Region Police Association and the Senior Officers’ Association will host its Annual Awards Ceremony. This event recognizes outstanding Service Members and fellow citizens who have demonstrated excellence or made invaluable contributions to the Niagara community, along with Service retirees and long-standing employees for their commitment to the Service. The ceremony is being held at the Americana Hotel in Niagara Falls at 5:00 pm and all Board members and staff will be attending the event.

**Upcoming PSB Meeting** - There are no Committee meetings scheduled next month; and the next Board Meeting will be held Thursday, May 19 at 9:00 am in the Community Room at Niagara Regional Police Headquarters.

## **6. REPORTS FROM THE CHIEF OF POLICE**

**COVID-19 and the Niagara Regional Police Service** - As previously outlined in the March 24, 2022 Board report, most COVID restrictions were lifted by the Provincial government and in keeping in step with the province, the Service lifted most of its workplace restrictions. While it was anticipated that all remaining provincial restrictions such as masking requirements in congregate care and living settings were to come to an end on April 27, 2022, with the expiry of all emergency orders and the rising number of COVID cases throughout the province, the future remains very much uncertain.

Currently, the Service requires that masks be worn in the Prisoner Management Unit, however, it is anticipated that masks will no longer be mandatory as of April 27, nonetheless masking will still be recommended. The Service will continue to require all members and visitors successfully complete the COVID Daily Screener prior to, or immediately upon entering any work facility, at least for the foreseeable future. Additionally, as has been the practice for the last year and a half, the Service will no longer be submitting monthly “Ongoing COVID-19 Pandemic” reports to the Board, as currently, with the lifting of restrictions and the impact of the pandemic on our organization, there is nothing significant to report. That said, the Board will be notified accordingly should the spectre of COVID begin to significantly impact the Service by way of re-introduced workplace restrictions, illness or staffing issues.

Consistent with the rising COVID cases throughout the province, the NRPS also saw an increase in members out of the workplace due to COVID-related illness or COVID self-isolation requirements. Despite this trend, the Service has been able to maintain adequate staffing levels and has not had to cancel any scheduled time off for members and staff will continue to monitor the ever-evolving situation and take necessary steps when required.

Despite the lifting of restrictions in the workplace, the Service continues to encourage physical distancing, proper hand hygiene, and respiratory etiquette in the workplace as well as 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 the future.

Members of the Service, sworn and civilian, continue to do an outstanding job during this unprecedented time. Their ongoing dedication and professionalism in serving the community is recognized and greatly appreciated.

### **Operational Statistics:**

#### *Attempted Homicides - Reporting Period of March 23 to April 19, 2022*

- 2 for this reporting period with a total of 4 for 2022 to-date.

#### *Homicides - Reporting Period of March 23 to April 19, 2022*

- 1 for this reporting period with a total of 1 for 2022 to date, compared to year-end totals of 6 in 2021, 5 in 2020, 7 in 2019 and 2 in 2018.

**Homicide – Incident of April 8, 2022** - At approximately 12:30 am, officers responded to multiple reports of a shooting near the Great Canadian Midway on Clifton Hill in Niagara Falls. Upon arrival, officers located three individuals that had been shot. One victim was pronounced deceased, while the other two victims were transported to out-of-town hospitals for further medical treatment and are currently listed as being in stable condition. All victims in this matter are under 18 years of age.

At the time of the incident, a blue 4-door Ford F-150 Super Crew Cab pick-up truck was observed leaving the area at a high rate of speed. The vehicle had dark tinted windows, a tri-fold tonneau cover, and a moonroof. The vehicle, which had visible damage and was missing a door handle and front licence plate, was last seen travelling west on Lundy's Lane toward the area of Montrose Road and Highway 420 in Niagara Falls. The Homicide Unit has carriage of this matter and the investigation continues.

Anyone with information or who may have been in the area with any dash-cam footage is asked to contact Detective Sergeant Knevel, Homicide Unit, at 905-688-4111, Option 4, Badge #9104. Members of the public who wish to provide information anonymously are encouraged to contact Crime Stoppers of Niagara online or by calling 1-800-222-8477(TIPS). Crime Stoppers offers cash rewards to persons who contact the program.

#### *Fatal Motor Vehicle Collisions (MVC) - Reporting Period of March 1 to March 31, 2022*

- 2 for this reporting period with a total of 5 for the period of January 1 to March 31, 2022, compared to year-end totals of 21 for 2021, 16 in 2020, 13 in 2019, 13 in 2018 and 16 in 2017.

**Fatal MVC – Incident of March 13, 2022** - Shortly after midnight, officers responded to a report of an All-Terrain Vehicle (ATV) collision on Garrison Village Drive in Niagara-on-the-Lake. Initial investigation determined that a 16-year-old male had lost control of his ATV causing it to overturn. The male was transported to an out-of-town hospital in critical condition. On March 24, 2022, the male succumbed to his injuries in hospital. The investigation into this matter continues by the Collision Reconstruction Unit.

**Fatal MVC – Incident of March 29, 2022** - Shortly after 5:30 am, officers responded to a report of a head-on collision involving an All-Terrain Vehicle (ATV) and a minivan on Caistorville Road in West Lincoln. Initial investigation determined that a 38-year-old male was operating an ATV northbound on Caistorville Road near Concession Road 3 when it collided with a minivan in the southbound lane. The operator of the ATV was pronounced deceased on scene. The minivan had four occupants, two sustained minor injuries and two received serious injuries and are expected to survive. The investigation into this matter continues by the Collision Reconstruction Unit.

*Life Threatening Motor Vehicle Collision (MVC) - Reporting Period of March 1 to March 31, 2022*

- 1 for this reporting period.

**Life Threatening MVC – Incident of March 28, 2022** - Officers responded to a report of a serious collision at Bowen Road and Pettit Road in Fort Erie. Initial investigation determined that a 78-year-old female was operating a Chevrolet motor vehicle eastbound on Bowen Road when it collided with a Freightliner truck being operated by a 53-year-old male. As a result of the collision, the driver of the Chevrolet received life-threatening injuries while an 81-year-old male passenger received serious injuries. The driver of the truck was not injured. The investigation into this matter continues by the Collision Reconstruction Unit.

#### **Enforcement Initiatives:**

**Foot Patrol Initiative Results in Break and Enter Arrest** - At approximately 6:00 am on March 23, officers were engaged in a foot patrol initiative in the area of Queen Street and Chrysler Avenue in the City of Niagara Falls. After hearing the sound of breaking glass, officers located a suspect exiting a restaurant through a broken glass window. The suspect was carrying stolen consumable goods and tools in the amount of \$700. A 30-year-old Niagara Falls man was arrested and charged with the offence of Break and Enter.

**Loaded Firearm and Illicit Drugs Seized during Search Warrant** - In January of 2022, Street Crime Unit Detectives from St. Catharines, Niagara Falls and Welland commenced an investigation into the distribution of illicit drugs throughout the Region of Niagara. On April 6, officers executed a search warrant at a home in Thorold, resulting in the discovery of a loaded 9mm firearm, crystal methamphetamine, fentanyl, cocaine, and \$2,100 in proceeds of crime. The combined estimated street value is \$360,000. Four persons, all from Toronto, are facing 34 criminal charges pertaining to drug trafficking and weapons related offences.

**Man Arrested Following Abduction Investigation in Niagara Falls** - A Niagara Falls male is facing attempted abduction charges following an investigation at the Niagara Falls Convention Centre. Over the weekend of April 8-10, the Niagara Falls Convention Centre hosted the Canadian Cheerleaders All-Star National Championships. Officers arrived on scene and their initial investigation determined that on April 9, at approximately 11:00 pm, a male food service station employee completed his shift and entered the public area of the building. A coach observed this male approach a 9-year-old girl and try to remove her from the building. The coach intervened and a short time later, the male again attempted to remove a 10-year-old girl from the building. The suspect fled the scene when he observed concerned coaches approaching him.

Neither child was physically injured. The suspect and the child victims were not known to each other. The investigation was immediately assigned to Detectives for follow-up. As a result of the investigation the suspect's identity was determined. A 19-year-old suspect was arrested and charged accordingly on April 10 when he returned to work at the Convention Centre.

## **7. PRESENTATIONS**

### **7.1 NRPS Bicycle Registry Program - "Garage 529" Initiative**

Superintendent Richard Frayne and Constables Ryan Campbell and Brett Emmerson provided a presentation to formally launch the Niagara Regional Police Service's Bicycle Registry Program "Garage 529" initiative. This program will help ensure that stolen bikes that are recovered by police can be linked back to the owner and returned using information from the registration system and an owner-submitted police report. The program also incorporates a community-watch for bicycles so that when a bike is reported stolen, "Garage 529" users within a 15 kilometer radius receive a notification with details of the missing bike via the "Garage 529" application. Individuals can also report any suspected bicycle theft activity. In addition to the numerous advantages of this program, the bike registry is universal across jurisdictions for maximum effectiveness and an ease of not having to re-register when moving from one area to another.

Following Superintendent Frayne's slide presentation, Constables Emmerson and Campbell demonstrated how to register a bike using the NRPS website and mobile phone app. In addition, the Niagara Regional Police Service will be attending a variety of community events to assist members of the public with the registration process. The Board suggested that the NRPS Community Engagement Unit also consider reaching out to local municipalities about the program so that it can be promoted locally within each respective municipality in Niagara.

Moved by: J. Lawson

Seconded by: H. D'Angela

**That the presentation be received.**

**Carried**

## **8. CONSENT AGENDA**

### **8.1 Niagara River Rescue and Recovery Operations**

Service report dated April 5, 2022 submitted in response to Board direction provided at the January 27, 2022 Public Board Meeting requesting further details related to rescue and body recoveries in the Niagara River basin.

Moved by: B. Gale

Seconded by: J. Lawson

**That the matter be deferred to the May 19, 2022 Public Board Meeting;**

**And further, that the Chief of Police of the Niagara Parks Police Service be invited to attend for consideration of this item.**

**Carried**

**8.2 Quarterly Report - Brock University Special Constables - January 1 to March 31, 2022**

Report dated April 21, 2022 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.

**8.3 Annual Report - Accessibility Standards for Customer Service/Accessibility Standards By-laws - January 1 to December 31, 2021**

Service report dated March 8, 2022 submitted in accordance to the annual reporting requirements set out in Board By-laws 366-2017 and 367-2017.

**8.4 Annual Report - Child Pornography - January 1 to December 31, 2021**

Service report dated March 23, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 333-2013.

**8.5 Annual Report - Hate/Bias Motivated Crimes and Hate Propaganda Offences - January 1 to December 31, 2021**

Service report dated March 23, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 199/200-2000.

**8.6 Annual Report - Illegal Gaming - January 1 to December 31, 2021**

Service report dated March 1, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 224-2000.

**8.7 Annual Report - Marine Unit - January 1 to December 31, 2021**

Service report dated March 28, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 227-2000.

**8.8 Annual Report - Stolen or Smuggled Firearms - January 1 to December 31, 2021**

Service report dated March 23, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 211-2000.

**8.9 Annual Report - Underwater Search and Recovery - January 1 to December 31, 2021**

Service report dated March 28, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 273-2005.

**8.10 Annual Report - Vehicle Theft - January 1 to December 31, 2021**

Service report dated March 23, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 235-2000.

Moved by: D. Eke

Seconded by: J. Lawson

**That the information be received.**

**Carried**

## **9. NEW BUSINESS**

### **9.1 City of Port Colborne Resolution - Catch and Release Justice**

Correspondence dated March 4, 2022 from Amber LaPointe, City Clerk, City of Port Colborne, addressed to the Niagara Police Services Board and the Niagara Regional Police Service advising of a resolution passed by Port Colborne City Council requesting additional information about a resolution passed by the Township of Perth South in support of the City of Sarnia's resolution calling on Federal and Provincial Governments to make improvements to the release of offenders known as "Catch and Release Justice".

Moved by: H. D'Angela

Seconded by: D. Eke

**That the matter be referred to the Chief of Police for a report back to the Board for further submission to the City of Port Colborne Council Members.**

**Carried**

### **9.2 Police Services Board - Transitioning to Hybrid Meeting Format**

Report dated April 5, 2022 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with additional information about transitioning to a hybrid meeting format that has both a physical "in-person" format and a "virtual" online component for remote attendees.

Moved by: J. Lawson

Seconded by: D. Eke

**That the Board receives the report for information purposes;**

**And further that, the Board fully transition to a hybrid meeting format that has both a physical "in-person" format and a "virtual" online component for remote attendees to participate by Zoom Video/Audio Conferencing, this includes Board Members, Board Staff, Police Service Members, and Members of the Public for Delegations and Presentations.**

**Carried**

### **9.3 Computer Aided Dispatch (CAD) Annual Maintenance and Support - March 1, 2022 to February 28, 2023**

Service report dated March 16, 2022 requesting approval of payment for continuation of the Computer Aided Dispatch annual maintenance and support services being provided to the Niagara Regional Police Service by Versaterm as indicated in the attached invoice and included in the 2022 Technology Services Operating Budget.

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

**That the Board approve payment in the amount of \$282,826.86, including HST (net of rebates), to Versaterm for annual maintenance renewal, CCY22-23 Budgetary Support Quote CAD System, for the Service's Computer Aided Dispatch (CAD) System.**

**Carried**

**9.4 Records Management System (RMS) - Annual Maintenance and Support - June 1, 2022 to May 31, 2023**

Service report dated March 16, 2021 requesting approval of payment for continuation of the Records Management System annual maintenance and support services being provided to the Niagara Regional Police Service by Versaterm as indicated in the attached invoice and included in the 2022 Technology Services Operating Budget.

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

**That the Board approve payment in the amount of \$197,840.45, including HST (net of rebates), to Versaterm for annual maintenance renewal, CY22-23 Budgetary Support Quote RMS System, for the Service's Records Management System (RMS).**

**Carried**

**9.5 Special Fund Request - Ontario Women in Law Enforcement (OWLE) - Annual Awards Banquet**

Service report dated April 6, 2022 requesting the Board approve a donation in support of the Ontario Women in Law Enforcement (OWLE) 22nd Annual Awards Banquet and further endorse the Service's support of being the host agency, in partnership with OWLE, of the International Association of Women Police (IAWP) 59th conference in Niagara Falls, September 12-16, 2022. (*Previous donation: 2019 - \$250*)

Moved by: D. Eke  
Seconded by: J. Lawson

**That the Board approve a Special Fund donation in the amount of \$500.00 to support the Ontario Women in Law Enforcement (OWLE) 22nd Annual Awards Banquet.**

**Carried**

**9.6 Special Fund Request - NRPS Cuffs on Cancer Team - Rankin Cancer Run**

Service report dated March 28, 2022 requesting the Board approve a donation for the NRPS Cuffs for Cancer Team participating in the event and to offset costs incurred by Members for fundraising initiatives prior to the Annual Rankin Cancer Run which is being held virtually throughout the month of May 2022. (*Previous Board donations: 2017-2019 - \$500*)

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

**That the Board authorize a donation from the Special Fund in the amount of \$500.00 for the NRPS Cuffs on Cancer Team to offset costs incurred by members participating in the annual Rankin Cancer Run.**

**Carried**

**10. OTHER NEW BUSINESS**

There was no other new business.

**11. IN CAMERA REPORTS**

There are no in camera reports.

**12. 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 9:57 am.

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William C. Steele, Chair

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Deb Reid, Executive Director



**Solicitor General**

Office of the Solicitor General

25 Grosvenor Street, 18<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel: 416 326-5000  
Toll Free: 1-866-517-0571  
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**Solliciteur général**

Bureau du solliciteur général

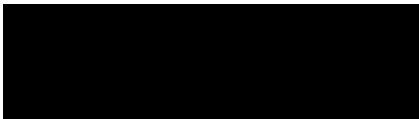
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SOLGEN.Correspondence@ontario.ca



132-2022-730  
**By email**

April 20, 2022

David Eke



Dear David Eke:

As you are aware, you were appointed to the Niagara Regional Police Services Board until June 19, 2022, at which time your appointment will expire.

Pursuant to subsection 27(10) of the *Police Services Act*, I hereby reappoint you to the Niagara Regional Police Services Board, effective from June 20, 2022, for a period of six months, or until such time as an appointment has been made by Order in Council, whichever occurs first.

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

Sincerely,

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

Sylvia Jones  
Solicitor General

c: Deb Reid, Board Secretary  
Niagara Regional Police Services Board

Ronald LeClair, Police Services Advisor  
Inspectorate of Policing

**Ministry of the Solicitor General**

Public Safety Division

25 Grosvenor St.  
12<sup>th</sup> Floor  
Toronto ON M7A 2H3Telephone: (416) 314-3377  
Facsimile: (416) 314-4037**Ministère du Solliciteur général**

Division de la sécurité publique

25 rue Grosvenor  
12<sup>e</sup> étage  
Toronto ON M7A 2H3Téléphone: (416) 314-3377  
Télécopieur: (416) 314-4037

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** **New regulation under the Highway Traffic Act to allow  
for a Large Quadricycle pilot**

<b>DATE OF ISSUE:</b>	<b>May 4, 2022</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>22-0049</b>
<b>PRIORITY:</b>	<b>Normal</b>

At the request of the Ministry of Transportation, I am sharing a communication regarding a new regulation under the *Highway Traffic Act*, [O. Reg. 411/22: PILOT PROJECT - LARGE QUADRICYCLES \(ontario.ca\)](#), establishing a ten-year pilot project to allow the use of large quadricycles on Ontario roads, that came into effect on April 21, 2022.

For further information, please review the attached memo from Parm Bhatthal, Assistant Deputy Minister (A), Transportation Safety Division, Ministry of Transportation.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Stubbings".

Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety

**Ministry of Transportation      Ministère des Transports**

Transportation Safety Division      Division de la sécurité en matière de transport

87 Sir William Hearst Avenue      87, avenue Sir William Hearst  
Room 191      bureau 191

Toronto ON M3M 0B4      Toronto ON M3M 0B4

**MEMORANDUM TO:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division  
Ministry of the Solicitor General

**FROM:** Parm Bhatthal  
Assistant Deputy Minister (A)  
Transportation Safety Division  
Ministry of Transportation

**DATE:** May 3, 2022

**SUBJECT:** **New regulation under the *Highway Traffic Act* to allow for a Large Quadricycle pilot**

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This memorandum is to advise the policing community of regulatory changes under the *Highway Traffic Act* (HTA).

Effective April 21, 2022, a new regulation, - [O. Reg. 411/22: PILOT PROJECT - LARGE QUADRICYCLES \(ontario.ca\)](#) establishes a ten-year pilot project to allow the use of large quadricycles on Ontario roads. Large quadricycles are large vehicles that are used to carry as many as 20 riders (19 passengers, one operator). They are primarily used to provide tours of landmarks, breweries, and wineries. There are two types of large quadricycles:

1. Large non-electric quadricycles that are propelled by the passengers pedaling. The operator steers the vehicle and controls the braking system, and
2. Large electric quadricycles that use power assistance up to 10km/h - both when passengers are pedaling and/or through the operator's control of a push pedal, similar to a car.

Electric-assisted large quadricycles, in addition to non-electric large quadricycles, will be permitted in any municipality across the province that chooses to pass a by-law to enable their use. The electric-assisted large quadricycles are considered motor vehicles and are being exempted from registration and insurance. Non-electric versions of these vehicles are currently permitted on Ontario's roads and have been in operation in a few municipalities. Please refer to *Appendix A* for a detailed list of operation and vehicle requirements under the pilot framework.

### **Collisions/Contraventions:**

Police must remit incident/collision and injury-related data to the Registrar within 10 days of a collision if the collision or accident involved a motor vehicle and resulted in personal injuries or damage to property above \$2000.00 or involved the door of a motor vehicle that came into contact with a cyclist, bicycle or a moving vehicle.

All persons riding on a large quadricycle are required to comply with the rules for wearing safety helmets that apply to persons riding on bicycles. This means cyclists under the age of 18 must wear an approved helmet (HTA s.104 (2.1)) and for children 16 and under, a parent or guardian must make sure they wear a helmet (HTA s.104 (2.2)).

Contraventions of the pilot may be enforced under HTA s. 228 (8), which sets out a fine amount on conviction of not less than \$250 and not more than \$2,500. All existing HTA rules of the road and penalties also apply to an electric-assisted large quadricycles as these vehicles are motor vehicles under the HTA. HTA rules of the road that apply to vehicles will also generally apply to non-electric large quadricycles. However, operators of both types of large quadricycles are required to comply with s. 33.

Please note that large quadricycles, despite carrying more than 10 passengers do not need to meet the requirements to stop at a railway crossing under s.174. Large quadricycles are also exempt from s. 132. In addition, the impaired driving prohibitions under the *Criminal Code (Canada)* apply to electric assist large quadricycles as these vehicles meet the definition of motor vehicle under the Criminal Code. Municipalities may also impose further restrictions if required via by-laws.

The pilot will operate for a ten-year period and the ministry will monitor data available from the pilot throughout its lifecycle to determine if any changes will need to be made. The ministry will also conduct a formal review at both the 5<sup>th</sup> and 10<sup>th</sup> year anniversary, so we encourage enforcement to provide any feedback to MTO ahead of these review times.

I would ask that you please bring this memorandum to the attention of your policing stakeholders. If there are any questions regarding these amendments, please do not hesitate to contact Sabina Filipescu at (647) 285-5087 or [Sabina.Filipescu@ontario.ca](mailto:Sabina.Filipescu@ontario.ca).

Thank you for your assistance in communicating this change.

Sincerely,



Parm Bhatthal  
Assistant Deputy Minister (A)  
Transportation Safety Division

cc Sabina Filipescu, Manager, Road Safety Program Development Office, Ministry of Transportation

## Appendix A: Large Quadricycles Pilot Framework and Images

Legal Parameters	Operating Requirements	Vehicle Requirements
<ul style="list-style-type: none"> <li>• 10-year pilot</li> <li>• Municipalities must pass by-law to allow electric-assist large quadricycles on-road in their municipality</li> <li>• Municipalities must inform the province if they join the pilot.</li> <li>• Municipalities to remit data to the province annually</li> <li>• No towing</li> <li>• Cannot be used for a road test</li> <li>• Required to display a slow-moving vehicle sign</li> <li>• All HTA rules of the road and penalties will apply to the operation of electric assist large quadricycles on-road.</li> <li>• Penalties in HTA s. 228(8) will also apply to violations of pilot regulation (fine of \$250 to \$2,500)</li> </ul>	<ul style="list-style-type: none"> <li>• Valid A, B, C, D, E, F or G licence for operator</li> <li>• Peddling passengers do not require a licence</li> <li>• Number of passengers allowed based on seating positions available</li> <li>• Passengers of all ages allowed as long as their feet can reach pedals and hands reach the shelf</li> <li>• A person who is under 18 must wear an approved bicycle helmet</li> <li>• Maximum road speed limit of 80 km/h</li> <li>• Can be operated at any time of the day and throughout the year</li> <li>• During the period that begins one half-hour before sunset and ends one half-hour after sunrise, vehicles are required to have adequate nighttime lighting</li> <li>• To be operated in the right-most lane</li> <li>• No vehicle registration required</li> <li>• No automobile insurance required</li> </ul>	<ul style="list-style-type: none"> <li>• Maximum operating speed of 16 km/h on a level surface.</li> <li>• Maximum weight 1150 kgs, 5.7m length, 2.3m wide and 2.9m tall</li> <li>• Keep the vehicle in a good working order and conduct any necessary maintenance.</li> </ul> <p><b>Safety equipment requirements:</b> Minimum of four wheels, odometer and speedometer, pedals, brakes, parking or emergency brakes, rear-view mirror, horn/bell, good quality tires that satisfy the regulations (625), headlights, taillights, reflectors, turn signals, four-way flashers, brake lights</p>



**Large Quadricycle (also known as Pedal Pub)**

SENT ELECTRONICALLY

Regional Municipality of Niagara Police Services Board  
5700 Valley Way  
Ontario L2E 1X8

Date: April 22, 2022

Dear CAPG member,

A key role of any police board and commission is to set the strategy for its police service. Over the many years of its leadership in this area, CAPG has reinforced this role through its annual conferences and training webinars. One of the criticisms that is frequently directed at boards and commissions is the gap that exists between its objectives for the services and the way that they are carried out. Further criticisms have been levelled of the gap that exists for front-line delivery versus strategic aspirations. As policing is overwhelmingly about the front-line, translating principally strategic change into real difference is an important issue. There are now underlying social and cultural pressures that challenge all police services, both strategically and in practice.

Dr. Tarah Hodgkinson (Wilfrid Laurier University) and Dr. Tullio Caputo (Carleton University) have worked in the area of police strategic planning for many years. There has been frequent discussion at the national conference, work with individual boards and webinars. Throughout this, CAPG has supported better planning. The proposed project would move this into a new realm of determining the nature of the gap between plan and execution, how to use an appreciation analysis technology to determine the nature of that gap and what to do about it.

The proposed project is action research, in that it engages the participants in building tools arising from their findings to address the issues they identify. The project has been reviewed and approved by the Laurier Research Ethics Board (Reference # 7131).

It would have three stages:

1. The first stage involves semi-structured interviews with senior members of the CAPG and senior members from their respective police services (chiefs, deputies, etc.). The purpose of these interviews is to gather information from knowledgeable individuals about their perceptions of the alignment gap, its causes, and consequences as well as their insights into potential ways that it could be addressed. Ideas gleaned through these interviews will form the basis for conducting a focus group. The interviews would take place over zoom and would take approximately 1 hour to complete.
2. Stage two would consist of focus groups with up to 10 police services to provide an opportunity to further explore issues surrounding alignment gaps with a specific focus on developing tools to help

identify and respond to these gaps in an effective and timely manner. The focus group sessions would be conducted virtually using Zoom to reduce Covid-related concerns and would take approximately 1-2 hours.

3. On-site development in partnership with up to four boards or commissions to develop unit-level tools, test them, build local capacity, and make the tool available throughout the membership. Given the more intense and focused nature of this phase, there would be visits to each site (more detail will be provided at the end of focus groups in phase one).

We invite you to indicate if you are interested in receiving more information about participating in stage one of this research by contacting Dr. Tarah Hodgkinson ([thodgkinson@wlu.ca](mailto:thodgkinson@wlu.ca)) directly. Involvement in stage one does not require involvement in future stages and participants are welcome to determine their level of involvement.

Thank you for your interest,



Jennifer Malloy  
Executive Director



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Niagara River Rescue and Recovery Operations  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-05-04

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### Recommendation(s)

**That the Niagara Police Services Board receive information, in response to the Board direction of January 27, 2022, related to rescue and body recovery in the Niagara River basin.**

### Key Facts

- The purpose of this report is to provide details related to the operations toward rescues and body recoveries in the Niagara River Basin
- The Niagara Regional Police Service and the Niagara Parks Police work in partnership for these operations and investigations
- Niagara City Cruises (formerly known as Hornblower) assists in rescue and recovery procedures in the Niagara River basin.

### Financial Considerations

Not applicable.

### Analysis

The Niagara Regional Police Service (NRPS) and the Niagara Parks Police (NPP) respond to rescue, body recovery, and suicide incidents on the Niagara River every year. The difficult terrain, swift water, and suicide attempts common to the Niagara River area require that the police, and other first responders, be trained and prepared to deploy to the Niagara River as quickly as possible. The NRPS and NPP train each year, along with Niagara Falls Fire Department and Niagara EMS, to prepare for rescue operations in the Niagara Gorge. This training includes swift water rescue operations.

The NRPS Marine Unit is guided by policy to respond to all water-based emergencies and investigations. This includes drownings and marine related fatalities. The investigation of circumstances surrounding these events is, by policy and jurisdiction, the responsibility of the NRPS.



