



Ottawa Police Services Board

Minutes 24

Monday, June 22, 2020, 4:00 PM

By Zoom

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Board Members:

Present: L.A. Smallwood, Councillor C. Meehan, D. Nirman, R. Swaita,

Regrets: Councillor D. Deans (*medical leave of absence*), Mayor J. Watson

CONFIRMATION OF AGENDA

That the Ottawa Police Services Board confirm the Agenda of the 22 June 2020 meeting.

CARRIED

CONFIRMATION OF MINUTES

Minutes #22 of 25 May 2020 meeting

That the Ottawa Police Services Board confirm Minutes #22 of the 25 May 2020 meeting.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

PUBLIC DELEGATIONS

The Board heard from the following public delegations on various topics:

1. KEVIN O'DONNELL

Mr. O'Donnell spoke on the topic of the painting of police cruisers and recommended that Ottawa Police adopt the paint style of Battenburg Markings, as a more visible, less intimidating style of vehicle painting. He suggested the Board consider its public policy goal in terms of vehicle marking/painting.

It was suggested by the Acting Chair that the Policy and Governance Committee could look at policy aspect of vehicle markings/painting, and that he would expand his outstanding inquiry on officer attire to also include vehicle markings.

2. FARHIA AHMED, CHAIR OF THE JUSTICE FOR ABDIRAHMAN COALITION
ROBIN BROWNE, UN PERSONS FOR AFRICAN DECENT PUSH COALITION

Ms. Ahmed and Mr. Browne presented to the Board on how to improve relations between the Ottawa Police and the local black community in Ottawa in the wake of global discussions following the death of George Floyd.

3. SAM HERSH, HORIZON OTTAWA

Mr. Hersh spoke about reallocating funds and resources from the police budget to other community services.

4. ETHAN SABOURIN

Mr. Sabourin spoke about redirecting funding from police services to other essential services in the city.

COMMITTEE MEETINGS: REPORTS FROM COMMITTEE CHAIRS & MINUTES

Finance and Audit Committee Minutes #10 of 4 June 2020

In addition to the verbal update on the last Finance and Audit Committee, the Board's public consultation process related to the Ottawa Police Service budget development process was also noted.

That the Ottawa Police Services Board receive this report for information.

RECEIVED

INQUIRIES

INCIDENT INVOLVING BYLAW OFFICER

Acting Chair Smallwood noted there had been a number of questions and concerns raised around an incident that took place in April in Michelle Heights Park involving a Bylaw officer and a member of the public.

For the benefit of the Board, and the community, and without getting into the specifics of the investigation, Acting Chair Smallwood asked the Chief to provide assurances that the Bylaw officer who was the subject in this particular investigation, was treated as any other member of the public would be in a similar circumstance. He also requested background information on when and why the alternative judicial measure of the pre-charge diversion program, is used.

The Chief noted that as this is an ongoing criminal and labour matter, he will be able to debrief once these processes are complete.

USE OF FORCE AND DE-ESCALATION

Acting Chair Smallwood requested a breakdown of how training time is broken down, based on the various training topics. He would like the Board to have a better understanding of how training time is allocated in order to help the Board determine whether the OPS is investing enough time in critical areas such as communication, de-

escalation, etc., as compared to other areas.

Member Nirman also put forward an inquiry pertaining to use of force. He asked for confirmation that officers are not taught to place their knee, or any other body part, on the subjects neck or head. He noted there is a fear of these tactics being used, particularly by racialized community members and in situations where there are language barriers. He asked the Chief whether there are plans to revisit use of force techniques at the OPS and if so, how this will be communicated to the public and in what time frame.

Member Johnson raised a question regarding how members are trained on implicit bias and systemic racism.

The Chief advised he would provide a response at the following meeting.

BODY-WORN CAMERAS FOR POLICE

Acting Chair Smallwood asked the Chief to provide his recommendations around the use of body cameras as an accountability measure, taking into account the research the Chief has done on the topic; the pros and cons; their effectiveness; policy implications; and the return on investment.

