



**REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD**

PUBLIC MINUTES

Thursday, August 21, 2008

**Niagara Police Services Board
Board Room 4th Floor, 110 James Street, St. Catharines**

CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 8:34 a.m.

ROLL CALL

MEMBERS PRESENT:

Mr. L. Iggulden, Chair
Mr. D. Martin, Vice Chair
Mr. B. Bentley
Mr. T. Shoalts
Mr. M. Woodhouse (arrived at 9:05 a.m.)

OTHERS PRESENT:

Chief of Police W.E. Southall
Deputy Chief of Police G. Beaulieu
CAO G. Fuentes
Superintendent D. Parrent, Executive Services
Superintendent B. Wright, Emergency & Investigative Services
A/Superintendent G. Skaffeld, Central Region
Inspector S. McLean, Labour Relations
A/Inspector J. McCaffery, Executive Officer, Chief of Police
S/Sergeant D. Carter, 8 District Commander
Sergeant L. Regnier, NRPS Issuer of Licences
P.C. J. Forgeron, Media Officer
Mr. A. Askoul, Director of Information/Communication Technology
Dr. P. Divers, Corporate Analyst
Ms. L. DiDonato-DeChellis, Manager Finance
Ms. A. Hepplewhite, Manager Corporate Records

Mr. W.B. McKaig, Solicitor (arrived at 9:39 a.m.)
Ms. D. Morton, Executive Director
Ms. S. Taylor, Executive Assistant

Mr. P. DiSimoni, President, Niagara Region Police Association

DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETINGS

178. Minutes of the Public Board Meeting held Thursday, July 31, 2008.

Moved by: T. Shoalts
Seconded by: B. Bentley

That the Minutes of the Public Board Meeting held Thursday, July 31, 2008 be adopted as circulated.

Carried.

REPORTS FROM THE BOARD CHAIRPERSON

Chair Iggulden reported the following:

Niagara Regional Police Recruit Swearing-In Ceremony

On August 14 Chair Iggulden joined Chief Southall and her Executive at the NRPS Swearing-In Ceremony held at Club Italia, Niagara Falls, where a total of 13 new police officers were welcomed to the Niagara Regional Police Service.

Canadian Association of Police Boards (CAPB) 2008 Conference

Members Bentley and Woodhouse attended the 19th Conference and Annual General Meeting of the Canadian Association of Police Boards held in Toronto from August 14 – 17. The program theme was '*Civilian Governance and Social Responsibility: Safety, Community and Sustainability*'. The agenda included presentations from a number of prominent federal politicians and individuals from the police community, and topics included both environmental and social responsibility in police governance as well as changes across Canada that have created new demands on policing.

Senior Officers' Summer Social

On behalf of the Board, Chair Iggulden will be attending the Senior Officers' Summer Social Barbeque at Club Italia this afternoon as an opportunity for the Board to extend best wishes to the most recent NRPS senior officer retirements – Superintendents Garry Dagenais and Doug Kane and Inspectors Ivan Madronic and Rick Lundy.

Upcoming Police Board Meetings – PSB Boardroom

- Licencing Committee – Friday, September 12 at 8:30 a.m.;
- Human Resources Committee – Friday, September 12 at 9:30 a.m.;
- Next Board Meeting – Thursday, September 25 at 8:30 a.m.

REPORTS FROM THE CHIEF OF POLICE

Chief Southall reported the following:

Crime Statistics

Chief Southall drew the Board's attention to two separate and distinct crime statistics reports, being the NRPS crime statistics for 2007 recently released as well as Ontario crime statistics from 2000 to 2007 as featured in an accompanying Canadian Press newspaper article. Research will be conducted and any issues dealing with the Service statistics will be reviewed to clarify any differences noted in the two reports.

Chief Southall said the NRPS statistics are difficult to analyze. The general comments regarding percentages and increases/decreases have to be studied. An increase could mean an actual increase in that particular incidence of crime could occur with additional enforcement: decreases can be the result of an enforcement initiative, e.g., Niagara's impaired driving initiatives which has seen traffic enforcement more than doubled in the last two years. In starting the 2009 budget analysis, original program reviews will be conducted with the addition of business plans using 2007 crime statistics. This procedure will offer the opportunity to examine detailed analysis when preparing the budget, and will allow decisions to be made regarding the reallocation of resources to meet adequacy standards under the *Police Services Act*, and responding to identified needs in the community.

The Ontario statistics used in the Canadian Press article have been analyzed without input from the Ontario Association of Chiefs of Police, and have elicited political comments noting the trends in the use of guns and increases in violence with guns. The violence that appears to have been reduced in the bigger cities has been spreading out to smaller cities. In 2006 Niagara led the request for provincial funding for the 'Guns and Gangs' which was provided for Niagara as well Hamilton, Halton and Brantford. The funding initially intended for 2007 and 2008 will end this year and may necessitate a review to approach the Province for continued funding.