The events that occur in the Niagara River basin, below the Horseshoe Falls, present significant challenges for rescue and recovery operations. Navigation of these waters requires specific training, and deployment of vessels that are capable to withstand the difficult conditions. The NRPS Marine Unit cannot navigate to this area of the Niagara River with the vessel that is deployed in the lower river area, due to the treacherous class of rapids that are located down-river from the basin. The removal and transporting of an NRPS vessel to this area would cause significant delay to rescue or recovery efforts.

The NPP, due to their area of patrol and responsibilities, are most often the first responders to arrive to the incidents along the Niagara River. The NPP deploys officers to the area of the river basin during the summer months due to the significant population of tourists attending to enjoy the opportunities provided by Niagara City Cruises.

The NPP also has specially trained officers in the High Angle River Team (HART). These officers have expertise in the hazards presented in rescue efforts within the Niagara Gorge. The training received by the members of HART includes swift water rescue and training in body recovery.

The Niagara Parks Commission has engaged Niagara City Cruises (NCC), through contract, to provide a tour boat service in the Niagara River basin. As part of this agreement, NCC is required to provide assistance during rescue and recovery operations and provides access to a capable rescue vessel and qualified operators.

NCC also recognizes that they are responsible under Section 132 of the Canada Shipping Act, which directs, "The master of a vessel in Canadian waters and every qualified person who is the master of a vessel in any waters shall render assistance to every person who is found at sea and in danger of being lost".

A strong partnership, and protocol, has been developed between NCC and the NPP for rescue and recovery procedures. General Order policy has been developed with significant detail to guide the response of the NPP to rescue and recovery events. This includes training directly with NCC operators on an annual basis. The training includes the use of specialty equipment used in both swift water rescue and for the recovery of bodies.

In the event of a report that a person is in the water in the Niagara River basin, it is imperative that rescue efforts are deployed as soon as possible. The protocol developed between NPP and NCC recognizes that they are the two responsible parties best positioned and prepared to deploy rapidly to these emergencies. Regardless of the description of any person reported to be in the water, all responses are treated as a rescue operation as death cannot initially be assumed.

The NPP notifies the NRPS immediately when a rescue and/or recovery situation is reported in the basin. NRPS communications will notify and dispatch a response from uniform officers, Marine Unit, and investigators to the scene. If required, the NRPS will also deploy forensic officers and coordinate contact with the Coroner's office.

A review of reports related to attempted rescue and body recovery in the Niagara River Basin was conducted for the 10-year period of May 2012 to April 2022. This time period covers the transition from Maid of the Mist operations to that of Hornblower Cruises.

- 17 incidents involved the direct assistance of the tour companies.
- 10 of the reported incidents were initiated by the tour companies as a result of a deceased body being discovered at or near their boat docks. This is due to the nature of the river current in the basin.
- Other reports involved the attempts to locate persons that had recently gone over the falls.
- Four reports involved the tour company assisting in locating, and attempting rescue, within 30 minutes of the person entering the water.

It is important to recognize that when a rescue effort unfortunately becomes a body recovery in the Niagara River, it also requires a sense of urgency. The ability to recover a body may change quickly in the currents of the Niagara River and, in some circumstances, there may not be a second opportunity for recovery. It is necessary to take all safe steps available in a timely manner to recover the body for purposes of identity and evidence-based reasons for further investigation. It is also an expectation of the community and family of the deceased to make those extraordinary efforts.

### **Alternatives Reviewed**

To have the NRPS take the lead operational response in the Niagara River basin would require owning and operating a vessel in the area. This has not been considered as it would be both cost and resource prohibitive.

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

Not applicable.

### **Relevant Policy Considerations**

General Order 144.07 – Marine Unit

General Order 028.12 – Sudden Death and Homicide Investigations

Niagara Parks Police Service – General Order 013 - Recovery and Identification of Human Remains

### **Other Pertinent Reports**

Not applicable.

*This report was prepared by Brian Ash, Superintendent, Emergency & Investigative Services, in consultation with Paul Forcier, Chief of Police, Niagara Parks Police Service, and recommended by Brett Flynn, Deputy Chief, 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:** Quarterly Report – NRPS Authorized Strength as at April 1, 2022  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-04-13

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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 provide the Board with a summary of actual versus authorized strength by rank/salary band of the uniform and civilian complement on a quarterly basis.
- This report is for the quarterly period beginning April 1, 2022.
- The Service Executive Leadership Team is provided an authorized strength analysis on a monthly basis.

### **Financial Considerations**

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

### **Analysis**

In 2015, following a comprehensive staffing and workload review, the Niagara Police Services Board requested that the Chief of Police provide a quarterly report to the Board of actual versus authorized strength, by rank/salary grade for all uniform and civilian positions. In addition to the authorized strength, there are (13) thirteen uniform pre-hire positions included in the annual budget to mitigate the impact of retirements on front line operations.

The quarterly report for the period beginning April 1, 2022 is in the chart below:

	Authorized	Actual
Chief of Police	1	1
Deputy Chiefs	2	2
Superintendents	5	5
Inspectors	14	16
Staff Sergeants	30	32
Sergeants	109	110
Constables	599	599
Prehires/Recruit Officers in Training	13	8
<b>Uniform Total*</b>	<b>773</b>	<b>773</b>
Civilian SOA Band 11	1	1
Civilian SOA Band 10	0	0
Civilian SOA Band 9	2	0
Civilian SOA Band 8	5	5
Civilian SOA Band 7	2	1
Civilian SOA Band 6	4	3
Civilian SOA Band 5	0	0
Civilian SOA Band 4	0	0
Civilian SOA Band 3	0	0
Civilian SOA Band 2	1	1
Civilian SOA Band 1	4	4
Civilian NRPA Band 11	20	19
Civilian NRPA Band 10	128	128
Civilian NRPA Band 9	19	18
Civilian NRPA Band 8	18	17
Civilian NRPA Band 7	28	28
Civilian NRPA Band 6	49	48
Civilian NRPA Band 5	27	25
Civilian NRPA Band 4	17	12
Civilian NRPA Band 3	2	0
Civilian NRPA Band 2	0	0
Civilian NRPA Band 1	0	0
<b>Civilian Total</b>	<b>327</b>	<b>310</b>
<b>Service Total</b>	<b>1100</b>	<b>1083</b>

\*10 Secondments are included in the Uniform Authorized Strength and are subject to external funding.

## **Alternatives Reviewed**

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

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

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

## **Relevant Policy Considerations**

Police Services Act.

## **Other Pertinent Reports**

8.4.2022.02.24 - Quarterly Report - NRPS Authorized Strength as at December 31, 2021

*This report was prepared by Cheryl Pathe, EIS Coordinator, reviewed by Linda Blood, Manager, Human Resources and David Meade, Superintendent, Executive Services, and recommended by Bill Fordy, Deputy Chief, 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:** Quarterly Report – Administration of the Public Complaints System  
– January 1 to March 31, 2022

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

**Report Date:** 2022-04-13

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### Recommendation(s)

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

### Key Facts

- The purpose of this report is to provide the Board with statistics that represent public complaints received for the periods of January 1, 2022, to March 31, 2022, (Q1), compared to Q1 of 2021.
- The public complaints process is administered by the Office of the Independent Police Review Director (OIPRD).
- Public complaints are received and reviewed by the OIPRD, and a determination is made regarding the complaint, including whether it is a Policy / Service Complaint or a conduct complaint and whether it is screened in for investigation, or screened out for a variety of reasons as determined by the OIPRD.
- Complaints can be retained for investigation by the OIPRD or referred to a Police Service for investigation.
- Public complaints that have been referred by the OIPRD to the Niagara Regional Police Service are investigated by the Professional Standards Unit.

### Financial Considerations

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

### Analysis

#### **Policy / Service Complaints – January 1 to March 31, 2022 – Q1**

##### **New Complaints:**

- There was a total of one policy / service complaint received in Q1, 2022, compared to three in Q1, 2021.

Open Complaints:

- There were no policy / service complaints open for investigation at the conclusion of Q1, 2022, compared to one open for investigation at the conclusion of Q1, 2021.

Concluded Complaints:

- There were two policy / service complaint investigations concluded in Q1, 2022. One concluded as action taken and one concluded as withdrawn. Comparatively, there were two policy / service complaint investigations concluded in Q1, 2021.

**NR21-139** – A “Policy / Service” complaint was filed with the OIPRD with respect to Niagara Regional Police Service policies regarding the lack of use of video remote interpretation (VRI) to communicate with deaf citizens. The complainant further reported that Niagara Regional Police Service facilities are only equipped with intercom equipment for use outside of regular business hours, while the front entrances are locked. Members of the deaf community are not able to make use of an audio-only intercom system as they are unable to hear.

A Professional Standards Investigator reviewed the substance of the complaint with the complainant and conducted a thorough investigation of the issues identified.

The investigation identified no evidence that would suggest that officers failed to provide the complainant with appropriate police services. The assigned officers went to great lengths to assist the complainant in trying to resolve a civil dispute that the complainant believed was a criminal matter.

The investigation did confirm that the lack of video relay technology at the front entrances of Districts 1,3,5,6 and 8, may impede access to police services for members of the deaf community who attend at these facilities for assistance after regular business hours. The Investigator reviewed the Accessibility for Ontarians with Disabilities Act, and the Ontarians with Disabilities Act, and concluded that the Service must update existing telecommunications equipment on the exterior entrances of Districts 1,3,5,6 and 8, to be compliant with applicable legislation. These locations will require the installation of telecommunications equipment that is compatible for use with sign language interpretation services and affix placards adjacent to the equipment that provides instructions for members of the deaf/hard of hearing communities.

The investigative report and recommendations from this service complaint were forwarded to the complainant and to the Board on January 31, 2022.

Complaint Duration:

- It took an average of 44.5 days to conclude a policy / Service complaint investigation in Q1, 2022, compared to 22 days in Q1, 2021.
- During policy / Service complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 60



days to complete. There were no time extensions requested in Q1, 2022, as well, there were no time extension requests in Q1, 2021.

Requests for Review:

- Requests for Review by complainants regarding the conclusion of policy / Service complaint investigations are made to the Police Services Board, as opposed to the OIPRD. There were no requests for review filed with respect to a policy / Service complaint investigation concluded in Q1, 2022. This compares to no Requests for Review in Q1, 2021.

**Conduct Complaints – January 1 to March 31, 2022 – Q1**

New Complaints:

- In Q1, 2022, there was a total of 33 conduct complaints received, compared to 36 received in Q1, 2021.

Open Complaints:

- There were 10 conduct complaint investigations open at the conclusion of Q1, 2022, compared to eight open for investigation at the conclusion of Q1, 2021.

Concluded Complaints:

- There were 36 conduct complaint investigations concluded in Q1, 2022 (including investigations from previous quarters) compared to 36 in Q1, 2021.

Complaint Duration:

- It took an average of 65 days to conclude a conduct complaint investigation in Q1, 2022, compared to 39 days in Q1, 2021.
- During conduct complaint investigations, a time extension is requested from the OIPRD when an investigation is anticipated to take significantly longer than 120 days to complete. There were no time extension requests in Q1, 2022, compared to no requests in Q1, 2021.

Complaints Screened Out:

- In Q1, 2022, three conduct complaints were classified by the OIPRD as frivolous, vexatious or made in bad faith and were screened out. This compares to zero complaints screened out in this manner in Q1, 2021.
- In Q1, 2022, zero conduct complaints were classified as being more than six months old and screened out. This compares to two screened out in this manner in Q1, 2021.
- In Q1, 2022, 17 conduct complaints were screened out by the OIPRD for a variety of other reasons, including no misconduct alleged in the complaint, referral to the applicable court to dispute a charge, or an investigation was deemed not to be in the public interest by the OIPRD. This compares to 16 complaints screened out in this manner during Q1, 2021.

Resolutions:

- In Q1, 2022, there were four recommendations for an early resolution by the OIPRD. In cases involving minor complaints, a Professional Standards Unit Investigator attempts to resolve the complaint prior to a formal investigation. If successful, the matter is concluded. If unsuccessful, the matter is returned to the OIPRD for re-screening. The matter may then be concluded by the OIPRD or assigned for investigation. This compares to three early resolutions in Q1, 2021.

Withdrawn Complaints:

- In Q1, 2022, four conduct complaints were withdrawn by a complainant. This usually involves a Professional Standards Unit Investigator meeting with a complainant at the commencement of a complaint investigation and providing answers to questions and explanations with respect to police procedures, officer safety concerns or charge processes and procedures that subsequently addressed the complainant's concerns. In Q1, 2021, conduct complaints were withdrawn on five occasions.

Unsubstantiated Complaints:

- In Q1, 2022, eight conduct complaint investigations were concluded as unsubstantiated compared to seven in Q1, 2021. These numbers can include case closures carried over from the previous quarter / year.

Requests for Review:

- In Q1, 2022, one complainant requested that the OIPRD conduct a review of the Professional Standards Inspector's decision regarding the conclusion of an investigation via the Request for Review process. This compares to two requests for review in Q1, 2021.
- In Q1, 2022, the OIPRD concluded one request for review that had been initiated in a previous quarter, resulting in the OIPRD confirming the decision of the Inspector. In Q1, 2021, the OIPRD concluded three reviews that had been initiated in previous quarters. There is currently one request for review pending with the OIPRD.

Informal Resolution:

- In Q1, 2022, one conduct complaint resulted in an informal resolution before the completion of an investigation, compared to three complaints in Q1, 2021.

**NR21-147-** A public complainant alleged that officers who dealt with him at a local bank could have been more understanding and professional with him due to his disabilities. The officers had responded to the bank in relation to the complainant's refusal to wear a mask or leave the property when requested by staff.

A Professional Standards Investigator discussed the substance of the complaint with the complainant. The complainant wanted it impressed upon the officers that they should not come to conclusions without knowing someone's medical background. The officers were spoken to and were provided with the complainant's perspective of their interactions. The officers were reminded of the importance of remaining professional

and empathetic during the course of their duties. The officers were receptive of the information and the complainant was satisfied with the informal resolution.

Less Serious Misconduct:

- In Q1, 2022, one conduct complaint was concluded as less serious misconduct following an investigation and resolved by way of informal resolution or disposition without a hearing. This compares to no complaints resolved in this manner in Q1, 2021.

**NR21-71- Disposition Without Hearing** - A public complainant contacted police to report concerns he had with how staff from his son's school were managing a medical condition that negligently put his son at risk. The complainant later filed a complaint to the OIPRD alleging that the initial responding officer and other investigators did not thoroughly investigate the matter. The complaint was investigated, and allegations of insubordination and neglect of duty were substantiated against the initial responding officer. The complaint was resolved as a disposition without hearing and the officer accepted responsibility, agreeing to a penalty of forfeiture of eight hours special bank and to completing CPKN Basic Investigation Skills training. The training was successfully completed on January 23, 2022, and this matter was concluded.

Serious Misconduct:

- In Q1, 2022, there were no conduct complaints substantiated as serious misconduct and referred to a *Police Services Act* Part V disciplinary hearing. This compares to no disciplinary hearing referrals in Q1, 2021.

Part V Disciplinary Hearing:

- In Q1, 2022, no conduct complaints were concluded after a *Police Services Act* Part V Disciplinary Hearing. This compares to zero disciplinary hearings concluded in this manner in Q1, 2021.

**Alternatives Reviewed**

Not applicable.

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

Not applicable.

**Relevant Policy Considerations**

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

## **Other Pertinent Reports**

8.3.2022.02.24 – Quarterly Report – Administration of Public Complaints System – October 1 to December 31, 2021

*This report was prepared by Inspector Luigi Greco, Professional Standards Unit, reviewed by Superintendent David Meade, Executive Services, and recommended by Bill Fordy, Deputy Chief, 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:** Quarterly Report - Overtime Activities Incurred by the Niagara Regional Police Service, January 1 to March 31, 2022

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

**Report Date:** 2022-04-28

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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 provide a five-year uniform and civilian quarterly and year-to-date overtime trend analysis.
- Overtime activity reports, detailed in the tables below, provide a summary of the overtime hours by activity category. These categories were developed by the Executive Leadership Team and the hours are captured in the Service's time and attendance system.
- For uniform members, overtime continues to be predominantly driven by meeting minimum staffing requirements and major investigation events.
- For civilian members, overtime continues to be predominantly driven by the need to meet minimums resulting from occupational and non-occupational illness, injury, and staffing shortages.

### Financial Considerations

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

### Analysis

#### Uniform Overtime Analysis

As illustrated in Table 1, uniform members worked a total of 14,654 hours of overtime for the quarter ended March 31; an increase of 954 hours or 7.0% from the same period in 2021.

**Table 1 – Quarterly Uniform Overtime by Activity Hours**

	<b>2018 Jan - Mar</b>	<b>2019 Jan - Mar</b>	<b>2020 Jan - Mar</b>	<b>2021 Jan - Mar</b>	<b>2022 Jan - Mar</b>
Meeting Minimums	6,814	4,679	6,978	4,545	6,398
Major Investigation and Incident Follow-up	6,876	6,932	9,500	7,620	4,682
Administrative Workload	1,168	1,245	1,805	868	700
Pro-Active & Community Driven Events	437	524	271	304	587
<b>Sub-Total Before Unusual Activity</b>	<b>15,295</b>	<b>13,380</b>	<b>18,554</b>	<b>13,337</b>	<b>12,367</b>
COVID-19	-	-	161	363	-
Public Order Events	-	-	-	-	2,286
<b>Total</b>	<b>15,295</b>	<b>13,380</b>	<b>18,715</b>	<b>13,700</b>	<b>14,654</b>

For the quarter, the Service experienced a 40.8% increase in uniform overtime hours for meeting minimums in comparison with previous year. Patrol districts continue to be below minimums resulting from occupational illness, non-occupational illness, injuries, annual leave entitlements, and vacancies due to natural attrition.

The overtime recorded under pro-active and community driven events is primarily from the deployment of resources for St. Patrick's Day Festivities.

Overtime captured under the public order events category is the result of the Service response to demonstrations at the Fort Erie Peace Bridge and Niagara Falls Queenston Lewiston Bridge during the month of February. The Service will be pursuing funding from the upper tier government bodies to recover costs associated with the response.

#### Civilian Overtime Analysis

As detailed in Table 2, civilian members worked a total of 5,182 hours of overtime for the quarter ended March 31; an increase of 2,350 hours, or 83% from the same period in 2021.

**Table 2 – Quarterly Civilian Overtime by Activity Hours**

	<b>2018 Jan - Mar</b>	<b>2019 Jan - Mar</b>	<b>2020 Jan - Mar</b>	<b>2021 Jan - Mar</b>	<b>2022 Jan - Mar</b>
Meeting Minimums	2,205	2,952	3,471	1,890	3,133
Major Investigation and Incident Follow-up	87	158	176	93	34
Administrative Workload	591	855	992	786	1,669
Pro-Active & Community Driven Events	35	25	35	9	54
<b>Sub-Total Before Unusual Activity</b>	<b>2,917</b>	<b>3,990</b>	<b>4,674</b>	<b>2,778</b>	<b>4,890</b>
COVID-19	-	-	394	54	6
Public Order Events	-	-	-	-	286
<b>Total</b>	<b>2,917</b>	<b>3,990</b>	<b>5,068</b>	<b>2,832</b>	<b>5,182</b>

Consistent with prior periods, the main driver of civilian overtime continues to be meeting minimum staffing levels in operationally essential units such as the Records and Information Management (RIM) and Communication units.

Civilian overtime incurred for administrative workload, increased by 883 hours or 212% in the first quarter of 2022, when compared with the same period in 2021. The majority of the increase can be attributed to meeting deadlines for submission of Canadian Centre for Justice and Community Safety (CCJCSS) Statistics, a part of Statistics Canada.

Civilian overtime captured under the public order event category is the result of the assignment of civilian support to the response to demonstrations at the Fort Erie Peace Bridge and Niagara Falls Queenston Lewiston Bridge during the month of February. The Service will be pursuing funding from the upper tier government bodies to recover costs associated with the response.

### **Alternatives Reviewed**

Not applicable

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

This report provides information required to monitor the Service's alignment with the 2021 - 2023 Strategic Plan goal to realize operational efficiencies and cost savings.

### **Relevant Policy Considerations**

- Police Services Act
- Collective Agreements

### **Other Pertinent Reports**

Not applicable

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



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#### **Submitted by:**

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

### **Appendices**

None



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Special Fund Quarterly Activity Report for the Period of January 1 to March 31, 2022

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

**Report Date:** 2022-04-27

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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 provide the Board with a detailed listing of quarterly activity in the special fund as well as a bank reconciliation in accordance with the Special Fund Administration, Limitations and Guideline By-Law 392-2021.
- The report contains any reward(s) offered/paid, revenue, disbursements and provides the balance and unrestricted balance available to the Board.
- This report summarizes the balances and details the activities of the Niagara Regional Police Special Funds Accounts for the period of January 1, 2022 to March 31, 2022.
- The Special Operating Account has exceeded the \$90,000 limit by an excess amount of \$4,332.07. As per the direction of the Board Executive Director, any excess amount at year end will be transferred to the general revenue account of the Service.

### Financial Considerations

The Board has a discretionary pool of funds, which it uses primarily for donations. Disbursements from the fund are in accordance with guidelines provided in the Police Services Act, and with Board By-Law 392-2021, 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 found or seized property, which lawfully comes into the possession of the police service and is unclaimed. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the regional tax base.

In accordance with By-Law No. 392-2021 section 8.1 *Special Operating Account: The Chief shall ensure that the balance not exceed \$90,000 and that any amount exceeding*



*the limit be paid over to the general revenue account of the Service.* Due to a decrease in donations experienced in 2021, as well as the routine transfers of auction proceeds and Found/Seized money, the Special Operating Account has exceeded the \$90,000 limit during the quarter. As of March 31, 2022, the balance of the Special Operating Account is \$94,332.07. As per the direction of the Board Executive Director, any excess amount at year end will be transferred to the general revenue account of the Service.

## **Analysis**

The balances of the Police Special Funds as of March 31, 2022, and detailed in Appendix 1 are as follows:

- Special Fund – Special Operating Account - #125-255-0 – \$94,332.07
- Special Fund – General Operating Account (Informant) #103-543-5 – \$55,187.13
- Total Special Funds – Special and General (Informant) Accounts – \$149,519.20

The summary of activities for the period ended March 31, 2022, is provided in Appendix 2. Informant payments during the period totalled \$5,380.00, made up of 11 payments ranging from \$200 - \$1,000 with a median of \$489.

## **Alternatives Reviewed**

No alternatives exist.

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

To ensure compliance with the Special Fund Administration, Limitations and Guideline By-Law 392-2021.

## **Relevant Policy Considerations**

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

## **Other Pertinent Reports**

Minute No. 8.4 2022-01-27 Special Fund Activity Report – October 1 to December 31, 2021

*This report was prepared by Anthony Gallo, Finance Coordinator in consultation with Laura Rullo, Finance Manager, reviewed by Richard Frayne, Superintendent, Corporate Services and recommended by Bill Fordy, Deputy Chief, Support Services.*



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**Submitted by:**

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

**Appendices**

- Appendix 1 Reconciliation of Balance of Special Funds as of March 31, 2022
- Appendix 2 Summary of Special Funds Activity as of March 31, 2022

**Appendix 1****Niagara Regional Police Service****Reconciliation of Balance of Special Funds as of: March 31, 2022**

		<b>Special Operating Account #125-255-0</b>	<b>General Operating Account #103-543-5</b>	<b>Total Special Funds</b>
<b>Balance per Bank Statement</b>		\$ 97,332.07	\$ 55,187.13	\$ 152,519.20
<b><u>Outstanding Cheques:</u></b>				
<b><u>Description</u></b>	<b><u>Doc. #</u></b>			
Niagara Chapter - Native Women Inc.	926	500.00		\$ 500.00
Adam Lukanchof Men's Hockey	927	500.00		500.00
Ontario Association of Police Services Boards	928	\$ 1,000.00		\$ 1,000.00
Heartland Forest Nature Experience	929	\$ 1,000.00		\$ 1,000.00
Total Outstanding Cheques		\$ 3,000.00	\$ -	\$ 3,000.00
<b>Available Bank Balance</b>		<b>\$ 94,332.07</b>	<b>\$ 55,187.13</b>	<b>\$ 149,519.20</b>
Deposits not Recorded				
Bank Charges not Recorded				
<b>Niagara Regional Police Service</b>		<b>94,332.07</b>	<b>55,187.13</b>	<b>149,519.20</b>
		\$ -	-	\$ -

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

Special Fund - Special Operating			Activity Period		Account Number
			01/01/2022 - 03/31/2022		125-255-0
Date	Description	Ref.	Withdrawals	Deposits	Balance
31-Dec-21	Previous Balance				<b>145,170.69</b>
6-Jan-22	Police Auctions Canada			5,215.06	150,385.75
7-Jan-22	Activity Fee		0.27		150,385.48
28-Jan-22	Police Auctions Canada			2,117.92	152,503.40
4-Feb-22	Activity Fee		0.64		152,502.76
25-Mar-22	2021 Q4 Excess Amount	925	55,170.69		97,332.07
31-Mar-22	Niagara Chapter - Native Women Inc.	926	500.00		96,832.07
31-Mar-22	Adam Lukanchof Men's Hockey	927	500.00		96,332.07
31-Mar-22	Ontario Association of Police Services Boards	928	1,000.00		95,332.07
31-Mar-22	Heartland Forest Nature Experience	929	1,000.00		94,332.07
					94,332.07
	<b>Totals</b>		<b>58,171.60</b>	<b>7,332.98</b>	
31-Mar-22	<b>Closing Balance - General Fund</b>				<b>\$ 94,332.07</b>

Special Fund - General Operating (Informant)			Activity Period		Account Number
			01/01/2022 - 03/31/2022		103-543-5
Date	Description	Ref.	Withdrawals	Deposits	Balance
31-Dec-21	Previous Balance				<b>\$55,003.29</b>
15-Feb-22	Deposit			5,000.00	\$60,003.29
4-Mar-22	Activity Fee		1.70		\$60,001.59
14-Mar-22	Deposit			565.54	\$60,567.13
	Informant		5,380.00		\$55,187.13
	<b>Totals</b>		<b>5,381.70</b>	<b>5,565.54</b>	
31-Mar-22	<b>Closing Balance - Informant Fund</b>				<b>\$55,187.13</b>

31-Mar-22	<b>Total Special Funds Closing Balance</b>				<b>\$ 149,519.20</b>
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# **NIAGARA REGIONAL POLICE SERVICE**

## **Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Annual Report – Acoustic Hailing Devices – January 1 to December 31, 2021

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

**Report Date:** 2022-04-13

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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 335-2013 – Acoustic Hailing Devices.
- The Chief is required to make an annual written report to the Board concerning use of Acoustic Hailing Devices.
- In 2021, the Service's Emergency Task Unit (ETU) used an acoustic hailing device during high-risk incidents.

### **Financial Considerations**

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

### **Analysis**

As per its mandate, the ETU provides a response to a variety of high-risk incidents, including but not limited to; hostage takings, barricaded persons, execution of high-risk search warrants, high risk escorts, building and area searches, high risk canine tracks, missing or lost vulnerable persons, high risk vehicle stops and incidents involving emotionally disturbed persons.

During incidents of this nature, communication with the subject (from a safe distance) is of critical importance in the effort to bring the matter to a successful resolution. Current equipment available to enhance safety during police communication with a subject includes the LRAD-100x. LRAD stands for Long Range Acoustic Device. Introduced to the ETU inventory in 2012 for appropriate use in operational settings, this equipment provided an effective alternative to the traditional commercial loud hailer that was prone to poor performance. Since being acquired, this device has become an invaluable tool for tactical operations throughout the Niagara Region.

