

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

28 May 2018 / 28 mai 2018

Submitted by / Soumis par:

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SUBJECT: RENEWAL OF OC TRANSPO SPECIAL CONSTABLE PROGRAM

**OBJET: RENOUELEMENT DU PROGRAMME D'AGENTS SPÉCIAUX OC
TRANSPO**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board approve the continuation of the OC Transpo Special Constable Program for a term of five years.

RECOMMANDATIONS DU RAPPORT

Que la Commission de services policiers d'Ottawa approuve la continuation du Programme d'agents spéciaux d'OC Transpo pour une période de cinq ans.

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.

Subsequent to 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 purpose of this report is to recommend that the program be extended another five-year term ending 31 Jul 2023. The Ottawa Police Service and OC Transpo are aware of the changing legislative landscape related to policing in Ontario. We will continue to review and monitor regulatory and legislative changes and ensure that this MOU is in line with them.

DISCUSSION

The Board, mandated by the *Police Services Act*, is tasked with the responsibility of ensuring community safety in the City of Ottawa. As set out by the *Police Service Act*, 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 53 of the *Police Services Act*, to authorize the appointment of Special Constables for specific terms, according to specific criteria. In fact, the Board has exercised this authority internally for Court Security and Temporary Detention, as well as externally for the Carleton University Special Constable Program, which has been in place since the 1990's. Over the years, the Board has also approved the appointment of Special Constables from the RCMP for the use of special joint force operations (JFOs).

Special Constables within the OPS are subject to the direct control of the Service's management team. Accountability structures are clear. Those from the RCMP are subject to direct control from their respective management structures. Beyond the OPS and partner police services, the issues of management accountability are with the public sector group that has been provided authority to operate a Special Constable Program. While the Board is removed from the direct accountability for the designated Special Constables, the Board exercises its authority to administer community expectations by incorporating specific conditions of operation for Special Constable Programs into Memorandum of Understanding, which define roles, responsibilities and accountability.

This program continues to be effective in achieving the goals set out in the original December 2006 report to the Board.

OC TRANSPO SPECIAL CONSTABLE PROGRAM

OC Transpo has operated a distinct Security Operation since 1975. Since the first sections of the Transit way opened in 1985, the mandate of Transit Law Enforcement began to shift from property protection to protective services for Transit Services system users, employees and assets.

As the transit system expanded and its services diversified, the protective services model has evolved into transit by-law enforcement and crime prevention. From the transit users' perspective, there is a clear community expectation that security be provided on the transit system.

The intent of the Special Constable Program is to supplement the duty of law enforcement provided by the OPS by undertaking tasks involving lower level crime or activities that may require law enforcement but not necessarily a police officer. OC Transpo Special Constables act as a visual deterrence to crime, mitigate risk, and reduce Ottawa Police Service calls for service for transit related incidents. Over the last 5 year program, OC Transpo Special Constables have responded to 89,000 calls for

service. OC Transpo Special Constables are committed to community policing initiatives in partnership with the Ottawa Police Service and share in the community safety objective by assisting the wide-range of transit users. From a community safety perspective, the OC Transpo Special Constables have been able to address problems around drug use, alcohol consumption and the removal from the transit system of individuals that present a risk.

The current complement of the OC Transpo Special Constable Unit consists of 47 sworn personnel specially trained to meet the unique challenges of securing an urban transit environment. All OC Transpo Special Constables receive specialized training in emergency management, rail safety, and “right of way” railway safety training. This specialized training enhances the abilities and skills necessary for Special Constables to effectively work with the OPS towards a shared responsibility for community safety of transit users and employees.

