

Report to / Rapport au:

**OTTAWA POLICE SERVICE BOARD
LA COMMISSION DE SERVICE DE POLICE D'OTTAWA**

27 May 2024 / 27 mai 2024

Submitted by / Soumis par:

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

Contact Person / Personne ressource:

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**SUBJECT: RENEWAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE
OTTAWA POLICE SERVICE BOARD AND THE CITY OF OTTAWA
(TRANSPORTATION SERVICES)**

**OBJET: RENOUELEMENT DU PROTOCOLE D'ENTENTE ENTRE LA
COMMISSION DE SERVICE DE POLICE D'OTTAWA ET LA VILLE
D'OTTAWA (SERVICES DE TRANSPORT)**

REPORT RECOMMENDATIONS:

That the Ottawa Police Service Board approve the continuation of the OC Transpo Special Constable Program under the same terms as the current Memorandum of Understanding until September 30, 2024.

RECOMMANDATIONS DU RAPPORT

Que la Commission de service de police d'Ottawa approuve la poursuite du programme d'agents spéciaux d'OC Transpo aux mêmes conditions que l'actuel protocole d'entente jusqu'au septembre 30, 2024.

BACKGROUND

On 18 December 2006, the Board approved a recommendation from the Chief of Police that, subject to the successful completion of a 12-month pilot project monitored by the Ontario Ministry of Community Safety and Correctional Services, the 39 members of the City of Ottawa Transit Security and Enforcement team be appointed as Special Constables. A Memorandum of Understanding between the Board and the City of Ottawa

(Transit Services) was established and signed on 18 December 2006 setting forth the terms and conditions of the Special Constable Pilot Program.

Following the Board's approval, applications for Special Constable appointments were prepared by the Board and forwarded to the Ministry of Community Safety and Correctional Services for ministerial approval. With the Ministry's approval of the applications, a swearing-in ceremony took place and the twelve-month pilot project commenced on 01 April 2007 and concluded on 31 March 2008.

After the completion of the pilot project, a comprehensive review was conducted by a review team comprised of representatives from the Ministry of Community Safety and Correctional Services, the Special Constable Program Manager for the Toronto Police Service, the Ottawa Police Service (OPS) and the City of Ottawa Transit Services. Following the review, on 28 July 2008 the Board approved a recommendation that the Ministry of Community Safety and Correctional Services extend the term of Special Constable appointments for the OC Transpo transit law enforcement officers for a term not to exceed five years. The term of that appointment expired on 31 July 2013.

The Board approved a second recommendation that the Ministry of Community Safety and Correctional Services extend the term of Special Constable appointment for the OC Transpo Special Constable Unit officers for a five-year term ending 31 July 2018.

The Board approved a third recommendation that the Ministry of Community Safety and Correctional Services, responsibility moved to the Ministry of the Solicitor General (SOLGEN) partway through this term, extend the term of Special Constable appointment for the OC Transpo Special Constable Unit officers for a five-year term ending 31 July 2023.

On April 1, 2024, the new Community Safety and Policing Act, 2019, S.O. 2019, C. 1, Sched. 1, came into effect. The CSPA includes regulations relating to special constables to be incorporated into the new MOU.

In addition, many factors have changed since the original MOU was signed by the Board, and OC Transpo has identified areas where additional authorities could be considered.

In anticipation of this period of adaptation, the current MOU was extended on October 23, 2023 to May 31, 2024.

The purpose of this report is to recommend that the program under the current MOU be extended until September 30, 2024, to adapt the current MOU to the CSPA and further consider the expansion of OC Transpo authorities before entering a new 5-year MOU.

DISCUSSION

The Board, mandated by the Community Safety and Policing Act, is tasked with the responsibility of ensuring community safety in the City of Ottawa. As set out by the CSPA, the Board, through its oversight of the OPS, is responsible for providing services to the community that are centered upon:

- Crime Prevention;
- Law Enforcement;
- Assistance to Victims of Crime;
- Public Order Maintenance; and,
- Emergency Response.

The major roles and responsibilities which are currently included in the OC Transpo mandate are summarized below:

- Protecting Transit customers, employees and property
- Promoting public safety and awareness
- Partnership activities and projects
- Establishing Service levels and Standards for the program.

The Board is specifically authorized, through the operation of Section 92 of the *Community Safety and Policing Act*, to authorize the appointment of Special Constables for specific terms, according to specific criteria.

CONSULTATION

There has been ongoing consultation with the City of Ottawa and OC Transpo, and they are advising that we consider extending the current MOU for several months while a new MOU is finalized in compliance with the Community Safety and Policing Act.

FINANCIAL IMPLICATIONS

There are no financial implications involved in renewing the interim OC Transpo MOU.

SUPPORTING DOCUMENTATION

Document 1 – Renewal and Extension of MOU - May 5 2024

CONCLUSION

The purpose of this report is to recommend that the program under the current MOU be extended until September 30, 2024 to reflect the new requirements under the

Community Safety and Policing Act , as well as to further consider the expansion of OC Transpo authorities before entering a new 5-year MOU.

The OPS is fortunate to have an excellent working relationship with OC Transpo. The interim renewal of the current MOU will continue to facilitate the partnership of the two agencies. Additionally, it will enable OC Transpo to undertake the full scope of their mandate. Therefore, we recommend that the Ottawa Police Services Board (the Board) approve the continuation of the OC Transpo Special Constable Program for a term of September 30, 2024.