



Hamilton Police Services Board
Agenda

Thursday, July 27, 2023, 1:00 P.M.

Hamilton City Hall - Council Chambers (Second Floor)

You may view the Board's public meeting live-stream at <https://hamiltonpolice.on.ca/about/police-services-board> (under Board Meetings - Current)

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8. Discussion Agenda

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Presentation to be provided.

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8.3	Governance Committee Report from its June 29, 2023 meeting	200
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Summary of Recommendation 1: Approval the new Procedural By-law

Summary of Recommendation 2: Approval of the Committee's revised Outstanding Business List & Priority Levels

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9. New Business

10. In Camera Meeting

11. In Camera Report Back

12. Adjournment

**HAMILTON POLICE SERVICES BOARD
PUBLIC MINUTES**

Thursday, June 22, 2023
1:00 P.M.
Hybrid Meeting

Present: Chair Mandy
Member Elms (virtual)
Member Horwath
Member Kroetsch
Member Pauls

Absent with regrets: Vice Chair Fred Bennink
Member Athulathmudali

Also Present: Chief Frank Bergen
Deputy Chief Ryan Diodati
Deputy Chief Paul Hamilton
Legal Counsel Marco Visentini
Director of Human Resources Leanne Sneddon
Acting Director of Finance James Dunn
Director of Strategic Initiatives Matt Lewandowski
Director of Fleet and Facilities Doris Ciardullo
Corporate Communicator Jackie Penman
Inspectorate of Policing Police Advisor David Tilley (virtual)
Administrator Kirsten Stevenson
Board Assistant Lucia Romano

1. Call to Order

The Chair called the meeting to order at 1:00 P.M. and confirmed quorum.

The Chair introduced and welcomed Hamilton Police Services Indigenous Liaison Officer, Stacey Hill.

2. Approval of the Agenda

The Administrator noted the following changes to the agenda:

- Added Presentation item 4.4 Strategic Plan Verbal Update
- Added Consent item 7.11 Deputation Request from Charlotte Rodgers with regards to Stinson Community

- If approved, added Consent item 7.11 Deputation Request from Charlotte Rodgers with regards to Stinson Community will be moved under Presentations and listed as item 4.5
- Added Communications item 6.13 All Chiefs Memo – Updated Ontario Police Health and Safety 23-0045 (June 8, 2023)
- Added Communications item 6.14 All Chiefs Memo – Assistant Deputy Minister Announcement 23-0046 (June 8, 2023)
- Added Communications item 6.15 All Chiefs Memo – Basic Constable Training Program Seat Request August 30 – December 6, 2023 23-0047 (June 12, 2023)
- Added Communications item 6.16 All Chiefs Memo – Targeted Communications Strategy – Ontario Major Case Management Liaison 23-0048 (June 16, 2023)
- Added Communications item 6.17 Thank you from the Kidney Foundation (June 7, 2023)
- Added Communications item 6.18 Thank you from the Remember Everyone Deployed Event (June 12, 2023)
- Added In Camera Consent items 4.8 through 4.12 pertaining to legal and personnel matters in accordance with section 35(4) of the *Police Services Act*
- Added In Camera Discussion item 5.2 pertaining to legal and personnel matters in accordance with section 35(4) of the *Police Services Act*.

Moved By: Member Pauls

Seconded By: Member Horwath

That the agenda be approved, as amended.

CARRIED

3. Declarations of Conflict & Pecuniary Interest by Members

Member Pauls declared a conflict with regards to closed session item 4.9.

4. Presentations, Deputations & Verbal Updates

4.1 Members of the Month

The members of the month were presented as follows:

March: Private Constable Monika Szok

April: Special Constables Muserref Cepoi, Steve Noble and Tara Beaudoin

4.2 Deputation Request from Charlotte Rodgers regarding the Stinson Community (for today's meeting)

This item was originally to be dealt with under Consent Item 7.11.

Moved By: Member Kroetsch

Seconded By: Member Horwath

That the deputation request from Charlotte Rodgers regarding the Stinson Community be approved.

CARRIED

Charlotte Rodgers and Jeff St. Louis provided their deputation and answered questions of the Board.

Moved By: Member Pauls

Seconded By: Member Kroetsch

That the deputation from Charlotte Rodgers and Jeff St. Louis be received.

CARRIED

4.3 Board Chair Verbal Updates

The Board Chair provided updates.

Moved By: Member Kroetsch

Seconded By: Member Horwath

That the Board Chair verbal updates be received.

CARRIED

4.4 Chief of Police Verbal Updates

The Chief of Police provided updates.

Moved By: Member Horwath

Seconded By: Member Kroetsch

That the Chief of Police verbal updates be received.

CARRIED

4.5 Strategic Plan Verbal Update

Staff Sergeant Amanda Gill provided an update, presentation and answered questions of the Board on the 2023-2026 Strategic Plan.

Moved By: Member Kroetsch

Seconded By: Member Pauls

That the Strategic Plan update and presentation be received.

CARRIED

5. Approval of the Minutes

5.1 Minutes of May 25, 2023

Moved By: Member Elms

Seconded By: Member Kroetsch

That the minutes of May 25, 2023 be approved as presented.

CARRIED

6. Communications

After discussion, the Board approved the following:

Moved By: Member Kroetsch

Seconded By: Member Horwath

That communication items listed as 6.1 through 6.18 be received.

CARRIED

- 6.1 Thank You Letter from Interval House (April 27, 2023)**
- 6.2 Thank You Letter from Hamilton-Wentworth Catholic District School Board (May 4, 2023)**
- 6.3 Thank You Letter With Regards to Supporting Wesley's 2023 Case for Kids Campaign (May 31, 2023)**
- 6.4 Thank You Letter from the Hamilton Black Health Community Leaders Forum with regards to Attendance at the Africa Day 2023 Celebration (June 2, 2023)**
- 6.5 Correspondence from Joshua Weresch, Regarding Downtown Policing (May 28, 2023)**

- 6.6 Correspondence from Esther Pauls With Regards to Declaration of Conflict (June 7, 2023)**
- 6.7 Correspondence from the London Police Services Board - Paul Bastien Named as Next Deputy Chief of the London Police Service (May 25, 2023)**
- 6.8 Correspondence from the Greater Sudbury Police Services Board - Krista Fortier Appointed as New Member of the Greater Sudbury Police Services Board (May 17, 2023)**
- 6.9 Correspondence from the Greater Sudbury Police Services Board - Shawn Poland Appointed as New Member of the Greater Sudbury Police Services Board (June 2, 2023)**
- 6.10 Canadian Association of Police Governance (CAPG) Request for Support (May 16, 2023)**
- 6.11 All Chiefs Memo - Victim Support Grant (VSG) Call for Applications 23-0042 (May 18, 2023)**
- 6.12 All Chiefs Memo - Constable Joe MacDonald Public Safety Officers' Survivors Scholarship Fund Call for Applications 23-0043 (May 25, 2023)**
- 6.13 All Chiefs Memo - Updated Ontario Police Health and Safety Committee Guidance Note #11, Water Safety 23-0045 (June 8, 2023)**
- 6.14 All Chiefs Memo - Assistant Deputy Minister Announcement 23-0046 (June 8, 2023)**
- 6.15 All Chiefs Memo - Basic Constable Training Program – Seat Request August 30 – December 6, 2023 23-0047 (June 12, 2023)**
- 6.16 All Chiefs Memo - Targeted Communications Strategy – Ontario Major Case Management Liaison 23-0048 (June 16, 2023)**
- 6.17 Thank You from the Kidney Foundation (June 7, 2023)**
- 6.18 Thank You from the Remember Everyone Deployed Event (June 12, 2023)**

7. Consent Agenda

After discussion, the Board approved the following:

Moved By: Member Kroetsch

Seconded By: Member Horwath

That Consent items 7.4 and 7.9 be lifted and placed under Discussion items.

CARRIED

After discussion, the Board approved the following:

Moved By: Member Horwath

Seconded By: Member Elms

That consent items listed as 7.1 through 7.3, 7.5 through 7.8 and 7.10 be received.

CARRIED

7.1 Auction Account Requests for Support

Based on past practice and in accordance with the Board's Auction Account Policy:

That tickets be purchased at a cost of \$275 each for participation in the Good Shepherd's Golf Classic taking place on September 14, 2023 at Heron Point to support Women and Youth Services; and

That tickets be purchased at a cost of \$150 each for participation in the Beyond the Blue Champions for Change Annual Awards Gala taking place on September 14, 2023 to acknowledge and celebrate police service members and community partners who are championing the advancement of mental health and well-being initiatives; and

That these ticket purchases be taken from the Auction Account Fund.

- 7.2 Women of the Hamilton Police Service ISN and 65 Years of Women in Policing (23-050)**
- 7.3 2022 Year End Financial Report - Preliminary (23-056)**
- 7.4 2022 Year End Surplus Allocation Plan (23-055)**
- 7.5 Budget Variance Report as at March 31, 2023 (23-060)**
- 7.6 Capital Financing - Investigative Services Division Debt (23-057)**
- 7.7 Capital Project Status Report as at March 31, 2023 (23-061)**
- 7.8 2022 Year End Report - Crimes Against Seniors (23-058)**
- 7.9 Motion Regarding Workload Analysis – OBL Item 3 (PSB 23-019)**
- 7.10 Outstanding Business List as of June 22, 2023**
- 7.11 Deputation Request from Charlotte Rodgers with regards to Stinson Community (for today's meeting)**

8. Discussion Agenda

8.1 2022 Year End Report - Use of Force (23-059)

Manager of Analytics Chloe Nyitray, Sergeant Mass Giuliani, Sergeant Gino Ciarmoli, and Private Constable Chelsea Nash provided a use of force presentation and answered questions of the Board.

After discussion, the Board approved the following:

Moved By: Member Pauls

Seconded By: Member Elms

That the 2022 Year End Report and Presentation on Use of Force be received.

CARRIED

8.2 2022 Year End Surplus Allocation Plan (23-055)

This item was previously listed as Consent item 7.4.

After discussion, the Board approved the following:

Moved By: Member Horwath

Seconded By: Member Pauls

That the Board approve the Allocation Plan for the 2022 year-end surplus of \$1,020,546 as noted in report 23-055.

CARRIED

Member Kroetsch abstained from voting on this item.

8.3 Workload Analysis – OBL item 3 (PSB 23-019)

This item was previously listed as Consent item 7.9

After discussion, the Board approved the following:

Moved By: Member Kroetsch

Seconded By: Member Pauls

That the Workload Analysis Report deadline, listed as item 3 on the Outstanding Business List, be moved to the September 28, 2023, Board meeting.

CARRIED

After discussion, the Board approved the following:

Moved By: Member Kroetsch

Seconded By: Member Pauls

That a report be prepared by the Service related to workload analysis for inclusion on the Board's September 28, 2023 agenda.

CARRIED

9. New Business

There was no new business.

10. In Camera Meeting

After discussion, the Board approved the following:

Moved By: Member Pauls

Seconded By: Member Horwath

That the Board move in camera for the purpose of considering confidential items pertaining to legal and personnel matters in accordance with Section 35(4) of the *Police Services Act*.

CARRIED

The Board moved in camera at 3:50 P.M.

11. In Camera Report Back

The Board returned to public session at 4:46 P.M.

Chair Mandy provided a report back from the Board's in camera session which included the following:

- The Board approved its in camera minutes of May 25, 2023.
- The Board dealt with personnel and legal matters in accordance with Section 35(4) of the *Police Services Act*.

Moved By: Member Pauls

Seconded By: Member Horwath

That the Board Chair report back be received.

CARRIED

12. Adjournment

After discussion, the Board approved the following:

Moved By: Member Kroetsch

Seconded By: Member Horwath

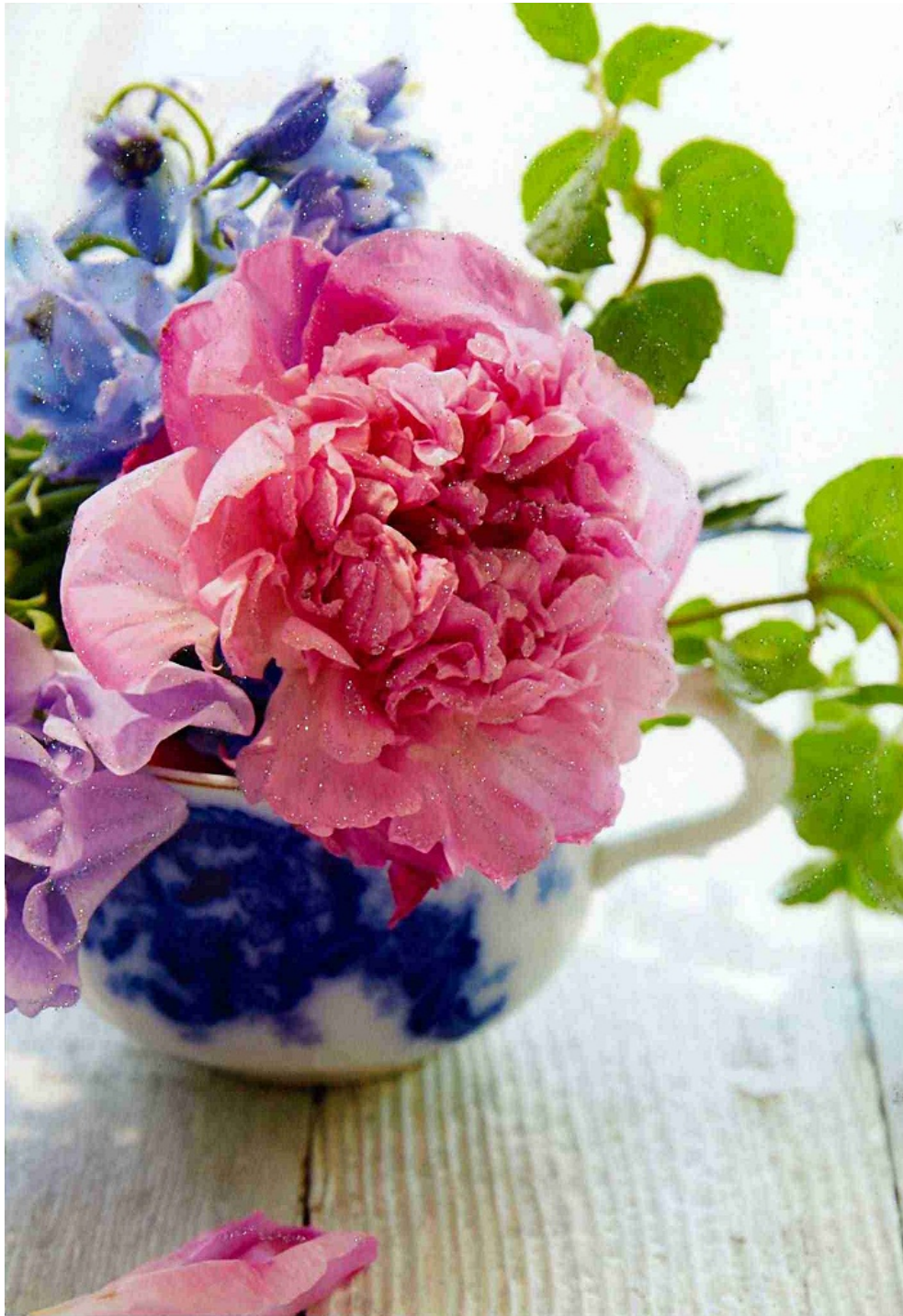
That the Board adjourn at 4:48 PM.

CARRIED

Taken as read and approved.

Chair Pat Mandy

Administrator Kirsten Stevenson



To Members of the
Houlton Police Service Board

Thank you so much for
the lovely plaque
sent in memory of my
brother Alex.

It was very much
appreciated.

Shandy Anders

Dear Chief Bergen:

Please accept this email as genuine gratitude for the tremendous service and collaboration over the years as provided by Hamilton Police Services.

We wish to extend sincere appreciation for our ongoing partnership.

Today's "Police at the Park" and our recent participation in the "Police Chief for a Day" are testament to community partnership in alignment with many presentations to our HWCDSB General Principals' Meetings over the years.

<https://aool.hwcdsb.ca/469726--AOOL-and-Police-at-the-Park> (see attached)

<https://aool.hwcdsb.ca/469724--AOOL-and-Chief-for-the-Day> (see attached)

Together, we are strong...in affiliated fellowship we are stronger...as was reflected today and over the years.

Special thanks are extended to Officer Kikas and Officer Clarke and Officer Tadeson who have provided profound connections to services and supports, both preventative and responsive.

We look forward to nothing more than a bright future ahead for our city and the students/families we serve.

Take care and thank you.
Dean and Stephanie (VP)



Dean Younger

Principal, Annunciation of Our Lord CES

250 Limeridge Rd. W.
Hamilton, ON, L9C 2V2

Ph: (905) 388-4495

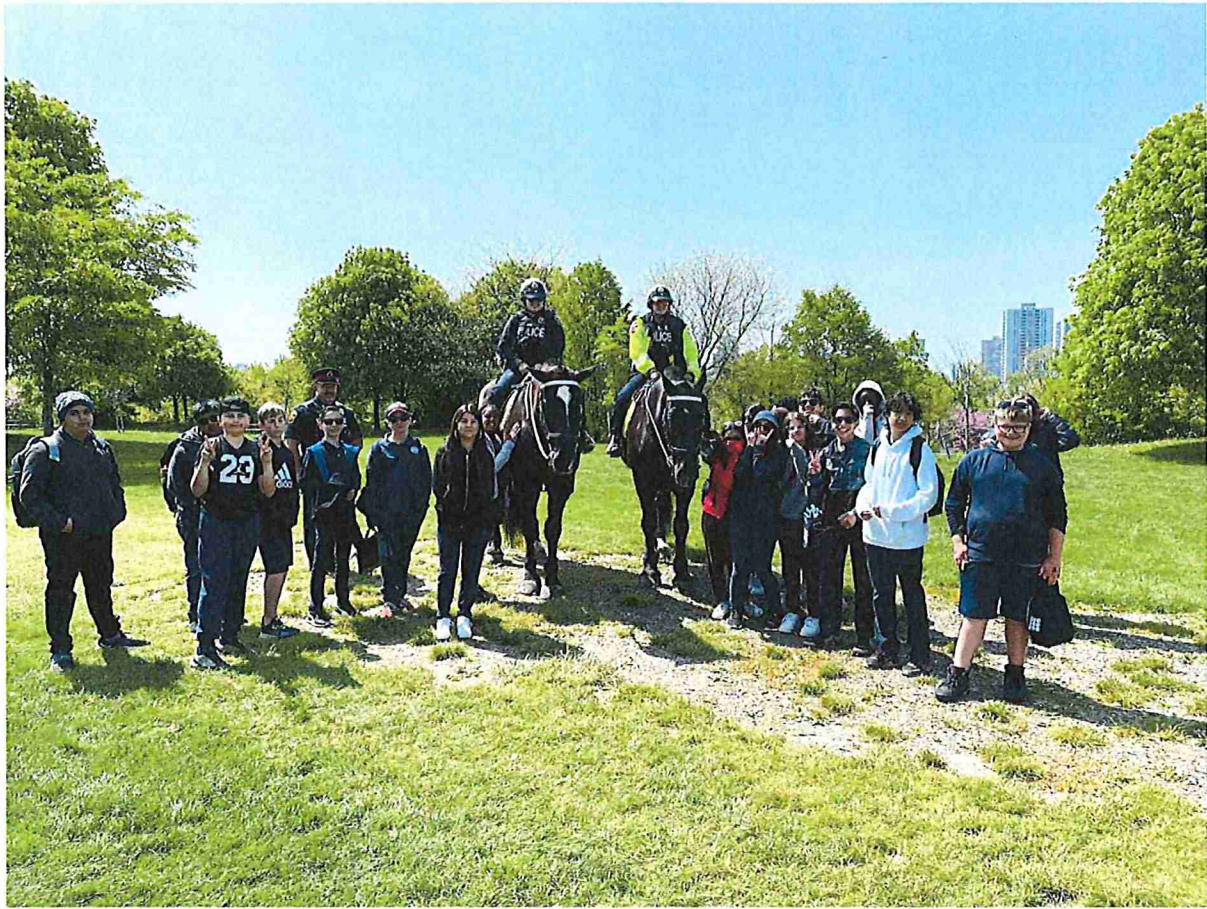
F: (905) 385-9669

youngerd@hwcdsb.ca

www.hwcdsb.ca

What a great day for Ms. Scozzari's and Ms. Mancini's classes. They spent the day at Bayfront Park as part of 'Police at the Park', a wonderful opportunity to realize the incredible partnerships across the city that makes this civic community so wonderful!