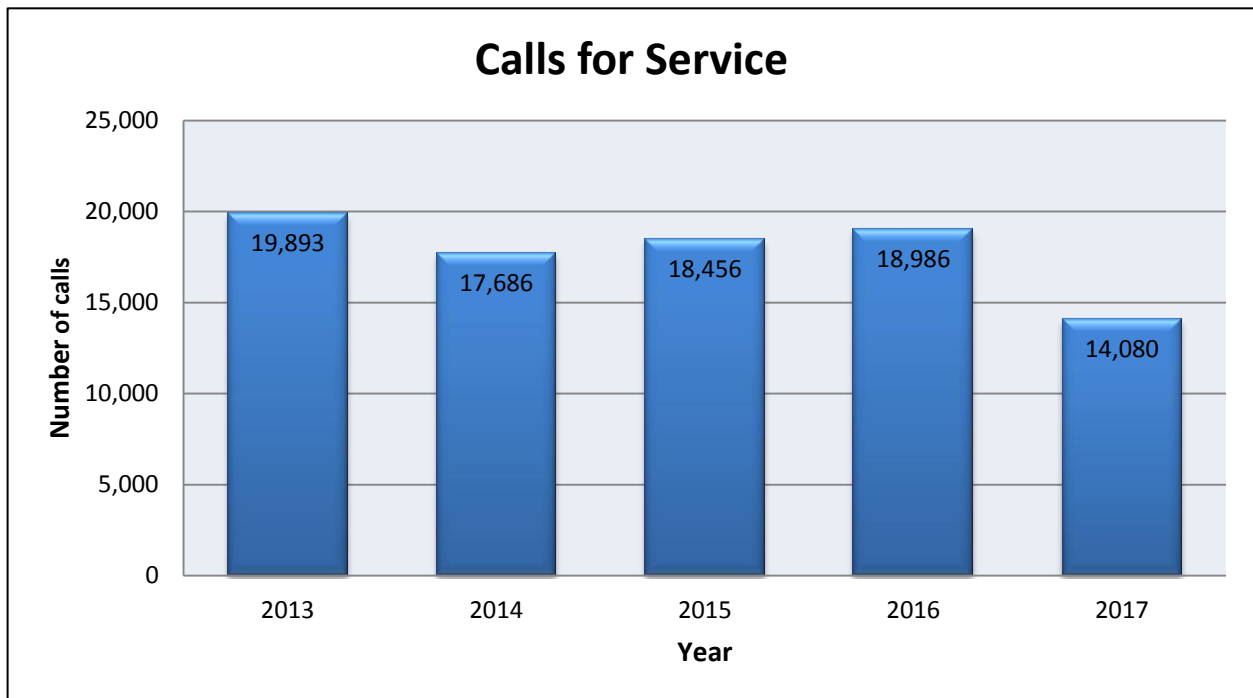


Figure 1. Calls for Service by OC Transpo Enforcement Unit

Workload measurements illustrated in Figure 1 demonstrates the calls for service taken by OC Transpo Safety and Enforcement Unit.

Over the last five years, the Special Constable program has been an important safety and security feature on OC Transpo properties and vehicles. It enhances the safety and security of Transit users and is a strong partner of the OPS. From the outset, the

program focused on tracking its performance and call volume in order to understand the value of the program to the public. OPS members work closely with the Special Constables. Special Constables are often on scene first for a variety of minor and more serious crimes ranging from assaults, robberies, mischief and thefts.

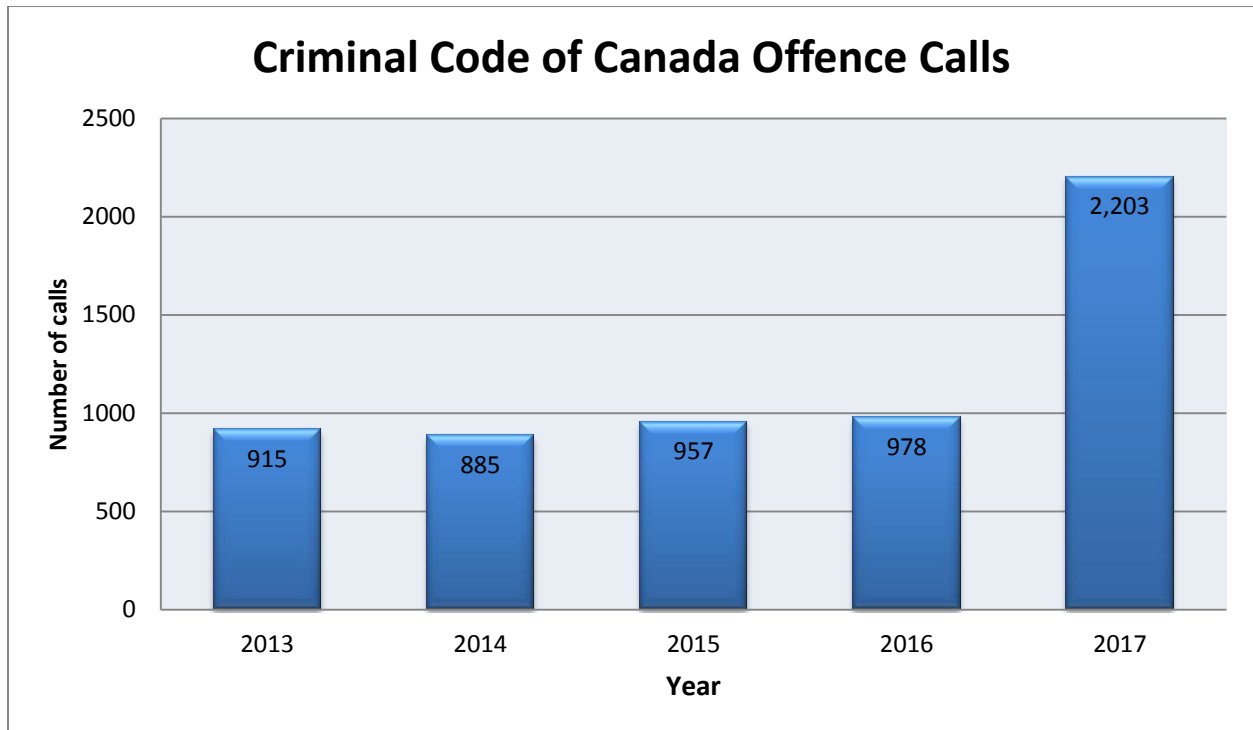


Figure 2. Calls for service involving Criminal Code offences

Figure 2 illustrates the Criminal Code related calls for service that the OC Transpo Safety and Enforcement Section responds to annually. These calls include but are not limited to crimes against persons, crimes against property, traffic offences, and controlled drugs and substances (drugs).

