



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
PUBLIC MINUTES

Thursday, January 26, 2023
Meeting Held By Electronic Participation Only
ZOOM VIRTUAL MEETING

PSB MEMBERS:

J. Lawson, Chair
D. Eke, Vice-Chair
P. Chiocchio, Board Member
H. D'Angela, Board Member
L. Ip, Board Member
T. McKendrick, Board Member
B. Steele, Board Member

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

NRPS MEMBERS:

A/Chief of Police B. Flynn
Deputy Chief B. Fordy, Support Services
A/Deputy Chief B. Ash, Operational Services
Superintendent R. Frayne, Corporate Services
Superintendent J. Mackay, Operational Support
Superintendent D. Meade, Executive Services
A. Askoul, Director of Information Technology
Inspector D. Gomez, Executive Officer to the Chief
Inspector L. Greco, Professional Standards
D/Sergeant M. Ryan, Executive Officer to D/C Operations
D/Sergeant K. Fiddes, Executive Officer to Deputy Chief
S. Sabourin, Corporate Communications Manager
M. Asher, Executive Assistant to the Chief

OTHERS:

D. Sprague, Policing Services Advisor, Ministry of the Solicitor General

1. CALL TO ORDER

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

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 Hatiwendaronk, 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. ELECTION OF CHAIR AND VICE CHAIR

4.1 Call for Nominations of Board Chair

Deb Reid, Executive Director, called for nominations for the position of Board Chair for a one year term (2023).

Moved by: B. Steele

Seconded by: L. Ip

That Jen Lawson be nominated as Chair of the Niagara Police Services Board for a one year term (2023).

Carried

4.2 Motion to Close Nominations for Board Chair

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

Moved by: L. Ip

Seconded by: D. Eke

That nominations for the position of Chair of the Niagara Police Services Board for the 2023 term, be closed.

Carried

4.3 Voting for Position of Board Chair

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

Moved by: B. Steele

Seconded by: L. Ip

That Jen Lawson be elected to the position of Chair of the Niagara Police Services Board for the 2023 term.

Carried

4.4 Call for Nominations of Board Vice Chair

Deb Reid, Executive Director, called for nominations for the position of Board Vice Chair for a one year term (2023).

Moved by: T. McKendrick

Seconded by: J. Lawson

That Henry D'Angela be nominated as Vice Chair of the Niagara Police Services Board for a one year term (2023).

Carried

4.5 Second Call for Nominations for Board Vice Chair

Deb Reid, Executive Director, called for any further nominations for the position. There being one further nomination, it was:

Moved by: B. Steele

Seconded by: L. Ip

That Dave Eke be nominated as Vice Chair of the Niagara Police Services Board for a one year term (2023).

Carried

4.6 Motion to Close Nominations for Board Vice Chair

Deb Reid, Executive Director, called for a third time for nominations for the position of Board Vice Chair.

There being no further nomination, it was:

Moved by: J. Lawson

Seconded by: L. Ip

That the nominations for the position of Vice Chair of the Niagara Police Services Board for the 2023 term, be closed.

Carried

4.7 Voting for Position of Board Vice Chair

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

After receiving the majority of votes, Dave Eke was declared to the position of Vice Chair of the Niagara Police Services Board for the 2023 term.

5. ADOPTION OF MINUTES

5.1 Minutes of the Public Board Meeting held Thursday, December 15, 2022

Moved by: P. Chiocchio

Seconded by: H. D'Angela

That the Minutes of the Public Board Meeting held Thursday, December 15, 2022 be adopted as circulated.

Carried

6. REPORTS FROM BOARD CHAIR

Welcome to Ministry Policing Services Advisor - On behalf of the Board, Chair Lawson welcomed Duane Sprague to the meeting. Duane is with the Inspectorate of Policing at the Ministry of the Solicitor General and he serves as the back-up Policing Services Advisor to Zone 4 Police Boards in Ontario. He attended the meeting as part of the routine visits by Policing Services Advisors to Police Boards across the Province. Zone 4 Advisor David Tilley attended another Police Services Board meeting so the Board was pleased that Duane was able to attend Niagara's meeting on David's behalf to ensure the continued attendance of Police Advisors at our meetings.

