

**Minutes of a Meeting of the Kingston Police Services Board
Held on Thursday, January 16, 2020, at 12:00 Noon
Kingston Police Headquarters Boardroom**

IN ATTENDANCE

Ms Andrea Risk, Chair
Councillor Jefferey McLaren, Vice-Chair
Dr Christian Leuprecht
Mr Jarrod Stearns
Mrs Donna Harrington, Secretary

Chief Antje McNeely
Deputy Chief Christopher Scott
Police Services Adviser Graham Wight
Members of staff and media

Regrets: Mayor Bryan Paterson

1. Ms Risk 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 Mr Stearns and seconded by Councillor McLaren that the agenda be approved. Carried.

ADOPTION OF MINUTES

4. It was moved by Councillor McLaren and seconded by Mr Stearns that the minutes of Meeting 20-1, held on December 19, 2019, be adopted. Carried.

COMMUNICATIONS

5. It was moved by Dr Leuprecht and seconded by Councillor McLaren that the communications be received. Carried.
6. The Ministry memorandum regarding changes to online renewal transactions for driver's licences and licence plate stickers was noted.
7. With respect to the Ministry correspondence regarding the new regulation under the *Safer School Zones Act* in relation to automated speed enforcement in school zones, it was noted that, while the City did not have the current capacity to pursue this, it could do so in the future, in addition to the red light camera initiative.
8. The Chair noted the Ministry correspondence regarding updated training materials on police powers of release and judicial interim release, as well as options of release on an endorsed warrant, as a result of updates to the *Criminal Code* made by Bill C-75. Chief McNeely confirmed that supervisors would be trained through the local Crown's office and that new forms were in place.

9. With respect to the Ministry correspondence on regulations under the *Provincial Animal Welfare Services Act, 2019*, Chief McNeely noted that there had been a recent article in the *Whig-Standard* on how well the new legislation was working and that the local Humane Society was still involved. She explained that provincially appointed animal welfare inspectors reported to the Ministry of the Solicitor General.

10. With respect to the Ministry correspondence about a revised version of the Use of Force Report, Chief McNeely explained that, while Part B of the report had always been completed, the original version of the new form had not allowed police services to remove Part B (which they were required to do so within time-frames set by the Equipment and Use of Force Regulation). Chief McNeely confirmed that the new forms were in place for use.

11. The Chair noted the e-mail from the CAPG in relation to 2020 membership. She pointed out that the CAPG provided information and support to boards through conferences and lobbying. It was moved by Councillor McLaren and seconded by Dr Leuprecht that the Board continue its membership in the Canadian Association of Police Governance.

Carried. (20-5)

12. With respect to the CAPG Call for Resolutions for the 31st Annual Meeting in Victoria, BC, the Chair asked that any Board member with a suggested resolution bring it forward to the Board to consider for transmission to the CAPG.

13. The e-mail from the OAPSB Zone 2 Secretary-Treasurer regarding annual membership was noted. It was moved by Councillor McLaren and seconded by Mr Stearns that the Board continue its membership in Zone 2 of the Ontario Association of Police Services Boards.

Carried. (20-6)

14. The Chair noted the OAPSB Zone 2 minutes from the meeting of November 29, 2019, in Gananoque, which had been well attended by the Board and at which Chief McNeely had spoken on women in policing and Gananoque Police Chief Garry Hull had also provided a presentation.

15. The Chair noted the information on the Police Association of Ontario 2020 Employment Conference and asked that anyone wishing to attend notify the Board Secretary.

16. The January 2020 edition of *Blue Line* was noted.

DELEGATIONS

17. Nil.

REPORTS

18. **Annual Report on O.Reg. 58/16.** The nil report for the 2019 calendar year for O.Reg. 58/16, Collection of Identifying Information in Certain Circumstances (CIICC) was noted.

19. **Administration of Public Complaints.** Inspector Corcoran was invited to present her report on the 2019 administration of public complaints. Inspector Corcoran explained that the report covered the administration of public complaints processed through the Office of the Independent Police Review Director (OIPRD). She noted that 19 complaints had been received, a reduction of 10 from 2018, which was somewhat of an anomaly, given the average of 32 over the last decade. Inspector Corcoran pointed out that these investigations covered more than determining whether any disciplinary action was required, i.e., they included a review for any required changes to related general orders or any required training. She noted that the lower numbers could be the result of past efforts. With respect to the classification of complaints, Inspector Corcoran noted that the majority had been classified under discreditable conduct, with two under neglect of duty and one related to service. She relayed that one complaint had been retained by the OIPRD and thus was still under investigation. With respect to local inquiries, Inspector Corcoran explained that these related to more informal complaints, i.e., those in which complainants did not wish to process a complaint through the OIPRD. She noted that 12 had been filed in 2019, compared to 34 in 2018, with the majority determined to be unsubstantiated or withdrawn. Inspector Corcoran commented that the complaints system seemed to be working in a professional way. She noted that the number found unsubstantiated had been consistent over the past number of years and that the OIPRD normally screened out many complaints (filed over six months, frivolous, etc.). Inspector Corcoran explained that complaints screened out by the OIPRD were still reviewed to ascertain any issues with general orders or other matters.