The Chief committed to coming back to the Board on this topic. He advised there is a potential return on investment however it would come at the cost of something else.

OFFICERS SUSPENDED WITH PAY

Member Meehan raised a question around the number of police officers who are currently suspended with pay. The Chief committed to coming back to the Board with that information as well as further context to assist with benchmarking.

ITEMS OF BUSINESS

1. CHIEF'S VERBAL REPORT

Chief's report

A copy of the Chief's verbal report is available [online](#).

Following the verbal report, the following discussion points were made:

It was noted that all of the previous investments in outreach and recruitment are paying off in terms of helping to diversify the applicants coming to the Ottawa Police Service. In response to the temporary pause on the hiring plan, it was

noted that it could put some of the applications received to date at risk as it is a highly competitive environment.

On the topic of suspending officers without pay, it was noted that Chiefs of Police have been discussing this issue for decades. The current legislation does not permit suspension without pay. The Chief is a member of the OACP and is happy to participate in discussions on this topic however he noted that instead of waiting for legislative change, he suggests there is a range of tools and systems that are available now that can be used to change thinking, decision making and behaviours such as coaching, training, discipline, etc. He is committed to ensuring human resource processes at the OPS remain progressive and are continuously improved..

That the Ottawa Police Services Board receive this report for information.

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2 RECOMMENDATIONS FOR ADDRESSING SYSTEMIC RACISM,
DISCRIMINATION, AND BIAS, AND CREATING A MORE EQUITABLE AND
INCLUSIVE OTTAWA POLICE SERVICE

Motion by Member D. Nirman

There were two delegates on this item:

1. Councillor Rawlson King

Councillor King expressed his support for the motion and the partnership with the City of Ottawa Anti-Racism Secretariat. He noted he previously circulated a letter to the Board, speaking to meaningful investments the Board and City Council can make in communities.

2. Councillor Theresa Kavanagh

Councillor Kavanagh spoke to the link between systemic racism and sexism, and the reality that racialized women often experience both. She would like to work with the OPS to support this motion.

WHEREAS Article 1(1) of the United Nations Human Rights, Office of the High Commissioner, International Convention on the Elimination of All Forms of Rac Discrimination defines racism as

“Any distinction, exclusion, restriction or preference based on race, colour descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms, in the political, economic, social cultural or any other field of public life.’

WHEAREAS Subsection 5(2) of The *Ontario Human Rights Code* states, “Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability.”

WHEAREAS The Board Policy Number: CR-16 – “Human Rights and Racial Profiling”, states that “the purpose of this policy is to state the Board’s commitment to policing that respects and adheres to the principles contained in the *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code*, and to set out the Board’s expectations with regard to respecting human rights in the delivery of police services.”

WHEREAS since the introduction of the Equity, Diversity and Inclusion (EDI) Action Plan, Chief Sloy and the Ottawa Police Service (OPS) have taken a further step of creating the Directorate of Respect, Values and Inclusion, led by a Superintendent, to strengthen the ability of the Service to advance the 2020 goals and organizational culture more broadly. Also, in partnership with the Ottawa Police Services Board (OPSB) the OPS has launched a special committee to address sexual violence and harassment in the workplace.

AND WHEREAS the OPSB and OPS have a demonstrated commitment to promoting the values of diversity, equity and inclusion and in continuing to build a workforce that is reflective of all of the communities and neighbourhood it serves, and based on a

review of the work that has been completed and now planned and to ensure there is no gap in activities addressing systemic racism and bias which requires overt and sustained attention.