The device is a self-contained, portable loud hailer that can penetrate small structures and be heard over the background noise of vehicles, vessels, sirens, and boisterous crowds, ensuring that messages and commands are heard and clearly understood. It has a focused directional sound pattern that operates at 137db at one-meter maximum continuous output and can transmit highly intelligible speech transmissions over 600 meters. The device comes standard with MP3 capabilities which allows a pre-recorded message to be played, a useful option for trained Crisis Negotiators under the direction of Incident Command.

In accordance with By-Law 335-2013, the Chief of Police shall make a written report to the Board on or before August 30 of each year with respect to acoustic hailing devices.

This report shall contain:

- a) a summary of the written procedures relating to acoustic hailing devices;
- b) the status of Service compliance with the said procedures;
- c) confirmation that Members have been trained in accordance with section 4.2;
- d) a summary of the circumstances in which acoustic hailing devices have been deployed, and;
- e) the results of the testing and recommendations relied on by the Service in relation to sections 16(1) (b) and (c) of the Equipment and Use of Force Regulation.

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

- a) *a summary of the written procedures relating to acoustic hailing devices:*

This acoustic hailing device remains in the inventory of the ETU. Use of this device is subject to the conditions of established written procedures contained within General Order 227.02. As required, those procedures include:

- i. Provisions that govern the use and function of acoustic hailing devices, and
- ii. Direction that ensures that recorded voice announcements are recorded using good engineering practices and that existing and future recordings are reviewed to ensure messages are clear and do not result in higher than anticipated sound pressure levels.

Further, the Standard Operating Procedures Manual of the ETU has been updated to address the maintenance, training, and deployment of acoustic hailing devices.

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

The Niagara Regional Police Service is in compliance with the provisions of this By-Law and the procedures as described within General Order 227.02 entitled "Acoustic Hailing Devices".

c) *confirmation that Members have been trained in accordance with section 4.2:*

Members of the ETU who may be required to operate the acoustical hailing device have received the appropriate level of training during their spring and fall training in 2021. This training has addressed Service procedures, proper use of the device and training regarding product information, warnings, and practical applications.

Training for Incident Commanders was also conducted in the Spring and Fall of 2021. Service Policy dictates that the LRAD-100x may only be authorized for use by a qualified Incident Commander who has also received training on the equipment.

d) *a summary of the circumstances in which acoustic hailing devices have been deployed:*

Operationally, this acoustic hailing was used 12 times during the resolution of critical incidents in 2021, 10 times in 2020 and 10 times in 2019. In some cases, the use of the device resulted in subjects exiting premises and surrendering to police. In other cases, the device was utilized during major incidents with the subjects surrendering or being arrested due to other police tactics.

e) *the results of the testing and recommendations relied on by the Service in relation to Section 16(1)(b) and (c) of the Equipment and Use of Force Regulation:*

By way of an All Chiefs Memorandum (13-011), the Ministry of Community Safety and Correctional Services provided police services with a report that satisfies the requirement listed above. The report, entitled “Acoustic Testing and Assessment of the Long Range Acoustic Device”, was prepared for the Ministry by HGC Engineering (Howe Gastmeier Chapnik Limited) of Mississauga, Ontario.

### **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 335.2013 – Acoustic Hailing Devices

### **Other Pertinent Reports**

7.3.2021.03.25 Annual Report – Acoustic Hailing Devices – January 1 to December 31, 2020.

*This report was prepared by Sergeant Chris Wegelin, Emergency Task Unit and reviewed by Inspector Joe Garvey, Emergency Services Unit and Superintendent Brian Ash, Emergency & Investigative Services, and recommended by Brett Flynn, Deputy Chief, 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 – Arrest  
January 1, 2021 – December 31, 2021

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

**Report Date:** 2022-03-24

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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 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 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 197–2000 with subsequent reports annually to continue the reporting process. By-Law 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 100.10 - 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 Number 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 March 25, 2021. During the review section 3.27(c) was added which describes the current policy relating to the Warrant Execution Risk Assessment Checklist. The Order ensures that every officer who has obtained an Authorization to Enter a Dwelling for the purpose of effecting an arrest must complete and submit the checklist to the Staff Sergeant of the member's unit for approval. The checklist provides the Staff Sergeant with information needed to determine the proper level of response and potential involvement of the Emergency Task Unit. The checklist provides an extra layer of review when officers obtain an Authorization to Enter a Dwelling for the purpose of effecting an arrest which ensures that the Service is in compliance with current Legislative, Constitutional, and Case Law authorities.

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 subjects are detained in custody.

It is the policy of the Service 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 during arrests. This would indicate compliance with legislative procedures in relation to arrest. 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**

April 2021 Agenda item 7.3 – Annual Report – Arrest - January 1 to December 31, 2020

*This report was prepared by Dan Savoie, Staff Sergeant, 1 District Detective Office in consultation with Shawn Dowd, Inspector, 1 District, reviewed by Marco Giannico, Superintendent, District Operations and recommended by Brett Flynn, Deputy Chief, 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 – Citizen Rewards, January 1 to December 31, 2021  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-04-27

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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 390-2021 - Citizen Rewards.
- Police Services Board By-Law 390-2021 establishes the policy for citizen rewards by the Niagara Regional Police Service.
- The Police Service has issued General Order 245.01 to ensure that established procedures are in place to govern the posting of rewards to further the investigations of serious criminal offences.
- As per By-Law 390-2021, the Chief is to provide the Board with annual status reports on rewards posted.
- A reward was posted during the year ending December 31, 2021. No rewards were claimed or paid out during the reporting period.

### **Financial Considerations**

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

### **Analysis**

On June 16, 2021, the Service issued a reward for \$50,000 for information leading to the arrest and conviction of the person or persons responsible for the January 19, 2021 murders of Cristine Crooks and Juliana Pannunzio. On July 8, 2021, with the support of a third party who wished to remain anonymous, the Service increased the reward offering to \$100,000. In accordance with General Order 245.02, Section 3.2, the reward will remain valid for a period of one year from the date of issuance.

The funds provided by the third party remains deposited in the Police Services Board General Operating Account.

As of December 31, 2021, there we no claims registered against this reward.

A number of arrests have been made in relation to these homicides; however, should any person have information or evidence related to this homicide investigation, please contact the Niagara Regional Police Homicide Unit Tip Line at 289-248-1058.

### **Alternatives Reviewed**

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

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

This annual report is being issued in compliance with Board By-Law 390-2021.

### **Relevant Policy Considerations**

No other relevant policy considerations.

### **Other Pertinent Reports**

- May 10, 2021, In Camera Report - Agenda Item 8.1
- May 20, 2021, In Camera Report - Agenda Item 5
- July 22, 2021, In Camera Report - Agenda Item 7.1

*This report was prepared by Richard Frayne, Superintendent, Corporate Services and recommended by Bill Fordy, Deputy Chief, Support Services.*



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#### **Submitted by:**

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

### **Appendices**

Appendix 1 – Fort Erie Homicide Reward Poster – Female to Identify  
Appendix 2 – Christine Crooks and Juliana Pannunzio Reward Poster  
Appendix 3 – Christine Crooks and Juliana Pannunzio Increased Reward Poster



NIAGARA REGIONAL POLICE SERVICE

**REWARD UP TO \$100,000**

**Detectives are looking for public assistance to specifically identify the male and female in this photograph who are not wearing a mask.**



**Should you have any information or evidence related to this homicide investigation, please contact the Niagara Regional Police Service Homicide Unit Tip Line at 289-248-1058.**

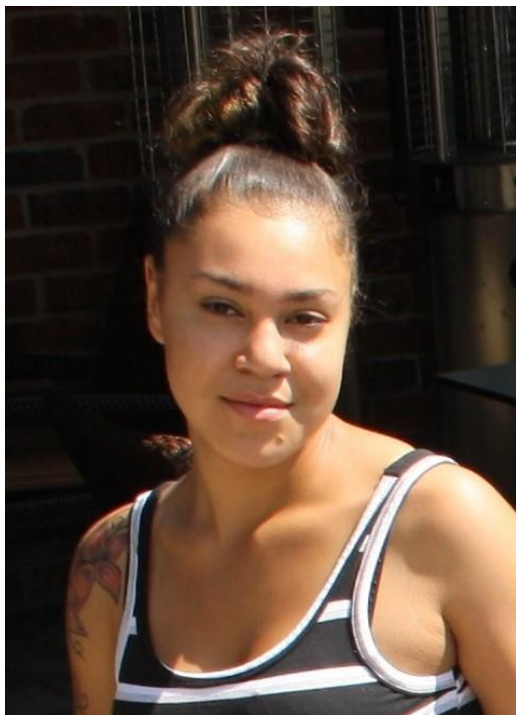




NIAGARA REGIONAL POLICE SERVICE

# REWARD UP TO \$100,000

**The Niagara Regional Police Service is offering a reward up to \$100,000 for information leading to the arrest and conviction of the person or persons responsible for the murders of 18-year-old Christine Crooks and 20-year-old Juliana Pannunzio.**



**Should you have any information or evidence related to this homicide investigation, please contact the Niagara Regional Police Service Homicide Unit Tip Line at 289-248-1058.**





## REWARD INCREASED TO \$100,000

On January 19, 2021 at 4:17am, the Niagara Regional Police Service received a 911 call regarding a disturbance at a residence in Fort Erie involving possible shots being fired. Upon arrival, police discovered the bodies of two deceased females, 20-year-old Juliana Pannunzio of Windsor and 18-year-old Christine Crooks of Toronto inside the residence with obvious signs of trauma.

The investigation has revealed that a group of individuals from outside the Niagara Region, including the two victims, attended a short-term rental accommodation for a planned gathering. Pannunzio and Crooks died at the scene from gunshot wounds and all other parties fled the residence prior to police arrival.

The Niagara Regional Police Service is offering a reward up to \$100,000 for information leading to the arrest and conviction of the person or persons responsible.

Should you have any information or evidence related to this homicide investigation, please contact the Niagara Regional Police Service Homicide Unit Tip Line at 289-248-1058.



The Regional Municipality of Niagara Police Services Board has authorized a reward up to one hundred thousand dollars (\$100,000) pursuant to By-Law 390-2021 for evidence leading to the arrest and conviction of the person or persons responsible for these two murders. Anyone who previously provided information to the Niagara Regional Police Service in relation to this investigation that comes forward with additional information may be eligible for this reward. Employees and relatives of law enforcement and correctional agencies are not eligible to collect this reward. The reward is payable in Canadian funds and shall be apportioned as the Niagara Regional Police Service deems appropriate. Claims will be recognized only when made in writing.



# NIAGARA REGIONAL POLICE SERVICE

## Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Communicable Diseases – January 1 to December 31, 2021

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

**Report Date:** 2022-04-22

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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 for reporting compliance with By-Law No. 253-2003 Communicable Diseases.
- The Service is required to provide an annual report to the Board that includes information pertaining to Communicable Diseases.
- The Service confirms compliance with the defined policies and procedures for the year ending December 31, 2021.

### Financial Considerations

There are no financial implications pertaining to this report.

### Analysis

The Service is required to provide an annual report to the Board that includes a summary of the written procedures concerning occupational exposure to communicable diseases, the status of Service compliance with said procedures, and a summary of the training given to members with respect to exposure to communicable diseases and universal precautions, to protect against exposure to communicable diseases.

General Order 103.11 – Exposure to Communicable Disease details the procedures to be followed if a member is exposed during the course of their duties, to a person who is known, or suspected to be, a vehicle of transmission for a communicable disease. This includes, but is not limited to HIV, Hepatitis B, Hepatitis C and Tuberculosis. As of December 31, 2021, the Service was in compliance with the policies and procedures as defined within this General Order.

With the onset of the COVID-19 global pandemic in early 2020, the Service has implemented additional infection control protocols specifically directed at controlling the

spread of COVID-19. These protocols are updated on a regular basis pursuant to Public Health and Health Canada guidelines and recommendations are communicated to all members through Routine Orders from the Chief of Police.

Communicable Disease Training, including COVID-19 protocols, continue to be provided to new members and supervisors who are at risk of exposure to communicable diseases during their duties. This includes information on routine infection control practices, additional precautions, blood borne and airborne pathogens, and the post-exposure process as per Part AI-004 of the Policing Standards Manual (2000). Information from Niagara Region Public Health regarding increased infectious disease surveillance and community outbreaks are communicated to all members of the Service.

Duty Inspectors are provided with more comprehensive communicable disease training to carry out the responsibilities of a "Designated Officer" as per Part AI-004 of the Policing Standards Manual (2000), in absence of the Occupational Health Nurse.

Members are continually reminded to use routine infection control practices and to ensure that their personal immunizations are up to date and maintained to prevent transmission of infectious disease.

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

Annual report issued in compliance with Board By-Law No. 253-2003.

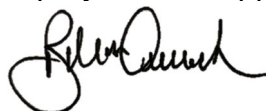
### **Relevant Policy Considerations**

General Order 103.11 – Exposure to Communicable Disease  
Police Services Act  
Policing Standards Manual (2000)

### **Other Pertinent Reports**

7.7.2021.05.20 - Annual Report – Communicable Disease – January 1 to December 31, 2020

*This report was prepared by Linda Blood, Manager, Human Resources, reviewed by David Meade, Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief, 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 – Community-Based Crime Prevention  
January 1 to December 31, 2021

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

**Report Date:** 2022-04-22

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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 192-2000 – Community-Based Crime Prevention.
- The Chief of Police is required to make a written annual report to the Board with respect to community-based crime prevention.
- This report provides a summary of requirements to ensure the Service is in compliance with the By-Law.

#### **Financial Considerations**

Not Applicable.

#### **Analysis**

In Accordance with By-Law 192-2000, a By-Law respecting Community-Based Crime Prevention, was enacted as a result of Provincial Adequacy Standards Regulation CP-002, which requires the Chief to make a written report to the Board annually with respect to Community-Based Crime Prevention initiatives. The report shall include:

- a) a summary of the written procedures concerning Community-Based Crime Prevention initiatives;
- b) the status of Service compliance with the said procedures;
- c) a summary of current Crime Prevention initiatives and an indication of their success; and
- d) a summary of current concerns, as voiced by the community through the community partnership initiatives.

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

- a) summary of the written procedures concerning Community-Based crime Prevention initiatives.

General Order 149.04 provides direction on a Police Officer's duties including "Crime Prevention". Section 42(1) of the Police Services Act of Ontario, R.S.O. 1990, establishes specific statutory duties for Police Officers that include: preventing crimes and other offences and providing assistance and encouragement to other persons in their prevention.

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

The Service is committed to working with municipalities, school boards, community organizations, neighbourhoods, businesses, and neighbouring municipalities or jurisdictions, to develop and implement Community-Based Crime Prevention initiatives. The Service ensures the Community-Based Crime Prevention initiatives are consistent with the Ontario Mobilization and Engagement Model of Community Policing. The current pandemic and associated restrictions impacted proactive Crime Prevention initiatives throughout the year. These restrictions also contributed to the cancellation of Crime Prevention based educational opportunities such as the CPTED (Crime Prevention Through Environmental Design) course.

- c) a summary of current Crime Prevention initiatives and an indication of their success.

The following is a summary of Crime Prevention initiatives during 2021:

**School Resource Officers (SRO)** – SRO's are involved with students in the Niagara Region from grades 9-12. SRO's are a physical presence in the schools to positively impact at risk youth through community engagement. Due to the COVID-19 Pandemic - officers adapted their model to online presentations and virtual engagement to students from grade 7-12. Officers also assisted outside of the school to address concerns throughout the region.

In September 2020, the SRO program was paused by the District School Board of Niagara (DSBN) to allow for a review and community consultation. In September, the DSBN advised that this pause will remain in effect until further notice.

### **1 District – St. Catharines and Thorold:**

Foot Patrol: Two officers were dedicated to foot patrol in the downtown core of St. Catharines. Officers continued to include enforcement and education of COVID-19 regulations with businesses and those in attendance in the downtown area. In addition to foot patrol officers, all new recruits were required to spend one full day walking the beat

with the dedicated officers. This new initiative emphasizes the importance of close relationships with the community. Foot patrol officers assisted or generated 1066 calls for service resulting in 56 arrests. These officers frequently assist the City of St. Catharines with controlling or eliminating homeless encampments and work closely with Housing Help to find suitable living arrangements for the homeless. Officers continue to regularly visit community support agencies such as the Breakfast Club, Start Me Up Niagara, and the Out of the Cold Program. Clients of these programs have expressed their appreciation for the consistent police presence. Police presence helps the most vulnerable members of society to assist them with various issues, including human trafficking, assaults, sexual assaults, robbery, thefts, frauds, and drugs.

Queenston Street Trespassing/Vandalism/Drug Use: Places of Worship in the Queenston Street area reported an overwhelming problem with trespassing, encampments, vandalism, and drug use on their properties. Police engagement with the individuals involved greatly reducing the unwanted behaviour with limited use of enforcement actions under the Trespass to Property Act and Criminal Code over the course of several weeks. The positive effects of this action have continued and have been met with appreciation by members of the community. As part of this initiative, police worked with Niagara Assertive Street Outreach to offer those experiencing homelessness opportunities to move to transitional and permanent housing.

St. Patrick's Day Off Campus Living Noise Patrol: This initiative was a joint project with Brock University Off-Campus Living and the 1 District Community Policing Office. Due to COVID-19 restrictions there were no issues reported.

Project Sunset: This initiative focused on the ongoing problems with out-of-town people from areas in lockdown attending the Niagara area beaches. This initiative focused on disturbances, noise complaints, impaired driving, Highway Traffic Act (HTA) offences, and COVID-19 related municipal By-Laws. This project was highly effective and addressed numerous citizen complaints. Police did not observe any offences during the targeted patrol, and it was not necessary to generate additional calls for service. This initiative is a prime example of the effectiveness of police presence in suppressing crime.

Project Safe Haven: This initiative focused on increasing a visible police presence, liaising, and improving relations with Bethlehem Housing staff and residents, resulting in decreased calls for service through proactive patrols around the property. A noted reduction in calls for service was observed. This project will continue into 2022.

Project Roehampton Park: This initiative was created as a result of 64 calls for service involving this area, including assaults, disturbances, and drug related offences. Police were able to utilize a proactive approach to lessen ongoing issues at this location, conducting foot patrols in the area to deter crime. Officers also provided security enhancement tips to Public Works, such as improved lighting to the area.

**Project Quiet Times:** This initiative was created in response to ongoing noise, mischief, and Emergency Order violation complaints. Juneberry Road and Winterberry Blvd, Thorold quickly became known as a gathering party area for Brock students as hundreds of people attend this location every Friday and Saturday night. This created a large increase of calls by residents and local politicians to Service. A committee of community stakeholders was created in response to this issue, including the Service, the Thorold Mayor, City of Thorold By-Law, Brock Student Union, and Brock Security. A total of 2 arrests, 70 noise complaints, and 82 Provincial Offence Notices were issued.

## **2 District - Niagara Falls and Niagara on the Lake (NOTL)**

**Lock It or Lose It:** This initiative was carried out throughout the fall in response to a request from the Niagara Outlet Collection in NOTL for increased police presence. Police liaised with management to conduct directed foot patrols and facilitate the Lock It or Lose It campaign. Officers conducted patrols throughout the mall and the parking lot, checking for unlocked cars and placing a pamphlet on the windshield of parked vehicles that had been left unlocked. This initiative incorporated police visibility along with awareness for motorists of securing items in their vehicles out of plain view.

**Operation Royal:** This initiative was created in response to complaints of vehicles being broken into within the neighbourhood of Royal Manor Park in Niagara Falls. This initiative was conducted throughout the fall. Checks of the area continued daily with Police directed patrols occurring 37 times. Residents in the area observed the increased police presence and were very appreciative limiting further crime in the area.

**Foot Patrol Community Policing Initiative:** In response to incidents of unwanted persons, panhandlers, COVID related calls along with an increased focus on community policing, foot patrols were initiated throughout 2 District. A total of 407 foot patrols were conducted within the Casino District, Queen Street in Niagara Falls and NOTL downtown areas. The business community and local residents continue to applaud this initiative and have expressed an amplified feeling of safety.

**Community Support Officer Program:** This program is in its fourth year and continues to flourish with the necessity of the program increasing each year. A dedicated Community Officer is in daily communication with the homeless community, responding to calls specific to the homeless while also placing them in contact with an Outreach Worker when required. Having an officer that is consistent each and every day relating to the homeless provides a reciprocal relationship ultimately reducing calls for service. This program was expanded and dedicated officers were assigned to this role as a Community Support Officer on weekends or when the dedicated Officer in Charge is absent.

**Covid/Quarantine Enforcement:** This initiative was based upon community safety working in conjunction with Public Health of Canada and Canada Border Services Agency (CBSA). Beginning May 30, Officers were either called to attend or deployed to the international border crossings by way of a special duty to enforce the Quarantine Act. The

Service responded to 314 calls for service and issued 314 Quarantine Act charges. This initiative was above and beyond the Provincial health measures that were also being enforced.

### **3 District - Welland and Pelham**

**Downtown Core Visibility:** Platoon's continued to set initiative goals to address the illicit drug activity, loitering and trespassing around the area of East Main Street/Division Street and King Street, which included businesses around the downtown core, including the Courthouse and City Hall.

**Foot Patrol Initiatives:** Throughout the year, officers spent time in visible areas in the downtown area of Welland and Pelham Town Square. Officers walked the beat, meeting patrons and business owners; visiting new businesses primarily near the Rex Hotel, and along through to the Downtown core. In Pelham, officers focused their attention on businesses in the Pelham Town Square area. Numerous compliments were received from local businesses and residents. No additional costs incurred for this project.

**Homeless in Tents:** Throughout the year, given the COVID-19 restrictions, officers were kept busy with monitoring and removing individuals from public parks in Welland. Areas included but not limited to: Lincoln Street at Plymouth Street, Trelawn Park and Merritt Island.

**Operation Lock It or Lose It:** This ongoing initiative provided education on the importance of securing vehicles and not leaving personal property in plain view

**All terrain vehicle (ATV) Patrols of St. Lawrence Seaway Property and Surrounding Areas:** This initiative was jointly funded by the St. Lawrence Seaway Management Corporation and 3 District. The targeted areas included Hunters Point, Seaway Service Roads and both East and West sides of the canal. Uniformed Officers drove ATVs along Seaway property enforcing HTA and Trespass to Property Act violations.

**COVID-19 Education, Engagement and Enforcement:** Due to the pandemic, officers were required to adapt to the ever-changing guidelines and restrictions implemented by the Province. Significant resources were used throughout the year to educate and engage members of the public, including conducting compliance checks for air and land-border crossings.

**3 District Twitter Account:** The 3 District Twitter Account (@nrps3district) continued to showcase officer involvement within the communities of Welland and Pelham, in addition to educating members of public about district initiatives, crime prevention and enforcement activities in response to citizen concerns. The re-invigoration of the Twitter account and community outreach has already resulted in a significant increase in statistics over the 2020 totals:



Year	Followers	Tweets	Visits	Impressions
2020	29	11	818	24,900
2021	136	56	10,102	150,100

## **5 District - Fort Erie, Ridgeway, Stevensville, and Crystal Beach**

**Community Engagement Officer:** An officer was dedicated to be directly involved with community engagement. The officer was responsible for several initiatives related to community issues, established open lines of communication with several community stakeholders, directly responded to community issues and has become a consistent resource for all the communities within 5 District.

**Beach Patrol:** In a continued effort between Town of Fort Erie (TOFE) and 5 District members, an on-going beach initiative was conducted. Uniform members utilized this initiative to educate beachgoers with the local By-Laws. Uniform members assisted Municipal Officers along with staff members on site to enforce Liquor Licence Act and the Trespass to Property Act. Officers also conducted foot patrol and ATV patrol at Waverly Beach due to numerous complaints of persons on private property. In August 2021, TOFE installed private property, no motorized vehicle and no dogs sign at the public and private beach property line.

**ATV Patrol Initiative:** 5 District members and the TOFE worked jointly with ATV patrols at various locations which included Waverly Beach, Crescent Beach, Bernard Avenue Beach, Bay Beach, Crystal Beach Waterfront Park and the Friendship Trail. This initiative ran from February to November.

**Friendship Trail Patrol:** The Friendship Recreation Trail extends 16 kms across Fort Erie to the Port Colborne border. Police received a high volume of complaints from the public regarding Off-Road vehicles such as ATV's on the Friendship Trail which are prohibited in accordance with local by-laws. The Service utilized uniform members in marked ATV's to enforce and educate violators.

**Cottage Checks:** As part of the Service's commitment to crime prevention and patrols of summer vacation properties (cottages), uniform members utilized foot patrol, ATV patrol and marked cruisers to conduct checks along the Lake Erie Shoreline. The cottage checks consisted of ensuring doors/windows were locked and secured with no obvious signs of damage or forced entry. Cottage check signs were left at the property for owners to inform them that police were active in the area patrolling and conducting these checks.

**Splash Pads, Parks & Playground Initiative:** As Emergency Measure Restrictions were lessened during the summer months and citizens began to attend these various locations, members of 5 District began an initiative to offer a visible presence. Police attended various splash pads, parks and playgrounds to engage with community members and to offer directed patrol, enforcing various Criminal, Provincial and Municipal Legislation.

Special Projects / Crime Patrol Initiatives: Crystal Beach Co-Op (Esme Lane/Weber Court) contacted the Service regarding drug related issues, suspicious persons and trespassing concerns on the property. Uniform members conducted regular checks of the property via foot patrol and mobile patrol which led to identifying units involved in drug sub-culture. The Service worked with the property manager which led to the eviction of occupants of a known drug house. Recommendations were made to the Co-Op applying the Crime Prevention through Environmental Design (CPTED) principles to install/update cameras and lighting on the property. Uniform and plain clothes members worked together to make an arrest of an individual involved in numerous vehicle thefts. Plain clothes members conducted various crime patrol initiatives throughout the year which led to arrests of individuals wanted on warrants and breaching their conditions.

## **6 District - Port Colborne and Wainfleet**

Port-All Situation Table: The Service, along with several community agencies representing a variety of the human services sector formed the multiagency "Port-All" situation table. The group has worked with various subject matter experts from different community agencies, effectively assisting persons suffering elevated risk of harm within the Port Colborne Community. Participating agencies look forward to the benefits that "Port-All" brings to the Port Colborne community, specifically as it relates to community safety and well-being. The officer assigned to "Port-All" investigated over 100 incidents where acute risk factors were mitigated using this collaborative community engagement model which directly led to a significant decrease in requirement for frontline calls for service. There are no additional costs associated with this program.

Foot Patrol Initiative: Officers conducted high visibility daytime/nighttime foot patrols providing officers an opportunity to engage with both business owners/pedestrians. Patrols were conducted at various locations throughout Port Colborne including the Vale Centre, the Downtown Core and the East Village. Officers engaged with residents and business owners all of whom were appreciative of police presence. This initiative had a primary goal to strengthen Community/Police relations. Enforcement being the secondary goal did result in the issuance of several Provincial Offence Notices and apprehending wanted individuals in addition to Intelligence gathering. Social media was used to highlight these foot patrols to bring additional community awareness to police efforts. No costs were associated to this initiative as on-duty personnel were utilized. This initiative will continue into 2022.

6 District Twitter: 6 District officially launched a Twitter account in August 2018 with 470 followers and by the end of 2021 this number had increased to 765 followers. The site has proven to be an integral component of an interactive community engagement strategy. The 6 District account has sought to improve community relations by proactively addressing community concerns, highlighting District crime prevention/enforcement activities and our participation in local community engagement events.