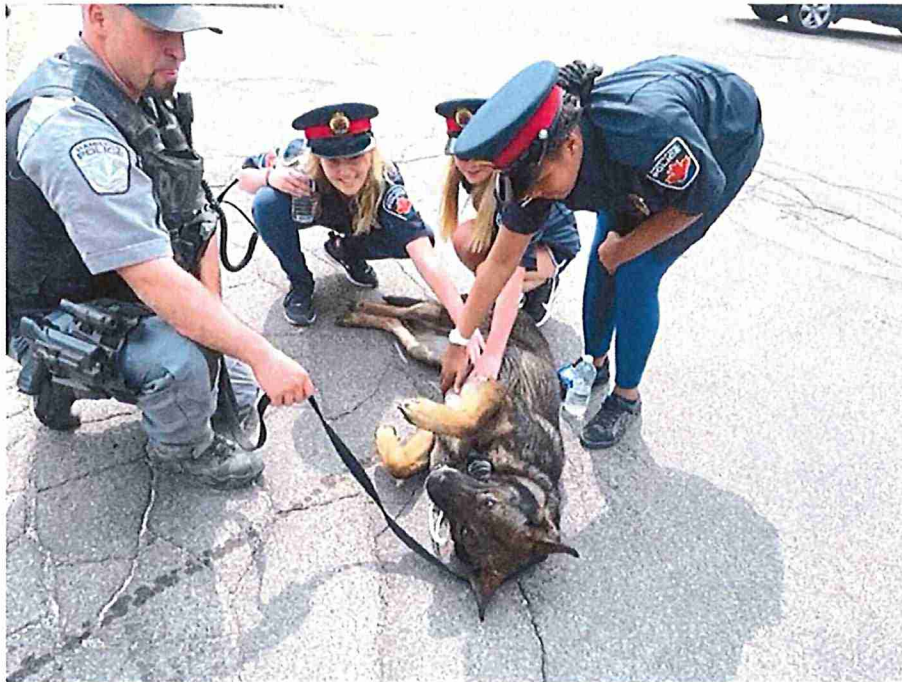


Congratulations to Abiel!
She won the city-wide contest and was honoured as 'Chief for the Day'.
Thanks Chief Bergen!













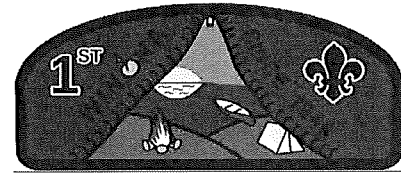
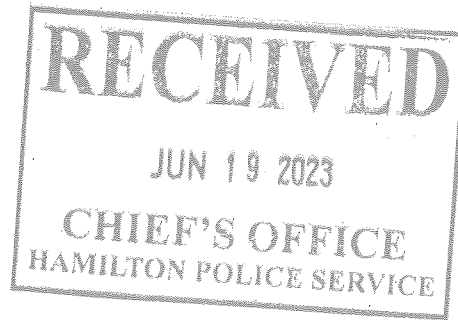


On June 14th 2023 Team 'Hamilton Police Service' walked in solidarity at the **WAMHamiltonHalton** event to support survivors of gender-based violence.

Our contributions directly go to support the YWCA-Hamilton Chapter. A Special thanks to **Project Concern** and the **HPSB** for their generous donations. Also a big thank you goes out to our 30 registered walkers who engaged with our community and community partners.

Collectively, team HPS raised **\$3,175** in donations and registrations, surpassing our \$3k Team Goal; and helped the YWCA surpass their overall fundraising goal.

THANK YOU FOR THE SUPPORT!



June 15, 2023

Inspector Frank Miscione,
Acting Inspector Candace Culp,

The First Winona Cub Scouts include youth (boys and girls) between the ages of 8 and 11. The Cub Scouts build skills and social networks that are valued in our community. This year the Cubs have collaborated with several community stakeholders to participate in park cleanups and food drives to support our local food bank. To expand the social network, we were pleased to invite Hamilton Police Youth Engagement Team and 20 C Squad to our leadership meeting.

On Tuesday May 16, Constable Domenic DiCienzo #1313 Youth Engagement Team along with Constable Mackenzie Huss #1444 Division 20 C Squad and Cadet Mateusz Janiak attended the Cub Scout Hut located at Winona Park for some learning and fun.

Constable DiCienzo quickly connected with the group and provided an age appropriate overview of the roles and responsibilities of police officers in our community. The youth were so excited to hear the stories accompanied with community safety messages that help keep us safe.

Constable Mackenzie Huss is an eager young officer, a natural leader and was very approachable. He demonstrated some first aid skills, he patiently answered all the questions the kids had and took photos with the kids. The Cubs learned from Cst. Huss that everyone has the ability to make a positive impact to their community.

Cadet Mateusz Janiak explained the role of a Cadet in the police service. He highlighted the keys to his success include a good education, being truthful, dependable and working hard for the greater good. He inspired the youth by sharing his aspirations to become a police officer.

The youth voted this visit to be the number one meeting of the year. We are very proud and fortunate to have the members from Hamilton Police attend. These connections are very important as we grow in our community.

Please send our sincere thanks and gratitude to Cst. Domenic DiCienzo, Cst. Huss and Cadet Janiak for their visit to the 1st Winona Cub Scouts. Moments like these contribute to a stronger community and we look forward future engagements.

Kind regards

Stuart Proctor
Scouter
1st Winona Scouts

*Dominic, MACKENZIE & MATEUSZ
TOGETHER. STRONGER. SAFER!
JOB WELL DONE
2B.*

Cool Cars 4 Kids

Chief Frank Bergen,
Hamilton Police Service
155 King William Street,
Hamilton, Ontario, L8N 4C1



June 29, 2023

Re: Cool Cars 4 Kids 2023

Dear Chief Bergen.

I want to take this opportunity to express my thanks and appreciation for all that the Hamilton Police Service did at Cool Cars 4 Kids 2023 for the patients and families of Ronald McDonald House and McMaster Children's Hospital.

The Hamilton Police Service provided support in the planning stages, during and after the event. The resources that attended, including you and your personnel, the ERU, the Mounted Unit, the Auxiliaries, various vehicles and more. The energy and atmosphere from your staff helped to create the exciting event for the patients and families, providing a welcome distraction from the circumstances they currently face.

My first contacts were with Sgt. Allen Schultz, Cst. Meg Ryan and Cst. Ryan Clarke. They provided sound advice, direction and support for planning and were key to the execution of the event.

Your support and appearance on CHCH TV was amazing. You truly are a natural in front of a camera.

Inspector Jim Callender represented the HPS very well and was a hit during the first ever Cool Cars 4 Kids Road Rally. This brought a lot of excitement, smiles and some tears of joy from the kids, their parents, siblings, grandparents and spectators alike. It truly was a moving moment. There were many positive comments about the Police and their involvement with this community event.

The ERU Team of Cst. Fullerton, Cst. Setzkorn, Cst. Tanner, Cst. Desbiens along with "The Beast" was a huge hit with all and especially those who were provided a ride in it.

The Mounted Unit members including Cst. Couse and Cst. Reider who attended to the delight of everyone. Many pictures were taken, and smiles were abundant.

The Auxiliary Officers including Carolyn Blackburn, Lucas Bongers, Salman Joseph all helped to organize and engaged with the public throughout the day, creating many positive contacts.

And I circle back to Sgt. Allen Schultz, Cst. Meg Ryan and Cst. Ryan Clarke who are amazing representatives of the HPS. They were there for the entire day, provided rides, helped to organize and filled in where necessary to make the day go as smoothly as possible. Their names are known throughout the community and are very highly thought of, especially within the car communities.


This event would not have been the success that it was without the community involvement of the Hamilton Police Service. I would like to extend my deepest appreciation to you and through you to all of your personnel foremost for their Service and also their involvement with Cool Cars 4 Kids. There were many relationships built that day. I take great pleasure in saying that the citizens of Hamilton are very well served by the Hamilton Police Service and their personnel.

Not only did you make Cool Cars 4 Kids an amazing event, but you have also contributed to assist Ronald McDonald House, McMaster Children's Hospital and McMaster Pediatric Research financially moving forward.

Together, we all made a difference!!!

Please pass on my appreciation to all those involved. I look forward to meeting you all again in the future.

Sincerely,

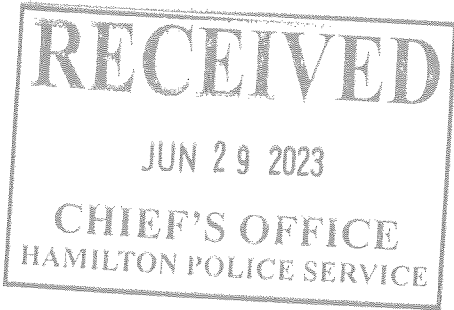
A handwritten signature in black ink, appearing to be 'A. Brown'.

Hope to see you at Cool Cars 4 Kids 2024 on June 2, 2024.



INTERVAL HOUSE
OF HAMILTON

630 SANATORIUM ROAD
HAMILTON, ON L9C 7S7 • 905 387-9959
info@intervalhousehamilton.org
intervalhousehamilton.org



June 23, 2023

Dear Friends at Hamilton Police Services,

On behalf of Interval House of Hamilton, I would like to extend my sincere gratitude for your generous support as a sponsor for our 21st Annual Drives for Lives Golf Tournament.

Your remarkable contribution has made this year's tournament a tremendous success and helped us raise over \$40,000 in essential funds for women and children who are experiencing family violence, abuse, and human trafficking. Your kindness and generosity have a significant impact on our organization and the lives of those we serve.

Once again, we would like to express our gratitude for your generosity and continued support. Without individual support, community participation and sponsorships, we would not be able to achieve our mission of violence-free lives for all women, children, and communities. Thank you for being an essential part of our annual Drives for Lives Golf Tournament.

Sincerely,

Sue Taylor, Executive Director

OUR INCREDIBLE, LIFE SAVING PROGRAMS AND SERVICES INCLUDE:

Be More Than A Bystander • Coaching Boys Into Men • Flamborough Women's Resource Centre • Jared's Place
MentorAction • Victoria and Friends Women's Shelter • Women's Centre of Hamilton

From: [Kolar, Loren](#)
To: [Stevenson, Kirsten](#)
Subject: Council update: Hamilton Police Services Board Selection Committee
Date: Monday, June 26, 2023 10:22:11 AM

Kirsten,

At Council on June 21, 2023, the following was approved, as part of Report 23-003 of the Hamilton Police Services Board Selection Committee:

1. **Proposed Confidential IDEA (Inclusion, Diversity, Equity and Accessibility) Scoring Rubric for Interviews for the Hamilton Police Services Board, and Deliberation of Applications to the Single Citizen Position on the Hamilton Police Services Board (Items 5.2 and 5.3)**
 - (a) That the directions to staff in closed session, be approved;
 - (b) That staff be directed to initiate an additional 30-day recruitment for citizen members to serve on the Hamilton Police Services Board;
 - (c) That staff be directed to forward recruitment information to the Hamilton Area Anti-Racism Coalition (HAARC), Hamilton Community Foundation, Afro-Caribbean Association, Hamilton Centre of Civic Inclusion and the Hamilton Community Legal Clinic; and
 - (d) That staff be directed to send a communication to the current applicants to the Hamilton Police Services Board advising them of the additional 30-day recruitment and to advise them that their applications are still being considered.

Dates for the additional recruitment are not confirmed, but it will take place after July 7, 2023. We are currently running an additional recruitment for another group of committees.

Legislative Coordinator
Office of the City Clerk
(905) 546-2424 Ext.2604



Hamilton

City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON L8P 4Y5

Vision: The Legislative Division is Dedicated to Excellence in the Provision of Service to the Community, Corporation & Council with Integrity, Accuracy and Transparency.

Mission: The Legislative Division aims to strengthen and promote local government by facilitating the proceedings of City Council and its Committees, fulfilling the requirements of various Provincial statutes and educating the public to make it understandable and accessible.



Media Release

For Immediate Release: June 28, 2023

Ryan Gauss Appointed to the London Police Services Board

The London Police Services Board (LPSB) is pleased to announce London Municipal Council's appointment yesterday of Mr. Ryan Gauss as the Board's citizen member. Mr. Gauss' appointment comes in response to the vacancy created by former Chair Susan Toth's January 30, 2023 resignation. His appointment term aligns with that of Council's and will end November 14, 2026. His LPSB Oath of Office is yet to be scheduled, however is expected to take place at LPS Headquarters within the next couple of weeks.

Mr. Gauss earned his Honours Bachelor of Arts Degree in History and Political Science from King's University College at Western University in 2008. Born and raised in London, Ontario, he has an extensive background in the local community, which includes various board appointments and volunteer positions with local organizations. He is currently the Director of Operations and Personnel for Peter Fragiskatos the Member of Parliament for London North Centre. In this role, Ryan carries out his duties both in London and on Parliament Hill. Ryan was previously a Human Resources Advisor with the Royal Canadian Mounted Police (RCMP), where he started working as a high school co-op student and held various administrative roles throughout his approximate 12 years with the organization.

Ryan was also the Chief Executive Officer (CEO) of London City Professional Soccer Club – London's only professional soccer franchise – prior to his family selling the club in 2011. He has been involved with the Bethanys Hope Foundation as a volunteer since 2006, was appointed to the Board of Directors in 2008, Vice-Chairperson from 2011 to 2013 and Chairperson from 2013 to present. In 2015, Ryan was elected to a one-year term as the President of the World Leukodystrophy Alliance (WLA), an international organization that is a collection of "...like-minded organizations interested in the development of therapies and improving the quality of life for those with leukodystrophies."

In 2015, Ryan received the Young Alumni Award from King's University College which recognizes outstanding achievements from those who have earned regional, national or international recognition in such areas as: service to humanity, professional accomplishment, community service, the advancement of knowledge, or service to King's College.

Ryan resides in London with his wife Haley, a Registered Nurse (RN) and they have two sons, Hudson (5 years old) and Aidan (20 months).

Ryan says, “Giving back to one’s community is something I have always believed in. If a citizen can volunteer to make their city better, then they should do so. This is why I wanted to serve on the London Police Services Board. It is a sentiment that will now define my work alongside fellow LPSB colleagues.

Indeed, we need to work together towards greater public safety and a better future in the face of many serious challenges. I am dedicated to doing exactly that as a member of the LPSB and our community.”

Board Chair Ali Chahbar says, “On behalf of the London Police Services Board, we congratulate Mr. Gauss on his appointment and look forward to welcoming Ryan as a member of our Board. Ryan’s extensive volunteerism and involvement in our community speaks to his passion for public service. Once sworn in, Mr. Gauss’ appointment will return the London Police Services Board to its full complement of seven (7) members.”

London Police Services Board:

Mr. Ali A. Chahbar, Chair
Ms. Megan Walker, Vice Chair
Ms. Nancy Branscombe, Member
Mr. Ryan Gauss, Member
Councillor Steve Lehman, Member
Mayor Josh Morgan, Member
Councillor Susan Stevenson, Member

For additional information, contact Jennifer Foster, Administrator, London Police Services Board at lbsb@londonpolice.ca

Subject: Ottawa Police Services Board Appoints Patricia Ferguson and Paul Burnett as Permanent Deputy Chiefs / La Commission de services policiers d'Ottawa nomme Patricia Ferguson et Paul Burnett chefs adjoints permanents
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MEDIA RELEASE

FOR IMMEDIATE RELEASE: 26 June 2023

Ottawa Police Services Board Appoints Patricia Ferguson and Paul Burnett as Permanent Deputy Chiefs

Ottawa—The Ottawa Police Services Board is pleased to announce that Patricia (Trish) Ferguson and Paul Burnett have been appointed as permanent Deputy Chiefs (DC) of the Ottawa Police Service (OPS). Both DC Ferguson and DC Burnett were in acting deputy roles prior to their appointment.

The Board launched a nation-wide recruitment process for two deputy chiefs in February of this year, supported by executive search firm Odgers Berndtson. The Board was seeking progressive leaders with substantive years of senior policing leadership experience, who could help lead changes to operations and culture at the OPS, under the command of Chief of Police Eric Stubbs.

“The Board undertook a thorough recruitment process and is extremely pleased to have DC Ferguson and DC Burnett confirmed as permanent Deputy Chiefs,” stated Board Chair Gail Beck. “They have demonstrated to the Board that they are the best candidates for the roles, as effective and collaborative leaders.”

“I’m humbled and excited to be part of a leadership team committed to rebuilding our City’s pride in our Service. With the help of the courageous women and men of the Ottawa Police Service, I look forward to building trust, meaningful community partnerships, and creating a safer community for our City,” stated Deputy Chief Ferguson.

“I am both honored and proud to be selected as the Deputy Chief of the Ottawa Police Service. The opportunity to continue to work with the amazing sworn and civilian members of this police service is incredibly exciting. It is my goal to continue to serve the citizens of Ottawa by providing a community centered policing approach that focuses on building safe and healthy communities,” stated Deputy Chief Burnett.

The Board wishes to thank all of the candidates who put their names forward for these positions.

Biography of Patricia (Trish) Ferguson

Trish Ferguson has been a proud member of the Ottawa Police for 28 years. Drawn to policing at a young age, it was a career that aligned with the values with which she was raised and allowed her to commit to a life of service. While earning her degree from the University of Ottawa (Criminology), Trish volunteered with OPS working in the community. It was there she learned and understood the importance of fostering and building relationships with the communities she would eventually serve. In 1995, Trish joined the ranks of OPS and gained broad experience working in various

capacities in Patrol, Sexual Assault/Child Abuse, School Resources, Elder Abuse, Investigations, Outreach and Recruiting and Community Policing. During these years, Trish witnessed the courage and strength of survivors and the commitment of the people called to support them through their journey. This led to advocacy work for victims and survivors as well as co-managing the Critical Incident Stress Management Team for OPS members for over 10 years. In addition to this work, Trish has been a strong advocate for the advancement of women in policing, leading and participating in national events and local initiatives to improve culture, address workplace inequities, and provide networking and educational opportunities for women in law enforcement.

In 2018 Trish was promoted to the senior ranks as an Inspector and worked on the Frontline as a Duty Inspector managing critical incidents and major city events. She also led the reorganization of the Criminal Investigations Directorate and the OPS' response to the Pandemic. When she was promoted to Superintendent in 2020 she was given responsibility for the Frontline Policing, leading the Service's largest group of members. In 2021, Trish was called to act as the Deputy Chief of Community Policing. Trish has been the Acting Deputy Chief of the Investigations, Information and Serious & Organized Crime Directorate since 2022.

