



## Ottawa Police Services Board

### Minutes 27

Monday, September 28 2020, 4:00 PM

By Zoom

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#### **Board Members:**

**Present:** Councillor D Deans (Chair), L.A. Smallwood (Vice Chair), B. Johnson, Councillor C. Meehan, D. Nirman, R. Swaita, Mayor J. Watson

#### CEREMONIAL ACTIVITES/ANNOUNCEMENTS

Chair D. Deans provided opening remarks as this was her first meeting back, following her medical leave of absence.

## CONFIRMATION OF AGENDA

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The Chair requested the Board's consent to amend the agenda as follows:

- Defer Item #12 until the next public agenda;
- Add an item pertaining to a Notice of Motion moved by the Mayor and the Chair at a recent City Council meeting pertaining to officer suspensions and terminations; and,
- Add a legal and labour relations matter to the in-camera agenda.

**That the Ottawa Police Services Board confirm the amended Agenda of the 28 September 2020 meeting.**

CONFIRMED as amended

## CONFIRMATION OF MINUTES

### MINUTES #25 OF THE 27 JULY 2020 MEETING

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Member Nirman requested the minutes be amended to record his dissent on item 21 due to non-disclosure of facts and figures.

**That the Ottawa Police Services Board confirm Minutes #25 of the 27 July 2020 meeting.**

CONFIRMED as amended

## DECLARATIONS OF INTEREST

There were no declarations of interest.

## PUBLIC DELEGATIONS

The Board heard from the following public delegates on various topics.

1. LYDIA DOBSON
2. PAUL HOWARD
3. KHADIJA EL HILALI
4. MPP JOEL HARDEN
5. OUSSAMA MOULAY
6. CHARLENE DESROCHERS – *unable to attend*
7. MEGAN LINTON
8. ERICA IFILL, COALITION AGAINST MORE SURVEILLANCE (CAMS)
9. MAR KHORKHORDINA
10. SAM HERSH
11. DAVID HENNESSY
12. FARNAZ FARHANG

The following points of clarification were made during the presentations by the delegates:

- A number of delegates made mention of priorities for the Board and Service to consider in its budget discussions. Chair Deans confirmed these issues would be considered by the Board in its budget deliberations.
- Chief Sloly made note of the Community Safety and Well-Being Plan which sets housing as a top priority and looks to address both disorder and crime issues in a more preventative rather than punitive way.
- In terms of comments made regarding the OPS's use of social media. Chief Sloly confirmed a review of the OPS's social media strategy is currently underway and is aimed towards more positive and effective communication.

- A suggestion was made that priority be given to delegates on the public agenda based on lived experience. Chair D. Deans responded that it is not entirely possible, referencing the fact that prior to hearing delegate speeches at the meeting, the Board is not aware of their lived experiences nor the specific details of their delegations. The ordering of speakers is determined by the order in which delegate requests come in.

## COMMITTEE MEETINGS: REPORTS FROM COMMITTEE CHAIRS & MINUTES

### 1. FINANCE AND AUDIT COMMITTEE MINUTES #11 OF 15 SEPTEMBER 2020

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As Chair of the Finance and Audit Committee, Vice Chair L.A. Smallwood provided a verbal update. At this time a balanced budget is expected.

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

RECEIVED

## INQUIRIES

The following inquiries were raised by Board members, to be addressed at a future meeting of the Board:

### **Member D. Nirman – Mask policy in light of religious practices**

In view of the COVID-19 pandemic what is the mask policy for the front-line officers, especially for the members from Sikh, Muslim faiths and those who leave their hair unshorn for religious reasons? Have any complaints or concerns filed by any members on account of discrimination on this account to date?

### **Member B. Johnson- Trends in reporting workplace sexual violence and harassment over the last 5 years**

It is a priority to the OPSB and the OPS to ensure the OPS workplace is free from sexual violence and harassment. Would the OPS please advise the OPSB of the trends (statistical details) in reporting workplace sexual violence and harassment over the past 5 years, keeping in mind that since 2017 with the Harvey Weinstein investigation and the broader use of the #MeToo, survivors may be more comfortable in speaking up.

