

**Minutes of a Meeting of the Kingston Police Services Board  
Held on Thursday, December 17, 2020, at 12:00 Noon  
Via Webinar Hosted at Kingston Police Headquarters**

**IN ATTENDANCE VIA ELECTRONIC PARTICIPATION**

Mr Jarrod Stearns, Chair	Chief Antje McNeely
Councillor Jefferey McLaren, Vice-Chair	Deputy Chief Christopher Scott
Councillor Bridget Doherty	Members of staff and media [from 12:04 p.m.]
Dr Christian Leuprecht	
Mr Jamshed Hassan [from 12:10 p.m.]	
Mrs Donna Harrington, Secretary	

1. Councillor McLaren called the meeting to order at 12:01 p.m.

**DISCLOSURE OF CONFLICT OF INTEREST**

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

**POSITIONS OF CHAIR AND VICE-CHAIR**

3. In accordance with the Board's Rules of Procedure By-Law, nominations were called for the positions of Chair and Vice-Chair for 2021.

4. It was moved by Councillor McLaren and seconded by Dr Leuprecht that Mr Stearns be nominated for the position of Chair for 2021. There were no further nominations. It was moved by Councillor McLaren and seconded by Councillor Doherty that nominations for the position of Chair be closed, thereby confirming the election of Mr Stearns as Board Chair for 2021.

Carried. (21-1)

5. It was moved by Councillor Doherty and seconded by Mr Stearns that Councillor McLaren be nominated for the position of Vice-Chair for 2021. There were no further nominations. It was moved by Mr Stearns and seconded by Councillor Doherty that nominations for the position of Vice-Chair be closed, thereby confirming the election of Councillor McLaren as Board Vice-Chair for 2021.

Carried. (21-2)

6. The Secretary declared the nominations closed and turned the meeting over to the Chair.

**APPROVAL OF AGENDA**

7. It was moved by Councillor McLaren and seconded by Councillor Doherty that the agenda be approved. Carried. [Webinar became publicly active at 12:04 p.m.]

## ADOPTION OF MINUTES

8. It was moved by Councillor McLaren and seconded by Dr Leuprecht that the minutes of Meetings 20-15 and 20-16, held on November 19 and 30, 2020, respectively, be adopted. Carried.

## COMMUNICATIONS

9. With respect to the Ministry memorandum enclosing the Ontario Police Health and Safety Committee Guidance Note 20 on confined space safety, Chief McNeely explained that it defined confined space as “a fully or partially enclosed space that is not designed and not constructed for continuous human occupancy and in which atmospheric hazards may occur because of its construction, location or contents or because of work that is done in it.” She relayed that the guidance note had been developed to alert workers that there were potential hazards in confined spaces and to provide guidance on how to respond. Chief McNeely noted that Kingston Fire and Rescue had a trained technical rescue team to deal with confined spaces and that, in a non-emergency situation, Kingston Fire and Rescue members and not Kingston Police members would be entering a confined space and, in an emergency situation, Kingston Fire and Rescue would be the primary responder. She advised that a general order would be developed on this topic and that an educational awareness campaign was being coordinated with the Fire Chief and with the Joint Health and Safety Committee.

10. The Chair noted the Ministry correspondence on the *Special Investigations Unit Act* in-force date. Chief McNeely relayed that the act had come into force on December 1, 2020, and, although many aspects had not changed [from the former regulation under the *Police Services Act*], changes included that the Special Investigations Unit (SIU) would now have jurisdiction over not only sworn police officers but also Niagara Parks Police special constables and Legislative Assembly peace officers; the SIU would need to be called when a firearm had been discharged at a person, even if the discharge did not result in an injury; the definition of “serious injury” that had been used was now codified; for on- or off-duty conduct, the act provided a checklist as to when to notify the SIU; the act had a duty to comply, with a provincial offence for failure to do so; and the SIU now was required to provide updates to the public on every case that was taking longer than 120 days to complete. She noted that Management and the Association were working together as the new procedures unfolded. [Mr Hassan joined the meeting at 12:10 p.m.]