CAPG Roundtable - Board and Commission Chairs - On January 10, the CAPG held its bi-annual roundtable for Police Services Board and Commission Chairs. The meeting was attended by members of the CAPG Board of Directors and Board Chairs from across Canada. Discussions focused on Board governance and the administrative duties of Board Chairs and Members as well as any formal commitments to consult and accommodate the relationships between the Boards of municipal police services and the Tribal Councils/organizations representing First Nations.

CAPG – 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. Board members attended a webinar entitled “Board/Commission Self-Evaluation” on January 17 for discussions on how police boards and commissions can perform annual self-evaluations. The next webinar is scheduled for February 14 for discussions on proven mental health strategies for public safety personnel.

NRPS Recruit Graduation Ceremony - On January 11, the Niagara Regional Police Service held a Swearing-In Ceremony in the Community Room at Police Headquarters. Chair Lawson, Vice Chair Eke, Members Chiochio, D'Angela, Ip and Steele attended the event along with Chief MacCulloch and members of the NRPS Executive staff to welcome two (2) currently serving police officers and five (5) new recruits to the Niagara Regional Police Service.

OAPSB Zone 4 - Quarterly Meeting - On February 22, the Ontario Association of Police Services Boards will hold their Zone 4 Quarterly Meeting, hosted by the Halton Police Services Board. Zone 4 consists of a total of 14 Police Services Boards, including municipal and OPP Contract Boards or 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. Agenda details will be confirmed closer to the meeting date.

Upcoming PSB Meetings - There is a Finance Committee Meeting scheduled for Thursday, February 9, and the next monthly Board meeting is scheduled for Thursday, February 23. Both meetings will start at 9:00 am and will proceed as hybrid meetings, with the in-person portion being held in the Community Room at Police Headquarters.

7. REPORTS FROM THE CHIEF OF POLICE

Telephone Threat Made to Fort Erie Public School - On January 24, at 2:56 pm the NRPS Communications Unit was contacted by school staff from Garrison Road Public School in Fort Erie advising that they had received a telephone threat and that the school had implemented a shelter in place safety procedure out of an abundance of caution. Response to this incident was swift and included significant resources being surged into the area that was comprised of frontline uniform officers from Fort Erie and Port Colborne, members from the Service's Emergency Task Unit, Mobile Crisis Response Unit, Canine Unit, Marine Unit and Core Units, as well officers from the Niagara Parks Police Service.

As a result of some ongoing investigative pieces, officers also requested that Stevensville Public School and Peace Bridge Public School implement safety procedures, which were lifted a short time later allowing the children to leave. Officers then safely cleared Garrison Road School and at 4:35 pm officers working with school staff and District School Board of Niagara senior management began procedures to release the children to their busses and parents / guardians. The NRPS recognizes that this was a very stressful situation for the children, parents / guardians, and all are thanked for their patience and co-operation. The investigation remains ongoing by 5 District Fort Erie D detectives.

NRPS New Traffic Hotline - In order to address on-going community concerns regarding speeding on our roads, our traffic hotline has changed to a direct number. The number 289-248-1060 is now a direct line, making it easier to leave information about areas where there are road safety concerns, and a greater police presence is requested. It should be noted that this direct line is to leave information for follow-up only and it does not replace emergency services or collision reporting. In the event of an emergency, always call 911 for immediate assistance.

Operational Statistics:

Attempted Homicides - Reporting Period of December 15, 2022 to January 24, 2023

- *0 for this reporting period.*

Homicides - Reporting Period of December 15, 2022 to January 24, 2023

- *0 for this reporting period.*

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

- *2 for this reporting period.*

Life Threatening MVC - Incident of December 10, 2022 – Officers from 2 District officers responded to a motor-vehicle collision involving a pedestrian at the intersection of Drummond Road and Summer Street, in the City of Niagara Falls. Niagara EMS paramedics and members from the Niagara Falls Fire Department also responded to the scene. Investigation determined a vehicle was travelling on Drummond Road and struck a pedestrian crossing near Summer Street. The driver stopped and remained at the scene until the arrival of police. The pedestrian was determined to have suffered life-threatening injuries and was ultimately transported to an out-of-town trauma centre. Investigation continues by our Collision Reconstruction Detectives.

