

**Minutes of a Meeting of the Kingston Police Services Board
Held on Thursday, April 16, 2020, at 12:00 Noon
Via Webinar Hosted at Kingston Police Headquarters**

IN ATTENDANCE VIA ELECTRONIC PARTICIPATION

Ms Andrea Risk, Chair	Chief Antje McNeely
Councillor Jefferey McLaren, Vice-Chair	Deputy Chief Christopher Scott
Mayor Bryan Paterson	Members of staff and media
Dr Christian Leuprecht	
Mr Jarrod Stearns	
Mrs Donna Harrington, Secretary	

1. The Chair called the meeting to order at 12:10 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 Mr Stearns that the agenda be approved. Carried.

ADOPTION OF MINUTES

4. It was moved by Councillor McLaren and seconded by Dr Leuprecht that the minutes of Meetings 20-4 and 20-5, held on March 12, 2020, and April 1, 2020, respectively, be adopted. Carried.

COMMUNICATIONS

5. It was moved by Mayor Paterson and seconded by Dr Leuprecht that the communications be received. Carried.
6. With respect to the Ministry correspondence on Ontario's new Anti-Human Trafficking Strategy, Chief McNeely relayed that the Kingston Police would be participating in this new five-year strategy as part of an Eastern Ontario team.
7. The Chair noted the Ministry correspondence providing an update on the suspended issue of the originally redesigned Ontario licence plates and the distribution of new enhanced plates.
8. The Chair noted the Ministry correspondence announcing the appointment of Rick Stubbings as the Assistant Deputy Minister, Public Safety Division and Public Safety Training Division.

9. With respect to the Ministry correspondence on returning Basic Constable Training recruits, Chief McNeely relayed that the service's new recruits had gone through a health check and self-assessment and were now on site and initiating their in-service training.

10. With respect to the Ministry correspondence on the designation of provincial offences officers for the enforcement of emergency orders issued under the *Emergency Management and Civil Protection Act*, Chief McNeely explained that this included allowing by-law officers and special constables to participate in issuing tickets. She pointed out that the Kingston Police were working closely with By-Law and KFL&A Public Health in enforcing orders and taking a very measured approach, with education being the focus. She noted that, since these measures had taken effect, including the declaration of an emergency by the City of Kingston, 147 complaints had been received about different aspects. She noted that KFL&A Public Health reviewed complaints with respect to business operations and the Kingston Police attended concerns requiring immediate attention, such as use of playgrounds or gatherings of more than five people. Chief McNeely relayed that there had been many questions surrounding businesses deemed to be essential, with Staff Sergeant Armstrong and Sergeant Koopman working closely with Public Health and City By-Law as to whether businesses could remain open and, if so, what precautions had to be taken. She noted that this included creative ways for businesses to remain open while complying with emergency measures. With respect to coordination of any enforcement, Chief McNeely confirmed that the service was working closely and consulting with By-Law and that, to date, no tickets had been issued.

11. The Chair noted the Ministry correspondence on continuing essential businesses and closing of other workplaces. Chief McNeely relayed that any aspects open for interpretation were discussed with Public Health and City By-Law, particularly since, as noted by the Ministry correspondence, entities were encouraged to operate via alternative and innovative ways.

12. The Chair noted the Ministry memorandum on limiting access to Ontario Court of Justice courthouses except for urgent criminal or family proceedings, urgent or essential matters for criminal intake courts, or urgent filing of court documents that could not be filed electronically.

13. With respect to the Ministry memorandum on prohibiting social gatherings and organized public events of more than five people, Chief McNeely noted that this emergency order replaced the earlier one related to the prohibition of organized public events of over fifty people and confirmed that education and dialogue were initiated prior to any consideration being given to issuing tickets.

14. The Chair noted the Ministry memorandum requesting that police services not dispose of expired N95 masks because they could be used for other purposes in the event of a supply shortage. Chief McNeely relayed that the service had some left over from the SARS outbreak and had used some as surgical masks until surgical masks arrived. She noted that the expired N95 masks would be passed along to those who needed them.

15. The Chair noted the Ministry memorandum providing an update on an extension of the expiry of driver, vehicle, and carrier products and services. With respect to the effective date of March 1, 2020, and the possibility of someone being caught in self-isolation before that time, Chief McNeely relayed that there could be discretion applied if there was evidence to support

that someone could not effect a renewal prior to that date. Deputy Chief Scott noted that the date had likely been chosen based on health information at the time.

16. With respect to the Ministry correspondence on the emergency order requiring individuals to provide identifying information to provincial offences officers in relation to breaching an emergency order, Chief McNeely explained that this was required so that any necessary charge could be laid under the *Emergency Management and Civil Protection Act*. She noted that if a person failed to self-identify then an arrest could be made for obstruction under the *Criminal Code*.

17. The Chair noted the Ministry correspondence on the temporary expansion of powers to MTO Enforcement Officer and maintenance staff to assist in direction of traffic or highway closure in an emergency, as well as an emergency parking scheme to protect against commercial vehicles being stranded on the roadway, which measures would help to reduce strain on police resources.

