



Ottawa Police Services Board

Minutes 49

Monday, January 24 2022, 4:00 PM

Via Zoom

Krista Ferraro, Executive Director

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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

ELECTION OF CHAIR AND VICE CHAIR

Ms. K. Ferraro, Executive Director, explained that in accordance with Section 28 of the *Police Services Act* and the Ottawa Police Services Board Procedural By-law, the Board must elect a Chair and a Vice Chair at its first meeting each year. Accordingly, she requested nominations for the position of Chair.

Member Smallwood moved that Member Deans be nominated to the position of Chair of the Ottawa Police Services Board. Member King seconded the nomination.

The Executive Director called for any additional nominations. There being none, the following motions were considered:

Moved by Member Meehan

Seconded by **Member Nirman**

That nominations for the position of Chair of the Ottawa Police Services Board be closed.

CARRIED

Moved by Member Nirman

Seconded by Member Meehan

That the Ottawa Police Services Board appoint D. Deans as Chair of the Board for 2022.

CARRIED

Chair Deans then called for nominations for the position of Vice Chair.

Chair Deans moved that Member Smallwood be nominated to the position of Vice Chair, and Member Meehan seconded the nomination. There being no other nominations, the following motion was considered:

Moved by Chair Deans

Seconded by Member Johnson

That nominations for the position of Vice Chair of the Ottawa Police Services Board be closed.

CARRIED

Moved by Chair Deans

Seconded by Member Meehan

That the Ottawa Police Services Board appoint L. A. Smallwood as Vice Chair of the Board for 2022.

CARRIED

CONFIRMATION OF AGENDA

That the Ottawa Police Services Board confirm the agenda of the 24 January 2022 meeting.

CONFIRMED

CONFIRMATION OF MINUTES

MINUTES #48 OF 20 DECEMBER 2021

That the Ottawa Police Services Board confirm Minutes #48 of the 20 December 2021 meeting.

CONFIRMED

COMMITTEE MEETINGS: REPORTS FROM COMMITTEE CHAIRS & MINUTES

POLICY AND GOVERNANCE COMMITTEE - DRAFT MINUTES #9 OF 10
JANUARY 2022

FINANCE AND AUDIT COMMITTEE - DRAFT MINUTES #17 OF 13 JANUARY
2022

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

RECEIVED

DECLARATIONS OF INTEREST

There were no declarations of interest.

PUBLIC DELEGATIONS

The Board heard from the following public delegates on a range of topics.

1. ROBIN BROWNE, 613-819 BLACK HUB (HE/HIM)
2. MEGHAN POTASSE
3. SAMANTHA DALE
4. MARA W – *registered but could not attend*
5. JACK BELLEMARE

Some of the comments made during the delegations included:

- The erosion of trust within the community, and the need for good data to bolster public trust in policing.
- Disdain for the Neighbourhood Resource Team program.
- Calls for the OPS' Use of Force Race Based Data to be released.
- Discussion with regards to Linda Duxbury – her lack of consultation with specific black groups. It was noted that her report had been cancelled, however Member Meehan had thought that she had read the report.
- Concern with the CEW agenda item.
- A question was raised regarding when updates from the Mental Health Guiding Council could be expected.
- Support for PACE's report was offered.

INQUIRIES

Vice Chair Smallwood – Use of Force Race Based Data

Please detail the reason(s) for the delay in receipt of the Use of Force Race Based data. The Service committed to providing the 2020 data at the February meeting. Please provide the 2021 data by way of inquiry response.

Member Nirman - Follow-up on I-21-25: Outstanding Internet Child Exploitation Files

- a) What are your operational priorities and what priority are you placing on the development of the Internet Child Exploitation (ICE) and Cybercrime Unit?

- b) How long would it take to develop these dedicated units if the budget was received in 2023?
- c) Is OPS hiring supportive of the skills needed to staff these teams without long lead times? Therefore, are we hiring the right recruits, or do we need to consider other strategies, such as civilianization?
- d) What would it cost to create an Internet Child Exploitation (ICE) Unit that meets the needs of our community and is aligned to the requirements of the Provincial Cybercrime Strategy?

ITEMS OF BUSINESS

1. CHAIR'S VERBAL REPORT

Chair's report

The Chair began by wishing all of Ottawa a Happy New Year and provided an overview of work underway on part of the Board. She noted the Board's commitment to an agenda of change, and recognition that it need be brought about swiftly and thoughtfully.

Her report is available [online](#).

