

**Minutes of a Meeting of the Kingston Police Services Board
Held on Thursday, October 21, 2021, at 12:00 Noon
Via Webinar Hosted at Kingston Police Headquarters**

IN ATTENDANCE VIA ELECTRONIC PARTICIPATION

Mr. Jarrod Stearns, Chair	Chief Antje McNeely
Councillor Jeff M ^c Laren, Vice-Chair	Deputy Chief Scott Fraser
Councillor Bridget Doherty	Members of staff, public and media
Dr. Christian Leuprecht	
Mr. Jamshed Hassan	
Mrs. Donna Harrington, Secretary (Outgoing)	
Ms. Lorie Sargeant, Secretary (Incoming)	

1. The Chair called the meeting to order at 12:07 pm.

DISCLOSURE OF CONFLICT OF INTEREST

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

APPROVAL OF AGENDA

3. Moved by Councillor M^cLaren
Seconded by Mr. Hassan

That the agenda be approved.

Carried

ADOPTION OF MINUTES

4. Moved by Councillor M^cLaren
Seconded by Councillor Doherty

That the minutes of Meeting 21-17 held on September 16, 2021, be adopted.

Carried

COMMUNICATIONS

5. With respect to the Ministry memorandum regarding the Towing Sector and the *Consumer Protection Act, 2002*, Deputy Chief Fraser explained that it originated due to corruption in the towing industry in some areas. The memorandum clarified between person and business entities and that individuals acting for personal, family or household purposes could seek remedy under the *Consumer Protection Act* to prevent price gouging by tow operators. Deputy Chief Fraser noted that there are times that towing services are requested by Kingston Police such as a vehicle impoundment for impaired or stunt driving. He further explained that at a motor vehicle collision, the driver may request any towing service or CAA/roadside assistance, if the driver does not request a towing service, the officer may call the contracted service. The City's towing contract is currently with Ward's Towing and will be reviewed in June of 2022.

6. Deputy Chief Fraser explained with respect to the memorandum received from the Ministry regarding amendments to the existing Low-Speed Vehicle (LSV) pilot regulation (O.Reg. 215/17: Pilot Project – Low Speed Vehicles) under the *Highway Traffic Act* (HTA) that a LSV is usually electric and is lighter than a car. He compared a LSV to that of a fancy golf cart. These vehicles have a maximum speed of 40 km/hr and can only operate on a highway with a 50 km/hr or less speed limit. The amendments to this 10 year pilot program which commenced in 2017 include: allowing a LSV to cross highways with traffic control devices in all directions with a speed limit of not greater than **80 km/hr**; removing the requirement to have doors on LSVs; limiting the number of people to the number of seats; and lowering insurance requirements to align more closely with those of a passenger car.

7. With respect to the Ministry memorandum regarding the launch of a new website for the Centre of Forensic Sciences (CFS), Deputy Chief Fraser explained that the memorandum outlines the new website location (<https://cfs.mcses.jus.gov.on.ca>). He further noted that there are valuable tools on the website such as an investigators guidebook.

8. The Chair noted the Ministry memorandum regarding disclosure of police records to correctional authorities and the questionnaire attached thereto. Deputy Chief Fraser explained that the memorandum outlines the importance of sharing information and when information can be released. The memorandum provides the legislation to collect or to disclose personal information as follows: *Ministry of Correctional Services Act*; *Corrections and Conditional Release Act*; *Police Services Act*; *Victims' Bill of Rights*; *Municipal Freedom of Information and Protection of Privacy Act*; and the *Freedom of Information and Protection of Privacy Act*. Deputy Chief Fraser advised that the questionnaire has been assigned for completion and submission.

9. With respect to the Ministry's memorandum regarding development services, Deputy Chief Fraser advised that this memo provides a resource document outlining a multi-sectoral collaboration to better address the needs of adults with developmental disabilities. He noted that the document provided resources for officers including telephone numbers, office locations and an overall toolkit.

