



REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD PUBLIC AGENDA

Thursday, May 25, 2023, 9:30 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>*

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 27, 2023

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That the Minutes of the Public Board Meeting held Thursday, April 27, 2023 be adopted as circulated.

5. REPORTS FROM BOARD CHAIR

6. REPORTS FROM THE CHIEF OF POLICE

7. PRESENTATIONS

8. CONSENT AGENDA

8.1 Proposed Amendments Related to the Community Safety and Policing Act, 2019

17

Correspondence dated May 17, 2023 from Deb Reid, Executive Director, Niagara Police Services Board, providing the Board with notice that the Ministry of the Solicitor General (SOLGEN) is seeking to amend the Community Safety and Policing Act, 2019 (CSPA) and make consequential amendments to other statutes, and is requesting public and stakeholder input.

8.2	Quarterly Report - Overtime Activities Incurred by the Niagara Regional Police Service - January 1 to March 31, 2023	20
	Service report dated May 2, 2023 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 and major investigation events.	
8.3	Quarterly Report - Special Fund Activity - January 1 - March 31, 2023	24
	Service report dated May 2, 2023 submitted in accordance to the quarterly reporting requirements set out in Board By-law 392-2021.	
8.4	Annual Report - Acoustic Hailing Devices - January 1 to December 31, 2022	28
	Service report dated April 25, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 335-2013.	
8.5	Annual Report - Arrest - January 1 to December 31, 2022	32
	Service report dated April 12, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 197-2000.	
8.6	Annual Report - Canine Unit - January 1 to December 31, 2022	35
	Service report dated April 27, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 316-2012.	
8.7	Annual Report - Communicable Diseases - January 1 to December 31, 2022	38
	Service report dated April 19, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 253-2003.	
8.8	Annual Report - Crisis Negotiation - January 1 to December 31, 2022	41
	Service report dated April 25, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 245-2000.	
8.9	Annual Report - Domestic/Family Violence - January 1 to December 31, 2022	44
	Service report dated April 24, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 336-2013.	
8.10	Annual Report - Elder Vulnerable Adult Abuse - January 1 to December 31, 2022	50
	Service report dated April 27, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 213-2000.	
8.11	Annual Report - Equipment - Body Armour - January 1 to December 31, 2022	55
	Service report dated April 18, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 311-2011.	

8.12 Annual Report - Firearms Training - January 1 to December 31, 2022 58

Service report dated April 18, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 221-2000.

8.13 Annual Report - Persons in Custody - January 1 to December 31, 2022 63

Service report dated April 24, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 208/225-2000.

8.14 Annual Report - Property Offences (Including Break & Enter) - January 1 to December 31, 2022 68

Service report dated May 2, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 222-2000.

That the information be received.

9. NEW BUSINESS

9.1 Niagara College Comprehensive Policing Program Protocol 73

Service report dated April 20, 2023 requesting the Board approve entering into an agreement to formalize a protocol that promotes enhanced cooperation between Niagara College and the Niagara Regional Police Service to provide practical exposure to policing for selected Niagara College students through a “Comprehensive Policing Program”.

That the Board approve the Protocol between Niagara College of Applied Arts and Technology and the Niagara Regional Police Service, as appended to the report;

And further, that the Board authorize the Chief of Police and the Deputy Chief of Police to execute all required agreements and related documents on behalf of the Board.

9.2 Police Services Board Procedural Bylaw - Revision 88

Memo dated May 15, 2023 from Deb Reid, Executive Director, Niagara Police Services Board, providing a response to the direction given at the April 27, 2023 meeting to recommend an amendment to the Board’s Procedural By-law to update the start time of its regular meetings and to recommend an additional amendment to the Board agenda’s order of business.

That the Board's Procedural By-law No. 391-2021 be repealed and replaced with the By-law No. 400-2023 as appended to this report;

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

9.3 Purchase Award - Extreme Network Switches

113

Service report dated May 1, 2023 requesting the Board approve the replacement of the Extreme Network Switches asset as it can no longer support newer versions of operating systems or new software upgrades, and that the purchase contract be awarded to the lowest bidder being TELUS Communications Inc., through funding included in the Service's approved capital project 20001830.

That the Board award the purchase contract for Extreme Network Switches to TELUS Communications Inc., at a cost of \$432,416.72 CAD, including HST (net of rebates), as per the attached TELUS Communications 2023-T-63 bid document.

9.4 Special Fund Request - Motorcycle Ride for Dad

119

Service report dated May 2, 2023 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, and 2022 - \$500)

That the Board approve a donation in the amount of \$2,000.00 from the Special Fund as a contribution to the 2023 Motorcycle Ride for Dad campaign.

9.5 Special Fund Request - Niagara Unity Awards

122

Service report dated May 18, 2023 requesting the Board approve the purchase of two tables to support Niagara Regional Police representation at the Niagara Unity Awards Gala being held on May 31, 2023. This event is organized by Pride Niagara and presented by the Toronto Dominion Bank (TD) to showcase the important success of individuals, organizations and groups that have made an impact for the 2SLGBTQA+ community within the Niagara Region. (This is a first-time Special Fund request.)

That the Board approve a donation in the amount of \$841.18 from the Special Fund for the purchase of two tables at the 10th Annual Niagara Unity Awards Gala.

9.6 Special Fund Request - Emergency Task Unit (ETU) Half Marathon

125

Service report dated May 17, 2023 requesting the Board approve a donation to sponsor members of the NRP's Emergency Task Unit that will be running a half marathon to raise funds for the McMaster Children's Hospital Foundation. Proceeds raised through this event will assist the foundation with providing vital equipment and patient amenities, innovative research initiatives, redevelopment of patient care spaces, and the education and training of health care providers. (This is a first-time Special Fund request.)

That the Board approve a donation in the amount of \$1,000.00 from the Special Fund to sponsor participation of NRPS Members in the Emergency Task Unit Half Marathon in support of McMaster Children's Hospital Foundation.

10. OTHER NEW BUSINESS

11. IN CAMERA REPORTS

11.1 Special Investigations Unit - Case 22-OCI-054 - Incident of February 20, 2022 128

Service report dated March 22, 2023 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.

11.2 Special Investigations Unit - Case 22-OCI-131 - Incident of May 18, 2022 133

Service report dated March 22, 2023 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.

11.3 Special Investigations Unit - Case 22-OCI-163 - Incident of June 27, 2022 138

Service report dated March 22, 2023 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 reports be received as 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 27, 2023

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

PSB MEMBERS:

J. Lawson, Chair
D. Eke, Vice-Chair
L. Ip, Board Member
N. Kapisavanhu, Board Member
T. McKendrick, Board Member
B. Steele, Board Member

D. Reid, Executive Director
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 M. Giannico, District Operations
Superintendent L. Greco, Executive Services
Superintendent M. Lagrotteria, Corporate Services
Superintendent J. Mackay, Operational Support
Superintendent R. Frayne, Corporate Services
A. Askoul, Director of Information Technology
Inspector N. Dave, Court Services/Prisoner Management
Inspector D. Gomez, Executive Officer to the Chief
D/Sergeant M. Ryan, Executive Officer to D/C Operations
M. Asher, Executive Assistant to the Chief

OTHERS:

Mr. D. Tilley, Policing Services Advisor, Ministry of the Solicitor General
Mr. B. Gale, Regional Councillor/Former PSB Member
Mr. K. Gibson, Citizen/Former PSB Member
Mr. R. Desmarais, Citizen

1. CALL TO ORDER

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

Chair Lawson declared a conflict of interest with respect to Item 9.4 as her son participates in the NRPS Pipe Band's "Big Noise Music Program" for kids learning to pipe. Vice-Chair Eke assumed the Chair for this item and Chair Lawson took no part in the voting or discussion of this item.

4. **ADOPTION OF MINUTES**

4.1 **Minutes of the Public Board Meeting held Thursday, March 23, 2023**

Moved by: D. Eke

Seconded by: L. Ip

That the Minutes of the Public Board Meeting held Thursday, March 23, 2023 be adopted as circulated.

Carried

5. **REPORTS FROM BOARD CHAIR**

Welcome to Ministry Policing Services Advisor – Chair Lawson welcomed David Tilley to the meeting. David is with the Inspectorate of Policing at the Ministry of the Solicitor General and he serves as a Policing Services Advisor to Police Boards in Ontario. He attended the meeting as part of routine visits by Policing Services Advisors to Police Boards across the Province. The Board is pleased to his continued attendance at their monthly meetings.

CAPG – Webinar Sessions - The Canadian Association of Police Governance hosts monthly webinars as part of their educational strategy to keep police boards and police executives across Canada apprised of issues currently affecting the policing community. Board members attended a webinar on April 6 entitled "How to Halve Violent Crime Before 2030". The next webinar is scheduled for May 9 at 12:00 pm for discussions on police budgets and governance authorities. Board members are pre-registered and for those who cannot attend at the specific date/time, a recording of the session will follow once the webinar is completed.

Autism Awareness Session - On April 12, the Service's Equity, Diversity, and Inclusion Unit hosted an Autism Awareness Session in the Community Room at Police Headquarters. The event featured guest speakers Michael and Marcel Jacques who provided a candid conversation around living with Autism, embracing our differences, and the empowerment that comes from being comfortable in your own skin. Chair Lawson, Vice Chair Eke and Board staff attended the event along with several sworn and civilian police members.

State of the Region Address - Regional Chair Bradley - On April 12, the State of the Region event was held at the Scotiabank Convention Centre in Niagara Falls. Regional Chair Jim Bradley provided an overview of the current economic conditions, as well as key initiatives and projects underway to support growth and development in the Niagara Region. The event was well represented by various members of local businesses and government agencies, as well as by the Board and the Service.

Board Member Orientation Session - On April 14, the Police Services Board held a full day orientation session for Board Members with the Senior Command Team of the Niagara Regional Police Service and the Policing Services Advisor from the Ministry of the Solicitor General. The session was extremely informative and provided an overview of the organization structure of the Niagara Regional Police Service and its various units and functions. The Ministry provided a Board training component on civilian police governance, adequate and effective policing, Board Member Code of Conduct, and community safety and well-being.

Family and Children's Services (FACS) Charity Gala Dinner - On April 21, Chair Lawson, Deputy Chief Flynn and Service Staff attended a Charity Gala Dinner hosted by the Niagara Foundation for Family and Children's Services. The proceeds raised at the gala will contribute to funding important enhancements and supports for the children served by child protection programs, the family counselling centre and the numerous community programs that are available throughout the Region.

NRPS Auxiliary Graduation Ceremony - On May 2 at 7:00 pm, the Service will be holding an Auxiliary Graduation Ceremony for 14 new auxiliary members to the Niagara Regional Police Service. The ceremony will start at 7:00 pm and is being held in the Community Room at Police Headquarters. Chair Lawson, Vice-Chair Eke, Members Ip and Kapisavanhu will be attending the event.

OAPSB Zone 4 Meeting - On May 3 at 8:00 am, the Ontario Association of Police Services Boards will hold their Zone 4 Quarterly Meeting, hosted by Brant County OPP. 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. Vice Chair Eke and Member Kapisavanhu will be attending the meeting.

Canadian Institute Law of Policing Conference - The Canadian Institute is holding its 14th Annual Law of Policing Conference on May 3 and 4 at the Novotel Toronto North York Hotel. The event will bring together chiefs of police, in-house counsel, and a wide-variety of government and civilian agencies from across the country to delve into new legislation and precedent-setting case law to determine the highest of police standards. Chair Lawson will be attending the conference on behalf of the CAPG Board of Directors.

NRPS Recruit Graduation/Swearing-In Ceremony - On May 4 at 7:00 pm, the Service will be holding a Swearing-In Ceremony for five currently serving officers and six new recruits to the Niagara Regional Police Service, and two new recruits to the Niagara Parks Police. The ceremony will be held in the Community Room at Police Headquarters. Chair Lawson, Vice Chair Eke, Board Members Ip and Kapisavanhu will be attending the event.

Ontario Women in Law Enforcement (OWLE) – Annual Awards Gala - On May 5 at 6:00 pm, the Ontario Women in Law Enforcement (OWLE) is holding their Annual Awards Gala at the Mississauga Grand Banquet and Event Centre. OWLE has been recognizing the outstanding achievements of women who have served in law enforcement across the province of Ontario since 1999. Award recipients consist of women being recognized for their tremendous accomplishments in law enforcement, as well as for long standing service of both sworn and civilian members who have completed 25, 30, 35, 40 and 45 years of service. Chair Lawson be attending the event.

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 the NRPS 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 Club Italia in Niagara Falls. Doors open at 4:00 pm and Board Members are asked to arrive no later than 4:45 pm. Chair Lawson, Vice Chair Eke, Members Ip and Kapisavanhu, and Board staff will be attending the event.

Annual Cross Border Tug-of-War Competition - On May 13 at 2:00 pm, members of the Niagara Regional Police Service's tug-of war teams will meet their American law enforcement counterparts on the Rainbow Bridge in Niagara Falls to take part in the annual Tug-of-War competition. Prior to the competition, the Service will be holding a BBQ in the parking lot at 4960 Clifton Hill, which is in the laneway off Clifton Hill beside the Ripley's Believe It or Not Museum.

The BBQ will begin at 12:00 pm and will be followed by an escorted march to the competition site on the Rainbow Bridge that will be led by the Niagara Region Police Pipe Band. All members and their families are invited to attend this event to cheer the teams to victory and each are reminded to bring their passport or Nexus card to access the Rainbow Bridge. Also, non-perishable food items are being accepted for donation at the BBQ in support of Project Share in Niagara Falls.

Asylum Seeker Awareness Session - On May 15 at 9:00 am, the Service's Equity, Diversity, and inclusion Unit will be hosting an Asylum Seeker Awareness Session in the Community Room at Police Headquarters. The event will feature guest speaker Emily Kovacs of the Niagara Folk Arts Multicultural Centre who will be providing information surrounding the arrival and settlement process of asylum seekers in the Niagara Region, as well as the supporting agencies and resources available to police personnel.

Upcoming PSB Meeting - There are no Committee meetings scheduled next month. The next Board meeting will be held on Thursday, May 25 at 9:00 am in the Community Room at Police Headquarters.

6. REPORTS FROM THE CHIEF OF POLICE

Order of Merit of the Police Forces - Chief MacCulloch congratulated Deputy Chief Brett Flynn, Superintendent Richard Frayne, and Director Akram Askoul on their recent honour of being awarded the Order of Merit of the Police Forces - an honour for merit established in October 2000 that is, within the Canadian system of honours, the only such fellowship reserved for members of Canada's various Police Services and one that honours the leadership and exceptional service, or distinctive merit displayed by the men and women of Canadian Police Services. It also recognizes performance of duty over an extended period, with a primary focus on exceptional merit, contributions to policing, and community development.

Accredited Centre of Excellence by the International Academy of Emergency Dispatch - The Niagara Regional Police Service is committed to making emergency dispatch as effective and safe as possible for communities, responders, and citizens. In 2016, the NRPS adopted the protocols of the International Academy of Emergency Dispatch as their best practice for the following three reasons: scientifically validated, based on knowledge gleaned from millions of calls taken from around the world, and rooted in the expertise of industry professionals. Having adopted this system, the Service set out to become an Accredited Centre of Excellence (ACE) promoting both organizational excellence in public safety communications by adhering to a rigorous and measurable set of globally recognized best practices. The ACE designation is a distinguished award reserved for high-performing agencies that consistently put in the work to achieve excellence.

In 2019, the Niagara Regional Police Service became the first Accredited Centre of Excellence for policing in the Province of Ontario, only the second such agency in Canada and the twentieth internationally. The Service was to be honoured for its three-year accreditation and officially recognized at an international conference in early 2020, but due to the global pandemic this was postponed until this year. Chief MacCulloch recently attended a conference where he received this honour on behalf of the NRPS.

NRPS Public Order Unit (POU) – The Niagara Regional Police Service has undertaken the formation of a Public Order Unit (POU) after considering the operational reality that the POUs of other partner agencies may be unavailable when required. The Niagara Police Service recognized that the deployment of its members that are appropriately trained and accustomed to dealing with large and potentially unruly crowds would provide superior response to any minor or major disturbances in Niagara. The NRPS disseminated a solicitation of interest seeking members that meet rigorous physical standards and those who possess a particular calm and integrity under intense pressure. Thirty-three members stepped to the plate and met these standards and those volunteer members are currently completing their training with the assistance of the Hamilton Police Service. The Unit is expected to be operational within weeks.

Homicides - Reporting Period of March 21 to April 25, 2023

- 1 for this reporting period, compared to 2 in 2023 to date, 9 in 2022, 6 in 2021 and 5 in 2020 and 7 in 2019. (*This homicide charge was laid in relation to a sudden death that occurred in 2022.*)

Attempted Homicides - Reporting Period of March 21 to April 25, 2023

- 0 for this reporting period.

Homicide Incident of April 10, 2023 – Uniform officers from 1 District responded to an assist ambulance call at a multi-unit housing complex on Louth Street near Valley Road in St. Catharines. Upon arrival, officers encountered Niagara EMS paramedics treating a 34-year-old male patient who was found to be in critical condition. Despite resuscitative efforts, the male victim was pronounced deceased at the scene. As a result of the initial investigation, two males were arrested at the scene. A 42-year-old male from St. Catharines and a 45-year-old male of No Fixed Address were both charged with the Criminal Code offences of manslaughter and fail to comply with release order. Both males were held in custody pending a bail hearing. Homicide Unit Detectives have been assigned to the ongoing investigation along with Detectives from the Forensics Services Unit and the 1 District Detective office.

Fatal Motor Vehicle Collisions (MVC) - Reporting Period of March 1 to March 31, 2023

- 2 for this reporting period, compared to 5 for 2023 to date, 18 in 2022, 21 in 2021, 16 in 2020, 13 in 2019 and 13 in 2018.

Fatal MVC – Incident of March 1, 2023 – Officers from 1 District responded to a report of a pedestrian struck. Police arrived on scene in the area of Highway 20, between Princess Street and Egerter Road in Thorold where the pedestrian was located in critical condition. Despite resuscitative efforts at the scene by Niagara EMS paramedics and Thorold Fire Services, the pedestrian was pronounced dead. The pedestrian has been identified as a male in his 30's from Hamilton. The involved vehicle is a white pickup truck being driven by a 24-year-old man from Welland who was not injured. Detectives from the NRPS Collision Reconstruction Unit have been assigned to the investigation.

Fatal MVC – Incident of March 15, 2023 – Officers from 1 District along with Niagara EMS and the St. Catharines Fire Department responded to a report of a serious two-vehicle collision at the intersection of Vine Street at Scott Street in St. Catharines. Investigation determined that a Toyota compact hatchback collided within the intersection with a Freightliner straight truck. The 74-year-old female driver of the Toyota, a resident of St. Catharines, was pronounced deceased at the scene. The 29-year-old male driver of the Freightliner was not injured. Detectives from the Collision Reconstruction Unit have taken carriage of the incident and are investigating further.

Life-Threatening MVC – Incident of March 3, 2023 – Uniform officers from 1 District, along with Niagara EMS and the St. Catharines Fire Department responded to a report of a serious two-vehicle collision at the intersection of Linwell Road at Lakeport Road in St. Catharines. Investigation determined that Hyundai sedan collided with an International snow plow (truck) within the intersection. The 21-year-old male driver of the sedan received life-threatening injuries and was transferred to an out-of-town trauma centre for treatment. The 42-year-old male driver of the snow plow was not injured. Detectives from the Collision Reconstruction Unit are investigating further.

March Bypass Commercial Enforcement Initiative – On March 21 and 22, the Niagara Regional Police Service (NRPS), Hamilton Police Service (HPS), Niagara Parks Police Service (NPPS), Ministry of Transportation (MTO) and the Town of Lincoln partnered for a joint enforcement initiative focusing on commercial motor vehicle enforcement. In response to community concern involving increased commercial motor vehicle traffic in Lincoln and West Lincoln, the focus of this initiative was to identify commercial vehicles intentionally bypassing the Vineland Inspection Station and to conduct in-depth vehicular inspections to ensure compliance with road safety standards, as legislated by the Province of Ontario.

In total, over 150 vehicles (passenger and commercial) were directed into the Vineland Inspection Station. Sixty-five vehicles were comprehensively inspected, resulting in 24 vehicles being removed from the highway after significant safety concerns were identified. Three sets of licence plates were seized, and 95 Provincial Offence Notices (tickets) were issued for various offences including: careless driving, distracted driving, speeding, improper licence, improper tires, improper brakes, and insecure load. This initiative will continue through the summer as proactive enforcement.