**ATV Patrols/Cottage Checks:** ATV patrols were utilized to provide enforcement in rural areas, open areas and those trails normally accessed by members of the public. Officers conducted cottage checks along the Lake Erie shoreline, patrols along the Friendship Trail, St. Lawrence Seaway properties and areas of concern reported by the community. Officers enforced offences under the Trespass to Property Act and the Off-Road Vehicles Act. The cottage checks consisted of ensuring doors were locked with no obvious signs of damage or break in. Cottage check signs were left for owners to inform them that police had conducted a premise check of the dwelling and served notice that officers were active in the area conducting these patrols. Social media was used to inform the public of this initiative which received positive feedback.

**Beach Patrols:** As a result of the COVID-19 safety restrictions many normal summer activities were modified across the Region and Province. This resulted in many people trying to find alternative ways to spend time with their families. Wainfleet and Port Colborne beaches became popular destinations, with many at capacity during weekends. Members worked with local By-Law to help address the influx of people. Officers utilized social media to inform residents that their concerns were being addressed. From the May long weekend until the Labour Day weekend additional officers assisted with the influx of people and related call volume associated to the beaches. Members will meet with stakeholders in early 2022 to prepare for the upcoming season.

**Project Compliance:** The purpose of this project was to conduct compliance checks on persons that were bound by specific terms of Release Orders/Probation Order and to apprehend wanted persons within the community. A secondary purpose was to have an increase presence in identified areas of concern relating to potential criminal activity. As a result of this project, 20 arrests were made in relation to wanted persons or people failing to comply with conditions of their Release Orders. Numerous address verifications were also conducted to ensure compliance with specific conditions.

**Project Capture:** Project Capture was a proactive crime prevention initiative aimed at identifying emerging crime trends and associated Persons of Interest. The initiative involved officers gathering and sharing intelligence relating to local community issues which led to 82 information reports which assisted in identifying various Persons of Interest within specific geographical areas and timelines. These centralized reports led to focusing various high visibility directed patrols and associated arrests.

## **8 District - West Niagara (Grimsby, Lincoln, and West Lincoln)**

**Lock It or Lose It:** In the fall, officers attended various neighborhoods conducting foot, bicycle and vehicle patrols to deter thefts from unlocked vehicles. Officers distributed Lock It or Lose It cards and identified various unsecured vehicles and residences taking a proactive approach and helping to educate residents.

**Bicycle Patrols:** Throughout the summer, officers utilized Bicycles to interact with the community at local parks throughout West Niagara. The 8 District Twitter Account (@8Nrps) was utilized to showcase these interactions.

**Park & Premise Checks:** Officers utilized time between calls for service to conduct proactive checks to prevent vandalism and damage to municipal parks and private premises.

### **Alternatives Reviewed**

Not applicable.

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

To comply with the provisions of the Niagara Regional Police Services Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulation CP-002.

### **Relevant Policy Considerations**

By-Law 192-2000, Crime Prevention

General Order 149.04 Community Patrol and Problem Oriented Policing.

### **Other Pertinent Reports**

162-2021 Annual Report - Crime Prevention January 1, 2021, to December 31, 2021.

*This report was prepared by Sergeant Erin Madill, Community Engagement Unit, reviewed by Inspector Patrick McCauley, #3 District Commander and Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief, 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 Harassment  
January 1, 2021 to December 31, 2021

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

**Report Date:** 2022-02-01

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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 provide the Board with the required necessary information, pursuant to By-Law Number 220-2000 relating to investigations into Criminal Harassment.
- The Niagara Regional Police Service maintains written procedures concerning Criminal Harassment investigations.
- The Niagara Regional Police Service is in compliance with the written procedures concerning Criminal Harassment investigations.

### **Financial Considerations**

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

### **Analysis**

By-Law 220-2000, the By-Law respecting investigations into Criminal Harassment, was enacted as a result of the Provincial Adequacy Standards Regulations LE-028 Criminal Harassment. This By-Law details specific requirements that are reported as follows:

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

- a. A summary of written procedures concerning investigations into criminal harassment; and
- b. Confirmation of Service compliance with the said procedures.

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

- a. "... a summary of the written procedures concerning investigations into Criminal Harassment"

General Order 021.07 Criminal Harassment was prepared and approved to comply with By-Law 220-2000 with respect to procedures governing Criminal Harassment investigations.

The General Order includes the following information:

1. Definitions of terms contained within the General Order;
  2. General information as to the definition of Criminal Harassment as well as the police response to such complaints;
  3. Responsibilities of the Communications Unit and in particular the complaint taker and dispatcher;
  4. Responsibilities of the investigating officer, and;
  5. Responsibilities of the officer in charge.
- b. "Confirmation of Service compliance with the said procedures."

The following procedures validate the Service's response to Criminal Harassment complaints:

1. Criminal Harassment incidents are monitored by Communications Unit personnel who ensure an appropriate Police response to all reported incidents. Patrol Supervisors are also tasked with ensuring investigations are conducted in accordance with applicable General Orders.
2. While investigating any complaint of Criminal Harassment which stems from a domestic violence incident, Officers shall also comply with the procedures established in General Order 114.13 entitled Domestic/Family Violence.
3. Initial occurrence reports are submitted by the reporting Officer to the Quality Assurance Unit for review. In cases where charges are laid by the original uniform Officer, a supervisory review of the completed crown brief is also conducted.
4. Following the review by the Quality Assurance Unit, the report is either routed back to the initial investigating Officer for completion of the investigation or to the District Detective Services Unit Detective Staff Sergeant or Detective Sergeant for review and/or further investigation.

5. In cases where there is a previous or existing relationship of an intimate nature, the report is forwarded to the Domestic Violence Unit for review and/or further investigation.
6. Crime Analysts within the Special Victims Unit monitor incoming reports and ensure compliance regarding the completion of a Violent Crime Linkage Analysis System (ViCLAS) submission report.
7. Completed investigations are again subject to supervisory review before a matter is closed, either by charge or otherwise in accordance with CCJS requirements.
8. As part of the mandated Provincial Adequacy Standards, Criminal Harassment training is a component of the Domestic Violence Investigators course.

The present Computer Aided Dispatch (CAD) and Versadex Records Management Systems provides an accurate reference as to how many calls for service the Niagara Regional Police Service receives on a yearly basis, including calls regarding allegations of Criminal Harassment.

The following chart helps illustrate our compliance with the written procedures by detailing the number of Criminal Harassment investigations conducted by the Service over the last three years and the manner in which they were cleared.

Year	Reports	Charges	Unfounded	Cleared Otherwise	Not Cleared
2017	152	54	30	19	49
2018	176	55	46	22	53
2019	205	58	62	16	69
2020	288	56	43	38	151
2021	374	77	66	32	199

### Alternatives Reviewed

Not applicable

### Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of the Niagara Regional Police Services Board By-Laws and to maintain compliance with the Provincial Adequacy Standards.

### Relevant Policy Considerations

Board By-Law 220-2000  
General Order 021.07 Criminal Harassment

## **Other Pertinent Reports**

Item 7.5 on June 2021 PSB meeting – Annual Report - Criminal Harassment January 1 to December 31, 2020

*This report was prepared by Staff Sergeant Christopher Lemaich, 2 District Detective Offices, in consultation with Inspector Mario Lagrotteria, 2 District Commander, reviewed by Superintendent Marco Giannico, District Operations, and recommended by Brett Flynn, Deputy Chief, 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 and Procedures  
January 1, 2021 to December 31, 2021

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

**Report Date:** 2022-02-01

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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 Procedures.
- The Chief is required to make an annual written report to the Board concerning criminal investigation management and procedures.
- This report is submitted to provide the Board with the necessary and required information relating to the Service's written procedures concerning criminal investigation management.

### Financial Considerations

Not applicable.

### Analysis

By-Law No. 198-2000, a By-Law respecting Criminal Investigation Management and Procedures 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* 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. 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 are several other Orders that deal exclusively with specific offences and investigations:

1. GO-020.14 – *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-084.08 – *Child Abuse and Neglect*
8. GO-114.13 – *Domestic/Family Violence*
9. GO-165.08 – *Elder and Vulnerable Adult Abuse*
10. GO-173.10 – *Parental and Non-Parental Abduction*
11. GO-192.05 – *Electronic Crime Investigations*

**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 2021, 15 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, and 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 2021, 4 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-077.11 – *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-146.07 – *Polygraph Examination*
7. GO-192.05 – *Electronic Crime Investigations*

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 077.11 – *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 146.07 – *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 192.05 – *Electronic Crime Investigations*: The purpose of this general order is to familiarize members with the function and capabilities of the Technological Crime Unit, Cyber Crime, Forensic Video Analysis and Internet Child Exploitation Unit and to outline the procedure to be followed when requesting the services of the units.

The 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-020.14 – *Sexual Assault Investigations*
- GO-021.07 – *Criminal Harassment*
- GO-028.12 – *Sudden Death and Homicide*
- GO-037.08 – *Fire Calls and Arson Investigations*
- GO-060.05 – *Traffic Enforcement*
- GO-061.10 – *Impaired Driving Offences*
- GO-084.08 – *Child Abuse and Neglect*
- GO-114.13 – *Domestic/Family Violence*
- GO-165.08 – *Elder and Vulnerable Adult Abuse*
- GO-173.10 – *Parental and Non-Parental Abduction*

GO-192.05 – *Electronic Crime Investigations*  
GO-075.11 – *Scenes of Crime Officer*  
GO-077.11 – *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-146.07 – *Polygraph Examination*

### **Other Pertinent Reports**

April 2021 Agenda item 7.4 - Annual Report – Criminal Investigation Management and Procedure – January 1, 2020 to December 31, 2020

*This report was prepared by Staff Sergeant Christopher Lemaich, 2 District Detective Offices in consultation with Inspector Mario Lagrotteria, 2 District Commander, reviewed by Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief, 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 – Domestic/Family Violence  
January 1 to December 31, 2021

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

**Report Date:** 2022-04-21

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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 336-2013 – Domestic/Family Violence Occurrences.
- The Chief is required to make a written annual report to the Board with respect to Domestic/Family Violence.
- This report provides information to the Board for review and consideration of information relating to the Service's response to Domestic/Family Violence.

### Financial Considerations

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

### Analysis

In accordance with By-Law 336-2013, the Chief shall make a written report to the Board on or before August 30 of each year in respect of the investigation of domestic/family violence occurrences. The report shall include:

- a) A summary of the written procedures concerning Domestic/Family Violence investigations, including changes since the date of the last report;
- b) The status of Service compliance with the said procedures;
- c) A summary of the training given to members with respect to Domestic/Family Violence;
- d) A summary of the steps taken by the Service to monitor and evaluate response to Domestic/Family Violence occurrences; and



- 
- e) A summary of the issues dealt with by the Domestic/Family Violence Coordinating Committee.

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

- a) *“...a summary of the written procedures concerning Domestic/Family Violence investigations, including changes since the date of the last report...”*

The Service has specific policies related to the investigation of Domestic/Family Violence occurrences. The following General Orders establish rules, procedures, and responsibilities for managing investigations into domestic family/violence incidents:

- Domestic/Family Violence – GO 114.13
- Assistance for Victims and Witnesses – GO 115.07
- Parental and Non-Parental Abductions – GO 173.10
- Child Abuse and Neglect – GO 084.08
- Violent Crime Bail – GO 019.09
- Mobile Tracking Emergency Response (MTERS) Program - GO 052.07

General Order 114.13 – Domestic/Family Violence, meets all the requirements as outlined in the Provincial Adequacy Standards Regulation LE-024.

#### Mobile Tracking Emergency Response System (MTERS)

The MTERS program is a personal alarm for individuals who are deemed “high-risk” victims of domestic violence and other serious violent offences. This alarm system is a GPS device that is carried by a client. Upon activation, the GPS device sends a signal to a monitoring centre which in turn notifies the Communications Unit, and a call for service is generated. The MTERS program is facilitated and monitored through Victim Services Niagara (VSN).

Presently there are 10 MTERS alarms allocated within Niagara with an additional five on hold, as the offenders are currently in custody. On average, there are 10 MTERS alarms active within Niagara at any one time. In 2021, members of the Service responded to four MTERS alarm activations, all of which were determined to be unintentional/accidental. General Order 052.07 – Mobile Tracking Emergency Response System (MTERS) Program sets out the policy and procedures respecting MTERS alarms.

#### Domestic Violence Response Protocol

The Domestic Violence Response Protocol, developed between the Niagara Regional Police Service, VSN, Victim Witness Assistance Program (VWAP) and Sexual Assault/Domestic Violence Treatment Program, is a community-driven document that

outlines how the community partners respond to incidents of domestic violence. In addition to presenting clearly defined roles and responsibilities for all service providers, the protocol delineates the approach and agreed upon principles of responding to domestic violence. This "best practices approach" results in a consistent, comprehensive, and knowledgeable response from community partners to the needs of the complainant/client.

The protocol includes:

- Domestic Violence Response Protocol
- Protocol Agency Representatives
- Statement of Principles and Beliefs
- Definitions
- Commitments and Responsibilities
- General Intervention Principles
- Dispute Resolution
- Community Resource Referrals
- Special Circumstance Investigations
- Confidentiality
- Duration of Protocol

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

The Service continually reviews compliance with Provincial Adequacy Standards and policy directives, including General Orders and community response protocols. The Service incorporates the following models, as designated by the Ministry of the Solicitor General:

- Ensuring that an adequate number of patrol officers have received the Domestic Violence Investigators' Course, and Domestic Violence Investigators receive updated and continued training in Domestic Violence; and
- Maintaining a specialized unit of Domestic Violence Investigators, responsible for undertaking, managing, or reviewing the investigation of domestic violence occurrences.

The centralized Domestic Violence Unit (DVU) consists of one Detective Sergeant and 12 Detective Constables who are trained in conducting “enhanced domestic violence investigations”. The DVU mandate is to assist front-line uniform personnel with the investigation of all domestic/family incidents whether or not they involve violence, and to assume responsibility for the investigation of all domestic violence incidents that may result in criminal charges. Domestic violence investigators also provide increased monitoring of high-risk cases, consultation, and review of all reported domestic and family violence cases, as well as a closer working relationship with Domestic Violence Crown Attorneys.

The following chart illustrates the domestic violence statistics for 2019 - 2021:

CLASSIFICATIONS	2019	2020	2021
Domestic related Reports - Criminal Investigations	1383	1487	1618
Domestic related Criminal Investigations - Charges	737	936	848
Domestic related Criminal Investigations - No Charges	646	551	770

c) *“...a summary of the training given to members with respect to Domestic/Family Violence...”*

The Service continues to provide Service-wide training to investigators, front-line officers, and Communications personnel. Specifically, members of the Domestic Violence Unit attended the following training courses in 2021:

- Search Warrant Course
- PEACE Interviewing Course
- Domestic Violence Investigator Course
- ODARA Certification Course
- Fraud Investigators Course

The Domestic Violence Investigators Course is scheduled annually and is available to all sworn members of the Service. This course was held in November of 2021, which allowed for 20 Service members to receive the training. Members of the Domestic Violence Unit facilitate the course, along with relevant stakeholders from community partner agencies.

d) *“...a summary of the steps taken by the Service to monitor and evaluate response to Domestic/Family Violence occurrences...”*

In accordance with General Order 114.13 - Domestic/Family Violence, a detailed Initial Report shall be completed in response to all Domestic/Family Violence incident complaints, whether or not an offence has occurred.

All reported domestic incidents that involve an Intimate Partner Relationship are flagged in the Versadex Records Management System. These reports are then routed to the Domestic Violence Unit for review and appropriate action (concluded if they are complete, or assigned for follow-up, as required).

The Service continues to enforce the Attorney General’s Mandatory Charge Policy, by requiring officers to lay charges in all incidents involving violence, abuse, or conflict between past or present intimate partners, where there are reasonable grounds to believe a criminal offence was committed.

The Domestic Violence Unit works collaboratively with Probation and Parole, Domestic Violence Shelters, VSN, VWAP, Crown Attorney’s Office, Family and Children Services

Niagara, and community agencies to continually evaluate and monitor the Service's response to Domestic/Family Violence occurrences.

- e) *“...a summary of the issues dealt with by the Domestic/Family Violence Coordinating Committee...”*

The Domestic/Family Violence Coordinating Committee (DVCC) meets on a regular basis to facilitate and monitor the domestic violence court process and provide a forum for information sharing, process review, problem solving, and to promote a coordinated, effective justice response to domestic violence, in a multicultural environment.

Throughout the year, the DVCC addresses a variety of issues. A brief summary of priority challenges included:

- Challenges in working with abusive men to ensure they receive appropriate service. Counselling – Partner Assault Response (PAR) Program. A program review is currently underway, with partners from the Crown Attorney's Office and VWAP, on the development of an effective early intervention program, best suited for the Niagara Region;
- Domestic violence victims living in rural areas have limited access to services, may become isolated from social and community supports, and may suffer in silence if they are being abused. The issue of rural geography also impacts the PAR Program provider's ability to deliver services, and an offender's ability to attend PAR sessions. Probation and Parole services also experience challenges in delivering an appropriate level of supervision of offenders. To overcome these challenges the Service continues to work with community partners to deliver adequate services in rural areas of the Niagara Region, including a presence at the Service's rural detachments of satellite Probation and Parole offices;
- There are three Domestic Violence Shelters that offer support services for the Niagara Region. Safe, secure, and affordable housing is a key component of a community response to domestic violence. A significant number of women stay in abusive relationships due to the lack of housing or have had to find shelter outside the Region. The shelters are generally fully occupied throughout the year;
- Agencies continue to report the need for services for elderly victims of domestic violence. The elderly present specific and unique challenges in accessing appropriate services. A coordinated effort is required to address these issues, and the Service continues to work collaboratively with its partners to assess appropriate responses on a case-by-case basis;
- Persistent challenges related to the Family Court system involving costs and the extended length of time for applications to proceed through the court process, remain an issue that requires continual effort; and

- Discussions continue regarding specific interim release conditions as it pertains to bail where the victim requires additional protective measures to ensure their safety, including the accountability of bail sureties to adequately supervise accused persons on interim release orders. This is routinely brought forward to the attention of the judiciary.

The Service remains compliant with By-Law 336-2013, respecting adequate service delivery in response to domestic and family violence.

### **Alternatives Reviewed**

Not applicable.

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

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

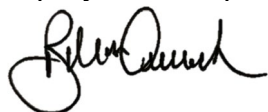
### **Relevant Policy Considerations**

Police Services Board By-Law 336-2013, Domestic/Family Violence Occurrences.  
General Order 114.13 – Domestic/Family Violence.

### **Other Pertinent Reports**

7.8.2021.05.20 – Annual Report – Domestic/Family Violence – January 1 to December 31, 2020.

*This report was prepared by Jesse Miller, Detective Sergeant, Domestic Violence - Special Victims Unit in consultation with Jay Nesbit, Staff Sergeant, Special Victims Unit. Reviewed by James Leigh, Inspector, Investigative Support Services, and Brian Ash, Superintendent, Emergency and Investigative Services. Recommended by Brett Flynn, Deputy Chief, 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 – Elder and Vulnerable Adult Abuse – January 1 to December 31, 2021

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

**Report Date:** 2022-04-20

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

### Financial Considerations

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

### Analysis

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

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

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

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

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

The Service has specific policies related to the investigation of elder and vulnerable adult abuse occurrences. General Order 165.08 - Elder and Vulnerable Adult Abuse establishes rules, procedures, and responsibilities for managing investigations into elder and vulnerable adult abuse incidents.

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

The Service, as outlined by the Provincial Adequacy Standard LE-021 – Elder and Vulnerable Adult Abuse, has policies and guidelines that set out the rules and responsibilities of officers for providing assistance and investigation to the elder and vulnerable population. A ‘Resource Attachment’ is included with General Order 165.08 – Elder and Vulnerable Adult Abuse, detailing community and government agencies that are available to assist when required. The current reporting structure within the Service will continue to be evaluated to ensure compliance with the procedures and Provincial Adequacy Standards.

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

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

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

The Central Fraud Unit (CFU) is readily available to frontline officers on Fraud-related investigations such as thefts and Power of Attorney matters.

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

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

- Review calls-for-service entered on Versadex to ensure quality control;
- Provide direct assistance to seniors and vulnerable adults, and/or their family members, who require advice or guidance with specific police-related issues or concerns, as well as emotional support and referrals to outside agencies to assist the elderly;
- Provide agency partners with support via information exchange, teleconferences, and assistance with visits where the senior or vulnerable person is being evaluated;
- Evaluate police response on a regular basis with regards to calls-for-service to ensure appropriate referrals to collateral services;
- Determine police response in relation to the Adequacy and Policing Standards and to General Order 165.08 to ensure compliance;
- The Officer-In-Charge of the CFU is available to members of the community and community agencies/groups who have comments or concerns regarding the Service's response to elder or vulnerable adult issues;
- Members of the CFU regularly conduct presentations for various community groups covering a wide range of fraud-related topics. Due to the COVID-19 pandemic, members of CFU did not conduct any such presentations in 2021;
- When appropriate, the Officer-in-Charge of the CFU issues fraud alerts and media releases in an effort to educate the citizens of Niagara in the hopes of reducing the number of victims and heightening community awareness to emerging fraud-related scams.

#### Elder Abuse Statistics:

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

The following chart illustrates the statistics regarding Elder Abuse/Neglect reports for the Niagara Region over the past three years:

<i>Statistics</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>
Elder Abuse/Neglect Incidents	45	49	68



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

There was an increase in reported incidents in 2021. Many of these incidents can be attributed to a greater awareness of elders/long-term care homes due to the COVID-19 pandemic. Additionally, many long-term care institutions are now reporting minor incidents to police which were not reported in the past. Ontario Regulation 79/10 of the Long-Term Care Homes Act provides that:

*“98. Every licensee of a long-term care home shall ensure that the appropriate police force is immediately notified of any alleged, suspected or witnessed incident of abuse or neglect of a resident that the licensee suspects may constitute a criminal offence.”*

Early recognition and intervention of elder abuse incidents have reinforced the importance of having a designated position responsible for elder and vulnerable adult issues. Incident reports involving elderly and potentially vulnerable adults that are classified as Information Reports and lack any criminality, or cannot be classified otherwise, are forwarded to the Officer-In-Charge of the CFU for review. This additional review has resulted in the early identification of potentially vulnerable adults who lack support and can be referred to appropriate community support agencies. It is also beneficial to the early identification of elderly and vulnerable adults who were being victimized criminally, prompting an immediate investigation, and stopping the abuse in a timely manner.

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

### **Alternatives Reviewed**

Not applicable.

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

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

### **Relevant Policy Considerations**

Police Services By-Law 213-2000 – Elder and Vulnerable Adult Abuse  
General Order – 165.08 Elder and Vulnerable Adult Abuse

## Other Pertinent Reports

7.9.2021.05.20 - Annual Report – Elder and Vulnerable Adult Abuse – January 1 to December 31, 2020

*This report was prepared by Ray Aceti, Detective Sergeant, Central Fraud Unit, in consultation with Steve Magistrale, Staff Sergeant, Major Crime Unit. Reviewed by James Leigh, Inspector, Investigative Support Services and Brian Ash, Superintendent, Emergency and Investigative Services. Recommended by Brett Flynn, Deputy Chief, 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 – Fraud and False Pretence Investigations  
January 1 to December 31, 2021

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

**Report Date:** 2022-04-20

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

### **Financial Considerations**

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

### **Analysis**

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

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

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

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

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

- Fraud Investigations - GO 172.07
- Major Incidents and Routine Criminal Investigations - GO 095.10

General Order 172.07 – Fraud Investigations, meets all the requirements as outlined in the Provincial Adequacy Standards Regulation LE-038. The Order was re-evaluated in 2021 with minor amendments which are awaiting final approval.

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

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

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

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

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

- Ontario Police College (OPC) - Criminal Investigation Training Course provides the fundamental training required to conduct criminal investigations;
- OPC - Fraud Investigation Course provides specialized training relative to fraud and false pretences investigations;
- OPC - Ontario Major Case Management Course provides specialized training relative to the investigation and management of large-scale investigations;

- OPC - Investigative Interviewing Course provides specialized training relative to the skills of interviewing and interrogation; and
- OPC - Search Warrant Course provides investigators with the skill sets required to successfully prepare a range of applications for prior-judicial authorization for search and seizure activity.

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

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

The CFU is comprised of a detective sergeant and seven detective constables. The Unit reports to the staff sergeant in charge of the Major Crime Unit.

All fraud and fraud-related incidents are reviewed by the officer-in-charge of the CFU, ensuring a consistent response. Incidents requiring further investigation are either assigned to a detective or returned to the district investigator or uniform officer.

In 2021, the Service received 2877 fraud-related complaints as defined by the Canadian Centre for Justice Statistics (CCJS) in the categories of fraud, identity theft or counterfeit. This represents an increase of 521 complaints over last year. The increase in fraud complaints is consistent with national fraud trends. The Canadian Anti-Fraud Centre recorded an increase of 130% from 2020.

Criminal charges were filed in 297 incidents while 169 incidents were deemed unfounded or cleared otherwise. 140 cases from 2020 remain open investigations. Incidents cleared otherwise are incidents where sufficient grounds existed to proceed with a charge, but charges were not pursued for a variety of reasons including cases where the complainant did not want to proceed with charges; the suspect was charged in other related incidents; charges were not pursued based on the recommendation of the Crown Attorney or police discretion.

Year	Total Incidents	Cleared unfounded or "otherwise"	Cleared by Charge
2019	2614	186	364
2020	2356	144	226
2021	2877	169	297

Education is crucial in reducing victimization to fraud. With the assistance of the Service's Corporate Communications Unit, public advisories are regularly issued in response to fraud trends. The CFU continuously monitors national trends and has provided educational support to local business to reduce victimization. Members of the CFU regularly deliver presentations covering a wide area of fraud information to various community groups. Due to the COVID-19 pandemic in 2021, members of the CFU were unable to participate in any public presentations.

### **Alternatives Reviewed**

Not applicable.

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

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

### **Relevant Policy Considerations**

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

### **Other Pertinent Reports**

7.11.2021.05.20 – Annual Report – Fraud and False Pretence Investigations – January 1 to December 31, 2020

*This report was prepared by Ray Aceti, Detective Sergeant, Central Fraud Unit in consultation with Steve Magistrale, Staff Sergeant, Major Crime Unit, and reviewed by James Leigh, Inspector, Investigative Support Services and Brian Ash, Superintendent, Emergency and Investigative Services, and recommended by Brett Flynn, Deputy Chief, 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 – Hostage Rescue – January 1 to December 31, 2021

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

**Report Date:** 2022-04-13

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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 243-2000 – Hostage Rescue.
- The Chief is required to make an annual written report to the Board with respect to Hostage Rescue.
- The Service's Emergency Task Unit (ETU) is responsible for Hostage Rescue.

### Financial Considerations

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

### Analysis

In accordance with By-Law 243-2000, the Chief shall make a written report to the Board each year in respect to Hostage Rescue and must include the following:

- a summary of the procedures referred to in section 4.1 of this By-Law;*
- confirmation that the existing protocol complies with legislative requirements;*
- a summary of the circumstances in which hostage rescue services have been utilized.*

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

- a summary of the procedures referred to in section 4.1 of this By-Law;*

Hostage Rescue became the responsibility of the ETU upon receiving Ministry accreditation as a Hostage Rescue Team on September 11, 2006. The written

procedures as set out in General Order 089.07 - Emergency Task Unit, remain applicable. As required, the written procedures include:

1. Establishment of procedures that set out the circumstances in which the services of the Hostage Rescue Team will be deployed, including the process for obtaining the services and reporting relationships; and
2. Ensure that the Service's Major Incident Commanders and Crisis Negotiators train with the Service's Hostage Rescue Team.

b) *confirmation that the existing protocol complies with legislative requirements;*

The Niagara Regional Police Service is in compliance with this By-Law. Our Hostage Rescue Team Course Training Standards are 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. Incident Commanders and Crisis Negotiators participate in staged scenarios during ETU's spring and fall training sessions. Current accreditation is valid until July 31, 2024.

c) *a summary of the circumstances in which hostage rescue services have been utilized.*

Hostage rescue procedures were initiated when individuals, other than the suspect, are in danger from the suspect. These actions varied from breach and delay operations, where an entryway was breached and response from the suspect was monitored, to a dynamic entry and/or arrest of suspects. These action plans were used for arresting armed suspects who were capable of taking hostages.

