



Ottawa Police Services Board

Minutes 41

Monday, July 26 2021, 4:00 PM

Via Zoom

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Board Members:

Councillor D. Deans, B. Johnson, Councillor R. King, Councillor C. Meehan, D. Nirman, L.A. (Sandy) Smallwood, R. Swaita

CONFIRMATION OF AGENDA

That the Ottawa Police Services Board confirm the agenda of the 26 July 2021 meeting.

CONFIRMED

CONFIRMATION OF MINUTES

MINUTES #40 OF 28 JUNE 2021

That the Ottawa Police Services Board confirm Minutes #40 of the 28 June 2021 meeting.

CONFIRMED

DECLARATIONS OF INTEREST

There were no declarations of interest.

PUBLIC DELEGATIONS

The Board heard from the following public delegates on a range of topics. The Board welcomed delegations to provide their preferred pronouns and the phonetic pronunciation of their names.

1. ALEKSANDAR GOLIJEVIC
2. JOANNE LEVESQUE, MENTAL HEALTH GUIDING COUNCIL
3. CASSIE SLACK (*she / they*)
4. INEZ HILLEL
5. LAURA SHANTZ
6. LYSE-PASCALE INAMUCO (I-N-A-M-U-C-H-O)
7. STEVE BALL, PRESIDENT - OTTAWA GATINEAU HOTEL ASSOCIATION

Some of the topics and feedback expressed during the delegations included:

- Moments of silence held for Abdirahman Abdi, who died five years earlier.
- An update from the Mental Health Guiding Council, in which a whole of system approach to reduce incidents of addiction and mental health crises was described.
 - The Service responded to the update, noting the group's recent transition under the City's umbrella as a significant milestone. It was explained that the OPS expect there will be an appointed secretariate by late September or early October. The secretariate will develop and undertake rigorous

consultation plans, bringing forth tangible change by the end of 2021 or early 2022.

- Calls to freeze the 2022 OPS budget at 2021 levels and for fewer police officers.
- Points around communities requiring more care, rather than more policing.
- Suggestions to cut officers from areas where community alternatives exist.
- Calls for a greater police presence.
- Praise for Neighbourhood Resource Teams as well as calls to remove them.

INQUIRIES

There were no inquiries.

ITEMS OF BUSINESS

1. CHAIR'S VERBAL REPORT

Chair's report

Chair Deans delivered a verbal report, in which she spoke to the Board's CAO recruitment, the renewal of Deputy Chief Bell's contract, and the awarding of the Order of Merit to Ceremonial Sergeant Major Steve Boucher, Staff Sergeant Roy and Inspector Debbie Miller.

Her full report can be read [here](#).

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

2. CHIEF'S VERBAL REPORT

Chief's report

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

Following the Chief's verbal report, a point was made that it seems as though police enforcement of speed limits has little effect on those choosing to drive over the limit. A question was raised regarding whether there is more that can be done, or whether speed enforcement by police is a wasteful use of resources.

The Service explained that absent police intervention, there would likely be more deadly outcomes on the roads of Ottawa. It was suggested that there would be greater incidence without police enforcement, but that engineering tools and automated speed enforcement cameras also play significant roles.

Unlike automated speed enforcement cameras, however, police officers can identify a vehicle's driver. Speed cameras cannot assign points against a driver's license and their tickets are issued only to the vehicle's owner. Deterrents when stopped by an officer rather than ticketed by a camera are therefore greater.

Further, if a driver is stopped by an officer while stunt driving – going above 50 km/h over the speed limit – their vehicle is seized for at least 14 days and the driver's license and insurance could be in jeopardy.

Lastly, praise was offered for the influx of diverse new recruits, with 50 per cent of the class identifying as racialized.

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

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3. CANADIAN ASSOCIATION OF POLICE GOVERNANCE: NOMINATION TO BOARD OF DIRECTORS

Executive Director's report

That the Ottawa Police Services Board support the nomination of Board Chair D. Deans to serve on the board of directors of the Canadian Association of Police Governance for the 2021 - 2022 term.