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

RECEIVED

2. CHIEF'S VERBAL REPORT

Chief's report

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

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

RECEIVED

3. PACE FINAL REPORT: RETHINKING ENGAGEMENT: SUPPORTING THE SHIFT FROM POLICE FORCE TO POLICE SERVICE

Presentation & Final Report

A brief verbal report was provided by Greg Jodouin and Don Lenihan. The starting point of their report and recommendations was the need to be fair, transparent, and open with the community as a whole, focusing however on racialized communities, as that is where trust was the lowest. PACE recommended the Board undertake two streams of consultation: a deliberative stream and a consultative stream. To fulfill the deliberative aspect, they recommended that the Board create a deliberative round table structured around rules of engagement.

PACE noted that they had been engaged not to find solutions to the issues facing the Board, but rather to help create a process to address the issues.

Their report had been shared to the OPSB website, as well as with all interview participants. Updates were made to reflect the input received.

The need for a better understanding of how the community wants to be served by police was raised.

That the Ottawa Police Services Board:

- 1) Receive the final report from PACE Public Affairs & Community Engagement and Middle Ground Policy Research; and,**

RECEIVED

- 2) Refer the final report to the Board's Policy and Governance Committee to develop an action plan to respond to the recommendations.**

CARRIED

4. ADVANCING CULTURE — JOINT STRATEGY- WORKPLACE SEXUAL VIOLENCE & HARASSMENT: FUTURE STATE PROGRAM

Presentation & Chief's report

Prior to hearing from delegations on this item, the Service delivered a

presentation on The Safer Workplace Action Plan.

1. INEZ HILLEL
2. NORA OTTENHOF (SHE/HER)
3. ERIN LEIGH

Some of the comments made during the delegations included:

- A question was raised regarding the \$8.2 million being allocated to the Safer Workplace Action Plan, and whether those funds were included in the 2022 budget.
- A question was raised regarding the meaning of resource costs versus material costs.
- A question was raised regarding how, in five years' time, the program has no further costs.
- Concerns with some of the recommendations was raised.
- Concern will the prevalence of violence and harassment within the OPS was noted.
- Failure to implement restorative justice in the broader community yet intending to approach SVH through such means within the organization was highlighted.
- Calls the defund the police.
- Enhancements to the recommendations were suggested, including: incorporating a dedicated feminist support from frontline community agencies for survivors (it was noted that being a victim of gender-based violence is not a mental health issue, despite it potentially resulting in trauma), the need to include survivors of police violence at the table of all related advisory committees was raised, and concern with a potential lack of independence in the investigator role was expressed.
- The model of the Integrity Commissioner was referenced as one to consider in reimagining the role of the Office of Workplace Investigations (OWI). A question was raised regarding whether the Office could reach beyond the OPS and encompass paramedic and fire services as well.

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

The Service explained that the \$8.2 million will be spent over 5 years. The OPS

anticipate that it will take 1.5 years to develop the Office of Workplace Investigations and overhaul various programs. They have budgeted \$2.2 million in the first year, which was included in the 2022 budget. The subsequent years will require less funding, decreasing year over year.

Motion on Board Recommendations Under Safe Workplace Action Plan

Moved by: Chair Deans

WHEREAS the Ottawa Police Services Board (the Board) and the Ottawa Police Service (OPS) are committed to creating a workplace where all members feel safe, respected and supported; and

WHEREAS the Joint Strategy on Workplace Sexual Violence & Harassment (JS-WSVH) program has resulted in a series of action items culminating in a multi-year Safe Workplace Action Plan; and

WHEREAS the Safe Workplace Action Plan, and more specifically the recommendations put forward in the Rubin Thomlinson (RT) report, include recommendations specifically directed at the Board in its oversight and governance role;

THEREFORE BE IT RESOLVED that the Board hereby commits to undertaking increased governance training in support of maintaining a healthy and respectful workplace; and,

BE IT FURTHER RESOLVED that the Board commits to leveraging its governance and oversight roles and responsibilities, including but not limited to, the hiring and evaluation of the Chief of Police; the creation of a strategic plan for the Service; the approval of the annual budget; and the oversight of workplace issues and complaints, to ensure that equity, diversity and inclusion, as well as building a healthy and respectful workplace, remain priorities for the OPS.

CARRIED

A point of clarification was offered with regards to Board motions, as David White indicated there is no need for seconders on Board recommendations.

Following Chair Deans' motion, Member Meehan brought forth a direction.

Motion on Stronger Measures to Deal with Sexual & Workplace Violence

Moved Member Meehan

Direction to Chair;

In 2022 it should be the expectation that members of the Ottawa Police Service who are entrusted with serving and protecting our communities, be aware of what constitutes workplace sexual harassment and sexual violence and understand unequivocally that this behaviour is unacceptable.