These procedures were required for the safety of the public and/or a suspect(s) on 99 occasions in 2021. Below is a summary of the types of hostage rescue procedures executed in 2021 along with statistics from the previous 2 years:

<b>Hostage Rescue Procedures</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>
Armed / Barricaded Persons	36	11	4
High-Risk Warrants	27	9	10
High-Risk Arrests	27	12	11
High-Risk Tracks	9	10	16
<b>Total</b>	<b>99</b>	<b>42</b>	<b>41</b>

The increase in statistics are in part due to improved safety measures that require hostage rescue tactics implemented by the ETU.

### **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 243-2000 – Hostage Rescue.

## **Other Pertinent Reports**

7.7.2021.06.24 – Annual Report – Hostage Rescue – January 1 to December 31, 2020.

*This report was prepared by Constable K.C. Parkes, Emergency Task Unit in consultation with Inspector Joe Garvey, Emergency Services Unit. Reviewed by Superintendent Brian Ash, Emergency & Investigative Services and recommended by Brett Flynn, Deputy Chief, 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 - Officer Note Taking – January 1 to December 31, 2021

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

**Report Date:** 2022-04-28

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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 214-2000, Officer Note Taking.
- The Chief of Police shall make a written annual report to the Board.
- By-Law 214-2000, a By-Law respecting Officer Note Taking was enacted as a result of Provincial Adequacy Standard Regulations LE-022, Officer Note Taking.
- The report provides a summary of written procedures regarding officer note taking.

### Financial Considerations

Not Applicable.

### Analysis

General Order 168.06 – *Officer Note Taking* directs officers to maintain accurate and complete notes, recording in chronological order and in detail all matters involving police activity coming to the officer's attention, by the end of their shift. The Order identifies the method in which officers are to record their daily activities. It recommends that only Service issued books with consecutive page numbers are to be used for note taking. Treatment of duty books with regard to disclosure, use for court purposes and information and privacy matters, are also addressed.

The Order identifies supervisors' responsibilities for secure storage, availability, inspection, entry of details, and logging of notebooks. It prescribes that duty books remain the property of the Service and are retained and destroyed in accordance with the Records Retention By-Law. Training of newly appointed members regarding the use of duty books is also addressed. Notebooks are checked weekly by District Supervisors to ensure compliance with policy relating to the content and use of duty books.

Notebooks are retained by districts three years, following which they are forwarded to Records and Information Management. When an officer is transferred, notebooks are forwarded to their new district or unit for prescribed storage.

Storage and retention of officers' notes is addressed by Provincial Adequacy Guidelines LE – 022. They require secure storage of officers' notes and set a minimum retention period of 15 years from the last date of entry in the books, longer if the notebook relates to an unsolved major case. This is being managed by the Corporate Records and Information Management Unit.

### **Alternatives Reviewed**

Not applicable.

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

To comply with the provisions of the Police Services Board By-Laws and to maintain compliance with the Provincial Adequacy Standards Regulation LE-022.

### **Relevant Policy Considerations**

Regional Municipality of Niagara Services Board By-Law No. 214-2000 - Officer Note Taking

General Order 168.06 Duty Books

### **Other Pertinent Reports**

27-2018 Annual Report Officer Note Taking

*This report was prepared by Evan Lindsay, Constable, 3 District, in consultation with Patrick McCauley, Inspector, 3 District, reviewed by Marco Giannico, Superintendent, District Operations, and recommended by Brett Flynn, Deputy Chief, 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 - Persons in Custody  
January 1 to December 31, 2021

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

**Report Date:** 2022-04-29

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### Recommendation(s)

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

### Key Facts

- In compliance with Section 29 of the *Provincial Adequacy Standards Regulations*, Ontario Regulation 3/99 requires a Police Services Board to have a policy on prisoner care and control.
- In addition, section 13(1)(l) requires the Chief of Police to establish procedures and processes in respect of prisoner care and control and section 13(1)(m) requires the Chief of Police to establish procedures and processes in respect of prisoner transportation.
- This annual report is submitted to provide the Board with the necessary and required information, pursuant to By-Law 208/225-2000, relating to issues of Persons in Custody and covers the 2021 reporting period.

### Financial Considerations

Not applicable.

### Analysis

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

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

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

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

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

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

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

Written procedures regarding Prisoner Care and Control and Prisoner Transportation are found in Niagara Regional Police Service General Order – 018.21 – Persons in Custody.

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

General Order 018.21 – Persons in Custody, specifies in detail the procedure to be followed when a person is detained and searched at a holding facility controlled by the police service. This general order provides procedures relating to the responsibilities of Special Constables assigned to the central holding facility as well as the court holding facility. The general order further provides procedures relating to the responsibilities of the officer in charge of both the central holding facility and the court holding facility regarding the search of prisoners, including strip searches, the documenting of the condition of prisoners, and documenting property taken from prisoners.

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

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

The general order is reviewed annually and amended as deemed necessary. Amendments were made in 2020 to ensure that procedures for search of prisoners were in alignment with recommendations made in the Office of the Independent Police Review

Director's "Breaking the Golden Rule" report. The secondary search process was also reviewed with input from the Federal Crown in 2018 to ensure our methodology was in keeping with best practices, and that we were recording data that could be used to demonstrate compliance with the recommendations from the "Breaking the Golden Rule" report.

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

Since October of 2016, the Service's headquarters at 5700 Valley Way, has been our primary central holding facility and receives all prisoners throughout the Region. The holding facility located at 3 District has remained operational as a secondary holding facility, should overflow of prisoners become an issue or in an emergency situation. In 2021, this site was opened on 20 occasions to accommodate prisoners who needed to be isolated from the regular prisoner population due to Covid-19 risk factors/exposure or symptoms. The Court Services/Prisoner Handling Unit are responsible for persons in custody who are transported to and from police or correctional facilities to one of the three court facilities in the Niagara Region for the purposes of the administration of justice.

During the reporting period, 3598 prisoners were processed through the Service's central holding facility at 5700 Valley Way, and 421 prisoners were processed through the various in-custody facilities at the courthouses at 59 Church Street, St. Catharines, 102 East Main St. Welland, and 445 East Main St. Welland (POA Court). Due to Covid-19, many court proceedings such as trials, were postponed and the number of in-person appearances dropped. Remands from institutions remained high at 7437 for the reporting period, a slight decrease from 8755 in 2020. Special Constables are still required to be at physical court locations to ensure order for virtual appearances.

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

Since 2017, the Service has added a supplementary template in our records management system with particular regard to secondary searches of prisoners as an added mechanism to ensure compliance with the recommendations reinforced by the "Breaking the Golden Rule" report and mirrored in General Order 018.21.

The template, as part of the Versadex prisoner record, chronicles: the grounds articulated to request the search and by whom, the name of the authorizing Sergeant, the race and age of the prisoner being searched, who conducted the search, who witnessed it, what the results of the search were, the method of how the search was conducted, whether the prisoner cooperated with the process, and if there was any physical contact between the searcher and the person being searched.

In the reporting period, there were 16 secondary searches authorized and conducted in central holding (down from 20 in 2020, and 29 in 2019). The 16 searches conducted in 2021 were all adults, 13 males and 3 females, drugs and drug paraphernalia, were located in 7 of the searches. There were no cases where the subjects were not compliant, and no incidents of physical contact between searcher and person being searched.

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

Police Officers and Special Constables are trained in the use of force as required by the Police Services Act and the Policing Standards Manual for the Province of Ontario, under the authority of the Minister of Solicitor General. With the exception of the firearms component, Special Constables are trained to equal levels of competence and proficiency with all police officers in the Province of Ontario and are re-qualified within every 12 months. Failure to qualify will result in removal of a member from active deployment to an area where use of force is not required. The temporary transfer continues until the member is able to successfully re-qualify.

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

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

Every new Special Constable is trained by a coach officer on all of the relevant procedures that relate to persons in custody. In 2020, the Courts and Prisoner Management Unit developed a Special Constable Training Manual for the purpose of documenting the trainee's awareness of, and proficiency at, all of the prisoner care processes and relevant general orders.

### Prisoner Transport

Prisoner transportation, under the centralized model, falls under the responsibility of the arresting uniform officer who will take prisoners to the Central holding facility located at the Service's headquarters at 5700 Valley Way in Niagara Falls. Once at the holding facility, prisoners being held for bail would generally be transported to the Robert S.K. Welch Court House for the bail hearing. During the reporting period, all bail hearings were conducted via video from the Central holding facility, negating the need for Special Constables assigned to the Court Services Unit/Prisoner Handling, to transport prisoners to the Court House. The only transport required would be if the prisoner was remanded into custody and needed to be transported to a detention centre once the bail hearing

was completed. The Prisoner Handling Unit is also responsible for the transport of people for in-person matters such as trials, sentencing hearings and special bails.

If a prisoner becomes ill while in custody at the central holding facility, the officer in charge of the central holding facility will arrange for the prisoner to be taken to hospital by Niagara Emergency Medical Services accompanied by an officer.

### **Alternatives Reviewed**

Not applicable.

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

To comply with the provisions of Police Service Board By-Laws, and to maintain compliance with the *Provincial Adequacy Standards Regulations* which require an annual report on this item.

### **Relevant Policy Considerations**

- Niagara Police Services Board- By-Law 208/225-2000
- Persons in Custody General Order 018.21 - Persons in Custody.

### **Other Pertinent Reports**

Not applicable.

*This report was prepared by Lynda Hughes, Inspector, Court Services and Prisoner Management Unit, reviewed by James Mackay, Superintendent, Operational Support and Special Projects and recommended by Bill Fordy, Deputy Chief, Support Service.*



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#### **Submitted by:**

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

### **Appendices**

None





## NIAGARA REGIONAL POLICE SERVICE Police Services Board Report

### PUBLIC AGENDA

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**Subject:** Annual Report – Policing Aboriginal Occupations and Protests  
January 1, 2021 – December 31, 2021

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

**Report Date:** 2022-03-30

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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 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 regards 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 ..."**

There was only one identified Aboriginal protest within Niagara. On December 4, 2021, Aboriginal peoples from the surrounding area staged a protest as a demonstration in solidarity of the *Wet'suwet'en* First Nation conflict involving a gas line project in British Columbia. The Service was the lead agency and received assistance from the Ontario Provincial Police, Niagara Parks Police and Canada Border Services Agency. The demonstration involved a disruption of vehicular traffic at the intersection of Stanley Avenue and Highway 420 and continued along Falls Avenue to the Rainbow Bridge in Niagara Falls. An Aboriginal drum ceremony took place on the Rainbow Bridge, again disrupting vehicular traffic. Service members monitored and ensured public safety. Approximately 100 participants were involved in the demonstration.

**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**

2021 Annual Report – Policing Aboriginal Occupations and Protests – January 1, 2020 to December 31, 2020.

Police Service Board Report item 7.16 on March 25, 2021 agenda- Short Hills Provincial Park – 2020-2021 Deer Harvest and Associated Policing Costs

*This report was prepared by Staff Sergeant Eric Ellwood, 5 District Commander, and reviewed by Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief, 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 – Problem Oriented Policing and Community Patrol  
January 1 to December 31, 2021

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

**Report Date:** 2022-04-26

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### Recommendation(s)

**That the Niagara Police Services Board receives these reports for information.**

### Key Facts

- The purpose of this report is to advise the Board that the Service is in compliance with By-Law 191-2000 – Problem Oriented Policing and 193-2000 - Community Patrol.
- The Chief of Police is required to make a written annual report to the Board with respect to Problem Oriented Policing and Community Patrol.
- This report provides a summary of requirements to ensure the Service is compliant in following these By-Laws.

### Financial Considerations

Unless otherwise indicated, the projects referenced in this report were conducted by On-Duty Personnel, during the regular course of their duties and did not incur additional costs to the Service. There were seven additional projects completed with no additional costs incurred. A total of one initiative incurred additional personnel costs of \$14,481.00. Costs are broken down in the analysis portion of this report.

### Analysis

#### Problem Oriented Policing

**By-Law 191-2000**, A By-Law respecting Problem Oriented Policing, was enacted as a result of Provincial Adequacy Standards Regulation CP-002 which requires the Chief to make an annual written report to the Board outlining:

- a) a summary of the written procedures regarding problem oriented policing is found in General Order 149.04 – Community Patrol and Problem Oriented Policing;
- b) the status of Service compliance with the said procedures; and

- c) the steps taken by the Service to promote, implement and evaluate problem oriented policing initiatives.

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

- a) ...” a summary of the written procedures regarding problem oriented policing...”;

General Order 149 provides direction regarding methods to actively solve problems in the community rather than merely responding to incidents. This approach views incidents as symptoms of larger complex problems. Police officers act as community team leaders in identifying problems that negatively affect quality of life, and work with the community as a whole to find and apply appropriate solutions.

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

It is the policy of the Niagara Regional Police Service (the Service) to provide effective Policing Services to all members of the public and to ensure that these services are consistent with the Ontario Mobilization and Engagement Model of Community Policing. This report contains an extensive selection of initiatives implemented across districts, detailing a wide variety of community problems.

- c) ...” the steps taken by the Service to promote, implement and evaluate problem oriented policing initiatives”;

Problem oriented policing includes such initiatives as drug investigations, foot patrol, and directed patrol aimed at liquor establishments, illegal taxi operations, and By-Law enforcement regarding noise and nuisance complaints. Other projects are undertaken within our communities to address specific local issues as required. Such programs can involve community partners including representatives of Municipal Governments, as well as other enforcement agencies such as the Alcohol and Gaming Commission, Municipal By-Law Enforcement, and Fire Prevention authorities.

### Community Patrol

**By-Law 193-2000**, A By-Law respecting Community Patrol, was enacted as a result of Provincial Adequacy Standards Regulation, Law Enforcement - 001 Community Patrol. This By-Law details specific requirements that are reported as follows:

- a) Confirmation of Service compliance with directed patrol procedure.
- b) The high and low numbers of members assigned to the Patrol Unit, with particulars and reasons for any period that the Patrol Unit numbers were less than those required under Section 3.3.1.
- c) Costs of directed patrols.
- d) The status of the outcome of the directed patrol initiative including the effect of directed patrol on crime, calls for service, public disorder analysis and road safety.

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

a) "...Confirmation of Service compliance with Directed Patrol procedure..."

General Order 149.04 deals specifically with community patrol and problem oriented policing. Within this General Order, Section 2.3 defines directed patrol as:

The deployment of members assigned to frontline patrol duties to address specific public safety concerns, high crime or high occurrence areas, public disorder, and road safety through a variety of methods that may include targeted enforcement. Intelligence gathering must be utilized to determine location, deployment times, and required resources. Crime analysis, incident reports, community input, and informants are examples of potential intelligence sources.

The order articulates member's duties to ensure that the Service provides community patrol consisting of general patrol and directed patrol. Platoon Supervisors, Detective Offices and the District Crime Analysts utilize the case management database to identify and monitor crime, calls for service, public disorder analysis, criminal intelligence, and road safety.

The Service's Records Management System (RMS) software stores information and allows for tracking of individual crimes and mining of information to analyze trends. This assists in preparing action plans to address identified problems within the community along with other forms of Intelligence gathering.

b) "the status of Service compliance with the said procedures":

Directed patrol, as part of addressing concerns raised within the community, forms the core patrol responsibilities of every uniform member of the Service. When staffing levels permit, frontline supervisors are able to deploy members in problem oriented policing initiatives, including traffic enforcement. Supervisors maintain the responsibility for effective utilization of members hired on overtime to deal with directed patrols targeting concerns raised within the community.

The costs associated with any directed patrols are approved through the chain of command within the Service. A District Commander may also work with command staff in Emergency Services to direct the utilization of the Traffic Enforcement Unit (TEU) to conduct targeted enforcement.

c) "...costs of directed patrols..."

The Order addresses the costs associated with the deployment of members on community policing initiatives (i.e., approved overtime, meeting expenses). Although there are incidents where it is necessary to hire officers on overtime, in order to complete the directed patrol, most initiatives are conducted during regular working hours and no extra costs are incurred or they are shared with other stakeholders.

In situations where an initiative is expected to cause additional costs, approval to proceed must be obtained from the District Commander. Irrespective of this section, the Duty

Officer or District Commander is not limited in the ability to allocate the resources necessary to respond immediately to any emergent situation.

- d) “The status of the outcome of the directed patrol initiative including the effect of directed patrol on crime, calls for service, public disorder analysis, and road safety...”

Written procedures regarding the status/outcome of directed patrol initiatives are found in the General Order on Community Patrol and Problem Oriented Policing, which provides details required to ensure members are aware of their responsibility to deliver professional policing services consistent with the Community policing model.

Supervisors are responsible for monitoring and evaluating problem oriented policing initiatives. The evaluation includes an assessment of the level of success achieved and a consideration of the potential for the initiative to be continued, expanded, or ended. This evaluation is documented by way of a memorandum directed to the District Commander.

Community patrol and problem oriented policing initiatives broadly support the Service’s strategic plan, specifically to improve public safety through the implementation of crime reduction strategies, enhancing road safety, and fostering community collaboration and safety.

### Problem Oriented Policing and Community Patrol Initiatives

#### 1 District – St. Catharines and Thorold

*Foot Patrol:* Two officers were dedicated to foot patrol in the downtown core of St. Catharines. Foot patrol officers continued to include enforcement and education of COVID-19 regulations with businesses and those in attendance in the downtown area. Foot patrol officers assisted or generated 1066 calls for service resulting in 56 arrests. The foot patrol officers frequently assist the City of St. Catharines with controlling or eliminating homeless encampments. They work closely with Housing Help to find more suitable living arrangements for the homeless.

Foot patrols in the Queenston Street area continued in 2021. Officers continue to regularly visit community support agencies such as the Breakfast Club, Start Me Up Niagara, and the Out of the Cold Program. These community agencies now rely on Officer presence to reduce disturbances around the centers. The Police presence helps the most vulnerable members of society to have a trusted Police member to assist them with various issues such as; human trafficking, assaults, sexual assaults, robbery, thefts, frauds, and drugs etc.

*Queenston Street Trespassing/Vandalism/Drug Use:* Places of Worship in the Queenston Street area reported to Police an overwhelming problem with trespassing, encampments, vandalism, and drug use on their properties. Police engagement with the individuals involved greatly reducing the unwanted behaviour with limited use of enforcement actions under the Trespass to Property Act and Criminal Code over the course of several weeks. As part of this initiative Police worked with Niagara Assertive Street Outreach to offer



those experiencing homelessness opportunities to move to transitional and permanent housing.

*Project Sunset – A Platoon Initiative:* This initiative focused on the ongoing problems with out-of-town people from areas in lockdown attending the Niagara area beaches. This initiative focused on disturbances, noise complaints, impaired driving, HTA offences, and COVID-19 related municipal By-Laws. Police did not observe any offences during the targeted patrol, and it was not necessary to generate additional calls for service.

*Project Safe Haven:* This initiative focused on increasing a visible Police presence, liaising, and improving relations with Bethlehem Housing staff and residents. All while decreasing calls for service through proactive patrols of the inner and outside of the property. The result was a drastic reduction in calls for service, for example, in October there were 37 calls, which was reduced to 12 in November. The project was extended into 2022.

*Project Roehampton Park:* This initiative was created as a result of 64 calls for service involving this area. The calls for service included assaults, disturbances, and drug offences. As a result of this initiative, Police were able to utilize a proactive approach to lessen ongoing issues at this location. Officers also provided security enhancement tips such as lighting to the area. This suggestion currently sits with the Director of Municipal Works, there are plans for the permanent lighting to be installed.

*Project Safer Schools Traffic Initiative:* This initiative was created in response to ongoing public complaints around poor driving habits in school zones. The overall purpose was to increase public awareness and alert motorists to safe driving around school zones. Cruisers were placed in a visible location, with Officers actively engaging with motorists in the area.

*Project Quiet Times:* This initiative was created in response to ongoing noise, mischief, and Emergency Order violation complaints. The targeted area of Juneberry Road and Winterberry Blvd, Thorold quickly became known as the party hub for Brock students, specifically on Friday and Saturday nights with over hundreds of partygoers observed. This created a large increase of calls by residents and local politicians to the NRPS. A committee of community stakeholders that included the NRPS, the Thorold Mayor, City of Thorold By-Law, Brock student Union, and Brock Police was created in response to this issue. A total of 2 arrests, 70 noise complaints, and 82 Provincial Offence Notices (PON) were issued. The final cost to the NRPS for this initiative was \$14,481.00.

*Project “Safes” (Stop Always for Everyone’s Safety):* This initiative was created as a targeted enforcement for various stop sign controlled intersections. A total of 18 PON’s were issued during this initiative.

## 2 District – Niagara Falls and Niagara-on-the-Lake

*Lock it or Lose It:* This initiative was carried out throughout the fall in response to a request from the Niagara Outlet Collection in Niagara on the Lake (NOTL) for increased Police presence. Officers conducted foot patrols throughout the open-air mall making

themselves visible to all patrons. Furthermore, while onsite, officers also walked through the parking lot checking for unlocked cars, placing a pamphlet on the windshield of parked vehicles indicating whether compliant or not. This initiative incorporated Police visibility along with awareness for motorists of securing items in their vehicles out of plain view.

*Niagara Falls Traffic Safety Day:* This initiative was initiated by a Niagara Falls Uniformed Officer bringing together three officers for a day (April 29, 2021) of directed traffic enforcement. Authorization was provided by Supervisors to be dedicated traffic officers for the day. In total approximately 700 cars were observed. The initiative resulted in 19 PON's and four warnings being issued for various infractions.

*Operation Royal:* This initiative was created in response to complaints of vehicles being broken into within the neighbourhood of Royal Manor Park in Niagara Falls. This initiative was conducted throughout the fall. Checks of the area continued daily with police directed patrols occurring 37 times.

*NOTL Speed Enforcement Blitz:* During the week of June 19 to June 26, speeding enforcement was conducted throughout NOTL as a result of residential complaints along with speed data provided to Police. As a result of this project, 77 PON's were issued. This project also coincided with the provincial launch of the Moving Ontarians More Safely Act. Details of this Act were broadcasted via NRPS social media in conjunction with the media release for this project.

*Foot Patrol Community Policing Initiative:* In response to incidents of unwanted persons, panhandlers, COVID related calls along with the NRPS focusing more on community policing, foot patrols were initiated throughout 2 District. A total of 407 foot patrols were conducted within the Casino District, Queen Street in Niagara Falls, and NOTL downtown areas.

*Operation Thorold Stone:* The objective of this operational plan was to provide high visibility in and around the Thorold Stone Plaza located at 6161 Thorold Stone Road in Niagara Falls in order to educate and enforce road safety. This was in response to the area being a popular location for car meets subsequently generating numerous complaints of aggressive driving and excessive noise.

*Community Support Officer Program:* This program is in its fourth year and continues to flourish with the necessity of the program increasing each year. A dedicated community officer is in daily communication with the homeless community, responding to calls specific to the homeless while also placing them in contact with an outreach worker when required. Having an officer that is consistent each and every day relating to the homeless provides a reciprocal relationship ultimately reducing calls for service. This program was expanded in 2021 where dedicated officers were assigned to this role as a community support officer on weekends or when the dedicated officer in charge is absent.

*Covid/Quarantine Enforcement:* This initiative was based upon community safety working in conjunction with Public Health of Canada and CBSA. Beginning May 30 officers were either called to attend or deployed to the international border crossings by way of a special duty to enforce the Quarantine Act. In summary, the Service responded to 314 calls for

service and issued 314 Quarantine Act charges. This initiative was above and beyond the provincial health measures that were also being enforced.

### 3 District – Welland

*Vacation Rental Property Crackdown:* Numerous complaints were received with respect to a vacation rental property causing issues with local neighbours. This joint project with the city resulted in the suspension of a property used as a vacation rental.

*Foot Patrol Initiatives:* Throughout the year officers spent time in visible areas in the downtown area of Welland and Pelham Town Square.

*Homeless in Tents:* Officers monitored areas where the homeless were known to camp and worked with community resources to provide support to people who had to be moved from locations where they were not allowed to stay.

*Road Safety Initiative:* Officers conducted a campaign to address speeding and impaired driving. As a direct result 1,073 PONS and 161 Warnings were issued for speeding, and a total of 64 drivers were arrested for impaired operation.

*COVID-19 Education, Engagement and Enforcement:* Officers engaged the community to educate them on restrictions due to COVID-19. This included compliance checks.

### 5 District – Fort Erie, Stevensville, Ridgeway, Crystal Beach

*Community Engagement Officer:* Officers directly involved with community engagement and were responsible for several initiatives related to community issues, established open lines of communication with several community stakeholders, and has become a consistent resource for all the communities within 5 District.

*Beach Patrol:* In a continued effort between Town of Fort Erie and uniform officers, an on-going beach initiative was conducted. Uniform officers utilized this initiative to educate beachgoers with local by-laws. Officers assisted Municipal Officers along with staff members on site to enforce Liquor Licence Act and Trespass to Property Act. Officers also conducted foot patrol and ATV patrol at Waverly Beach due to high complaints of persons on private property. In August, the Town of Fort Erie installed private property, no motorized vehicles, and no dogs sign at the public and private beach property line.

*ATV Patrol Initiative:* Officers and Fort Erie worked jointly with ATV patrols at various locations which included Waverly Beach, Crescent Beach, Bernard Avenue Beach, Bay Beach, Crystal Beach Waterfront Park, and the Friendship Trail. This initiative ran from February to November. The cost of this initiative was split between the Service and town in the amount of \$17,978.30 each, totaling \$35,956.60.

*Friendship Trail Patrol:* The Friendship Recreation Trail extends 16 kms to the Port Colborne border. Police received high volume of complaints from the public regarding off-road vehicles such as ATV's and snowmobiles on the Friendship Trail which are prohibited in accordance with the TOFE By-Law. The Service worked in partnership with

the town and utilized uniform members in marked police ATVs to enforce and educate violators.

*School Bus and Crossing Guard Complaints:* Officers worked with school bus drivers and crossing guards in response to complaints of motorists not yielding to them while on duty. Officers set up enforcement zones on foot and in fully marked police vehicles to provide enforcement and education.

*Cottage Checks:* As part of NRPS' commitment to crime prevention and patrols of summer vacation properties, officers utilized foot patrol, ATV patrol, and fully marked police cruisers to conduct checks along the Lake Erie Shoreline. The cottage checks consisted of ensuring doors/windows were locked and secured with no obvious signs of damage or forced entry. Cottage check signs were left at the property for owners to inform them that NRPS officers were active in the area patrolling and conducting these checks.

*Splash Pads, Parks & Playground Initiative:* As emergency measure restrictions were lessened during the summer months and citizens began to attend these various locations, uniform officers began an initiative to offer a visible presence. Police attended various splash pads, parks, and playgrounds throughout 5 District to engage with our community members and to offer directed patrol, enforcing various criminal, provincial and municipal legislation.