CARRIED

4. APPOINTMENT OF SPECIAL CONSTABLE: CARLETON UNIVERSITY

Chief's report

That the Ottawa Police Services Board approve the appointment of Carleton University employee, Audrey-Ann BOUTOUR, as Special Constable 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

5. RE-APPOINTMENT OF SPECIAL CONSTABLES: CARLETON UNIVERSITY

Chief's report

That the Ottawa Police Services Board approve the re-appointment of Carleton University employees, Kelly ALLISON 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

6. OTTAWA POLICE SERVICE 2022 BUDGET SCENARIO REPORT

Chief's report

The Board heard from the following public delegations:

PUBLIC DELEGATIONS

1. NORA OTTENHOF (*she/ her*)
2. ROBIN BROWNE, 613-819 BLACK HUB (*he / him*)
3. EWART WALTERS, BLACK AGENDA NOIR
4. SANDRA BARANCIRA, ALLIANCE DES BURUNDAIS DU CANADA
5. SAM HERSH
6. FAIZ JAN (*he / him*)

7. BAILEY GAUTHIER
8. NORMAN PAYNE
9. STEVE MONUK
10. HEIDI LANGILLE, COMMUNITY EQUITY COUNCIL
11. GODLOVE NGWAFUSI
12. MEGHAN POTTASE

Some of the feedback expressed during the delegations included:

- Comments regarding OPS Members' average wage increases as being high:
 - The Service responded, noting that wage increases are dictated by Members' Collective Agreements, and that Sunshine List figures include overtime pay and unused vacation. Similar legislative challenges are faced when considering suspended officers receiving pay.
- Concern that the report indicates cutting diversity if required to freeze the budget.
- Comments that police officers do not prevent harm.
- Praise for the OPS' partnerships with community outreach organizations, such as the Shepherds of Good Hope.
- The need for crime levels to decline prior to police services being curtailed.
- Praise for the Byward Market Neighbourhood Resource Team and requests for additional presence.
- Gratitude towards the OPS for their handling of the shooting death of Tyson Ndongezi on July 4, 2021 in the Lowertown neighbourhood.
- Notable improvement in the relationship between the Ottawa Police and Ottawa's Inuit community, and worry that freezing the budget might require a lessening of relationship building exercises.
- The need for OPS to drive frontline change.
- The inherently racist history of policing.

Following the delegations, the Board had an opportunity to raise their questions.

In discussing freezing the budget and the reduction in staffing that would be

required to do so, it was noted that the OPS already lack some capabilities even within their current budget envelope. For example, the OPS do not have a cybercrime unit.

It was explained that within the budget options report, the zero per cent increase has zero assessment growth and zero tax increase.

It was then noted by the Board that the Senior Command of the OPS has not been fully staffed for nearly two years. The Chair requested that the Chief report back to the Board with options to fill the gap within the confines of a strenuous budget assessment and in keeping with the same timeline.

That the Ottawa Police Services Board:

- 1) Receive this report in line with the board direction on the development of three options for the 2022 Budget;**

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- 2) Approve the consultation plan contained in this report and provide a consultation feedback overview report for the October 2021 meeting of the Board.**

CARRIED

7. 2020 OTTAWA POLICE SERVICE ANNUAL REPORT

Chief's report

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

RECEIVED

8. FINANCIAL STATUS REPORT – SECOND QUARTER 2021

Chief's report

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

RECEIVED

9. COMPLAINTS REPORT, PART V – POLICE SERVICES ACT – SECOND

QUARTER 2021

Chief's report

A question was raised regarding the process of investigating officers having triggered automated speed enforcement cameras (ASEs), and why there are so many still outstanding and under investigation.

Since the implementation of ASEs, the Service has seen an influx in speeding infractions involving OPS Members, many of which are related to responding to emergency calls.

The Service explained that although it is a simple process to dismiss the investigations against officers that are clearly in lawful execution of their duties, incidents requiring further investigation inevitably take longer than those that can be cleared. It was noted that in instances requiring investigation, the officer potentially at fault must be notified that there is a Chief's Complaint against them, the Member then has the right to retain support from their Association, interview dates with the Professional Standards Unit need to be set, and there is further verification required.

The Chief has undertaken a review of the penalties and processes to shorten the review timelines. The new guidelines will mirror those of the red-light camera process and will apply progressive discipline where appropriate. On a first offence, an officer will attend counselling. On a second offence, the officer will attend counselling and see a forfeiture of hours. On a third infraction within a two-year period, a Professional Standard Unit investigator will be assigned, and remediation options will be considered.

The key difference noted between the enforcement and discipline as related to ASEs versus red-light cameras is that officers are legally allowed to speed when responding to emergency calls, however there is no exemption from red-light cameras. Officers must come to a complete stop at red lights.