Arrests in Relation to Firearm Investigation in St. Catharines - In March, the 1 District Street Crime Unit began a firearms investigation in St. Catharines. The investigation led to two suspects and a residence on Queenston Street near Church Street in St. Catharines. On March 23, Detectives along with members of the Emergency Task Unit executed a search warrant. Inside the residence they located a double barrel shotgun with the serial number removed. A 56-year-old male and 45-year-old female, both from St. Catharines, are facing several weapons related charges.

Arrest of Suspect Involved in Overnight Break and Enter - On March 29, the NRPS Communications Unit received a 9-1-1 emergency call from a witness who was observing a break and enter in progress at a Port Colborne jewelry store. Information provided was that the suspect had arrived in an older model green Dodge Caravan and successfully broke the front glass window, allowing entry into the commercial business. The suspect obtained items of an undisclosed value before proceeding to flee the scene. Officers from 6 District were immediately notified and began converging into the area. They located the suspect a short distance away and recovered all stolen property. A 49-year-old Port Colborne man was arrested and is facing break and enter charges in connection to this incident.

Street Crime Unit Investigation Leads to Drugs, Cash, Guns, and Arrests - Since January, Detectives from the 3 District Street Crime Unit (SCU) have been investigating the sale of illegal drugs in Welland. As a result of that investigation, Detectives identified two suspects and executed a search warrant at a home on March 30. Investigators located a loaded handgun, approximately \$700,000 worth of fentanyl, approximately \$8,000 worth of crystal methamphetamine, over \$131,000 worth of cocaine and \$160,000 in currency. A 34-year-old male and a 24-year-old female, both from Welland, are facing numerous drug and weapons related charges.

Traffic Enforcement Unit Recovers Fentanyl During Traffic Stop - On April 11, an officer assigned to the Traffic Enforcement Unit (TEU) was on general patrol when they conducted a traffic stop on a vehicle with an “unattached” plate on Munroe Street in Niagara Falls. Immediately after initiating the traffic stop, both the driver and passenger of the vehicle exited and attempted to walk away. When officers searched the vehicle, they located crystal methamphetamine and fentanyl, along with various items believed to be break-in tools including two-way handheld radios, flashlights, binoculars, and power tools. Two Niagara Falls males, 53 and 41 years of age, were placed under arrest and are facing several charges in relation to the incident.

7. PRESENTATIONS

7.1 Special Recognition – Former Members of the Niagara Police Services Board

Chair Lawson welcomed Bob Gale and Kevin Gibson to the meeting. Each were invited to the meeting for formal recognition of the valuable insight that they brought to the Police Service Board during their tenure, which expired with the previous term of Regional Council. Chair Lawson invited Bob and Kevin to the podium, and on behalf of the Board she extended respect and gratitude to Bob and Kevin and the Board's appreciation for their timeless contributions and commitment to the many challenges this Board has faced over the past several years. They were both presented with a commemorative plaque, and with small token gifts as a show of appreciation from both the Board and the Niagara Regional Police Service.

Former Member Henry D'Angela, whose appointment also expired with the previous Regional Council term, sent his regrets advising that he was unable to attend the meeting.

Moved by: B. Steele

Seconded by: T. McKendrick

That the presentation be received.

Carried

8. CONSENT AGENDA

8.1 Social Media Management - Meltwater Suite – Memorandum of Understanding

Service report dated April 11, 2023 advising that the Service has entered into a 3-year contract with Meltwater Suite to facilitate social media engagements and public safety messaging across various platforms.

8.2 Quarterly Report - Brock University Campus Security Services - January 1 to March 31, 2023

Report dated April 4, 2023 from Jennifer Guarasci, Acting Vice President, Administration, 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.

8.3 Quarterly Report - Administration of the Public Complaints System - January 1 to March 31, 2023

Service report dated April 3, 2023 submitted in accordance to the quarterly reporting requirements set out in Board By-law 301-2010.

8.4 Quarterly Report – NRPS Authorized Strength as of April 3, 2023

Service report dated April 3, 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.

Further to the recent announcement by the Provincial Government to expand the Basic Constable Training program at the Ontario Police College and cover 100% of the tuition cost for Basic Constable Training, Chief MacCulloch provided additional clarification about the educational requirements. He said that the provincial announcement rescinds the proposed legislation to require post-secondary education and reverts back to what is currently in place, which is a minimum of a secondary school diploma. Chief MacCulloch noted that about 97% of newly hired police recruits have a college diploma or university degree, or a combination of both. The Service also considers a candidate's life and work experiences as well as their community involvement.

8.5 Annual Report – Criminal Investigation Management - January 1 to December 31, 2022

Service report dated March 1, 2023 submitted in accordance to the annual reporting requirements set out in Board By-law 310-2011.

8.6 Annual Report - Equal Opportunity Discrimination and Workplace Harassment Prevention - January 1 to December 31, 2022

Service report dated April 18, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 331-2012.

8.7 Annual Report – Hate/Bias Motivated Crimes and Hate Propaganda Offences – January 1 to December 31, 2022

Service report dated April 6, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 199/200-2000.

8.8 Annual Report – Proceeds of Crime – January 1 to December 31, 2022

Service report dated April 3, 2023 submitted in accordance to the annual reporting requirements set out in Board By-law 233-2000.

8.9 Annual Report - Robbery Investigations - January 1 to December 31, 2022

Service report dated March 1, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 234-2000.

8.10 Annual Report – Stolen or Smuggled Firearms - January 1 to December 31, 2022

Service report dated April 3, 2023 submitted in accordance to the annual reporting requirements set out in Board By-law 211-2000.

8.11 Annual Report - Suspect Apprehension Pursuits - January 1 to December 31, 2022

Service report dated April 6, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 338-2103.

8.12 Annual Report - Use of Force - January 1 to December 31, 2022

Service report dated March 2, 2023 submitted in accordance to the annual reporting requirements set out in Board By-Law 346-2014.

Moved by: L. Ip
Seconded by: B. Steele

That the information be received.

Carried

9. NEW BUSINESS

Prior to the Board considering the Special Fund requests (Items 9.3 - 9.6), Chair Lawson explained to members of the public that the “Special Fund” does not form part of the police operating budget and is separate from the Regional tax base. The “Special Fund” is a discretionary pool of funds, which is used for grants and donations. Disbursements from the fund are made in accordance with guidelines provided in the Police Services Act, and with Board By-Law 376-2018, Special Fund Administration, Limitations and Guidelines.

Section 132(2) of the Police Services Act establishes that the Niagara Police Services Board has the sole authority for spending the proceeds from the sale of property, which lawfully comes into the possession of the police service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." The proceeds from such sales are placed into a fund known as the “Special Fund.” Board policy sets out the criteria and administrative processes for applications to the Board for funding from the Special Fund, as well as delegated categories of funding for assessment and approval by the Board.

9.1 Computer Aided Dispatch - Annual Maintenance & Support Services

Service report dated April 3, 2023 requesting payment approval for the continuation of the Computer Aided Dispatch (CAD) 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 2023 Technology Services Operating Budget.

Moved by: D. Eke
Seconded by: L. Ip

That the Board approve payment of Contract Invoice No. INV21-00362 in the amount of \$296,968.20, including HST (net of rebates), to Versaterm for renewal of the Service's Computer Aided Dispatch (CAD) system's annual maintenance and support services contract.

Carried

9.2 911 Back Up Centre - Special Equipment Budget Transfer

Service report dated April 12, 2023 to seek Board approval to transfer funds from the Niagara Regional Police Capital Project 20001462 21-NRPS-Communications Back-Up Centre to the Niagara Region Capital Project 20001271 20-911 Back-Up Rationalization in the amount of \$3,024,000.

Moved by: D. Eke
Seconded by: L. Ip

That the Board approve a capital budget transfer in the amount of \$3,024,000 gross from the Niagara Regional Police Service approved 2021 Capital Project 20001462 21-NRPS Communications Back-Up to the Niagara Region Capital Project 20001271 20-911 Back-Up Rationalization;

And further, that the Board forward this proposal to the Regional Council for approval.

Carried

9.3 Special Fund Request - Victim Services Niagara Black Tie Bingo Fundraiser

Service report dated April 19, 2023 to seek the Board's approval for a donation of \$1,300.00 from the Special Fund for the purchase of a table at the Victim Services Niagara Black Tie Bingo fundraiser being held on May 18, 2023, at Club Roma in St. Catharines. (*This is a first-time funding request.*)

Moved by: N. Kapisavanhu
Seconded by: B. Steele

That the Board approve a donation in the amount of \$1,300.00 from the Special Fund for the purchase of a table at the Victim Services Niagara 2023 Black Tie Bingo fundraising event.

Carried

9.4 Special Fund Request - Niagara Regional Police Pipe Band

Service report dated March 27, 2023 requesting Board approval for a donation of \$2,500.00 from the Special Fund to help offset costs incurred by members of the Niagara Regional Pipe Band who will be participating in the World Pipe Band Championships being held in Glasgow, Scotland in August 2023. (*Previous donations: 2002 – 2003 - \$5,000; 2004 – 2006 - \$6,000; 2008 - \$8,000; 2009 - \$6,000; 2020 - \$2,500.*)

Moved by: B. Steele
Seconded by: T. McKendrick

That the Board approve a donation in the amount of \$2,500.00 from the Special Fund to the Niagara Regional Police Pipe Band to assist with off-setting costs for ground transportation to the 2023 World Pipe Band Championships in Glasgow, Scotland.

Carried

9.5 Special Fund Request - 2023 National Peace Officers' Memorial 'Run to Remember'

Service report dated April 6, 2023 requesting a donation from the Special Fund to assist with costs incurred by Service members participating in the annual National Peace Officers' Memorial 'Run to Remember'. This event consists of participants cycling from Toronto to Ottawa from September 21-23, 2023 to raise awareness about the Memorial Service and the sacrifices of those brave officers whose names are etched on the Memorial Wall in Ottawa. (*Previous donations: 2008-2012 - \$500; 2013-2018 - \$1,000; 2019 - \$1,500.*)

Moved by: B. Steele
Seconded by: L. Ip

That the Board approve a donation in the amount of \$2,000.00 from the Special Fund to help offset expenses incurred for registration and accommodations by members of the Service participating in the 2023 National Peace Officers' Memorial 'Run to Remember'.

Carried

9.6 Special Fund Request - 2023 United Way Campaign Kick-Off

Service report dated March 29, 2023 requesting a donation from the Special Fund in support of the NRPS United Way campaign kick-off event, specifically to cover the minimum fundraising fees required by the NRPS men's and women's Tug-of-War teams participating in the Annual Firetruck Pull being held at the Seymour-Hannah Sports and Entertainment Centre. (*Previous donations: 2007-2010: \$500; 2011-2012, 2014-2019: \$1,000; 2021 - \$2,000; 2022 - \$3,000.*)

Moved by: D. Eke
Seconded by: N. Kapisavanhu

That the Board authorize a donation in the amount of \$3,000.00 from the Special Fund to cover the required fundraising fees to enter two teams in a Firetruck Pull event as part of the United Way Niagara 2023 Campaign Kick-Off.

Carried

10. OTHER NEW BUSINESS

There was no other new business raised or discussed.

11. IN CAMERA REPORTS

There were 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 9:55 am.

Jen Lawson, Chair

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

Date: May 17, 2023

Re: Proposed Amendments Related to the Community Safety and Policing Act, 2019

Purpose:

The purpose of this report is to provide the Board with notice that the Ministry of the Solicitor General (SOLGEN) is seeking to amend the Community Safety and Policing Act, 2019 (CSPA) and make consequential amendments to other statutes, and is requesting public and stakeholder input.

Background Information and Discussion:

In March 2019, the Provincial Government passed the Community Safety and Policing Act, 2019 (CSPA), as part of the Comprehensive Ontario Police Services Act, 2019. Once in force, the CSPA will replace the current Police Services Act (PSA).

The Ministry of the Solicitor General (SOLGEN) is seeking to amend the Community Safety and Policing Act, 2019 (CSPA) and make consequential amendments to other statutes. The legislative amendments support bringing the CSPA into force. Once in force, the CSPA will replace the current Police Services Act (PSA). The CSPA is an opportunity to modernize policing and enhance community safety in Ontario.

At this time, SOLGEN is requesting public and stakeholder input on proposed amendments related to the CSPA that are focused on clearer roles, stronger governance, and improved systems. For more detail, please see the link to the attached draft Bill and summary: [Strengthening Safety and Modernizing Justice Act - Amendments to CSPA](#)

The Chief of Police and Board Solicitor have reviewed the proposed amendments and have no areas of concern; therefore, no feedback is being proposed on the draft Bill and Summary of Proposals.

Recommendation:

That the information be received.

Deb Reid
Executive Director

Strengthening Safety and Modernizing Justice Act – Amendments to Community Safety and Policing Act, 2019

Title: Amendments to *Community Safety and Policing Act, 2019*

Summary of Proposal:

The Ministry of the Solicitor General (SOLGEN) is seeking to amend the *Community Safety and Policing Act, 2019* (CSPA) and make consequential amendments to other statutes. The legislative amendments support bringing the CSPA into force. Once in force, the CSPA will replace the current *Police Services Act* (PSA). The CSPA is an opportunity to modernize policing and enhance community safety in Ontario.

At this time, SOLGEN is requesting public and stakeholder input on proposed amendments related to the CSPA that are focused on clearer roles, stronger governance, and improved systems.

The CSPA would be amended to do the following:

Police Oversight and Governance-related Amendments

- Add the ability to appoint and delegate powers to vice chairs on the Ontario Police Arbitration and Adjudication Commission. The Commission will maintain rosters of adjudicators and registers of arbitrators for hearings required under the CSPA;
- Provide the Minister with the ability to make various regulations relating to Ontario Provincial Police detachment boards, which will provide oversight of policing delivered by the Ontario Provincial Police, including regulations creating exemptions from the requirement to have a detachment board for every detachment;
- Remove the requirement to establish the Ontario Provincial Police Governance Advisory Council;
- Require vacancies on police service boards to be promoted to the public with regard to the need to ensure that boards represent the communities they serve;
- Allow for regulations to permit the Ontario Civilian Police Commission to undertake duties beyond those already specified in the CSPA once the CSPA comes into force, during the transitional period before it is dissolved; and
- Give the Complaints Director of the Law Enforcement Complaints Agency (the Office of the Independent Police Review Director today) an additional 30 days to review investigations where no misconduct was found, upon request by a complainant.

Police Labour Arbitration-related Amendments

- Remove 'police service' as a party to arbitrations regarding a police association's duty of fair representation to an association member;

- Require arbitrators to render decisions on police labour matters sooner if hearings are completed quickly;
- Ensure arbitrators who are already seized of a police arbitration matter hear any disputes arising in connection with an award, decision, or agreement;
- Ensure the Chair of the Ontario Police Arbitration and Adjudication Commission is notified when parties to a budget dispute require the Chair to appoint an arbitrator because they could not jointly appoint one; and
- Require parties to a municipal police service budget dispute to pay the costs of the budget arbitration, instead of the province.

Officer Recognition and Education-related Amendments

- Maintain the educational eligibility requirements for police officers of a secondary school diploma or equivalent as it currently exists under the PSA, and allow for proof of higher education instead of meeting this requirement;
- Mirror the police educational eligibility requirements for special constables; and
- Make all police officers and First Nation Officers in the province who achieve a prescribed rank eligible to receive a King's Commission, instead of just OPP officers.

Improve Alignment with Other Government Statutes and Clarification:

- Remove requirements relating to data integration and defer such requirements to regulation, to avoid conflict with changes in the law on this topic since the CSPA was passed;
- Provide the ability to define the meaning of “emergency” for the purpose of the Act in the regulations, including for the purpose of determining when chiefs of police can make requests to other police services for emergency support;
- Add research regarding compliance with the Act and regulations to the Inspector General's duties, in addition to analysis, monitoring, advising, and inspecting for this purpose; and
- Require the Inspector General to consider lesser measures for remedying non-compliance by policing entities before imposing more serious measures, without reducing the Inspector General's discretion to impose any measure the Act provides for.

Technical Amendments

The changes would also:

- Clarify ambiguities;
- Ensure consistency throughout the Act; and
- Fix minor drafting errors.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Quarterly Report - Overtime Activities Incurred by the Niagara Regional Police Service, January 1 to March 31, 2023

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-05-02

Recommendation(s)

That the Niagara Police Services Board receive 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 investigations.
- 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 financial implications related to the recommendations within this report.

Analysis

Uniform Overtime Analysis

As illustrated in Table 1, uniform members worked a total of 16,878 hours of overtime for the quarter ending March 31, 2023; an increase of 2,224 hours or 15.2% from the same period in 2022.

Table 1 – Quarterly Uniform Overtime by Activity Hours

	2019 Jan. – Mar.	2020 Jan. – Mar.	2021 Jan. – Mar.	2022 Jan. – Mar.	2023 Jan. – Mar.
Meeting Minimums	4,679	6,978	4,545	6,398	7,455
Major Investigation and Incident Follow-Up	6,932	9,500	7,620	4,682	7,699
Administrative Workload	1,245	1,805	868	700	1,310
Pro Active & Community Driven Events	524	271	304	587	414
Sub-Total Before Unusual Activity	13,380	18,554	13,337	12,367	16,878
COVID-19	-	161	363	-	-
Public Order Event	-	-	-	2,286	-
Total	13,380	18,715	13,700	14,654	16,878

For the quarter, the Service experienced a 16.5% increase in uniform overtime hours for meeting minimums in comparison with the previous year. Patrol districts, including the Casino Patrol Unit, continued to operate below authorized strength, which results from occupational illness, non-occupational illness, injuries, annual leave entitlements, and vacancies due to natural attrition. To further elaborate, for the first quarter of 2023, District Patrol Units were short 21.0% of total authorized strength. This is a result of factors including members placed on modified duties, parental leaves, occupational and non-occupational illness, and vacancies from retirements or promotion. A member is redeployed into a modified position when they are unable to fulfil the requirements of regular duties.

Overtime related to major investigations and incident follow-ups contributed 45.6% toward total overtime hours. For the quarter ending March 31, 2023, the Service experienced 1 homicide, 1 attempted homicide, 5 fatal motor vehicle collisions, and 3 life-threatening motor vehicle collisions. Additional incidents requiring the deployment of significant resources included a Wainfleet shooting incident and a telephone threat involving Fort Erie public schools.

The overtime recorded under pro-active and community-driven events is primarily derived from the continuing RIDE campaign, assistance with a Ministry of Transportation of Ontario initiative targeting roadworthiness of commercial vehicles, St. Patrick's Day activities, and attendance at Freedom Convoy events.

Civilian Overtime Analysis

As detailed in Table 2, civilian members worked a total of 5,926 hours of overtime for the quarter ending March 31, 2023; an increase of 744 hours, or 14.4% from the same period in 2022.

Table 2 – Quarterly Civilian Overtime by Activity Hours

	2019 Jan. – Mar.	2020 Jan. – Mar.	2021 Jan. – Mar.	2022 Jan. – Mar.	2023 Jan. – Mar.
Meeting Minimums	2,952	3,471	1,890	3,133	3,605
Major Investigation and Incident Follow-Up	158	176	93	34	43
Administrative Workload	855	992	786	1,669	2,274
Pro Active & Community Driven Events	25	35	9	54	4
Sub-Total Before Unusual Activity	3,990	4,674	2,778	4,890	5,926
COVID-19	-	394	54	6	-
Public Order Event	-	-	-	286	-
Total	3,990	5,068	2,832	5,182	5,926

Consistent with prior periods, the main reason for civilian overtime continues to be meeting minimum staffing levels in operationally essential units such as the Records and Information Management (RIM) and the Communications Unit. Unfilled civilian staffing vacancies across the Service further contributed to the increase.

Civilian overtime incurred for administrative workload, increased by 605 hours or 36.2% in the first quarter of 2023, when compared with the same period in 2022. The RIM unit continued to encounter significant overtime to meet the demand for timely services. As a result of courthouse delays and/or wait times to enter correctional facilities, prisoner transport hours also increased in the quarter. These items are beyond the control of the Service and difficult to predict or avoid.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This report provides information required to monitor the Service's alignment with the 2022 - 2025 Strategic Plan goal to realize operational efficiencies and cost savings.

Relevant Policy Considerations

- Police Services Act
- 2021 – 2026 Uniform and Civilian Collective Agreements

Other Pertinent Reports

8.3.2023.03.23 Quarterly Report – Overtime Activities Incurred by the Niagara Regional Police Service – October 1, 2022 to December 31, 2022.