Despite years of study and at least four policies now in place to prevent this kind of behaviour, the problem is not going away.

Current policies do not work, and throwing more money at education without having strict deterrents in place is insufficient and does nothing to protect our members.

The Ottawa Police Services Board needs stronger tools to dissuade members from engaging in workplace sexual harassment and violence.

Appeals to the Provincial Government for greater authority have gone unheeded.

The negative impacts on victims in the Ottawa Police Service and the growing requirements for resources needed to address this serious and ongoing issue necessitates our urgent need for stronger authority.

Decisive action is needed now. We must curtail these instances of sexual violence before they occur and send a message that engaging in this damaging behaviour will have severe consequences.

Therefore; I would like to direct the Chair to write to other Police Board Chairs across Ontario to renew discussions with the goal of advocating for stronger powers to penalize offending officers. A meeting should be arranged with provincial officials to outline how the inability to deal swiftly and decisively with offending members signals that there are few, if any consequences when engaging in this unacceptable and dangerous behaviour.

Furthermore, I would similarly request that Member Nirman, as the representative of the Ottawa Police Services Board raise this issue at the next Ontario Association of Police Services Boards meeting.

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

RECEIVED

5. 2022 CANADIAN ASSOCIATION OF POLICE GOVERNANCE ADVOCACY SURVEY

2022 CAPG Advocacy Survey

The Board briefly discussed the ten issues included on the 2022 CAPG Advocacy Survey, and how best to rank them as priorities.

Some of the mentioned areas of interest included the national task force on the future of policing and police governance in Canada, the national strategy on addressing cybercrime, and mental health related calls.

It was decided that Chair Deans should respond to CAPG on this, and that the Board would have until Friday, January 28 to send their thoughts via email to the Chair.

That the Ottawa Police Services Board provide input into the 2022 Canadian Association of Police Governance Advocacy Survey to help inform its advocacy platform for 2022.

CARRIED

6. BOARD WORK PLAN – 2022

Executive Director's report

That the Ottawa Police Services Board approve the 2022 Board Work Plan, as endorsed by the Policy and Governance Committee.

CARRIED

7. NOTICE OF MOTION: AMENDMENT TO PROCEDURE BY-LAW NO. 3 OF 2014 (TO BE CONSIDERED AT 28 FEBRUARY 2022 MEETING)

Policy and Governance Committee report

PUBLIC DELEGATIONS

1. SAM HERSH

Some of the comments made during the delegation included:

- Suggestion that the changes to the rules of procedure for delegations

were intended to dissuade participation.

- Request that members of the public be given the ability to ask questions at Board meetings.
- Request to reject the amendments.
- The Chair responded to some delegation comments, noting that the Board is required to conduct a routine review of their bylaw. The review was deferred from 2021 to 2022. The changes proposed are strictly administrative. The primary change being recommended is the deadline for delegations to register to speak. The in-camera meeting is now held prior to the regular board meeting, beginning at noon. Further, it was suggested that in hiring PACE, the Board has recognized that there is an interest in more fulsome discussions with members of the public. The means of doing so will be through a deliberative round table, rather than at Board meetings.

A request was made that a line be included in the Bylaw indicating that all delegations registering to address the Board receive a copy of the Procedure Bylaw.

That the Ottawa Police Services Board receive and table this report and the attached By-law No. 1 of 2022, being a By-law to amend Ottawa Police Services Board Procedure By-law No. 3 of 2014, for approval and enactment at its 28 February 2022 meeting.

CARRIED

8. PHASE 2 OF STRATEGICORP PROCUREMENT - USE OF FORCE REVIEW AND BOARD STRATEGIC PLAN

Chair's report

A question was raised regarding whether there are further deliverables expected from StrategyCorp. It was noted that they would be assisting in the Use of Force Review as well as in drafting the Board's Strategic Plan. StrategyCorp was in the process of drafting a scope of work. The recommendation being considered by the Board would set their budget. It was expected that the Chief would be consulted on the Use of Force.

A question was raised regarding whether the Board's decision on the CEW item

would affect StrategyCorps work. StrategyCorp indicated that it would not, however were there a need to discuss the OPS' workplans, they would be available to do so at future Board meetings.

It was further noted that during the budget consultation phase, some of StrategyCorps reports were received relatively late, which made them difficult for the Board to evaluate. The Board had committed to completing the strategic planning exercise early in 2022, and StrategyCorp intended to leverage much of their already completed budget work, which would streamline things.