OPS members participate in joint enforcement operations with the Special Constables throughout the year targeting criminal activity on transit vehicles and properties.

The Special Constables also handle a significant number of public disorder and safety issues, patrol areas not normally enforced by the OPS, provide enhanced security and enforcement in 45 Transit way stations, Park and Rides and 30 km of bus only segregated Transit way routes.

Figure 3 illustrates the number of Provincial Offence and By-law charges that are laid annually. The charge that are laid fall under several statutes and include the Trespass to Property Act, Liquor Licence Act, Safe Streets Act, and the Provincial Offences Act.

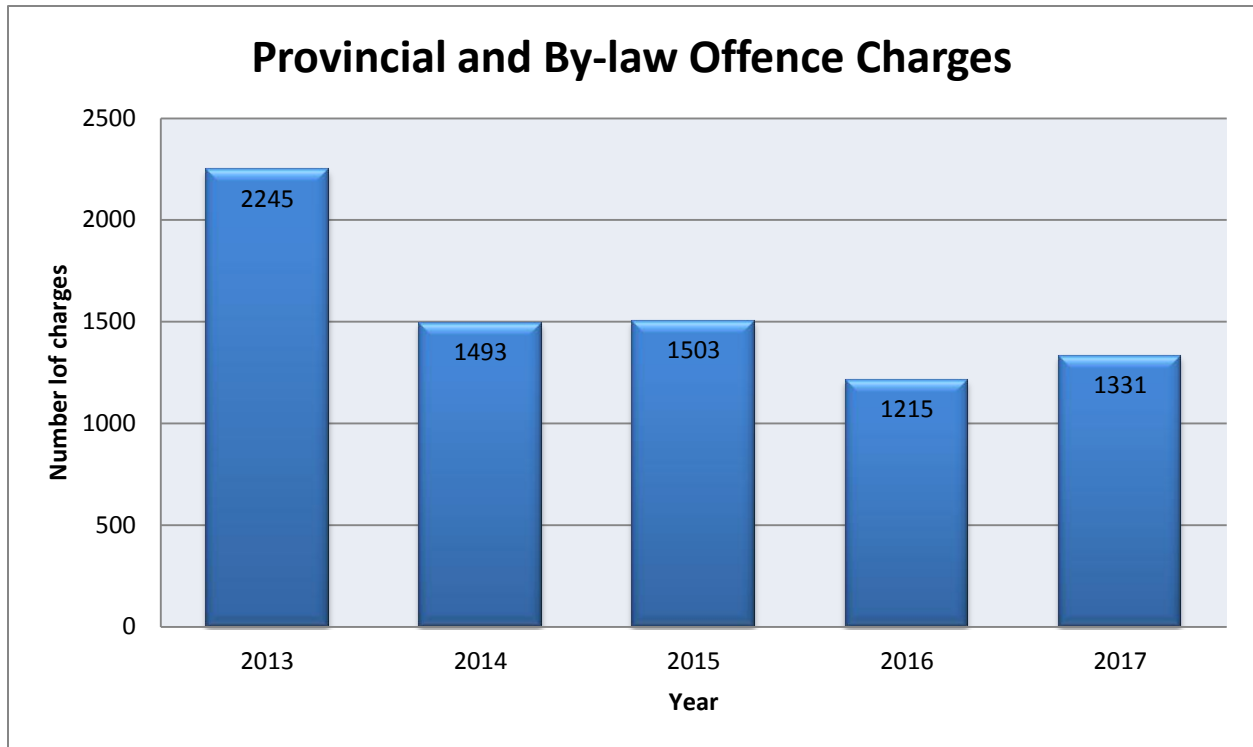


Figure 3. Number of Provincial and By-law offence charges laid per year

Without this program, the workload involving calls for service, investigation follow-up, and attendance at court, would all largely be transferred to the OPS.

SUPPORTING DOCUMENTATION

Document 1 – Memorandum of Understanding

CONCLUSION

As noted above, the Board is mandated to ensure community safety, and partnerships that enable and enhance this mandate are of great importance to the Board. While OC Transpo has provided a security and enforcement function for system users, personnel and assets since 1975, its mandate has been enhanced by the Special Constable Program through their training, partnership with OPS and with their ability to lay minor criminal charges, issue Provincial Offence Notices, and address public disorder issues.

The commitment of OC Transpo Transit Law Enforcement towards community safety, ranging from technology investments, crime prevention programs, and security and enforcement initiatives has positioned them as highly regarded in the field. They continue to research best practices on a local and a national level and continue to work with the OPS in calls for service analysis, joint enforcement initiatives and emergency response strategies.