11. With regard to the Ministry correspondence on the Virtual Case Management Court, Chief McNeely explained that, due to the pandemic, the courts had not been allowing in-person appearances for out-of-custody accused persons for first appearances, matters to be spoken to, or to set a court date, and this had resulted in presumptive court dates being set in advance by issuing a “bench warrant with discretion,” with court dates being set further and further ahead. She explained that this process had ended on November 27, 2020, and, following that, out-of-custody persons were required to attend for their scheduled appearances by audio or video or by counsel appearing on their behalf. Chief McNeely noted that if accused persons did not attend by one of these methods a bench summons would be issued to compel their appearance. She explained that this impacted police services, because they were required to serve these summonses. She relayed that the Kingston Police currently had 60 such summonses, which

would be served by special constables or by requesting another police service if the person lived in another jurisdiction. Chief McNeely advised that the Ministry of the Attorney General was preparing courthouses to facilitate the safe return of in-person court appearances by the end of December, although pandemic restrictions might not allow in-person criminal case management appearances. She noted that it was a work in progress and that the Court Services Unit was able to serve the summonses and was working collaboratively with the Crown's Office. With respect to those who did not have available technology or phones, Chief McNeely relayed that they could make arrangements by phone, have their lawyer appear on their behalf, or have legal counsel assigned to do so.

12. The Chair noted the Ministry memorandum regarding the proclamation of the *Security from Trespass and Protecting Food Safety Act, 2020*. Chief McNeely recalled that certain sections of the act had been put in place in September 2020 due to growing public safety and industry concerns with respect to demonstrators blocking trucks bringing animals to food processing plants. She noted that the act made it an offence to stop, obstruct, hinder, or otherwise interfere with motor vehicles transporting farm animals, with fines up to \$15,000 for a first offence and \$25,000 for subsequent offences. Chief McNeely explained that recent regulations addressed trespassing on a farm or in a food processing facility and enhanced protection from obstruction in the transportation of livestock, i.e., beyond the *Trespass to Property Act*, which only had a maximum fine of \$10,000. She added that the regulations allowed *Provincial Offences Act* tickets to be issued under the act and that online training on the act was available for members.

13. With respect to the Ministry memorandum on expanding the use of certified evidence in *Provincial Offences Act* courts, Chief McNeely explained that "certified evidence" included written statements in a document that were certified or sworn to be true by the person signing the document, with certified statements applying to all proceedings under Part I and Part II of the *Provincial Offences Act* as of December 14, 2020, where a set fine had been specified (e.g., speeding and other offences with demerit points). She noted that this was one way of modernizing the process and would reduce the need for enforcement officers to appear in court to give oral testimony, with the decision to rely on certified evidence being up to the prosecutor.

14. With respect to the Ministry correspondence on upcoming changes to custody and access terminology in family law, Chief McNeely explained that the changes focussed on parenting terminology in both the provincial *Children's Law Reform Act* and the federal *Divorce Act*, e.g., divorcing spouses would seek "parenting orders" as opposed to language concerning "custody" or "access," with the in-force date of changes to both acts anticipated to be March 1, 2021.

15. With respect to the Ministry memorandum on compelled fingerprinting during the COVID-19 pandemic, Chief McNeely explained that having fewer offender appearances had impacted the ability to obtain fingerprints, i.e., release forms such as an appearance notice compelled accused persons to attend a police station for fingerprinting, and COVID-19 restrictions had impacted appearances at the station. She relayed that special constables had been attending the Quinte Detention Centre for fingerprinting those in custody and files were being flagged for any outstanding fingerprinting to be addressed in the courts prior to the conclusion of a court case, i.e., the Crown would ask for an adjournment and set a time for

fingerprinting or there could be a condition on a probation order to submit to fingerprinting. Chief McNeely noted that another option was to issue a summons to appear for fingerprinting.

16. The Chair noted the e-mail from OAPSB Zone 2 in relation to the waiver of the Zone 2 2021 membership fees. For the new members, he explained that the various boards across the province were organized into zones to facilitate addressing issues particular to certain areas. He noted that normally zone meetings were held quarterly or semi-annually but that the pandemic had necessitated the cancellation of these meetings for the time being. The Chair added that the annual meeting of the Ontario Association of Police Services Boards helped to bring to light challenges faced by boards and had speakers to help educate boards on how to work more efficiently.