Speed camera infractions are pre-screened by PSU investigators. Those clearly meeting the exemption requirements are sent to city prosecutors with request of a void. The City then sends them to an outside Crown in Durham for transparency purposes.

In instances where an exemption does not clearly apply, the officer's second level supervisor is notified, and investigates further.

The progressive discipline schedule has also been amended. Notably, a formal

investigation by the PSU can be expedited when a member incurs three red-light or speed infractions within a two-year period. Previously, that number was four.

The standards of the progressive discipline scheme can be bypassed if ever the circumstances of an infraction are excessive or unreasonable.

An internal safe-driving audit is planned for later in 2021 at the direction of the Chief to better inform their prevention, education, and discipline of officers.

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

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10. REPORT ON SIU INVESTIGATION

Chief's report

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

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11. RESPONSE TO INQUIRY I-17-01: ON DUTY OFFICER ATTIRE

Chief's report

Confusion was expressed as to why such a vague inquiry response took several years to produce. The inquiry was originally posed at a time when the Vice Chair wanted to ensure that the Service was presenting themselves as a Service rather than as a Force. It was also noted that the colour of uniforms and OPS vehicles can make the Service easier to identify.

The Service explained that they responded to the inquiry in such a way that related it to recent events, such as symbols on uniforms. Discussion ensued regarding a range of culture change aspects to modernize the police that could make members more visible and less intimidating, including updating vehicle markings, uniform symbols, and the use of gloves.

Although the modernization of police uniforms is extremely important, the Service noted that it does not qualify as a priority in this budget cycle. It was clarified that were this to be identified as a Board priority, it could be escalated.

A particular Ottawa-based Women's Day March was referenced, from which the Board had photos of OPS officers dressed in their all-black, standard uniforms.

This was compared to far lighter and more approachable looking uniforms that OPS officers had worn during Pride parade's and St. Patrick's Day parades. A question was raised as to why there would be this stark contrast. After some discussion back and forth, the Service recalled that there had been staffing issues during the Women's Day March, and officers that had been attending to a protest were relocated to the March. The officers having originally been assigned to the March would have been dressed the same way as those having attended to St. Patrick's Day and Pride parades.

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

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12. RESPONSE TO INQUIRY I-21-07: STUNT DRIVING ON WOODROFFE AVENUE

Chief's report

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

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13. RESPONSE TO INQUIRY I-21-14: SCHOOL RESOURCE OFFICERS

Chief's report

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

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14. RESPONSE TO INQUIRY I-21-16: OPS SOCIAL MEDIA ACCOUNT POLICY AND BLOCKING

Chief's report

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

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15. RESPONSE TO INQUIRY I-21- 18: PROVISION OF TRANSLATION SERVICES

IN SCENARIOS REQUIRING USE OF FORCE AND DE-ESCALATION

Chief's report

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

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16. RESPONSE TO INQUIRY I-21-21: PROFESSIONAL STANDARDS UNIT

Chief's report

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

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17. LEGAL SERVICES STATUS REPORT – 2021 SECOND QUARTER

Board Solicitor's report

Board Solicitor David White explained that under the Board's policy manual, it is his responsibility to defend the Board's interests with the most efficient blend of internal and external counsel. Any external counsel retained come from the standing offer list which is comprised of highly competitive and discounted rates.

It was noted that most of the work done is through the in-house group of lawyers, but to ensure that the Board does have capable and qualified counsel available externally, while appreciating that the in-house group occasionally faces succession management issues, the number of files outsourced expanded last year.

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

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18. BOARD MONITORING REQUIREMENTS STATUS REPORT: SECOND QUARTER 2021

Executive Director's report

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

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19. OUTSTANDING BOARD INQUIRIES & MOTIONS: JULY 2021

Executive Director's report

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

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20. LETTERS OF COMMENDATION

Chief's report

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

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OTHER BUSINESS

There was no other business

Please note that the in camera meeting was held prior to the public meeting and the following items were discussed:

IN CAMERA ITEMS

1. Labour Relations Unit Report: 2nd Quarter 2021
2. Legal Services Report: 2nd Quarter 2021
3. Personnel Matter
4. Update on Communications Contract

5. Legal Indemnification Matter
6. Command Team Discussion
7. Update on CAO recruitment
8. Personnel Matter
9. Personnel Matter

ADJOURNMENT

The meeting adjourned at 8:02 p.m.

NEXT MEETING

Regular Meeting - Monday, September 27, 2021