18. The Chair noted the Ministry memorandum on the mandatory isolation order made under the *Quarantine Act*. With respect to sharing of information about quarantined individuals, Chief McNeely explained that federal officials would notify the Ontario Provincial Police, who would then notify police services of jurisdiction regarding individuals under quarantine in the event that assistance was needed for compliance checks.

19. With respect to the Ministry correspondence on the extension of the declaration of emergency and updates on emergency orders, Chief McNeely confirmed that it provided an extension to the emergency orders and also relayed information on exemptions being provided to certain licensed child care centres so that emergency child care could be provided for front-line emergency workers. She noted that there were three such locations in Kingston.

20. With respect to the Ministry correspondence clarifying the extension of the six-day requirement to register a vehicle in Ontario, Chief McNeely explained that this extension would be revoked once the Province was able to restore regular services.

21. The Chair noted the Ministry memorandum on the disclosure of COVID-19 status information by laboratories and public health units. Chief McNeely explained that the Province had since developed a web portal that would be populated by the Ministry with information on individuals who had tested positive. She pointed out that only members in the Communications Unit would have access and that this was meant for the protection of officers responding to calls. She relayed that there would be very limited use of this resource and that the privacy of individuals had to be kept in mind.

22. With respect to the Ministry correspondence providing an update on the Basic Constable Training May 2020 intake, Chief McNeely explained that efforts were being undertaken with the Ministry and the Ontario Police College through the Executive Education and Training Advisory Group and the Ontario Association of Chiefs of Police to find methods to commence the deferred class near the end of June. She noted that online options were being investigated, as well as ways to allow the course to be held in different municipalities with the ability to train. She relayed that several agencies would be impacted if the spring intake could not be held. With

respect to budgetary impact, Chief McNeely relayed that staffing would be impacted if a spring intake could not be completed, since the service had been looking at seven new recruits for May. If the course were to be deferred until September, she relayed that agencies would not be able to keep up with attrition and pointed out that this would place more demands on existing officers.

23. With respect to the Ministry memorandum on storing used personal protective equipment in the event it could be reused, Chief McNeely relayed that the service was working with KFL&A Public Health as to how to preserve and store the equipment until items could be cleaned.

24. The Chair noted the Ministry memorandum explaining the web portal for dispatchers to obtain COVID-19 status of individuals in relation to calls for service.

25. The Chair noted the call for nominations for the 2020–2022 Board of Directors for the Canadian Association of Police Governance and relayed that members could put their name forward if interested in this opportunity.

26. The Chair noted that the CAPG 31st Annual General Meeting and Conference had been postponed until the autumn.

27. With respect to the call for nominations for the 2020 Emil Kolb Award for Excellence in Police Governance, the Chair asked members to bring forward any suggested nomination.

28. The Chair noted the OAPSB e-mail on regional roundtable discussions and information for use in developing policy proposals, with draft regulations under the *Community Safety and Policing Act, 2019*, being posted on the Ontario Regulatory Registry for further engagement and feedback.

29. The Chair noted the OAPSB e-mails regarding the cancellation of the Zone 2 meeting scheduled for April 24, 2020, and the requirement to choose the 2020 Executive by e-mail. She noted that a decision on holding the meeting scheduled for June would be made mid-May.

DELEGATIONS

30. Nil.

REPORTS

Quarterly Statistical Report

31. Chief McNeely noted that the Crimes Against Persons category had increased to 377 from January to March 2020 as compared to 333 for the same period in 2019 and that Crimes Against Property had also increased. Regarding Crimes Against Persons, Chief McNeely explained that assaults had contributed to the increase, including those with weapons. With respect to an increase of about 300 in Crimes Against Property, Chief McNeely noted that the main contributors had been break-ins and other thefts, including commercial break-ins, shoplifting, and thefts from motor vehicles. She relayed that frauds had increased again, with some CRA scams and distraction thefts but also some new scams based on the pandemic.

Chief McNeely relayed that incidents related to mischief had also increased, including some related to damage of parking meters. With respect to an increase of 1,000 in calls for service, Chief McNeely pointed out that the period included about 1,600 abandoned 911 calls. She noted that a comparison of 911 calls between 2019 and 2020 had revealed increases in each month (4,200 to 4,900 in January, 4,065 to 4,645 in February, and 4,400 to 4,600 in March). She relayed that, while there had been slight changes due to the pandemic, overall front-line responders remained very busy.

32. With respect to use of force reports filed from January to March 2020, Chief McNeely relayed that they related to nine separate incidents, including one that involved a team report for multiple Emergency Response Unit officers and four reports filed by individual officers. She noted that this incident involved a warrant being executed by the Drug Unit with the Emergency Response Unit, with firearms drawn. Chief McNeely relayed that the two subjects of the warrant had been tracked down and arrested after initially escaping out of a window. She noted that a conducted energy weapon was displayed once and that the “firearm pointed” incidents related to gunpoint arrests based on the behaviour of the suspects. She explained that these instances would also account for some of the “firearm drawn” statistics. Chief McNeely relayed that examples of incidents included a male suspect damaging property who then used a golf club as a weapon; a male suspect who had been brandishing a knife and then hid it on his person; a male suspect reported to have a handgun in a fast food restaurant (ended up being a BB gun); a driver driving dangerously, hopping sidewalks, and driving at other vehicles; and a man in a bank vestibule reported to have a knife. Chief McNeely noted that the one firearm discharge related to an injured animal. In comparison with 2019 statistics, Chief McNeely relayed that the report for the same period had covered 19 incidents.