Life Threatening MVC - Incident December 22, 2022 – Officers from 1 District responded to a report of a serious collision on Beaverdams Road near Baker Street in Thorold. Niagara EMS and Thorold Fire Services also attended the scene and were providing treatment to two injured persons. Police determined that a 59 year-old male was driving westbound on Beaverdams when the vehicle crossed into the oncoming lane of traffic and struck another motor vehicle. The driver of the first vehicle suffered life-threatening injuries and was transferred to an out-of-town trauma center. The driver of the second vehicle was treated for minor injuries and released from hospital. This collision remains under investigation by Detectives from the Collision Reconstruction Unit.

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

- *1 for this reporting period.*

Fatal MVC – Incident of December 4, 2022 - Officers from 8 District responded to a serious motor-vehicle collision in the area of Caistor Gainsborough Townline Road and Sixteen Road in West Lincoln. Niagara EMS paramedics and West Lincoln Fire Services also attended the scene. The investigation determined that a pickup truck had left the roadway, struck a tree and caught fire. When the fire was extinguished, a person was discovered deceased in the driver seat. Detectives from the NRPS Collision Reconstruction Unit and the NRPS Forensic Services Unit were assigned to the investigation, as was the coroner. The deceased was ultimately identified as an 18-year-old male from West Lincoln. The cause of the collision remains under investigation by our Collision Reconstruction Unit.

Operational Initiatives:

International Package Containing Illegal Drugs Leads to St. Catharines Drug Arrest - In early January, Detectives were contacted by officers from the Canada Border Services Agency. Detectives were alerted to a package that had been shipped to Canada and found to contain illegal narcotics. The package, which contained approximately 4 kilograms of ketamine was destined for a St. Catharines address. Originating from Germany, the package had an approximate street value of \$145,000. Detectives from the 1 District Street Crime Unit were assigned to the investigation and were assisted by Detectives from the Special Investigative Services Unit. On January 24, the package was delivered, and a search warrant was executed at a St. Catharines residence. A 64-year-old male has been arrested and charged.

Drug Trafficking in Niagara Falls - During January, 2 District Street Crime Detectives commenced an investigation into the distribution of illegal drugs throughout Niagara Falls. On January 3, Detectives executed a search warrant at a motel room located on Lundy's Lane. Detectives recovered 180 grams of fentanyl, 485 grams of crystal methamphetamine, 56 grams of cocaine, and 473 grams of marihuana. The combined estimated value of all seized drugs is \$44,250. In addition, Detectives also seized \$1,235 in cash as the proceeds of crime. As a result of the investigation two individuals, a male and a female, have been arrested and each are facing several drug related charges.

Also, in December 2022, members of the Street Crime Unit commenced an investigation and on January 10, police executed a search warrant at a residential address located in the area of Drummond Road and Monroe Street and recovered 606.9 grams of suspected fentanyl, 27.9 grams of suspected cocaine, and 2.2 grams of suspected crystal methamphetamine. The combined estimated value of all drugs seized is \$66,720. Detectives also seized \$580 in cash as the proceeds of crime. Thirty rounds of shotgun ammunition and a prohibited "flick-knife" was also recovered. As a result of the investigation five individuals have been arrested and face various weapons and drug related charges including possession of a prohibited weapon and possession of fentanyl for the purpose of trafficking.

8. PRESENTATIONS

There were no presentations.

9. CONSENT AGENDA

9.1 Office of the Solicitor General - Suspension Without Pay

Correspondence dated December 22, 2022 from Solicitor General Michael Kerzner, providing a response to the Board's letter dated October 11, 2022 encouraging the Government of Ontario to declare in force the sections of the *Community Safety and Policing Act, 2019* (CSPA) that provide Chiefs of Police or Police Services Boards with the discretion to suspend without pay a member of a police service who is charged with or convicted of a serious offence. *(A copy of the Board's correspondence is included.)*

9.2 2019-2021 NRPS Strategic Plan Final Year Report (2021- Year 3)

Service report dated December 7, 2022 submitted in accordance to the annual reporting requirements set out in Board By-law 356-2015 and the Adequacy Standards Regulation. This report provides the final year-end status report on the 2019-2021 NRPS Strategic Plan and details the results of the goals, objectives, performance metrics, targets and outcomes of the Plan.

9.3 Annual Report - Police Services Board Activities - January 1 to December 31, 2022

Report dated January 6, 2023 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with an annual report on Board activities for the year 2022.

9.4 Annual Report - Promotion of Service Members - January 1 to December 31, 2022

Service report dated January 3, 2023 submitted in accordance to the annual reporting requirements set out in Board By-law 187-2000.