## ITEMS OF BUSINESS

### 1. CHIEF'S VERBAL REPORT

Chief's report

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A copy of the Chief's verbal report is available [online](#). His verbal report was delivered following Chair Deans opening remarks.

A question was raised regarding the Ottawa Police Service's involvement with the War Memorial encampment, as well as the harassment of a Member of Parliament and journalist that occurred there.

Chief Sloy described OPS' coordination and partnership with the RCMP (the police of jurisdiction) on this matter, given that the War Memorial is located on federal property. Public Works is also involved.

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

RECEIVED

### 2. APPOINTMENTS TO BOARD COMMITTEES

Executive Director's report

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**That the Ottawa Police Services Board approve the following appointments to committees:**

BOARD COMMITTEE	MEMBERSHIP
Complaints Committee	C. Meehan, R. Swaita, B. Johnson
Finance & Audit Committee	D. Deans, J. Watson, L.A. Smallwood
Human Resources Committee	L.A. Smallwood, R. Swaita, D. Nirman
Policy & Governance Committee	D. Deans, D. Nirman, B. Johnson

OPS COMMITTEES	MEMBERSHIP
Community Awards Selection Committee	D. Nirman
Police Scholarship & Charitable Fund	K. Ferraro
Thomas G. Flanagan Scholarship Award	B. Johnson

Selection Committee	
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CARRIED

DRAFT

3. ONTARIO ASSOCIATION OF POLICE SERVICES BOARDS' LABOUR  
RELATIONS SEMINAR FUNDING REQUEST

Executive Director's report

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**That the Ottawa Police Services Board approve a \$1,500 Silver sponsorship for the Ontario Association of Police Services Boards' 2020 Virtual Labour Relations Seminar being held November 12-13, 2020.**

CARRIED

4. CANADIAN ASSOCIATION OF POLICE GOVERNANCE: VIRTUAL  
CONFERENCE ATTENDANCE

Executive Director's report

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**That the Ottawa Police Services Board approve the purchase of one registration for the Canada Association of Police Governance Annual Conference taking place virtually October 30 and November 2, 2020, at a cost of \$500 before taxes, which is good for up to 15 attendees.**

CARRIED

5. DELEGATED AUTHORITY FOR CONDUCTED ENERGY WEAPON AND  
CARTRIDGE PURCHASE

Chief's report

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**That the Ottawa Police Services Board delegate authority to the Chief for the immediate sole source purchase of 40 replacement Conducted Energy Weapons (CEW) for 2020 (attached in Document 1) at a cost of \$168,720.88 (\$190,654.59 with HST) and 30 additional CEWs (attached in Document 2) to account for front line growth for a cost of \$129,010.68 (\$145,782.07 with HST); as well as the purchase of operational and training CEW cartridges for 2020 (attached in Document 3), for a total of \$262,350.00 (\$296,455.50 with HST), to be paid to M.D. Charlton Co. Ltd.**

CARRIED

6. DELEGATED AUTHORITY FOR 2021 GLOCK PURCHASE

Chief's report

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A question was raised as to what the additional glocks are being purchased for. It was explained that the average glock has a lifespan of about 15 years, and the budgetary allowance allocates funds to replace 100 glocks annually. The glocks are being bought to replace guns that are "evergreened out" having reached their 10-to 15-year lifespan. The 15-year lifespan is not a guarantee; it is the longest they'll last dependent on use.

Clarification was made on the evergreening program; it is a term used to refer to lifecycle management and replacement.

**That the Ottawa Police Services Board approve the delegation of authority to the Chief of Police to execute and administer the immediate procurement of a sole source purchase of the 2021 Glock pistol ever-greening program allotment to a maximum of \$60,000.**

CARRIED

7. 2019 TELUS COMMUNICATIONS INC. NG9-1-1 CONTRACT AMENDMENT

Chief's report

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**That the Ottawa Police Services Board approve an amendment to the 2019 NG9 1 1 contract with TELUS Communications Inc. for the provisioning and implementation of a Komutel Unanswered Call Management System (UCMS) to be integrated with the Next Generation 9-1-1 call handling system currently being implemented at a cost of \$110,756.70 before tax and associated equipment.**

CARRIED



8. 350 COMET PRIVATE – SUBLEASE

Chief's report

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Questions were raised as to whether the OPS continues to require access to a fixed-wing aircraft, or if a partnership with the OPP or RCMP would be feasible, and what the aircraft is costing the Service. Chief Sloy agreed to report back to the Board, exploring those options.