Trish and her husband, also an OPS member, have two children. She continues to be an active member of her community, regularly engaging in volunteer initiatives and is currently on the Board of the Snowsuit Fund.

Biography of Paul Burnett

Paul Burnett has been selected as Deputy Chief and will continue to oversee the Community Policing Directorate, which includes the Frontline Policing Directorate, Specialized Policing Directorate, and the Neighbourhood Policing Directorate. This Command provides proactive and reactive public safety services in partnership with key stakeholders and the many diverse communities in Ottawa.

Deputy Chief Burnett began his policing career with the Gloucester Police in 1992 and, over the course of his 31 years of service in the Ottawa area, has fulfilled a variety of roles and worked in a variety of units throughout the organization including the Traffic Section, the Collision Reconstruction Unit, the Professional Development Centre as a Use of Force Instructor, and the Tactical Team as both an operator and the Unit Commander. In addition, he has worked as an investigator in the Professional Standard Unit and supervised the Community Policing Centre's in the city's east end.

Deputy Chief Burnett was a member of the 2008 Olympic Security Team that provided personal security as the Olympic flame made its way across the province. He also attended the Vancouver Olympics and was deployed as a Bomb Technician. He spent a year instructing at the Jordan International Police Training Center (JIPTC) in Amman, Jordan where he was the lead instructor in charge of the Improvised Explosive Device Training Centre responsible for training and was awarded the JIPTC medal.

DC Burnett is a Member of the Order of Merit for the Police Forces, the Order of Merit of the Police Forces is a fellowship of honor based on the highest qualities of citizenship, service to Canada, to the police community and to humanity at large.

In his previous role as a Duty Inspector, Deputy Chief Burnett oversaw Frontline Operations and was responsible for providing Incident Command for major events and high-risk operations, including demonstrations, major crime scenes, SIU investigations, tactical and search and rescue operations. He led the design, development and implementation of the organizations first multi- year Strategic Equity Diversity and Inclusion Action Plan. He fostered collaborative leadership across the organization and developed a strategy to build capacity in relation to Equity, Diversity, and Inclusion.

Deputy Chief Burnett earned his Bachelor of Social Science degree from Ottawa University and is currently an Instructor at the Canadian Police College on the Critical Incident Commanders course.

The Ottawa Police Services Board is the civilian body responsible for governing the Ottawa Police Service. It is responsible for ensuring the provision of adequate and effective police services to City of Ottawa residents.

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For additional information, please contact Krista Ferraro, Executive Director, Ottawa Police Services Board, at 580-2424, ext. 21618; email: krista.ferraro@ottawa.ca

COMMUNIQUÉ DE PRESSE

POUR DIFFUSION IMMÉDIATE : 26 juin 2023

La Commission de services policiers d'Ottawa nomme Patricia Ferguson et Paul Burnett chefs adjoints permanents

Ottawa — La Commission de services policiers d'Ottawa est heureuse d'annoncer que Patricia (Trish) Ferguson et Paul Burnett ont été nommés chefs adjoints permanents du Service de police d'Ottawa (SPO). La chef adjointe Ferguson et le chef adjoint Burnett occupaient des postes d'adjoints intérimaires avant leur nomination.

La Commission a lancé un processus de recrutement national pour deux chefs adjoints en février de cette année, avec l'appui de l'agence de recrutement de cadres Odgers Berndtson. La Commission était à la recherche de dirigeants progressistes ayant des années d'expérience considérable en leadership de gestion dans la police qui peuvent aider à diriger les changements aux opérations et à la culture au SPO, sous le commandement du chef de police, Eric Stubbs.

« La Commission a entrepris un processus de recrutement rigoureux et est extrêmement heureuse que la chef adjointe Ferguson et le chef adjoint Burnett aient été confirmés chefs adjoints permanents », a déclaré la présidente de la Commission, Gail Beck. « Ils ont démontré à la Commission qu'ils sont les meilleurs candidats pour

ces rôles en tant que leaders efficaces et coopératifs. »

« Je suis humble et enthousiasme à l'idée de faire partie d'une équipe de direction déterminée à rebâtir la fierté de notre Ville à l'égard de notre service. Avec l'aide des femmes et des hommes courageux du Service de police d'Ottawa, j'ai hâte de bâtir une confiance, d'établir des partenariats communautaires significatifs et de créer une communauté plus sûre pour notre Ville », s'est exprimé la chef adjointe Ferguson.

« Je suis à la fois honoré et fier d'avoir été choisi comme chef adjoint du Service de police d'Ottawa. La possibilité de continuer à travailler avec les merveilleux membres assermentés et civils de ce service de police est incroyablement excitante. Mon objectif est de continuer à servir la population d'Ottawa en offrant une approche policière axée sur la communauté qui met l'accent sur l'établissement de communautés saines et sécuritaires », a déclaré le chef adjoint Burnett.

La Commission remercie toutes les personnes qui ont posé leur candidature à ces postes.

Biographie de Patricia (Trish) Ferguson

Trish Ferguson est fière d'être membre du Service de police d'Ottawa depuis 28 ans. Elle a été attirée par les services de police à un jeune âge et cette carrière correspondait aux valeurs avec lesquelles elle a été élevée et lui a permis de s'engager dans une vie de service. Tout en obtenant son diplôme de l'Université d'Ottawa en criminologie, Trish a fait du bénévolat pour le SPO dans la communauté. C'est par cette occasion qu'elle a appris et compris l'importance de favoriser et d'établir des relations avec les communautés qu'elle allait éventuellement servir. En 1995, Trish a rejoint les rangs du SPO et a acquis une vaste expérience de travail dans divers postes : patrouille, agression sexuelle ou mauvais traitements infligés aux enfants, ressources en milieux scolaires, mauvais traitements infligés aux aînés, enquêtes, sensibilisation et recrutement, et services de police communautaires. Au cours de ces années, Trish a été témoin du courage et de la force des personnes survivantes et de l'engagement des personnes appelées à les soutenir tout au long de leur périple. Ces expériences l'ont mené à des activités de défense des droits des victimes et des survivants ainsi qu'à la cogestion de l'équipe de gestion du stress à la suite d'un incident critique pour les membres du SPO pendant plus de 10 ans. En plus de ce travail, Trish a été une ardente défenseuse de l'avancement des femmes dans les services de police, en dirigeant des événements nationaux et des initiatives locales et en y participant afin d'améliorer la culture, d'éliminer les inégalités en milieu de travail et d'offrir des possibilités de réseautage et d'éducation aux femmes dans les forces de l'ordre.

En 2018, Trish a été promue au poste d'inspectrice aux échelons supérieurs et a travaillé en première ligne comme inspectrice de service pour gérer les incidents critiques et les événements majeurs de la ville. Elle a également dirigé la réorganisation de la direction générale des enquêtes criminelles et la réponse du SPO à la pandémie. Lorsqu'elle a été promue au poste de superintendante en 2020, on lui a confié la responsabilité des services de police de première ligne, dirigeant le plus grand groupe de membres du Service. En 2021, Trish a été nommée chef

adjointe des services de police communautaires. Trish est chef adjointe intérimaire de la Direction de l'intelligence, de l'information, et de la lutte contre le crime organisé et les crimes graves depuis 2022.

Trish et son mari, également membre du SPO, ont deux enfants. Elle demeure une membre active de sa communauté, participe régulièrement à des initiatives de bénévolat et siège actuellement au conseil d'administration du Fonds Habineige.

Biographie de Paul Burnett

Paul Burnett a été choisi comme chef adjoint et continuera de superviser la direction générale des services de police communautaires, qui comprend la Direction de la police de première ligne, la Direction des services de police spécialisés et la Direction de la police de quartier. Ce commandement fournit des services de sécurité publique proactifs et réactifs en partenariat avec les principaux intervenants et les nombreuses communautés diversifiées d'Ottawa.

Le chef adjoint Burnett a commencé sa carrière policière au sein de la police de Gloucester en 1992 et, au cours de ses 31 années de service dans la région d'Ottawa, il a rempli divers rôles et travaillé dans diverses unités de l'organisation, y compris la section de la circulation, l'unité de reconstitution des collisions, le Centre de perfectionnement professionnel en tant qu'instructeur sur l'usage de la force et l'équipe tactique en tant qu'opérateur et commandant d'unité. De plus, il a travaillé comme enquêteur à l'Unité des normes professionnelles et a supervisé le centre des services de police communautaires dans l'est de la ville.

Le chef adjoint Burnett était membre de l'équipe de sécurité des Jeux olympiques de 2008 qui a assuré la sécurité personnelle pendant que la flamme olympique traversait la province. Il a également assisté aux Jeux olympiques de Vancouver et a été déployé comme technicien des explosifs. Il a passé un an à enseigner au Jordan International Police Training Center (JIPTC) à Amman, en Jordanie, où il a été l'instructeur principal du Centre de formation sur les engins explosifs improvisés responsable de la formation et a reçu la médaille du JIPTC.

Le chef adjoint Burnett est membre de l'Ordre du mérite des corps policiers. Cet Ordre est un ensemble de membres d'honneur fondé sur les plus hautes qualités de la citoyenneté, du service au Canada, à la communauté policière et à l'humanité en général.

Dans le cadre de ses fonctions antérieures à titre d'inspecteur de service, le chef adjoint Burnett a supervisé les opérations de première ligne et a été responsable du commandement des interventions pour les événements majeurs et les opérations à risque élevé dont les démonstrations, les scènes de crimes majeurs, les enquêtes de l'Unité des enquêtes spéciales et les opérations tactiques et de recherche et sauvetage. Il a dirigé la conception, l'élaboration et la mise en œuvre du premier plan d'action pluriannuel de l'organisation en matière d'équité, de diversité et d'inclusion. Il a favorisé le leadership collaboratif dans l'ensemble de l'organisation et a élaboré une stratégie pour renforcer les capacités en matière d'équité, de diversité et d'inclusion.

Le chef adjoint Burnett a obtenu un baccalauréat en sciences sociales de l'Université

d'Ottawa et est actuellement instructeur au Collège canadien de police dans le cadre du cours de commandant en situation de crise.

La Commission de services policiers d'Ottawa est l'organisme civil chargé de régir le Service de police d'Ottawa. Elle est chargée de veiller à la prestation de services de police adéquats et efficaces aux résidents de la ville d'Ottawa.

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Pour obtenir de plus amples renseignements, veuillez communiquer avec Krista Ferraro, directrice exécutive, Commission de services policiers d'Ottawa, au 580-2424, poste 21618; courriel : krista.ferraro@ottawa.ca

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Ministry of the Solicitor General

Public Safety Division

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MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

SUBJECT: **Preventing Auto Thefts Grant Program – Call-for-Applications (2023-24 to 2025-26 Grant Cycle)**

DATE OF ISSUE:	June 22, 2023
CLASSIFICATION:	For Action
RETENTION:	August 21, 2023
INDEX NO.:	23-0049
PRIORITY:	Normal

I am pleased to introduce the ***Preventing Auto Thefts (PAT) Grant***. This new grant program, starting this fiscal year (2023-24), will support police services/boards in combatting and preventing vehicle thefts and associated violent crimes across the province. The provincial funding will provide municipal and First Nations police services, as well as Ontario Provincial Police (OPP) contract and non-contract locations, with support in implementing prevention, detection, and enforcement responses to auto theft crimes at a local level.

As you know, Ontario has experienced drastic increases in auto theft including the use of violence, threats, intimidation, weapons, and firearms to steal vehicles. Through this new grant program, police services/boards will be able to undertake local policing initiatives unique to their needs to combat auto thefts in their communities. Funding will also be used to educate the public on how to avoid these and associated violent crimes. The goal of this provincial funding is to enable a holistic and sustainable approach to combat auto thefts.

The Ministry of the Solicitor General (ministry) will be accepting applications under the new PAT Grant, through a competitive application process, for the 2023-24 to 2025-26 grant cycle beginning July 10, 2023.

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Police services/boards may submit a maximum of two applications. The maximum funding for each application is \$900,000 (up to \$300,000 per fiscal year). However, applications submitted in partnership with multiple police services/boards may request funds to a maximum of \$1,800,000 (\$600,000 per fiscal year) for each application.

Please note that grant funding is subject to the ministry receiving the necessary appropriation from the Ontario Legislature.

All applications must be submitted through Transfer Payment Ontario (TPON), as well as by email to Oleisha.Burleigh@ontario.ca by 4:00 p.m. Eastern Standard Time on August 21, 2023. Submissions that are late or incomplete will not be considered for funding. More details on the application process, including eligibility criteria and applying through TPON, are outlined in the attached *Grant Application Instructions and Guidelines* document.

To support police services, the ministry will be holding an information session on the PAT Grant to provide an overview of the new program and answer any questions about the grant application process. This information session will take place on **July 6, 2023, from 1:00pm to 2:00pm through Microsoft Teams**. The information session can be accessed through the following meeting link: [Click here to join the meeting](#)

If you have any questions relating to the grant program, eligibility criteria, or application process, please contact Steffie.Anastasopoulos@ontario.ca, Natalie.Brull@ontario.ca, and Oleisha.Burleigh@ontario.ca.

Sincerely,

K. Weatherill

Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Richard Stubbings
Assistant Deputy Minister, Public Safety Division

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General



Ministry of the Solicitor General

**Preventing Auto Thefts (PAT) Grant
(2023-24 to 2025-26)**

Application Instructions and Guidelines

INTRODUCTION

The new ***Preventing Auto Thefts (PAT) Grant*** program is being introduced in Fiscal Year (FY) 2023-24 to support police services/boards in combatting and preventing vehicle thefts and associated violent crimes across the province. This program provides municipal and First Nations police services, as well as Ontario Provincial Police (OPP) contract and non-contract locations, with support in implementing prevention, detection, and enforcement responses to auto theft crimes at a local level. Through the PAT Grant, police services/boards will be able to undertake local policing initiatives unique to their needs to combat auto thefts in their communities. Funding can also be used to educate the public on how to avoid these and associated violent crimes. The goal of the provincial funding is to enable a holistic and sustainable approach to combat auto thefts.

This Call-for-Applications under the PAT Grant is a competitive application process, which will operate on a three-year grant cycle (i.e., FYs 2023-24 to 2025-26). This will provide greater sustainability of local policing and community safety initiatives and enable grant recipients to effectively measure outcomes and demonstrate success of initiatives.

CONTEXT

Public safety is a key priority for the Government of Ontario. The Ministry of the Solicitor General (ministry) is committed to working with policing partners to provide them with the tools, training, and resources they need to keep our communities safe and resilient.

In recent years, the nature of crime has changed, including rising levels of serious and violent crime. More recently, Ontario is experiencing drastic increases in auto theft. From 2014-2021, there was a 72 per cent increase in auto theft across Ontario, a 14 per cent increase alone in 2022¹. On a local scale, there is an escalation of violence, threats, intimidation, weapons, and firearms used to steal vehicles. This represents a new and evolving threat to public safety and requires a rapid and province-wide approach to mitigate this issue.

There is a need to disrupt the current trends in auto theft by identifying and dismantling organized criminal networks participating in and facilitating auto theft and related activities. This will be done through collaboration and enhanced investigative support and by implementing preventative approaches to address these crimes.

The ministry is responding to these recent crime trends by launching a Call-for-Applications under the new PAT Grant program for a three-year grant cycle (FYs 2023-24 – 2025-26). This will support police services/boards and their community partners in addressing vehicle thefts across the province.

¹ Statistics Canada. [Table 35-10-0180-01 Incident-based crime statistics, by detailed violations, police services in Ontario](#)

COLLABORATION AND PARTNERSHIPS

Through our engagement with Ontario communities, the ministry has affirmed that ensuring the safety and well-being of our communities cannot be achieved by one agency or sector alone.

Applicants are **encouraged** to collaborate with partners where feasible in the development and implementation of their initiative to address vehicle thefts on a more sustainable basis. Partners include, but are not limited to, justice/law enforcement, municipal partners, community organizations, etc. Collaboration with the automotive, shipping, and insurance sectors is strongly encouraged, where possible.

Applicants should demonstrate how their initiative uses collaboration and partnerships with other municipal, policing and community partners to implement their initiative and achieve a shared public safety vision to disrupt auto-theft related crime and violence in the province. For example, police services/boards may work with municipal and community partners to educate the public and deter vehicle thefts. Applicants are also encouraged to align efforts and coordinate with other law enforcement/inter-jurisdictional agencies including but not limited to the OPP-led Organized Crime Towing and Auto Theft Team (OCTATT) Joint Forces Operation (JFO), federal government, border services agencies, etc. The ministry strongly encourages partnerships with organizations from different sectors to ensure a multi-sectoral approach to deterring and preventing auto theft crimes where appropriate.

ELIGIBILITY CRITERIA

Who is eligible?

- ❖ Municipal police services in Ontario.
- ❖ First Nations police services in Ontario.
- ❖ OPP municipal contract locations.
- ❖ OPP non-contract locations.
 - **Note:** OPP non-contract locations can only submit two applications as a whole – not two per individual location. Non-contract locations must submit applications through OPP headquarters to Kirsten Buligan at Kirsten.buligan@opp.ca.

What is eligible?

- ❖ New **and/or** existing initiatives that focus on addressing auto thefts in your community. However, if requesting funding for an existing initiative, police services/boards are required to **make enhancements or add a new component** to the initiative to further address auto thefts in your community.
- ❖ Some examples of initiatives could include:
 - Primary components of proposed initiatives (Note: All initiatives must include an investigative/enforcement component as described below):

- Coordinated police responses to addressing auto thefts (e.g., coordinated responses between multiple police services/boards, community agencies, the OPP-led OCTATT JFO, federal government, border services agencies, etc.)
- Enhanced intelligence gathering and sharing of information, processes, or products related to auto thefts (e.g., multi-jurisdictional initiatives, social media monitoring, etc.)
- Enforcement and suppression activities (e.g., development of auto theft units or enforcement units, dedicated police teams to combat auto theft through the usage of bait cars, strengthened outbound border inspections, dedicated surveillance towards stolen vehicles, etc.)
- Purchasing of equipment, software, or technology to assist police services in their surveillance and identification of stolen vehicles (e.g., GPS, surveillance equipment, global positioning systems and tracking technology, laptops/cellphones/vehicles that support the initiative, etc.)
- Secondary components of proposed initiatives (Note: Initiatives can include an education/training component, though not mandatory):
 - Education and awareness campaigns/programs for the public (education and awareness initiatives may only be complementary to primary initiatives in an application)
 - Training for police officers and community partners on auto theft (training initiatives may only be complementary to primary initiatives in an application)

Eligible budget items:

- ❖ **Personnel:** salaries, benefits, and overtime.
- ❖ **Education and Awareness:** costs associated with community awareness and education.
- ❖ **Training:** costs associated with training for police services and their partners.
- ❖ **Equipment and I&IT:** costs associated with purchasing equipment and I&IT technology which supports police services initiative such as laptops, software, cellphones, vehicles, GPS, and other tracking/surveillance equipment, etc.
- ❖ **Other:** additional costs associated with the implementation of the initiative (e.g., cell phone usage costs, office supplies, etc.).

Note: funding can be utilized towards offsetting costs of external partners for the above budget items / activities related to the initiative.

What is not eligible - the PAT Grant will not cover expenses related to:

- ❖ Out of province expenses (e.g., travel);
- ❖ Non-police related initiatives;
- ❖ Automated Licence Plate Recognition (ALPR) technology;
- ❖ Contractual work (i.e., third party services, external consultants);
- ❖ Facial recognition technology; and/or
- ❖ Body-worn cameras.