This report was prepared by Curtis Custers, Acting Coordinator, Financial Planning and Analysis, reviewed by Laura Rullo, Manager, Finance and reviewed by Mario Lagrotteria, Superintendent, Corporate Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Special Fund Quarterly Activity Report for the period of January 1, 2023 to March 31, 2023

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-05-02

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 a detailed listing of quarterly activity in the special fund as well as a bank reconciliation in accordance with the Administration, Limitations and Guidelines of the Special Fund 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 Fund accounts for the period of January 1, 2023 to March 31, 2023.

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 with Board By-law 392-2021, Administration, Limitations and Guidelines of the Special Fund. Section 132(2) of the Police Services Act establishes that the Niagara Police Services Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the Police Service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the regional tax base.

Analysis

The balances of the Police Special Fund as of March 31, 2023, and detailed in Appendix 1 are as follows:

- Special Fund – Special Operating Account - #125-255-0 – \$75,225.51
- Special Fund – General Operating Account (Informant) #103-543-5 – \$54,328.73
- Total Special Funds – Special and General (Informant) Accounts – \$129,554.24

The summary of activities for the period ended March 31, 2023, is provided in Appendix 2. Informant payments during the period totalled \$13,575.00, made up of 29 payments ranging from \$150.00 - \$1,000.00 with a median of \$468.00.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To ensure compliance with the Administration, Limitations and Guidelines of the Special Fund 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

9.4.2023.02.23 Special Fund Activity Report – October 1 to December 31, 2022.

This report was prepared by Anthony Gallo, Finance Coordinator, Finance Unit in consultation with Laura Rullo, Finance Manager, Finance Unit, reviewed by Mario Lagrotteria, Superintendent, Corporate Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

- Appendix 1 Reconciliation of Balance of Special Funds as at March 31, 2023
Appendix 2 Summary of Special Funds Activity January 1, 2023 to March 31, 2023

Appendix 1**Niagara Regional Police Service****Reconciliation of Balance of Special Funds as at:****March 31, 2023**

		Special Operating Account #125-255-0	General Operating Account #103-543-5	Total Special Funds
Balance per Bank Statement		\$ 94,245.51	\$ 54,328.73	\$ 148,574.24
<u>Outstanding Cheques:</u>				
<u>Description</u>	<u>Doc. #</u>			
OAPSB Conference	953	\$5,000.00		\$ 5,000.00
OWLE Awards Banquet	959	\$500.00		\$ 500.00
CALEO Training	954	\$300.00		\$ 300.00
FACS Gala	955	\$2,500.00		\$ 2,500.00
Niagara Chapter Native Women	956	\$500.00		\$ 500.00
Pathstone Foundation	961	\$2,500.00		\$ 2,500.00
NRPS Tug of War	960	\$1,400.00		\$ 1,400.00
NRPS Bicycle Registry	958	\$6,320.00		\$ 6,320.00
Total Outstanding Cheques		\$ 19,020.00	\$ -	\$ 19,020.00
Available Bank Balance		\$ 75,225.51	\$ 54,328.73	\$ 129,554.24
Deposits not Recorded				
Bank Charges not Recorded				
Niagara Regional Police Service		75,225.51	54,328.73	129,554.24

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

Special Fund - Special Operating			Activity Period		Account Number
			01/01/2023 - 03/31/2023		125-255-0
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Jan/23	Previous Balance				102,625.26
6/Jan/23	Activity Fee		20.42		102,604.84
10/Jan/23	Police Auctions Canada	26373		4,519.29	107,124.13
16/Jan/23	NRPS Women's Hockey Team	943	1,500.00		105,624.13
18/Jan/23	NRPS K9 Initiative	946	3,000.00		102,624.13
	Women in Police ISN	947	3,000.00		99,624.13
1/Feb/23	Out of the Cold - Knox Presbyterian	942	500.00		99,124.13
6/Feb/23	Activity Fee		0.39		99,123.74
21/Feb/23	NRPS Men's Hockey Team	948	1,500.00		97,623.74
23/Feb/23	Bank of Canada Currency Replacement			40.00	97,663.74
6/Mar/23	Activity Fee		0.25		97,663.49
7/Mar/23	Men's Elite Hockey Team	951	1,500.00		96,163.49
	NRPS Brazilian Jiu-jitsu	949	2,000.00		94,163.49
13/Mar/23	OAPSB	950	1,000.00		93,163.49
29/Mar/23	Jacob O'Neal Funds Return	952	710.00		92,453.49
31/Mar/23	Police Auctions Canada	26373		1,792.02	94,245.51
31/Mar/23	OAPSB Conference	953	5,000.00		89,245.51
31/Mar/23	OWLE Awards Banquet	959	500.00		88,745.51
31/Mar/23	CALEO Training	954	300.00		88,445.51
31/Mar/23	FACS Gala	955	2,500.00		85,945.51
31/Mar/23	Niagara Chapter Native Women	956	500.00		85,445.51
31/Mar/23	Pathstone Foundation	961	2,500.00		82,945.51
31/Mar/23	NRPS Tug of War	960	1,400.00		81,545.51
31/Mar/23	NRPS Bicycle Registry	958	6,320.00		75,225.51
	Totals		33,751.06	6,351.31	
31/Mar/23	Closing Balance - General Fund				\$ 75,225.51

Special Fund - General Operating (Informant)			Activity Period		Account Number
			01/01/2023 - 03/31/2023		103-543-5
Date	Description	Ref.	Withdrawals	Deposits	Balance
1/Jan/23	Previous Balance				\$47,128.39
6/Jan/23	Activity Fee		0.04		\$47,128.35
31/Jan/23	Deposit			5,000.00	\$52,128.35
6/Feb/23	Activity Fee		1.70		\$52,126.65
16/Feb/23	2022 Tuck Shop Proceeds			779.80	\$52,906.45
6/Mar/23	Activity Fee		2.72		\$52,903.73
14/Mar/23	Deposit			15,000.00	\$67,903.73
	Informants		13,575.00		\$54,328.73
					\$54,328.73
	Totals		13,579.46	20,779.80	
31/Mar/23	Closing Balance - Informant Fund				\$54,328.73

31/Mar/23	Total Special Funds Closing Balance				129,554.24
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NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Acoustic Hailing Devices
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-25

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 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 2022, 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 contained within 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 137 decibels at 1 metre maximum continuous output and can transmit highly intelligible speech transmissions over 600 metres. 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 public written report to the Board on or before August 30 of each year with respect to acoustic hailing devices. The 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 – Acoustic Hailing Devices. 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 - 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 2022. This training 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 2022. 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, the acoustic hailing device was used 8 times during the resolution of critical incidents in 2022, 12 times in 2021, and 10 times in 2020. 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 Sections 16(1)(b) and (c) of the Equipment and Use of Force Regulation...”*

By way of 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

Police Services Board By-Law 335-2013 – Acoustic Hailing Devices

General Order 227.02 – Acoustic Hailing Devices

Other Pertinent Reports

8.9.2022.05.19 Annual Report – Acoustic Hailing Devices – January 1 to December 31, 2021.

This report was prepared by Brent Austen, Constable, Emergency Task Unit and reviewed by Darrin Forbes, Acting Superintendent, Emergency & Investigative Support Services. Recommended by Brian Ash, Acting Deputy Chief, Operational Services.



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Arrest - January 1, 2022 – December 31, 2022
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2023-04-12

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

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

Analysis

In accordance with By-Law 197-2000 - Arrest, the Chief shall make a written report to the Board on or before August 30 of each year. This report shall include:

- a. a summary of the written procedures regarding arrest and detention; and
- b. confirmation of compliance with procedures regarding arrest and detention

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

- a. a summary of the written procedures regarding arrest and detention

A summary of written procedures regarding arrest and detention can be found in Niagara Regional Police (NRPS) General Order - 100.10 - Powers of Arrest. This general order provides specific details on the authorization and requirements placed on officers by the Charter of Rights and Freedoms, Criminal Code, Youth Criminal Justice Act, Common Law, Case Law, and various Provincial and Federal Statutes upon the

arrest of individual(s). This order was drafted and approved to comply with By-Law No. 197-2000 and Provincial Adequacy Standards Regulation LE-005 Arrest and reflects current Legislative, Constitutional, and Case Law authorities.

To ensure that this information remains current, this Order is reviewed on a bi-annual basis and is scheduled for review in 2023.

b. confirmation of compliance with procedures regarding arrest and detention

It is the policy of the Service to require that all arrests comply with Legal, Constitutional and Case Law requirements. The arrest of persons is primarily performed by frontline officers. A standard by which, the Service is able to measure its adherence to the order, is through judicial review.

As noted in previous reports, consultation with the Niagara Crown Attorney revealed no concerns related to Charter of Rights infringements by Niagara Officers during arrests, this has been confirmed through the Staff Sergeant in charge of the 1 District Detective Services. This would indicate that officers have complied with legislative procedures in relation to arrest and as such withstood scrutiny by the courts. Further, the limited challenges to arrest during the criminal process and/or through civil actions from defendants provide a basis of measurement for gauging the effectiveness of this policy.

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

In addition to the training aspects associated to arrest, the NRPS 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
PSB By Law 197-2000 Arrest

Other Pertinent Reports

8.10.2022.05.19 – Annual Report – Arrests – January 1 to December 21, 2021

This report was prepared by Dan Savoie, Staff Sergeant, 1 District Detective Office in consultation with Rob LaPlante, Inspector, 1 District, and reviewed by Sandy Staniforth, Acting Superintendent, District Operations. Recommended by Brian Ash, Acting Deputy Chief, Operational Services.



Submitted by:

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

Appendices

Not Applicable



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Canine Unit – January 1 to December 31, 2022
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2023-04-27

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 316-2012 – Canine Units.
- The Chief is required to make an annual written report to the Board with respect to the Canine Unit.
- This report will set out a summary of the procedures required by this By-Law and the status of Service compliance with the said procedures.

Financial Considerations

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

Analysis

In accordance with By-Law 316-2012, the Chief shall make a written report to the Board each year with respect to Canine Units, and must include the following:

- a) A summary of the procedures as required by this By-Law;
- b) The status of Service compliance with said procedures;
- c) Confirmation of the development and maintenance of a manual on Canine Unit services;
- d) A summary of the circumstances in which the Canine Unit has been deployed;
- e) Confirmation that Members have been trained in accordance with Section 5.3.

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

- a) *“...a summary of the procedures as required by this By-Law...”*

The Niagara Regional Police Service is required to have available to them, the services of a canine tracking unit 24 hours a day. The Canine Unit is governed by the written

procedures as set out in Canine Unit General Order 077.12 and the Canine Unit Manual. These written procedures include the circumstances, in which a canine team will be deployed, the process for obtaining services, reporting relationships, equipment, training, and the selection process for canine handlers.

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

The Niagara Regional Police Service is in compliance with this By-Law. The Canine Unit has an authorized strength of one sergeant and six constables. Qualified unit members conduct initial certification courses, annual recertification courses, and maintenance training for all handlers and canine teams pursuant to the Policing Standards Manual. The six constables have general-purpose police service dogs, meaning they are all trained for tracking, conducting searches and suspect apprehension. Four of the dogs are cross-trained for narcotics detection and two are cross-trained for explosives detection. The sergeant's police service dog is trained in tracking missing persons and the detection of human remains.

c) "...confirmation of the development and maintenance of a manual on canine unit services..."

A Canine Unit Manual is reviewed on an annual basis. The manual was reviewed and revised in 2022 and is available to all canine handlers on the Service's computer network.

d) "...a summary of the circumstances in which the Canine Unit has been deployed..."

In 2022, the services of Canine Unit members were requested at 1,445 Calls for Service. Members of the Unit also responded to an additional 265 Calls for Service supporting front line officers, where police service dogs were not required. The number of police service dog deployments is down from previous years. Officers have been encouraged to use a higher level of scrutiny when deciding to use a police service dog for subject apprehensions. Based on the totality of the circumstances, there must be an immediate need to apprehend a subject for public and officer safety to utilize a police service dog for that purpose. Incidents of police service dogs conducting drug searches are also down. The toxicity levels of numerous recreational drugs are extremely dangerous and therefore searches are being conducted only when absolutely necessary and when safe to do so.

2020-2022 Comparison Chart	2022	2021	2020
Circumstances			
Request for Canine Unit Services	1,445	1,754	1,417
Police Service Dog Deployments	402	546	588
Tracking Subjects	268	329	319
Controlled Substances (Drug) Searches	3	15	14

2020-2022 Comparison Chart	2022	2021	2020
Explosives Searches	6	3	6

- e) “...Confirmation that Members have been trained in accordance with Section 5.3...”

As indicated in section (b) above, all members performing the functions of a canine team and/or unit have the requisite knowledge, skills and abilities and receive training on an ongoing basis pursuant to the Policing Standards Manual.

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 316-2012 – Canine Units

General Order 077.12 – Canine Unit

Provincial Adequacy Standards Regulation, ER010 – Canine Unit

Other Pertinent Reports

8.5.2022.11.18 – Annual Report – Canine Unit – January 1 to December 31, 2021

This report was prepared by Jamie Munro, Staff Sergeant, Emergency Services Unit, in consultation with Darrin Forbes, Acting Superintendent, Emergency and Investigative Services. Recommended by Brian Ash, Acting Deputy Chief, Operational Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835

Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Communicable Diseases –
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-19

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, 2022.

Financial Considerations

There are no financial implications relating to the recommendations contained in 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 103.12 – Infection Prevention and Control (formerly called Exposure to Communicable Disease), provides information and guidance to members to assist in both controlling exposure to infection and the procedures to take if exposure occurs. As of December 31, 2022, 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 were updated on a regular basis pursuant to

Public Health and Health Canada guidelines and communicated to all members through Routine Orders from the Chief of Police. During 2022, the general order was updated and renamed to permanently reflect some of the protocols introduced during the COVID-19 pandemic.

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 103.12 – Infection Prevention and Control
Police Services Act
Policing Standards Manual (2000)

Other Pertinent Reports

8.12.2022.05.19- Annual Report – Communicable Disease – January 1 to December 31, 2021

This report was prepared by Linda Blood, Manager, Human Resources, reviewed by Lynda Hughes, Acting Superintendent, Executive Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Crisis Negotiation
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-25

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

Financial Considerations

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

Analysis

In accordance with By-law 245-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect crisis negotiation. The report shall include:

- a) a summary of the procedures as required by this By-law;
- b) the status of Service compliance with the said procedures;
- c) confirmation of the development and maintenance of the manual on crisis negotiation; and
- d) a summary of the circumstances in which a crisis negotiator has been deployed.

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

a) *“...a summary of the procedures as required by this By-law...”*

The Niagara Regional Police Service (NRPS) is required to have trained Crisis Negotiators available within a reasonable response time to provide services 7 days a week and 24 hours a day. The role of a Crisis Negotiator is a part-time role performed by members assigned to other permanent positions within the Service. The NRPS is in full compliance with response requirements. Pursuant to General Order 133.08, the Service is to maintain a pool of 10 Crisis Negotiators. Presently, the Service has 11 deployable Crisis Negotiators.

All new members are trained to meet the requirements of O.Reg.3/99. The Inspector of Emergency Services maintains the current list of qualified Crisis Negotiators. Copies of the list are located in the Duty Office and the Communications Unit and can be located electronically through the Computer Aided Dispatch System.

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

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

c) *“...confirmation of the development and maintenance of the manual on crisis negotiation...”*

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

d) *“...a summary of the circumstances in which a Crisis Negotiator has been deployed...”*

In 2022, the attendance of a Crisis Negotiator occurred on 35 occasions. This number can be in part attributed to an improved process that ensures the safest approach to resolving critical incidents. This process includes proactively having negotiators deployed in planned events, fully prepared to assist if crisis negotiations are required.

Classification of Calls	2022	2021	2020
Armed / Barricaded Persons	10	17	20
High-Risk Warrants / Arrests	16	27	39
Persons in Crisis	9	4	7
Total Calls	35	48	66

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

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

Relevant Policy Considerations

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

Other Pertinent Reports

8.3.2022.06.23 – Annual Report – Crisis Negotiation – January 1 to December 31, 2021.

This report was prepared by Jamie Munro, Staff Sergeant, Emergency Services Unit and reviewed by Darrin Forbes, Acting Superintendent, Emergency and Investigative Support Services. Recommended by



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Domestic/Family Violence
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-24

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 recommendations within 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:

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

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

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 13 MTERS alarms allocated within Niagara with an additional 5 on hold, as the offenders are currently in custody. On average, there are 10 MTERS alarms active within Niagara at any one time. In 2022, members of the Service responded to 5 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.

The Domestic Violence Response Protocol, developed between the 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 1 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 crown attorneys assigned to domestic violence cases.

The following chart illustrates the domestic violence statistics for 2020 - 2022:

CLASSIFICATIONS	2020	2021	2022
Domestic-related Reports - Criminal Investigations	1487	1618	1143
Domestic-related Criminal Investigations - Charges	936	848	954
Domestic-related Criminal Investigations - No Charges	551	770	189

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 DVU attended the following training courses in 2022:

- Search Warrant Course
- PEACE Interviewing Course
- Ontario Domestic Assault Risk Assessment Certification Course
- Investigative Interviewing Course
- Major Case Management Course

The Domestic Violence Investigators Course is scheduled annually and is available to all sworn members of the Service. This course was scheduled to be held in November of 2022, but was postponed until January 2023, due to front-line staffing issues.

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 DVU 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 DVU 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 two 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 continue to stay in abusive relationships due to the lack of affordable housing or shelter availability within 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 remain in the Family Court system due to high legal costs and the difficulty of obtaining a lawyer to proceed with legal aid certificates. Due to the challenges, numerous clients are forced into a situation where they have to represent themselves in Family Court proceedings; and
- Discussions continue regarding specific interim release conditions as it pertains to bail. Accused persons are often being released with a condition to provide police with an address within 24 hours after their release. It has been difficult to track the compliance of the condition and it is continually being discussed with members 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

8.16.2022.05.19 – Annual Report – Domestic/Family Violence – January 1 to December 31, 2021.

This report was prepared by Jesse Miller, Detective Sergeant, Domestic Violence Unit in consultation with Mike Casella, Staff Sergeant, Special Victims Unit; reviewed by Dave Masotti, Inspector, Investigative Support Services and reviewed by Darrin Forbes, Acting Superintendent, Emergency and Investigative Support Services. Recommended by Brian Ash, Acting Deputy Chief, Operational Services.



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Elder and Vulnerable Adult Abuse – January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-27

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 recommendations within 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.

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 2022;
- 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:

Statistics	2020	2021	2022
Elder Abuse/Neglect Incidents	49	68	100

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 2022. Many of these incidents can be attributed to a greater awareness within elder/long-term care homes. 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 are 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, 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

8.17.2022.05.19 - Annual Report – Elder and Vulnerable Adult Abuse – January 1 to December 31, 2021.

This report was prepared by Ray Aceti, Detective Sergeant, Central Fraud Unit, in consultation with Sarah Rose, Staff Sergeant, Major Crime Unit. Reviewed by Dave Masotti, Inspector, Investigative Support Services; and reviewed by Darrin Forbes, Acting Superintendent, Emergency and Investigative Services. Recommended by



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Equipment - Body Armour – January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2022-04-18

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 311-2011 – Equipment – Body Armour.
- The Chief is required to make an annual written report to the Board with respect to Equipment – Body Armour.
- This report sets out a summary of procedures required by this By-law and the status of Service compliance with those procedures.

Financial Considerations

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

Analysis

In accordance with By-law 311–2011, the Chief shall develop and maintain written procedures governing the provision, use and function of body armour equipment and shall make a written report to the Board on or before August 30 of each year with respect to specific information. The report shall contain:

- a) a summary of the written procedures relating to body armour equipment;
- b) the status of Service compliance with the said procedures; and
- c) confirmation that members have been trained in accordance with section 4.2.

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

- a) a summary of the written procedures relating to body armour equipment;

The written procedures pertaining to body armour are contained in General Order 068.07 "Body Armour". The General Order addresses the issuance, mandatory wearing, maintenance, inspection requirements, and replacement policy for body armour.

Section 3.1 of the general order ensures that employee representatives including, but not limited to, the Joint (NRPS/NRPA) Equipment Committee, and the Joint Occupational Health and Safety Committee are consulted as part of the acquisition of body armour process.

Section 3.19 also outlines the training and information that members who have been issued with body armour must receive. This training includes:

- proper use and care of body armour;
- limitations of the issued body armour;
- protection offered against handgun assault;
- protection/prevention of serious and potential, fatal injuries from traffic accidents, knives, edged weapons, and physical assault with improvised weapons;
- information on the responsibilities and obligations of employers, supervisors, and employees under the Ontario Health and Safety Act; and

Section 3.20 goes on to identify the requirement for a medical examination of the member after experiencing blunt force trauma or penetration of the body armour.

