

**Minutes of a Meeting of the Kingston Police Services Board
Held on Thursday, April 18, 2019, at 12:00 Noon
Kingston Police Headquarters Boardroom**

IN ATTENDANCE

Ms Andrea Risk, Chair
Mayor Bryan Paterson, Vice-Chair
Councillor Jefferey McLaren
Mrs Donna Harrington, Secretary

Chief Antje McNeely
Members of staff, public, and media

Regrets: Dr Christian Leuprecht

1. The Chair called the meeting to order at 12:06 p.m.

DISCLOSURE OF CONFLICT OF INTEREST

2. The members confirmed that there were no conflicts of interest to report.

APPROVAL OF AGENDA

3. It was moved by Mayor Paterson and seconded by Councillor McLaren that the agenda be approved as amended by the addendum. Carried.

ADOPTION OF MINUTES

4. It was moved by Councillor McLaren and seconded by Mayor Paterson that the minutes of Meeting 19-3, held on March 21, 2019, be adopted. Carried.

UNFINISHED BUSINESS

5. **Rules of Procedure By-Law.** The Chair noted the memorandum from the Board Secretary explaining the amendments to the Board's Rules of Procedure By-Law and pointed out that legal counsel had been received regarding the proposed changes to allow electronic participation by Board members. It was moved by Mayor Paterson and seconded by Councillor McLaren that the Kingston Police Services Board approve the revised Kingston Police Services Board Rules of Procedure By-Law as drafted.

Carried.

(19-17)

COMMUNICATIONS

6. It was moved by Mayor Paterson and seconded by Councillor McLaren that the communications be received. Carried.
7. The Chair noted the Ministry correspondence on the revocation of the regulation to address any postal service disruptions vis-à-vis driver's licences and validation tags.

Chief McNeely confirmed that everything should now be up to date and noted that, with the access to the MTO Inquiry Services system, officers could confirm expired licences and tags.

8. With respect to the Ministry correspondence on amendments to Ontario's Service Plate Program, Chief McNeely explained that these amendments filled a void in lawful usage of a dealer plate on trailers transporting boats, snowmobiles, or off-road vehicles to a different location. She noted that these service plates were not for private use.

9. The Chair noted the Ministry correspondence issued in response to recommendations from the inquest into the death of Kelvin Sawa and reminding police agencies that the *Police Services Act* provided for the sharing of information with the Correctional Services Oversight and Investigation Unit for investigative purposes.

10. The Chair noted the Ministry correspondence enclosing two bulletins from Health Canada and the Alcohol and Gaming Commission of Ontario on the regulation and lawful sale of cannabidiol and other cannabis-based products.

11. With respect to the Ministry correspondence on Phase Two of Ontario's Guns and Gangs Strategy, the Chair noted that there were several initiatives planned, including some enforcement initiatives; justice centres that would be created to bring together partners and discuss root causes of issues; working with school boards to address overrepresentation of some groups in suspension and expulsion data; implementing the Youth Violence Prevention and Resilience Program to address risk factors at the individual and community level; launching the Indigenous Youth Prevention and Intervention Program; and implementing the Gang Intervention and Exit Program for Indigenous Women, to prevent exploitation, recruitment, and further victimization of Indigenous women and girls. Chief McNeely noted that the dedicated Gun and Gang Specialized Investigations Fund would be aimed at joint forces investigations related to drug, gun, and human trafficking. The Chair noted that the initiatives were trying to get at some of the root causes and reacting when those causes were not addressed. Chief McNeely explained that Phase One referenced in the correspondence was only for Toronto, with Phase Two available to everyone. She noted that to access funds under the Specialized Investigations Fund the Kingston Police would partner with other agencies on projects, whether for human trafficking, guns and gangs, or drugs. Chief McNeely pointed out that the force had initiated projects related to human trafficking, in which community partners and hotel representatives had been trained to look for signs of human trafficking. With respect to any connection between the Guns and Gangs Strategy and community safety and well-being plans, Chief McNeely clarified that community safety and well-being plans were specific to each community while the referenced funding under the Gun and Gang Specialized Investigations Fund was to support joint forces operations across jurisdictions.

12. The Chair noted the Ministry correspondence regarding a recent decision related to portions of the *Ontario Society for the Prevention of Cruelty to Animals Act* in which it had been determined that OSPCA enforcement powers were unconstitutional. She noted that the OSPCA would continue enforcement of animal welfare laws until June 28, 2019, but were not responding to calls related to horses or livestock as of April 1, 2019. Chief McNeely advised that, although no complaints had been received to date, the Patrol Inspector would be meeting with City By-Law and the Humane Society to discuss the impact. She noted that the Kingston Police had

laid animal cruelty charges in the past but there were more requirements under the act related to livestock and Kingston encompassed rural areas. With respect to the impact on the Kingston Police, Chief McNeely relayed that the local OSPCA had handled 350 investigations in 2018 for different aspects, which was significant enough.