Operational Statistics

Marijuana Grow Statistics

For the period January 1 through August 20, 2008:
Total street value seized \$19,016,000
(unchanged from the July 30, 2008 report);

Homicides

For the period January 1 through August 20, 2008:
4 compared to 2, same period 2007;

Robberies

For the period July 31 through August 20, 2008:
8 with 0 cleared, a 0% clearance rate this period;

Traffic Fatality Statistics

For the period January 1 through August 20, 2008:
15 compared to 21, same period 2007;

Serious Injury Collisions

For the period January 1 through August 20, 2008:
20 compared to 19, same period 2007.

Chief Southall indicated continuing cautious optimism with these statistics which are shown for a three-week period rather than the usual four-week period.

Officers Arrest Male With Loaded Handgun in St. Catharines

On August 3 during a traffic stop on Queenston Street, St. Catharines, a vehicle driver sped off almost striking an officer. Following a short pursuit, the driver fled his vehicle with officers chasing on foot. Citizen assistance provided updates to arriving officers regarding the driver's changing location who was finally located in a rear yard of an apartment complex. The male was arrested, and it was determined that he had been in possession of a loaded .22 calibre handgun. This was yet another example of an incident where the members of the public worked with the Police Service to quickly bring an offender to justice. Recognition is given to Uniform Constables Denis Osti and Ian Sills whose quick actions resulted in the arrest of a repeat offender who now faces a number of driving and weapons-related criminal charges.

Niagara Regional Police Service Welcomes New Constables

On August 14 thirteen men and women were welcomed into the Niagara Regional Police Service family at a ceremony that highlighted the changes, challenges and future of our police service. Two women and eleven men accepted their police badge, pledged the Oath of Office and listened to honored speakers who offered advice and best wishes in a ceremony held at Club Italia in Niagara Falls.

Chief Southall addressed the graduates, congratulating them on their appointment as constables and for their hard work and dedication thus far, stressing the challenges that lay ahead in an environment of constant change. Deputy Chief Gary Beaulieu offered his final address to the graduating class with a speech recalling his 35 years of dedicated service. Deputy Chief Beaulieu hoped that every graduate would serve their respective communities with dignity, loyalty and honour, offering, "I hope you long remember the significance of this evening and the outstanding advice that you've been offered. As well, I hope that you never lose your appreciation of how fortunate you are, like we are, to have the opportunity to serve. As you will soon learn, our citizens truly appreciate and support our work and our roles in providing the best in public service."

Canal Days, City of Port Colborne, August 1-4, 2008

S/Sergeant Des Carter, 6 District Commander, provided a verbal outline of the 30th Anniversary of Port Colborne's *Canal Days* festivities held annually over the Civic Holiday weekend with an estimated over 100,000 people attending the festival.

6 District Deployment: The Niagara Regional Police Service with assistance from the Marine Unit by the RCMP Cape Hurd, the NRPS Mounted Unit, Communications Unit and Auxiliary Unit, and as well the Alcohol and Gaming Commission.

Entertainment Coverage: An increased entertainment agenda from Friday through Sunday evenings. The market square capacity was increased to accommodate an extra thousand people with a total capacity of 6500 persons, requiring 11 officers nightly.

Licensed Establishments: Any licenced establishment that wished to extend their patio on to City property required City permission and needed to satisfy police and fire with their plans. In most cases, special duty officers were assigned to these patios with the costs paid by the licensee. The total capacity of these extensions was 2130 persons and required 9 police officers. In addition to these numbers are the other bars that operated throughout the City at normal capacities, but contributed to calls for service.

Patrols: Outside of the market square and licenced premises, but within the festival perimeter, police dealt with intoxicated patrons, petty thefts from vendors, mischief and indecent act complaints. Depending on the time of day there were two to six officers assigned to foot patrol on West Street and surrounding areas. Police also had additional officers assigned to deal with increased call volume outside of the festival areas. The normal nightly patrol minimum was increased from 5 officers plus a Sergeant to 9 officers plus a Sergeant.

Calls for service showed a significant increase in Port Colborne both within the festival areas or adjacent neighbourhoods with a 30% overall increase in 6 District calls for service, and a 50% increase in calls within or around the festival compared to the 2007 festival. Over the long weekend there were 19 persons taken in to custody in Port Colborne with Saturday night being the busiest with 11 arrests resulting in the 3 District cells being filled to capacity. Through the joint effort of police, fire and the AGCO, over 50 liquor licence infractions were noted and the AGCO will be following up with discipline hearings for some of these bar owners. Thankfully there were no major disturbances, fatalities or life threatening events during this year's festival.

Ancillary Costs: Rental portable radios needed for the festival cost the Service approximately \$6800.00. An extra dispatcher required to run the tactical channel for Friday through Sunday night was an overtime position. 6 District did charge the City of Port Colborne over \$27,000 for policing services that equated to 364 special duty rate hours for market square and foot patrol coverage. This charge back was increased by almost \$7,000 compared to the 2007 festival. However, 6 District scheduled officers for 340 overtime hours to ensure adequate staffing in certain festival roles and to augment regular patrol. Additional costs that must also be considered are the opportunity costs for deploying our Marine Unit, Mounted Unit, SEU officers at regular wages during the event, and the cost of planning that commenced in March and continued up to the festival.

