



Ottawa Police Services Board

Minutes 23

Monday, 24 October, 2016, 4:00 PM

Champlain Room 110 Laurier Ave. West

Wendy Fedec, Executive Director

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Present: Councillor E. El-Chantiry (Chair), J. Durrell (Vice Chair), Councillor J. Harder, C. Nicholson, L.A. Smallwood, Councillor T. Tierney, S. Valiquet

CONFIRMATION OF AGENDA

That the Ottawa Police Services Board confirm the Agenda of the 24 October 2016 meeting.

CARRIED

CONFIRMATION OF MINUTES

That the Ottawa Police Services Board confirm the Minutes of the 26 September 2016 meeting.

CARRIED

DECLARATIONS OF INTEREST

There were no declarations of interest.

ITEMS OF BUSINESS

1. CHIEF'S VERBAL REPORT

Chief Bordeleau reported on the following items (*a copy of the Chief's verbal report is available online at ottawapoliceboard.ca*):

- Traffic Stop Race Data Collection Project
- Arrest of Murder Suspect
- K9 Track
- Niagara Police Assistance
- High Rise Fire
- Drug Seizure
- Ottawa Police Strategic Operations Centre (OPSOC).

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

RECEIVED

2. REPORT ON TRAFFIC STOP RACE DATA COLLECTION PROJECT

Chief's report

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

RECEIVED

3. 2017 BUDGET DIRECTIONS AND TIMETABLE

Chief's report

That the Ottawa Police Services Board:

1. **Direct staff to prepare the 2017 Draft Operating and Capital Budgets based on a 2% tax increase and an estimated 1.3% increase in taxes resulting from growth in assessment base.**
2. **Approve the 2017 budget review and approval timetable.**

CARRIED

4. NATIONAL CAPITAL AREA CRIME STOPPERS: SEMI-ANNUAL UPDATE

Presentation from R. McMullen, President, National Capital Area Crime Stoppers

Mr. R. McMullen thanked the Board for the opportunity to present their progress on a semi-annual basis. *(A copy of the presentation is on file with the Board's Executive Director.)* The presentation covered the following topics: Board Governance, Statistics, Community Outreach, Partner Update, Media Update, Financial Update and Looking Forward.

Member Harder commended Mr. McMullen on the work he has done since joining Crime Stoppers and congratulated him on his re-appointment as President.

Member Tierney echoed Member Harder's comments and thanked him for the support Crime Stoppers has provided to the residents on Jasmine Crescent.

Chief Bordeleau congratulated Mr. McMullen for his re-election and thanked him for the tremendous work that is being done. He looked forward to working together in the future, as Crime Stoppers is one of the OPS' key partners.

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

RECEIVED

5. APPOINTMENT OF SPECIAL CONSTABLES - OTTAWA POLICE SERVICE

Chief's report

That the Ottawa Police Services Board approve the appointments of Sheri Lynn Bisaillon, Catherina Catinus and Chad Hagley as Special Constables pursuant to Section 53 of the Police Services Act, in accordance with the terms and conditions set forth in the attached Approval of Appointment form.

CARRIED

6. APPOINTMENT OF SPECIAL CONSTABLES – CARLETON UNIVERSITY

Chief's report

That the Ottawa Police Services Board approve the appointments of Kelly Allison (nee Brown) and Marc Larochelle as Special Constables pursuant to Section 53 of the Police Services Act, in accordance with the terms and

conditions set forth in the attached Approval of Appointment form.

CARRIED

7. PUBLIC CONSULTATION POLICY: ANNUAL REPORT

Chief's report

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

RECEIVED

8. FINANCIAL STATUS REPORT: THIRD QUARTER 2016

Chief's report

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

RECEIVED

9. PERFORMANCE REPORT: THIRD QUARTER 2016

Chief's report

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

RECEIVED

10. WORKFORCE MANAGEMENT REPORT: THIRD QUARTER 2016

Chief's report

Chair El-Chantiry asked that Chief Bordeleau introduce newly promoted senior officers at Board meetings as they occur, so that the individuals can be recognized in a timely manner instead of waiting for the quarterly report.

That the Ottawa Police Services Board:

1. Approve the appointment of the sworn officers identified in Document 2.

CARRIED

2. Receive this report for information.

RECEIVED

11. COMPLAINTS REPORT - PART V – POLICE SERVICES ACT: THIRD QUARTER 2016

Chief's report

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

RECEIVED

12. LEGAL SERVICES REPORT: THIRD QUARTER 2016

Board Solicitor's report

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

RECEIVED

13. BOARD MONITORING REQUIREMENTS STATUS REPORT: THIRD QUARTER 2016

Executive Director's report

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

RECEIVED

14. RESPONSE TO INQUIRY I-16-03: OTTAWA POLICE SERVICE ACCOMMODATION

Chief's report

Member Tierney thanked staff for the in-depth response to his inquiry. He asked if the numbers contained in the report are indicative of a morale problem within the organization and if it should be a cause for concern.