13. With respect to the Ministry correspondence on Police Week 2019, the Chair explained that this was an annual event with different themes each year, with the 2019 theme being “Proudly Supporting Our Police.” Chief McNeely confirmed that events were being planned for that week and that different parts of the organization would be highlighted.

14. The Chair noted the Ministry correspondence announcing the change in its name to the Ministry of the Solicitor General.

15. The Chair noted the Ministry correspondence regarding the comprehensive review of the *Ontario Society for the Prevention of Cruelty to Animals Act* and a request for information on calls for service and enforcement practices.

16. With respect to the Notice of Meeting and Call for Nominations for the Board of Directors from the Canadian Association of Police Governance, the Chair noted that the Annual General Meeting would be held on August 9, 2019, in Calgary.

17. With respect to the agenda for the OAPSB Zone 2 meeting scheduled for April 26, 2019, the Chair noted that Councillor McLaren would be attending.

18. With respect to the April 2019 edition of *Blue Line*, Councillor McLaren asked if the Kingston Police utilized any body-worn cameras. Chief McNeely explained that the force did not employ any and that to do so would be expensive. The Chair noted that costs would come not only from the body-worn cameras but also from training, storing the data, and maintaining the data. Chief McNeely added that testing of this equipment was being undertaken by several police agencies.

DELEGATIONS

19. Nil.

REPORTS

20. **Quarterly Budget Report.** Mr Howes was invited to present the budget report for the first quarter of 2019. He noted that there had been a small surplus of 0.58 percent at the end of the first quarter. For revenues, Mr Howes pointed out that the unfavourable variance mostly related to an outstanding instalment for the Court Security and Prisoner Transportation Grant as of the end of the first quarter (the renewal contract had just been processed for almost \$1.5 million). With respect to operating expenditures, Mr Howes explained that the favourable variance reflected several aspects:

- a. an unfavourable variance of \$109,000 in overtime due to costs incurred for the St. Patrick’s Day weekend, support for an RCMP investigation, staff shortages

due to WSIB and other absences, and investigations related to drug enforcement and a cold case;

- b. a favourable variance of \$342,000 in base wages due to the 2019 increase being scheduled for September, the timing of pay periods this year, the replacement of first-class retirees with fourth-class constables, and a number of vacancies;
- c. an unfavourable variance in part-time wages due to backfilling of staff vacancies;
- d. an unfavourable variance in fringe benefits due to CPP and EI deductions being taken in the first part of the year; and
- e. a favourable variance in paid duty (with a corresponding unfavourable variance in revenues), since fewer demands were recorded in the first quarter.

With respect to the Supplies and Services line, Mr Howes explained that the favourable variance was also due to timing, since maintenance projects were scheduled for summer and autumn. He noted that, overall, the budget was on track.

21. **Quarterly Statistical Report.** Chief McNeely noted that there had been a slight increase in crimes against persons but a more significant decrease in crimes against property. She relayed that the increase in the number of reports for harassing phone calls could be attributed to more accurate coding and noted that reported break-ins had decreased from 196 to 118 and other thefts had decreased from 832 to 615. Chief McNeely explained that these variances depended on how many persons were incarcerated and thus not committing other crimes or perhaps were also due to colder weather. With respect to any impact of the Nuisance Party By-Law, Chief McNeely explained that the statistical report reflected criminal charges and not provincial offences, although the Nuisance Party By-Law seemed to be effective in making individuals accountable for their behaviour. With respect to use of force statistics in the first quarter, Chief McNeely noted that all instances of firearm discharge related to injured animals (four deer and one wolf). She relayed that cases involving firearms pointed included the arrest at a hotel of a man reported to have a gun and the execution by the Emergency Response Unit of a search warrant for suspects wanted for attempted murder. She noted that incidents involving the pointing of a conducted energy weapon included the apprehension and delivery to hospital of a suicidal person with access to firearms. With respect to the one deployment of a conducted energy weapon, Chief McNeely relayed that this related to a person wanted by the OPP who was very aggressive; she confirmed that there had been no adverse results from this deployment. Chief McNeely added that de-escalation tactics (verbal communications) had been employed prior to other use of force options.