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

Body armour is issued through quartermaster stores and members are instructed on the proper use and care at that time. The use, maintenance, and inspection of body armour is reinforced through front line supervisors and Duty Officers, who identify potential issues during routine line inspections and direct members to the quartermaster for further evaluation and possible replacement of their body armour. Members that are issued body armour are given in-service training that covers the procedures in General Order 068.07. They also receive specific information about the protective capacity, care, maintenance, and expected replacement cycle of their body armour. Employee representatives including, but not limited to, the Joint (NRPS/NRPA) Equipment Committee, and the Joint Occupational Health and Safety Committee have been consulted as part of the acquisition of body armour. The Service is in compliance with the procedures listed in the general order.

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

Members have received the appropriate training in accordance with the procedures detailed in General Order 068.07 thus, meeting the requirements of section 4.2. Initial training occurred following the original issuance of body armour to members and is reinforced during an ongoing cycle of in-service training.

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 311-2011

Provincial Adequacy Standard AI-015

Niagara Regional Police Service – General Order 068.07, "Body Armour"

Niagara Regional Police Service – General Order 127.08, "Audit and Inspection System"

Other Pertinent Reports

8.5.2022.06.23 Annual Report – Equipment – Body Armour – January 1 to December 31, 2021

This report was prepared by Chris Sirie, Staff Sergeant, Training Unit in consultation with Luigi Greco, Inspector, Labour Relations & Career Development and reviewed by Lynda Hughes, Acting Superintendent, Executive Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Firearms Training –
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-18

Recommendation(s)

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

Key Facts

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

Financial Considerations

There are no financial implications relating to the recommendation contained within 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 in respect of preventing or responding to occurrences involving firearms. The report shall include:

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

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

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

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

The Service's general orders identify all the requirements of officers involved with firearms related investigations. In particular, General Order 175.06 entitled Firearms – Investigations/Seizure/Property/Maintenance, includes direction on search and seizure; public safety search and seizure; prohibition orders; investigations; and the Firearms Interest to Police (FIP) category of CPIC. FIP is a file used to record data on a person who, in the last 5 years, has been involved in a violent or mental health incident. This general order also speaks to section 117.04 of the Criminal Code of Canada, which establishes non-evidentiary and preventative search and seizure powers. This order is available in an electronic form to all members. This general order complies with By-Law 221-2000.

Other general orders that pertain to firearms response and investigation are:

GO 053.24 - Use of Force
GO 089.07 - Emergency Task Unit
GO 095.10 - Major Incidents and Routine Criminal Investigations
GO 114.13 - Domestic/Family Violence
GO 117.10 - Search and Seizure
GO 121.12 - Forensic Services Unit
GO 035.13 - Evidence and Property Management

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

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

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

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

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

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

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

- Basic Constable Training: all officers receive training in firearm classification and search and seizure of firearms during recruit training at the Ontario Police College (OPC).
- Domestic Violence Investigator: the presence of firearms is of special concern in incidents of domestic violence even if the firearm is not involved in the incident. Officers are trained to consider seizing firearms in these instances.
- Forensic Shooting Scene Examination: this course is made available through OPC to our Forensics Unit with the focus on ballistics.
- Gang Investigators: available through OPC, this course focuses on the investigation of street gangs, and includes specific training on firearms law, search and seizure and characteristics of an armed person.
- Firearms Analyst: available through OPC, this course provides knowledge and skills to conduct non-forensic examination of firearms, and covers firearms related topics including criminal offences, regulatory issues, crime gun trends, Firearm Analysis and Trace Enforcement Program, and other relevant issues.

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

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

The Video Unit has produced several training programs that are a blend of video, instructional narrative, and question/answer modules specific to the topic of firearm related investigations. Titles include Characteristics of an Armed Person (Nov 2005); Seized Firearms Safety (Dec 2006); Firearm Seizures (Aug 2010); Containment for Patrol (2017); Prohibited Weapons (2020); Exposure to Lead Awareness (2021); and Range Safety & Soft Body Armour (2021). All of these training programs are available to all members of the Service through an internet portal or upon demand at the Video Unit. The Training Unit also posts bulletins relevant to recent legislative/ case law/ training updates to the Service's intranet portal - IRIS.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

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

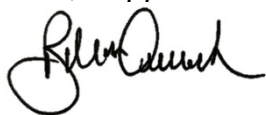
Relevant Policy Considerations

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

Other Pertinent Reports

8.7.2022.06.23 – Annual Report – Firearms Training – January 1 to December 31, 2021.

This report was prepared by Chris Sirie, Staff Sergeant, Training Unit and reviewed by Luigi Greco, Superintendent, Executive Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Not applicable



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report - Persons in Custody
January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-24

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 2022 reporting period.

Financial Considerations

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

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 because 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 (NRPS) 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 all persons including 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 the 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. In 2022, this site was opened on one occasion to accommodate a prisoner 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 facilities or correctional facilities to one of the 3 court facilities in the Niagara Region, for the purposes of the administration of justice.

During the reporting period, 3,774 persons in custody were processed through the Service's Central Holding facility at 5700 Valley Way, Niagara Falls. Additionally, 2,996 individuals 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 had dropped in 2021. As Covid-19 restrictions began to significantly lift in the spring of 2022 onward, the Service experienced a return to pre-Covid 19 numbers. Remands from institutions remained high at 7,350 for the reporting period, a very slight decrease from 7,437 in 2021. These remands included persons in custody who appeared in court via video from institutions. Special Constables were stationed at physical court locations to ensure order for virtual appearances.

Persons in custody at the 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 the records management system with 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 then 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, the name of the person 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 8 secondary searches authorized and conducted in Central Holding (down from 20 in 2020, and 16 in 2021). The 8 searches conducted in 2022 were all adults - 4 males and 4 females. Drugs were located in 4 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 and taser component, Special Constables are trained to the same levels of competence and proficiency with all police officers in the Province of Ontario and are re-qualified 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 can 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 capsicum 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 each 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 three years, and in 2020 were also trained in the use of Narcan.

Every new Special Constable is trained by a coach officer on all 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 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 appear 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. There are very rare occasions when a prisoner's counsel requests that the prisoner appear in person. When this

occurs, prisoners are transported from Central Holding to the Court House by Special Constables. The other circumstance where transport is required is when an individual is remanded into custody and needs to be transported to a Detention Centre upon completion of the bail hearing. The Prisoner Handling Unit is also responsible for the transport of people for in-person matters such as trials, sentencing hearings and special bail hearings.

If a person in custody becomes ill while at the Central Holding facility, the officer in charge of the Central Holding facility will arrange for the individual to be taken to hospital by Niagara Emergency Medical Services accompanied by officers.

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

8.21.2022.05.19 – Annual Report – Persons in Custody January 1 to December 31, 2021

This report was prepared by Nilan Davé, Inspector, Court Services and Prisoner Management Unit, and reviewed by James Mackay, Superintendent, Operational Support. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

None



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Annual Report – Property Offences (including Break & Enter) - January 1 to December 31, 2022

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-05-02

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 (including Break & Enter).
- 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

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

Analysis

In accordance with By-Law 222-2000, the Chief shall make a written report to the Board on or before August 30 of each year in respect of the investigation into property offences. The report shall include:

- a) A summary of the written procedures concerning property offence investigations;
- b) The status of Service compliance with the said procedures; and
- c) A summary of crime prevention initiatives for property crime.

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

a) *“...a summary of written procedures concerning property offence investigations...”*

Written procedures regarding Property Offences are found in the following Niagara Regional Police Service (NRPS) 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 - 034.11 – 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 5.1 (a) 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. Lastly, 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 034.11 – 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.

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

Numerous systems have been implemented to ensure Service members' compliance with the previously mentioned orders. General Order 034.11 - 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 NRPS, Quality Assurance Unit, ensures that property offence calls are properly coded so that statistical data may be accurately captured.

c) *“...A summary of crime prevention initiatives for property crime...”*

NRPS crime prevention initiatives, performed in 2022, are as follows:

Social Media & Mainstream Media Outreach – NRPS social media accounts, using various platforms, such as Facebook, Instagram, TikTok, and Twitter, are used to ensure public awareness and provide education related to crime prevention. The #9pmroutine is an example of messaging being delivered to the public, using social media, to remind them to lock up their homes and vehicles for the night, and secure their valuables. Mainstream media is utilized when issuing media releases, and public awareness and education is delivered in newspapers, radio, and television.

Lock It or Lose It – This campaign is a crime prevention initiative that seeks to encourage drivers and passengers to take precautions to protect their vehicles and their contents from theft. Police officers will normally attend busy parking lots and/or areas where thefts from vehicles have been reported. Officers will ensure vehicles are secured and education pamphlets will be left for vehicle owners regarding the campaign, and the importance of protecting their vehicles and their contents.

Garage 529 – This campaign is a community watch for bicycles. It's a program that captures all the important information about your bicycle including serial numbers, photos, and the owner information. It's a resource of law enforcement to search for stolen or missing bicycles, which has helped recover bicycles and return them to their owners. The campaign acts as a public awareness initiative as well, informing people that bicycle thefts do occur, and to take measures to secure them.

Foot Patrols – Region-wide, frontline officers continue to conduct focused foot patrols in designated areas. These patrols provide an opportunity for our community partners and members of the public, to speak with officers and engage in meaningful discussions, which includes crime prevention and education.

Crime Prevention Through Environmental Design (CPTED) – CPTED is a multi-disciplinary approach to crime prevention, fundamentally based upon the theory and belief that the proper design and effective use of the built environment can lead to a reduction in crime-related incidents and the fear of crime and improve the quality of life. In 2022, 24 police constables received CPTED training, and our Community Oriented Response & Engagement (CORE) officers, routinely provide CPTED assessments to focused areas and premises affected by crime. In 2022, approximately 25 assessments were completed.

Alternatives Reviewed

Not applicable.

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 Board 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

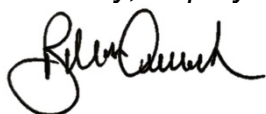
GO - 037.08 – Fire Calls and Arson Investigations

GO - 034.11 – Report Submissions

Other Pertinent Reports

8.25.2022.05.19 – Annual Report – Property Offences (including Break & Enter) – January 1 to December 31, 2021.

This report was prepared by Bruce Mair, Sergeant, Evidence Management Unit, reviewed by Mario Lagrotteria, Superintendent, Corporate Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

Bryan MacCulloch, M.O.M. #5835

Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: A Protocol Between Niagara College of Applied Arts and Technology and the Niagara Regional Police Service

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-04-20

Recommendation(s)

- 1. That the Niagara Police Services Board authorize the Chief of Police to enter into a protocol with Niagara College to offer the “Comprehensive Policing Program” for selected students.**
- 2. That the Niagara Police Services Board authorize the Chief of Police to execute all required agreements and related documents on behalf of the Board in accordance with the protocol with Niagara College.**

Key Facts

- The purpose of this report is to advise the Board of the Service's intention to enter into a protocol with Niagara College.
- The goal is to formalize a protocol that promotes enhanced cooperation between Niagara College and the Niagara Regional Police Service (NRPS) to provide practical exposure to policing through a “Comprehensive Policing Program” with the NRPS for selected Niagara College students.
- The protocol will become effective on the date of signature and will not have a set termination date but will be reviewed annually.

Financial Considerations

The Service will use members to offer the Comprehensive Policing Program as part of the course of their regular duties and any administrative or incidentals will be covered through the existing Recruiting Unit budget. There is nothing to suggest that this protocol will cause the Service to incur any additional costs.

Analysis

The NRPS and Niagara College initially agreed upon a protocol in August 2012.

In 2022, a review of this protocol was completed by members of the Service's Recruiting Unit and Niagara College's Justice Studies Department. The purpose of the review was to ensure that the protocol still met the Service's needs.

As a result of this review the Comprehensive Policing Program was developed to replace the Ride Along Program.

The Comprehensive Policing Program was designed to enhance the practical and technical experience of students while offering an opportunity for the NRPS to identify students who demonstrate the potential for a successful policing career in Niagara.

The Niagara College Justice Studies professors will identify Advanced Law Enforcement and Investigations Program students to participate in the Comprehensive Policing Program.

The selected students are interviewed and a records check of each student is completed by members of the Recruiting Unit to ensure suitability to participate in the program. Successful students are required to complete the Oath of Secrecy and to sign a release waiver and indemnity form prior to participating.

Students attend three days of lectures and demonstrations put on by members of various units including the Training Unit, Fraud Unit, Child Abuse/Sex Assault, Cybercrimes/Tech Crimes, Communications Unit, Forensic Services, Traffic Services, Emergency Services, Member Wellness/EDI, and the Court/Prisoner Management Unit.

Students are educated on the roles of officers working in these units as the presentations highlight the following: qualifications required to work in that unit, type of investigations performed, any special skills/equipment used, and value of the unit to policing/public safety.

Members of the Recruiting Unit meet with the students throughout the three days of lectures to gauge their level of interest in policing and potential suitability for future employment with the Service.

The Comprehensive Policing Program and was run successfully for the first time in February and early March 2022.

The protocol has been reviewed and is supported by the Board's legal counsel. It is therefore requested, that the Board authorize the Chief of Police to enter into this agreement on behalf of the Service.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

To comply with the provisions of Police Services Board By-laws and Strategic Plan 2022-2025.

Relevant Policy Considerations

Police Services Board Strategic Plan 2022-2025

Police Services Board - By-law No. 187-2000, Promotion of Service Members and Hiring of Non-Service Members

Other Pertinent Reports

Not applicable.

This report was prepared by Rich Gadreau, Sergeant, Recruiting Unit in consultation with Luigi Greco, Inspector, Professional Development and reviewed by Lynda Hughes, Acting Superintendent, Executive Services. Recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Appendix 1 A Protocol Between Niagara College of Applied Arts and Technology and the Niagara Regional Police Service



**A PROTOCOL BETWEEN
NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY
AND THE
NIAGARA REGIONAL POLICE SERVICE**

**A Partnership to Enhance the Experience of Students in the Police
Foundations, the Protection, Security and Investigation and the
Advanced Law Enforcement and Investigations Programs**

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Purpose of the Protocol

Niagara College of Applied Arts and Technology (herein after referred to as Niagara College) has long offered educational programs designed to better prepare students to enter the workforce. The Protection, Security and Investigation, the Police Foundations and the Advanced Law Enforcement and Investigations Programs are examples of educational programming available to those with a desire to seek a career in the field of law enforcement.

During ongoing Constable Recruitment processes, the Niagara Regional Police Service seeks to employ the most qualified candidates possible. To this end, the Niagara Regional Police Service recognizes and appreciates the efforts of Niagara College to enhance the skills of their students, ultimately making them more suitable candidates for employment.

Both the Niagara Regional Police Service and Niagara College have recognized that an increased level of organizational cooperation would not only hold a benefit for the students enrolled in the said programs but may also hold a competitive advantage with respect to the local police recruitment process. Specifically, increased cooperation between the two agencies may result in programming changes to enhance the practical and technical experience of students while offering an opportunity for the Niagara Regional Police Service to identify students who demonstrate the potential for a successful policing career in Niagara.

This protocol will address enhanced cooperation between Niagara College and the Niagara Regional Police Service in the following areas:

- To provide practical exposure to policing through a “Comprehensive Police Investigations” program with the Niagara Regional Police Service for selected Niagara College students.
- An opportunity for the Niagara Regional Police Service to provide a recommendation with respect to the qualifications of active members who pursue part time secondary employment as a member of the educational staff at Niagara College.
- An opportunity for the Niagara Regional Police Service to select suitable members to participate with the Niagara College – Police Foundations related Program Advisory Committee, and
- Opportunities for internship positions with the Niagara Regional Police Service Training Unit at the Centre for Police and Community Safety Studies, located on the Welland Campus of Niagara College or other appropriate opportunities as identified by the Niagara Regional Police Service.

Comprehensive Policing Responsibilities

Overview

The primary goal of the cooperative Comprehensive Policing Program offered by the Niagara Regional Police Service (NRPS) and Niagara College is to provide meaningful job exposure to the participants so that they may better understand the duties of a police officer and assess the suitability of policing as a personal career choice. The program also provides an opportunity for the Niagara Regional Police Service to evaluate students as prospective candidates for Constable positions.

The Role of Niagara College

1.0 The Comprehensive Policing Program Facilitator, hereinafter referred to as the “Facilitator”, will act as the liaison representative of Niagara College to the Niagara Regional Police Service (NRPS) in relation to any issues that may relate to the implementation of the Comprehensive Policing Program.

1.1 The Facilitator, in conjunction with the NRPS Recruiting Unit Sergeant, will develop and institute participant criteria to determine student eligibility for admittance into the program. Only students from the Advanced Law Enforcement and Investigations Program (maximum 28 students) will be eligible for consideration to participate in the NRPS Comprehensive Policing Program.

1.2 The Facilitator will preside over a series of seminars designed to inform and educate program participants in the qualifying components of the Comprehensive Policing Program selection process.

1.3 The Facilitator will determine the shortlist of student participants who will advance to the Participant Review Panel based on the overall quality of the mandatory submissions of the Program.

1.4 The Facilitator will recruit suitable and qualified panelists to compliment those designated by the Niagara Regional Police Service to sit as members of the Participant Review Panel. The Participant Review Panel will consist of a College Program Representative and one or two members of the Niagara Regional Police Service, unless otherwise determined and agreed to by both parties.

1.5 The Facilitator, in conjunction with the NRPS Recruiting Unit Sergeant, will develop the selection criteria and interview questions used within the program process.

**A Partnership to Enhance the Experience of Students in the
Police Foundations, the Protection, Security and
Investigation, and the Advanced Law Enforcement and
Investigations Programs**



1.6 Niagara College will provide a proper and adequate facility in which the Participant Review Panel may convene and conduct the said interviews.

1.7 The Facilitator will be responsible to compile the mandatory submissions of each Interview Participant and provide a folder containing a copy of such to each interview panelist. The Facilitator will ensure that each folder contains a cover letter, resume, and Student Transcript for each participant.

1.8 The Facilitator, in consultation with the Officer in Charge of the NRPS Recruiting Unit, will use the results received from the Participant Review Panel to compile the list of student participants and alternates who will be asked to complete and submit the standard waiver in order to provide consent for the NRPS to conduct a police information check. This check will include a comprehensive criminal background check consisting of record checks of the Canadian Police Information Centre (CPIC), Criminal Name Index (CNI), Police Information Portal (PIP), NRPS Records Management System (RMS) and a listing of any negative contact with the student's local police service. The Facilitator will forward the completed waiver forms to the Sergeant in charge of the Recruiting Unit, who shall ensure that background checks are conducted. It is important that the Facilitator inform the students that have been asked to submit waivers that this submission does NOT indicate that they have been accepted as Comprehensive Policing Program participants at this point in time.

1.9 Concerns identified during the background check will result in a student participant being ruled ineligible to participate in this program. In an effort to protect the privacy interests of the student participant, where the background check is of concern, the NRPS will only acknowledge that the student has been deemed ineligible. Additional detail will not be released to Niagara College. The decision to exclude a participant, for whatever reason, remains at the sole discretion of the NRPS, through the Recruiting Unit Sergeant, and that decision is final and does not confer any right of appeal upon the excluded participant nor the College.

1.10 Once background checks have been completed, the Sergeant in charge of the Recruiting Unit will advise the Facilitator of any participants who have been identified as unsuitable to continue in the Comprehensive Policing Program. The Facilitator shall compile the final list of successful program participants which shall be forwarded to the Sergeant in charge of the Recruiting Unit. Once deemed as suitable participants by the Sergeant in charge of the Recruiting Unit, the Facilitator will inform the successful participants as to their inclusion in the Comprehensive Policing Program.

1.11 The Facilitator will ensure that each Comprehensive Policing Program participant is notified of the requirement to attend the Program Orientation Session, which will be conducted by the NRPS. This session will be scheduled by the Officer in Charge of the Training Unit or their designee. This session will include:

- The delivery of an oath of secrecy
- The provision of a legislation package that is to be reviewed by the participant. This package will include at minimum: Sections 25, 27, 30, 129 and 494 of the Criminal Code of Canada and Section 5 of the Compensation for Victims of Crime Act.
- The signing of a release, waiver, and indemnity form.

1.13 At the conclusion of each intake, the Niagara College Program Facilitator will ensure that all notes made by program participants are securely retained by the College, pursuant to the current NRPS document retention schedule. It is important to be clear that these records remain the property of Niagara College; however, the original notes must be stored in order to ensure that they are available for any court processes.

The Role of the Niagara Regional Police Service (NRPS)

2.0 The Sergeant in charge of the Recruiting Unit, or their designee, will act as the liaison officer to Niagara College, for any issues that may relate to the implementation of the Comprehensive Policing Program.

