

Report to / Rapport au:

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

24 March 2025 / 24 mars 2025

Submitted by / Soumis par:

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

Contact Person / Personne ressource:

**Deputy Chief Steve Bell, Chief Administrative Officer / Agent Administratif
Principal**

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**SUBJECT: APPOINTMENT OF SPECIAL CONSTABLE – CITY OF OTTAWA
(TRANSIT SERVICES)**

**OBJET: NOMINATION D'UN AGENT SPÉCIAL - VILLE D'OTTAWA (SERVICES
DE TRANSPORT EN COMMUN)**

REPORT RECOMMENDATIONS

That the Ottawa Police Service Board approve the appointment of one (1) City of Ottawa (Transit Services) employee listed in Appendix 1 as Special Constable for City of Ottawa (Transit Services) pursuant to Section 92 of the Community Safety and Policing Act (CSPA).

RECOMMANDATIONS DU RAPPORT

Que la Commission de service de police d'Ottawa approuve la nomination d'un (1) employé de la ville d'Ottawa (services de transport en commun) mentionné à l'Annexe 1 à titre d'agent spécial pour les services de transport en commun de la Ville d'Ottawa conformément à l'article 92 de la Loi sur la sécurité communautaire et les services de police (CSPA).

BACKGROUND

Section 92 of the Community Safety and Policing Act (CSPA) allows the Ottawa Police Service Board (Board) to appoint City of Ottawa (Transit Services) employees as Special Constables when Special Constable authorities are required to carry out their duties. The City of Ottawa (Transit Services) is authorized to employ Special

Constables under the CSPA, effective November 1st, 2024 (please refer to supporting documentation – Appendix 2). The one (1) appointee will be employed by the City of Ottawa (Transit Services).

The appointment provides the member the authorities they require to carry out their assigned duties as Special Constables for the City of Ottawa (Transit Services), to include police officer powers as contained in Section 37 and Section 40 of the “Agreement Regarding Special Constables” between the Board, the City of Ottawa (Transit Services) and the Ottawa Police Service (OPS) dated June 24th, 2024 (please refer to supporting documentation - Appendix 3). The appointment does not permit the carriage of a firearm.

In accordance with CSPA Ontario Regulation 396/23, and as agreed upon between the Board, the City of Ottawa (Transit Services), and the Ottawa Police Service in “Agreement Regarding Special Constables,” City of Ottawa (Transit Services) Special Constables are permitted to possess and use the following use of force weapons in relation to their duties:

- A baton, handcuffs, and oleoresin capsicum spray/foam.

The individual will work as a Special Constable for a five-year period or until the appointee is no longer employed by the City of Ottawa (Transit Services).

Upon termination of employment, the City of Ottawa (Transit Services) will advise the Board of the conclusion of the appointment.

The employee named below has met the training and appointment requirements as stipulated under the CSPA Ontario (Regulation 87/24 and Section 92).

In accordance with CSPA Ontario Regulation 396/23 and, as agreed upon between City of Ottawa (Transit Services) and the Ottawa Police Service in “Agreement Regarding Special Constables,” City of Ottawa (Transit Services) Special Constables have police powers on or in-relation to properties, facilities, and vehicles under the control of City of Ottawa (Transit Services) for the following legislation:

Cannabis Control Act;

Courts of Justice Act;

Liquor Licence and Control Act, 2019;

Mental Health Act;

Provincial Offences Act;

Safe Streets Act, 1999;

Smoke-Free Ontario Act;

Trespass to Property Act;

Youth Criminal Justice Act (Canada);

Courts of Justice Act;

Criminal Code, R.S.C. 1985, c. C-46, sections 129, 130, 139, 140, 145(1), 145(3), 145(2), 145(5), 145, 173, 175, 180(1), 248, 264.1, 266, 267(a), 270, 334(a)(b), 354(1), 362(2)(b), 368, 372 (1), 372(3), 380(1)(b), 393(3), 403, 430(4), 430(3), 437, 733.1, 811, 495;

Controlled Drugs and Substances Act, S.C. 1996, c.19, sections 4(3), 4(4), 4(5), 4(6); and 5(1), and the Child, Youth and Family Services Act, 2017, S.O. 2017, c.14, Sched. 1, as amended, sections 83(4), 136(5), 172(1)(2).

DISCUSSION

The appointment application form has been provided to the Board for the Chair's signature.

CONSULTATION

Chief Special Constable Peter Scislowski of the City of Ottawa (Transit Services) has been consulted with respect to the appointment of Special Constables for the City of Ottawa (Transit Services).

SUPPORTING DOCUMENTATION:

Appendix 1: Appointment of Special Constable: City of Ottawa (Transit Services)

Document 1 - Letter from the Honourable Michael Kerzner, Solicitor General – Authorized Special Constable Employer City of Ottawa (Transit Services)

Document 2 - Agreement Regarding Special Constables Between the Ottawa Police Service Board and City of Ottawa (Transit Services) and the Ottawa Police Service allowing for the appointment of Special Constables for City of Ottawa (Transit Services)

FINANCIAL IMPLICATIONS

There are no financial implications of appointing the individual City of Ottawa (Transit Services) special constable applicant listed herein.

CONCLUSION

The provision of Special Constable status is required for the City of Ottawa (Transit Services) employee to undertake the full duties and responsibilities assigned to them.

Appendix 1: Appointment of Special Constable: City of Ottawa (Transit Services)

Name of Employee – Initial Appointment:

- 1) Alan Curtis Warren