*Traffic Complaint Initiative:* Throughout the year, uniform officers along with the TEU as well as the community engagement officer conducted radar enforcement at various locations related to speeding complaints. In addition, officers enforced Highway Traffic Act (HTA) offences related to motorists disobeying stop sign and failing to stop at various locations.

*Special Projects/Crime Patrol Initiatives:* Crystal Beach Co-op contacted the Service regarding drug related issues, suspicious persons, and trespassing concerns. The Service worked with the property manager. Recommendations were made to the Co-op applying the crime prevention through environmental design principles to install/update cameras and lighting on the property. Plain clothes officers conducted various crime patrol initiatives throughout the year which led to arrests of individuals wanted on warrants and breaching their conditions.

#### 6 District - Port Colborne & Wainfleet

*Foot Patrol:* This was a community engagement initiative with its primary goal to strengthen community and police relations. Enforcement resulted in the issuance of several PON's and the arrest of wanted individuals in addition to intelligence gathering. Social media was used to highlight these foot patrols to bring additional community awareness to police efforts.

*Traffic Enforcement Rural Roads:* Targeted traffic enforcement was conducted in the rural areas prone to a high incidence of vehicles travelling at excessive speeds as identified through citizen complaints and municipal offices. A total of 257 PONs and 19 Part III Summons were issued during this initiative.

*Project Safe Streets:* Officers participated in this project from January through March, conducting compliance checks on persons that were bound by terms of release orders/probation orders and apprehending wanted persons within the community. This also increased police presence in identified areas of concern relating to potential criminal activity. As a result of this project, 23 arrests were made in relation to wanted persons or people failing to comply with conditions of their release orders. Numerous address verifications were also conducted to ensure compliance with specific conditions.

*Beach Patrols:* As a result of the COVID-19 lockdown, the beaches of 6 District, both in Wainfleet and Port Colborne, became popular destinations and quickly overwhelmed local infrastructure that was put in place. On weekends all beaches were at or over capacity and parked vehicles were in excess of the available parking. Officers worked with local By-Law to help address the influx of people. Officers utilized social media to inform residents their concerns were being addressed. From the start of August until Labour Day weekend additional officers were hired to deal with the influx of people and related call volume associated to the beaches at a cost of approximately \$5,000.

*ATV Patrols:* ATV officers conducted cottage checks along the Lake Erie shoreline, patrols along the Friendship Trail, St. Lawrence Seaway properties, and areas of concern reported by the community. Officers would enforce offences under the Trespass to Property Act and the Off-Road Vehicles Act. The cottage checks consisted of ensuring doors were locked with no obvious signs of damage or break ins. Cottage check signs were left for owners to inform them that officers had conducted a premise check of the dwelling and served notice that officers were active in the area conducting these patrols. Social media was used to inform the public of this initiative which received positive feedback.

#### No. 8 District – Grimsby, Lincoln and West Lincoln

*Overweight Trucks:* Officers along with members from the TEU responded to complaints regarding overweight trucks on west Niagara roadways. Education was pushed out over the district Twitter account. This led to a heightened awareness of the approved truck routes within west Niagara. Numerous charges were laid under the HTA, and a significant reduction in the number of commercial motor vehicles traveling on restricted roadways.

*Truck Safety Blitz:* Niagara Police and Ministry of Transportation officers conducted three safety blitzes targeting unsafe large commercial vehicles using the roads in west Niagara. In total, 36 PON's were issued. This initiative was conducted by hiring two constables on overtime for an approximate cost of \$1,900.00.

*Lock it or Lose It:* In the fall, officers attended various neighborhoods conducting foot, bicycle, and vehicle patrol to deter thefts from unlocked vehicles. Officers distributed Lock it or Lose It cards and identified various insecure vehicles and residences.

*Operation Safe Play:* this initiative involved officers conducting park and premise checks throughout the course of their nightshifts, in an effort to discourage disruptive loitering and vandalism in parks.

*Project Avoidance:* in June officers took part in this joint forces initiative in an effort to prevent large commercial motor vehicles that were attempting to avoid the MTO scales and, from utilizing roads within the Town of Lincoln that were not designed to accommodate such large vehicles.

### **Alternatives Reviewed**

Not applicable

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

To comply with the provisions of the Niagara Regional Police Services Board By-Laws and to maintain compliance with the Provincial Adequacy Standards.

### **Relevant Policy Considerations**

By-Law 191-2000, Problem Oriented Policing and By-Law 193-2000, Community Patrol. General Order 149.04 – Community Patrol and Problem Oriented Policing.

### **Other Pertinent Reports**

Annual Report – 174-2019 Problem Oriented Policing  
Annual Report – 173-2019 Community Patrol

*Material for this report was prepared by Sergeant Damian McMenamin, 1 District Administration, and Constable Michael Malachowsky, 2 District Administration, in consultation with Inspectors Shawn Dowd, 1 District Commander, and James McCaffery, 2 District Commander. Reviewed by Superintendent, Marco Giannico, District Operations, and recommended by Brett Flynn, Deputy Chief, Operational Support.*



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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, 2021

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

**Report Date:** 2022-04-21

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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 recommendation in 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 Niagara Regional Police 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 110.08 – 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 110.08 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 mandate of the Service’s 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. To enhance and restore this component of major criminal investigations, a budgeted Proceeds of Crime Investigator was assigned to Special Investigative Services (SIS) 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 2021 the Service’s SIS – Property Asset Forfeiture Unit (PAFU) member was involved in several major investigations. PAFU 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 and other investigations around the Province of Ontario. Niagara’s PAFU member was involved in the following projects:

Project Weaver (involved in a support role in this O.P.P. Organized Crime Enforcement Bureau investigation) where on March 9, 2021, 31 firearms were seized, along with 81 grenades, and 2 grenade launchers. In addition, drugs including cocaine, cannabis, hash, psilocybin and MDMA were seized along with approximately \$130,000.00 (CDN) in currency. Eight vehicles were seized as well.



Project Hammer, a joint investigation involving PAFU, York Regional Police Service and Toronto Police Service, in which more than \$5 million in firearms and drugs were seized. In total, \$382,231.00 (CDN) in currency was seized.

Project Cheetah, a joint investigation involving PAFU, York Regional Police Service, RCMP and the Sacramento DEA, in which 48 firearms were seized, as well as approximately 300-400g of Opium, 2600g of Heroin, 40g of Methamphetamine, 3500g of ketamine and 100g of cocaine were seized. In total, \$732,208.60 (CDN) in currency was seized.

The majority of these seizures continue to be held awaiting judicial direction on forfeiture.

In Niagara, PAFU assisted with a drug trafficking investigation led by the Service's Major Drugs and Gangs dubbed Project Harper. As a result, PAFU seized \$84,330.00 (CDN) in currency as well as property (jewellery) with an estimated worth of \$107,055.00.

In 2021, the Service's Proceeds of Crime/Asset Forfeiture Unit forwarded \$185,527.61 in forfeited cash to SPMD. This forfeited cash was a result of seizures and judicial orders made prior to 2021.

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 110.08 – Proceeds of Crime and Offence Related Property  
Provincial Adequacy Standards Regulation, Law Enforcement 041 – Proceeds of Crime

## Other Pertinent Reports

7.10.2021.04.22 Annual Report – Proceeds of Crime - January 1 to December 31, 2020

*This report was prepared by Matthew Hodges, 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, 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 – Property Offences (including Break & Enter) - January 1 to December 31, 2021

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

**Report Date:** 2022-04-25

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### Recommendation(s)

**That the Niagara Regional 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 222-2000 – Property Offences.
- By-Law 222-2000 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with legislative guidelines.
- This report is submitted to provide the Board with the necessary and required information pursuant to the operation of the Evidence Management Unit

### Financial Considerations

Not Applicable

### Analysis

On November 30, 2000, the Regional Municipality of Niagara Police Services Board enacted several By-Laws in response to Provincial Adequacy Standards regulation (O. Reg. 3/99). The By-Laws contain provisions requiring the Chief of Police to report specific information to the Board that demonstrates the Service's compliance with the previously mentioned legislative guidelines.

The report that follows provides the Board with information concerning the investigation of property-related offences by Service members. The report addresses the reporting period of January 1, 2021 through December 31, 2021.

### By-Law 222 – 2000 - Property Offences

Section 5.1 states, "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 written procedures concerning property offence investigations.”

Written procedures regarding Property Offences are found in the following Niagara Regional Police Service General Orders:

- GO - 095.10 – Major Incidents and Routine Criminal Investigations
- GO - 121.12 – Forensic Services Unit
- GO - 035.13 – Evidence and Property Management
- GO - 037.08 – Fire Calls and Arson Investigations
- GO - 034.10 – Report Submissions

These orders detail the responsibilities of officers when investigating property offences. They were prepared and approved to comply with Provincial Adequacy Standards Regulations LE-006, LE-020, LE-030, LE-042 and ER-004.

General Order 095.10 – Major Incidents and Routine Criminal Investigations - Identifies the duties and responsibilities of officers conducting routine criminal offences. It also outlines the process to be followed when involved in incidents deemed to be of a major nature. The order outlines the duties and responsibilities of officers who respond to the scenes of crimes, as well as those who undertake follow-up investigations – particularly members assigned to investigative units. The provisions contained in the order effectively address Section 5.1a of By-Law 222–2000, a summary of the written procedures concerning property offence investigations.

General Order 121.12 – Forensic Services Unit - Was written to assist with the investigation of most types of occurrences where the collection and preservation of physical evidence is appropriate. The order emphasizes the responsibility of the first officer at the scene of an occurrence to ensure proper measures are taken to guard against the contamination of evidence. The order reinforces the need for officers to determine whether a Scenes of Crime Officer, or Forensic Services Officer, is required for a more detailed examination of evidence. Moreover, the order provides a sequential list of considerations that should be entertained by officers undertaking investigations: criteria for examining stolen vehicles, preliminary examination at break and enter crime scenes, seizing exhibits, factors affecting the retrieval of crime scene fingerprints and footwear comparison, and use of mug shots and lineups.

General Order 035.13 – Evidence and Property Management - Expands on the duties and responsibilities of officers investigating property offences by establishing procedures for the control of evidence/property seized by members of the Service pursuant to the Police Services Act, peripheral regulations, and/or federal statutes. The order directs members to properly document and submit, without delay, seized items to the Service's Evidence Management Unit. This includes all evidence/property that is acquired, either directly or indirectly by reason of their duties unless otherwise permitted by this general

order, with the exception of licit and illicit drugs and motor vehicles, which are dealt with by way of other Service general orders.

General Order 037.08 – Fire Calls and Arson Investigations - Identifies the structure, operation and responsibilities of detectives investigating arson. Additionally, the order establishes the requirement for Service members to liaise, and work in partnership, with the fire departments investigators, members of the Ontario Fire Marshal's Office, and where necessary, personnel from other police services. Last, the order directs members of District Detective Offices to monitor fire related occurrences and arson reports identifying similarities, patterns and suspects; coordinate, as required, any program or project to combat serial arsons; maintain files on all arson suspects; and monitor any identified high-risk individuals.

General Order 034.10 – Report Submissions - Was written to ensure that all members adhere to the Service policies that are in place to address the establishment of procedures on records management, including the collection, security, retention, use, disclosure and destruction of records, in accordance with the requirements of appropriate legislation.

Status of Service Compliance with the Previously Mentioned Procedures:

Numerous systems have been implemented to ensure Service members' compliance with the previously mentioned orders. General Order 034.10 - Report Submissions, requires officers to submit a report when a criminal offence has been committed or alleged to have been committed. Officers will also report any incidents identified by the Service, or any member, as being worthy of documentation for future reference. The criteria for reporting include property offence investigations.

Section 3.10 stipulates that each submitted report must reviewed by a supervisor in order to ensure accuracy of information contained within the report; as well as adherence to the Service's standard of information conveyance.

General Order 095.10 – Major Incidents and Routine Criminal Investigations - Obliges the District Detective Staff Sergeant or Detective Sergeant to review all occurrence reports submitted by members under their command, and return occurrence reports to officers for follow-up investigation, where required. The order also requires the above-referenced supervisory member to review all occurrence reports pertaining to criminal investigations and return them to the original investigating officer, or re-assign as necessary, to a detective for follow-up investigation.

The order also identifies supervisor's guidelines for case management. Supervisors are required to review each incident and determine whether further resources are appropriate. Each incident is assigned a priority between one and three based on criteria identified in the order. Priority one investigations shall take precedence over priority two occurrences, and so on. The priority system ensures that all occurrence reports are reviewed and receive the required attention and follow-up. The Niagara Regional Police

Service, Quality Assurance Unit, ensures that property offence calls are properly coded so that statistical data may be accurately captured.

### **Alternatives Reviewed**

Not to accept this report.

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

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

### **Relevant Policy Considerations**

Police Services By-Law No. 222-2000 – Property Offences (including Break & Enter)

GO - 095.10 – Major Incidents and Routine Criminal Investigations

GO - 121.12 – Forensic Services Unit

GO - 035.13 – Evidence and Property Management

GO - 037.08 – Fire Calls and Arson Investigations

GO - 034.10 – Report Submissions

### **Other Pertinent Reports**

Not Applicable

*This report was prepared by Bruce Mair, Sergeant, Evidence Management Unit, reviewed by Richard Frayne, Superintendent, Corporate Services and recommended by Bill Fordy, Deputy Chief, Support Services.*



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### **Submitted by:**

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

## **Appendices**

None



## **NIAGARA REGIONAL POLICE SERVICE Police Services Board Report**

### **PUBLIC AGENDA**

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**Subject:** Annual Report - Robbery Investigations  
January 1, 2021, to December 31, 2021

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

**Report Date:** 2022-02-01

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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 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 a 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 2021, 15 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 2021, 4 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.

<b>Year</b>	<b>Robberies</b>	<b>Unfounded</b>	<b>Cleared by Charge</b>	<b>Cleared Otherwise</b>	<b>Unsolved</b>
<b>2017</b>	168	17	69	1	81
<b>2018</b>	171	11	74	0	86
<b>2019</b>	157	7	56	4	90
<b>2020</b>	197	19	80	5	93
<b>2021</b>	154	6	63	4	81

\*\*Statistics current as of January 19, 2022.

\*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 095.10 - 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**

April 2021 Agenda – item 7.11 Annual report – Robbery Investigations – January 1 to December 31, 2021.

*This report was prepared by Staff Sergeant Christopher Lemaich, 2 District Detective Offices in consultation with Inspector Mario Lagrotteria, 2 District Commander, reviewed by Superintendent Marco Giannico, District Operations and recommended by Brett Flynn, Deputy Chief, 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 – Suspect Apprehension Pursuits – January 1 to December 31, 2021

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

**Report Date:** 2022-04-20

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### Recommendation

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

### Key Facts

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

### Financial Considerations

There are no costs associated to the recommendation in this report.

### Analysis

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

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

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

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

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

Niagara Regional Police Service General Order 042.12 titled "Suspect Apprehension Pursuits" establishes written procedures on the management and control of SAP. The procedures are in compliance with Ontario Regulation 266/10 of the Police Services Act. These procedures include:

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

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

SAP are high risk, low frequency events that require knowledge, skills, and abilities by all involved members; patrol officers, supervisors, and communications personnel. The rules that govern all SAP are found in the Police Services Act, Ontario Regulation 266/10.

A Fail to Stop Report is a document that formally documents a SAP. These events occur when a police officer initiates a traffic stop by using their emergency equipment to signal the operator of a motor vehicle to stop, for either a Criminal or Highway Traffic Act offence, and/or for purposes of an investigation in relation to either, and the operator of that vehicle fails to stop at the officer's direction.

The jeopardy for the involved officer, and the Niagara Regional Police Service, changes depending on the decisions made by the officer. If the officer chooses to follow the vehicle after recognizing the operator is not stopping, then the event is classified as a SAP. The outcome of the event does not matter for classification purposes, but the jeopardy of the involved officer and the Service rises or falls dependant on the decision whether to pursue, and any subsequent decisions made during the pursuit, and until or upon its termination.

With consideration for driving convictions of police officers responding to calls for service (R vs Porto) and pursuits (R vs Cheeseman), the Service has taken steps to enhance public and officer safety with the implementation of the Speed Safety Program and revision of the Suspect Apprehension Pursuits General Order 042.12. This revision replaced General Order 042.11 and went into effect Wednesday, November 24, 2021. The new General Order ensures that the Service is following current best practices in Police Vehicle Operations, in line with other police services in the Province.

The Covid-19 Pandemic forced the Service to alter the SAP practical (in-car) training delivered in 2020/2021. Due to training restrictions, the Service was not able to fully observe the Ministry of the Solicitor General recommendation to provide refresher training every two years. To compensate, adjustments to training delivery included in-class training, coupled with training videos produced in collaboration with the Video Unit, emphasizing community safety and the need for continuous assessment of pursuit risk factors, as well as an introduction to the Speed Safety Program. During the 2021/2022 In-Service-Training session, additional training included updates to General Order 042.12 and practical pursuit prevention/termination techniques.

The Niagara Regional Police Service is in compliance with the written procedures regarding SAP.

In 2021, the Niagara Regional Police Service Training Unit's SAP analyst reviewed all Fail to Stop reports to ensure compliance with Ontario Regulation 266/10 of the Police Services Act and General Order 042.12.

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

The Niagara Regional Police Service Training Unit submits an annual report to the Regional Municipality of Niagara Police Services Board, summarizing the Fail to Stop reports prepared during the calendar year. This report has been created with the reports

that have been received and compiled to this date. For the reporting year of January 1, 2021, to December 31, 2021, there were seventeen SAP events, summarized as follows:

## **Analysis**

### **First Quarter**

#### **SAP Report One: January 5, 2021**

- A police officer in full uniform operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Impaired Operation);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 0.8 km before being terminated for public safety reasons;
- Suspect vehicle same as described in SAP Report Two;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.

#### **SAP Report Two: January 5, 2021**

- A police officer in full uniform operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Impaired Operation);
- The driver of the vehicle failed to stop, and a pursuit was initiated (this is the same vehicle from the incident described above, but in a different District)
- The pursuit involved three different agencies the Ontario Provincial Police, the Niagara Regional Police Service, and the Niagara Parks Police;
- A Stop Stick device was deployed as a pursuit ending tactic;
- The 13.3 km pursuit before the suspect vehicle was involved in a collision;
- Unknown damages and costs associated to this event;
- One injured person and one fatality;
- This event met the established SAP guidelines.

#### **SAP Report Three: January 9, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Stolen Vehicle);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer initiated a pursuit using police lights and siren while strategically following;
- The pursuit lasted for 2 km before being terminated for public safety reasons;
- Police located the suspect vehicle unoccupied shortly after the pursuit;
- A perimeter was set up in the immediate area and K9 was called to assist;
- K9 was not successful in locating a suspect(s);
- No charges were laid as no suspect was identified;
- There were no injuries or damages associated to this event;
- This pursuit met the established SAP guidelines.

SAP Report Four: February 5, 2021

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Impaired Operation);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 1 km before it was terminated for public safety reasons;
- The suspect was found in another part of the Region shortly after the pursuit and was immediately arrested and charged accordingly;
- There were no injuries or damages associated to this event;
- This pursuit met the established SAP guidelines.

SAP Report Five: February 19, 2021

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Stolen Vehicle);
- GPS tracking allowed police to follow the suspect without engaging in a pursuit and allowing police to strategically follow;
- At red-light two marked police vehicles pulled up beside the suspect vehicle to identify the driver;
- The suspect then fled at a high rate of speed colliding with a marked police vehicle;
- No charges were laid as no suspect was identified;
- Unknown injuries if any
- Unknown damages associated to this event;
- This event met the established SAP guidelines.

SAP Report Six: March 18, 2021

- A police officer in full uniform operating a fully marked police vehicle attempted to stop a motor vehicle for an Investigative reason (Stolen Vehicle);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 0.5 km before being terminated for public safety reasons;
- No charges were laid as no suspect was identified;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.

SAP Report Seven: March 22, 2021

- A police Detective in an unmarked police vehicle attempted to stop a motor vehicle for an Investigative reason (Stolen Vehicle);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 0.3 km before being terminated for public safety reasons;
- No charges were laid as no suspect was identified;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.



SAP Report Eight: March 27, 2021

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code investigation (Assault);
- The driver of the vehicle failed to stop;
- The officer initiated a pursuit using lights and siren while strategically following;
- The pursuit lasted for 1 km before the pursuit was terminated for public safety reasons;
- No charges were laid as no suspect was identified;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.

**Second Quarter**

SAP Report Nine: May 4, 2021

- A police officer in full uniform and operating a fully marked police vehicle attempted a traffic stop for a Criminal Code offence (Dangerous Operation);
- The driver of the subject vehicle failed to stop;
- Subsequently the officer initiated a pursuit using police lights and siren;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 1.7 km before the suspect willingly stopped the vehicle;
- The suspect was immediately arrested and charged accordingly;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.

SAP Report Ten: June 6, 2021

- A police officer in full uniform and operating a fully marked police vehicle conducted a traffic stop for a Criminal Code offence (Dangerous Operation);
- The driver of the subject vehicle stopped and spoke with police briefly before refusing to provide identification and sped off;
- Subsequently the officer initiated a pursuit using police lights and siren;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 1 km before the suspect willingly stopped the vehicle;
- The suspect was immediately arrested and charged accordingly;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.

SAP Report Eleven: June 18, 2021

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Impaired Operation);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 1.5 km before the pursuit was terminated for public safety reasons;
- Further investigation resulted in the driver being identified, and his/her licence being reported for review;
- There were no injuries or damages associated to this event;

- This pursuit met the established SAP guidelines.

### **Third Quarter**

#### **SAP Report Twelve: August 2, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Impaired Operation);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 0.8 km before being terminated for public safety reasons;
- No charges were laid as no suspect was identified;
- There were no injuries or damages associated to this event;
- This event met the established SAP guidelines.

#### **SAP Report Thirteen: August 4, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted a traffic stop for a Criminal Code offence (Dangerous Operation);
- The driver of the subject vehicle failed to stop;
- Subsequently the officer initiated a pursuit using police lights and siren;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 0.5 km before the suspect was involved in a collision allowing the officer to use the pinning technique to bring the event to a successful conclusion;
- The suspect was immediately arrested and charged accordingly;
- There were no injuries associated to this event;
- Damages to the suspect's vehicle is estimated at \$20,000, damage sustained to other property \$20,000, and damage sustained to Service vehicles is \$5,000;
- This event met the established SAP guidelines.

#### **SAP Report Fourteen: August 4, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Fail to Comply);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 1 km before the pursuit was terminated for public safety reasons;
- Further investigation resulted in the driver being identified, arrested, and charged accordingly with Criminal Code offences;
- There were no injuries or damages associated to this event;
- This pursuit met the established SAP guidelines.

#### **SAP Report Fifteen: August 5, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Highway Traffic Act offence (Speeding);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;

- The pursuit lasted for 0.4 km before the pursuit was terminated for public safety reasons;
- No charges were laid as no suspect was identified;
- There were no injuries or damages associated to this event;
- This pursuit met the established SAP guidelines.

#### **Fourth Quarter**

##### **SAP Report Sixteen: November 20, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Warrant);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 0.7 km before the pursuit was terminated for public safety reasons;
- Further investigation resulted in the driver being identified, arrested, and charged accordingly with Criminal Code and Highway Traffic Act offences;
- There were no injuries or damages associated to this event;
- This pursuit met the established SAP guidelines.

##### **SAP Report Seventeen: December 11, 2021**

- A police officer in full uniform and operating a fully marked police vehicle attempted to stop a motor vehicle for a Criminal Code offence (Fail to Comply);
- The driver of the vehicle failed to stop, and a pursuit was initiated;
- The pursuing officer used strategic following as a pursuit tactic;
- The pursuit lasted for 1 km before the suspect made a wrong turn down a dead-end street allowing police to bring the pursuit to a successful conclusion;
- The driver was immediately arrested and charged accordingly;
- There were no injuries or damages associated to this event;
- This pursuit met the established SAP guidelines.

All 17 SAP events in 2021 met the standard as defined in the General Order and Ontario Regulation 266/10.

The implementation of the Speed Safety Program and a new approach to how members operate police vehicles while responding to calls for service and SAP events is crucial. The revised General Order ensures that the Service is keeping up with best practices.

The Niagara Regional Police Service Training Unit continues to provide SAP training in compliance with General Order 042.12, reports relevant findings and when appropriate, makes recommendations to Senior Command and the Regional Municipality of Niagara Police Services Board as it relates to training issues.

The Niagara Regional Police Service Training Unit will also continue to analyze and monitor any relevant trends and changes as they relate to SAP.

### **Alternatives Reviewed**

Not applicable.

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

To comply with Board By-law 338-2013.

### **Relevant Policy Considerations**

- Police Services Board By-law 338-2013.
- *Police Services Act* of Ontario Regulation 266/10.
- Provincial Adequacy Standard LE-045.
- NRPS General Order 042.12

### **Other Pertinent Reports**

7.17.2021.05.20 – Annual Report - Suspect Apprehension Pursuits - January 1 to December 31, 2020.

*This report was prepared by Kris Hamilton, Constable, Training Unit in consultation with Paul Koscinski, Staff Sergeant, Training Unit, Matt Whiteley, Sergeant, Training Unit, and Todd Waselovich, Inspector, Labour Relations & Career Development. Reviewed by David Meade, Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief, 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 – Tactical Units – January 1 to December 31, 2021  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-04-13

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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 with 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 recommendation in 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, 2024

- 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 193 occasions in 2021, representing a slight increase from the previous two years.

#### Tactical Unit Calls:

Year	2021	2020	2019
No. of Calls	193	186	182

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 2021:

- 27 High-Risk Arrests
- 27 High-Risk Warrants
- 33 Ground Searches – Missing Persons and Evidence
- 36 Armed and/or Barricaded Persons
- 9 High-Risk Canine Tracks
- 5 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

7.15.2021.04.22 – Annual Report – Tactical Units – January 1 to December 31, 2020.

*This report was prepared by Constable Claude Labrie, Emergency Task Unit, in consultation with Inspector Joe Garvey, Emergency Services Unit, reviewed by Superintendent Brian Ash, Emergency & Investigative Services, and recommended by Brett Flynn, Deputy Chief, 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 – Use of Force – January 1 to December 31, 2021  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-04-20

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### Recommendation(s)

**The Niagara Regional Police Services Board receives this report for information.**

### Key Facts

- The purpose of this report is to provide the Board with the necessary and required information pursuant to the By-law relating to procedures and processes on police Use of Force.
- By-law 346-2014, A By-law Respecting Use of Force was enacted in response to the Provincial Adequacy Standards AI-012 Use of Force.
- By-law 346-2014 contains provisions requiring the Chief of Police to report specific information in order to ensure compliance with the legislative guidelines.

### Financial Considerations

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

### Analysis

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

The Chief shall develop for the Board's review an annual study on the use of force/training issues, which shall disclose the following information and be made available to the community:

- a) Use of force trends and the Service response to such trends, as disclosed by the procedures referred to in 4.2.1 and 4.2.2 above and in accordance with Appendix A;
- b) all matters in which Part B of the use of force report was retained for more than 30 days in accordance with 4.2.3 above, the reasons therefore, and the action taken in respect of Members in connection with the retained report;
- c) in respect of training whether use of force training meets or exceeds Ministry standards as amended from time to time;

- d) in respect of training the number of members who did not successfully complete the required training, the reasons for not so doing and the remedial action taken;
- e) a summary of all reports made pursuant to 4.4.1. and 4.4.2 regarding the discharge of firearms;
- f) a summary of Service policy reports and follow-ups in accordance with 4.6 above;
- g) a summary of the disposition of revolvers made pursuant to 4.7 above;
- h) the nature of critical incident trauma aftercare available pursuant to 4.8 above and the number of Members using the aftercare arrangements;
- i) Service compliance with equipment standards of the Ministry as amended from time to time;
- j) a summary of Service policy regarding disposition of old equipment and comment on Service compliance with the policy, and;
- k) anticipated changes in the cost of any of the above matters to be considered in the budget for the ensuing year, which information shall also be included in the training program budget submitted to the Board.