10. Deputy Chief Fraser explained that the Ministry's memorandum with respect to Crime Prevention Week 2021 (November 7 – 13) that the provincial theme is "Safer Communities, Stronger Ontario". Police services are encouraged to use the hashtag **#CPWeek2021** to promote local initiatives, online events and activities. Deputy Chief Fraser advised that the CORE Unit has been assigned to this initiative and media is involved in distributing initiatives via social media.

11. The Chair noted the Special Investigations Unit Annual Report for 2020-2021.

12. The Chair noted the email from the Canadian Association of Police Governance (CAPG) regarding a call for proposals to host the 2023 CAPG 34th Annual Conference.

13. The Chair noted the email from CAPG regarding the new Board of Directors, the 2021 CAPG Prize for Excellence in Police Governance and conference highlights.

14. The Chair noted the email from CAPG regarding the 2020-21 Executive Committee.
15. The Chair noted the email from the Ontario Association of Public Services Boards (OAPSB) talking about the Zone 2 meeting in Prince Edward County. The Chair and Vice-Chair were in attendance.
16. The Chair noted the 2021 OAPSB Labour Conference would be taking place in virtual format on November 18, 2021, and encouraged Board members to participate if their schedules permitted. The Chair indicated the he would be able to participate and Mr. Hassan indicated that he may possibly participate.
17. The Chair noted that OAPSB request for sponsorship for the 2021 OAPSB Labour Conference and it was agreed that support would be limited to the fees for registering members.

DELEGATIONS

18. Nil.

REPORTS

Quarterly Budget Report

19. Director of Finance John Howes was invited to present the budget report for the third quarter of 2021. Mr. Howes pointed out total costs ending September 30, 2021 of \$30,153,039 compared to a budget of \$30,871,812 resulted in a surplus of \$718,773 or 2.33% partially due to the arrival of grant instalments. Mr. Howes explained that this surplus was unlikely to carry through to the year-end due to additional statutory holidays, an extra pay week and expenses with respect to Queen's Home Coming. He reported that three installments of the 2021 Court Security and Prisoner Transportation Grant with the final instalment expected in December but the reduction of the grant by \$74,000 resulted in an unfavourable variance for 2021. The Community Safety and Policy (CSP) Grant has been received in full and provincial grants not budgeted for, such as the Youth in Policing and CSP (provincial priorities) grants, created a favourable variance of \$180,000. With respect to individual revenue items, Mr. Howes reported that alarm licensing was on budget; paid duty was unfavourable as \$51,000 outstanding receivables have not been recorded; expense recovery has a surplus of \$190,000 due to the timing of secondment recoveries and unbudgeted recoveries; and revenues from background checks and auction proceeds are unfavourable by \$110,000 due to the impact of the pandemic.

In terms of the operational expenses, Mr. Howes relayed that total operating costs of \$33,511,416 against a budget of \$33,952,103 resulted in a favourable variance of \$440,687. With respect to salaries and wages, Mr. Howes noted that overtime was unfavourable by \$136,000 with expenditures of \$46,700 related to COVID activities, \$2,000 for St. Patrick's Day, \$13,700 for a shooting incident, \$27,500 for a homicide investigation, \$19,500 for a joint forces drug operation and \$124,400 in the university district during the month of September. He relayed that base wages were favourable by \$299,000 due to savings by hiring fourth-class constables to

replace retirements but part time wages and paid duty were unfavourable. Mr. Howes noted that benefits were unfavourable by \$44,000 but should be back on budget by year end. He noted that supplies and materials line was \$423,000 favourable reflecting the timing of expenses. Mr. Howes pointed out that there had been favourable balances for fuel, education and training and travel due to the impact of the pandemic, as well as investigative services. He relayed that the contracted services line is favourable because the larger maintenance projects will be in the fourth quarter.

Dr. Leuprecht experienced technical issues and was disconnected from the Meeting for a brief period.