2.1 The Sergeant in charge of the Recruiting Unit, or their designee, will attend the College during the first week of the program for the purposes of informing the students as to the expectations and requirements of the NRPS in relation to student participation in these programs, and policing in general.

2.2 The Sergeant in charge of the Recruiting Unit, or their designees, will sit as a member of the Student Participant Review Panel (up to four times per year), which will be comprised of two members of the NRPS, unless otherwise determined and agreed to by both parties. As outlined above, through an interview process, this panel is tasked with the responsibility to determine a candidate's suitability and eligibility to participate in this program.

2.3 The Sergeant in charge of the Recruiting Unit, or their designee, will assist the facilitator from Niagara College, in compiling a list of the candidates who were jointly selected to participate in this program. Written Consent to perform a background check on each candidate (including CPIC, CNI, PIP, RMS, local records, etc.) must also be provided and will be forwarded to the Sergeant in charge of the Recruiting Unit.

2.4 The Recruiting Unit, with assistance from the Records and Information Management Unit where necessary, will conduct a preliminary background check on the selected participants. This check will include CPIC, CNI, PIP, RMS, and the student's local police service record checks. Provided results from this evaluation are suitable, a student's participation in this program will be approved.

2.5 Concerns identified during the background check will result in a student participant being ruled ineligible to participate in this program. In an effort to protect the privacy interests of the student participant, where the background check is of concern, the NRPS will only acknowledge that the student has been deemed ineligible. Additional detail will not be released to Niagara College. The decision to exclude a participant, for whatever reason, remains at the sole discretion of the NRPS, through the Recruiting Unit Sergeant, and that decision is final and does not confer any right of appeal upon the excluded participant nor the College.

2.6 Selected participants will attend an orientation session, delivered by the Sergeant in charge of the Recruiting Unit, or their designee. This session will include:

- The delivery of an oath of secrecy
- The provision of a legislation package that is to be reviewed by the participant. This package will include at minimum: Sections 25, 27, 30, 129 and 494 of the Criminal Code of Canada and Section 5 of the Compensation for Victims of Crime Act.
- The signing of a release, waiver, and indemnity form.

2.7 The Recruiting Unit Sergeant, in cooperation with the Niagara College Facilitator will determine the time and location of this orientation session, and the Facilitator will in turn advise the Comprehensive Policing participants.

Comprehensive Policing Program Sessions

3.0 Following the successful completion of the orientation program, the Sergeant in charge of the Recruiting Unit or their designee will confirm the date, time and locations of the Comprehensive Policing Program sessions.

3.1 The Niagara College Facilitator will ensure all participating students are advised in advance of the date, time, and locations of the Comprehensive Policing Program sessions.

3.2 Student Participants will be required to attend each session in their Niagara College uniforms and will arrive 15 minutes prior to the start of the session.

3.3 The Sergeant in charge of the Recruiting Unit or their designee will arrange for members from various NRPS units to deliver interactive presentations on the policing/investigative processes related to their units. Each unit presentation will focus on the following areas:

- Qualifications required to work in that unit
- Type of investigations performed
- Highlight any special skills/equipment used
- Value of unit to policing/public safety

3.4 At the conclusion of the Comprehensive Policing Program sessions, the Niagara College Facilitator will conduct a survey of the participants to gather feedback on the sessions and pass the results on to the Sergeant in charge of the Recruiting Unit.

Selection of Police Officers as Part-time Instructors

4.0 Niagara College has employed and continues to employ currently serving members of the Niagara Regional Police Service to deliver effective programming for the Police Foundations, the Protection, Security and Investigation, and the Advanced Law Enforcement and Investigations programs. Although these members are employed on a part time basis by the College, they are widely recognized by the student population as representatives of the Niagara Regional Police Service.

4.1 In order to ensure that the interests of both the NRPS and Niagara College are met, the process of selecting Service members as part time instructors will be formalized. The goal is to ensure that the member selected:

- possesses the knowledge, skills and abilities required
- is a positive representative of the Niagara Regional Police Service, and
- may fulfill the requirements of the part time teaching position with limited or negligible impact on their responsibilities with the Service.

4.2 When a part time teaching position is identified, that could best be assumed by a member of the NRPS, Niagara College will advise the Deputy Chief of Support Services, or their designee of

the requirement. The Deputy Chief of Support Services, or their designee, will also be advised of the qualifications required of a successful applicant.

4.3 The Deputy Chief of Support Services shall take reasonable steps to ensure that all members of the Service are made aware of the opportunity to assume a part time teaching position with Niagara College.

4.4 Niagara College may institute a selection process to identify the suitable candidate for the part time position. With consent from the applicant, Niagara College will seek a recommendation from the Police Service, through the office of the Deputy Chief of Support Services. The recommendation provided will be based on (but not necessarily restricted to) an evaluation of the areas spoken to in paragraph 4.1. To be clear, the final decision regarding any offer of part time employment rests with Niagara College.

4.5 Niagara College will provide the Niagara Regional Police Service, through the office of the Deputy Chief of Support Services, volunteer opportunities for guest lecturing and supporting simulation opportunities. Such opportunities will be communicated to NRPS staff through the office of the Deputy Chief of Support Services.

Program Advisory Committee

5.0 Through Program Advisory Committees, Niagara College consults with various subject matter experts relating to course curriculum. Members of the Niagara Regional Police Service, in addition to those from other relevant professions, have traditionally been involved in the related Program Advisory Committee.

5.1 This protocol will serve to formalize the involvement of members of the Niagara Regional Police Service on such Program Advisory Committees. Subject to confirmation of the Deputy Chief of Support Services, the members holding the following positions with the NRPS will be considered as constant members of the Program Advisory Committee:

- Officer in Charge of the Training Unit or their designee,
- Sergeant in charge of the Recruiting or their designee, and
- Deputy Chief of Support Services or their designee.

5.2 Niagara College will advise the Office of the Deputy Chief of Support Services of any vacant police positions on the Program Advisory Committee. In turn, the Deputy Chief shall issue a solicitation of interest to identify potential candidates. Members deemed suitable for this position, based on an assessment of their work performance/experience, will be recommended for further

consideration. The final decision as to who is selected as a member of the Program Advisory Committee, other than those listed in paragraph 4.1, remains with Niagara College.

**Internship Opportunities with the
Niagara Regional Police Service**

6.0 The primary goal of this program is to provide meaningful job exposure so that participants may develop a better understanding of the duties of a police officer. Through this experience, the student will be provided with an opportunity to explore and evaluate the suitability of policing as a personal career choice. The Training Unit will identify suitable numbers of placements for participants during the fall and spring semesters. Other opportunities in areas such as; high school deployment, police education week, or job shadowing officers in other areas of the Service, will be considered as deemed appropriate by the NRPS.

6.1 Who may participate: A student enrolled in the Niagara College Police Foundations Program or the Advanced Law Enforcement and Investigation Program who is recommended by the Student Participant Review panel and meets the criteria specified in the Participant Selection/Approval Guidelines.

6.2 The Internship student assigned to the Training Unit shall:

- (a) report to the Officer in Charge of the Training Unit;
- (b) under the direction of the Training Unit Staff, assist wherever required in the Training Unit in administrative functions, class preparation and roll playing;
- (c) and, at all times, conduct themselves in a professional manner consistent with the standards and philosophies of this Service.

6.3 The Officer in Charge of the Training Unit may suspend a student from participating in the program if issues are identified relating to inappropriate behavior, poor work performance, disregard for safety practices or other inappropriate conduct. The program may also be suspended based on exigencies of the Service.

6.4 Other opportunities would follow a similar process as outlined for placement in the Training Unit. Students in these cases would report to the appropriate officer as identified by the NRPS.

Signatory Page

Bryan MacCulloch, M.O.M.
Chief of Police
Niagara Regional Police Service
Date:

Sean Kennedy
President
Niagara College
Date:

Bill Fordy
Deputy Chief
Niagara Regional Police Service
Date:

Fiona Allan
Vice President, Academic
Niagara College
Date:

Prepared by:
Rich Gadreau
Sergeant #9005
Niagara Regional Police Service
June 2022

**A Partnership to Enhance the Experience of Students in the
Police Foundations, the Protection, Security and
Investigation, and the Advanced Law Enforcement and
Investigations Programs**



DRAFT



INTERNAL CORRESPONDENCE

To: Chair and Members

From: Deb Reid

Dept: Niagara Police Services Board

Dept: Executive Director
Niagara Police Services Board

Date: May 15, 2023

Re: Proposed Amendments to the Board's Procedural By-law

Purpose:

The purpose of this report is to respond to direction given at the April 27, 2023 meeting to recommend an amendment to the Board's current Procedural By-law to update the start time of its regular meetings and to recommend an additional amendment to the Board agenda's order of business.

Background and Discussion:

The proceedings of the Board are currently governed by Procedural By-law 391-3021. Periodically, the Board conducts reviews of its existing policies and by-laws to ensure that they are still relevant and up to date. This report represents a review of the Procedural By-law since the last review in 2021. The only revisions required are to the Meetings of the Board (Section 10) to adjust the start time of the meetings; and an update to the Board Agendas (Section 15); as well as housekeeping amendments to page and by-law numbers.

The proposed amendments are outlined as follows:

Section 10 – Meetings of the Board

- Section 10.2 should be amended as follows:

*"The Board shall hold its regular meetings at **9:30 am** on the fourth Thursday of the month, in the Police Services Community Room, First Floor, of the Niagara Regional Police Service – Headquarters Building, 5700 Valley Way, Niagara Falls, Ontario, in accordance with the schedule adopted annually by the Board; or at such place, time or manner, such as audio or video conferencing, as may be determined by the Board."*

The amendment proposed will ensure that procedural rules are consistent with the Board's general direction to adjust its regular meetings start time from 9:00 am to 9:30 am.

Section 15 – Board Agendas

- Section 15.3 should be amended as follows:

"The Executive Director shall prepare the agenda, under the direction of the Chair, for distribution with the routine order of business for regular meetings of the Board to be as follows:

- Call to Order;*
- Roll Call;*
- Land Acknowledgement Statement***
- Declarations of Conflict/Pecuniary Interest by Members;*

- (e) *Adoption of Minutes of Previous Meetings;*
- (f) *Verbal Reports from the Board Chair;*
- (g) *Verbal Reports from the Chief of Police;*
- (h) *Presentations and/or Deputations;*
- (i) *Unfinished Business (if any);*
- (j) *Consent Agenda – Communications to Receive for Information*
- (k) *New Business – Communications for Consideration;*
- (l) *Other New Business (if any) – Additional Communications from Board Members or Chief of Police;*
- (m) *In Camera Report Back;*
- (n) *Confidential/Closed Session Meeting(s);*
- (o) *Adjournment.*

The amendment proposed will ensure that procedural rules for the order of business are consistent with current practices of the Board.

Recommendation:

That the Board's Procedural By-law No. 391-2021 be repealed and replaced with the By-law No. 400-2023 as appended to this report;

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



Deb Reid
Executive Director

Encl.

REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

BY-LAW 400-2023

A By-law Governing the Proceedings of the Board

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BY-LAW NO. 400-2023

**A BY-LAW GOVERNING THE PROCEEDINGS OF THE
REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD**

1. PREAMBLE

- 1.1 WHEREAS Section 37 of the *Police Services Act* provides that a Police Services Board shall establish its own rules and procedures in performing its duties under this *Act*;
- 1.2 AND whereas the Police Services Board deems it expedient to pass such a by-law to make rules and regulations governing the orders and procedures of the Board:

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2. INTERPRETATIONS

For the purposes of this By-law:

- | | |
|-------------|--|
| Definitions | 2.1 “ <i>Act</i> ” means <i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended; |
| | 2.2 “ <i>Acting Chair</i> ” means the Vice-Chair who shall act as the Chair if the Chair is absent or if the Chair’s position is vacant, pursuant to Section 28(2) of the <i>Act</i> or as prescribed by Section 7 of this By-law; |
| | 2.3 “ <i>Agenda</i> ” means the document prepared for distribution as prescribed by Section 15 of this By-law; |
| | 2.4 “ <i>Board</i> ” means the Regional Municipality of Niagara Police Services Board; |
| | 2.5 “ <i>Chair</i> ” means the Member elected as Chair of the Board by its Members pursuant to Section 28(1) of the <i>Police Services Act</i> ; |
| | 2.6 “ <i>Chief</i> ” means the Chief of Police of the Niagara Regional Police Service; |
| | 2.7 “ <i>Committee</i> ” means a Standing or Special Committee of the Board, pursuant to Section 34 of the <i>Act</i> ; |
| | 2.8 “ <i>Confidential Session</i> ” means a meeting that is closed to the public in accordance with the <i>Act</i> ; |
| | 2.9 “ <i>Deputation</i> ” means an address to the Board or its Committees at the request of a person wishing to speak; |

- 2.10 “*Executive Director*” means the person who has been appointed to the Executive Director position by the Board;
- 2.11 “*Majority vote*” means an affirmative vote of more than one-half of the Members present and voting;
- 2.12 “*Meeting*” means a meeting of the Board or a Committee;
- 2.13 “*Member*” means a Member of the Niagara Police Services Board and includes the Chair and Vice-Chair;
- 2.14 “*Motion to defer*” means a motion to delay consideration of a matter until later in the same meeting or to a future meeting of the Board or a Committee;
- 2.15 “*Motion to receive*” means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of the Board with no additional action being taken;
- 2.16 “*Motion to refer*” means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and if deemed desirable, one or more reports from the Chief of Police, Executive Director or other official or Committee;
- 2.17 “*Motion to table*” means a motion to postpone without setting a definite date as to when the matter will be considered again;
- 2.18 “*Notice of motion*” means an oral notice or written motion received by the Executive Director, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee;
- 2.19 “*Pecuniary Interest*” means a direct or indirect pecuniary interest of a Member as defined in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50;
- 2.20 “*Point of order*” means a question by a Member with the view to calling attention to any issue relating to this By-law or the conduct of the Board’s business or in order to assist the Member in understanding the Board’s procedures, making an appropriate motion, or understanding the effect of a motion;
- 2.21 “*Point of privilege or personal privilege*” means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member who considers that his or her integrity or that of a Member has been impugned or questioned by a Member;
- 2.22 “*Presentation*” means an address to the Board or Committee at the request of the Board or a Committee of the Board;
- 2.23 “*Quorum*” means a majority of the Members of the Board in accordance with Section 35(2) of the *Act*;
- 2.24 “*Recorded vote*” means a written record of the name and vote of every Member voting on any matter or question;
- 2.25 “*Region*” means the Regional Municipality of Niagara;
- 2.26 “*Resolution*” means the decision of the Board on any motion;
- 2.27 “*Service*” means the Niagara Regional Police Service;

- 2.28 “*Special Meeting*” means a meeting other than a regularly scheduled meeting, called pursuant to Section 12 of this By-law;
- 2.29 “*Two-thirds majority vote*” means an affirmative vote of at least two-thirds of the Members present and voting;
- 2.30 “*Vice Chair*” means the Member elected as the Vice Chair of the Board by its Members pursuant to Section 28(2).

3. APPLICATION

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| <i>General Application</i> | 3.1 | The rules of procedure contained in this By-law shall be observed in all proceedings and shall be the rule for the order and dispatch of business before the Niagara Police Services Board. |
| <i>Committee Rules</i> | 3.2 | The rules of procedure contained in this By-law shall be observed, with necessary modifications, in proceedings of all Committees of the Board. |
| <i>Suspension of Rules and Regulations</i> | 3.3 | The rules of procedure may be suspended at such time or times and upon such conditions as may be deemed appropriate by an affirmative vote of at least two-thirds (2/3) of the Members of the Board. |
| <i>Procedures Not Covered in By-Law</i> | 3.4 | Any point of order or procedure for which rules have not been provided in this By-law shall be decided by a motion duly put and passed by a majority vote. |
| <i>Statutes of Ontario to Prevail</i> | 3.5 | Should any provision of this By-law be or become in contravention of any legislation of the Province of Ontario, the provincial legislation shall prevail. |
| <i>Statutory Requirements</i> | 3.6 | Notwithstanding anything in this By-law, where the Board or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the <i>Statutory Powers of Procedure Act</i> shall govern the proceedings. |
| <i>Amendments to Rules</i> | 3.7 | This By-law shall not be amended or repealed except by the concurring votes of at least two-thirds (2/3) of the Members of the Board and a notice of motion to amend this By-law must be delivered to each Board Member and the Executive Director at least two weeks prior to the meeting at which the motion to amend is to be considered. |

4. ELECTION OF THE CHAIR AND VICE-CHAIR

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| <i>Election of Chair</i> | 4.1 | Pursuant to Section 28(1) of the <i>Act</i> , the Board shall elect a Chair at its first meeting in each year. |
| <i>Election of Vice-Chair</i> | 4.2 | Pursuant to Section 28(2) of the <i>Act</i> , the Board shall elect a Vice-Chair at its first meeting in each year. |
| <i>First Meeting in Each Year</i> | 4.3 | The election of the Chair and Vice-Chair shall be conducted at the first public meeting of the Board in each year. |
| <i>Deferral</i> | 4.4 | The election of the Chair and Vice-Chair shall only be held at a meeting where all Members of the Board are present, and an election may be deferred until such meeting. |
| <i>Term</i> | 4.5 | The Chair and Vice-Chair of the Board shall hold office for a one-year term until their successors are elected in accordance with the <i>Act</i> and this By-law. |

	4.6	The Chair and Vice-Chair may be elected for more than one term.
<i>Nominations</i>	4.7	The Executive Director shall act as presiding officer at the first meeting of the Board in each year until the Chair is elected and shall call for nominations.
<i>Form of Nomination</i>	4.8	Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.
<i>Eligibility</i>	4.9	A nominee is a person whose candidacy for the position of Chair or Vice-Chair has been moved and seconded by Members present at the first meeting of the Board in each year.
<i>Nominations Closed</i>	4.10	Where it appears to the Executive Director, by asking for further nominations and receiving no response, that there are no further nominations, the Executive Director shall call for a motion declaring nominations closed.
<i>Speakers</i>	4.11	After nominations have been closed, each mover and seconder of a nominee and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination of not more than five (5) minutes.
<i>Order of Speakers</i>	4.12	The speakers shall be called upon to address the Board in alphabetical order of the nominees' surnames.
<i>Withdrawal</i>	4.13	A nominee may withdraw his or her name at any time prior to the vote being called.
<i>Vote</i>	4.14	A vote shall be taken regardless of the number of nominations. No vote shall be taken by ballot or any other form of secret voting.
<i>No Majority Obtained</i>	4.15	<p>If there are more than two nominees who elect to stand and, if upon the first vote no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be dropped and the Board shall proceed to vote again and continue until either:</p> <ul style="list-style-type: none"> (a) a nominee receives the majority required for election at which time such nominee shall be declared or elected; or (b) it becomes apparent by reason of an equality of votes that no nominee can be elected. In this case, each nominee shall address the Board for a maximum of five (5) minutes, followed by a ten minute recess, and another vote. If no nominee is elected at this time, the Board shall rely on seniority of a Board Member (i.e. date of appointment) to elect the Chair.
<i>Announcement</i>	4.16	When voting is completed, the Executive Director shall announce the new Chair.
<i>Election of Vice-Chair</i>	4.17	The election of the Vice-Chair shall follow the procedure set out for the election of the Chair.

5. DUTIES OF THE CHAIR

<i>Chair's Duties</i>	5.1	<p>It is the duty of the Chair to:</p> <ul style="list-style-type: none"> (a) preside at all meetings of the Board so that its business can be carried out efficiently and effectively; (b) be the spokesperson for the Board; (c) to represent the Board at official functions; (d) commence the meetings of the Board by taking the Chair and calling
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- the meeting to order, as soon as a quorum is present;
- (e) announce the business before the Board and the order in which it is to be acted upon;
- (f) receive and submit, in proper manner, all motions presented by the Members;
- (g) put to a vote all motions which are moved or which necessarily arise in the course of the proceedings, and to announce the result;
- (h) announce the results of the vote on any motions presented for a vote;
- (i) sit as ex-officio as a Member of all Committees of the Board and be entitled to participate and vote at the meetings;
- (j) decline to put to a vote motions which do not comply with this By-law or which are not within the jurisdiction of the Board;
- (k) maintain order and preserve the decorum of the meeting;
- (l) where it is not possible to maintain order, to adjourn or suspend the meeting to a time specified by the Chair, without any motion being put;
- (m) to permit any question to be asked through the Chair or any employee of the Niagara Regional Police Service in order to provide information to assist in any debate when the Chair deems it proper;
- (n) adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required.