Many of the aforementioned costs are a cost of policing and ensuring public safety during these community events. However, the Service needs to ensure that the communities who plan these events are contributing a fair share to the policing resources that are committed above and beyond the normal level of police operations within that City. Determining what is equitable, or not, will be a sticking point with many event organizers, but the NRPS cannot be expected to shoulder an unfair proportion. This is a significant consideration given that the *Canal Days'* organizers have intimated that the City and Mayor wish to have a similar sized festival next year, if not bigger. He suggested that if Port Colborne intends to run a festival of this magnitude next year that they will have to bear a larger portion of the policing burden. This will certainly be a bone of contention and an area for negotiation, but nonetheless, needs to be examined closely by the Service Executive and Police Services Board.

Niagara's Public Events – Cost of Police Presence

Chief Southall noted that from the Service and the Board perspective, the NRPS supports 50 to 60 public events annually within the Region, but the message is the cost of the provision of policing for the events. The safety of visitors and residents is ensured through police presence, however, in budget deliberations, the cost of the presence has to be reviewed. The direct policing cost is contained within the operating budget.

Chief Southall continued that the District Commander and the municipality negotiate the particulars of the event. S/Sergeant Carter noted that for *Canal Days*, the strength of the NRPS complement was largely a guestimate, adding that the events are not ticketed. The City of Port Colborne hired private security services this year but is unhappy with their performance.

Member Shoalts noted the excellence police presence at the 2008 *Canal Days*, and requested that S/Sergeant Carter repeat his presentation to local area Councils to assist in future event planning, production and recognition of revenue generation and cost recovery.

Chief Southall noted that a program will be created to accommodate costs for police presence at public events for the 2009 budget following review of all the 2008 Regional and municipal events. Most municipalities do not realize that this policing function is over and above normal duties.

Member Bentley noted that the review of the matter for the 2009 budgeting should include previous years' experience for equity and costs, determining trends and formalizing a cost sharing protocol.

August 15, 2008 Chemical Fire – Fort Erie

Vice Chair Martin commented on the emergency response to the Fort Erie chemical plant on August 15, and noted that the evacuation of surrounding area was flawless, an extremely quick response. Chief Southall added that this was an excellent job by the Fort Erie Fire Department and a great example of Fire, EMS and Police working together.

PRESENTATIONS

DEPUTATIONS

UNFINISHED BUSINESS

168.
2008

NRPS Community Events Vehicles

At the Public Meeting of the Niagara Police Services Board held on Thursday, July 31, 2008, the Board considered Service report 170/2008 dated July 16, 2008 requesting the Board approve the purchase of motorized appliances including two Go-carts, one customized golf buggy (plus two trailers for transportation) to be used in conjunction with the NRPS Community Services Unit's public events, year round, indoor and outdoor, as a public relations effort to appeal to a wider audience, with funding to be included in the 2009 Vehicles and Equipment Replacement budget.

The following Motion was duly passed:

'That the item be deferred to the August 21, 2008 Board meeting.'

At Chief Southall's request, the Board withdrew the item from the Agenda.

170.
2008

Purchasing – False Alarm Program Software

At the Public Meeting of the Niagara Police Services Board held on Thursday, July 31, 2008, the Board considered Service report 149/2008 dated July 7, 2008 requesting the Board approve the purchase and implementation of false alarm software determined through surveys of police service and false alarm administrator system users as replacement for the original in-house developed 1996 software to meet current and future demands for the Niagara area, reduce the requirement for Information Systems support, increase billing frequency with potentially increased revenues, funding as part of the SPIRIT Capital Project.

The Board requested further financial information relating to expected payback, and revenue comparison in view of a decrease in false alarms.

The following Motion was duly passed:

'That the item be deferred to the August 21, 2008 Board meeting.'

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| Moved by: | T. Shoalts |
| Seconded by: | B. Bentley |

That the information be received.

Carried.

179. **Supplemental Report – False Alarm Program Software**

The Board considered Service report 220/2008 dated August 5, 2008 providing the Board with additional information as requested regarding the benefits and potential cost avoidance from the implementation of the new false alarm program.

Service staff noted that the existing program is incompatible with the Versadex system, and provides reports only with daily Information System support. The CryWolf software will produce billings on a daily basis as compared to the existing three-month billings, a benefit to both the customer and the Service. Cost recovery will be achieved, and a thorough review of the administrative fee billings will be conducted.

The Board requested a Service report in one year to provide feedback on the program.

Moved by: D. Martin
Seconded by: M. Woodhouse

That the information be received;

And further, that the Board approve the purchase and implementation of the CryWolf Alarm Management Software Application from the budgeted SPIRIT Capital Project in the amount of \$57,600 (USD) plus annual support fees of \$6,560 (USD).

Carried.