**That the Ottawa Police Services Board approve the execution of a Sublease with Sky Service F.B.O. Inc. for approximately 267 sq. ft. of space located at 350 Comet Private for a period of three years commencing October 1, 2020.**

CARRIED

9. WORKFORCE MANAGEMENT REPORT – 2ND QUARTER 2020

Chief's report

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

RECEIVED

10. BOYS AND GIRLS CLUB OF OTTAWA – REPORT ON OUTCOMES OF 2019 GRANT FUNDING

Presentation & Report

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Boys and Girls Club of Ottawa Executive Director Adam Joiner presented a report on the outcomes of the 2019 grant funding. Mr. Joiner called 2019 a successful year during which they were able to offer many opportunities and experiences to young people attending their programming.

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

RECEIVED

11. UPDATE ON EQUITY, DIVERSITY AND INCLUSION ACTION PLAN

Presentation & Report

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Chief Sloly noted that the EDI Action plan brings together several other reports, tackling the top ten identified issues, and aims to make meaningful progress, if not full resolution, against them.

Superintendent Granger presented a progress update on the EDI Action Plan, during which she highlighted the 10 priority items that are currently being implemented. The goal of the plan is to prevent, identify and eliminate all discrimination in the workplace through building an equitable police service. Half of the items are 80 per cent complete.

The full report can be found [here](#).

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

RECEIVED

12. UPDATE ON THE JOINT OPSB/OPS STRATEGY ON WORKPLACE SEXUAL VIOLENCE AND HARASSMENT

Presentation

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

DEFERRED

13. PUBLIC CONSULTATION POLICY: ANNUAL REPORT

Chief's report

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

RECEIVED

14. PERFORMANCE REPORT – 2ND QUARTER 2020

Chief's report

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

RECEIVED

15. COMPLIANCE WITH BOARD POLICY CR-19

Chief's report

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

RECEIVED

16. RESPONSE TO INQUIRY I-20-08 - USE OF FORCE AND DE-ESCALATION –  
PART B

Chief's report

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Chief Sloy noted that a complete program review, design, implementation and evaluation of de-escalation training for its sworn officers is to be conducted over a 24-month period, with most time being spent on the evaluation stage. Some of the experts brought in will be certified members, while others will be subject matter experts from the community.

A further question was raised in regards to increasing the amount of time spent on de-escalation. Chief Sloy stated that they will always invest the time and resources necessary, shifting the priority from rapid response to peaceful outcomes.

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

RECEIVED

17. RESPONSE TO INQUIRY I-20-14: TESTING OF SUBSTANCES SEIZED IN INVESTIGATIONS

Chief's report

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

RECEIVED

18. RESPONSE TO INQUIRY I-20-15: ONGOING MONITORING OF OPS MEMBERS' MENTAL HEALTH AND WELLNESS

Chief's report

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

RECEIVED

19. RESPONSE TO INQUIRY I-20-17: FEES FOR COLLISION REPORT REQUESTS

Chief's report

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A further inquiry was made as to whether the fees associated with a full traffic reconstruction report have ever been waived, and whether there is any discretion when it comes to charging these fees. On average, there are 10-20 full traffic reconstruction reports put together per year, and the fees are always paid. The OPS was not aware of any cases where the fee has been waived.

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

RECEIVED

20. OUTSTANDING BOARD INQUIRIES & MOTIONS – SEPTEMBER 2020

Executive Director's report

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

RECEIVED

21. LETTERS OF COMMENDATION

Chief's report

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

RECEIVED

22. MOTION ON COMMUNITY SAFETY AND POLICING ACT

Moved by Chair D. Deans

Seconded by Vice Chair L.A. Smallwood

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A question was raised regarding whether this motion is the same as those of other groups on similar subject matters. It was clarified that the motion quotes directly from the Ontario Association of Police Services Boards as well as the Ontario Association of Chiefs of Police that have passed similar resolutions, in order to maintain consistency.