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

- a) **Use of force trends and the Service response to such trends, as disclosed by the procedures referred to in 4.2.1 and 4.2.2 above and in accordance with Appendix A:**

Section 4.2.1 and 4.2.2 mandates written procedures to ensure that the following incidents involving the use of force are documented, when used outside of a training environment:

- the discharge of a firearm;
- the drawing of a handgun in the presence of members of the public;
- use of a weapon other than a firearm, including aerosol weapons, conducted energy weapons and batons; and,
- applications of force which result in injury requiring medical attention

The Service's General Order 053.22 governs all use of force by members. All reporting requirements are contained within this order. These procedures are in compliance with the Police Services Act; Regulation 926 and the Policing Standards Manual AI-012.

### **Use of Force Analyst Report:**

In 2021, officers of the Niagara Regional Police Service responded to over 148,000 calls for service. Of those incidents, 186 encounters between officers and members of the public occurred in circumstances that required the completion of a Use of Force Report, as mandated by Ontario Regulation 926.

Use of Force Reports are broken into two classifications: Individual Reports and Team Reports. Individual Report refers to the submission of a Use of Force Report by an individual officer and may include reports prepared by an immediate supervisor in cases where the officer is incapable of submitting a report. Each officer who administers force

meeting the threshold in Regulation 926 must submit an individual report, unless they qualify as a member of a team. A Team Report is completed by a leader of a specialist team, such as the Tactical Team, in place of individual reporting by each member. Therefore, one incident (call for service) can result in multiple Use of Force Reports being submitted. Out of the 186 identified encounters resulting in submission of Use of Force Reports, 33 were Team Reports.

In 2021, there were approximately 186 Use of Force Report submissions. For comparison purposes, there were 168 Use of Force Report submissions in 2020, 137 in 2019 and 140 in 2018.

The increase in Use of Force Reports has been paralleled with the rise in armed persons, which has been a trend for the last four years and continued in 2021 with 139 armed persons, compared to 127 in 2020. Although there were not as many subjects armed with firearms in 2021, there was a significant rise in the number of subjects armed with knives or edged weapons with 52 identified incidents, up from 29 incidents in 2020.

Over the last several years we have seen more prevalence of suspected gang activity and violent incidents throughout the Region. The number of times that officers have had to use force or draw and point their service firearms or long guns correlates with the violent situations that have occurred in the Region and the number of armed subjects they encountered.

In 2021, there was a decrease in the number of subjects armed with firearms, however the number remains high at 54. In 2020 we saw a large increase in the number of subjects armed with firearms with 80 reported incidents. In 2019 there were only 5 and 13 in 2018. In 2021, 54 subjects were armed with firearms which were identified as semi-automatic (40); rifle (6); shotgun (4) and revolver (4). Further, the use of replica firearms/airsoft weapons used by subjects during incidents was reported 6 times, down from 7 in 2020. Often these replica firearms and airsoft weapons look identical to real firearms, which result in police drawing their firearm and responding as if the weapon is a real firearm.

Situations with subjects who are known to be armed result in heightened vigilance when it comes to executing search warrants. Any time a subject has been identified as being armed, or possibly armed, the Tactical Unit must be involved in the entry to a premise. In 2021 they were involved in 33 use of force incidents.

The CEW remains the most reliable and utilized use of force option for police officers. In 2021, it was effective 90% of the time which is within the historical ranges of 90%-93%. Other use of force options, aside from the firearm, have seen a decline in the rates of use. This may be attributed to the consistent efficacy of the CEW as well as the limited time for recovery and minimal injury resulting from its use.

The Niagara Regional Police Service Training Unit continues to monitor trends in the community that result in the use of force and report as required in accordance with the Police Services Act. The Training Unit is committed to developing and delivering training

that is relevant, realistic, repeatable, and responsible to ensure police officers are confident and competent in their commitment to ensuring public safety.

## Race

In 2020, the Ministry of The Solicitor General implemented a new use of force report. The goal was to capture statistics on use of force across the province through electronic submission of the use of force reports.

One of the changes to the report was an identified need to capture statistics regarding race involved in use of force encounters. The statistics are based on the “perceived subject race”, from the officer’s observations. The following were identified by the Ministry as the race categories: Black, East/Southeast Asian, Indigenous, Latino, Middle Eastern, South Asian, and Black.

In 2021, Niagara Regional Police officers encountered 244 subjects in 186 reported incidents of use of force. The subjects were identified as follows:

<b>Race Data:</b>	<b>2021</b>	<b>2020</b>
Black	39	58
East/Southeast Asian	1	5
Indigenous	4	5
Latino	8	8
Middle Eastern	11	21
South Asian	1	2
White	175	141

## Empty Hands Techniques

The use of Empty Hands skills can be broken down into soft and hard techniques. Soft techniques are used to control a subject who exhibits behaviour ranging from passive resistant to serious bodily harm or death. They include techniques such as; joint locks and manipulation, restraint techniques during handcuffing, and grounding techniques that are used to bring a subject to the ground. Hard techniques are those that involve striking a subject and can include; punches, kicks, elbows, knees, and brachial stuns. The goal in using these and other use of force options is always to stop a threat or potential threat as quickly as possible with minimal injury to all involved parties.

In 2021, Empty Hands techniques were reported 45 times compared with 49 times in 2020. Empty Hands "hard" techniques were utilized in 16 occurrences and were only 62.5% effective. Empty Hands "soft" techniques accounted for the remaining 29 usages and were effective 72% of the time.

## Aerosol Weapon

Oleoresin Capsicum (OC) spray has been an approved use of force option of the Niagara Regional Police Service since 1994. OC spray is 100% organically based and is classified as an inflammatory agent designed to psychologically and physically impair a subject with no long-lasting effects. The degree of effectiveness varies greatly and ranges from mild discomfort to total incapacitation. These factors are dependent on the subject's mindset and physical condition. Factors such as; intoxication by alcohol or drugs, excited delirium or mental health illness may also reduce its effectiveness. Police officers using OC spray also have to be aware of cross-contamination (officers being affected by the OC back-spray), de-contamination (the need to flush the affected areas of the subject), and the ability of a subject to overcome the effects if they close or cover their eyes to decrease exposure.

In 2021, there were 2 reported deployments of OC spray by police officers in the course of their duties, which were reported to be 50% effective. In 2020 OC was also used 2 times with 100% effectiveness. The last reported use of OC spray prior to 2019 was in 2015 where there were seven 7 deployments with 86% effectiveness. This marked decrease in usage may be attributed to the concerns mentioned above or may be due to another use of force option being used as a more appropriate tool given the situation.

### **Impact Weapon**

The Impact Weapon, or ASP baton, may be used when a subject displays a minimum of assaultive behaviour. Sworn officers are issued with an expandable metal baton. These tools are used to strike major muscle groups, where large bundles of nerves respond by causing temporary muscle dysfunction. This eliminates or reduces a subject's ability to use their hands and feet in an assaultive manner. The pain that results will also assist in achieving compliance. When a subject is holding onto an object to resist, the Impact Weapon may be used to pry the subject loose. This is referred to as a soft application.

In 2021, the Impact Weapon was used 1 time in a soft application, and it was effective. There were no reported uses of the Impact Weapon in a hard or striking fashion during 2021. For comparison purposes, there were 2 uses of the Impact Weapon in a soft application in 2020. It is anticipated that the Impact Weapon usage will remain low as other options, such as the CEW, are proving to be more effective.

### **Conducted Energy Weapon (CEW)**

In 2015, all front-line police officers within the Service received CEW training to be able to carry the CEW as a use of force option. CEW's are intended for use on subjects exhibiting behaviour that ranges from Assaultive to Serious Bodily Harm or Death. The CEW may also be used when taking into account the totality of circumstances, the officer believes there is an imminent need to control a subject.

The CEW can be used in three different ways:

#### **1) Demonstrated Force Presence (DFP)**

The CEW is drawn in the presence of a subject and is either sparked or the laser light is pointed at them. This type of application can be used towards subjects exhibiting resistant behaviour. DFP is utilized in attempts to gain subject compliance and de-escalate situations.

## **2) Dart Probe**

The CEW utilizes a cartridge that contains 2 probes. When fired, the 2 probes travel to the intended target, tethered by 2 insulated wires designed to deliver an electrical charge that affects both the sensory and motor neurons of the central nervous system. This type of deployment is very effective resulting in neuromuscular incapacitation. A larger probe spread will often result in greater effectiveness. A failed deployment may be the result of one or more probes missing the target, thick or heavy clothing, small probe spread or device malfunction.

## **3) Drive-Stun**

The drive-stun involves direct contact between the CEW and subject. Due to the short distance between the contacts on the CEW, the drive-stun relies primarily on pain compliance as it only targets the sensory neurons. As with any technique that relies on pain compliance, the drive-stun may be ineffective on subjects that are intoxicated by drugs or alcohol, emotionally disturbed, suffering from excited delirium, or simply impervious to pain.

Annual CEW In-Service Training incorporates enhanced academic and practical scenario training supplemented by material from the Ontario Police College and Master CEW working committee. Training also addresses common and uncommon deployment issues identified in CEW reports.

In 2021, the CEW was drawn and utilized 61 times in relation to 44 incidents. This is due to multiple officers choosing the CEW as an option at the same incident. This is up from 2020, where the CEW was drawn and utilized 46 times.

The 61 usages are broken down; accordingly, 31 were Dart Deployments, 21 were used as Demonstrated Force Presence and 9 were used in a Drive-Stun mode. There was a variety of types of calls where the CEW was used, 18 of them involving subjects armed with weapons. Of these 18 incidents involving weapons; 1 was a domestic; 6 were armed person(s) and 11 were Mental Health Act related calls.

Weapons were involved in 41% of the calls where a CEW was utilized. 13 of those incidents involved knives and 1 involved pepper spray. The other incidents involved a variety of weapons such as a pipe, table leg, fire extinguisher and a guitar. There were also 2 incidents in which a CEW was successfully used against an aggressive dog.

## CEW Data

YEAR	DART DEPLOYMENT	DRIVE STUN	DEMONSTRATED FORCE PRESENCE
2021	31	9	21
2020	18	5	23
2019	24	9	23
2018	30	1	21

## Historical (usage) Success Rate

*The CEW has a high historical success rate of 90-93 %. The success rate for 2021 CEW usages is 90% and within historical norms.*

## Firearm

In 2021, there were 77 Use of Force report submissions where police officers drew their handgun in the presence of the public, during the course of their duties. As stated above, the reporting criteria in these instances require a police officer to submit a Use of Force report when a handgun is drawn in the presence of the public. Police officers reported 80 incidents where a firearm was pointed at a subject. The criteria for reporting in these incidents require police officers to submit a Use of Force report whenever a firearm is pointed at a person and includes; handgun, shotgun, or rifle. It should be noted that the 80 incidents where officers pointed their firearms were not all separate incidents and some involved multiple officers pointing their handguns at the same subject or multiple subjects. There were 18 occurrences of police officers discharging their firearm in 2021. 17 of those incidents involved police officers discharging their firearm to end the suffering of a critically wounded animal. There was 1 occurrence that involved an officer discharging their firearm at a subject causing a fatal injury to the subject. This matter was investigated and cleared by the SIU.

## Firearm Data

YEAR	FIREARM DRAWN	FIREARM POINTED	FIREARM DISCHARGED
2021	77	80	18
2020	66	85	12
2019	27	39	19
2018	19	44	20
2017	12	52	33

Use of Force reporting captures data concerning weapon use by subjects during interactions with police officers when force is used. In these instances, police officers

document the type of weapon, nature of any injuries and where the weapon was located during the interaction. In 2021, police officers encountered 139 armed subjects, compared with 127 armed subjects in 2020. Of the 139 armed subjects; 52 were armed with a knife or edged weapon, 54 were in possession of a firearm, 1 subject was armed with a crossbow and 7 had baseball bats. Police officers also encountered subjects who were armed with weapons of opportunity. These included a fire extinguisher, guitar, propane tank, motor vehicle, and coyote spray. Lastly, Police officers reported 6 encounters with subjects armed with replica handguns.

In many of the calls for service, police officers received information that a subject was armed and were able to plan and act accordingly to diffuse the situation safely, however, police officers also responded to many incidents with limited information, only to encounter an armed subject on arrival. For these reasons, police officers always need to remain vigilant and cautious, for their own safety and the safety of others, during any community interaction.

The number of armed subjects police officers encountered in 2021 rose again, for the third year in a row. One trend that remains constant is the encounter of armed subjects at mental health related calls. 17 use of force reports were submitted in relation to mental health calls in 2021, down from 22 in 2020. These incidents are particularly challenging in that police are tasked with trying to de-escalate a potentially dangerous situation while trying to extend help to a person in crisis. De-escalation tactics have varied effectiveness depending on the situation, but they do not eliminate the use of force when it is justified and necessary. Annual In-Service Training has evolved to address these concerns and incorporates specific use of force skills training as well as judgment and de-escalation scenarios to deal with the increasing number of mental health calls for service.

**b) all matters in which Part B of the use of force report was retained for more than 30 days in accordance with 4.2.3 above, the reasons therefore, and the action taken in respect of Members in connection with the retained report;**

As per section 4.2.3 there were no incidents in the reporting period where Part B of the Use of Force report was retained for more than the 30 days due to a determination that a member required additional training.

**c) in respect of training whether use of force training meets or exceeds Ministry standards as amended from time to time;**

Use of Force training is scheduled and conducted in a manner that meets or exceeds Ministry Standards. Officers participate in Use of Force certification/recertification at least once every 12 months. The members of the Training Unit regularly review and amend their prepared lesson plans pertaining to instruction and evaluation of members involved in Use of Force certification/re-certification. This ensures that all of the training standards meet, or exceed, the Ministry standards.



- d) in respect of training the number of members who did not successfully complete the required training, the reasons for not so doing and the remedial action taken;**

Every year a small number of members are unable to participate in use of force training due to medical restrictions. In accordance with section 4.3.5 of the By-law, and the Police Service Act, those members are not deployed to positions that require use of force capabilities until their medical conditions allow them to receive the required use of force training. Of all those members who participate annually in use of force training, there is generally a small percentage, typically in the firearms requalification, that are required to make a second attempt to achieve the training standard. They are afforded that opportunity to do so as soon as possible, usually the same day. During the reporting period all active-duty members were able to achieve the training standard at first attempt or following remedial opportunities.

- e) a summary of all reports made pursuant to 4.4.1. and 4.4.2 regarding the discharge of firearms;**

Section 4.4.1 states that *"The Chief shall ensure that all reports on investigations of death or injury resulting from the discharge of a firearm made pursuant to section 13(1) of Regulation 926 are submitted to the Board within thirty (30) days of such incident occurring"*.

Section 4.4.2 states that *"The Chief shall immediately cause an investigation and file a report to the Board where a member, by the discharge of a firearm in the performance of his or her duty, kills or injures another person"*

In 2021, an incident involving multiple police officers from the Service and a subject resulted in one Service firearm being discharged with the subject being fatally wounded. This matter was investigated by the SIU and cleared.

- f) a summary of Service policy reports and follow-ups in accordance with 4.6 above;**

Section 4.6 of Police Services Board By-law 346-2014 refers to issuing firearms to auxiliary members. Section 11(1) of Regulation 926 of the Police Services Act permits *"the chief of police or a superior officer, a member of an Ontario police force.... who is accompanying and supervising an auxiliary member of the police force may issue to the auxiliary member a firearm, except a revolver, if he or she believes, on reasonable grounds, that they are entering into a situation in which it is necessary that the auxiliary member be armed to protect against loss of life or serious bodily harm."*

There were no incidents during this reporting period where an auxiliary member was issued a firearm.

- g) a summary of the disposition of revolvers made pursuant to 4.7 above;**

During the reporting period no revolvers were destroyed.

**h) The nature of critical incident trauma aftercare available pursuant to 4.8 above and the number of Members using the aftercare arrangements;**

General Order 009.10 entitled Psychological Wellness Programs sets out policy and procedures with respect to the Critical Incident Response Team and Peer Support Team. The teams provide support to any member and their families who have experienced the negative effects of stress from an employment related critical incident.

Further, General Order 254.02 entitled Reintegration Program sets out policy and procedure for supporting members in dealing with the natural stress of critical incidents and exposure to stressful events. Support is provided through delivery of a program integrating exposure, drills and scenarios that have been individualized to the needs of each participating officer and their situation.

For statistics on their responses please refer to the Board report submitted by Member Support.

**i) Service compliance with equipment standards of the Ministry as amended from time to time;**

There were no amendments to equipment standards during this reporting period.

**j) a summary of Service policy regarding disposition of old equipment and comment on Service compliance with the policy;**

The disposal of Service firearms is initiated by the Training Unit, or Quartermaster Stores. Disposal is conducted by the Firearms Officer and the procedure is consistent with that prescribed for seized or received firearms, as set out in General Order 035.13 entitled Evidence and Property Management.

**k) anticipated changes in the cost of any of the above matters to be considered in the budget for the ensuing year, which information shall also be included in the training program budget submitted to the Board;**

The Police Services Act is currently being reviewed for amendments and may contain changes to the Use of Force model and training regime with respect to situational de-escalation. At this point the impact on training costs would be speculation but it is anticipated that regulated training time will be increased.

## **Alternatives Reviewed**

Not applicable.

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

To comply with the Board By-law 346-2014.

## **Relevant Policy Considerations**

- Police Services Board By-law 346-2014 (revised)
- Police Services Act of Ontario Regulation 926.
- Provincial Adequacy Standard AI-012
- NRPS General Order 053.22.

## **Other Pertinent Reports**

7.13.2021.03.25 – Annual Report – Use of Force – January 1 to December 31, 2020

*This report was prepared by Constable Andrew Watson, Training Unit Instructor and Use of Force analyst in consultation with Staff Sergeant Paul Koscinski, Training Unit and reviewed by Inspector Todd Waselovich, Labour Relations and Career Development and Superintendent David Meade, Executive Services. Recommended by Bill Fordy, Deputy Chief, Support Services.*



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### **Submitted by:**

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

## **Appendices**

Not applicable.



## INTERNAL CORRESPONDENCE

**To:** Chair and Members

**From:** Deb Reid

**Dept:** Niagara Police Services Board

**Dept:** Executive Director  
Niagara Police Services Board

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**Date:** April 8, 2022

**Re: Police Services Board – Revision to July Meeting Date**

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Purpose:

The purpose of this report is to reschedule the July meeting date for the Police Services Board's regular monthly meeting from Thursday, July 21, 2022 to Tuesday, July 19, 2022.

Background Information and Discussion:

The Board Chair has requested that a report be put forward to change the Police Services Board regular meeting date for the month of July from Thursday, July 21, 2022 to Tuesday, July 19, 2022. The start time at 9:00 am and the meeting location in the Community Room at NRPS Headquarters will remain the same.

In accordance with Section 10.3 of the Board's Procedural By-law No. 391-2021, the Board may cancel the next regular meeting or may change any one or more of its dates, its times or its place, upon the concurring votes of a majority of the Board Members. Section 10.5 requires that notice of any meeting revisions are provided to the public and the media with the issuance of a media release and by posting the update of the schedule meeting change(s) on the Board's website as well as by formal notification to the Regional Clerk's office.

Section 35(1) of the *Police Services Act* requires the Board hold a minimum of four (4) meetings in each year.

With the Board's approval, staff will make the appropriate changes to the Board's meeting schedule for the month of July 2022 and provide the required public, media and Regional notifications.

Recommendation:

**That the Board amend its regular monthly meeting date from July 21, 2022 to July 19, 2022.**

Deb Reid  
Executive Director



## INTERNAL CORRESPONDENCE

**To:** Chair and Members

**From:** Deb Reid

**Dept:** Niagara Police Services Board

**Dept:** Executive Director  
Niagara Police Services Board

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**Date:** May 5, 2022

**Re: Police Services Board By-law Revision – Policy for Compliance with the Municipal Freedom of Information and Protection of Privacy Act**

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Purpose:

The purpose of this report is to provide the Board with a revised by-law as required for compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, and the Ontario Ministry of the Solicitor General.

Background Information and Discussion:

The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) came into effect January 1, 1991. The Act provides individuals with a right of access to both general information and their own personal information maintained by municipal government, which includes Police Services and Police Services Boards. The legislation also provides privacy protection relating to the collection, use, disclosure, and retention of personal information in its custody and/or control.

On May 3, 2022, the Executive Director met with the Records Manager to discuss updates to the Board's By-law. As part of its ongoing policy development and review process, the Service suggested that some administrative amendments be made to the Board's By-law to ensure compliance with all information required to be included under the Act, and to reflect the current annual statistical reporting requirements.

The revised By-law has been reviewed by the Board Solicitor and the Chief of Police and it is now recommended for Board approval.

Recommendation:

**That the Board adopt By-law No. 395-2022 as appended to the report and authorize the Board Chair and Executive Director to execute the required documentation.**

Deb Reid  
Executive Director

Encl.



**BY-LAW NO. 395-2022**  
**A BY-LAW TO ESTABLISH POLICY FOR COMPLIANCE WITH**  
**THE MUNICIPAL FREEDOM OF INFORMATION AND**  
**PROTECTION OF PRIVACY ACT**

**1. PREAMBLE**

- 1.1 WHEREAS subsection 3(2) of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, provides that the Board may designate from among its members, a person to act as Head of the institution for the purposes of the *Act*;
- 1.2 AND whereas, under section 49(1) of that *Act*, a Head may delegate a power or duty as vested in the head to officers or employees of the institution subject to such limitations, restrictions, conditions or requirements as the Head may set out in the delegation;
- 1.3 AND whereas it is desirable to delegate certain powers and duties vested in the Head under the *Municipal Freedom of Information and Protection of Privacy Act*, to officers of the Niagara Regional Police Service and to other officials and employees;
- 1.4 AND whereas subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- (b) generally determine, after consultation with the Chief of Police, objectives and priorities with respect to the police services in the municipality;
  - (c) establish policies for the effective management of the police force;
  - (f) establish policies respecting the disclosure by the Chief of Police of personal information about individuals;
- 1.5 AND whereas a Police Services Board may, by by-law make rules for the effective management of the police service under Section 31(6) of the *Police Services Act*;
- 1.6 AND whereas the Board deems it expedient to pass a by-law to designate a head for the purposes of the *Act* and to establish policies regarding the processing of access requests and the protection of personal information under the *Act*.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

**2 DEFINITIONS**

- 2.1 “*Act*” means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, and amendments thereto;

- 2.2 “*Board*” means the Regional Municipality of Niagara Police Services Board;
- 2.3 “*Chair*” means the Chair of the Regional Municipality of Niagara Police Services Board;
- 2.4 “*Chief*” means the Chief of Police of the Niagara Regional Police Service;
- 2.5 “*Head*” in respect of the institution, means the individual or body determined to be head under this By-law;
- 2.6 “*Institution*” means the organization known as the Niagara Regional Police Service, as governed by the Niagara Police Services Board;
- 2.7 “*Service*” means the Niagara Regional Police Service.

### **3 BOARD POLICY**

- 3.1 The Board recognizes the purposes of the *Act* to be the right of access to information under the control of the institutions in accordance with certain principles and the protection of privacy of individuals with respect to personal information held by the institutions. The Board is committed to compliance with the *Act* and therefore, it is the policy of the Board that access to information and personal privacy issues be dealt with in accordance with the procedure set out by the Chief as established and directed in this by-law.

### **4 DESIGNATION OF HEAD OF INSTITUTION**

- 4.1 Pursuant to Section 3(2) of the *Act*, the Chair be designated as Head for the purposes of the *Act*.

### **5 DELEGATION OF POWERS**

- 5.1 Pursuant to subsection 49(1) of the *Act*, the Chair delegates the power and duties vested in the Head under the *Act* to the Chief of Police and/or his or her designate with respect to all records under the control of the Chief of Police.
- 5.2 Pursuant to subsection 49(1) of the *Act*, the Chair delegates the power and duties vested in the Head under the *Act* to the Executive Director with respect to all records under the control of the Board.
- 5.3 Notwithstanding the delegation of powers and duties of the Head as authorized by Section 5.1 and 5.2 of this by-law, the Head remains accountable for actions taken and decisions made under the *Act* and retains the powers and duties granted or vested in the Head.

### **6 DIRECTION TO THE CHIEF**

- 6.1 The Chief shall develop and implement written procedures to ensure compliance with the requirements of the *Act*, including provisions which ensure right of access to information under the control of the Service as well as protection of personal privacy.
- 6.2 The Chief shall ensure that all members who receive a delegation of the duties under Section 5.1 of this by-law, receive training on the *Act* and its administration.

## **7 REPORT TO THE BOARD**

- 7.1 The Chief shall make an annual statistical report to the Board on Freedom of Information activities, which shall appear on the public agenda.
- 7.2 The annual report shall include comparative data for the same time period in the immediate preceding calendar year, and shall contain all information required to be included under the Act, including the following information:
- (a) Total number of Freedom of Information requests;
  - (b) Total number of personal information requests;
  - (c) Total number of general information requests;
  - (d) Total number of Police Services Board requests;
  - (e) Total number of appeals filed by the applicant;
  - (f) Total number of appeals still open at end of reporting year;
  - (g) Total number of appeals where the Service decision was upheld or not overturned by the Information and Privacy Commissioner of Ontario;
  - (h) Total number of complaints and compliance investigations;
  - (i) Total number of outstanding requests at end of reporting year; and
  - (j) The extended compliance rate for the reporting year.

## **8 IMPLEMENTATION**

- 8.1 By-law No. 119-90, 151-95, and 283-2008 as amended, and all other By-laws, and sections of By-laws inconsistent with the provisions of this By-law are hereby repealed.
- 8.2 This By-law shall come into force upon the date of its passage.
- 8.3 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this 19<sup>th</sup> day of May, 2022.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

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William C. Steele, Chair

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Deb Reid, Executive Director





## INTERNAL CORRESPONDENCE

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

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**Date:** May 11, 2022

**Re: Draft Board By-law 396-2022 – Right to Disconnect from Work Policy**

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Purpose:

The purpose of this report is to request the Board approve the attached Board By-law to *"Establish Policy for the Right to Disconnect From Work."*

Background Information and Discussion:

On October 25, 2021, the Ontario Government introduced Bill 27, the *Working for Workers Act, 2021*, in the Ontario Legislature. It received Royal Assent and came into force on December 2, 2021. The Act made significant amendments to the *Employment Standards Act, 2000 (ESA)*, including the introduction of a new requirement for employers in Ontario with 25 or more employees to have a written policy on disconnecting from work for all employees covered by the ESA.

The ESA provides for a transition period of six months from the date the Act received Royal Assent for employers to comply with the relevant requirements regarding the written policy on disconnecting from work, meaning that employers are required to have a compliant policy in place by June 2, 2022.

Through a memorandum sent on April 27, 2022, to all Ontario Police Services Boards and Chiefs of Police, from the Ontario Ministry of the Solicitor General, Public Safety Division and Public Safety Training Division, formal notification was provided of the new requirement for a "right to disconnect" policy under the *Employment Standards Act, 2000 (ESA)*.

As the Board is the statutory employer of all Members of the Niagara Regional Police Service and Niagara Police Services Board Staff, including those to whom the ESA generally applies, the proposed Disconnecting from Work By-law, seeks to ensure that the Board complies with its statutory obligations under the ESA. The proposed By-law also demonstrates the Board's commitment to the health and well-being of its Members through its support of disconnecting from work where appropriate.