173.
2008

Funding Request – NRPS Pipes & Drums

At the Public Meeting of the Niagara Police Services Board held on Thursday, July 31, 2008, the Board considered Service report 153/2008 dated July 2, 2008 requesting the Board receive the NRPS Pipes and Drums 2008 calendar of events, and approve the request for its 2008 funding to enable its continued successful competitive participation throughout Ontario and Quebec, and New York, Michigan, Pennsylvania, Ohio and Colorado.

The following Motion was duly passed:

‘That the item be deferred to the August 21, 2008 Board meeting to receive the NRPS Pipes and Drums’ financial statements and list of past contributions.’

The Board was in receipt of the August 19, 2008 NRPS Pipes and Drums’ financial statements including the 2007 budget sheet, the 2008 public appearance schedule and a pipe band budget comparison for eight Ontario police service pipe bands for the years 2006-2008.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received;

And further, that the Board authorize a donation in the amount of \$8,000 from the Special Fund to the Niagara Regional Pipes and Drums for the year 2008.

Carried.

Opposed: M.Woodhouse

175.
2008

Funding Request – Brain Injury Association of Niagara

At the Public Meeting of the Niagara Police Services Board held on Thursday, July 31, 2008, the Board considered a memorandum dated July 2, 2008 from Deb Morton, Executive Director, providing the Board with a letter received from Ms. Pat Dracup, Program Director, Brain Injury Association of Niagara, requesting a donation to support the Santa's Sober Sleigh Campaign for 2008.

The following Motion was duly passed:

'That the information be received;

That the item be deferred to the August 21, 2008 Board meeting, pending receipt and review of the BIA's financial statements.'

The Board was in receipt of the August 19, 2008 Brain Injury Association of Ontario business plan including the financial statements for the year ended December 31, 2007.

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| Moved by: | B. Bentley |
| Seconded by: | M. Woodhouse |

That the information be received;

And further, that the Board authorize a donation in the amount of \$500.00 from the Special Fund to the Brain Injury Association of Niagara in support of the 2008 Santa's Sober Sleigh Campaign.

Carried.

A. CONSENT AGENDA

180. Ministry of Community Safety and Correctional Services - Federal Funding – Police Officers Recruitment Fund

The Board considered a letter dated June 5, 2008 from Minister Rick Bartolucci, MPP, Ministry of Community Safety and Correctional Services, to Mr. Ken Seiling, Chair, Mayors and Regional Chairs of Ontario of Single Tier Cities and Regions (MARCO), providing the provincial government's understanding of its share of the promised federal funding for the Police Officers Recruitment Fund in the amount of \$156 million of the total \$400 million to be placed in a third-party trust over a five-year period to be drawn as required.

181. Regional Municipality of Niagara – CL 13-2008 July 24, 2008 CSD 101-2008 July 16, 2008

The Board considered a letter dated July 29, 2008 from Pam Gilroy, Regional Clerk, RMON, providing the Board with the July 24 approval by Regional Council of Report CSD 101-2008 July 16, 2008 respecting PSB Confidential Report entitled Proposed Acquisition of Land by the Municipality – Police Communications Site – Lease Renewal, City of St. Catharines.

182. Annual Report – Criminal Intelligence Unit

The Board considered Service report 201/2008 dated August 5, 2008 providing the Board with a summary of the written procedures concerning criminal intelligence including NRPS General Order 111.05, status of Service compliance with Provincial Adequacy Standard Regulation LE-004, and confirmation that members have been trained, pursuant to Board By-law 196-2000.