33. **Deployment for 2020 St. Patrick’s Day and Preceding Weekend.** Deputy Chief Scott noted the unusual results for this year. He relayed that indications had been for parties on Friday night and large-scale gatherings on Saturday and Tuesday, for which officers had been deployed in a way to minimize costs. He noted that Queen’s University Administration and KFL&A Public Health had encouraged students not to participate due to the arrival of COVID-19 health concerns, and lower numbers had enabled officers to be shifted to other duties or released from overtime as soon as possible. Deputy Chief Scott confirmed that the Nuisance Party By-Law and University District Safety Initiative continued to be effective tools in policing such events. He reported that expenditures had amounted to \$5,294.13 in overtime and \$1,232.96 in operating supplies, for a total of \$6,527.09, which was substantially lower than the 2019 overtime cost of \$39,564 and the 2018 overtime cost of over \$50,000.

MOTIONS

34. It was moved by Dr Leuprecht and seconded by Councillor McLaren that the Board ratify a motion passed by a quorum of Board members on April 2, 2020, to endorse the agreement effective as of April 1, 2020, with the Attorney General regarding the Bail Safety Project, as outlined in the Ministry’s letter of March 20, 2020.

Carried.

(20-15)

UNFINISHED BUSINESS

35. **Sponsorship of OAPSB Annual General Meeting.** The Chair noted that the Annual General Meeting would still take place but in a virtual format and that the OAPSB was facing a funding shortfall due to no registration fees being available to offset costs already incurred in planning the annual conference. The Secretary noted that, at a previous meeting, the Board had authorized a sponsorship of \$500, which had been the Board's standard sponsorship of this conference and annual general meeting for the past number of years. It was moved by Councillor McLaren and seconded by Dr Leuprecht that the Board confirm its sponsorship in the amount of \$500 to the 2020 Annual General Meeting of the Ontario Association of Police Services Boards, now being held in virtual format.

Carried.

(20-16)

NEW BUSINESS

36. **Resignation of Constable S. Bough.** Deputy Chief Scott relayed that Constable Shawn Bough would be concluding his employment on April 16, 2020, and provided the following summary of his career with the Kingston Police.

Shawn Bough was hired as a cadet in July 1991 after his graduation with distinction from the St. Lawrence College Law and Security Administration Program (now commonly referred to as Police Foundations). He also received the St. Lawrence College Academic Council Award for having the highest academic proficiency in the graduating class for each program year. Early in his career, Shawn was praised by several members of the public and the local Victim/Witness Assistance Program for his compassion and understanding in dealing with some very sensitive situations. In one instance, a victim relayed that Shawn had helped to turn a traumatic situation into a tolerable one that had an end in sight. In January 2001 Shawn was transferred from front-line patrol duties to Criminal Investigations and was one of our earliest officers to be assigned to the newly emerging area of cybercrimes and Internet child pornography, which has intensified in recent years. As an investigator, Shawn's caring manner continued to be recognized, and one victim remarked that Shawn had the ideal mix of professionalism and compassion necessary for the important work in which he was involved. From 2008 to 2011, Shawn worked with the Penitentiary Squad, during which time he was recognized with the Ontario Provincial Police Commissioner's Commendation for Outstanding Investigation with respect to the capture of a convicted murderer who had escaped custody. Shawn returned to community patrol duties in 2012, where he was an excellent mentor for junior officers on his platoon. In 2012 he was awarded the Police Exemplary Service Medal. In 2014 Shawn returned to Criminal Investigations, where he quickly became a mentor to the numerous officers who were adjusting to their new roles as detectives. He also received positive feedback from Pat Benoit, who indicated, "Detective Bough is an asset to the unit; he is knowledgeable and dependable. He also has a great personality and a good sense of humour, which tends to relax the atmosphere of the unit during tense moments. He works hard and has a real desire to catch the bad guys." In reviewing Shawn's file, a consistent quality emerged: that of an officer who remained dedicated to victims as he did his best to ensure that they received compassionate justice. Shawn's

passion for policing allowed him to serve in many capacities during his tenure with the Kingston Police. Shawn completed his exceptional service to the community in Patrol. We thank Shawn for his 29 years of service and wish him all the best in his future endeavours.

The Chair asked that a letter be prepared to express the Board's appreciation to Constable Bough for his many years of service.

MOVE TO IN-CAMERA SESSION

37. It was moved by Dr Leuprecht and seconded by Councillor McLaren that the Board move in camera at 1:00 p.m. Carried.

Chair

Secretary