Signature 5.2 The Chair and Executive Director shall authenticate by his or her signature, as required, all documentation for and on behalf of the Board including but not limited to By-laws, agreements, resolutions and minutes, which have been approved by the Board.

6. DUTIES OF VICE-CHAIR

Vice-Chair's Duties 6.1 The duties of the Vice-Chair shall be:

- (a) The Vice-Chair shall act in the absence of the Chair and shall have the same authority as the Chair would have if present.
- (b) In the absence of both the Chair and the Vice-Chair at a meeting, the Members present shall elect a chair for the purpose of presiding over the meeting.

7. ACTING CHAIR

Appointment of Acting Chair 7.1 In case the Chair does not attend within fifteen (15) minutes of the time a quorum is present after the scheduled commencement time for a meeting of the Board, or after the resumption after an adjournment or recess, the Vice-Chair shall serve as Acting Chair. In the absence of the Chair and the Vice-Chair, the Executive Director shall call the Members to order and an Acting Chair shall be appointed from among the Members present and he or she shall preside until the arrival of the Chair or the Vice-Chair.

Designation 7.2 The Chair may designate the Vice-Chair, or in the absence of the Vice-Chair, another Member as Acting Chair during any part of a Board meeting when he or she leaves the Chair for any reason.

Authority of Acting Chair 7.3 The Acting Chair shall have and may exercise all the rights, power and authority of the Chair under this By-law.

8. CONDUCT OF MEMBERS

<i>Members' Conduct</i>	8.1	A code of conduct setting out general standards for acceptable conduct by Members in performance of their duties is set out in Appendix "A" to this By-law.
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9. DUTIES OF THE EXECUTIVE DIRECTOR

<i>Duties of Executive Director</i>	9.1	<p>The duties of the Executive Director pertaining to meetings of the Board shall be:</p> <ul style="list-style-type: none">(a) Serve as the administrative link between the Board, the Chief, the Board's legal counsel and labour negotiator, Committees of the Board, the media and members of the community;(b) Organize meetings, prepare agendas for the meetings, in consultation with the Chair, and ensure their timely distribution;(c) Attends all Board meetings and Committee meetings;(d) Record the minutes of the proceedings at meetings of the Board and Committees of the Board;(e) Receive all communications addressed to the Board;(f) Prepare and issue all communications arising from the proceedings of the Board, unless otherwise directed by the Board;(g) Maintain a current record of Board resolutions requiring further or future actions and to keep the Board informed of these matters;(h) Organize and maintain an annual calendar of monitoring and other reports to be received by the Board; and(i) Report on the performance indicators and annual activities of the Board.
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10. MEETINGS OF THE BOARD

<i>Regular Meetings</i>	10.1	The regular meetings of the Board shall be held at least four times each year pursuant to subsection 35(1) of the <i>Police Services Act</i> .
<i>Location, Time and Frequency</i>	10.2	The Board shall hold its regular meetings at 9:30 am on the fourth Thursday of the month, in the Police Services Community Room, First Floor, of the Niagara Regional Police Service – Headquarters Building, 5700 Valley Way, Niagara Falls, Ontario in accordance within the schedule adopted annually by the Board; or at such place, time or manner, such as audio or video conferencing, as may be determined by the Board.
<i>Alternative Date and Time</i>	10.3	The Board may cancel the next regular meeting or may change any one or more of its dates, its time or its place, upon the concurring votes of a majority of the Members.
<i>Notice to Members</i>	10.4	Notice to Members of all meetings, agendas, agenda items, cancellations and postponements shall be provided by the Executive Director to a Member by electronic mail. It may also be provided by telephone or personal contact in the case of an emergency.
<i>Notice to Media and Public</i>	10.5	Notice of all public meetings, agendas, cancellations and postponements shall be provided to the public and the media by issuing a media release and posting a listing of these on the Board's web page, and in the Clerk's Office of the Regional Municipality of Niagara on the Tuesday before the meeting is to be held and updated as required.

<i>Audio/Video Recording</i>	10.6	Public meetings may be video and audiotaped, televised or otherwise electronically or mechanically recorded as long as the recording does not interfere with the proceedings of the meeting.
<i>Audio/Video Conferencing</i>	10.7	Electronic participation through audio or video conferencing is permitted for regular Board meetings, committee meetings and any special or emergency meetings. The Board members who are participating electronically are deemed present for the purposes of quorum when participating in meetings and are permitted to vote accordingly.
<i>Audio/Video Conferencing at In-Person Meetings</i>	10.8	A Member may make a request of the Chair, at least 24 hours before the scheduled commencement of an in-person meeting, that the Member be permitted to participate in the meeting by means of audio or video conferencing. The Chair may grant permission if the Member can be connected to the meeting by such means. If the Member participates in the meeting by such means, the Member shall be deemed to have been present at the meeting for the purposes of the <i>Act</i> .
<i>Failure to Meet Notice Provisions</i>	10.9	The Executive Director shall use his or her best efforts to satisfy the notice provisions set out in this section. Failure of the Executive Director to satisfy any of the notice provisions contained in this section does not invalidate the meeting or any proceeding at the meeting.
<i>Meeting Attendees</i>	10.10	Every person attending the Board meeting, except for Board Members and Board staff, authorized police staff and others authorized by the Chair or the Board, shall remain in the audience portion of the boardroom before, during and after any meeting.
<i>Expulsion</i>	10.11	The Chair may cause to be expelled and exclude any member of the public who creates any disturbance or acts improperly during a meeting of the Board.

11. LIVE-STREAMED/VIDEO RECORDED MEETINGS

<i>Live Stream/Video Recording</i>	11.1	In the event the Board live streams and/or video records its meeting(s) the following shall apply:
<i>Announcement</i>	11.2	At the start of the meeting, the Chair shall advise all in attendance that the meeting is being video recorded and/or live-streamed.
<i>Presentations</i>	11.3	Wherever possible, the Board will advise all delegates in advance of the Board and/or Committee meeting that their presentation may be live-streamed and the recording archived for public viewing.
<i>Delegate Opinions</i>	11.4	Opinions of delegates are their own and the Board is not responsible for delegates comments or any materials delegates choose to provide.
<i>Video Posting</i>	11.5	The Board will post, as soon as practicable following the meeting, the archived live stream video.
<i>Not Official Record</i>	11.6	A recorded video of a Board and/or Committee meeting is not an official record of that meeting. The official record of the Board and/or Committee meeting shall consist solely of the Minutes approved by the Board.

12. SPECIAL MEETINGS OF THE BOARD

<i>Special Meeting</i>	12.1	The Chair may at any time, summon a special meeting.
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	12.2	The Executive Director may summon a special meeting on the request of the majority of the Members of the Board.
<i>Location, Time and Frequency</i>	12.3	Special meetings will take place in a location or manner such as audio or video conferencing or as deemed most appropriate by the Chair.
<i>Notice of Special Meeting</i>	12.4	Written notice of special meetings of the Board or its Committees, other than one summoned by verbal notice, setting out the time and place of the meeting and detailing the matters to be considered, shall be delivered to all Members not less than 24 hours prior to the meeting in accordance with Section 10.4 of this By-law. Notice of all special public meetings shall be provided in accordance with Section 10.5 of this By-law.
<i>Process to Summons</i>	12.5	A special meeting may be summoned by verbal notice provided that at least two-thirds (2/3) of the Members of the Board consent to the time, the place, the manner and the matter to be considered and that the decision to summon the meeting is later ratified by the Board.
<i>Matters Decided at Special Meeting</i>	12.6	At special meetings of the Board, the Board shall not decide upon any matter unless the matter has been specified in the notice calling the special meeting. This provision may be waived only where all Members are present to vote upon a motion to waive it and only with a two-thirds majority vote.
<i>Failure to Meet Notice Provisions</i>	12.7	The lack of receipt of a notice of, or an agenda for, a special meeting by any Member shall not affect the validity of the special meeting or any action taken thereat.

13. EMERGENCY MEETINGS

<i>Emergency Meeting</i>	13.1	Notwithstanding any other provision of this By-law, an emergency meeting may be called by the Chair without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Executive Director to notify the Members about the meeting as soon as possible and in the most expedient manner available.
<i>Agenda Items</i>	13.2	The only business to be dealt with at an emergency meeting shall be business dealing with the emergency or extraordinary situation.
<i>Member Polling</i>	13.3	At the discretion of the Chair and with the consent of the majority of the Members of the Board, an emergency or extraordinary situation may be dealt with by means of telephone or electronic polling, or other communication method as to permit all persons participating to communicate adequately with each other. The Board's decision must be reported back at the next regularly scheduled meeting for ratification.
<i>Failure to Meet Notice Provisions</i>	13.4	The lack of receipt of a notice of, or an agenda for, an emergency meeting by any Member shall not affect the validity of the emergency meeting or any action taken thereat.

14. QUORUM

<i>Quorum - Board</i>	14.1	A majority of the Members of the Board constitutes a quorum.
<i>Call Meeting to Order</i>	14.2	As soon after the hour of the meeting as a quorum is present, the Chair shall take the chair and call the meeting to order.

<i>No Quorum at Beginning</i>	14.3	If a quorum is not present within thirty (30) minutes after the scheduled time of a meeting, then the Executive Director shall record the names of the Members of the Board present and the meeting shall stand adjourned until the date of the next meeting of the Board.
<i>Loss of Quorum During Meeting</i>	14.4	If a quorum is lost during a meeting of the Board then the Chair shall, upon determining that a quorum is not present, request the Executive Director to call for a quorum for a period of fifteen (15) minutes, or until a quorum is present, whichever is sooner.
<i>Idem</i>	14.5	If there is still no quorum of the Board after fifteen (15) minutes, the meeting shall stand adjourned, and the Executive Director shall record the names of the Members present. In this case, all unfinished business shall be carried forward to the next meeting of the Board.

15. BOARD AGENDAS

<i>Materials for Agendas</i>	15.1	Except as otherwise provided by this by-law, all correspondence, notices of motion, and other communication addressed to the Board which is received by the Executive Director at least 10 days prior to a regular meeting shall be placed on the agenda and shall be dealt with at the next regular monthly meeting. Agenda materials received less than 10 days prior to the date of the regular meeting may be added to the agenda by permission of the Board Chair.
<i>Redirection of Police Operational Matters</i>	15.2	Where, in the opinion of the Executive Director, the subject matter of any communication is properly within the jurisdiction of the Niagara Regional Police Service, such communication shall be referred to the Chief of Police for the necessary action without prior reference to the Board.
<i>Agenda</i>	15.3	<p>The Executive Director shall prepare the agenda, under the direction of the Chair, for distribution with the routine order of business for regular meetings of the Board to be as follows:</p> <ul style="list-style-type: none"> (a) Call to Order; (b) Roll Call; (c) Land Acknowledgement Statement (d) Declarations of Conflict/Pecuniary Interest by Members; (e) Adoption of Minutes of Previous Meetings; (f) Verbal Reports from the Board Chair; (g) Verbal Reports from the Chief of Police; (h) Presentations and/or Deputations; (i) Unfinished Business (if any); (j) Consent Agenda – Communications to Receive for Information (k) New Business – Communications for Consideration; (l) Other New Business (if any) – Additional Communications from Board Members or Chief of Police; (m) In Camera Report Back; (n) Confidential/Closed Session Meeting(s); (o) Adjournment.
<i>Delivery of Agenda</i>	15.4	The Executive Director shall cause to be delivered to each Member at least 48 hours before the scheduled time for a meeting the agenda and copies of related materials.
<i>Order of Business</i>	15.5	The business of the Board shall, in all cases, be taken up in the order in which it appears on the agenda, unless otherwise decided by the Board. Any matter on the agenda not decided by the Board shall be placed on the agenda of the next regular meeting of the Board.

<i>Circulation to Public</i>	15.6	As soon as agenda information is published and distributed by the Executive Director to the Members, the information may be made available to the public, and may be discussed in public by Board members after a period of 72-hours, except for information relating to matters to be considered in the Confidential Session.
<i>Communications</i>	15.7	Every communication intended to be presented to the Board or its Committees must be legibly written and must contain the signature and contact address of at least one person and preferably the addresses and contacts of all signatories. For all communications submitted, there shall be designated a contact person to whom the Executive Director can communicate on behalf of the Board or a Committee.
<i>Consent Agenda</i>	15.8	All or several items on the agenda for a meeting containing a recommendation to "receive for information" may be adopted by a single motion. Any specific items of business will be provided individual deliberation and debate upon the request of any Member.
<i>Introduction of Business Not Included on Agenda</i>	15.9	No business shall be introduced at a meeting which has not been included on the agenda for such meeting unless the person seeking to introduce the business obtains the approval of a majority of the Members of the Board present at the meeting.

16. BOARD MINUTES

<i>Minutes</i>	16.1	The Executive Director shall cause minutes to be taken of each meeting of the Board, which shall include: <ul style="list-style-type: none"> (a) the place, date and time of the meeting; (b) the name of the Chair and the attendance of the Members, the Executive Director, senior staff of the Niagara Regional Police Service, names of presenters and external delegations; (c) the confirmation and correction of the minutes of the previous meeting; (d) declarations of interest; (e) all other proceedings of the Board without note or comment.
<i>Approval</i>	16.2	The Minutes of each Board Meeting shall be presented to the Board for approval at the next regular Meeting.
<i>Signature</i>	16.3	After the Board Minutes have been approved by the Board, they shall be signed by the Chair and the Executive Director, and sealed.
<i>Posting of Minutes on Internet</i>	16.4	The approved public minutes of the Board shall be posted on the Board's web page.

17. DISCLOSURES OF CONFLICT/ PECUNIARY INTEREST

<i>Method of Disclosure</i>	17.1	Where a Member has any pecuniary interest in any matter and is present at a Board meeting or Committee meeting at which the matter is the subject of consideration, the Member shall: <ul style="list-style-type: none"> (a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof; (b) not take part in the discussion of, or vote on, any question in respect of the matter; and
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- (c) not attempt in any way, whether before, during or after the meeting, to influence the voting on any such question.

<i>Confidential Sessions</i>	17.2	Where a meeting is not open to the public, in addition to complying with the requirements set out above, the Member shall forthwith leave the meeting for that part during which the matter is under consideration.
<i>Absence – Disclosure at Next Meeting</i>	17.3	Where the interest of a Member has not been disclosed by reason of his or her absence from the particular meeting, the Member shall disclose his or her interest at the next meeting at which such Member attends.
<i>Record of Disclosure</i>	17.4	The Executive Director shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes of that particular meeting of the Board or of Committee.

18. RULES OF DEBATE

<i>General</i>	18.1	All Members of the Board shall exercise their right to debate within the framework set out in these rules.
<i>Recognition of Member</i>	18.2	To address the Board, a Member shall raise his or her hand and be recognized by the Chair and direct all comments through the Chair.
<i>Order of Speakers</i>	18.3	When two or more Members indicate their desire to speak at the same time, the Chair shall designate the order of speakers.
<i>Address the Chair</i>	18.4	Every Board Member, prior to speaking, must address the Chair, and all remarks must be directed through the Chair.
<i>Relevancy</i>	18.5	All remarks and comments must be relevant to the question under consideration and the Chair shall be the judge of such relevancy.
<i>Interruptions</i>	18.6	When a Member is speaking, no other Member shall interrupt the Member except to raise a point of order, privilege or personal privilege.
<i>Read Motion</i>	18.7	A Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member who is speaking.
<i>Speaking to a Question</i>	18.8	No Member shall speak more than once to the same question or motion without leave of the Board.
<i>Reply</i>	18.9	Notwithstanding section 18.8, a reply may be made by the Member who has presented a motion to the Board, following the conclusion of the speeches of the other Members.
<i>Speaking Time</i>	18.10	No Member shall speak to the same question or motion, or in reply, for more than five (5) minutes, without leave of the Board.
<i>After Question Put by Chair</i>	18.11	After the question has been put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

<i>Points of Order</i>	18.12	When a Member desires to address a point of order, the member shall ask leave of the Chair to raise a point of order and after leave is granted the member shall state the point of order to the Chair and the point of order shall be forthwith decided by the Chair.
<i>Chair to Rule on Point of Order</i>	18.13	Thereafter, a member shall only address the Chair for the purpose of appealing the Chair's decision to the Board.
<i>Decision Final</i>	18.14	If no member appeals, the decision of the Chair is final.
<i>Idem</i>	18.15	The Board's decision is final if the Chair is challenged.

19. RULES OF VOTING

<i>General</i>	19.1	All voting, except with respect to the election of the Chair and Vice-Chair, shall be conducted in the manner prescribed by the rules in this section.
<i>Put Question to Vote</i>	19.2	When the Chair is putting a question to vote, no member of the Board may leave the room or cause any disturbance.
<i>Every Member Votes</i>	19.3	Every Member of the Board, including the Chair, who is present when a question is put shall vote thereon, unless disqualified by a conflict of interest.
<i>Failure to Vote</i>	19.4	The failure to vote by a Member who is not disqualified by a conflict of interest shall be deemed to be a negative vote.
<i>Manner of Vote</i>	19.5	The manner of determining the decision of the Board on a question shall be at the discretion of the Chair and may be by show of hands, voice or otherwise.
<i>Equality of Votes</i>	19.6	Where there is an equality of votes on any decision, the question shall be deemed to be lost.

20. MOTIONS AND NOTICES OF MOTIONS

<i>Jurisdiction</i>	20.1	A motion or Notice of Motion in respect of a matter which is not within the jurisdiction of the Board, shall not be in order and shall not be considered by the Board.
<i>Introduction of Additional Items</i>	20.2	No member shall introduce any item to the Board for its consideration unless: <ul style="list-style-type: none"> (a) the item relates to a matter on the agenda for that meeting; (b) the matter is of an urgent nature; or (c) leave is granted on a two-thirds majority vote.
<i>Oral Motions</i>	20.3	The following may be introduced orally without written notice and without leave of the Board: <ul style="list-style-type: none"> (a) a point of order or privilege; (b) presentation of petitions; (c) a motion to waive or suspend the rules of procedure; (d) any other procedural motion; (e) a motion to recess; (f) a motion to adjourn; (g) a motion to call the question; (h) a motion to retire into a confidential session; (i) a motion to receive an item; (j) a motion to table an item;

- (k) a motion to refer;
- (l) a motion to defer;
- (m) a simple amendment;
- (n) a motion to adopt a recommendation; or
- (o) the motion relates to a report which was distributed with the agenda.

<i>Written Motions</i>	20.4	Except as provided in Section 20.2 of this by-law, all motions and notices of motion shall be in writing and signed by the mover and the seconder.
<i>Must be Seconded</i>	20.5	A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the meeting.
<i>Wording</i>	20.6	All motions or notice of motions shall be worded in the affirmative, where possible, and shall express fully and unambiguously the intention of the mover.
<i>Emergency Motion</i>	20.7	Notwithstanding the above, any motion may be introduced for consideration by the Board in a situation deemed to be an emergency by the Chair.
<i>Substantive Motion</i>	20.8	There may be only one substantive motion before the Board at any time.
<i>Motion to Amend</i>	20.9	A motion may be amended during debate provided that the motion to amend is relevant and not in direct opposition to the main question.
	20.10	Only one motion to amend an amendment to the question shall be allowed.
<i>Withdrawal</i>	20.11	After a motion has been seconded, it may be withdrawn by the mover and the seconder at any time before a vote is taken.
<i>Refer to Question</i>	20.12	A motion to refer a question shall include the name of the committee, body or official to whom the question is to be referred.
<i>Direction to Chief</i>	20.13	A direction to the Chief of Police by the Board shall be authorized by resolution of the majority of the Members present.
<i>Not Debatable</i>	20.14	The motions referred to in 20.2 (e), (f), (g), (j) and (l) are not debatable.
<i>Deemed Carried</i>	20.15	A motion is deemed carried where a majority of the quorum votes in the affirmative.
<i>Procedure on Motions</i>	20.16	<p>The procedure on a motion is as follows:</p> <ul style="list-style-type: none"> (a) the Chair shall read, state or verbally acknowledge each motion presented, whereupon the motion shall be deemed to be in the possession of the Board; (b) the motion shall be seconded; (c) the Chair shall restate the motion and open debate; (d) the motion shall be debated in accordance with Section 18; (e) the question shall be put to the Board by the Chair; (f) vote shall be taken in accordance with Section 19; (g) the motion shall be declared carried or lost.
<i>Chair to Refrain as Mover</i>	20.17	The Chair shall refrain from moving motions.
<i>Motion to Reconsider</i>	20.18	A motion to reconsider a matter previously decided by the Board shall be permitted within 12 months of the original motion where a Board Member, who voted in the majority, gives notice in writing which is included in the agenda that he or she will move at the next meeting that a matter be reconsidered.