Initiative Timeline:

- ❖ Funding is provided on a one-time basis only. If successful for funding, recipients will have until March 31, 2026, to complete their initiative. It is anticipated that the ministry will notify applicants of its funding decision in Fall 2023. Please take this into consideration when planning for your initiative.

FUNDING & MULTIPLE APPLICATIONS

Funding under the PAT Grant will be available for a three-year period (i.e., FYs 2023-24 to 2025-26). Eligible police services/boards can submit applications for initiatives that will take place within the three-year grant cycle.

The PAT Grant is a competitive application process, and there is \$6 million available in funding annually. To maximize funding and ensure a proportionate distribution across police services/boards, **the maximum funding for each application is \$900,000 over three years, up to \$300,000 per fiscal year.** However, applications submitted in partnership with multiple police services/boards may request funds to a maximum of \$1,800,000 over three years, up to \$600,000 per fiscal year, for each application.

Please note that **total funding requests for each fiscal year must be spent within that fiscal year and cannot be carried over to the next fiscal year** (e.g., funding requested for 2023-24 must be spent on activities taking place between April 1, 2023, and March 31, 2024).

Police services/boards can submit a **maximum of two applications.** Please note that joint applications with other police service(s) count as an application for your police service/board.

LENGTH OF APPLICATION FORM

Application forms have character limits in each section. Please adhere to these limits.

Please do not include any attachments or website addresses as part of your responses. They will **not** be reviewed.

OUTCOMES & PERFORMANCE INDICATORS

To demonstrate success of initiatives funded under the PAT Grant, successful recipients will be required to report to the ministry on both provincial and local outcomes.

Provincially Identified Outcomes:

To consistently demonstrate provincial outcomes, the ministry will require funding recipients to report back on the following provincially identified outcomes and performance indicators. It is mandatory for recipients to report on **all** performance indicators associated with outcome #1-5 below. For applicable initiatives, police services/boards must also report on **all** the performance indicators associated with outcome #6 below.

#	Outcomes	Performance Indicators (to measure outcome)
1	Project/Program Coverage – Number of services/activities	<ul style="list-style-type: none"> ○ Number of auto theft investigations
2	Project/Program Administrative Costs	<ul style="list-style-type: none"> ○ Total amount spent on administration of the program ○ Total initiative allocation (\$)
3	Project/Program Impact – Decrease in motor vehicle theft	<ul style="list-style-type: none"> ○ Number of motor vehicles reported stolen
4	Decrease in overall auto theft crimes	<ul style="list-style-type: none"> ○ Number of motor vehicles reported stolen (note: this indicator is a duplicate of “Project/Program Impact”) ○ Number of stolen vehicles seized ○ Number of stolen vehicles recovered ○ Number of technological assets seized ○ Number of auto theft investigations (note: this indicator is a duplicate of “Project/Program Coverage”) ○ Number of auto theft investigations where organized crime may be involved ○ Number of auto theft investigations that involve: <ul style="list-style-type: none"> ▪ Controlled drug and substances ▪ Firearms and other weapons ▪ Homicide, murder, and manslaughter ▪ Assault
5	Increased apprehension of individuals and/or identification of organized crime groups partaking in auto theft and related violent crimes	<ul style="list-style-type: none"> ○ Number of individuals charged with motor vehicle theft ○ Number of individuals charged with motor vehicle theft where organized crime may be involved ○ Number of auto theft investigations that lead to Criminal charges ○ Number of auto theft investigations where organized crime may be involved that lead to Criminal charges ○ Number of <i>Criminal Code</i> charges laid (charges listed below) stemming from auto theft investigations: <ul style="list-style-type: none"> ▪ Motor vehicle theft charges ▪ Controlled drug and substances ▪ Firearms and other weapons ▪ Homicide, murder, and manslaughter ▪ Assault

		<ul style="list-style-type: none"> ○ Number of <i>Criminal Code</i> charges laid (charges listed below) stemming from auto theft investigations where organized crime may be involved <ul style="list-style-type: none"> ▪ Motor vehicle theft charges ▪ Controlled drug and substances ▪ Firearms and other weapons ▪ Homicide, murder, and manslaughter ▪ Assault
<p>6</p>	<p>Increased public awareness regarding protection from auto theft</p>	<ul style="list-style-type: none"> ○ Number of police services partaking in auto theft awareness campaign(s) as part of the initiative ○ Number of community agencies/partners partaking in auto theft awareness campaign(s) as part of the initiative ○ Number of auto theft awareness campaigns implemented ○ Number of awareness campaigns conducted that were based online ○ Number of social media posts for online-based public awareness campaign(s) ○ Number of total views for online-based public awareness campaign(s)

Please note that **local data** should be used to demonstrate performance on provincially identified outcomes.

Locally Identified Outcomes:

In addition to the provincially identified outcomes above, applicants are required to identify local outcomes and performance indicators that reflect your specific initiative. Where applicable, ensure that outcomes and performance indicators reflect input from partners.



TIP: Expected **Outcomes** are the positive impacts or changes your activities are expected to make in your community.

Additional Information:

- A **performance indicator** is an observable, measurable piece of information (i.e., numeric result) about a particular outcome, which shows to what extent the outcome has been achieved.
- **Quantitative** indicators are numeric or statistical measures that are often expressed in terms of unit of analysis (e.g., frequency of, percentage of, ratio of, variance with).
- **Qualitative** information is non-measurable information that describes attributes, characteristics, properties, etc. It can include descriptive judgments or perceptions (e.g., program participants' verbal or written feedback) measured through an open-ended questionnaire or an interview.
- **Target** is the planned result to be achieved within a particular time frame. Along with the baseline, this provides an anchor against which current performance results can be compared. Reasonable targets are challenging but achievable.

- **Baseline** data is information captured initially to establish the starting point against which to measure the achievement of outcomes.
 - ✓ If you are requesting funding for an existing initiative, the baseline data for each performance indicator would be when data started to be consistently collected.
 - ✓ If you are requesting funding for a new initiative, the baseline would be when the initiative is implemented and data begins being collected (e.g., after year one of implementation).
 - ✓ If baseline data is not available when completing the application form, please indicate this by writing N/A on your application. However, successful police services will be required to identify baseline data at the time of the Interim Report for Year 1 (2023-24).

ASSESSMENT CRITERIA

Please review this section carefully as it includes important information that must be addressed in your application. Ensure you answer each component of every question in as much detail that is required and do not leave any questions blank.

The criteria for each section are outlined below, as well as the associated points for scoring. All eligible applications will be assessed and scored based on the following:

1) Initiative Summary (2 points):

- ✓ Provide a brief description of your initiative and explain how it is new or the new component.

2) Demonstrated Need: Indicate the need for your initiative and ministry funding. (6 points)

- ✓ Indicate the need for your initiative in the community including reliable statistics and evidence that demonstrates the need (e.g., # auto thefts). (2 points)
 - Statistics/evidence may originate from Juristat Canada, police agencies, community partners, or through local findings (such as community surveys, consultations, conducting a gaps analysis, community safety and well-being plans, or equivalent).
- ✓ Indicate how your initiative will address this need. (2 points)
- ✓ Identify factors limiting your police service's ability to implement the initiative. Explain why funding is beyond current local capability. (2 points)

3) Initiative Workplan/Activities: Provide a comprehensive outline of the workplan and activities that will be implemented in each fiscal year as part of the initiative. (10 points)

- ✓ Complete the chart outlined in the application:
 - **Key Milestones:** Indicate the key milestones for your initiative. (2 points)
 - **Activities:** Describe in detail the activities that are associated with achieving your milestones, including the equipment and I&IT technology you will be purchasing and how it will support activities related to your initiative. (4 points)
 - **Timelines:** Clearly indicate the year your activities will be taking place (i.e., 2023-24, 2024-25, or 2025-26), as well as approximate timelines for your activities within each fiscal year. (2 points)
 - **Target Group:** Indicate the group(s) and/or individuals (i.e., your target audience) who will benefit from your key milestones/activities. Explain how. (2 points)
- ✓ Please ensure that your workplan/activities includes details on the primary components (e.g., investigative/enforcement) of your initiative, as well as the secondary components (e.g., education/training) if applicable.

4) New Initiative/Elements: Provide details on how this initiative is new and/or innovative. (3 points)

- ✓ Describe how your initiative is new and/or innovative to your service and if it is a best/promising practice. If applying for support for an existing initiative, describe the enhancements/new components of the initiative. (3 points)

5) Partnerships (if applicable): Provide an overview of the different partnerships that will be utilized during your initiative.

- ✓ **Reminder:** Applicants are encouraged to collaborate with different partners for their initiative to combat and prevent auto thefts. Collaboration with the automotive, shipping, and insurance sectors is strongly encouraged, where possible. **As part of the scoring criteria for applications, preference may be given to applications with strong multi-sectoral partnerships.**
- ✓ Complete the chart outlined in the application:
 - **Name:** Indicate the name of the agency/organization(s) that will be involved with the delivery of the initiative.
 - **Role:** Outline each partner's role in carrying out the initiative, including what activities they will be responsible to implement, how they will contribute to the success of your initiative, and whether funding will be used to support partners' activities.
 - **Description:** Provide a brief description of the agency/organization, including the sector that it belongs to.

6) Outcomes: Indicate the expected outcomes and associated performance indicators for your initiative. (10 points)

- ✓ **Reminder:** Successful recipients will be required to report on **all** performance indicators associated with outcome #1-5. For applicable initiatives, police services/boards must also report on **all** the performance indicators associated with outcome #6. Recipients will also be required to report on local outcomes and performance indicators that reflect your specific initiative.
- ✓ Complete the chart outlined in the application form for both the provincially identified and locally identified outcomes.
- ✓ For provincially identified outcomes, please indicate:
 - **Baselines:** Baseline data and date from which you will be able to assess change (please indicate N/A if baseline data does not exist yet). (1 point)
 - **Targets:** Targets you will use to assess achievement of the indicator and the date you would like to achieve this target. (1 point)
 - **Data sources:**
 - Identify which partner will collect each indicator. (1 point)
 - Identify your data source (e.g., what method will be used to collect the data). (1 point)
 - **Frequency of data collection:** Identify how often the data will be collected. (1 point)
- ✓ For locally identified outcomes, please indicate:
 - **Outcomes:** The local outcome(s) your initiative will be striving to achieve. (1 point)

- **Indicators:** Performance indicators that you will be measuring to achieve your outcome. (1 point)
- **Baselines:** Baseline data and date from which you will be able to assess change. (1 point)
- **Targets:** Targets you will use to assess achievement of the indicator and the date you would like to achieve this target. (1 point)
- **Data sources and frequency:** Identify which partner will collect each indicator, the data source (e.g., what method they will use), and how often the data will be collected. (1 point)
- ✓ **Note:** Please refer to the “Outcomes and Performance Indicator” section of the guidelines (page 5-8) for helpful tips on performance measurement.

7) Budget: Clearly itemize all expenditures associated with the initiative for each fiscal year of the grant cycle. (5 points)

- ✓ Clearly itemize all expenditures under the appropriate category. (2 points)
- ✓ Include a description for each budget item in the corresponding column. (3 points)
 - **Note:** Budget items without an associated description/explanation may not be funded.

APPLICATION REVIEW

As the PAT Grant program is a competitive application process, applications that qualify under the eligibility criteria will be reviewed by a multi-sectoral review committee. The review committee’s primary mandate will be to evaluate applications based on eligibility and assessment criteria. Recommendations are made for funding to the Solicitor General based on the strength of the applications and ability to meet grant objectives/outcomes.

CONTRACTUAL AGREEMENT

As part of the terms of funding, the ministry will enter into a contractual agreement with the police services boards approved for PAT Grant funding. Agreements will be for a three-year period – from 2023-24 to 2025-26. Funds will be released to the police services boards after the contractual agreement is signed by all parties. The funds must be used for the purposes described in the application and according to the terms of the contractual agreement. As part of the contractual agreement, recipients will be required to complete and submit yearly Interim and Final reports to the ministry. The release of funding instalments for each year of the grant cycle are dependent on submission/approval of these yearly Interim and Final reports.

Standard government procedures regarding grants will be followed. The contractual agreement will outline:

- purposes for which the grant funding will be used;
- commitments to be undertaken or specific activities to support the application;
- interim and final reporting dates, including performance indicators; and
- funding disbursement schedule.

APPLICATION SUBMISSION

The 2023-24 – 2025-26 PAT Grant cycle will be administered through the Transfer Payment Ontario (TPON) system, including the Call-for-Applications process (see TPON Instructions for Application Submission below).

While applications will be submitted and processed through TPON, please also **provide confirmation of your submission** including a copy of the completed application form (in its original format – not a scanned version) by email to Oleisha Burleigh at Oleisha.Burleigh@ontario.ca.

Submissions that are late, incomplete, or not accompanied by the required documents requested by the ministry will not be considered for funding; no exceptions will be permitted.

APPLICATION DEADLINE

Completed application forms must be submitted on TPON and to the ministry by **4:00 p.m. (Eastern Standard Time) on August 21, 2023**.

Out of fairness to all applicants, submissions that are late or incomplete will not be considered for funding. No exceptions will be permitted.

If possible, applicants are recommended not to wait until the last day to submit their application and/or request support from Ministry staff. As the volume of requests tend to be very high on the application due date, there may be a delay in getting a response.

GENERAL AND TECHNICAL ASSISTANCE

For questions about the grant or application process or for technical assistance, please contact Steffie Anastasopoulos at Steffie.Anastasopoulos@ontario.ca, Natalie Brull at Natalie.Brull@ontario.ca, and Oleisha Burleigh at Oleisha.Burleigh@ontario.ca.

TPON INSTRUCTIONS FOR APPLICATION SUBMISSION

Transfer Payment Ontario (TPON) is the Government of Ontario's online transfer payment management system. It provides one window access to information about available funding, how to submit for Transfer Payment (TP) funding and how to track the TP status of your submission.

Getting Started

- **NOTE:**
 - Effective April 17, 2023: TPON changed the way you access Transfer Payment Ontario. You will need to Create a My Ontario Account for the first time if you have not done so already.
 - For more information: See the Creating a My Ontario Account [guide](#) and [video](#).
- All organizations must be registered with Transfer Payment Ontario in order to submit the intake form to request funding for this TP program.
 - The form must be submitted online through Transfer Payment Ontario and a copy must also be submitted by email to the ministry contacts.
- **For both existing and new users to TPON:** please use the link below to gain access to the Government of Ontario's online transfer payment management system.
 - [Transfer Payment Ontario](#)

NOTE: Google Chrome web browser and Adobe Acrobat Reader DC are required to access funding opportunities and download required forms from TP Ontario. For more information and resources visit the [Get Help](#) section of our website.

Technical Support

Transfer Payment Ontario Client Care support for external users is available from Monday to Friday 8:30 a.m. to 5:00 p.m. except for government and statutory holidays, at:

- Toll-free: 1-855-216-3090
- TTY: 416-325-3408
- Toll-free TTY: 1-800-268-7095
- Email: TPONCC@ontario.ca

Ministry of the Solicitor General

Ministère du Solliciteur général

Public Safety Division

Division de la sécurité publique

25 Grosvenor St.
12th Floor
Toronto ON M7A 2H325 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

SUBJECT: **Changes to the *Mandatory Blood Testing Act* and the
*Laboratory and Specimen Collection Centre Licensing Act***

DATE OF ISSUE:	June 30, 2023
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	23-0050
PRIORITY:	Normal

I am sharing this communication to advise of legislative and regulatory changes to the *Mandatory Blood Testing Act* (MBTA) and the *Laboratory and Specimen Collection Centre Licensing Act* (LSCCLA), effective July 1, 2023.

For detailed information, please review the attached memo from Sarah Caldwell, Assistant Deputy Minister, Strategic Policy Division, Ministry of the Solicitor General. Any questions regarding these changes can be sent by email to idpp@ontario.ca.

Sincerely,

K. Weatherill

Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General

Ministry of the Solicitor General

Strategic Policy Division
Office of the Assistant Deputy Minister

25 Grosvenor Street
9th Floor
Toronto ON M7A 1Y6
Tel: 416 212-4221
Fax: 416 212-4020

Ministère du Solliciteur général

Division des politiques stratégiques
Bureau du sous-ministre adjoint

25, rue Grosvenor
9^e étage
Toronto ON M7A 1Y6
Tél. : 416 212-4221
Télééc. : 416 212-4020



MEMORANDUM TO: Kenneth Weatherill
A/Assistant Deputy Minister
Public Safety Division

FROM: Sarah Caldwell
Assistant Deputy Minister
Strategic Policy Division

DATE: June 30, 2023

SUBJECT: **Upcoming changes to the *Mandatory Blood Testing Act* and the *Laboratory and Specimen Collection Centre Licensing Act***

I am writing to inform you of upcoming legislative and regulatory changes to the *Mandatory Blood Testing Act (MBTA)* and the *Laboratory and Specimen Collection Centre Licensing Act (LSCCLA)*.

These changes will allow police officers, firefighters, those employed in correctional institutions, victims of crime, and other prescribed groups (i.e., applicants) to sooner verify if they have been exposed to certain communicable diseases (i.e., HIV, and Hepatitis B and C).

Consultations were undertaken in Fall 2018 to identify concerns stakeholders had with the existing MBTA process, and to develop the necessary amendments to enact change. Additionally, the mandatory blood testing process will be modernized through improved timelines, enforcement, provincial oversight, and service delivery changes.

Below is a summary of how the changes will affect the current MBTA process:

- **Shorten the time for respondents** (i.e., individuals who have come into contact with an applicant) to comply with the Consent and Capacity Board (CCB) order from 7 to 2 business days.
- **Lengthen the time from exposure to application** from 7 to 30 calendar days to allow applicants more time to decide whether to file an MBTA application.

- **Remove the mandatory 2-day voluntary process**, though the Medical Officers of Health (MOH) would still attempt to contact the respondent to see if they would voluntarily provide a blood sample or other evidence of their seropositivity.
- Add a requirement for **immediate referral of an application to the CCB** by the Ministry of Health.
- **Increase maximum penalties** to \$10,000 for every day on which the offence occurs (up from \$5,000 per day) and **add a term of up to 6 months imprisonment**.
- Provide express **authority to the Superior Court to order police assistance in enforcing** a testing order (e.g., police officer present during blood draw).

These changes will take effect on July 1, 2023.

Every day, first responders and emergency personnel put their lives on the line to protect the people of Ontario. In turn, the government recognizes the importance of faster access to information that can help first responders, emergency personnel, and others decide the best way to reduce the possibility of illness, should there be exposure to serious diseases.

These legislative and regulatory changes aim to implement safeguards that protect the health and safety of those who protect our communities and those who have been victims of crime.

If you have any questions regarding these changes, please direct them to idpp@ontario.ca.

Sincerely,



Sarah Caldwell
Assistant Deputy Minister
Strategic Policy Division
Ministry of the Solicitor General

CC:

Dr. Kieran Moore, Chief Medical Officer of Health, Ministry of Health
Angie Wong, Assistant Deputy Minister, Health Programs and Delivery Division, Ministry of Health

Ministry of the Solicitor General

Ministère du Solliciteur général

Public Safety Division

Division de la sécurité publique

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Facsimile: (416) 314-4037Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

SUBJECT: **Bail Compliance and Warrant Apprehension Grant – Call
for Applications (2023-24 to 2025-26 Grant Cycle)**

DATE OF ISSUE:	June 30, 2023
CLASSIFICATION:	For Action
RETENTION:	August 28, 2023
INDEX NO.:	23-0051
PRIORITY:	Normal

I am pleased to introduce the ***Bail Compliance and Warrant Apprehension (BCWA) Grant***. This new grant program, starting this fiscal year (2023-24), will assist police and justice sector partners in addressing issues of bail compliance and warrant apprehension. The BCWA Grant will expand the resources needed to monitor and apprehend high-risk repeat offenders violating their bail or community supervision conditions. The objective is to reduce the risk of individuals committing serious or violent crimes while released on bail or under community supervision.