183. **Annual Report – Hate/Bias Motivated Crimes & Hate Propaganda Offences**
The Board considered Service report 202/2008 dated August 5, 2008 providing the Board with a summary of the written procedures concerning the investigation of Hate Bias Motivated Crimes and Hate Propaganda Offences including NRPS General Order 027.04 – *Hate Crime* in compliance with Provincial Adequacy Standard Regulation LE-007 *Hate Bias Motivated Crimes* and LE-008 *Hate Propaganda*; the status of Service compliance with the procedures; confirmation that members dealing with hate-bias motivated crimes and hate propaganda offences have been trained; and reporting on the Service's involvement in community organizations to prevent the repetition of such crimes, pursuant to Board By-law 199/200-2000.
184. **Annual Report – Informants & Agents**
The Board considered Service report 203/2008 dated August 5, 2008 providing the Board with the status of the implementation of the written procedures concerning Informants and Agents including NRPS General Order 141.03 *Informants & Agents* in compliance with Provincial Adequacy Standard Regulation LE-015; status of Service compliance said procedures, and an anonymous summary of payments made to informants, pursuant to Board By-law 207-2000.
185. **Annual Report – Persons in Custody**
The Board considered Service report 185/2008 dated August 5, 2008 providing the Board with a summary of the written procedures regarding prisoner care and control including prisoner transportation as detailed in General Order 018.07; confirmation of compliance with the Provincial Adequacy Standards Regulation LE-033 relating to Persons in Custody; and a summary of training provided to members involved in prisoner care and members used to escort prisoners, pursuant to Board By-law 208/225-2000.
186. **Annual Report – Witness Protection**
The Board considered Service report 204/2008 dated August 5, 2008 providing the Board with a summary of the written procedures concerning witness protection, witness security and witness assistance as outlined in NRPS General Orders 122.02 *Witness Protection and Security Program* and 115.03 *Victim/Witness Assistance*; the status of Service compliance with Provincial Adequacy Standard Regulation LE-018 *Witness Protection*; and an anonymous summary on the cost of witness protection and assistance, pursuant to Board By-law 210-2000.
187. **Annual Report – Stolen or Smuggled Firearms**
The Board considered Service report 200/2008 dated August 5, 2008 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE 019 – Stolen or Smuggled Firearms; the Service's written procedures on and processes for undertaking and managing investigations into stolen or smuggled firearms including General Order 175.03; Service compliance through membership in the Provincial Weapons Enforcement Unit and provincial training initiatives; a summary of the written procedures and Service compliance relative to investigations and confirmation of the availability of Service member training, pursuant to Board By-law 211-2000.
188. **Annual Report – Bail & Violent Crime**
The Board considered Service report 189/2008 dated July 31, 2007 providing the Board with compliance with the Provincial Adequacy Standards Regulation LE-023 relating to Bail and Violent Crime; written procedures regarding Bail as detailed in General Order-019.03 *Violent Crime Bail* outlining procedures to be followed in bail hearings; confirmation of procedural compliance with General Order-016.04-Crown Brief Submissions providing specifics pertaining to the judicial presentations and continuing quality of bail files ensured through review by the Charge Coordinator's Unit and the 2004 Crown Protocol and monthly meetings with the office of the Attorney General (Crown Attorney's office); designation of a Court Services Sergeant as a Crown Liaison Officer whose responsibility is direct contact with the Crown Attorney's office to address immediate concerns and resolutions, pursuant to Board By-law 215-2000.

189. **Annual Report – Supervision**

The Board considered Service report 207/2008 dated August 11, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-025 relating to Supervision; the NRPS chain of command for both Uniform by rank and Civilian members with reporting responsibilities; the detailed responsibilities of supervisory Uniform members in two scenarios; the development of members through the promotional system with the assistance of the Career Development and the Training Units, pursuant to Board By-law 217-2000.

190. **Annual Report – Criminal Harassment**

The Board considered Service report 191/2008 dated July 21, 2008 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation LE-028 pertaining to Criminal Harassment through the listed summary of written procedures outlined in the revised General Order; confirmation of Service compliance through monitoring of calls for service by Communications staff, the uniform patrol supervisor, review by the uniform platoon staff sergeant followed by the divisional CIB sergeant or staff sergeant, further review by the Coordinator of the Domestic Violence Victim Services Unit for deficiencies, supported through enhanced mandated training as part of the mandated Advanced Patrol Training and Domestic Violence Investigators Course, pursuant to Board By-law 220-2000.

191. **Annual Report – Firearms Training**

The Board considered Service report 239/2007 dated July 17, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-029 relating to training and managing investigations involving firearms by members of the Niagara Regional Police Service; written procedures through various General Orders involving the requirements of officers in the field or investigative capacity when dealing with firearm investigations and firearms response; confirmation of Service compliance with no reported injuries to officers or the public during response to incidents involving firearms; issues identified in the Courts area involving disposition of the firearm after an incident; availability of training through the Ontario Police College as well as in-house; 2008 firearm examination statistics; Service accommodation to downloading of testing and verification of firearms for evidentiary purposes by the Ontario Centre of Forensic Sciences (CFS) including the resolution of changes from the Firearms Office and Provincial Weapons Enforcement Unit toward the creation of a training package for frontline and detective officers on the current protocols, pursuant to Board By-law 221-2000.

192. **Annual Report – Drug Investigations**

The Board considered Service report 181/2008 dated July 31, 2008 providing the Board with a summary of the written procedures concerning Drug Investigations including NRPS General Orders 117.05 *Search and Seizure*, 208.01 *Drug Investigations*, and 199.01 *Grow Operations and Clandestine Labs* designed to address potentially hazardous situations which reflect procedural changes relative to the Versadex electronic Record Management System in compliance with Provincial Adequacy Standard Regulation LE-031 *Drug Investigation*; a summary of Service assistance to other police agencies, pursuant to Board By-law 223-2000.

193. **Annual Report – Illegal Gaming Investigations**

The Board considered Service report 188/2008 dated July 31, 2007 providing the Board with a summary of the written procedures concerning Illegal Gaming Investigations including NRPS General Order 162.04 *Illegal Gaming Investigations* detailing the dissemination and sharing of investigative information in compliance with Provincial Adequacy Standard Regulation LE-032; Service compliance to regulations, reassignment of the seconded member of the Provincial Illegal Gambling Unit to the Provincial Asset Forfeiture Unit of the OPP to assist on an 'as needed' basis for illegal gambling investigations led through the Criminal Intelligence Unit and the OPP, Joint Services Casino Unit Intelligence Unit with a local NRPS member, pursuant to Board By-law 224-2000.