THEREFORE BE IT RESOLVED that Chief of Police be directed to consider the following set of recommendations and report back to the Board through regular updates on the EDI Action Plan:

1. The efforts of the OPS to address its culture and structural inequalities, should be a whole-of-organization initiative, that is inclusive of all members, both women and men, Black, Indigenous and LGBTQ+, civilian and sworn. And further, the

approach to this work must demonstrate an understanding and appreciation of the unique contributions that every member makes in support of a safe, healthy and inclusive City of Ottawa and their equally critical roles in creating a more equitable and resilient culture within the OPS.2.Redesign the long-standing structures and systems that exist within the OPS to ensure they are more equitable and inclusive for all members by leveraging the OPSB, the Community Equity Council (CEC), key community stakeholders and all members.3.Task the new Respect Values and Inclusion Directorate to track incidents of discrimination and bias within the OPS that are not currently accounted for through our formal complaint systems. A system to identify, track and report on these incidents, should be developed or comprehensively heightened in partnership with the OPSB, CEC and other key stakeholders, with results being reported to the OPSB through regular updates on the EDI Action Plan.4.The OPS Racial Profiling Policy should be reviewed to ensure that it is current and reflective of leading practices. The policy should also be evaluated to ensure that systems and supports are in place or in the alternative strengthened for members and supervisors to identify, report and intervene in a timely and constructive manner, with incidents of concern.5.That the OPS establish a partnership with the City of Ottawa Anti-Racism Secretariat to ensure that it considers leading practices to address racism, reduces duplication of efforts and develops an inventory of approaches that can be utilized across all city departments and programs.

CARRIED as amended

3. RESPONSE TO INQUIRY I-20-05 - PROTOCOLS USED BY THE OPS TO GET RID OF OLD POLICE CRUISERS

Chief's report

It was confirmed that former police vehicles sold at auction can be bought by any member of the public.

It was also clarified that OPS specific markings, such as decals and lights bars, cannot be purchased.

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4. RESPONSE TO INQUIRY I-20-06 - COMMUNITY OUTREACH TO PREVENT GENDER BASED VIOLENCE, PARTICULARLY OUTREACH TO RACIALIZED WOMEN

Chief's report

There was a delegate on this item:

1. Councillor Theresa Kavanagh

Councillor Kavanagh expressed her concern with recent comments directed at a female, racialized member of the community, alleged to have been made by a member of the OPS on an audio recording. She highlighted the importance of the police service being welcoming to women, especially racialized women.

The Chief indicated he had reached out personally to the affected community member to offer support.

A question was raised by the Board regarding the discipline options available to address the audio recording. It was noted the recording is part of two ongoing matters, including one before the courts, and therefore a specific response cannot be provided. Generally speaking discipline options would depend on the circumstances as every case is unique. The discipline chosen must lead to the best outcome and take into account the victim, the perpetrator and organization as a whole.

That the Ottawa Police Services Board receive this report for information.

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5. OUTSTANDING BOARD INQUIRIES & MOTIONS – JUNE 2020

Executive Director's report

That the Ottawa Police Services Board receive this report for information.

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6. LETTERS OF COMMENDATION

That the Ottawa Police Services Board receive this report for information.

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OTHER BUSINESS

There was no other business.

CONSIDERATION OF MOTION TO MOVE IN CAMERA

That the Ottawa Police Services Board adjourn the public portion of its meeting to move In Camera to discuss confidential items pertaining to legal, security, and personal matters in accordance with Section 35(4)(b) of the Police Services Act.

CARRIED

IN CAMERA ITEMS

1. LEGAL MATTER INVOLVING A NAMED INDIVIDUAL
2. CANADA DAY BRIEFING
3. PERSONAL MATTER INVOLVING A NAMED INDIVIDUAL
4. LEGAL MATTER INVOLVING A NAMED INDIVIDUAL

ADJOURNMENT

The meeting adjourned at 6:34 pm.

NEXT MEETING

Regular Meeting - Monday, July 27 2020 - 4:00 PM

Note: Please note that any written or verbal submissions (including your name but excluding personal contact information) will form part of the public record and be made available to City Council and the public.

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