This program will provide funding to municipal and First Nations police services, as well as Ontario Provincial Police (OPP) contract and non-contract locations.

Examples of projects eligible for funding under the BCWA Grant could include:

- dedicated bail compliance and/or warrant apprehension teams to follow-up with high-risk individuals
- police bail support teams to assist Crown attorneys during the bail hearing stage by providing enhanced bail packages and identifying public safety considerations; and
- bail compliance technology or networks that support the Provincial Bail Compliance Dashboard and will allow police services across the province to share and inform bail compliance information.

-2-

The Ministry of the Solicitor General (ministry) will be accepting applications under the new BCWA Grant through a competitive application process for the 2023-24 to 2025-26 grant cycle beginning **July 17, 2023**.

Municipal and First Nations police services, as well as OPP contract locations may submit a maximum of two applications each. The maximum funding for each project is \$1,200,000 up to \$400,000 per fiscal year. Applications submitted in partnership with multiple police services/boards may request funds to a maximum of \$2,400,000 up to \$800,000 per fiscal year for each project. OPP non-contract locations may submit a maximum of two applications as a whole through the OPP Headquarters (i.e., not two per individual location).

Please note that grant funding is subject to the ministry receiving the necessary appropriation from the Ontario Legislature.

All applications must be submitted through Transfer Payment Ontario (TPON), as well as by email to Shamitha.Devakandan@ontario.ca and Diljyot.Atwal@ontario.ca by 4:00 p.m. Eastern Standard Time on August 28, 2023. Submissions that are late or incomplete will not be considered for funding. More details on the application process, including eligibility criteria and applying through TPON, are outlined in the attached Grant Application Instructions and Guidelines document.

To support police services, the ministry will be holding an information session on the BCWA Grant to provide an overview of the new program and answer any questions about the grant application process. This information session will take place on **July 13, 2023, from 11:00am to 12:00pm through Microsoft Teams**. The information session can be accessed through the following meeting link: [Click here to join the meeting](#)

If you have any questions relating to the grant program, eligibility criteria, or application process, please contact Shamitha Devakandan at Shamitha.Devakandan@ontario.ca or Jyoti Atwal at Diljyot.Atwal@ontario.ca.

Sincerely,

K. Weatherill

Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General



Ministry of the Solicitor General

2023-24 – 2025-26

**Bail Compliance
and
Warrant Apprehension Grant**

Application Instructions and Guidelines

INTRODUCTION

The Ministry of the Solicitor General (ministry) is pleased to present the 2023-24 – 2024-25 Bail Compliance and Warrant Apprehension (BCWA) Grant. This document includes important information on the eligibility criteria, assessment criteria and the grant process.

Ontario is experiencing an increase in the rate of serious, violent re-offending by individuals who have been released on bail, issues of non-compliance and re-offending by those under conditions of community supervision. Further, our province is seeing a growing number of accused persons charged with shooting-related homicides while released on firearms bail, who are facing new charges. This issue has had a profound impact on Ontarians' sense of safety at home, and in their neighbourhoods and communities.

The purpose of this grant program is to strengthen the police and justice sector response to those who pose substantial risk to public safety, including repeat violent offenders, serious violent offenders, and individuals who have committed firearm offences. This is in addition to protecting those who are at risk of revictimization relating but not limited to human trafficking, intimate partner violence, and guns and gangs related offences.

This new grant will provide funding to police services/boards to strengthen their bail compliance and warrant apprehension enforcement to reduce the number of accused persons who are out on bail or under community supervision from committing further criminal acts. Through this grant, police services can ensure resources are in place to support those out on bail and to proactively address the risk of re-offending.

Initiatives under the BCWA Grant can include funding for dedicated bail compliance and/or warrant apprehension teams to follow-up with high-risk individuals, and police bail support teams (including Bail Safety Project sites) to assist Crown attorneys with bail hearings by providing enhanced bail packages and identifying public safety considerations. To be most effective at bail hearings that are dealing with repeat offenders, the police and Crown must work collaboratively. This additional funding will help police services prepare enhanced bail packages for Crown attorneys so they are able to present the best evidence available at the bail hearing, which, in turn, will allow the court to make more informed decisions about a potential release.

Funding could also be used for bail compliance technology or networks that support the provincial Bail Compliance Dashboard¹ that will allow police services across the province to share and inform bail compliance information. The teams, in conjunction with the technology, will work to reduce the prevalence of high-risk accused persons alleged to have violated bail conditions, as well as those unlawfully at large.

¹ Bail Compliance Dashboard: A new provincewide bail monitoring system to allow police services to monitor high-risk offenders with the most accurate data possible.

ELIGIBILITY CRITERIA

Who is Eligible?

- Municipal police services in Ontario.
- First Nations police services in Ontario.
- OPP municipal contract locations.
- OPP non-contract locations.
 - Note: OPP non-contract locations can only submit two applications as a whole – not two per individual location. Non-contract locations must submit applications through OPP headquarters to Kirsten Buligan at Kirsten.Buligan@opp.ca.

Number of Application Submissions and Funding Amounts:

- Municipal and First Nations police services as well as OPP contract locations, can submit a maximum of two applications each.
- OPP non-contract locations can submit a maximum of two applications as a whole through the OPP Headquarters (i.e., not two per individual location).
- Maximum funding for each initiative is \$400,000 per fiscal year for a total of \$1,200,000 over three years. Applications submitted in partnership with multiple police services/boards may request funds to a maximum of \$2,400,000 over three years (\$800,000 per fiscal year) for each initiative.

What is Eligible?

- Funding can be used for costs associated with the FTE counts of police staff serving on bail compliance and/or warrant apprehension teams, Bail Safety Project sites, and software/hardware licenses to support the provincial Bail Compliance Dashboard.

Eligible Budget Items:

- Personnel (e.g., Salaries and benefits)
- Orientation and Training
- Equipment (e.g., cell phones, laptops, printers)
- I&IT (e.g., upgrades to records management systems or acquiring of another RMS such as Versadex and Niche compatible with the Provincial Bail Compliance Dashboard, software/hardware licenses to support the Provincial Bail Compliance Dashboard)
- Other (e.g., office supplies, cell phone usage, vehicles, travel expenses)

What is Not Eligible:

- Out of province expenses (e.g., travel)
- Non-police related initiatives
- External consultants
- Bail compliance technology that is not compatible with the Provincial Bail Compliance Dashboard

Project Timeline:

- Funding is provided on a one-time basis only. Successful recipients will have until March 31, 2026, to complete their project once a funding decision has been made. It is anticipated that the ministry will notify applicants of its funding decision in fall 2023. Please take this into consideration when planning for your project.

OUTCOMES & PERFORMANCE INDICATORS

All successful applicants will be required to report to the ministry on both provincial and local outcomes.

Provincial Outcomes:

To consistently demonstrate provincial outcomes, the ministry will require funding recipients to report back on provincially identified outcomes and performance indicators twice a year. Specifically, the ministry has identified the following provincial outcomes as well as a list of associated performance indicators for each outcome for this grant program. It is mandatory for recipients to report on all of the following outcomes.

- 1. Outcome: Project/Program Coverage - # of services/activities delivered**
 - a. # of high-risk individuals tracked and monitored by bail compliance technology or networks
 - b. # of FTEs dedicated to the bail compliance and/or warrant apprehension teams

- 2. Outcome: Project/Program Administration Costs**
 - a. Total amount spent on administration of the program (\$)
 - b. Total initiative allocation (\$)

- 3. Outcome: Project/Program Impact – Decrease in violations and re-offences by high-risk individuals on bail or under community supervision**
 - a. % of individuals with enhanced bail packages who re-offended or violated their bail conditions

- 4. Outcome: Reduction in the rate of bail violations and re-offending by individuals on bail or under community supervision**

Associated Indicators:

 - a. # of individuals who have re-offended while out on bail
 - b. # of bail hearings that required enhanced bail packages
 - c. % of individuals with enhanced bail packages who re-offended or violated their bail conditions (Note: this indicator is a duplicate of “Project/Program Impact”)
 - d. # of enhanced bail packages prepared
 - e. # of the total charges laid per month that were issued to individuals who are on bail or under community supervision

- f. # of warrants executed that were for bail or under community supervision violation
- g. # of individuals under community supervision who have re-offended
- h. # of individuals under community supervision who have been found in violation of bail conditions
- i. # of individuals who are re-admitted into custody while released on bail

Note: "Enhanced bail packages" refer to bail packages compiled by police services to support Crown Attorneys during the bail hearing process. Packages could include additional information around the individual up for bail such as, but not limited to, prior firearm-related offences, related firearms/serious violent offences statistics, and statements of community confidence.

5. Outcome: Improved tracking and monitoring of high-risk individuals on bail

Associated Indicators:

- a. # of new charges laid as a result of bail compliance technology or networks
- b. # of high-risk individuals tracked and monitored by bail compliance technology or networks (Note: this indicator is a duplicate of "Project/Program Coverage")
- c. # of instances when bail compliance technology or networks were accessed by police officers
- d. # of individuals on bail who were referred to community services/organizations
- e. # of FTEs dedicated to the bail compliance and/or warrant apprehension teams (Note: this indicator is a duplicate of "Project/Program Coverage")
- f. # of individuals who are monitored by the bail compliance teams
 - i. Bail violation rate of high-risk individuals who are monitored by bail compliance teams (vs. those who are not)

Please note that **local data** should be used to demonstrate performance on provincially identified outcomes.

Local Outcomes:

In addition to the provincially identified outcomes, applicants will be required to identify local outcomes and performance indicators that reflect your specific initiative.



TIP: Expected **Outcomes** are the positive impacts or changes your activities are expected to make in your community.

Additional Information:

- A performance **indicator** is an observable, measurable piece of information (i.e., numeric result) about a particular outcome, which shows to what extent the outcome has been achieved.
- **Quantitative** indicators are numeric or statistical measures that are often expressed in terms of unit of analysis (e.g., frequency of, percentage of, ratio of, variance with).
- **Qualitative** information is non-measurable information that describes attributes, characteristics, properties, etc. It can include descriptive judgments or perceptions (e.g., program participants' verbal or written feedback) measured through an open-ended questionnaire or an interview.
- **Baseline** data is information captured initially to establish the starting point against which to measure the achievement of outcomes.
- **Target** is the planned result to be achieved within a particular time frame. Along with the baseline, this provides an anchor against which current performance results can be compared. Reasonable targets are challenging but achievable.

APPLICATION REVIEW

The BCWA Grant Review Committee, comprised of representatives from within and outside the ministry, will review all eligible proposals and make funding recommendations to the Solicitor General for approval. Should the application meet the eligibility criteria, your proposal will be assessed based on the following criteria:

1. Project Summary
2. Demonstrated Need
3. Project Workplan/Activities
4. Partnerships
5. Performance Measures
6. Budget

ASSESSMENT CRITERIA

Please review the following Assessment Criteria carefully. It outlines important information that must be addressed for each question and must be followed when completing your application. Please ensure you answer each component of every question.

1. Project Summary (2 points):

- ✓ Provide a brief description of your initiative and explain how it is new or the new component.

2. Demonstrated Need (6 Points)

How did you determine that there is a need for the proposed project in your community?

- ✓ Provide a brief summary and overview of the proposal.
- ✓ Provide an explanation outlining the need for your project and identifying gap areas. Evidence should be provided to demonstrate the need (e.g., high rates of re-offending while on bail, demographic needs).
- ✓ Include current and reliable statistical data to support your rationale. Statistics/evidence may originate from reports, academia, journal/scholarly articles and publications (e.g., from Statistics Canada, police) or through local findings (e.g., community consultations, conducting a gap analysis).

Note: It is important that projects build on the existing support service systems and do not duplicate services already available locally.

3. Project Workplan/Activities (6 points)

Provide a comprehensive outline of the activities that will be implemented as part of the project.

- ✓ Indicate the key milestones for your project.

- ✓ Describe in detail all the activities that are associated with achieving the key milestones.
- ✓ Clearly indicate the fiscal year your activities will be taking place (i.e., 2023-24, 2024-25 or 2025-26) as well as approximate timelines for your activities within each fiscal year.
- ✓ Explain how the proposal is responsive to any unique community needs.

4. Partnership (4 points)

Provide an overview of the partnerships that will be utilized for your project by completing the chart outlined in the application.

- ✓ **Name:** Indicate the name of the agency/organization(s) that will be involved in the delivery of the project.
- ✓ **Contact Information:** The name, position, phone number and email of the primary contact(s) within the agency/organization(s).
- ✓ **Role:** Describe each partner's role and how they will contribute to the success of your project.
- ✓ **Description:** Provide a brief description of the agency/organization, including the sector that it belongs to.

Note: Preference may be given to applications that include strong multi-sectoral partnerships. This includes shared cooperation with other partners to develop and utilize bail compliance technology that supports the Provincial Bail Compliance Dashboard to ensure a multi-sectoral approach to reducing the risk of individuals committing serious or violent crimes while released on bail.

5. Budget (3 points)

Clearly itemize all expenditures associated with the project for each fiscal year of the grant cycle. All costs funded by the ministry should be for eligible budget items and necessary for the project's successful completion and implementation.

- ✓ Clearly itemize all expenditures under the appropriate category.
- ✓ Include a description for each budget item in the corresponding column, ensuring they align with the design and delivery of this specific project.

6. Performance Measures (4 points)

Indicate the expected outcomes and associated performance metrics for your project.

- ✓ Report on provincial outcomes. All outcomes are mandatory.
- ✓ Outline the locally identified outcomes for your project.
- ✓ Outline your locally identified performance indicators that will demonstrate that local outcomes have been achieved.
- ✓ Indicate the baseline data for provincially identified and locally identified outcomes from which you will be able to assess change.
 - *Note: Data from the year prior can be used as baseline data*

- ✓ Indicate the targets you will use to assess achievement of provincially identified and locally identified outcomes.
- ✓ Identify which partner will collect each indicator and how often.

Note: Please refer to the Outcomes and Performance Indicators section on pages 2-3 of this document for a list of provincially identified outcomes and associated performance indicators and for helpful tips on developing appropriate performance measures.

The ministry will take into consideration the varying capacity and needs of police services (e.g. First Nation police services, rural/smaller police services) when scoring applicants.

CONTRACTUAL AGREEMENT

As part of the terms of funding, the ministry will enter into a contractual agreement with successful applicant(s). Funds will only be released to the organization after the contractual agreement is signed between the organization and the ministry. The grant must be used in Ontario for the purposes described in the approved application and according to the terms of the contractual agreement. The release of funding instalments for each year of the grant cycle are dependent on submission/approval of these yearly Interim and Final reports.

Standard government procedures regarding grants will be followed. The contractual agreement will outline:

- purposes for which the grant funding will be used
- commitments to be undertaken or specific activities to support the application
- interim and final reporting dates, including performance measures
- funding disbursement schedule.

LENGTH OF APPLICATION FORM

Application forms have character limits in each section. Please adhere to these limits.

Please do not include any attachments or website addresses as part of your response. They will **not** be reviewed.

APPLICATION SUBMISSION

All applications must be submitted through Transfer Payment Ontario (TPON). An electronic version of your completed and signed application form must be submitted to the ministry in their **original format (NOT a scanned version) by email**. Please submit them to Shamitha.Devakandan@ontario.ca and Diljyot.Atwal@ontario.ca.

Submissions that are late, incomplete, or not accompanied by the required documents requested by the ministry will not be considered for funding; no exceptions will be permitted.

More details on the application process, including accessing the application and applying through TPON, are outlined in [Appendix A](#).

Ministry staff will acknowledge the receipt of your submission, either through an email response or an automatic reply message within five business days. Please follow up if you do not receive the confirmation.

APPLICATION DEADLINE

Completed application forms must be submitted on TPON and to the ministry by **4:00 p.m. EST on August XX, 2023.**

Out of fairness to all applicants, submissions that are late or incomplete will not be considered for funding. No exceptions will be permitted.

If possible, applicants are recommended not to wait until the last day to submit their application and/or request support from ministry staff. As the volume of emails and phone calls tend to be very high closer to the application deadline, there may be a delay in getting a response.

ASSISTANCE

For questions related to the BCWA Grant or these instructions and guidelines, please contact Shamitha Devakandan at Shamitha.Devakandan@ontario.ca and Jyoti Atwal at Diljyot.Atwal@ontario.ca. Please note that ministry staff will not be reviewing applications prior to their submission.

APPENDIX A: Registering your Organization in Transfer Payment Ontario

Transfer Payment Ontario (TPON) is the Government of Ontario's online transfer payment management system. It provides one window access to information about available funding, how to submit for Transfer Payment (TP) funding, and how to track the TP status of your submission.

Getting Started

- **NOTE:**
 - Effective April 17, 2023: TPON changed the way you access Transfer Payment Ontario. You will need to Create a My Ontario Account for the first time if you have not done so already.
 - For more information: See the Creating a My Ontario Account [guide](#) and [video](#).
- All organizations must be registered with Transfer Payment Ontario in order to submit the intake form to request funding for this TP program.
 - The form must be submitted online through Transfer Payment Ontario and a copy must also be submitted by email to the ministry contacts.
- **For both existing and new users to TPON:** please use the link below to gain access to the Government of Ontario's online transfer payment management system.

➤ [Transfer Payment Ontario](#)

NOTE: Google Chrome web browser and Adobe Acrobat Reader DC are required to access funding opportunities and download required forms from TP Ontario. For more information and resources visit the [Get Help](#) section of our website.

Technical Support

Transfer Payment Ontario Client Care support for external users is available from Monday to Friday 8:30 a.m. to 5:00 p.m. except for government and statutory holidays, at:

- Toll-free: 1-855-216-3090
- TTY: 416-325-3408
- Toll-free TTY: 1-800-268-7095
- Email: TPONCC@ontario.ca

Ministry of the Solicitor GeneralPublic Safety Division
Public Safety Training Division25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**Division de la sécurité publique
Division de la formation en matière
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Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

SUBJECT: **Issues Related to the *Protection of Persons
Administering and Enforcing the Law - Sections 25.1 to
25.4 of the Criminal Code of Canada.***

DATE OF ISSUE:	July 6, 2023
CLASSIFICATION:	General Information
RETENTION:	July 20, 2023
INDEX NO.:	23-0052
PRIORITY:	HIGH

Requirement for Annual Reporting

The ministry is required to prepare a report for the period of February 1, 2022 to January 31, 2023 consistent with the statutory requirement to make public an annual report on the use of specific portions of the law enforcement justification provisions by police services in Ontario, as stated in s. 25.3 of the *Criminal Code*. In order to comply with this obligation, we require the following information:

- **Number of Designations by a Senior Official Under Subsection 25.1 (6):**
State the number of times a Senior Official made emergent designations and the nature of conduct being investigated in these instances. As per this subsection, a Senior Official may temporarily (48 hours) designate a Public Officer in circumstances which require such quick police response that awaiting the Minister's approval of designation through the normal protocol may affect the timeliness of a critical investigation.
- **Number of Authorizations by a Senior Official Under Paragraph 25.1 (9)(a):**
State the number of times a Senior Official provided written authorization to a Public Officer to commit an act or omission – or direct its commission - that would otherwise constitute an offence and which was likely to result in serious loss of or

-2-

damage to property, prior to the act(s) or omission(s) being committed. State the type(s) of act(s)/omission(s) that was committed.