A question was raised regarding whether the recommendation was overly preemptive, given that the scope of work and deliverables were not yet determined. It was explained that the budget would inform how much work will be included in the scope.

It was decided that the Board was comfortable with the recommendation, given they had a clear indication of the work StrategyCorp would be taking on, and outlined in their report.

Given the timeline pressures, and the fact that the recommendation was essentially only setting a budget to inform StrategyCorps scope of work, the Board decided to proceed.

That the Ottawa Police Services Board approve the second phase of its procurement of StrategyCorp consulting firm, a vendor of record with the province, to support the Board in its review of use of force and development of its strategic plan, up to a maximum of \$130,000 (before tax).

CARRIED

9. 2022 ANNUAL AUDIT PLAN

Chief's report

That the Ottawa Police Services Board approve the 2022 Audit Plan as endorsed by the Finance and Audit Committee (FAC).

CARRIED

10. DELEGATED AUTHORITY FOR EXTENSION OF CONTRACT WITH GARDA CANADA SECURITY CORP. TO PROVIDE SECURITY SCREENING PERSONNEL AT OTTAWA COURTHOUSE

Chief's report

That the Ottawa Police Services Board delegate authority to the Chief of Police to renew the contract with Garda Canada Security Corp. to provide security screening personnel at the single point of access at the Ottawa Courthouse, for the period of January 1, 2022 to October 31, 2023.

CARRIED

11. 2022 BUSINESS CASES

Chief's report

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

RECEIVED

12. EQUITABLE WORK ENVIRONMENT ANNUAL REPORT

Chief's report

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

RECEIVED

13. SECONDARY ACTIVITIES: 2021 ANNUAL REPORT

Chief's report

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

RECEIVED

14. PUBLIC REWARDS – ANNUAL REPORT 2021

Chief's report

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

RECEIVED

15. APPOINTMENTS MADE UNDER THE INTERPROVINCIAL POLICING ACT –
2021 ANNUAL REPORT

Chief's report

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

RECEIVED

16. OTTAWA POLICE SERVICE ACCESSIBILITY FOR ONTARIANS WITH
DISABILITIES ACT STATUS REPORT

Chief's report

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

RECEIVED

17. COLLECTION OF IDENTIFYING INFORMATION – DUTIES & PROHIBITIONS
POLICY: ANNUAL REPORT

Chief's report

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

RECEIVED

18. CONDUCTED ENERGY WEAPON REVIEW

Chief's report

PUBLIC DELEGATIONS

1. BAILEY GAUTHIER (THEY/THEM)

Some of the comments made during the delegation included:

- Suggestion that the ask has increased since 2021.
- Concern with the use of CEWs in mental health related calls.
- Request that the Board reject the purchase and defer it indefinitely.

The Board then had the opportunity to raise their questions.

Conversation ensued regarding whether the recommendation ought to be approved given that the Board had yet to complete its use of force review. Reference was also made to limited financial resources within the Service.

The Service explained that in 2018, the Chief was given authority to provide a CEW to all uniformed members. Their taser deployment model was based on a 2005 coroner report, which suggested CEWs increase safety by an overwhelming amount. The 2018 deployment model put in place by the OPS met and exceeded the recommendations within the coroner's report. The Ministry does not require every member to be issued a CEW. The adjusted recommendation before the Board for consideration would scale back the OPS' taser deployment model to essentially meet rather than exceed the recommendations and expectations of the Ministry.

Further, it was noted that were this recommendation deferred, the Service would be in a position where a significant number of CEWs would be beyond their 5-year warranty. The requested purchase would strictly fulfill lifecycle management

requirements. To equip OPS officers and train them, the Service anticipated requiring all 400 units. 650 units would be timing out at the end of the fourth quarter. The number of units required over time will be reduced through attrition, and additional units will time out in 2023 and 2024.

Supply chain challenges highlighted by the Service

The Service noted that some alternative tools available to officers include batons, capsicum sprays, and physical force techniques. The Service indicated that CEWs are significantly less lethal than the other tools available.

The Board noted that while it would have been ideal to have StrategyCorp's use of force report, the supply chain issues needed to be considered.

A question was raised regarding what the Service would do if the CEW purchase were to proceed, and later the use of force review were to suggest that the use of CEW ought to be limited. The Service explained that neither firearms nor CEWs can be sold, only donated. The OPS indicated that based on trends in other services, it would be more likely that the use of force review would recommend expanding their CEW program rather than limiting it.

A comment was made that there was no evidence pointing to the need to eliminate the use of CEWs, and that deferring a lifecycle management purchase absent information suggesting they do so would be misguided.

