

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

27 November 2023 / 27 novembre 2023

Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

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SUBJECT: DELEGATION OF SPECIAL CONSTABLE STATUS APPROVAL

**OBJET: DELEGATION DES POUVOIRS D'APPROBATION DU STATUT
D'AGENT SPECIAL**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board:

- 1. Delegate authority to the Chair and Vice-Chair to approve Special Constable Appointments and Re-Appointments, pursuant to Section 53 of the Police Services Act, in accordance with the terms and conditions set forth in the Approval of Appointment Forms obtained from the Ministry of the Solicitor General; and**
- 2. Approve semi-annual reporting to the Board for exercise of this delegated authority.**

RECOMMANDATIONS DU RAPPORT

Que la Commission de services policiers d'Ottawa:

- 1. Délègue, à la présidente et au vice-président, l'autorité d'approuver des nominations et renouvellements de nomination au statut d'agent spécial, en vertu de l'article 53 de la *Loi sur les services policiers*, conformément aux modalités présentées au sein des formulaires d'approbation de nomination obtenus du ministère du Solliciteur général;**

2. Approuve une déclaration semi-annuelle à la Commission quant à l'exercice de cette autorité déléguée.

BACKGROUND

The Ottawa Police Services Board (the Board) regularly approves the appointment and re-appointment of special constables for the RCMP, OC Transpo, Carleton University, and internal members of the Ottawa Police Service (OPS). These appointments ensure that the respective employees can carry out the full scope of their assigned duties.

Applications for appointment/re-appointment are made to the Ministry to have individuals appointed as special constables pursuant to Section 53 of the Police Services Act (PSA). The Board then appoints these employees as special constables upon approval of the Ministry. Appointments and re-appointments are valid for five years.

The purpose of this report is to request that the Board provide delegated authority to the Chair and Vice-Chair to approve any special constable appointment/re-appointment requests as they may arise. Any exercise of this delegated authority will be reported back to the Board through semi-annual reports.

Providing this delegated authority for special constable appointments/re-appointments ensures accountability in carrying out the statutory and administrative responsibilities in a more efficient and timely manner.

Memorandum of Understanding

There is a Memorandum of Understanding (MOU) between each of the external organizations who employ special constables and the OPS. These MOU's outline the roles, responsibilities, and relationships between the external organization, the special constable, the OPS, and the Board, and are subject to the Board's approval. These MOU's are reviewed and renewed every five years.

Justification of Police Powers

Each organization has a justification, approved by both the Board and the Ministry, that outlines all the police powers being sought under the appointment. These can only be amended with approval of the Board and the Ministry.

DISCUSSION

The Board regularly receives multiple reports per month dealing solely with approving special constable appointments and re-appointments. These are routine reports, for which the Board has already approved the roles, responsibilities, and relationships

through the MOU approval process. Further, the Board has also previously approved the justification for police powers that is submitted with each application to the Ministry.

As well, other Ontario Police Services Boards have delegated approval and signing authority to the Chair with respect to appointments and re-appointments as Special Constable, subject to Ministry approval.

Delegating the authority would streamline the number of reports each month, while consistently keeping the Board informed through the semi-annual reporting process.

In 2022, the Board received thirty-one Board Reports related to special constables. Thirty of these Board reports dealt solely with appointments and re-appointments. Six of these reports were for urgent, event-driven appointments and re-appointments and four asked for delegated authority. In any given month, the Board received anywhere from zero to seven reports regarding special constables.

In 2023, the OPS scaled back the volume of reports by grouping re-appointments together. From January to October 2023, the Board received eighteen Board Reports related to Special Constables. Seventeen of these dealt solely with appointments and re-appointments. Of these, four reports were for urgent event-driven appointments and re-appointments and delegated authority. In November, it is anticipated that there will be two special constable-related actions required, and three more in December.

CONCLUSION

Providing this delegated authority for special constable appointments/re-appointments ensures accountability in carrying out the statutory and administrative responsibilities in a more efficient and timely manner. Semi-annual reporting to the Board on use of this authority ensures that the whole Board is kept up to date on any execution of the delegated authority provided.