194. **Annual Report – Sexual Assault Investigation**

The Board considered Service report 223/2008 dated August 12, 2008 providing the Board with a summary of the written procedures concerning Sexual Assault Investigations including the community driven 1998 Protocol (under review) with the Niagara Regional Sexual Assault Centre, the Sexual Assault Treatment Centre – Niagara, the Crown Attorney and the NRPS, and NRPS General Order 020.05 *Sexual Assault Unit* in compliance with Provincial Adequacy Standard Regulation LE-034; Service compliance with the Ministry's designated Ontario Major Case Management manual; confirmation that the Protocol formulated by the agency representatives to the previous regulation and through Ministry review; a summary of the training provided to Unit members and the 2007 caseload summary; compliance with established monitoring and response evaluations, and a summary of issues dealt with in 2007 by the Sexual Assault Committee, pursuant to Board By-law 226-2000.

195. **Annual Report – Proceeds of Crime**

The Board considered Service report 199/2008 dated August 5, 2008 providing the Board with a summary of the written procedures concerning Proceeds of Crime including NRPS General Orders 110.03 *Proceeds of Crime* and 120.03 *Morality Related Offences* in compliance with Provincial Adequacy Standard Regulation LE-041; Service compliance through annual review of the regulations for updating; secondment of two NRPS members to the London Integrated Proceeds of Crime Section (LIPOC) to "identify, seize and cause to be forfeited assets derived from criminal activity throughout the Province of Ontario and elsewhere and recommend for prosecution the persons associated ..."; a Service member assigned to the Provincial Asset Forfeiture Unit (PAFU) with the OPP as lead agency to "remove the financial gain from profit-motivated criminals by identifying, seizing and having forfeited the proceeds of crime..."; summarized crime property and assets seized by the Niagara component of London IPOC, pursuant to Board By-law 233-2000.

196. **Annual Report – Vehicle Theft**

The Board considered Service report 198/2008 dated August 5, 2008 providing the Board with a summary of the written procedures concerning Vehicle Theft including NRPS General Orders 187.01 *Vehicle Theft*, 095.04 *Major Incidents and Routine Criminal Investigations*, 036.02 *Records Management Methodology* and 057 *Vehicle Towing, Seizure and Release* in compliance with Provincial Adequacy Standard Regulation LE-043; Service compliance through updated procedures available through the Versadex electronic Records Management System; secondment of an NRPS Officer to the Provincial Auto Theft Team (PATT); specialized internal and external training; yearly summary of vehicle thefts January 1, 2004 through December 31, 2007 illustrating a decline attributed to Project React, a multi-jurisdictional investigation coordinated by PATT, pursuant to Board By-law 235-2000.

197. **Annual Report – Youth Crime**

The Board considered Service report 219/2008 dated August 6, 2008 providing the Board with a summary of the written procedures concerning Youth Crime including NRPS General Order 085.02 *Young Persons* in compliance with Provincial Adequacy Standard Regulation LE-044 and federally through the *Youth Criminal Justice Act* (YCJA); statistical evidence to the decreasing level of youth crime in Canada attributed to the YCJA; clarification of public and judicial misconceptions regarding youth crime; Service compliance through staffing with an officer assigned to review youth related matters, a Regional youth officer position to coordinate various programs such as threat assessment and the *NRPS Extrajudicial Measures Referral Program*, and vandalism, particularly in 5 and 6 District to address an increase in property and theft related offences over the past two summers; the establishment of the very successful School Resource Officer (SRO) Program; the continuing of region-wide community forums and programs, pursuant to Board By-law 236-2000.

198. **Annual Report – Public Order Unit**

The Board considered Service report 213/2008 dated July 12, 2008 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation PO-001 regarding Public Order Units; written procedures as set out in the *Police Services Act* and the relevant General Orders require and permit an agreement with the Hamilton and the Waterloo Regional Police Services to make available Niagara's Public Order Unit for civil disturbances and mass arrests, linkage under the Criminal Code of Canada to address unlawful assemblies and riot situations; and advising that the services of the NRPS Public Order Unit have not been required during the reporting period, pursuant to Board By-law 239-2000.

199. **Annual Report – Preliminary Perimeter Control**

The Board considered Service report 214/2008 dated August 10, 2008 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation ER-001 regarding Preliminary Perimeter Control; written procedures as set out in the relevant General Order of the Emergency Task Unit outlining the circumstances, operational responsibility, deployment of other emergency response services and duties of each team member; verification of Ministry accreditation of the procedure; confirmation of development and maintenance of the manual on containment team services; confirmation of the training of the direct officer participants as well as the Marine and Canine Units to the Emergency Task Unit standards; summary of 2007-2008 NRPS containment issues, pursuant to Board By-law 241-2000.