<i>Idem</i>	20.19	A motion to reconsider is not required after the expiration of 12 months from the date the matter was previously decided, or if new material facts respecting the previously decided arise. In those cases, the motion procedures of 20.15 apply.
<i>Idem</i>	20.20	A motion to reconsider requires an affirmative vote of at least two-thirds (2/3) of the Members of the Board to pass.

21. OUTSTANDING INQUIRIES AND MOTIONS

<i>General</i>	21.1	Inquiries made at a meeting of the Board may be introduced orally or in writing and shall be recorded in the Minutes of the meeting.
<i>Follow-up</i>	21.2	Following each Board meeting, the Executive Director will forward in writing any inquiries or motions requiring action or a subsequent report to the Chief of Police or other person assigned responsibility for responding.
<i>Written Response</i>	21.3	The response shall be submitted in writing to the Executive Director for inclusion in an upcoming Board agenda.
<i>Record Keeping</i>	21.4	The Executive Director shall keep a record of all inquiries and motions requiring a response and shall submit a list of outstanding inquiries and motions to the Board on a quarterly basis.

22. PUBLIC ACCESS TO MEETINGS

<i>Meetings Open to Public</i>	22.1	Meetings of the Board shall be open to the public except as provided for in Section 35(4) of the Act and this Section of the By-law and no person shall be excluded from a meeting open to the public except for improper conduct.
<i>Public Access</i>	22.2	The public shall be allowed access 15 minutes before the scheduled start time of the meeting.
<i>Recording Equipment</i>	22.3	The use of cameras, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for recording the proceedings of a meeting by members of the public, including the news media, may be permitted and shall be subject to the approval and/or direction of the Chair unless otherwise decided by the Board.
<i>Confidential Sessions</i>	22.4	<p>A meeting may be conducted in Confidential Session pursuant to 35(4) of the Act if the Board is of the opinion that:</p> <ul style="list-style-type: none"> (a) matters involving public security may be disclosed and, having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public; or (b) intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their 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.
<i>Idem</i>	22.5	Without limiting the intent of 22.4 (a) and (b) above, the following circumstances are deemed to be matters that permit a meeting, or part of a meeting, to be closed to the public if the subject matter being considered is:

- (a) the security of the property of the Region;
- (b) personal matters about an identifiable individual, including Niagara Regional Police Service employees;
- (c) a proposed or pending acquisition or disposition of land by the Region;
- (d) labour relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the Board or Police Service;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (g) any other matter in respect of which a council, board, committee or other body may deem confidential or has provided on a confidential basis;
- (h) relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Board is designated as head of the institution for the purposes of that Act;
- (i) education or training session for the benefit of Members.

23. DELEGATIONS AND PRESENTATIONS

<i>Written Request</i>	23.1	Any person, group of persons or organization wishing to address the Board regarding a matter within the Board's jurisdiction shall make a written request to the Executive Director at least ten (10) days prior to the date of the meeting at which the deputation is to be made, such written request to include: <ul style="list-style-type: none"> (a) The name of the presenter; (b) An outline of the deputations to be made; (c) The names of the other persons who will be appearing with the presenter; (d) A copy of any materials to be provided to the Board as part of the deputation.
<i>Limitations</i>	23.2	Deputations shall only be heard upon the consent of the Board.
<i>Time</i>	23.3	A delegation shall address the Board through one (1) spokesperson for a period not exceeding ten (10) minutes, unless approval to extend the speaking time is obtained from the Chair.
<i>Conduct</i>	23.4	All presenters shall address the Chair from the designated area and shall state their name and whom they represent.
	23.5	No person shall: <ul style="list-style-type: none"> (a) Speak disrespectfully of any person; (b) Use offensive words or language; (c) Speak on any subject other than that which has received approval by the Board; (d) Disobey the rules of procedure or a decision of the Chair or the Board.
<i>Disorder/By-law Breach</i>	23.6	The Chair may curtail any presentation, questions, or debate during a presentation for disorder or any other breach of this By-law, and if the Chair rules that the presentation is concluded, the person(s) appearing shall immediately withdraw.
<i>Board Questions</i>	23.7	Following the presentation, the Board may ask questions of the presenter for the purpose of clarifying information but shall not enter into a debate with the presenter.

	23.8	At the conclusion of the presentation, the Board may receive the presentation, discuss it at that point or at a later time in the meeting, or defer the matter to a subsequent meeting for the purpose of receiving further information.
<i>Public Audience</i>	23.9	Members of the public who constitute the audience at a meeting shall respect the decorum of the Board and not: <ul style="list-style-type: none"> (a) Address the Board without permission of the Chair; (b) Interrupt any speech or action of the Members of the Board or any other person addressing the Board; and (c) Bring signage, placards, or banners into such meetings.

24. MEDIA RELATIONS

<i>Board Spokesperson</i>	24.1	Unless otherwise specified, the spokesperson for the Board is the Chair of the Board. Should the Chair be unavailable, the Vice-Chair shall be the spokesperson for the Board.
<i>Executive Director as Resource</i>	24.2	On matters of factual information, administration of the Board, or communicating a decision of the Board in response to an enquiry, the Executive Director may act as a resource person on behalf of the Board.
<i>Special Circumstances</i>	24.3	In special circumstances, such as labour relations, or where a Board Committee has been established on a specific issue, the Board may designate the member leading the negotiations, or the Chair of the Committee, to act as spokesperson for the Board.
<i>Communication by Board Members</i>	24.4	Board Members may communicate a position of the Board; however, should a Board Member publicly disagree with a position of the Board, or should a Board Member comment upon a matter not yet before the Board, he or she will clearly identify they are speaking as an individual and not on behalf of the Board. Nor shall a Board Member state the Board has taken a position on a matter, until the matter has been voted upon.
<i>Media Releases</i>	24.5	Media releases shall be approved by the Chair, or the Vice-Chair prior to release. Board Members shall receive a copy of the release as soon as possible once its been approved.
<i>News Conferences</i>	24.6	News conferences on matters within the jurisdiction of the Board shall be called on at the discretion of the Chair or the Vice-Chair. Whenever possible, Board Members shall be advised of the event prior to its taking place.

25. COMMITTEES

<i>Committees</i>	25.1	Subject to the provisions of Section 34 of the <i>Police Services Act</i> , Committees may be established by the Board at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Board.
<i>Ad Hoc Committees</i>	25.2	The Board may establish Ad Hoc Committees of limited duration, to inquire and report on a particular matter or concern. An Ad Hoc Committee shall dissolve automatically once the matter or issue has been resolved.

<i>Board's Role</i>	25.3	The Board shall determine the appropriate number of Committees, their membership, mandate and reporting practices.
<i>General Role of Committees</i>	25.4	The role of the Committees shall generally be to: <ul style="list-style-type: none"> (a) make recommendations to the Board on matters which are in their jurisdiction; and (b) guide and request staff through the Chief of Police, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required.
<i>Committee Chair</i>	25.5	Each Committee shall appoint a Chair of the Committee.
<i>Committee Proceedings</i>	25.6	The rules governing the procedure of the Board and the conduct of Members shall be observed in all Committees so far as they are applicable.
<i>Committee Membership</i>	25.7	Members shall be appointed to Committees by the Board and confirmed on an annual basis.
<i>Members' Rights</i>	25.8	Members who are not Members of a specific Committee may attend meetings of that Committee and may, with the consent of the Chair of that Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these meetings. The Chair, as ex-officio, is a member of every Committee.
<i>Sub-Groups</i>	25.9	No sub-groups of Committees shall be established without approval by the Board.

26. BY-LAWS

<i>One Motion</i>	26.1	Every by-law shall be introduced upon motion by a Member, and any number of by-laws may be introduced together in one motion, but the Board may, at the request of a Member, deal separately with any by-law.
<i>Form</i>	26.2	Every by-law, when introduced shall be in typewritten form and shall comply with the provisions of any relevant legislation.
<i>Reading</i>	26.3	Every by-law of the Board requires only one reading before it may be passed.
<i>Authentication</i>	26.4	Every by-law which has been passed by the Board shall be numbered and dated and shall be sealed with the seal of the Board and signed by the Chair or the Vice-Chair and the Executive Director and shall be deposited in the Office of the Board.

27. ENACTMENT

<i>Repeal</i>	27.1	By-law Nos.147-1995, 282-2013, 341-2013, 354-2014, 365-2017, and 391-2021 as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed.
<i>Effective Date</i>	27.2	This By-law shall come into force on the date of its enactment.

ENACTED AND PASSED this 25th day of May, 2023.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Jen Lawson, Chair

Deb Reid, Executive Director

APPENDIX “A”

<p style="text-align: center;">Ontario Regulation No. 421/97 Members of Police Services Board – Code of Conduct</p>

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| <p>1. Board members shall attend and actively participate in all board meetings.</p> <p>2. Board members shall not interfere with the police force's operational decisions and responsibilities or with the day-to-day operation of the police force, including the recruitment and promotion of police officers.</p> <p>3. Board members shall undergo any training that may be provided or required for them by the Solicitor General.</p> <p>4. Board members shall keep confidential any information disclosed or discussed at a meeting of the board, or part of a meeting of the board, that was closed to the public.</p> <p>5. No board member shall purport to speak on behalf of the board unless he or she is authorized by the board to do so.</p> <p>6. A board member who expresses disagreement with a decision of the board shall make it clear that he or she is expressing a personal opinion.</p> <p>7. Board members shall discharge their duties loyally, faithfully, impartially and according to the <i>Act</i>, any other Act and any regulation, rule or by-law, as provided in their oath or affirmation of office.</p> <p>8. Board members shall uphold the letter and spirit of the Code of Conduct set out in this regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board.</p> <p>9. Board members shall discharge their duties in a manner that respects the dignity of individuals and in accordance with the Human Rights Code and the Charter of Rights and Freedoms (Canada).</p> | <p>10. Board members shall not use their office to advance their interests or the interests of any person or organization with whom or with which they are associated.</p> <p>11. (1) Board members shall not use their office to obtain employment with the board or the police force for themselves or their family member.</p> <p>(2) For the purpose of subsection (1), “family member” means the parent, spouse or child of the person, as those terms are defined in section 1 of the <i>Municipal Conflict of Interest Act</i>.</p> <p>12. A board member who applies for employment with the police force, including employment on contract or on fee for service, shall immediately resign from the board.</p> <p>13. Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force.</p> <p>14. A board member whose conduct or performance is being investigated or inquired into by the Commission under Section 25 of the Act shall decline to exercise his or her duties as a member of the board for the duration of the investigation or inquiry.</p> <p>15. If the board determines that a board member has breached the Code of Conduct set out in this Regulation, the board shall record that determination in its minutes and may,</p> <p>(a) require the member to appear before the board and be reprimanded;</p> <p>(b) request that the Ministry of the Solicitor General conduct an investigation into the member's conduct; or</p> <p>(c) request that the Commission conduct an investigation into the member's conduct under Section 25 of the <i>Act</i>.</p> |
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NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Purchase Award – Extreme Network Switches
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2023-05-01

Recommendation

That the Niagara Police Services Board award the purchase contract for Extreme Network Switches to Telus Communications Inc. as per the attached TELUS Communications-2023-T-63 bid document.

Key Facts

- The Headquarters (HQ) network has a cluster of Extreme Network Switches of various specifications depending on location and purpose.
- The Extreme Network Switches asset replacement is deemed operationally and technologically necessary to maintain adequate 24/7 access to the Service's network and services.
- The aging Extreme Network Switches can no longer support newer versions of operating systems or new software upgrades.
- The funding for the purchase contract is included in the Service's approved 2023 Capital Budget under Capital Project 20001830.

Financial Considerations

As per Board By-Law 384-2019, Financial Reporting, Control and Procurement of Goods and Services, any contractual agreements awarded via a formal procurement process with a contract value greater than \$250,000.00 CAD requires Board approval.

Subject to Board approval, the Service will award the purchase contract for Extreme Network Switches to TELUS Communications for \$432,416.72 CAD, including HST (net of rebates) and includes hardware, maintenance, and support for one year.

Analysis

On March 24, 2023, the Niagara Region issued a Request for Tender (RFT) #2023-T-63 for prospective bidders to submit bids for the supply and delivery of Extreme Network Switches for Niagara Regional Police Services (NRPS) to replace aged and end-of-life equipment. The RFT closed on April 13, 2023.

The four bid submissions outlined below were confirmed by the Niagara Region's Procurement Department as compliant.

a.	TELUS Communications Inc.	\$427,937.81 + HST
b.	Connex Telecommunications Inc.	\$535,369.90 + HST
c.	Powerland Computers Ltd.	\$537,381.90 + HST
d.	CDW Canada Corp.	\$547,768.50 + HST

The lowest bid was TELUS Communications Inc., with a subtotal of \$427,937.81 + HST.

The approved 2023 Capital Project 20001830 provides a funding strategy for critical infrastructure assets, namely Extreme Network Switches, facilitating the Service's HQ and Districts network connectivity. The same network switch brand also supports the Service's primary and backup Emergency Communications Centres (HQ and 3-District).

Alternatives Reviewed

Not Applicable.

Relationship to Police Service/Board Strategic Priorities

The NRPS is dedicated to improving the emergency services provided to its public safety partners, community, and citizens. The Service looks for opportunities to enhance the offering and delivery of those services, while at the same time improving the effectiveness and efficiency of its workforce.

Relevant Policy Considerations

Regional Municipality of Niagara Police Services Board By-Law 374-2019, Financial Reporting, Control, and Procurement in the NRPS.

Other Pertinent Reports

This report was prepared by Akram Askoul, Director, Technology Services and recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Appendix 1 TELUS Communications Inc. 2023-T-63

2023-T-63 - Supply and Delivery of Extreme Network Switches for Niagara Regional Police Services (NRPS)

Opening Date: March 24, 2023 11:15 AM

Closing Date: April 13, 2023 2:00 PM

Vendor Details

Company Name: TELUS Communications Inc.
25 York Street
Address: Toronto, Ontario M5J 2V5
Contact: Laurie Crozier
Email: Laurie.Crozier@telus.com
Phone: 437-343-3656
HST#:

Submission Details

Created On: Friday March 24, 2023 14:35:04
Submitted On: Wednesday April 12, 2023 14:46:46
Submitted By: Laurie Crozier
Email: Laurie.Crozier@telus.com
Transaction #: a953e1a6-b05f-43cc-96d6-5a15f88d39e7
Submitter's IP Address: 66.203.207.70

Schedule of Prices

The Bidder hereby Bids and offers to enter into the Contract referred to and to supply and do all or any part of the Work which is set out or called for in this Bid, at the unit prices, and/or lump sums, hereinafter stated. HST is additional.

* Denotes a "MANDATORY" field.

Do not enter \$0.00 dollars unless you are providing the line item at zero dollars to the Owner.

If the line item and/or table is "NON-MANDATORY" and you are not bidding on it, leave the table and/or line item blank. Do not enter a \$0.00 dollar value.

Table 1: NRPS Extreme Network Switches

Line Item	SKU	Description	UOM	Quantity	Unit Price *	Extended Price
1	5420M-48W-4YE	Extreme Switching 5420M	EA	60	\$4,391.1276	\$ 263,467.66
2	5420M-24W-4YE	Extreme Switching 5420M	EA	10	\$2,762.4360	\$ 27,624.36
3	XN-ACPWR-920W	920W AC PoE Power Supply	EA	140	\$677.0319	\$ 94,784.47
4	10099	Power Cord 13A USA NEMA 5-15-IEC320-C15	EA	140	\$11.8830	\$ 1,663.62
5	97004-5420M-48W-4YE	Support	EA	70	\$577.1100	\$ 40,397.70
Subtotal:						\$ 427,937.81

Summary Table

Bid Form	Amount
Table 1: NRPS Extreme Network Switches	\$ 427,937.81
Subtotal Contract Amount:	\$ 427,937.81

Specifications

Bidder Information

Please fill out the following form, naming one person to be the bidder's contact for the RFT process and for any clarifications or communication that might be necessary.

Description	Response *
Full Legal Name of Bidder:	TELUS Communications Inc.
Any Other Relevant Name under which Bidder Carries on Business:	TELUS Corporation
Street Address:	25 York St,
City, Province/State:	Toronto, ON
Postal Code:	M5J 2V5
Phone Number:	(416) 342-2500
Company Website (if any):	www.telus.com
Bidder Contact Name:	Rob Reid
Bidder Contact Title:	Sr. Account Manager
Bidder Contact Phone:	(647) 206-7036
Bidder Contact Email:	rob.reid@telus.com
HST Number	100652692 RT0001 (GST/HST)

Sub-Contractors

The Bidder shall state all Subcontractor(s) and type of Work proposed to be used for this project. Bidders shall not indicate "TBD" (To Be Determined) or "TBA" (To Be Announced) or similar wording and shall not indicate multiple choices of Subcontractor names for any Subcontractor category in their list of Subcontractors.

The Bidder shall state only one (1) subcontractor for each type of work.

List of Sub-Contractors

In the spaces provided below, please list those sub contractors you intend to use:

☒ By clicking here I confirm that there are no Subcontractor(s) and the Bidder shall perform the project with their "OWN FORCES".

Line Item	Organization	Contact Name	E-mail	Phone	
1					*
2					
3					
4					
5					

Appendix C-Submission Form

1. Offer

The bidder has carefully examined the RFT documents and has a clear and comprehensive knowledge of the Deliverables required under the RFT. By submitting a bid, the bidder agrees and consents to the terms, conditions, and provisions of the RFT, including the Contract Terms and Conditions, and offers to provide the Deliverables in accordance therewith at the rates set out in its bid.

2. Rates

The bidder has submitted its rates in accordance with the instructions in the RFT. The bidder confirms that it has factored all of the provisions of Appendix A, including insurance and indemnity requirements, into its pricing assumptions and calculations.

3. Addenda

The bidder is deemed to have read and accepted all addenda issued by Niagara Region prior to the Deadline for Issuing Addenda. The onus is on bidders to make any necessary amendments to their bids based on the addenda.

4. No Prohibited Conduct

The bidder declares that it has not engaged in any conduct prohibited by this RFT.

5. Conflict of Interest

The bidder has considered the definition of "Conflict of Interest" in Section 3.4 of the RFT, and declares that there is no actual or potential Conflict of Interest relating to the preparation of the bid, and/or the bidder foresees no actual or potential Conflict of Interest in performing the contractual obligations contemplated in the RFT.

6. Disclosure of Information

The bidder hereby agrees that any information provided in this bid, even if it is identified as being supplied in confidence, may be disclosed where required by law or by order of a court or tribunal. The bidder hereby consents to the disclosure, on a confidential basis, of this bid by Niagara Region to the advisers retained by Niagara Region to advise or assist with the RFT process, including with respect to the evaluation of this bid.

7. Bid Irrevocable

The bidder agrees that its bid shall be irrevocable for the Irrevocability Period specified in the RFT, running from the moment the Submission Deadline has passed.

8. Execution of Contract

The bidder agrees that in the event its bid is selected by Niagara Region, in whole or in part, it will finalize and execute the Contract in the form set out in Appendix A to this RFT in accordance with the terms of this RFT.

☒ I have the authority to bind the organization. - Laurie Crozier, Proposal Manager, TELUS Communications Inc.

The proponent has considered the definition of "Conflict of Interest" and declares that there is no Conflict of Interest relating to the preparation of its proposal, and no foreseeable Conflict of Interest in performing the contractual obligations contemplated in the Bid.

Select No to state you do not have a conflict.

☐ Yes ☒ No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document

Please check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
There have not been any addenda issued for this bid.		



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Special Fund Request – 2023 Motorcycle Ride for Dad
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2023-05-02

Recommendation(s)

That the Niagara Police Services Board approve payment of \$2,000.00 from the special fund as a contribution to the 2023 Motorcycle Ride for Dad campaign.

Key Facts

- The purpose of this report is a special fund request for financial support for the 2023 Motorcycle Ride for Dad Campaign.
- The organization's purpose is to raise money through pledges for prostate cancer research and awareness.
- The Niagara Regional Police Service (NRPS) is well represented at this annual fundraising event.

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 with Board By-Law 392-2021 Administration, Limitations, and Guidelines of the Special Fund. Section 132(2) of the Police Services Act establishes that the Niagara Police Services Board has the sole authority for spending the proceeds from the sale of property which lawfully comes into the possession of the Police Service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the regional tax base.