In response to the foregoing, a Board By-law has been developed and a draft is attached for the Board's review and consideration. The draft By-law has been reviewed by the Board Solicitor and the Chief of Police and it is now recommended for Board approval. In addition, the Service will prepare a General Order that will align with the Board's By-law and comply with the relevant requirements regarding the written policy on disconnecting from work.

It is therefore recommended that the Board approve the proposed By-law to ensure that the Board has a policy in place regarding disconnecting from work before June 2, 2022, to be in compliance with the amended ESA.

**Recommendation:**

**That the Board adopt By-law No. 396-2022 as appended to this report;**

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

A handwritten signature in black ink, appearing to read "Deb Reid". The signature is fluid and cursive, with the first letter "D" being large and prominent.

Deb Reid  
Executive Director

Encl.

**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division

**SUBJECT:** Right to Disconnect Policy / Written Policy on  
Disconnecting from Work

<b>DATE OF ISSUE:</b>	<b>April 27, 2022</b>
<b>CLASSIFICATION:</b>	<b>General Information</b>
<b>RETENTION:</b>	<b>Indefinite</b>
<b>INDEX NO.:</b>	<b>22-0045</b>
<b>PRIORITY:</b>	<b>High</b>

As you may be aware, on December 2, 2021, the *Employment Standards Act, 2000* (the *Act*), was amended to create a new requirement for a “right to disconnect” policy.

The *Act* was amended to create a new Part VII.0.1, which establishes a requirement for employers with 25 or more employees as of January 1 of the given year to have a written policy about employees disconnecting from work. “*Disconnecting from work*” is defined under [section 21.1.1](#) of the *Act* to mean not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

This requirement applies to all employers covered by the *Act* in relation to their employees who are subject to the *Act*, except the Crown, a Crown agency or an authority, board, commission or corporation whose members are all appointed by the Crown and their employees. It should be noted that the *Act* does not apply to a police officer or a person for whom a police officer performs work, except as provided in Part XVI (Lie Detectors).

As a result, this requirement applies to all municipal police services boards with at least 25 employees who are not police officers (e.g., civilian members of the police service, special constables, board support staff). For First Nation police services, the application of this requirement (and the *Act* generally) depends on whether the employment relationship falls within provincial jurisdiction – the *Act* does not apply to employment

relationships that fall under federal jurisdiction. This requirement does not apply to the Ontario Provincial Police, as part of the Crown.

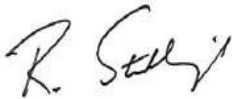
The written policy will need to be in place before March 1 of each year and must contain the date it was made, as well as the date any changes were made to it. However, employers have a grace period for 2022 and will not need to have a written policy in place until June 2, 2022.

Employers will be required to provide a copy of the written policy to each employee within 30 days of preparing the policy or, if an existing written policy is changed, within 30 days of the changes being made.

You may wish to refer to [Your guide to the \*Employment Standards Act\*](#) for further information regarding the written policy on disconnecting from work.

Further information on other recent amendments introduced by the *Working for Workers Act, 2021* can be found [here](#).

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Stubbings'.

Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division

c: Mario Di Tommaso, O.O.M.  
Deputy Solicitor General, Community Safety



**BY-LAW NO. 396-2022**

**A BY-LAW TO ESTABLISH POLICY  
FOR THE RIGHT TO DISCONNECT FROM WORK**

**1. PREAMBLE**

- 1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to police service in the municipality;
  - c. establish priorities for the effective management of the police service, and
  - e. direct the Chief of Police and monitor his or her performance;
- 1.2 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;
- 1.3 AND whereas an amendment was made to the *Employment Standards Act, 2000* (the ESA), specifically Bill 27, the *Working for Workers Act, 2021* which introduced a new requirement for employers in Ontario to have a written policy on disconnecting from work for all employees covered by the ESA;
- 1.4 AND whereas it is the responsibility of the Chief of Police of the Niagara Regional Police Service to administer the policing services of the Regional Municipality of Niagara in accordance with the policies, priorities and objectives established by the Niagara Police Services Board;
- 1.5 AND whereas it is the responsibility of the Chief of Police to develop the necessary procedures to ensure compliance with Board policies and effective operations of the police service.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

**2 DEFINITIONS**

- 2.1 “Act” means the *Police Services Act*, R.S.O. 1990, c.P.15, and amendments thereto.
- 2.2 “Board” means the Regional Municipality of Niagara Police Services Board.
- 2.3 “Chief of Police” or “Chief” means the Chief of the Niagara Regional Police Service.
- 2.4 “Service” means the Niagara Regional Police Service.

For the purpose of this By-law, the following definitions apply:

- 2.5 “*Scheduled Hours of Work*” means the schedule or start and end time for a unit/division as set out by senior management, based on operational requirements and in accordance with a member’s terms and conditions of employment, applicable collective agreements and/or their minimum statutory entitlements under the ESA.
- 2.6 “*Disconnecting from Work*” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

### **3 BOARD POLICY**

- 3.1 The Board values the health and well-being of its employees. Disconnecting from work as appropriate is vital to a person’s well-being and helps employees achieve health and sustainable work-life integration. Disconnecting from work as appropriate also enables employees to work more productively during their assigned working hours and reduces the likelihood of employee exhaustion.
- 3.2 This By-law is required to be compliant with an amendment to the *Employment Standards Act, 2000* (the ESA), specifically Bill 27, the *Working for Workers Act, 2021*, which introduced a new requirement for employers in Ontario to have a written policy on disconnecting from work for all employees covered by the ESA.
- 3.3 In recognition of the distinct statutory and common law duties of Police Officers employed by the Board, this By-law applies only to Civilian Members to whom Part VII.0.1 of the *Employment Standards Act, 2000* (the ESA) applies.
- 3.4 It is the policy of the Board to support the Civilian Members of the Niagara Regional Police Service and Board Staff (collectively, “Member” or “Members”) in disconnecting from work outside of their normal working hours where appropriate.
- 3.5 The purpose of this policy is to set out the parameters of disconnecting from work for Civilian Members and Board Staff in accordance with the ESA, the collective agreements in force between the Board and the Niagara Region Police Association and the Niagara Regional Police Senior Officers’ Association, and any other terms and conditions of employment with the Board.

### **4 GUIDING PRINCIPLES**

- 4.1 The Board commits to promote and support efforts to maintain the health and well-being of Members through the provision of relevant programs, information and/or training with respect to Disconnecting from Work when appropriate.
- 4.2 A Member’s ability to disconnect from work depends on the Board’s or Service’s operational needs, and the Board’s legal responsibility for the provision of adequate and effective policing, as well as the duties and obligations of a Member’s position, subject to the terms and conditions of the Member’s employment with the Board, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.
- 4.3 This By-law does not preclude any Member from contacting another Member outside of what may be considered normal working hours or standard business hours, subject to any rights or entitlement the receiving Member may have under the terms and conditions of their employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.4 The Board recognizes that there are situations when it is necessary for Members to perform work or communicate with another Member outside their Scheduled Hours of Work, including but not limited to, the following circumstances:

- a) Where emergency or exigent circumstances arise, with or without notice;
- b) To assist or fill in at short notice for a Member;
- c) Where the nature of a Member's duties require work and/or work-related communications outside of their Scheduled Hours of Work;
- d) Unforeseeable business or operational reasons;
- e) A Member's request or agreement to work certain hours or have flexible working hours; and
- f) Other unusual circumstances which are inherent to a Member's position.

4.5 This By-law does not afford Members a "right to disconnect" or a "greater right or benefit" beyond what is contained within the terms and conditions of their employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

4.6 The Board, Service and Service Members will work together to assist Members in disconnecting from work outside of their Scheduled Hours of Work as appropriate and in accordance with this By-law.

#### 4.7 *HANDHELD AND WORK DEVICES*

The Service may provide some Members with handheld devices, such as mobile phone, laptop, tablet, or other device as determined by Service procedures. Possession of these devices does not mean that a Member is expected to make themselves consistently available for work or work-related communications outside normal working hours, subject to the Service's operational needs and the duties of a Member's position and subject to any rights or entitlements the Member may have under their terms and conditions of employment, applicable collective agreements, and/or their minimum statutory entitlements under the ESA.

#### 4.8 *EMAIL AND AUTOMATIC REPLIES*

Members' Scheduled Hours of Work differ within the Service. As a result, some Members may attend to work-related communications outside of other Members' Scheduled Hours of Work. Where this is the case, the sender will consider the timing of their communications and understand that the recipient is generally not expected to respond until their return to work at the earliest, subject to the circumstances detailed above. Members should activate an automatic e-mail response whenever taking vacation or leave from work. The automatic response will be sent to all incoming email communications and should advise the sender that the recipient is absent from work, the start date and end date of the recipient's absence, and provide alternate contact information.

### **5 DIRECTION TO THE CHIEF**

#### 5.1 *PROCEDURES*

5.1.1 The Chief shall develop and maintain processes and written procedures to ensure that Management and Service Members are able to disconnect from the workplace at appropriate times and in accordance with this By-law, and any further direction/recommendations by the Ministry of the Solicitor General through its All Chiefs Memorandums on this new requirement in the ESA for a 'right to disconnect' policy.

- 5.1.2 The said procedures shall ensure that Management takes all reasonable steps to assist Service Members under their management to disconnect from the workplace outside of their normal working hours as appropriate and in accordance with this By-law.

## 5.2 *COMMUNICATION OF POLICY AND RELATED INFORMATION*

- 5.2.1 The Chief shall ensure that:

- a) All new Members are provided with a copy of this By-law and Service procedures within 30 days of a Member's hire date;
- b) All existing Members are provided with a copy of this By-law and Service procedures, and any amended versions, within 30 days of approval or amendment; and
- c) All Members are provided with information regarding their Standard Hours of Work given the nature of their work, and any other information required to assist Members with complying with this By-law and Service procedures.

- 5.2.2 Promote efforts to maintain the health and well-being of Members through the provision of relevant programs, information and/or training with respect to Disconnecting from Work when appropriate, in line with the Guiding Principles of this By-law.

- 5.2.3 The Chief shall ensure that any programs, information and/or training related to Disconnecting from Work include:

- a) Clearly articulated Scheduled Hours of Work for all Members, including parameters and expectations for contact outside of their Scheduled Hours of Work;
- b) Clear and specific obligations for the Service, its Management, its Members to ensure that everyone will work together in order to Disconnect with Work where possible and appropriate, in accordance with the Guiding Principles of this By-law; and
- c) Tools, supports and resources to assist Management and Members in Disconnecting from Work at appropriate times, including through the use of available technology (i.e. out of office messaging on Service-issued phones and computers).

## 5.3 *EMPLOYER RECORD KEEPING REQUIREMENTS*

- 5.3.1 The Chief shall ensure that a copy of every written policy or procedure on disconnecting from work that was required by the ESA is retained for three years after the policy is no longer in effect.

## 6 **REPORT TO THE BOARD**

- 6.1 The Chief of Police shall provide the Board with a written report on an annual basis in respect of disconnecting from work. The report shall include:

- a) a summary of the written procedures concerning the right to disconnect from work; and
- b) confirmation of Service compliance with the said procedures.

## 7 **IMPLEMENTATION**

- 7.1 This By-law shall come into force upon the date of its passage.

- 7.2 The Chief shall implement this By-law, where applicable, through general order.



ENACTED AND PASSED this 19<sup>th</sup> day of May, 2022.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

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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:** Update to the Schedule of Fees & Charges  
**Report To:** Chair and Members, Niagara Police Services Board  
**Report Date:** 2022-04-28

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### Recommendation(s)

**That the Niagara Police Services Board approve:**

- 1. The revised fee of zero dollars for police Criminal Record Checks (CRC), and police Criminal Record and Judicial Matters Checks (CRCJMC) for volunteers as set out by legislation; and**
- 2. A fee of \$20 be established for police record checks for students completing an uncompensated placement for academic credit.**

### Key Facts

- The purpose of this report is to update the Schedule of Fees & Charges by making the recommended changes.
- The *Police Record Checks Reform Act, 2015* (PRCRA) sets out the types of police record checks that are to be conducted:
  - Criminal Record Check: includes criminal convictions/findings of guilt;
  - Criminal Record & Judicial Matters Check: includes criminal convictions/findings of guilt, discharges, outstanding charges, arrest warrants, and certain judicial orders; and
  - Vulnerable Sector Check (VSC): includes criminal convictions/findings of guilt, discharges, outstanding charges, arrest warrants and certain judicial orders, applicable findings of not criminally responsible due to mental disorder, record suspensions related to sexually based offences, and in certain circumstances, non-conviction charges related information when a strict test is met.
- Amendments to the *Police Record Checks Reform Act, 2015* came into effect on April 1, 2022, to reduce barriers for volunteers, including the requirement for police services to conduct and provide the results of CRCs and CRJMCSs for volunteers at no charge; and established a definition of “volunteer”.

## Financial Considerations

The legislated amendment to the PRCRA that requires Police Services to conduct CRCs and CRCJMCs for volunteers at no cost will result in a loss of approximately \$16,660 in annual general fee revenues. This loss of revenue is an approximation based on the 2021 annual number of CRCs and CRCJMCs completed for volunteers, exclusive of checks for uncompensated student placement, 833 (721+112) times the \$20 fee. It should be noted that the volume of volunteer police record checks in 2021 was lower than traditionally seen due to the pandemic, and that an upswing in numbers is expected as volunteer agencies and organizations start reopening for business as usual.

## Analysis

On March 14, 2022, the Ministry of the Solicitor General notified all police services that amendments to the *Police Record Checks Reform Act, 2015* (PRCRA) would be coming into effect on April 1, 2022.

The amendments include the following definition of “volunteer”:

*“means a person who performs a service but who receives no compensation for doing so other than an allowance for expenses or an honorarium, and excludes a person receiving some other form of credit such as academic credit or fulfilling a sentence requirement”*

Additionally, these amendments require police services to conduct and provide the results of (CRCs), and (CRJMCs) for volunteers at no charge. Police services are also required to provide up to five free copies of the results if requested at the time of the initial request.

Volunteers are still required to pay for a Vulnerable Sector Check based on police service requirements.

The following table illustrates the quantity of volunteer and uncompensated student placement police record checks completed for the timeframe 2019 to 2021.

<b>Quantity of Police Record Checks by Type</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>Average</b>
CRC – Volunteer	1,076	790	721	862
CRC – Student Placement (uncompensated)			198	
CRCJMC – Volunteer	235	132	112	160
CRCJMC – Student Placement (uncompensated)			30	
VSC – Student – Placement (uncompensated)			2,697	

Note: student placements were not tracked separately prior to 2021, instead they were included in the employment and volunteer totals depending on whether they were compensated or not.

Historically at the Niagara Regional Police Service, students completing an uncompensated placement for academic credit were charged the volunteer rate (\$20); and those students completing a compensated placement for academic credit were charged the employment rate (\$50). Under the amended PRCRA, the establishment of a definition for volunteer effectively reclassifies the uncompensated student placement checks under the employment type at a rate of \$50 (Board By-Law 389-2021). This fee hike may present a financial burden for students and prove to be a barrier to completing their education. The fee hike will further impact students who have to do more than one placement requiring a vulnerable sector check. (Vulnerable sector checks cannot be copied and have to be completed for each placement for each individual agency).

Therefore, it is staffs' recommendation that uncompensated student placement checks be set up as a separate fee type and a charge be set at \$20 (no change). Students completing a compensated placement for academic credit will remain classified under employee record check fee type with a charge of \$50 (no change). This recommendation will ensure students enrolled in an uncompensated placement will not experience a price increase when requesting a police record check and the Service annual revenues will remain unchanged.

Therefore, staff recommend removing the following fee types from the Schedule of Fees & Charges:

- Criminal Background Check – Employees \$50/each
- Criminal Background Check – Volunteers \$20/each

And replace with the following fee types:

- Police Record Check (all types) – Employees \$50/each
- Police Record Check (all types) – Students (uncompensated and receiving academic credit) \$20/each
- Police Record Check (CRC & CRJMC) – Volunteers \$0/each (Free)
- Police Record Check (VSC) – Volunteers \$20/each

(The term “Police Record Check” is used in compliance with the PRCRA.)

### **Alternatives Reviewed**

There is no alternative for the provision of Criminal Record Checks (CRCs), and Criminal Record and Judicial Matters Checks (CRJMCSs) for volunteers at no charge, as this is a legislated requirement.

An alternative to setting a fee of \$20 for all police record check types for students completing an uncompensated placement for academic credit is:

1. to reduce the student fee below \$20 in order to reduce the financial burden on students; this is not recommended as the Service would suffer a further loss of revenue; or
2. to increase the student fee above \$20 to generate new revenues; this is not recommended as it may result in financial hardship for students.

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

This report is being issued in compliance with Board By-Law 389-2021.

### **Relevant Policy Considerations**

General Order 005.09 Police Record Checks.

### **Other Pertinent Reports**

Not applicable.

*This report was prepared by Laurie Switzer, Manager, Records & Information Management in consultation with Laura Rullo, Finance Manager, reviewed by Superintendent Richard Frayne, Corporate Services, and recommended by Bill Fordy, Deputy Chief, Support Services.*



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#### **Submitted by:**

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

### **Appendices**

None.



## **NIAGARA REGIONAL POLICE SERVICE**

### **Police Services Board Report**

#### **PUBLIC AGENDA**

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**Subject:** Special Fund Donation for 2022 Motorcycle Ride for Dad

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

**Report Date:** 2022-04-09

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#### **Recommendation(s)**

**That the Niagara Police Services Board approve a Special Fund donation of \$500.00 for the 2022 Motorcycle Ride for Dad Campaign.**

#### **Key Facts**

- The purpose of this report is to seek the Board's approval for a \$500.00 Special Fund donation to support the 2022 Motorcycle Ride for Dad Campaign
- Ride for Dad was formed in 2010 and is supported by the Niagara Regional Police Service, Niagara Parks Police, Niagara Regional Police Association, Royal Canadian Mounted Police, and endorsed by the Canadian Police Association.
- Since the Ride's inception, the Niagara Chapter has raised over \$600,000 in funds.

#### **Financial Considerations**

The Board has a discretionary pool of funds, which it uses for grants and donations. Disbursements from the fund are in accordance with guidelines provided in the Police Services Act and Board By-law 376-2018, Special Fund Administration, Limitations and Guidelines. Section 132(2) of the Police Services Act establishes that the Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the police service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the regional tax base.

#### **Analysis**

The Motorcycle Ride for Dad is an annual fundraiser where riders raise money through pledges for prostate cancer research. This large scale, one day event takes place in multiple cities across Canada, including the Niagara Region.

In Niagara, the day starts with a police escorted ride through the host community and then continues on to be a full day of riding. The event brings together motorcycle enthusiasts, members of the community, members of the local Police Services, and community leaders to raise funds to save men's lives by supporting research and raising public awareness of the disease.

The Motorcycle Ride for Dad was originally formed from Ottawa Police Service to support research and awareness of Prostate Cancer. The Niagara Chapter of the Motorcycle Ride for Dad was formed in 2010 and is supported by the Niagara Regional Police Service, Niagara Parks Police, Niagara Regional Police Association, Royal Canadian Mounted Police, and endorsed by the Canadian Police Association.

Since its inception, the Niagara Chapter has raised over \$600,000 in funds.

Sergeant Jeff Latham and Sergeant Mat King of the Niagara Regional Police Service chair the Niagara Chapter of the Motorcycle Ride for Dad.

### **Alternatives Reviewed**

Approve a different amount as a donation.

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

Not Applicable

### **Relevant Policy Considerations**

PSB Bylaw 392-2021 Administration, Limitations and Guidelines of the Special Fund

### **Other Pertinent Reports**

Minute No. 51.2019 – Special Fund Request – Rankin Cancer Run NRPS Cuffs on Cancer Team. Board authorized \$500 dollar donation.

*This report was prepared by Mathew King, Sergeant, 8 District, in consultation with Shaun Parrent, Staff Sergeant, 8 District, reviewed by Superintendent Marco Giannico, District Operations, and recommended by Brett Flynn, Deputy Chief, Operational Support.*



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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

### CONFIDENTIAL AGENDA

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**Subject:** Special Investigations Unit – Case Number 21-OFD-007 – Incident of January 5, 2021

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

**Report Date:** 2022-03-30

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### Recommendation(s)

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

### Key Facts

- The purpose of this report is to advise the Board of the findings and any action taken or recommended by the Chief of Police following a notification and investigation of an incident by the Special Investigations Unit (SIU).
- Ontario Regulation 268/10 Section 32 made under the *Police Services Act* requires that the Chief of Police initiate an investigation following a notification to the SIU.
- The purpose of the Chief's investigation is to review the policies of, or services provided by the police force and the conduct of its police officers.
- On December 22, 2021, the SIU notified the Niagara Regional Police Service (NRPS) that their investigation had concluded and advised that there were no grounds for criminal charges against any police officer.
- The subsequent Section 32 investigation by the Professional Standards Unit determined there were no issues with respect to officer conduct, policies or services provided by the NRPS.

### Financial Considerations

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

### Analysis

On Tuesday January 5, 2021, at approximately 1:33 pm, NRPS officers were dispatched to the area of Lundy's Lane and Depew Avenue in Niagara Falls regarding an impaired driver. The suspect vehicle had been involved in several driving complaints throughout



the day and was also the subject of an alert from the Hamilton Police as an impaired driver operating a stolen vehicle.

The initial responding officers located the vehicle in the area of 6812 Lundy's Lane in Niagara Falls. As officers approached the area, the vehicle fled from the scene at a high rate of speed travelling east on Lundy's Lane. A brief pursuit was initiated but was quickly terminated. Officers continued to follow the vehicle broadcasting its last known direction of travel.

Officers from the OPP later observed the suspect vehicle in the area of Mountain Road and engaged in a brief pursuit before aborting their pursuit of the vehicle.

The vehicle was later observed travelling north-bound on York Road in Niagara-on-the-Lake. Officers from the NRPS, OPP, and Niagara Parks Police made several unsuccessful attempts to stop the vehicle which included the use of a "Stop Stick", tire deflation device.

Officers continued attempts to contain the vehicle several times along the route, eventually succeeding in the area of the Niagara River Parkway and Line 4 after the suspect vehicle intentionally collided with several cruisers.

With the suspect vehicle effectively boxed-in, officers exited their cruisers and rushed towards the pickup truck. They yelled at the suspect to stop the truck and put his hands up. The suspect ignored those directions and continued to depress the accelerator of the truck spinning the truck's wheels creating thick plumes of black smoke. The front driver's door was shut and efforts to open it, including attempts to break the window, were unsuccessful.

At one point, officers deployed bursts of OC spray into the truck through the open driver side rear window.

Though bothered by the spray, the suspect did not surrender. He reached with his right arm towards the floor of the backseats and started to search through a duffle bag. The Subject Officer, Constable AB, was standing by the open driver side rear window with his pistol drawn and pointed at the suspect, told him to stop reaching into the bag. Concerned that the suspect was retrieving a firearm, Constable AB took aim at the suspect's exposed right shoulder and shot once. As the suspect continued to reach into the rear compartment and came up with his right hand with what Constable AB feared was a gun, Constable AB fired a second round which was aimed at the back of the driver's seat. The suspect fell back into the driver's seat following the second shot and became largely still.

Realizing that the suspect had been shot and was in need of medical attention, an officer climbed into the rear seats of the truck and attempted to extricate the suspect from the vehicle. With the help of NRPS ETU officers arriving on scene, the suspect was removed

from the truck and emergency medical care provided while waiting for paramedics to attend.

The suspect was transported to the hospital but could not be revived and was later pronounced deceased.

As a result of the suspect being fatally shot, the SIU was notified at 2:48 p.m., and invoked their mandate.

The SIU designated 30 members of the NRPS as Witness Officials, 2 Niagara Parks Police Special Constables, and 4 members of the OPP were also designated as Witness Officials.

The female passenger from the suspect vehicle was later charged with five criminal offences related to this incident. On February 4, 2021, the female passenger was convicted of Failing to Comply with an Undertaking, contrary to section 145(4)(a) CC and Obstruct Peace Officer, contrary to section 129(a) CC. The female accused received credit for 31 days of pre-sentence custody, a Suspended Sentence and was placed on probation for a period of 12 months.

On December 22, 2021, the Service received notification that the SIU concluded their investigation, and no further action was contemplated. In his closure letter, SIU Director Martino advised "there were no reasonable grounds in the evidence to proceed with criminal charges against the official".

A copy of the SIU report was publicly posted on the SIU's website at the following links:  
[https://www.siu.on.ca/en/directors\\_reports.php](https://www.siu.on.ca/en/directors_reports.php)  
[https://www.siu.on.ca/fr/directors\\_reports.php](https://www.siu.on.ca/fr/directors_reports.php).

In accordance with Ontario Regulation 268/10 Section 32, the Service's Professional Standards Unit conducted an investigation and review of this incident which considered the following three areas:

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

The Section 32 investigation encompassed a compliance review of applicable Provincial legislation which governs members of the Service, as well as General Orders, policies and procedures, and the conduct of the involved officers.

Where available, investigations include a review of communications recordings, NRPS occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU and all duty book notes, SIU documentation including the Director's conclusion letter and investigative report, statements of civilian witnesses gathered and released by the

SIU at the conclusion of their investigation upon the consent of the civilian witnesses, and any other information and evidence available on a case by case basis.

### **1. The Policies of the Niagara Regional Police Service**

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

1. General Order 079.10 – Special Investigations Unit
2. General Order 053.22 – Use of Force
3. General Order 168.06 – Officer Notetaking
4. General Order 100.10 – Powers of Arrest
5. General Order 018.21 – Persons in Custody
6. General Order 042.11 – Suspect Apprehension Pursuits
7. General Order 095.10 – Major Incidents & Routine Criminal Investigations

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

### **2. Services Provided by the Niagara Regional Police Service**

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

### **3. Conduct of Niagara Regional Police Officers**

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

Director Martino did raise several concerns related to:

- several involved officers who gathered together while off duty.
- criticism of officers completing their notes with CAD reports.
- a concern that officers provided the Niagara Police Association with a copy of their notes.

The Section 32 investigation of this incident related to these concerns did not identify any misconduct or breaches of legislation related to these criticisms that were raised by Director Martino.

On December 30, 2021, Inspector Luigi Greco of the Professional Standards Unit reviewed the concerns with the Executive Officer of the Special Investigations Unit.

As a result of this review, it was suggested that NRPS officers who are completing notes related to an SIU incident should note if they referenced any CAD reports while completing their notes.

The Professional Standards Unit will now directly provide Witness Official notes to their identified Legal Counsel to mitigate the SIU concern of the Niagara Police Association being used to facilitate the transfer of the notes to the Legal Counsel who are retained by the Association.

The Professional Standards Unit investigation and review of this incident was undertaken in compliance with Section 32 of Ontario Regulation 268/10 made under the *Police Services Act*. The relevant policies of the Police Service, the services provided, and the conduct of the involved Service members was the focus of this review and investigation.

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

### **Alternatives Reviewed**

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

Section 34(1) of Ontario Regulation 268/10 made under the *Police Services Act* provides that, upon receiving this report, the Board may make it available to the public.

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

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

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

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

Not applicable.

## **Relevant Policy Considerations**

Not applicable.

## **Other Pertinent Reports**

C.8.4.2021.11.25 – Request for Legal Indemnification – SIU Case 21-OFD-007 – Incident of January 5, 2021

C.8.6.2021.03.25 – Request for Legal Indemnification – SIU Case 21-OFD-007 – Incident of January 5, 2021

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



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**Submitted by:**

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

## **Appendices**

Not applicable