200. **Annual Report – Explosives**

The Board considered Service report 217/2008 dated July 12, 2008 providing the Board with Service compliance to the Provincial Adequacy Standards Regulation ER-006 regarding Explosives; written procedures as set out in the relevant General Orders outlining the requirement to have seven fully trained police Explosive Forced Entry and Explosive Disposal Technicians at all times as well as five fully trained HAZMAT technicians and four CBRN; provided leadership in the development of joint CBRN for EMS and fire departments; additional informal mutual aid arrangements with a number of neighbouring agencies in the event of a major incident; the existence of continually updated technical manuals; NRPS training that meets or exceeds mandated requirements with attendance and instruction by NRPS technicians through national professional memberships; Unit deployment has occurred 21 times in the reporting period, pursuant to Board By-law 246-2000.

201. **Annual Report – Skills Development and Learning Plan**

The Board considered Service report 192/2007 dated July 31, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation AI-002 relative to Skills Development and Learning Plan; the Plan and its objectives summarized; organizational description of the NRPS Training Unit and its challenges with the evolution of the Service and community; a detailed listing of the 2008 courses provided by the Training Unit and other agencies including videos produced by the Ontario Police Training Video Alliance; implementation of a 'mentor' program aimed at new officers; ongoing development of NRPS core unit and support unit abilities; provision of the Ontario Major Case Management Course from the Ontario Police College and the subsequent certification of 28 members, pursuant to Board By-law 250-2000.

202. **Annual Report – Use of Auxiliaries**

The Board considered Service report 206/2008 dated July 28, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulations AI-006 and AI-007 relative to the use of Auxiliaries and Volunteers; recruitment and initiation of auxiliary members as formulated in General Orders 12.04 and 25.04 stipulating training requirements for a total of ninety hours plus additional monthly training in specified areas; the recruitment and oversight process; the actual strength of the NRPS Auxiliary and the three Chaplains who are sworn as Auxiliary Police Inspectors; the detailed time NRPS Auxiliary officers were used in permitted policing activities and community services for a 2007 total of 9,423 hours; comparison of the 2005/2008 budget associated to the NRPS Auxiliary Unit, pursuant to Board By-law 254/255-2003.

203. **Annual Report – Safe Storage of Police Service Firearms**
The Board considered Service report 194/2008 dated July 28, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation AI-009 relating to the safe storage of police service firearms; written procedures reflected in General Order 053 s.5.9 conforming to the Policing Standards Manual; reporting of one incident in 2008 relating to the use of a firearm still under investigation; Service compliance in the mandated annual accreditation of Service members for Use of Force training, pursuant to Board By-law 258-2003.
204. **Annual Report – Sex Offender Registry**
The Board considered Service report 222/2008 dated August 12, 2008 providing the Board with a summary of the registrants on the Sex Offender Registry to July 28, 2008; written procedures concerning Sex Offender Registry including NRPS General Order 178.03 *Sex Offender Registry* in compliance with a rate of 100% with Provincial Adequacy Standard Regulation LE-046; Service compliance as a function of the High Risk Offender Unit; specialized staff training, pursuant to Board By-law 261-2003.
205. **Annual Report – Secure Holster**
The Board considered Service report 196/2008 dated July 30, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation AI-014 relating to the provision, use and function of secure holster equipment; a summary of written procedures through General Orders relating to the inspection of equipment for both uniform or plainclothes duties, the maintenance of holsters for optimum operation, requirement of immediate report of any defect with subsequent investigation by the supervisor and repair or replacement of equipment if required; compliance through initial and annual training sessions at the Ontario Police College and during annual officer re-qualification; documentation of female officer concerns with the Level 2 CIB holster as well as incremental replacement of particular aging holsters with ongoing testing of redesigned holsters in the Training Unit to replace the Level III Safariland now in use , pursuant to Board By-law 269-2005.
206. **Annual Report – High Risk Individuals**
The Board considered Service report 221/2008 dated August 12, 2008 providing the Board with a summary of the written procedures concerning High Risk Individuals including NRPS General Order 190.02 *Police Response to High Risk Individuals* in compliance with Provincial Adequacy Standard Regulation LE-047; community driven Offender Management Protocol to outline the coordinated effort to effectively manage persons in or returning who pose a threat to community safety; Service compliance with said procedures and confirmation that members of the High Risk Offender Unit have been appropriately trained, pursuant to Board By-law 272-2005.
207. **Quarterly Report – Suspect Apprehension Pursuits**
The Board considered Service report 195/2008 dated July 28, 2008 providing the Board with Service compliance with the Provincial Adequacy Standards Regulation LE-045 as to the required information relative to suspect apprehension pursuits conducted by Service members for the period January 1 to March 31, 2008, pursuant to Board By-law 237-2000.
208. **Quarterly Report - Pending Items**
The Board considered a memo dated August 13, 2006 from the Board's Executive Director, providing the Board with a quarterly report on the pending items for the second quarter of 2008 (April 1, 2008 to June 30, 2008).

Moved by: D. Martin
Seconded by: B. Bentley

That the information be received.

Carried.