17. With respect to the OAPSB e-mail on the review of the Court Security and Prisoner Transportation Transfer Payment Program, Chief McNeely relayed that the Director of Finance had responded on behalf of the Board. She noted that the Kingston Police had also been asked to respond to a survey in terms of costs, etc., and that this input had been provided by the Director of Finance and the Court Services Unit.

18. The Chair noted the correspondence from the City Clerk regarding the appointment by City Council of Mayor Paterson and Councillor McLaren to the Board; the subsequent appointment by City Council of Councillor Bridget Doherty to the Board in place of the head of municipal council; and the appointment by City Council of Jimmy Hassan to the Board as the community representative. Councillor McLaren advised that his reappointment was to be for a term of two years and not one year as noted in the correspondence. The Chair welcomed the new members to the Board.

## **DELEGATIONS**

19. Nil.

## **REPORTS**

20. Nil.

## **MOTIONS**

21. Deputy Chief Scott provided the following brief biographies on the new recruits selected to attend Basic Constable Training at the Ontario Police College in January.

- a. Alex Blunden was born and raised in Montreal and graduated from John Abbott College in 2017, where he completed the Police Technology program. From there he attended Concordia University in Montreal and received a Bachelor of Arts degree with distinction in Human Relations. Alex also attended Universidad de las Américas Puebla in Puebla, Mexico, for a five-month student exchange in 2019. He speaks English, French, and Spanish. Since August 2015, Alex has worked as a security officer for McGill University and was promoted to sergeant in June 2018. He has also worked for the Town of Mount-Royal Public Security

and Les Hôtes de Montréal Security. Alex enjoys giving back to the community. While in Mexico, he volunteered for the Fundación Origen Nakú, a group that works with Indigenous children and communities in Mexico. Alex has also been a Big Brother until recently, when his match graduated from the program upon turning 18. In his spare time, Alex enjoys kickboxing and snowboarding, as well as attending the gym and running. We welcome Alex to the Kingston Police.

- b. Kelsey Collins was born and raised in Kingston, Ontario, and graduated from Frontenac High School. From there she received a diploma from St. Lawrence College in Community and Justice Services; additionally, she received a certificate of completion for the requirements of Correctional Officer Training and Assessment from the Ontario Correctional Services College in Lindsay. She has since worked as a Correctional Officer at the Quinte Detention Centre in Napanee. Kelsey has continued her learning by taking many courses over the last several years, including subject matters in mental health and suicide prevention; culture and diversity; human trafficking and child exploitation; autism spectrum disorder; and fraud prevention awareness. Policing has been a career choice of hers for quite some time, and she has obtained valuable insight and skills from her employment as a correctional officer. Kelsey volunteers with Victim Services, as well as with No Limits Youth Organization as a dance instructor. In her spare time she enjoys working out at the gym, running, soccer, and snowboarding. She is also involved in theatre and has been acting at the Belleville Theatre since 2018.
- c. While new to the sworn complement, James Hollingsworth has been a member of the Kingston Police. He was born and raised in the Brampton area and moved to Kingston in 2006. He graduated from Holy Cross Secondary School in 2013 and in 2017 obtained a Bachelor of Science (Honours) degree in Physical Health and Education from Queen's University, where he maintained his status on the Dean's Honour List for academic years 2015/16 and 2016/17. James has been actively involved in volunteering since 2008, including volunteering for Queen's Camp Explore; teaching swimming at WJ Henderson Pool; being a volunteer leader of daily physical activity programs with Frontenac Public School; coaching at the Kingston Goalball Club at Holy Family, where he supported legally and partially blind athletes between the ages of 18 and 25; volunteering at Ongwanada Resource Centre; being a volunteer strength coach with Queen's University Wrestling since 2019; and volunteering with the Kingston Police Community Volunteers since 2018. James has been employed with the Kingston Police as Vehicle/Equipment Detailer and Fleet Assistant since 2018 and prior to that with East Side Mario's as a pizza cook from 2012 to 2018. We welcome James in his new role with the Kingston Police.
- d. Philippe Mahaffy was born and raised in the Pembroke area and graduated from Mackenzie Community Secondary School, where he was the recipient of the Morris Wasenko Award for worldly knowledge, cultural awareness, and global curiosity. It was during this time that he completed an exchange to Taipei, Taiwan, and learned Mandarin Chinese, in which he has intermediate fluency. He