20. **Statistical Report.** Chief McNeely noted that the number of reported sex offences had decreased from 2018, with 2018 numbers perhaps being influenced by the MeToo movement and 2019 numbers being more in line with the number reported in 2017. She pointed out that the major increase related to frauds, with increased reports of phishing scams, stolen identification, and forged cheques. Chief McNeely noted the slight increase in vehicle thefts and relayed that arrests had been made in relation to the thefts of some high-end vehicles. With respect to the nil report under the CIICC and any impact on the ability of officers to collect criminal intelligence, Chief McNeely explained that the nil report just meant that no interactions had triggered the legislation. She noted that officers spoke to individuals all the time and, in a community such as Kingston, officers knew identities without having to ask. Chief McNeely concurred that some communities had indicated that the CIICC had such an impact but pointed out that legitimate identification of individuals could be done through appropriate reporting of offences. The Chair noted that, when the CIICC legislation was first passed, the Board had initially asked for more frequent reports than required under the legislation to ascertain the impact on the community. Deputy Chief Scott explained that the education component of the legislation had been most important, because it helped officers to articulate reasons for stopping individuals. He pointed out that many interactions also stemmed from observed traffic infractions, which did not trigger the legislation.

MOTIONS

21. Nil.

UNFINISHED BUSINESS

22. Nil.

NEW BUSINESS

23. **Retirement of Sergeant Craig MacFarlane.** Deputy Chief Scott provided the following summary of Sergeant MacFarlane's career with the Kingston Police.

Craig was appointed to the force as a cadet in August 1988 after attaining a Bachelor of Arts degree from Carleton University. He became well versed in police operations as a front-line officer in Uniformed Patrol for the first several years but also broadened his experience with assignments in the Street Crime, Training, Emergency Response, Criminal Investigations, and Community-Oriented Response and Engagement units. After his promotion to sergeant in February 2012 Craig supervised fraud and vulnerable sector operations within the Criminal Investigations Unit until his transfer to Uniformed Patrol as a Platoon Sergeant in January 2017. Craig was the Crime Prevention Sergeant in the CORE Unit from January 2018 to earlier this month, and he is closing out his career as a Platoon Sergeant in Uniformed Patrol. Over the years, Craig's supervisors have commented on his approachable manner and exceptional leadership, which have generated true teamwork and camaraderie in his units. Letters of appreciation from members of our community have also commented on Craig's approachable and personable demeanour. Craig has also been an active participant in many community events, including Cops and Lobsters and the Big Bike Ride for Heart and Stroke. Craig has been awarded the Police Exemplary Service Medal and first bar in recognition of 30 years of loyal and exemplary service to public safety in Canada, and he also received a Commendation from the Governor General of Canada for his part in rescuing a man from the icy waters near the LaSalle Causeway in January 1997.

Deputy Chief Scott relayed that he had worked with Craig in Street Crime and in Criminal Investigations and that Craig had always performed at a very high level. He thanked Sergeant MacFarlane for his long service to the Kingston community. The Chair asked that a letter be prepared for her signature to thank Sergeant MacFarlane for his service.

24. **Ontario Court of Appeal Decision.** The Chair advised that she had just become aware of an Ontario Court of Appeal Decision in relation to a complaint filed subsequent to the death of an Indigenous man in the Thunder Bay area. She relayed that the OIPRD had completed the investigation but it had taken longer than six months, which resulted in a delay for the police service to conduct its disciplinary investigation. The Chair explained that, when the police service approached the board in this respect [service of notice of hearing beyond six months, PSA section 83(17)], the board engaged a retired judge to make the decision on the board's behalf. The Chair relayed that the media had challenged the retired judge's decision to hold an in-camera meeting in this respect, resulting in the Court of Appeal deciding that the retired judge needed to weigh the public interest in having these proceedings open. She noted that the Court of Appeal had sent the matter back to the retired judge to review his decision.

MOVE TO IN-CAMERA SESSION

25. It was moved by Councillor McLaren and seconded by Mr Stearns that the Board move in camera at 12:27 p.m. Carried.

Chair

Secretary