- **Number of Times that Acts or Omissions Were Committed by Public Officers in Accordance With Paragraph 25.1 (9)(b):** State the number of times that a Public Officer, due to exigent circumstances and without prior written approval from a Senior Official, committed an act or omission – or directed its commission – that would otherwise constitute an offence and which was likely to result in serious loss of or damage to property. State the type(s) of act(s)/omission(s) that was committed.

In order to maintain consistency in the ministry's reporting, the attached reporting template provides you with general categories for (a) nature of conduct being investigated and (b) types of acts or omissions authorized to be committed, or committed, by a Public Officer or directed by a Public Officer, which would otherwise constitute an offence. The categories are accessible by drop-down boxes embedded within the form. The document is protected when completed.

Please complete the attached reporting template and return it to the Criminal Intelligence Service Ontario (CISO) by **July 20, 2023**. Replies or questions may be emailed with encryption directly to c24@ontariocis.ca.

Sincerely,

K. Weatherill

Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

Attachment

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General

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Ministry of the Solicitor General

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MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

SUBJECT: **2023 Ontario Public-Police Interactions Training Aid**

DATE OF ISSUE:	July 7, 2023
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	23-0053
PRIORITY:	High

I am pleased to advise that the 2023 Ontario Public-Police Interactions Training Aid has been approved by the Ministry of the Solicitor General to replace the 2004 Ontario Use of Force Model.

In 2017, the ministry established an Executive Technical Table (ETT) alongside research teams to aid the ministry in responding to past Coroner's inquests and, more recently, the recommendations made by the Ombudsman of Ontario in its *A Matter of Life and Death* (2016) report. Recommendation #3 in the Ombudsman's report specifically advised the ministry to "institute a new use of force model that is easy to understand and clearly identifies de-escalation options, rather than just use of force options."

Building on research and the work of the ETT, a subgroup of Use of Force subject matter experts reviewed existing models, inquests, reports, and scholarly literature to develop a revised framework document and graphic to modernize the Use of Force Model. These revisions refocus the Model's outcome from one centred on use of force to one that places emphasis on cooperative police-public interactions underpinned by de-escalation strategies and a procedural justice mindset.

Highlights of the new Training Aid (**Appendix A**) include:

- An emphasis on conflict prevention and de-escalation strategies and their critical role in the "assess, plan, act" process;
- Use of updated terminology;

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- The addition of “subject” in the centre of the graphic to signal equal consideration of the “subject” and “situation” elements, and include a subject’s mental/emotional state;
- Changes to the orientation, size, and location of graphical elements to either de-emphasize or emphasize various elements;
- Inclusion of guiding principles of the Training Aid; and
- A directional arrow within the conflict prevention and de-escalation ring to illustrate the assortment of options available to prevent/de-escalate behaviours and/or force.

The new Training Aid was incorporated into the Ontario Police College’s (OPC’s) Use of Force Trainers Course and Basic Constable Training program in April 2023. The OPC will be sharing updated training materials with police services during all upcoming Use of Force Trainer courses to assist with in-service requalification. Additionally, the OPC will be holding workshops with existing Use of Force Trainers to provide them the updated training materials. Workshops will begin in mid-July and will continue through to September.

I would like to thank all of the police services that provided feedback on the model and for the hard work undertaken by the ETT and the OPC’s De-escalation and Use of Force Communities of Practice in the development of the new Training Aid.

For further information, please review the attached framework document and Training Aid graphic. If you have any questions regarding these materials, please contact Michael Barnhart, OPC Deputy Director, by email at Michael.Barnhart@ontario.ca.

Sincerely,

K. Weatherill

Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

Attachment

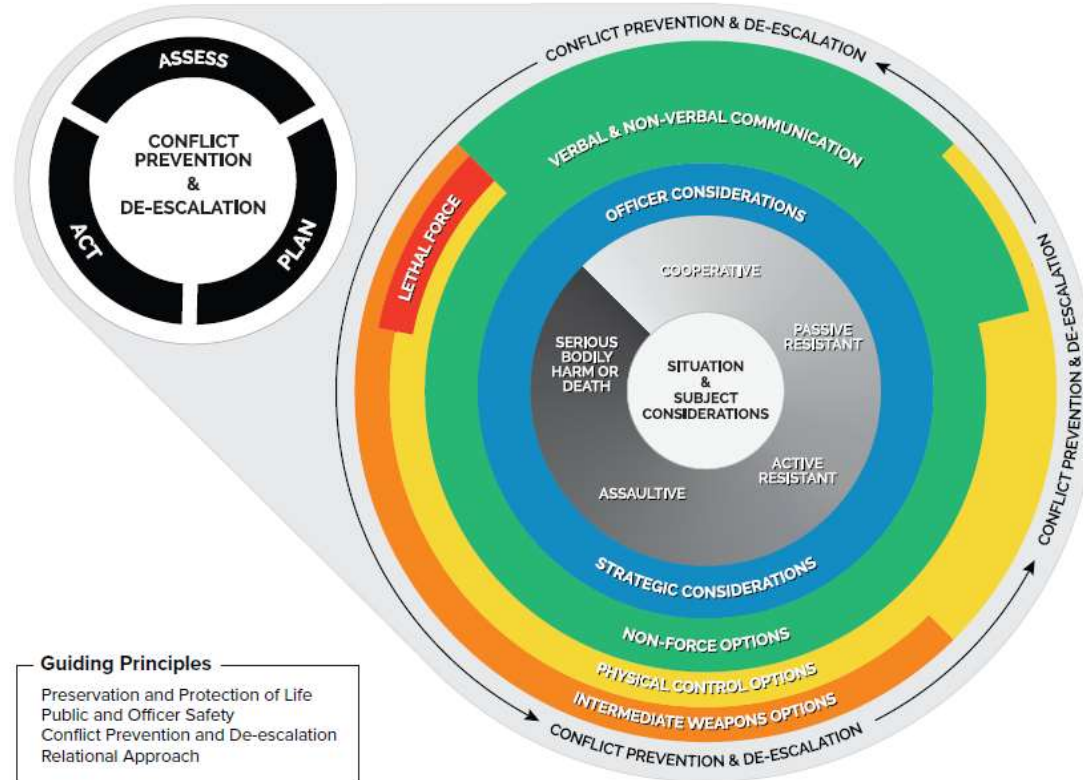
c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General

Appendix A - Ontario Public-Police Interactions Training Aid (2023)

<p>Conflict Prevention</p> <p>The pre-emptive use of verbal and non-verbal strategies with people in situations with a potential to escalate (speeding ticket, neighbour dispute)</p>
<p>De-escalation</p> <p>The use of verbal and non-verbal strategies intended to prevent conflict or reduce the intensity of a situation without the application of force and, if force is necessary, reducing the amount of force if viable</p>
<p>Assess-Plan-Act</p> <p>A cognitive process applied by the officer to circumstances related to the subject/situation and impacted by perceived/actual risk, available time, and resources. This process is continuous, allowing for reassessment based on changing information.</p>
<p>Situation & Subject Considerations</p> <p>Some factors impacting an officer's perception and decision-making of the subject and situation are: weather conditions, indoors/outdoors, number of officers/subjects, perceived subject ability (cognitive ability, skill, size, weapon), cultural awareness, gender identity.</p>
<p>Subject Behaviors</p> <p>Cooperative: Subject complies with a lawful request</p> <p>Passive Resistant: Subject refuses a lawful request, verbally and/or physically by standing still, sitting, laying down</p> <p>Active Resistant: Subject pulling/pushing away, walking away, running away</p> <p>Assaultive: Threatens/attempts/strikes the officer, kick, punch, spit, headbutt (no weapon)</p> <p>Serious Bodily Harm or Death: The use of any weapon or technique reasonably likely to cause serious bodily harm or death</p>

Ontario Public-Police Interactions Training Aid (2023)



The officer continuously assesses the interactions and selects the most reasonable option(s) relative to the subject and circumstances given available resources and time.

Officer & Strategic Considerations

Factors impacting perception and decision-making, including ICEN, ICLEAR, NRA, POL personal experience, skills/ability, stress, injuries, specialty units, available time

Verbal & Non-Verbal Communication

First Contact Approach: Hello, my name is
Relational Approach: I can see you are struggling, I'm here to help you.
Directive Approach: Police, don't move!
Consistent Verbal/Non-Verbal Approach: facial and body expressions consistent with message, applies to both subject and officer

Non-Force Options

Increasing available time to delay/eliminate the need for force may be done using:
 Distance, Physical Presence, Isolation, Containment, Evacuation, Cover, Concealment, Reposition, Teamwork, Disengagement

Physical Control Options

Soft: controlling an arm/wrist, pressure points, barrier assist
Hard: strikes/grounding techniques

Intermediate Weapons Options

Pepper Spray, Expandable Baton, Conducted Energy Weapon, Less Lethal Shotgun, ARWEN, Shields, Canine, Horses, any other approved weapon

Lethal Force

Use of any weapon/technique reasonably likely to cause serious bodily harm or death

This Training Aid is not prescriptive and does not replace the law. An officer's actions must be lawful, necessary, reasonable and proportional.



Ontario Public-Police Interactions Training Aid Framework Document

May 24, 2023

This document replaces previous the previous Ontario Use of Force Model training materials

Version: 1.0

Public Safety Division

The Ministry of the Solicitor General

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ACKNOWLEDGEMENTS

The Ontario Police College would like to thank the Community of Practice, members of the various working groups and stakeholders who contributed to the development of the Ontario Public-Police Interactions Training Aid.

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POLICE-PUBLIC INTERACTIONS FRAMEWORK

***De-escalation** is the use of verbal and nonverbal strategies intended to prevent conflict or reduce the intensity of a situation without the application of force, and, if force is necessary, reducing the amount of force if viable*

Ontario Police College

1. INTRODUCTION

The ideal goal of any police interaction with the public is that it be cooperative, respectful, and peaceful. This Ontario Public-Police Interactions Training Aid outlines the general principles that govern police interactions with the public, including the use of force on those occasions when an application of force is required.

The Ontario Public-Police Interactions Training Aid is captured by a framework document and a graphic. Together they are designed to assist police officers (and the public) to understand why and in what manner an officer may respond during an interaction. This document is subject to change based on evolving academic research, best practices and recommendations.

This Training Aid stresses that, in any interaction with the public, an officer should continually monitor themselves, the subject, situation, assess the circumstances as they develop, and engage in a relational approach¹ with the subject and other members of the public if appropriate. A relational approach to public-police interactions emphasizes fairness, respect, empathy, and voluntary subject cooperation, without the use of force, whenever feasible. However, on occasion police officers may find themselves in a situation where the use of force may be

¹ Relational policing involves an officer providing a genuine and personalized response, conveying empathy and concern for the wellbeing of the subject, and taking time to build rapport and trust, while managing safety risks. The principle which underlies "relational policing" is that a member of the public is, on balance, less likely to be confrontational or non-cooperative if they have a personal rapport with the officer with whom they are interacting. Relational policing may not achieve its desired effects in every case, but it increases the likelihood of an interaction with is cooperative, respectful, and peaceful.

POLICE-PUBLIC INTERACTIONS FRAMEWORK

necessary. Any use of force by police is governed by the legal principles of necessity, proportionality, and reasonableness.²

As outlined in this Training Aid, a decision by an officer to use force should be based on an assessment of all of the circumstances of the situation in light of the governing legal principles.

A relational approach to public-police interactions values fairness, impartiality, respect, and empathy, and seeks to achieve peaceful outcomes and voluntary subject cooperation without the use of force. In the event force becomes necessary (i.e., to ensure public safety/protect life), using a proportional amount, if viable, to manage the situation, is expected.

Ultimately, the goal of any police interaction with the public is cooperative, respectful, and peaceful outcome, recognizing that this goal may be impacted by a variety of factors such as the availability of time, resources an immediate need for police action, and the behaviour of the people involved.

1.1. Context

This Training Aid tries to reflect the meaning of governing federal and provincial statutes (e.g., the *Criminal Code*, R.S.C., 1985, c. C-46, the *Charter of Rights and Freedoms*, and the *Police Services Act*, R.S.O. 1990, c. P.15), and governing case law (including cases from the Supreme Court of Canada, provincial courts of appeal, and lower courts). In addition, this Training Aid is mindful of recommendations made by the Ontario Ombudsman, recommendations made by juries in Coroners' inquests, and scholarly articles and research reports.

However, this framework is subject to several limitations:

- a) This document does **not** replace or augment the law, or purport to dictate police service policy. Given its brevity and informal nature, this document does not provide a comprehensive summary or outline of the law. When

² *R. v. Nasogaluak*, 2010 SCC 6 at para. 32; and *R. v. Davis*, 2013 ABCA 15 at para. 57 (in dissent), reversed 2014 SCC 4.)

- any concrete issue arises, it must be assessed in terms of the governing law.
- b) This document does **not** provide an officer with legal authority and does **not** provide an automatic "after-the-fact" justification for an officer's actions in any incident.
 - c) This document does **not** prescribe a specific set of response option(s) to any interaction. Rather, it provides a valuable framework for understanding what is involved in the continuous process of assessing, planning, making decisions, and responding to interactions between the public and police.
 - d) The decision to use force in any case must be based on an assessment of the circumstances of the case at hand, considering the governing law.

1.2. The Principles Underlying Public-Police Interactions

Four basic principles underlie the Public-Police Interactions.

1. The primary responsibility of a peace officer is to preserve and protect life.
2. The primary objective of public-police interactions is public safety. Police officer safety is essential to public safety.
3. Conflict prevention and De-escalation are the goals of every interaction.
4. A relational approach is essential to cooperative and respectful public-police interactions.

1.3. Legal Principles Informing a Police Officer's Use of Force

A police officer may find themselves in a situation where they may be required to use force in carrying out a duty. Police officers may use force in the execution of their duty *only if two conditions are met*:

1. The officer must be permitted by law to use force in carrying out the specific duty at hand; and

POLICE-PUBLIC INTERACTIONS FRAMEWORK

2. The specific application of force which the officer wishes to use is necessary, proportional, and reasonable, given the circumstances of the situation.

Statutory or Common Law Authority

With respect to the first condition, it must be stressed that any force used by an officer must be based on statutory or common law authority which permits force to be used in carrying out the particular duty in issue. Unless an officer possesses such authority, the use of force by the officer may be unlawful; and, accordingly, the officer may be liable.

Necessity, Proportionality and Reasonableness

With respect to the second condition, even when an officer is authorized by law to the use force in carrying out a particular duty, a police officer does not possess an unrestricted right to use force. The lawful use of force by police is constrained by the principles of necessity, proportionality, and reasonableness. That is, an officer will be justified in using force in any particular case only if the harm sought to be prevented could not be prevented by less violent means, and that the injury or harm done by, or which might reasonably be anticipated from the force used, is not disproportionate to the injury or harm it is intended to prevent (*R v Ryan*, 2013 SCC).

Lethal Force

In accordance with those principles, section 25(3) of the *Criminal Code* specifies that an officer is not justified in using lethal force (that is, force that is intended or is likely to cause death or grievous bodily harm) unless they believe on reasonable grounds that such force is necessary to avoid the death or grievous bodily harm of themselves or a person under their protection.

Excessive Use of Force

The use of force by an officer will be excessive if the officer did not have the authority to use force, or otherwise if it violates the principles of proportionality, necessity, and/or reasonableness. Under s. 26 of the *Criminal Code*, a police officer who uses force is "criminally responsible for any excess . . ."

A "standard of perfection" & Reasonable Discretion

These principles are applied with common sense. The law recognizes that police officers possess a measure of reasonable discretion in determining whether force is required, and if so, to what degree. Police officers often engage in dangerous work, and, on occasion, must act quickly in emergencies. Assessments regarding the use of force cannot be based on a "standard of perfection". Moreover, an officer is not required to use *only* the *least* amount of force which might achieve their objective. However, the use of force which objectively violates the principles of proportionality, necessity, and/or reasonableness, in light of the circumstances known to the officer at the time, may leave the officer liable for excessive force.

2. TRAINING AID OVERVIEW

The Public-Police Interactions Training Aid is a resource for officers when reflecting on and explaining decisions made and actions taken during an interaction. It is **not** a justification tool and does not provide legal authority.

Foundational to the Training Aid public-police interactions is the ASSESS-PLAN-ACT (APA) process. These three components are depicted graphically as a pullout image to draw attention to their centrality (i.e., they project over the entire Training Aid) and to highlight how the various areas of consideration (represented as coloured layers on the graphic) should be examined and accounted for as officers work through the APA process.

All elements of the Training Aid factor into the APA process and the officer's choice of response options, including use of force, as they seek to mitigate risk, ensure public safety, and achieve a peaceful outcome. Given these parameters, DE-ESCALATION and CONFLICT PREVENTION are located at the centre of APA and encircle the entire Training Aid with arrows moving away from serious bodily harm or death to cooperative. This arrow illustrates that an officer's goal is the prevention/de-escalating behaviour and force if it is reasonable to do.

SITUATION and SUBJECT CONSIDERATION are central to assessing a potential interaction or interaction already in progress, and as such, are positioned at the middle of the larger graphic as the officer initiates the APA process.

SUBJECT BEHAVIOURS are an extension of subject considerations and encircle situation and subject considerations. Subject behaviours include cooperative, passive resistant, active resistant, assaultive, and serious bodily harm or death.

POLICE-PUBLIC INTERACTIONS FRAMEWORK

OFFICER AND STRATEGIC CONSIDERATIONS form the next layer of the graphic, recognizing the interrelatedness of the officer (internal factor) as they assess the situation (e.g., risk factors) and begin to explore response options.

VERBAL & NON-VERBAL COMMUNICATION AND NON-FORCE OPTIONS (tactics) surround the areas of officer and strategic considerations. This ring precedes use of force response options signalling their importance to conflict prevention and a relational approach in line with the definition of de-escalation keeping in mind that if force is necessary and being used communication continues throughout the interaction.

Graduated USE OF FORCE options is presented in the last partial layers of the graphic and include physical control techniques, the use of intermediate weapons, and lethal force.

2.1. Training Aid Components

2.1.1. Assess-Plan-Act

The APA process is "transactional" (i.e., a decision and/or action taken initially during APA impacts the next cycle of APA) and occurs across each of the five phases of an interaction. Time permitting, officers continually monitor and assess the areas of consideration depicted in the Training Aid, acting on their assessments and decisions accordingly. Throughout, and as time and or resources are available, officers should seek to challenge personal biases, assumptions, and stereotypes using critical thinking strategies and perspective taking. Such an exercise may create empathy, which is a key component to the beginning of many de-escalation strategies.

Assess

This process includes the assessment of:

- officer considerations (perception)
- situational considerations
- subject considerations
- strategic considerations
- subject behaviours

- the viability of de-escalation and conflict prevention strategies

Each area of consideration intersects with the others and needs to be examined collectively. They are not mutually exclusive. Careful consideration of factors within each of the categories assists the officer to understand and respond to a situation/subject, and to explain to others how it was perceived, assessed, and responded to.

Plan

Time permitting, the officer continuously assesses areas of consideration as the situation/interaction evolves, selecting the most reasonable approach relative to the circumstances and their perceptions at that moment.