9.5 Quarterly Report - Brock University Campus Security Services - October 1 to December 31, 2022

Report dated January 6, 2023 from Ken Chan, Vice President, Brock University, providing a quarterly report about complaints, use of force, discipline and arrests associated to officers designated as Special Constables and employed with Brock University Campus Security Services.

9.6 Quarterly Report - NRPS Authorized Strength as at January 1, 2023

Service report dated January 5, 2023 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.

Moved by: D. Eke

Seconded by: L. Ip

That the information be received.

Carried

10. NEW BUSINESS

10.1 OAPSB - Request for Support of Federal Bail Reform

Email dated January 21, 2023 from the Ontario Association of Police Services Boards (OAPSB) requesting the Board consider its support on the issue of bail reform as advanced to the Minister of Justice and Attorney General of Canada and Minister of Public Safety by the Toronto Police Services Board and endorsed by the OAPSB. Copies of letters sent from the OAPSB and the Toronto PSB related to Federal Bail Reform are attached for reference.

Moved by: B. Steele

Seconded by: T. McKendrick

That the Board support the legislative proposals for Federal Bail Reform and respond to the OAPSB with any comments as soon as possible.

Carried

10.2 Police Services Board By-Law Revision - Use of Force

Memo dated January 5, 2023 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with revisions to the Use of Force By-law as required for compliance with Ontario Regulation 532/22 made under the *Police Services Act* amending the *Equipment and Use of Force Regulation (R.R.O. 199, Reg. 926)*, and requesting the Board approve revised By-law 346-2014 (2nd Revision).

Moved by: H. D'Angela

Seconded by: D. Eke

That the Board adopt the revisions to the By-law as appended to the report and authorize the Board Chair and Executive Director to execute the required documentation.

Carried

10.3 Special Fund Request - Gift Card Donations to Solidarité Des Femmes Et Families Immigrantes Francophones (SOFIFRAN) Niagara

Service report dated December 16, 2022 requesting the Board approve a donation to Solidarité Des Femmes Et Families Immigrantes Francophones Niagara to assist with the purchase of gift cards provided to newcomer families on December 17, 2022 during the SOFIFRAN Christmas Dinner event. *(This is a first-time donation request. Due to time constraints, this item was pre-approved by the Board on December 16, 2022 and is before the Board for ratification.)*

Moved by: L. Ip

Seconded by: B. Steele

That the Board approve a donation in the amount of \$500.00 from the Special Fund to Solidarité Des Femmes Et Families Immigrantes Francophones (SOFIFRAN) Niagara.

Carried

10.4 Special Fund Request - International Police Hockey Tournament - NRPS Men's Over 35 Division Hockey Team

Service report dated January 4, 2023 requesting the Board approve a donation to help offset the expenses incurred for registration, travel, and accommodations by members of the NRPS Men's Over 35 Division hockey team competing in the International Police Hockey Tournament being held in Waterloo, Ontario, on February 23 and 24, 2023. *(Previous donations: 2006-2019 - \$500; 2020 - \$700.)*

Moved by: T. McKendrick

Seconded by: P. Chiocchio

That the Board approve a donation in the amount of \$1,500.00 from the Special Fund to the NRPS Men's Over 35 Division Hockey Team competing in the 2023 International Hockey Tournament.

Carried

11. OTHER NEW BUSINESS

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

12. IN CAMERA REPORTS

12.1 Special Investigations Unit - Case Number 18-OFI-341 Incident of November 29, 2018

Service report dated November 23, 2022 advising that the SIU concluded their investigation in this matter and found reasonable grounds to believe that the Subject Officer had committed criminal offences, which led to Criminal Code charges being laid by the SIU and later withdrawn by the Crown Attorney, and also advising that in compliance with S.11 of Ontario Regulation 267/10 made under the *Police Services Act*, the Service completed its review and investigation into this matter and concluded that there were several issues with respect to officer conduct, policies and services provided by the NRPS which resulted in a separate Chief's Complaint investigation under Part V of the *Police Services Act*.

Moved by: H. D'Angela

Seconded by: D. Eke

That, in accordance with Board direction, the above noted in camera report be received as public information.

Carried

13. 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 9:34 am.

Jen Lawson, Chair

Deb Reid, Executive Director