then attended the University of Ottawa and obtained his Bachelor of Commerce (Honours) degree and a second language certificate in French. Philippe is active in the Rotary Club in Ottawa and successfully completed the three-year International Youth Exchange program in 2014. He was also an international exchange student during his time at University of Ottawa and attended the Aarhus Business School in Denmark for four months in 2016 and then the Vienna University of Economics and Business for four months in 2017. He volunteers his time as the President of the Rotary Club of Ottawa Metro and is the Rotary District 7040 Youth Exchange Program student coordinator. He is also an on-ice official for Hockey Eastern Ontario and has worked at elite levels of minor hockey up to Midget AAA. Philippe was employed with Immigration, Refugee and Citizenship Canada as a policy analyst prior to being hired by the Kingston Police.

It was moved by Councillor McLaren and seconded by Dr Leuprecht that the Kingston Police Services Board appoint James Hollingsworth, Alexander Blunden, Philippe Mahaffy, and Kelsey Collins as officers of the Kingston Police effective January 4, 2021, creating a temporary overage in the sworn complement that will be reduced by attrition.

Carried.

(21-3)

## **UNFINISHED BUSINESS**

### **2020 Annual Report and 2021 Budget**

22. The Chair asked for any follow-up questions from the presentation made at the last meeting. Councillor McLaren relayed that Council had passed a motion the previous evening to request Chief McNeely to appear before Council to provide information on initiatives being undertaken in the area of equity, diversity, and inclusion. Dr Leuprecht indicated that he had submitted some questions that could be addressed during the meeting or by written correspondence. With respect to the \$120,000 request for Zoom communications, Chief McNeely explained that this request in the capital budget was to prepare the audiovisual and infrared infrastructure in three rooms within police headquarters for Zoom capability, being the Community Room, the Board's boardroom, and the Training classroom. She relayed that a lot of training was now being done by Zoom, which provided for more training capacity. Chief McNeely noted that the Board had passed a motion in August 2020 to pursue the availability of live streaming and video recording of meetings and relayed that Zoom rooms had been enabled for the Executive Conference Room and a small boardroom on the first level but this was not enough to serve requirements moving forward. She clarified that the \$120,000 was not part of the operating budget but rather for the infrastructure side of the house, i.e., not for licensing fees, etc. Chief McNeely confirmed that, although the Director of Information Services had done some research for estimated costs, an RFP or tendering process would need to be initiated to select a vendor for such a project.

23. In terms of the Board's budget, Chief McNeely noted that this was under the purview of the Board Chair and that it included any costs in relation to working committees for the Board and any Board consultants for public engagement, travel expenses, membership fees, etc.

24. With respect to budgetary implications of promotions, Chief McNeely noted that Dr Leuprecht had asked about her commitment for a university degree to be a minimum qualification for promotions to senior command and also for lower ranks. Dr Leuprecht clarified that he was just seeking Chief McNeely's views on that aspect. Chief McNeely indicated that she agreed and that the new promotional process moving ahead would include points for education, whether university or other post-secondary education, certificates, etc. She noted that the hope had been for the new promotional framework to be in place for the end of 2020 and invited Director of Human Resources Sonja Verbeek to provide an update. Ms Verbeek relayed that a meeting of the committee had taken place earlier in the day, with a representative from York Regional Police speaking to the competency portion of the promotional assessment and providing his expertise on this area to the committee. She noted that much progress had been made and the committee was close to completion, with next steps including discussing timelines and how to roll out training for assessors and those participating in the promotion process. Ms Verbeek relayed that the committee had decided some months ago that it was too soon to finalize the updated process for the current individuals in the promotional pool and that the delays in completion related to the committee wanting to ensure the best possible product and its view on the impracticality of having those currently in the promotional pool go through the new process. She noted that it was hoped to have the process completed and recommendations to Chief McNeely by the end of January, with training then conducted in February and March. She explained that anyone not familiar with competency-based assessment required training to fully understand the process and noted that the goal was to have a fair and transparent process and for individuals to feel confident that the competency assessments were being done properly. She pointed out that this was a complete overhaul of the process and, although an initial announcement about revising the process had been made in January 2019, the committee had not met until late in the spring and then pandemic restrictions for meetings and the reserve deployment had resulted in further delays. Ms Verbeek pointed out that, while the new process would be more complex, it should provide excellent assessment of candidates due to multiple stages, including competency assessments, 360s, and oral board interview. Deputy Chief Scott added that the promotional process timelines also had to work around the normal time for writing promotional examinations, which normally took place at the end of March.