Clarification was requested on the term “serious criminal offence”, as any criminal offence could be viewed as serious. It was explained that distinguishing parameters such as those would be set by the province.

With respect to cases where an officer is found not guilty, it was noted that if they were suspended without pay, they would then be paid owed wages.

It was further clarified that this motion asks to give the Chief more discretion to make decisions on discipline for officers having committed egregious acts of any sort; whether they are committed on or off duty, related or unrelated to police work.

**WHEREAS** the Ontario Police Services Act currently does not provide for any authority in a Chief of Police or any oversight body to suspend a police officer, without pay, when that officer is charged with or convicted of a serious offence under the laws of Canada; and

**WHEREAS** public reports of police officers continuing to receive their full pay, even while facing charges of serious and even criminal misconduct, can diminish public respect for, and confidence in, the integrity of police services across the Province; and

**WHEREAS** the Ontario Government in 2018 introduced the Safer Ontario Act to modernize policing in the Province, including provisions for the suspension without pay of police officers who are charged with serious offences, in certain defined cases, in order to address these concerns; and

**WHEREAS** the Ontario Association of Chiefs of Police (OACP) has passed resolutions calling on the Government of Ontario to make the necessary changes to the Police Service Act to allow for the suspension without pay of police officers in situations where: they are charged with serious Criminal Code of Canada and other federal offences not related to their performance of duty; when held in custody or when subject to a Judicial Interim Release order with such conditions that prevent the officer from carrying out the duties of a police officer; or, who are charged with serious Police Services Act violations where the Chief of Police will seek dismissal of the officer; and

**WHEREAS** the Ontario Association of Police Services Boards has passed a resolution joining with the OACP in calling on the Government of Ontario to make the necessary changes to the Police Service Act to allow for the suspension without pay of police officers in situations where: they are charged with serious Criminal Code of Canada and other federal offences not related to their performance of duty; when held in custody or when subject to a Judicial Interim Release order with such conditions that prevent the officer from carrying out the duties of a police officer; or, who are charged with serious Police Services Act violations where the Chief of Police will seek dismissal of the officer;

**WHEREAS** the Safer Ontario Act was not passed before the Provincial election in 2018;

**WHEREAS** identical provisions were later incorporated into the Community Safety and Policing Act, 2019, which was enacted by the Provincial Government in March, 2019 but which has never been proclaimed in force;

**THEREFORE BE IT RESOLVED THAT** the Ottawa Police Services Board endorse City Council's request to the Province; and

**BE IT FURTHER RESOLVED THAT** the Ottawa Police Services Board send their own written communication asking the Provincial Government to declare in force those sections of the Community Safety and Policing Act, 2019 as soon as possible, that are necessary to provide Chiefs of Police or Police Services Boards, as applicable, with the discretion to suspend a member of the police service, without pay, who is charged with or convicted of a serious offence, in those circumstances set out in the statute; and

**BE IT FURTHER RESOLVED THAT** the Ottawa Police Services Board send their own written communication asking the Provincial Government to further amend the legislative scheme governing police services so as to streamline the process for the termination of a police officer who is found guilty of serious or criminal misconduct.

CARRIED

#### 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, labour relations and personal matters in accordance with Section 35(4)(b) of the Police Services Act.**

CARRIED

#### IN CAMERA ITEMS

1. DELAY APPLICATION
2. DEBRIEF ON LABOUR RELATIONS MATTER
3. LEGAL MATTER INVOLVING A NAMED INDIVIDUAL
4. PERSONAL MATTER INVOLVING A NAMED INDIVIDUAL
5. LEGAL MATTER \*ADDED
6. LABOUR RELATIONS MATTER \*ADDED

#### ADJOURNMENT

The public meeting adjourned at 7:15 pm. The in-camera was scheduled to begin at 7:25 pm.

#### NEXT MEETING

Regular Meeting - Monday, October 26, 2020 - 4:00 PM