An officer's ability to implement a strategy is subject to a host of factors including:

- the degree of risk or threat posed by the subject or interaction
- the urgency to act in response to the threat
- the cognitive and physical limitations associated with stress-induced by the situation/subject
- the amount of time available to assess areas of consideration
- the number of officers working together
- the number of resources and options available
- the officer's knowledge/belief of their own ability to manage the situation safely

However, if a situation/subject poses an imminent danger of causing bodily harm or death, such that the officer is required to take immediate action, the officer may have limited time, or no time, to fully engage the APA process. In such a circumstance, the officer should act immediately in keeping with their duties as a police officer. It bears reiteration that any use of force is governed by the principles of *necessity, proportionality, and reasonableness*. On the other hand, if a subject/situation poses no threat or danger, or if a potential danger can be effectively managed without the immediate use of force, more time may be devoted to decision-making and evaluating alternative available options.

Time permitting, these processes are informed by NRA – a three-part test that requires officers to ask themselves if their actions are **N**ecessary, **R**isk effective, and **A**ceptable on legal, civil, and moral grounds.

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Questions to guide officers in considering each component of NRA are listed below.

Is the action **Necessary**?

- What has changed?
- Why now (versus earlier or later)?
- Why that option (versus another)?

Is the action **Risk Effective**?

- What/who is at risk? (e.g., victim/hostage, public, police, subject)
- Is there a less risky way to respond?

Is the action **Acceptable**:

- Legally - What statute or legal authority is the officer acting under?
- Civilly - Is policy, procedure, and training being followed?
- Morally - What will the public think? What about the courts?

Act

The Act component of APA represents the result of the officer's ongoing monitoring, assessment, and planning and may include direction and/or input from other police agencies and/or other personnel within the attending service. As the APA process is transactional, multiple outcomes across the duration of the interaction will occur. As such, officers should continuously demonstrate situational awareness, attending to areas of consideration and potential response options identified in the Training Aid until the interaction reaches a conclusion.

The officer will assess, plan and act in each phase to the call or interaction

2.1.2. Phases of a Call or Interaction

Phase 1: Initiate

- Officer is directed to attend a call by Dispatch or other means
- Contact may be initiated by the officer
- APA process begins considering available information and goals of de-escalation
- Assess priorities of life (Victims/Hostages, Public, Police, Subject)
- Assess Risk (means, opportunity, intent, and NRA – necessary, risk effective, acceptable)
- Plan – SMEAC, ICEN, ICLEAR, NRA³
- Self-regulation (fit for duty, Road to Mental Readiness (R2MR) Big 4 – goal setting, visualization, breathing, tactics)

Phase 2: Transit (if any)

- Travel to destination (arrive safely)
- Officer gathers and reviews information critically, and re-assesses/considers initial and back-up plans upon arrival

Phase 3: Arrive

- Officer surveys the situation/scene, revisits their initial assessment (verifies information) and plans, including imminence determining if immediate action is necessary
- Officer surveys the situation/scene and assesses the use of disengagement

Phase 4: Interact

- Officer assesses the circumstances of the situation and plans an appropriate response. In doing so, the officer may interact with other persons at the scene (including the public, the subject(s), other

³ See Glossary

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responding personnel, and may continue to receive information by police radio/computer/phone

- If more than one officer is present, officers may, if time permits, devise a joint plan. (Multiple officers may act on a plan crafted by one)
- To the extent it is feasible and reasonable, the officer should consider employing de-escalation strategies, including verbal and non-verbal communication and other non-force options
- Upon deciding on a plan, the officer(s) will begin to carry it out
- In the event that force is required, any officer's use of force will be governed by the principles of necessity, proportionality, and reasonableness
- As the interaction unfolds, the cycle of "access-plan-act" will be repeated, to reconsider the situation considering changing circumstances

Phase 5: Resolve, Follow-Up and Reflect

- Officer resolves the call by respectful communication, referral to outside agencies, arrest, apprehension and duty of care (medical assistance, community referrals)
- Officer reflects on and consolidates their experience, debriefs, and documents the APA process and interaction outcome(s) in accordance with agency specific requirements (duty notes and/or use of force reporting) and assess if and/or how the call may have been resolved better
- Officer conducts follow-up as appropriate to the interaction (e.g., investigation, victim assistance, resource referral, reporting)

3. CONFLICT PREVENTION AND DE-ESCALATION

Conflict prevention can be defined as the pre-emptive use of verbal and non-verbal strategies for situations and behaviours that have a potential to escalate. For example, if an officer can reasonably assume that a subject is going to be angry over the possibility of receiving a speeding ticket, then an officer should employ the appropriate verbal (first contact approach) and non-verbal (body language that is not consistent with being condescending i.e., folded arms, finger pointing, shaking of the head) communication. This approach is designed to prevent a potential conflict from arising by attempting to reasonably manage the subject/situation *pre-emptively*. Additional strategies can also be used to manage situations where the subject may be trying to induce a verbal conflict with insults or comments designed to illicit an emotional response by the officer. The following are some of the strategies that can be used in these situations but are not limited, they include,

- Breathing
- First contact approach
- Explaining and Informing
- Deflecting inflammatory comments
- Challenging inflammatory comments
- Empowering persons in decision-making
- Redirecting distracting comments
- Reposition away from or within the interaction and Re-engage

In other situations, involving interactions with the potential for conflict, sometimes between the officer and a subject or between two subjects, additional strategies can be employed and are explained below.

Conflict is constructive when seen as a joint-problem, and destructive when those involved see each other as adversaries. Circumstances permitting, to de-escalate conflict without using force, an officer dealing with an angry and defiant person should turn to their *questioning* and *active listening skills* to gain cooperation during some of the most challenging interactions. The reason being is that conflict arises when people perceive a threat to something they value and engage in conflict behaviour to defend what they feel is at stake. Thus, an officer observing conflict behaviour should use open ended *questions* (*What happened today? How are you feeling about this?*) to uncover how that person is assessing

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"threat." Through open-ended questions, the officer will gain an understanding of the perceived threat and what is driving the individual's defensiveness. This defensiveness may look like resistance, defiance, or even aggressiveness, as they take up a position that unilaterally satisfies their interests (*needs, desires, concerns, and fears*). After identifying the problem, the officer then works to identify the positions and underlying interests, and, through dialogue, the consequences of not coming to an agreement, resulting in brainstorming, and evaluating ideas in hopes of forming a joint agreement.

3.1. De-escalation

De-escalation is both a process and a desired outcome and is defined as, the use of verbal and nonverbal strategies intended to prevent conflict or reduce the intensity of a situation without the application of force, and, if force is necessary, reducing the amount of force if viable.

De-escalation includes strategies and efforts by police with the objective of stabilizing a person/situation, or resolving it without the use of force, and if force is necessary, assessing the viability of a reduction in the amount of force necessary as each situation is unique and will present its own set of circumstances that may support or prevent a reduction in the amount of force necessary. Toward this end, a variety of options are available to officers – each of which should be assessed, time/resource permitting, for their viability mindful of all areas of consideration embedded in the Training Aid (subject, situation, officer, and strategic).

These strategies and efforts include, but are not limited to:

- managing imminence
- employing a relational approach
- using active listening skills (Emotional labelling, "I" messages, Paraphrasing)
- using consistent verbal and non-verbal communication (e.g., relational approach, non-threatening posture)
- employing non-force options (e.g., isolation, containment, evacuation, negotiation, distance, cover)
- treating the subject(s) and the public fairly and with dignity and respect
- working cooperatively to resolve the situation

While officers are expected to employ a variety of de-escalation strategies and relational policing approaches, an assessment of the subject and situational considerations may impact their use of strategies and success. Some of these factors may include:

- imminence of a threat of harm
- availability of time for officers to respond
- accessibility of police resources
- subject receptiveness (closure motivated) or inability to comprehend directions (e.g., due to cognitive impairment related to drug/alcohol use, mental illness)

3.1.1. Imminent Threats

Imminence refers to the speed at which events unfold and how soon an outcome will occur. Imminent threats pose the greatest risk to public and police safety, potentially limiting an officer's ability to leverage the full range of non-force, strategic and communication options to prevent conflict or de-escalate.

The assessment of imminence of a situation determines if there is an urgency to act or if time can be effectively managed (i.e., slow down the speed at which an event unfolds, reduce the intensity of the situation) to self-regulate, further assess the subject's status (e.g., thoughts, emotions, and behaviours), challenge assumptions/biases/stereotypes, and request and deploy resources as needed (e.g., mental health professionals, paramedics, additional police).

An imminent threat consists of three elements: intent, means/ability, and opportunity.

Intent is generally assessed by officers based on the actions (posturing, raising a weapon while running at another person, reaching for a weapon) and/or words of the subject (including but not limited to voice inflection, threats such as "I'm going to kill you"). Even if the subject is in a state of crisis, they may still pose an imminent threat, necessitating a direct response which may include a necessary use of force.

Means/Ability are the possible ways a subject may cause harm or death to (self and others). These ways include access to a weapon, the physical possession of a weapon or using just their hands. Means also includes the

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subject's physical ability to do what is threatened (i.e., do they apparently have the necessary strength or speed or agility to do what is threatened?).

Opportunity The element of "opportunity" refers to the subject's ability to immediately carry out the apparent threat. A subject's "opportunity" to carry out a threat may be affected, for example by distance and/or barriers that separate them from the person being threatened.

All three elements must be present to be considered imminent. If officers can effectively manage one of the three elements, an immediate response requiring police use of force may not be necessary. Effectively managing imminence potentially affords officers more time to APA and engage in further de-escalation efforts that are, ideally, relational and communication based.

In situations where officers have an immediate and lawful need to act, use of force may be required. For example:

- responding to an imminent threat that cannot be managed with non-force options
- preventing further escalation or an increase in risk
- preventing escape from a lawful arrest/custody
- conducting a non-compliant arrest or apprehension
- preventing crime or the continuation of an offence (e.g., assault, theft)

3.1.2. Relational Communication

A relational approach is always sought after during any interaction, however, there are limitations to when this approach can be utilized, they include but are not limited to,

- Level of risk
- Immediacy of police action
- Psychophysiological load on the attending officer(s)

When the situation offers a reasonable level of safety (threat is isolated, contained, distance and cover may be used), officers can take a more relational approach, validating feelings i.e., *I can see that you are struggling, and I am here to help you*, projecting empathy, building rapport, actively listening. In contrast, when situations are dynamic and a threat is imminent, police communication should align with

efforts to mitigate the threat and ensure public and police safety using directive communication.

3.1.3. Directive Communication

A directive approach during *dynamic force encounters* consists of short, loud, easy to understand phrases intended to provide clear instruction on how to change or stop the threatening behaviour, avoid and/or end the application of force by following the directions of the officer (e.g., "stop resisting", "get back", "get on the ground", "police, don't move").

Overall, the primary objective of de-escalation is to gain subject cooperation without the application of force, and if force becomes necessary, to ensure the force is reasonable and proportional. However, the subject, situation and level or risk will impact what type of communication may be used first.

3.2. Understanding a Mental Health Crisis and De-escalation

A subject's mental health is a subject consideration that affects how police engage with members of the public. A professional and competent approach using appropriate de-escalation strategies by police can enhance de-escalation and foster better public-police relationships.

A **mental health crisis** occurs when an individual experiences extreme distress, disorientation, or disturbance in their thoughts, emotions, or behaviour, placing them at risk of self-harm, harming others, and/or compromising their ability to function in their community or care for themselves.⁴

Justice Iacobucci further defines a person in crisis as,

a member of the public whose behaviour brings them into contact with police either because of an apparent need for urgent care within the mental health system, or because they are otherwise experiencing a mental or emotional crisis involving behaviour that is sufficiently erratic,

⁴ Lavoie, J. A. A., & Alvarez, N. (2021). *Virtual reality mental health crisis response training (VR-MHCRT)*.

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the subject/situation, or increase available time to engage in verbal strategies more conducive to de-escalation. Once a subject/situation is under control (distance, cover or containment used), the threat reduced (behaviour no longer presents an imminent threat), the officer can allot more time to relational communication (I am here to help you, tell me what has happened to you to bring you here today?) and alternative options (use of mobile crisis response teams, crisis negotiators).

In **low/no-risk situations**, the behaviour of the subject in crisis does not present an imminent threat or any threat to themselves, the public, and/or police. The subject may be amenable to verbal de-escalation efforts by police.⁷

Ideally, police communication during *crisis situations* that *do not* require an immediate action because of the level of risk, begins with short phrases designed to validate feelings, project empathy, and build rapport. Phrases such as,

- "I can see you are struggling"
- "I am here to help you"
- "I don't want to hurt you"
- "I am concerned about you"

These phrases can be used in isolation during situations where there is no risk or in conjunction with more directive communication where there is a potential risk, or the risk has been reduced from being imminent. In the absence of an imminent threat to subject, public and police, more time, and cognitive resources (officer and/or subject) may be available to engage in meaningful verbal communication strategies conducive to de-escalation.

Competencies⁸ associated with de-escalating situations/persons in crisis support a relational policing approach and should be used by police, time and risk permitting, during all public-police interactions based on the officer's assessment of the situation and the subject. These competencies include the following:

- Approaches, contains, and controls the scene for effective risk management
- Manages time and distance
- Expresses concern for welfare and willingness to help

⁷ Ibid.

⁸ Lavoie, J., Alvarez, N., Martin, K., Coleman, T., Girard, M., & Kandil, Y. (2020). *De-escalating Persons in Crisis Competencies Tool (DePICT™) Coding Manual*. © Authors.

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- Humanizes encounter and promotes dignity
- Employs calming paralanguage
- Uses non-stigmatizing and respectful language
- Exhibits calming body language
- Demonstrates self-awareness, flexibility, and self-regulation
- Actively listens and permits emotional expressiveness
- Identifies signs and adapts response to mental health crisis behaviours
- Demonstrates validation of person's emotions and experience
- Seeks information and uses additional resources (e.g., caseworker, MCIT)
- Fosters a client-centered response
- Engages in clear and transparent decision-making

3.3. Situational Considerations

A vital concept in the training of police officers is that every situation is unique, and the circumstances of each situation need to be individually assessed based on available time, information, and resources, through the APA process, to determine the best course of action. The APA process will lead an officer to assess and sometimes revise their tactical decisions depending on how circumstances change during an interaction. What follows are short summaries of the types of circumstances that are often pertinent in the context of specific considerations.

3.3.1. Environment

Every situation presents a variety of environmental conditions. These conditions may include, but are not limited to the:

- Nature of the location (Indoor or outdoor? Public or private?)
- Are members of the public present?
- Does the subject have a route of escape?
- Can police readily contain the subject?
- What is the range of distance between the subject and police?
- Can officers at the scene "take cover", if necessary?
- Do officers at the scene have room to back up if necessary?
- Are there persons behind the subject who would be in danger if an officer used their weapons?
- What is the weather/temperature?

- What time of day is it?
- Does the lighting at the scene present any limitations or advantages?
- What type of terrain will be encountered? (Open road, field, dense bush/forest)
- What is the physical position of the subject? (Elevated, concealed)
- Does the environment offer use of non-force tactical options?

3.3.2. *Number of Subjects & Officers*

The number of subjects and officers at a scene will be pertinent to an officer's assessment of risk, viable strategic options, and the possible effectiveness of available response options. For example, the following details may be pertinent:

- one subject and one officer
- one subject and two or more officers
- multiple subjects and one officer
- multiple subjects and multiple officers

3.3.3. *Subject Considerations*

The subject's apparent physical abilities and state of mind will be pertinent to an officer's assessment of risk, viable communication/strategic options, and the possible effectiveness of available response options. The following is not an exhaustive list but may impact an officer's decision-making:

- The apparent age and gender identity of the subject
- The size and apparent physical condition of the subject
- Any demonstrated physical ability by the subject
- Does the subject appear injured or does their mobility appear to be impaired?
- Do any of the subject's senses appear impaired (sight, hearing, cognitive)?
- Is the subject able to understand the officer (non-verbal, language barrier)?
- Does the subject appear to be intoxicated by drugs or alcohol?
- Is the subject in possession of a weapon or are there weapons of opportunity within their reach?

For example, the following details regarding a subject's apparent state of mind will likely be pertinent in any assessment of a situation, because such details may

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provide indications of intention (that is, whether the subject is likely to be cooperative or uncooperative; peaceful or potentially violent; or amenable or not amenable to de-escalation).

Equally important to assessing situational factors is the officer's assessment of subject factors. The officer will likely consider:

- What the subject is doing
- All available information related to the subject
- What is, to a reasonable standard, the subject's intent, or emotional/mental state?
- What is known about the community the subject lives in/located in? (Marginalized, fear police, cultural practices, attacks on police)
- How might this information inform their interaction with the subject(s)?

3.3.4. Knowledge of Subject

Through information, gathered intelligence and/or prior contact, officers may be aware of the subject's mental health history, their community affiliation, whether they have a criminal record or not, and their reputation within the broader community. Each point of information about the subject helps the officer better understand and assess the person with whom they may interact with or are interacting with and how to respond appropriately.

3.3.5. Perceived Subject Abilities

The officer's perception of a subject's abilities and their observed characteristics may affect their assessment of the subject/interaction and how they choose to respond. Such characteristics may include:

- indicators of a mental health crisis
- the subject's emotional status
- cognitive impairment or delays
- signs of physical impairment (hearing, mobility)
- signs of intoxication or being under the influence of drugs or alcohol
- signs of a medical emergency (sweating, elevated breathing, hyperthermia, unexpected physical strength, incoherent speech)

- the subject's physical size, strength, and demonstrated ability
- the subject's proximity and/or access to weapons

3.3.6. Behavioural Indicators

A subject's actions/inactions *may* further provide clues to their intentions or state of being. For example:

- lack of eye contact
- ignoring the officer
- repetitive questioning
- verbal aggression or threats
- emotional venting
- refusing to comply with a lawful request
- invasion of personal space
- adopting an aggressive stance, clenched fists
- hiding
- rocking, pacing, or talking to themselves
- out of the ordinary behaviour

These actions may reflect cultural norms and practices, prior or lived experience, trauma responses with police, and/or the subject's state of mental health. They may also be indicative of potential risk factors to themselves or the police.

Time permitting, these actions and behaviours must be considered in light of available information, especially potential risk to public-police safety, which may require the use of force.

3.3.7. Subject Behaviours

In any encounter, an officer must evaluate the behaviour of the subject, with a view to assessing risk and deciding on one or more options. Five general categories of subject behaviours are depicted in the Training Aid which appears at the end of this framework document. The change in shading in the training aid is intended to show that a subject's behaviour can transition from one category to another (sometimes very quickly). The differences between each category are not always clear cut, and finely drawn distinctions may depend on officer perception (which involves an

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element of subjectivity). Each category of behaviour may be briefly described, as follows:

Co-operative: The subject interacts with the officer(s) and responds appropriately to their lawful presence and communication.

Resistant (Passive): The subject fails to cooperate with the officer's lawful direction. Their resistance may take the form of a verbal refusal or remaining physically still or limp.

Resistant (Active): The subject uses non-assaultive physical action to resist an officer's lawful direction or attempts at physical control. Examples may include pulling away to prevent or escape officer control or overt movements such as walking or running away from the officer(s).

Assaultive: The subject, by act or gesture, threatens, attempts, and/or successfully applies force to another (e.g., public or police). Examples include kicking and punching as well as aggressive body language that signals their intent or ability to potentially cause harm.

Serious Bodily Harm or Death: The subject exhibits actions that the officer reasonably believes are intended to, likely will, or have already caused serious bodily harm or death. Examples include a subject wielding a knife or pointing a firearm at officers or members of the public.

Again, ***these behaviours must be considered in light of all available information***, especially potential risk to public-police safety, which may require the use of force.