Director General Frazer noted there isn't a consistent definition of accommodation and the report cites various examples of what the OPS considers an accommodation. Accommodation is taken very seriously by the organization and they do the best to create the physical environment required to help individuals carry out their role. Chief Bordeleau stated an employer has a responsibility to respect individual medical or family status accommodation whether it is Human Rights related or a sustained injury.

Member Tierney noted that this inquiry arose from comments and concerns he

has heard from the membership. He asked if data could be gathered on how many individuals, in their first five years of service, are on accommodation. He felt it should be relatively easy to pull this information, and noted that he would be making the same request in a few months time to review the numbers and look for solutions. The Director General said it was possible to gather that information.

Chief Bordeleau thanked the Member for bringing the request forward. He said this data is tabulated on a regular basis, and it is something they hear about from the membership as well. Staff are designing a process that will help to report this information on a regular basis.

As direction to the Chief, the Chair requested that accommodation information be included in the quarterly Workforce Management report.

A discussion ensued about accommodations and how other police services manage these situations. The following points of clarification were made:

- Some terms and conditions pertaining to accommodation are set out in collective agreements, which differ from service to service.
- The *Police Services Act* identifies the process to transition from a sworn to civilian position. This is a lengthy process, and an officer is provided every opportunity to continue to contribute to the organization as a police officer.
- When new police officers are hired it is generally understood that their first five years are spent on patrol. They are the ones that are most exposed to events where they can be injured. There is legislation pertaining to the Human Rights Code that must be respected.
- There are specific rules and regulations that the organization must abide by and it is an employer's responsibility to respect a member who comes forth with a legitimate medical issue that requires an accommodation.
- Members who have restrictions or accommodations around the duties they can perform can work paid duties as long as their restrictions are respected. The paid duty process has a list of individuals and their accommodations and paid duties will not be given out that will go against the restrictions. The Chief has no authority to deny a paid duty if the individual can perform the function.

The Chair reminded the Board that it is important to respect the collective agreements; the only way to make changes to the process is through negotiations with the associations.

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

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15. RESPONSE TO INQUIRY I-16-06: MARIJUANA DISPENSARIES IN OTTAWA

Chief's report

Mr. R. Bergman, a resident of Orleans, husband, father and former sergeant with the RCMP wanted to address the Board on behalf of himself and others who were unable to attend. He was accompanied by Ms. P. Ulrich and Ms J. Erdeg.

Mr. Bergman felt that he is witnessing an abdication of the duty of the police to enforce the Criminal Code of Canada. The police have entered the political realm by presuming what the Crown will decide and what the law may or may not be. Business owners are suffering economically when these illegal drug stores open up beside them. Parents cry in disbelief when tutoring clinics and taekwondo studios have a marijuana store right beside them. Mr. Bergman called the lack of enforcement from police a direct assault on children.

Mr. Bergman had three questions: 1) When will the police enforce the laws currently on the books? 2) Do you have suggestions on how local businesses and parents can stop the proliferation of these stores? and 3) When will the public authorities stand up for law abiding business owners and parents?

Ms. P. Ulrich, expressed concern that if police resources are being used to shut down illegal marijuana shops there will be limited resources left for other crimes and the crime rate will increase. She fears if laws are allowed to be flaunted then crime will actually increase and wondered why youth would obey the law if it wasn't being enforced.

Ms. J. Erdeg, wanted to add her support to the previous comments and noted that there are five schools within 10 minutes of the marijuana store in Blackburn Hamlet. A subsidized housing development was built in the neighbourhood with the intention of providing the children in the area with a positive influence for a better life. To have something like this move into the community is against everything that the community stands for.

Deputy Chief J. Skinner thanked the speakers for bringing forward their concerns. Medical marijuana has been legislated by the federal government with strict rules. As the legislation is so new the OPS has approached the federal Crown to ensure they are willing to prosecute (they are). There is a check list of

evidence that must be produced before a case can be presented for prosecution.

Chief Bordeleau stated officers are actively investigating the shops that have opened up, however, the OPS does not have legal authority to refuse a business from opening. He assured the speakers that the police are investigating, working with the City around current laws and by-laws, as well as putting pressure on landlords.

Chair El-Chantiry asked if police can confiscate illegal drugs without laying charges. Chief Bordeleau explained that police cannot just go in and confiscate illegal material, they require a search warrant which requires investigation and building a case to demonstrate that trafficking is ongoing.

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

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16. REPORT ON SIU INVESTIGATIONS

Chief's report

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

RECEIVED

17. OUTSTANDING BOARD INQUIRIES & MOTIONS: OCTOBER 2016

Executive Director's report

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

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18. LETTERS OF COMMENDATION

Chief's report

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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 and personnel matters in accordance with Section 35(4)(b) of the Police Services Act.

CARRIED

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

W. Fedec
Executive Director

E. El-Chantiry
Chair