## **NEW BUSINESS**

25. **Staffing Update.** Chief McNeely relayed the retirement of Constable Jefferey Smith and the resignation of Sergeant Patrick Benoit and provided the following summaries of their careers.

- a. Jeff was hired by the Kingston Police in July 1997, having already gained much policing experience since March 1990 with the Royal Canadian Mounted Police and the Ontario Provincial Police. He also possessed valuable training and expertise from his time as a member of the Canadian Forces from 1982 to 1989, including qualification as a paratrooper. Jeff was assigned to the Patrol Division in his initial years on the force until his assignment in January 2002 to Criminal Investigations, where he was primarily tasked with fraud investigations. His investigative skills were further honed with a two-year assignment as a forensics officer in the Forensic Identification Unit in 2010 and 2011. In January 2012 Jeff returned to uniformed patrol, where his broad base of knowledge and experience was of great benefit to front-line operations. In particular, his expertise as a

Scenes of Crime Officer was frequently in demand. Jeff has been an active supporter of community events involving the Kingston Police over the years, from indoor soccer tournaments with local schools to the Police Equestrian Championship. Jeff is a recipient of the Police Exemplary Service Medal, and with his years of service upon retirement he will be receiving his first bar to the medal, in recognition of 30 years of loyal and exemplary service to public safety in Canada. We thank Jeff for his loyalty and dedication to our community and to the Kingston Police and wish him all the best in the years ahead.

- b. Pat was hired by the Kingston Police in January 1998 as a two-year experienced officer from the Peel Regional Police. While in Patrol he became a coach officer for his aptitude in teaching others and was also a member of the Emergency Response Unit. He has received a number of letters of appreciation from members of the public for making a difference in their lives. In 2003 Pat was transferred to the Crime Prevention Unit as a Street Crimes Officer and in 2005 he was transferred to the Drug Unit and then the Biker Enforcement Unit. He was involved in a number of successful investigations targeting high-end drug dealers. He was awarded the Ontario Medal for Police Bravery for saving a truck driver teetering near the edge of a cliff after his rig had slammed into a rock face along Highway 401 in March 2008, as well as a Commendation of Valour from the Recognition and Awards Program Selection Committee. In 2010, Pat returned to the Patrol Division, where he performed duties as an Acting Sergeant on occasion, and in 2013 he was transferred to Criminal Investigations, where he was promoted to sergeant in January 2014 to be in charge of the Sexual Assault / Person Crimes area. He had another stint in the Drug Unit in 2015 as the sergeant in charge and was the co-lead for Project Yuma, a joint forces investigation with the Durham Regional Police Service that targeted a number of drug-trafficking cells. This resulted in 23 suspects being charged, including 6 from the Kingston area, with 112 drug- and firearm-related offences and a drug seizure with an estimated value of \$1.4 million. He received a Kingston Police Commendation of Merit for his work done on this project. In February 2016 he was awarded the Police Exemplary Service Medal in recognition of 20 years of loyal and exemplary service to law enforcement in Canada. In his final year with us, Pat was transferred to the Emergency Response Unit. During his career he has volunteered for a number of charity events, including the Sky Is the Limit, the Law Enforcement Torch Run, and the Ontario Special Olympics 2012 Provincial Spring Games. I know that Pat leaves our organization in good stead; he spoke about having had a wonderful career in law enforcement, from Correctional Services of Canada, Peel Regional Police, and the Kingston Police, which he has called home for the past 23 years. He is very proud of his accomplishments and knows that this decision is the best for himself and his family moving forward. We wish Pat all the best in this next chapter of his life.



**MOVE TO IN-CAMERA SESSION**

26. It was moved by Councillor McLaren and seconded by Mr Hassan that the Board move in camera at 12:52 p.m. Carried.

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Chair

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Secretary