Quarterly Statistical Report

20. Chief McNeely noted that Crimes against Persons over the past nine month period have increased slightly but have actually decreased in comparison to last year during the same time frame. She noted that sexual offences have increased and relayed that in March of 2021 Vesta Community, in partnership with the Kingston Police and Sexual Assault Centre Kingston, officially launched its online tool for anonymous recording and reporting of sexual assault incidents. Through this system, survivors can document their story, in their own words and at their own pace. Once complete, they can choose what happens next. They can chose to submit a report anonymously, connect to counselling, report to police or save it for later. To date there have been 6 reports shared with the Kingston Police for investigation.

Chief McNeely reported that another driver of Crimes against Persons are frauds. In particular the most recent being the “taxi scam”. She explained that one person acts as a taxi driver and the other person acts as a customer. While the vehicle is parked along the road, the customer exits the vehicle and approaches a victim and states that they are unable to pay for their fare and asks for assistance in paying a minimum fare. The victim offers to help by giving their credit or debit card and during the transaction the suspect uses a skimming device to obtain the victim’s PIN. The suspect then retains the victim’s card and returns to them a fake card that resembles theirs. The suspect then withdraws money through several ATMs and makes purchases using the victim’s card usually up to \$2,000 to \$4,000 in each instance.

Chief McNeely relayed that Crimes against Property have increased with break and enters being the driver along with mischief. She noted that drug offences and criminal code traffic offences have also increased, which includes prohibited driving, impaired driving, dangerous driving and fail to remain.

21. For the quarterly report on use of force, Chief McNeely reported that 22 reports had been submitted by Patrol Officers from July 1 to September 30, 2021, and provided the following examples:

- a. Firearms were discharged three times, all for injured animals.

- b. There were several incidents where the Emergency Response Unit Patrol Officers displayed or pointed their firearms which were a result of drug search warrants; an incident where an arrest in response to a barricaded male possibly armed with a hand gun; and another response to a residence where a male, armed with two firearms, was holding a female.
- c. Patrol Officers also responded to a 911 call for shots fired and determined that a person had been shot. The officers located and arrested the suspect at gun-point without injuries.
- d. Officers attended a call for service for a female in her apartment armed with a knife. Officers began with de-escalation techniques, as well as displaying a conducted energy weapon and were able to take the female into custody. Similarly, officers responded to a 911 call for a male threatening to kill people with a knife. Officers located the subject, drew a firearm, as well as displaying a conducted energy weapon, and were able to take the man into custody.

MOTIONS

- 22. Nil.

UNFINISHED BUSINESS

Kingston Police 2022 Budget

- 23. Chief McNeely provided a Power Point presentation on the proposed 2021 operating and capital budgets [presentation and commentary filed with minutes].

NEW BUSINESS

24. Board Policy Update

Moved by Councillor Doherty
Seconded by Councillor M'Laren

That the proposed Board Policy Regarding a Performance Review System for the Chief of Police be adopted as drafted and that the Board Policy Manual be updated to incorporate this new policy in accordance with the memorandum dated October 14, 2021, from the Board Secretary.

Carried (21-64)

25. **November Board Meeting**

The Chair explained that the OAPSB 2021 Labour Conference would not pose a conflict as it was being presented via a virtual platform and would be recorded.

Moved by Councillor M^cLaren
Seconded by Councillor Doherty

That the regular November board meeting remain as scheduled. **Carried (21-65)**

26. **Special Meeting**

Moved by Councillor Doherty
Seconded by Councillor M^cLaren

That the Board hold a special public meeting for the Board to approve the operating and capital budget prior to the regular scheduled November Board meeting.

Carried (21-66)

MOVE TO IN-CAMERA SESSION

27. Moved by Councillor M^cLaren
Seconded by Councillor Doherty

That the Board move in-camera after a ten minute recess. **Carried**

The regular meeting adjourned at 1:41 pm.

Chair

Secretary