MOTIONS

22. Chief McNeely provided the following biographies on the new recruits.

- a. Matt McEathron has a diploma in Police Foundations from Algonquin College and has a Bachelor of Arts (Honours) degree in Criminology and Criminal Justice from Carleton University. He has been employed as a part-time by-law officer

with the City of Kingston and as a part-time special constable with the Kingston Police since 2017. He started his employment with us with the intent of becoming familiar with our members and the job and in the hope of becoming a police officer with our organization. During his time in the Court Services Unit he worked in the cell area at 279 Wellington Street and was trained to assist in the Traffic Court. He has volunteered his time with the Boys and Girls Club in Kingston and more recently has approached the Youth Diversion Program to become a mentor. Matt and his girlfriend, Mackenzie, reside in Kingston, and both grew up in the area.

- b. Jonathan Cerutti is a licensed chiropractor who received his education from the New York Chiropractic College. He has worked at the Danbury Chiropractic and Wellness in Danbury, Connecticut, for the past years. He and his wife have recently moved to Kingston to be closer to his wife's family (she grew up in the Belleville area). In terms of community service, he has generously given free lectures to people about healthy living and proper attention to injury. Jonathan is fluent in English and has a fair understanding of the Spanish language and some understanding of the Portuguese language. Jonathan's wife, Stephanie, is also a chiropractor, and they have two children.
- c. Francis Dion was born in Montreal, graduated from high school in Dieppe, New Brunswick, and has an Honours Bachelor of Science degree, with a specialization in Human Kinetics and an emphasis on Biophysical Sciences, from the University of Ottawa. Upon graduation, he worked as a Health Promotor at the University of Ottawa Health Services Department. Francis then worked as the Operations Manager at the Sens House Sports Bar and Grill for four years. Most recently he was employed as a Pre-Boarding Screening Officer with Garda World at the Ottawa International Airport. Francis is fluent in both English and French and is also learning Spanish. In terms of his community service and volunteering, Francis has been an Assistant Coach in Minor Hockey in Dieppe for five years, has volunteered as a hockey training camp assistant for two years, and most recently has volunteered with Operation Red Nose 2018 and with the Salvation Army in Ottawa.

It was moved by Mayor Paterson and seconded by Councillor McLaren that the Kingston Police Services Board appoint Matthew McEathron, Jonathan Cerutti, and Francis Dion as officers of the Kingston Police effective May 1, 2019, creating a temporary overage in the sworn complement that will be reduced by attrition.

Carried.

(19-18)

NEW BUSINESS

23. **Conclusion of Board Tenure.** The Chair advised that Mr William Hackett had resigned from the Board in March and that the Board wished to recognize and thank him for his years of service to the Board. She noted that Bill had been a member of the Board since 2011 and before that from July 2002 to July 2008. The Chair commented that she knew Bill to be a thoughtful,

compassionate, and generous man who cared deeply about the Kingston community and who also knew policing inside and out and always had great respect for the men and women of the Kingston Police. She noted that Bill had genuine compassion for the officers and was very proud of the force and pointed out that Bill had helped the Board understand policing, since he could always explain various issues. The Chair noted that Bill had been a member of the hiring committees for chiefs and deputy chiefs and was very passionate about ensuring the delivery of high-quality policing services. The Chair provided the following brief summary of Bill's career and accomplishments.

Bill was born in Kingston in 1930 and joined the Kingston Police as a sworn officer in 1951. He held several key senior positions, including 13 years as Deputy Chief, before being appointed Chief of Police in 1994. Bill distinguished himself as a tenacious investigator and a courageous officer willing to risk his life to protect members of his community. He didn't think twice; it was always community first and himself second. Over his tenure, Bill was involved in many complex investigations and was the lead investigator following the riot at the Kingston Penitentiary in April 1971 (48 years ago today). Bill had 44 years of selfless and community-focussed service when he retired. His service to our community was not just in policing: he was on the committee that raised money to build the Harold Harvey Arena in 1950; he served almost thirty years with the Church Athletic League; he has been on the Board of Directors of the local Youth Diversion Program; and he volunteered with the Children's Kingston Regional Cancer Centre and the Salvation Army Ontario East Division. He always put himself in the community, whether as a police officer or after he retired. For several years he raised funds for and personally delivered mobility equipment. A City park is named in his honour, and a photo of the official dedication hangs in this boardroom. Bill once commented from his many years of police experience that the best advice he could give was to treat people the way that you would like to be treated, i.e., the Golden Rule. You hear about that a lot and it might sound trite, but Bill lived that throughout his whole life.

The Chair commented that Bill would be missed on the on the Board and it had been a privilege to work with him for so many years. She asked that a letter be prepared to thank him for his service.

24. **May Meeting.** The Chair noted that the regular meeting for May would be held on May 21, 2019, at 12:00 noon.

MOVE TO IN CAMERA

25. It was moved by Councillor McLaren and seconded by Mayor Paterson that the Board move in camera at 12:35 p.m. Carried.

Chair

Secretary