B. OTHER NEW BUSINESS

209. **Licencing By-law No. 285-2008 – Vehicle for Hire**

The Board considered a letter dated August 11, 2008 from Ms. Sara Premi, Sullivan Mahoney, requesting the Board approve the attached By-law No. 285-2008 being the Vehicle for Hire Licencing By-law containing proposed amendments submitted at the 2008 public meeting, as approved and recommended by the Licencing Committee, and submitted to replace the existing By-law No. 263, as amended, which expires the end of August 2008.

Moved by: B. Bentley
Seconded by: T. Shoalts

That the Board approve By-law No. 285-2008, being the Vehicle for Hire Licencing By-law;

And further, that the new By-law be placed on the Board website and the members of the industry who attended the public meeting be advised in writing of how to access the new By-law.

Carried.

210. **Funding Request – 2008 NRPS In-house United Way Campaign**

The Board considered Service report 184/2008 dated August 7, 2008 requesting the Board consider a donation to the 2008 NRPS In-house United Way Campaign to assist in the kick-off event planned for September 18, 2008. *(In 2007 the Board approved a \$500 donation from the Special Fund.)*

Moved by: M. Woodhouse
Seconded by: T. Shoalts

That the information be received;

And further, that the Board authorize a donation in the amount of \$500 from the Special Fund to the 2008 NRPS United Way Campaign to assist in the kick-off event September 18, 2008.

Carried.

211. **NRPS Financial Variance Report to July 31, 2008**

The Board considered Service report 209/2008 dated August 7, 2008 providing the Board with a financial overview and year-end forecast for both the Service and the Board to July 31, 2008.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received.

Carried.

212. **Facilities – 68 Church Street, St. Catharines – Award of Contract - Basement Renovations/Water Risk – Supplemental Report**

The Board considered Service report 224/2008 dated August 12, 2008 providing the Board with additional information addressing Board concerns regarding the wording of the contract to the recommended bidder to effect repairs to the basement water piping system to minimize the risk from water or moisture damage in the storage areas at 68 Church Street, St. Catharines.

CAO Fuentes reported that the Region is satisfied with the performance bond reference as outlined by Hallex Engineering for contract, however, this procedure is considered to be a discretionary item in bids issued by the Region. The cost recovery issue about charge-backs will be further discussed with the Commissioner of Corporate Services John Bergsma. CAO Fuentes said this matter requires a Service level agreement and he will provide a report to the Board at a later date.

Moved by: D. Martin
Seconded by: T. Shoalts

That the information be received;

And further, that the contract be awarded to the sole bidder, Conway's Mechanical Contracting Inc., Niagara Falls, for the renovations of the basement at 68 Church Street at a cost of \$50,722.35 including GST.

Carried.

VERBAL COMMENTS

- **Canadian Association of Police Boards 2008 Conference**
Member Woodhouse reported that the Board initiated Resolution 08-2, *Canadian Military Reservists – Leave of Absence*, was adopted unanimously by the delegates to the 19th Annual Canadian Association of Police Boards Conference in Toronto on August 16, 2008.
- **Special Constable Monthly Reports – Brock University Campus Security Services, Niagara Parks Commission Police Service**
Chief Southall reported that both Director Donna Moody, Brock University Campus Security Services, and Chief Doug Kane, Niagara Parks Commission Police Service, have agreed to submit quarterly reports showing both special constable activities and public incidents in future.
- **Funding Requests – Pre-Consideration Requirements**
The Board directed that any future Special Fund requests must be accompanied with a business plan/financial statements for the organization prior to Board consideration.

IN CAMERA REPORTS

C.
146.
2008

NRPS Disposition of Found, Seized or Received Property and Surplus Assets

At the Confidential Meeting of the Niagara Police Services Board held on Thursday, July 31, 2008, the Board considered Service report C.150/2008 dated July 2, 2008 requesting the Board approve the award of proposal for on-line auctioning services to dispose of the eligible seized or found property held at Quartermaster's Unit, pursuant to the Police Services Act, which will eliminate the current disposal process of semi-annual public auctions with associated storage, transportation and labour costs, and ultimately a net profit for deposit in the Special Fund.

The following Motion was duly passed:

“That the Board award the proposal for auctioning services to Peninsula Liquidators Inc. for a period of one (1) year with the Board’s option to extend for an additional two (2) twelve-month periods;

And further, that the Board’s decision be reported back on the Public Agenda. Carried.”

Moved by: M. Woodhouse
Seconded by: T. Shoalts

That the information be received.

Carried.

C.
150.
2008

Special Investigations Unit Report

Assault Allegations – #SIU-1-08 – March 26, 2008

At the Confidential Meeting of the Niagara Police Services Board held on Thursday, July 31, 2008, the Board considered Service report C.174/2008 dated July 21, 2008 providing the Board with the decision of the SIU Director following the SIU investigation into self-inflicted injuries suffered by an incarcerated prisoner on March 26, 2008.

The following Motion was duly passed:

“1. That the Board receives the report;

2. And further, that the Board make the report available to the public. Carried.”

Moved by: M. Woodhouse
Seconded by: T. Shoalts

That the information be received.

Carried.

ADJOURNMENT

The meeting adjourned at 10:04 a.m.

Chairperson

Executive Director