A question was raised regarding whether the Service could provide the Board with data on the use of CEWs, including how the implementation of CEW programs have impacted the use of weapons such as batons, and whether they have diminished injury.

A point of clarification was made that CEWs are not de-escalation tools, and that de-escalation training teaches officers to use soft skill techniques to reduce the stress on all people involved in the incident. The Service invited the Board to attend OPS de-escalation training.

In 2020, there were 193 OPS incidents involving a CEW. 118 of those involved an officer simply displaying the CEW. There were zero incidents of injury to officers or to members of the public. The Service noted that the use of a CEW can only be considered when there is an elevated threat, involving assaultive behavior or there being an imminent need to end the threat.

The Board decided that it would be premature to hold the order given the current information.

The Service clarified that they sought to purchase 400 units, 200 of which were

deferred from 2021. Moving forward, they would plan to purchase 200 units annually and any additional units would be for growth. This would even out their purchasing requirements in terms of lifecycle management.

A 2017 comprehensive review titled [Police Interactions with People in Crisis and Use of Force](#) authored by Gerry McNeilly of the Office of the Independent Review Director was referenced, as pointing to the benefit of CEWs.

That the Ottawa Police Services Board:

- 1) **Direct the Chief to adjust the Use of Force policy to: The Chief is authorized to deploy Conducted Energy Weapons (CEWs) to all sworn frontline officers and other sworn officers based on operational necessity and with the approval of the Chief or designate.**

CARRIED

- 2) **Delegate authority to the Chief to purchase 400 CEWs for lifecycle management of the reduced inventory and to purchase CEW cartridges to meet operational needs and Ministry of Community Safety and Correctional Services mandated training requirements up to a limit of \$1,831,200 before tax.**

Vice Chair and Member King dissented on the second partition of the recommendation.

CARRIED

19. REPORT ON SIU INVESTIGATION – 4 APRIL 2021

Chief's report

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

RECEIVED

20. REPORT ON SIU INVESTIGATION – 22 MAY 2021

Chief's report

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

RECEIVED

21. REPORT ON SIU INVESTIGATION - 15 JULY 2021

Chief's report

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

RECEIVED

22. RESPONSE TO INQUIRY I-21-17: GUNS AND GANGS UNIT

Chief's report

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

RECEIVED

23. RESPONSE TO INQUIRY I-21-24: TRAFFIC ENFORCEMENT
RESOURCES/SERVICES WITHIN THE OPS

Chief's report

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

RECEIVED

24. RESPONSE TO INQUIRY I-21-25: RISE IN OTTAWA CYBERCRIME ATTACKS

Chief's report

Concern was raised regarding the response received from the Service, especially as it related to child exploitation. A further inquiry was raised as a follow up to this response, logged under the inquiry section of this Minutes document.

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

RECEIVED

25. RESPONSE TO INQUIRY I-21-26: BREAKDOWN OF CALLS FOR SERVICE

Chief's report

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

RECEIVED

26. RESPONSE TO INQUIRY I-21-27: PROTECTIONS FOR MEMBERS OF THE PUBLIC WHO SHARE INFORMATION ABOUT CRIMINAL INCIDENTS WITH THE OPS

Chief's report

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

RECEIVED

27. RESPONSE TO INQUIRY I-21-28: IMPACTS OF CANNABIS LEGALIZATION ON ILLEGAL ACTIVITY

Chief's report

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

RECEIVED

28. BOARD ACTIVITY, TRAINING & PERFORMANCE: 2021 ANNUAL REPORT

Executive Director's report

That the Ottawa Police Services Board:

1) Receive this report for information.

RECEIVED

2) Direct the Executive Director to forward it to City Council for information.

CARRIED

29. CALENDAR OF BOARD MONITORING REQUIREMENTS – 2022

Executive Director's report

That the Ottawa Police Services Board receive the 2022 Calendar of Monitoring Requirements for information.

RECEIVED

30. SCHEDULE OF CONFERENCES AND CAPG WEBINARS IN 2022

Executive Director's report

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

RECEIVED

31. OUTSTANDING BOARD INQUIRIES & MOTIONS: JANUARY 2022

Executive Director's report

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

RECEIVED

32. LETTERS OF COMMENDATION

Chief's report

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

RECEIVED

OTHER BUSINESS

There was no other business.

Please note that the in camera meeting will be held prior to the public meeting and the

following items will be discussed:

IN CAMERA ITEMS

1. Labour Relations Unit: 4th Quarter 2021
2. Personnel Matter
3. Delay Application
4. Personnel Matter

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

NEXT MEETING

Regular Meeting – Monday, February 28 2022 - 4:00 PM