The \$2,000.00 expense requested for the special fund will demonstrate the commitment of the NRPS to the community in a meaningful way. Funding of this expenditure has been granted from the special fund in past years. (This year's request has been increased from \$500.00 to \$2,000.00, as the costs have increased in the past years. The increased request is to assist the Niagara Chapter to maintain a safe and enjoyable ride for all the participants.) In addition, to reach as many men and families in raising awareness and promote research being done within the Niagara Region.

If this request is approved by the Board, the cheque can be made payable to Mathew King, Sergeant of 8 District.

Analysis

The Motorcycle Ride for Dad is an annual fundraiser where participants raise money through pledges for prostate cancer research. This large scale one day event takes place in multiple cities throughout Canada including the Niagara Region.

In Niagara, the day starts out with police sponsored ride through the host community and then continues 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 the research and raising public awareness of prostate cancer.

The Motorcycle Ride for Dad was originally formed by Ottawa Police Officers 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 NRPS, 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 \$650,000 in funds.

Presently, Sergeant Jeff Latham and Sergeant Mathew King of the NRPS are Chairs of the Niagara Chapter of the Motorcycle Ride for Dad campaign.

Alternatives Reviewed

The alternative is not to approve the recommendation.

Relationship to Police Service/Board Strategic Priorities

One of the guiding principles of the special fund is to enhance community relations through involvement with police-related organizations.

Relevant Policy Considerations

By-Law 392-2021 – Administration, Limitations, and Guidelines of the Special Fund.

Other Pertinent Reports

Not Applicable

This report was prepared by Mathew King, Sergeant, 8 District in consultation with Chris Lemaich, Staff Sergeant, 8 District Divisional Commander. Recommended by Brian Ash, Acting Deputy Chief, Operational Services.



Submitted by:

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

Appendices

Not Applicable



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Special Fund Request – 10th Annual Niagara Unity Awards
Presented by Toronto Dominion Bank on May 31, 2023

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-05-18

Recommendation(s)

That the Niagara Police Services Board approves a Special Fund Request to purchase 2 tables for the 10th Annual Niagara Unity Awards hosted by Pride Niagara on May 31, 2023.

Key Facts

- The purpose of this report is to seek approval for a Special Fund Request for a total of \$841.18 to purchase 2 tables to attend this event and each table seats 8 people. Two tables were purchased for last year's event by the Service.
- The event is organized by Pride Niagara and is being presented by Toronto Dominion Bank (TD). The gala showcases the important successes of individuals, organizations and groups that have made an impact for the 2SLGBTQA+ community within the Niagara Region.

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 with Board By-law 376-2018, Special Fund Administration, Limitations and Guidelines. Section 132(2) of the Police Services Act establishes that the Niagara Police Services Board has the sole authority for spending the proceeds from the sale of property, which lawfully comes into the possession of the police service. The Act stipulates that "the Chief of Police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest." These funds do not form part of the police operating budget and are separate from the Regional tax base.

The request is for \$841.18 to purchase 2 tables to support this event.

If the request is approved by the Board, the cheque can be made payable to the Service as tickets will be purchased on-line utilizing a Service issued credit card.

Analysis

The gala showcases the important successes of individuals, organizations and groups that have made an impact for the 2SLGBTQA+ community within the Niagara Region. The Niagara Regional Police Service (NRPS) has actively worked to build positive relationships with members of the 2SLGBTQA+ community. Attending this event is another opportunity to demonstrate the Service's unwavering commitment in continuing to do so.

Alternatives Reviewed

Not applicable.

Relationship to Police Service/Board Strategic Priorities

This financial support presents an opportunity for the NRPS to contribute to an objective in the 2022 - 2025 Niagara Regional Police Strategic Plan, which refers to relationships with our community. Attendance at this event also demonstrates the Service's continued commitment to achieving the goals as outlined in the 2023-2025 Diversity, Equity, and Inclusion Strategic Plan. Specifically, to collaborate and engage with community partners who represent equity deserving groups.

Supporting this event demonstrates to our partners within Pride Niagara, our commitment to working with each other to ensure a positive relationship built on trust, respect and understanding.

Relevant Policy Considerations

Board By-law 376-2018 Special Fund Administration, Limitations and Guidelines.

Other Pertinent Reports

Not applicable.

This report was prepared by Brett Atamanyk, Member Support Unit/Equity, Diversity, and Inclusion, reviewed by Paul Koscinski, Inspector, Professional Development and Luigi Greco, Superintendent, Executive Services. Recommended by Acting Deputy Chief Mario Lagrotteria.



Submitted by:

Brett Flynn M.O.M. #9295
Acting Chief of Police

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

PUBLIC AGENDA

Subject: Special Fund Request – 2023 Emergency Task Unit Half Marathon
Report To: Chair and Members, Niagara Police Services Board
Report Date: 2023-05-17

Recommendation

That the Niagara Police Services Board authorizes a Special Fund donation of \$1000.00 to sponsor members of the Emergency Task Unit who will run a half marathon to raise funds and awareness in support of the McMaster Children's Hospital Foundation.

Key Facts

- The purpose of this report is to seek the Board's approval for a \$1,000.00 donation to sponsor members of the Niagara Regional Police Service Emergency Task Unit who wish to support the McMaster Children's Hospital Foundation.
- Last year, the Emergency Task Unit members who ran the half marathon raised \$700.00, but this year, their goal is to raise \$1000.00 to help a hospital unit that has helped the families of our own members as well as the public.
- The ETU Members will run a half marathon (21.1 km) in support of this charity for the second consecutive year at the end of May 2023.

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 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 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.

The request for \$1,000.00 will ensure that the Emergency Task Unit (ETU) members will meet their fundraising goal. This request falls within the guidelines of the Police Services Board By-Law 392-2021 – Special Fund Administration, Limitations and

Guidelines. If this request is approved by the Board, a cheque can be made payable to the Niagara Regional Police Service in care of Inspector Dave Gomez.

Analysis

McMaster Children's Hospital Foundation provides funding for vital equipment and patient amenities, innovative research initiatives, redevelopment of patient care spaces, and the education and training of health care providers. They provide the clinical teams with the tools and environments to do their best work when caring for children and their families.

McMaster Children's Hospital is home to the country's largest neonatal intensive care unit where a multidisciplinary team provides expert care in such areas as, minimally invasive surgery, nutrition, respiratory health, ophthalmology, social work, pastoral care and other specialty services.

McMaster Children's Hospital is also home to the largest paediatric mental health program in Canada through its inpatient program and complementary outpatient programs. Their paediatric mental health specialists are working to erase the stigma associated with mental health and conducting ground-breaking research to deal with the root causes of some mental health issues.

Furthermore, McMaster Children's Hospital is the only hospital in south-central Ontario that provides specialized cancer care for children, and supporting the care of paediatric cancer patients is particularly important.

Members of the ETU recognized an opportunity to help struggling families and infants in our community by choosing McMaster Children's Hospital Foundation as a most worthwhile charity to support.

Alternatives Reviewed

To not support this request.

Relationship to Police Service/Board Strategic Priorities

Supporting the work and research of the McMaster Children's Hospital directly aligns with the objective of promoting anti-stigma and mental health literacy under the goal of member wellness and resiliency in our 2022 – 2025 Strategic Plan. Similarly, by running this half marathon, our ETU members are also clearly demonstrating our commitment to strengthen relationships and continue to build trust with our community.

Relevant Policy Considerations

By-Law 392-2021 – Special Fund Administration, Limitations and Guidelines.

Other Pertinent Reports

Not applicable

This report was prepared by Dave Gomez, Inspector, Office of the Chief, and reviewed by Brett Flynn, Acting Chief of Police.



Submitted by:

Brett Flynn, M.O.M. #9295
Acting Chief of Police

Appendices

Not applicable



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 22-OCI-054 – Incident of February 20, 2022.

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-03-22

Recommendation(s)

1. That the Niagara Police Services Board receive this report for information, and
2. That the Niagara Police Services Board make 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 under the Police Services Act requires 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 June 20, 2022, the SIU notified the Service that their investigation had concluded and advised that there were no reasonable grounds in the evidence to proceed with criminal charges against the two officials.
- 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 Niagara Regional Police Service (NRPS).

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On February 20, 2022, officers responded to an address on Spruce Street in St. Catharines for a disturbance.

The initial complainant, who resides at the same address, reported hearing a male and a female screaming and arguing, and reported hearing the sound of banging coming from the downstairs unit.

A second complaint was received from a neighbouring resident who reported hearing a female screaming.

A third complaint was received from DB who called to report her parents were fighting and requested an ambulance.

Constable AB arrived at the residence at 12:30 a.m. and could hear a female screaming through a basement window. Constable AB observed a female bleeding profusely from her right eye. Constable AB requested Emergency Medical Services (EMS) attend the scene.

Investigation revealed that DT was responsible for the injuries observed on the female, later identified as DP. The injuries were sustained when DT struck DP in the face with a space heater.

Constable AB established reasonable grounds to believe that DT had committed the offence of assault with a weapon. DT barricaded himself in the basement and was observed to be screaming.

DP advised police that DT was still located inside the downstairs unit. Police observed DT through the window on the east side of the residence sitting against the south side door. Police observed that the door leading to the basement unit from at the address was barricaded.

Given that exigent circumstances existed as police had reason to believe DT was in possession of a weapon and it was unclear whether there were any other occupants located inside the downstairs unit with him, police had no other option but to force entry into the downstairs unit. Police attempted to call out to DT multiple times with negative results, as DT would not stop screaming.

At 00:55 hours police entered through the unlocked front door of the dwelling and forced entry through the door to the basement. Upon entry DT was extremely physically combative toward police. A Conductive Energy Weapon (CEW) was deployed to gain physical control of DT in order to effect an arrest.

At 00:56 hours DT was placed under arrest. DT continued to be physically combative while police attempted to apply handcuffs. The handcuffs were double locked and checked for fit. A second ambulance was requested to attend to DT due to the CEW deployment, as well as cuts he had on the bottom of his feet sustained from broken glass throughout the unit floor that he fell on, as a result of the CEW deployment.

DT was temporarily escorted into a police cruiser while awaiting the arrival of EMS. While he was seated inside the rear of the cruiser, he began smashing his head off the bars located inside the window of the cruiser. A second ambulance arrived on scene at 01:16 hours and began attending to DT's injuries.

At 01:18 hours DP was transported to Niagara Health System (NHS) in the City of St. Catharines by EMS, with police accompanying her in the ambulance. DT was transported to NHS at 01:32 hours with police accompanying him in the ambulance, arriving at 01:43 hours.

On February 20, 2022, at 4:41 am the NRPS were advised that DT had sustained a fracture to his elbow during the arrest process.

The SIU was contacted and invoked their mandate.

The SIU designated Sergeant CD and Constable EF as subject officials.

The SIU designated four witness officials: Constable GH, Constable IJ, Sergeant KL and Constable MN.

On May 16, 2022, the S.I.U. closed its investigation into this matter. In his decision letter Director Mr. Joseph MARTINO wrote, "*In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the two officials.*"

A copy of the SIU report was publicly posted on the SIU's website.

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, Service occurrence reports, forensic evidence and reports, officer interviews conducted by the SIU, 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 NRPS

Professional Standards Unit investigators determined that the following general orders had primary relevance in this matter, and they have been reviewed accordingly in the context of this incident.

1. General Order 079.10 – Special Investigations Unit
2. General Order 168.06 – Officer Note Taking
3. General Order 114.13 – Domestic - Family Violence
4. General Order 100.10 – Powers of Arrest
5. General Order 053.22 – Use of Force

Upon review, it was determined the direction and guidance provided by the relevant general orders is sufficient in its governance for members of the Service and no issues were identified.

2. Services Provided by the NRPS

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 police service for their cooperation during the investigation.

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 as it pertains to services provided, the conduct of the involved police service members, or the existing general orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 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

C8.7.2022.11.18 – Request for Legal Indemnification – SIU Case Number 22-OCI-054 – November 18, 2022.

This report was prepared by Lynda Hughes, Inspector, Professional Standards Unit, reviewed by Luigi Greco, Acting Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 22-OCI-131 – Incident of May 18, 2022.

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-03-22

Recommendation(s)

1. That the Niagara Police Services Board receive this report for information, and
2. That the Niagara Police Services Board make 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 under the Police Services Act requires 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 September 15, 2022, the SIU notified the Service that their investigation had concluded and advised that "there were no reasonable grounds in the evidence to proceed with criminal charges against the officials.
- 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 Niagara Regional Police Service (NRPS).

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On Wednesday May 18, 2022, at approximately 9:37 hrs., Constable AB was conducting traffic enforcement in the area of Queenston Street and Haynes Avenue, in the City of St. Catharines.

At this time, a chrome motorcycle with a light blue seat was observed travelling west on Queenston Street. The vehicle did not have a rear licence plate attached. The vehicle stopped for the red traffic light at Queenston Street/Tasker Street. Constable AB used the left turn lane to pull up beside the driver and make observations of the driver. The driver was wearing a motorcycle helmet with the visor not covering his face. The helmet was green with a black and white stripe down the middle. The driver was a pale white male, who appeared approximately 35 years of age, with red facial hair. The driver was wearing a green sweater with fluorescent vertical stripes down the arms. The driver had dark pants, and white running shoes on. He was also wearing a black backpack.

Constable AB honked his vehicle horn in order to get the drivers attention. Constable AB advised the driver to pull to the right of the roadway. Constable AB was driving an unmarked police vehicle and activated his emergency lights.

The operator of the motorcycle did not pull over and drove away westbound on Queenston Street.

Constable AB did not pursue the motorcycle in accordance with NRPS General Order 042.12 - Suspect Apprehension Pursuit.

For investigation purposes, Constable AB attended the Esso located at the corner of Queenston and Tasker Street and obtained a surveillance photo of the driver and vehicle.

At approximately 11:42 hrs., a photo media release was sent out service wide and to the public requesting assistance in identifying the motorcycle and motorcycle driver from the incident.

At 2:28 hrs., as a result of Constable AB's investigation, they were able to identify the operator of the motorcycle as PH with an address on Wills Street, in the City of St. Catharines.

At approximately 15:41 hrs., Constable AB observed PH travelling on a bicycle east on Queenston Street. PH turned south onto Wills Street.

Constable AB immediately activated his emergency lights and siren and followed PH south on Wills Street. PH turned into their driveway on Wills Street. Constable AB stopped in front of the residence, exited his police vehicle and yelled the driver's name. PH turned around and made eye contact with Constable AB. PH ran toward the rear of the house and turned north into the backyard.

As PH ran behind the residence, Constable AB observed the motorcycle from the incident in plain view in the rear yard of the property. Constable AB was given permission from the resident directly next door on Wills Street, to enter her yard to get a better look at the motorcycle.

Constable AB was satisfied that the motorcycle and motorcycle helmet observed in plain view in the rear of PH's address on Wills Street was from the flight from police incident.

Constable AB spoke with RK, the owner of the residence, who confirmed the identity of PH and that the motorcycle belonged to PH. It was believed PH was hiding in the attic.

Police obtained a Feeney Warrant to enter the residence and at 9:08 p.m., PH was located hiding inside the attic.

PH was arrested and transported to NRPS headquarters and lodged in cells. PH complained of a sore collarbone, however, refused medical attention at that time.

On Thursday, May 19, 2022, at 14:15 hrs., PH had a video bail hearing and complained again of a sore collarbone.

At 16:40 hrs., PH was transported to Greater Niagara General Hospital (GNGH) to have his injuries assessed.

Niagara Detention Centre (NDC) members attended the hospital and relieved NRPS Special Constables and took custody of PH.

At 23:49 hrs., the NDC contacted the NRPS to advise PH had a broken clavicle.

The SIU was contacted and invoked their mandate.

The SIU designated Detective Constable CD and Detective Constable EF as subject officials.

The SIU designated six witness officials: Constable GH, Sergeant IJ, Sergeant KL, Constable MN, Constable OP, and Detective Constable QR.

On September 15, 2022, the S.I.U. closed its investigation into this matter. In his decision letter S.I.U. Director Mr. Joseph MARTINO wrote, *"In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the officials"*.

A copy of the SIU report was publicly posted on the SIU's website.

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 3 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, Service occurrence reports, forensic evidence and reports, officer interviews conducted by the

SIU, 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 NRPS

Professional Standards Unit investigators determined that the following general orders had primary relevance in this matter, and they have been reviewed accordingly in the context of this incident.

1. General Order 079.10 – Special Investigations Unit
2. General Order 168.06 – Officer Note Taking
3. General Order 042.12 – Suspect Apprehension Pursuits
4. General Order 100.10 – Powers of Arrest
5. General Order 053.22 – Use of Force

Upon review, it was determined that the direction and guidance provided by the relevant general orders is sufficient in its governance for members of the Service and no issues were identified.

2. Services Provided by the NRPS

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 NRPS for their cooperation during the investigation.

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 as it pertains to services provided, the conduct of the involved police service members, or the existing general orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 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

C8.5.2023.03.23 – Request for Legal Indemnification – SIU Case Number 22-OCI-131 – March 23, 2023.

This report was prepared by Lynda Hughes, Inspector, Professional Standards Unit, reviewed by Luigi Greco, Acting Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Not applicable.



NIAGARA REGIONAL POLICE SERVICE

Police Services Board Report

CONFIDENTIAL AGENDA

Subject: Special Investigations Unit – Case Number 22-OCI-163 – Incident of June 27, 2022.

Report To: Chair and Members, Niagara Police Services Board

Report Date: 2023-03-22

Recommendation(s)

1. That the Niagara Police Services Board receive this report for information, and
2. That the Niagara Police Services Board make 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 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 October 25, 2022, the SIU notified the Service that their investigation had concluded and advised that "there were no reasonable grounds in the evidence to proceed with criminal charges against the official".
- 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 Niagara Regional Police Service (NRPS).

Financial Considerations

There are no financial costs or implications associated to the recommendations.

Analysis

On June 27, 2022, at approximately 12:44 am, police responded to an unwanted person complaint at the Northern Flame Restaurant located at 312 Lake Street in the City of St. Catharines. The owner of the property reported that an unknown intoxicated male was involved in a verbal altercation and attempting to assault patrons at the establishment.

Officers arrived and approached the unknown male, identified as DL, and asked him to leave the property as per the owner's request. He refused and at 12:46 a.m., he was arrested for Fail to Leave when directed under provisions of the Trespass to Property Act (TTPA).

While police searched the male (incident to arrest), he attempted to reach for something near his right rear waist band. Officers stopped his movement and subsequently discovered that he was reaching for a concealed knife. The male was grounded, handcuffed, placed in rear of a cruiser, read his rights to counsel, and cautioned without further incident.

Police spoke with patrons at the restaurant who advised the intoxicated male had fallen prior to attempting to gain access to the bar and confirmed that they did not wish to proceed with assault charges against the intoxicated male. At 1:08 a.m., DL was given a Provincial Offences Notice and released in front of his residence, which was located across the street from the restaurant.

At 1:18 a.m., officers were dispatched to an assist ambulance complaint at the 7/11 located at 314 Lake Street where an intoxicated male was claiming that he was assaulted by police who stomped on his wrist and broke it.

Officers arrived at 1:25 a.m. and located the same male, DL, who appeared to have a swollen left wrist and blood on his shirt. He was transported to the Niagara Health System – St. Catharines site and diagnosed with a fractured left wrist.

The SIU was contacted and invoked their mandate.

The SIU designated Detective Constable AB as the subject official.

The SIU designated four witness officials: Constable CD, Constable EF, Constable GH, and Constable IJ.

On October 25, 2022, the SIU concluded their investigation and “no further action was contemplated”. In his closure letter, SIU Director Martino advised, *“In my view, 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.

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, Service 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 NRPS

Professional Standards Unit investigators determined that the following general orders had primary relevance in this matter, and they have been reviewed accordingly in the context of this incident.

1. General Order 079.10 – Special Investigations Unit
2. General Order 168.06 – Officer Note Taking
3. General Order 100.10 – Powers of Arrest
4. General Order 053.22 – Use of Force
5. General Order 236.03 – Intoxicated Persons

Upon review, it was determined that the direction and guidance provided by the relevant general orders is sufficient in its governance for members of the Service and no issues were identified.

2. Services Provided by the NRPS

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 Police Service for their cooperation during the investigation.

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 as it pertains to services provided, the conduct of the involved Police Service members, or the existing general orders governing these situations.

Alternatives Reviewed

- 1) To not receive the report.
- 2) To not make the report available to the public.

Subsection 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

C8.7.2023.01.26 – Request for Legal Indemnification – SIU Case Number 22-OCI-163

This report was prepared by Lynda Hughes, Inspector, Professional Standards Unit, reviewed by Luigi Greco, Acting Superintendent, Executive Services and recommended by Bill Fordy, Deputy Chief, Support Services.



Submitted by:

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

Appendices

Not applicable.