It bears reiteration that there is no automatic correlation between these categories of behaviour to any particular use of force option. An attempt at de-escalation may well be feasible even in circumstances where police are facing an armed and threatening subject, *depending on the circumstances*. To illustrate this point, the entire Training Aid is encircled by a ring entitled "Conflict Prevention & De-escalation". That ring illustrates that the option of de-escalation should be considered and may be applied, if viable, at any stage of an encounter, depending on an assessment of all the circumstances. The officer's goal as depicted by the arrow moving in reverse direction away from the most threatening behaviour and force option, is to de-escalate behaviour and force if viable.

3.4. Officer Considerations

Concurrent to examining situational and subject factors, officers need to gauge how these factors intersect with their own personal characteristics, their ability to manage stress, their perceptions of the subject/situation, and, ultimately, their choice of response options.

3.4.1. Personal Characteristics

Personal characteristics refer to internal factors unique to individual officers and include but are not limited to their:

- strength and overall fitness
- skills, abilities, experience, and training
- fears
- fatigue level
- workload
- physical injuries
- mental well-being
- level of stress
- cognitive flexibility
- cultural background
- gender identity
- sight/vision
- personal biases

3.4.2. Stress Management

Impacts on the Officer

Stress inducing situations can negatively impact officers on a physical and cognitive level. Under threat, an officer may experience elevated heart rate and blood pressure which negatively impacts fine motor skills (inability or impairment of the officer to perform tasks that require a degree of manual dexterity) and cognitive functions (memory and higher order thinking). (Condon, 2015)

Increasing available time by using non-force tactics like distance, cover, and containment may afford the officer the opportunity to employ self-regulation

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strategies and more fully leverage their senses (e.g., perceive peripherally, reach a calmer state) to better assess strategic considerations, and explore a fuller range of response options.

Impacts on the Subject

Stress also influences the subject who is the focus of the interaction. A subject may be impacted by the mere presence of the police (uniforms, marked police vehicles, psychological detention) which, if reasonable to do, should be managed by the officer(s) involved by creating distance, using cover and containment in conjunction with attempting relational approaches to project empathy and build rapport to gain voluntary cooperation or stabilize the situation.

3.4.3. Officer Considerations

How an officer sees or perceives an interaction and the degree to which they engage the APA process is influenced in part by their psychophysiological state, the availability of time, resources, their personal characteristics, lived experience, and threshold for managing imminence. For example:

- What is the officer's size and strength relative to the subject?
- What specialized training do they bring to the situation in aid of its resolution (e.g., crisis negotiation, subject control, mental health, tactical interventions)?
- What have they learned from previous experiences that applies to the current situation (e.g., cultural norms and values of the communities they serve, tactical training, military, crisis negotiations)?

3.4.4. Strategic Considerations

Given the availability of time and/or resources, officers may have a range of options to weigh and consider. These options are impacted by the availability of resources such as:

- Incident command options (ICEN, ICLEAR, NRA, POL)
- Number of officers, including uniform and equipment
- Availability of back-up (single officer vs multiple officer responses)
- Specialty units/services (e.g., canine, negotiators, mobile crisis team, tactical)
- Command post

- Fire Services
- Emergency medical assistance

Given officer perception and their assessment of strategic considerations, it is not unreasonable that two officers attending/observing the same situation/subject may perceive them differently, choose different strategies to interact with the subject, and respond to the situation differently. The officer's response will be held to the standards of the criminal code and principles of necessity, reasonableness, and proportionality.

3.5. Response Options

Based on the APA process, officers need to make decisions and develop plans that include contingency options (Incident Command Level 100)

As depicted in the graphic, officers have a range of options from which to choose. That the verbal/non-verbal communication and non-force options encircle and precede the various use of force options, symbolizes their importance to and expectation of officers to employ, if viable, during all interactions with the public.

The placement of subject behaviours in relation to officer response options (non-force to use of force) on the graphic is *not prescriptive*. An officer's decisions and actions should be the product of considering all elements of the Training Aid, the law and available time and/or resources.

Response options may be employed independently or in combination to enable officers to manage the interaction. As the interaction evolves and the officer continues to monitor the situation and employ the APA process, their choice of response options may also change. Any use of force is governed by the principles of reasonableness, proportionality, and necessity, based on the circumstances of the interaction.

Below is a brief overview of response options that relate to the application of physical force available to officers for the purposes of controlling subject behaviour and managing the interaction.

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3.5.1. Police Presence

Although not visually represented in the Training Aid, the presence of an officer may impact both the subject and the situation. Visible signs of authority such as uniforms and marked/unmarked police vehicles may impact/change a subject's behaviour such as:

- causing them to believe they are being detained (psychological detention)
- causing a large crowd to disperse
- escalating a subject emotionally and/or physically
- causing drivers to slow down

An officer's choice of strategies will be informed by these considerations keeping in mind that a police officer in some situations cannot disengage or choose strategies that are inappropriate for the situation.

3.5.2. Verbal and Non-Verbal Communication

Officer use of verbal (e.g., choice of words, volume, and tone) and non-verbal communication (e.g., posture, positioning) may assist in managing or resolving an interaction. Appropriate to the interaction, police may use the first contact approach (e.g., "Hello, my name is...") a relational approach (e.g., "I can see you are struggling, I am here to help you") and/or directive language (e.g., "Police, don't move, drop your weapon") employing de-escalation competencies when viable. An officer should be mindful of any inconsistencies between their verbal and non-verbal communications (e.g., saying I am concerned about you but constantly checking their watch).

3.5.3. Non-Force Options

Non-force options include verbal (conflict prevention and de-escalation) and non-verbal communication (tactics and body language) strategies and under the right conditions, have the capacity to offer non-force alternatives to achieving compliance/control of a subject/situation without the physical application of force on the subject. These additional tactics/options include:

- Positioning/repositioning
- Increasing distance away from a subject

- Isolation and containment of the subject/situation
- Using cover, concealment, barriers
- Evacuation of potential victims or Shelter in Place
- Disengagement and consequences to the subject, situation, public/police

3.5.4. *Physical Control Options (soft and hard)*

Physical control includes any empty-handed techniques used to physically control the subject's actions and does not involve use of a weapon.

Soft control techniques, have a lower probability of causing injury such as arm and wrist controls for escorting and handcuffing, barrier assists and the use of pressure points.

Hard control techniques such as strikes, or grounding have a higher probability of causing injury.

3.5.5. *Intermediate Weapons Options*

This response option involves the use of less-lethal weapons. Less-lethal weapons include those not intended to cause serious injury or death. Impact weapons, conducted energy weapons, aerosols or other approved weapons fall under this category.

3.5.6. *Lethal Force*

This option involves the use of any weapon or technique reasonably likely to cause serious bodily harm or death.

3.5.7. *Weapons of Opportunity*

The use of reasonable weapons of opportunity by police officers when none of the approved options is available or appropriate to defend themselves or members of the public (Policing Standards Manual 2016).

4. SUMMARY

The Ontario Public-Police Interactions Training Aid provides a framework and process for officer interactions with the public. It serves both as a reference tool and visual aid to help officers and the public understand what impacts the APA process, de-escalation, and interactions with the public. The Training Aid further assists officers to explain and document their assessments, perceptions, and decisions. It is not prescriptive and does not provide after the fact justifications for an officer.

The Training Aid acknowledges that situations are dynamic, requiring officers to continuously assess and attend to internal, external, and strategic considerations as they make decisions and enact plans.

When appropriate, relational policing principles should underpin all interactions, mindful that preserving life and ensuring public-police safety also impact how officers may respond.

Ultimately, a conflict prevention and de-escalation approach to public-police interactions seeks to achieve peaceful outcomes and voluntary subject cooperation without the use of force. In the event force becomes necessary (i.e., to ensure public safety/protect life), reducing the amount of force if the assessment of that reduction is viable given available time and resources, should be the goal by police officers in every interaction.

5. ABBREVIATIONS

APA	Assess, Plan, Act
ICEN	Isolate, Contain, Evacuation (shelter in Place), Negotiate
ICLEAR	Isolate and Identify, Contain, Less Lethal and Long Guns, Evacuate or Shelter in Place, Authorities, React plans
MCIT	Mobile Crisis Intervention Team
NRA	Necessary, Risk Effective, Acceptable
R2MR	Road to Mental Readiness
SMEAC	Situation, Mission, Execution, Administration, Command, Control Communication

6. REFERENCES AND RESOURCES

Legislation

Anti-Racism Act, 2017, S.O. 2017, c. 15

Community Safety and Policing Act, 2019, SO 2019, C-1, Schedule 1.

Criminal Code, RSC 1985, part I, s 25.

Ontario Regulation: 58/16 Collection of identifying information in certain circumstances – prohibition and duties under *Police Services Act*, R.S.O. 1990, c. P.15

O. Reg. 3/99: Adequacy and effectiveness of police services under *Police Services Act*, R. S. O. 1990, c. P.15

Jurisprudence

R. v. Aucoin, 2012 SCC 66 at para. 39

R. v. Baxter (1975), 27 C.C.C. (2d) 96 (Ont. C.A.) at 113.

R. v. Davis, 2013 ABCA 15 at para. 57 (in dissent)

R v Knight, 2010 ONCJ 400 (CanLII), 79 CR (6th) 39

R. v. Le, 2019 SCC 34 at paras. 59, 89-97

R. v. Morris, 2021 ONCA 680 at paras. 1, 39-43

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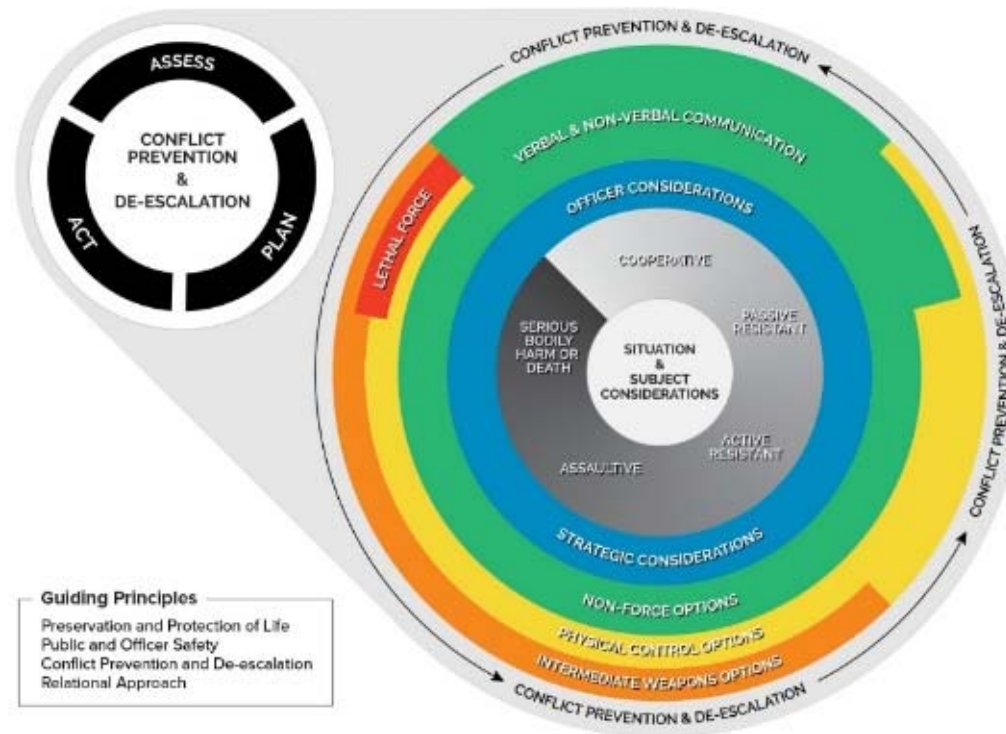
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Ontario Public-Police Interactions Training Aid (2023)



The officer continuously assesses the interactions and selects the most reasonable option(s) relative to the subject and circumstances given available resources and time.

Ministry of the Solicitor General

Ministère du Solliciteur général

Public Safety Division

Division de la sécurité publique

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MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

SUBJECT: Responding to Animals Left in Motor Vehicles

DATE OF ISSUE:	July 10, 2023
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	23-0054
PRIORITY:	Normal

With warmer weather underway, it is important to ensure pets across the province remain safe and comfortable. It is critical that the necessary precautions are taken to keep pets safe and protected during the hot summer months, including making sure that pets are not left unattended in a motor vehicle.

Temperatures inside a motor vehicle can quickly become much hotter than the temperature outside. Even at an outdoor temperature of only 25°C, the inside temperature of a car can reach 34°C in as little as 10 minutes and up to 50°C by the time an hour has passed. Pets can be put at great risk of serious illness and possibly death as a result of being left in a motor vehicle during hot weather.

Police Officer and First Nation Constable Authority under the *Provincial Animal Welfare Services Act, 2019 (PAWS Act)*

Pursuant to the PAWS Act, police officers, First Nations Constables, and animal welfare inspectors may enter motor vehicles to search for animals in critical distress. Some visible signs of critical distress in dogs, for example, includes excessive panting or drooling, listlessness, collapsing, or seizures.

Section 29 permits such entry and search where a police officer, First Nations Constable, and/or animal welfare inspector have reasonable grounds to believe that an animal is in critical distress.

If the motor vehicle is a dwelling, in addition to having reasonable grounds, a police officer, First Nations Constable, or animal welfare inspector must also be satisfied that the time required to obtain a warrant may result in serious injury or death.

-2-

Critical distress is defined in the PAWS Act as “distress requiring immediate intervention in order to prevent serious injury or to preserve life”.

Section 33 provides authority to supply the animal in distress with necessities to relieve its distress on the spot (where it was found).

Section 31 provides authority to remove the animal and take possession of it for the purpose of relieving its distress in the following three circumstances:

1. A veterinarian has advised the inspector (police officer or First Nations Constable) in writing that relieving the animal’s distress necessitates its removal;
2. The inspector (police officer or First Nations Constable) has inspected the animal and has reasonable grounds for believing that the animal is in distress **and** the owner or custodian of the animal is not present and cannot be found promptly; **or**
3. An order respecting the animal has been made under section 30 and the order has not been complied with (police officers and First Nations Constables do not have the power to issue orders under section 30).

The act permits use of force that is reasonably necessary to remove the animal (**Section 31(4)**).

If any of the above powers are exercised by a police officer or a First Nations Constable, **section 60 of the PAWS Act requires prompt notification to the Chief Animal Welfare Inspector.**

Where an animal is removed from a motor vehicle and taken into possession under section 31, the police officer or First Nations Constable must promptly notify an animal welfare inspector who shall inspect the animal and determine whether to take it into possession. Police officers and First Nations Constables may do so by contacting the Ontario Animal Protection Call Centre at 1-833-9-ANIMAL (1-833-926-4625) and request to speak with an inspector.

Please note that police officers and First Nations Constables can contact local veterinary clinics for assistance in assessing the condition of an animal found in a motor vehicle, determining if removal is necessary to relieve its distress (i.e., one of the grounds to remove), and/or providing urgent veterinary care to the animal as required (e.g., treatment of heat stroke). Necessaries to relieve distress can be provided on the spot or with removal (if the conditions for the removal under Section 31 are met).

We appreciate your continued partnership to help safeguard animal welfare in Ontario.

Sincerely,

K. Weatherill

Ken Weatherill
A/Assistant Deputy Minister
Public Safety Division

.../3

c: Mario Di Tommaso, O.O.M.
Deputy Solicitor General, Community Safety

Creed Atkinson
Chief of Staff, Ministry of the Solicitor General



HAMILTON POLICE SERVICE

155 King William Street, Hamilton, Ontario Canada L8R 1A7 | P 905.546.4925 | F 905.546.3892

July 6, 2023

Via email: occ.inquests@ontario.ca

David A. Cameron
Regional Supervising Coroner – Inquests
Office of the Chief Coroner
Ontario Forensic Pathology Service
Forensic Services and Coroners' Complex
25 Morton Shulman Avenue
Toronto Ontario
M3M 0B1

Dear Dr. Cameron:

Re: Inquest into the death of: Devon FREEMAN
Date Death Pronounced: April 12, 2018
OCC Inquest File No.: Q2022-22
Date Inquest Jury Verdict & Recommendations Received: October 21, 2022

Further to your correspondence of November 30, 2022, attached please find the *Responses to Jury Recommendations*, as requested.

If you should have any questions, please do not hesitate to contact me directly.

Sincerely,

Frank Bergen
Chief of Police

FB:kw:mv

Responses to Jury Recommendations
 Devon FREEMAN Inquest Q2022-22

HAMILTON POLICE SERVICE

RECOMMENDATIONS:

1, 2, 10-22 and 59

REC. #	ORGANIZATION'S RESPONSE
1	<p>Recommendation status: Ongoing</p> <p>Recommendation: Led by the Chippewas of Georgina Island First Nation, support the development and delivery of a case study training module for children's aid societies and residential service providers regarding the lessons arising from Devon Freeman's life and death and incorporate information from the Narrative document (with the exclusion of personal identifiers or information that may identify individuals or otherwise assign blame). Any requests to obtain and use video or other recordings from the inquest shall be made to the Office of the Chief Coroner for their consideration.</p> <p>Response: The HPS Missing Persons Coordinator (the "MP Coordinator") has developed a case study on the Devon Freeman investigation. The MP Coordinator presented this case at the Provincial Missing Persons Working Group at the Office of the Chief Coroner on March 8, 2023 which was well received.</p> <p>In 2023, the MP Coordinator will present this case study to Children's Aid Societies, residential service providers, and other relevant agencies that have a vested interest in providing for youth in care of social agencies in Hamilton.</p> <p>The MP Coordinator is in communication with the HPS Training Branch to determine how to best share insights and lessons learned from the case with members of the police service.</p>
2	<p>Recommendation status: Completed</p> <p>Recommendation: Use or continue to utilize neutral, descriptive language to describe young people who leave their place of residence without permission.</p> <p>Response: The HPS will continue to use neutral, descriptive language to describe young people who leave their residence without permission. The HPS missing person policy and related forms (search urgency, risk factor checklists) use neutral language.</p>

10

Recommendation status: Ongoing

Recommendation: Make the position of Missing Persons Coordinator a full-time permanent position, which to date has been part of a “pilot” project.

Response: The HPS has a full time Sergeant (MP Coordinator) dedicated to reviewing and assisting missing persons investigations. The position will be made permanent with the creation of a Missing Person Unit. The MP Coordinator is responsible for the following (but not limited to):

- Monitoring and overseeing all open missing persons investigations within the organization, ensuring there is always an active lead investigator.
 - Tasking ongoing investigations daily.
 - Confirming the accurate status of the missing person on relevant platforms.
 - Reviewing the Risk Factor Checklist for accuracy and identifying the need for further investigative measures.
 - Providing additional avenues for investigation.
- Collaborating closely with Front Line Patrol, Criminal Investigations Division (CID), Victim Services, Human Trafficking Unit (HTU), Internet Child Exploitation Unit (ICE), Child Abuse Branch (CAB), and the Homicide Unit ensuring adherence to policy and training standards.
- Supporting the families of missing persons, acting as a single point of contact, and providing regular updates to both the families and the reporter. This allows front line officers to concentrate on the ongoing investigation.
- Ensuring all reported missing person incidents are investigated according to the procedures outlined in the organization's policies, including Missing Person Investigations, Ground Search for Missing Persons, Sudden Death/Found Human Remains, and Alzheimer's Disease/Dementia/Autism Spectrum Disorder Medic Alert®Connect Protect Program.
- Monitoring and providing information to Homicide and respective Criminal Investigations Division (CID) officers concerning long-term missing persons.
- Updating and validating monthly reports to meet CPIC protocol and adequacy standards, with a focus on unsolved missing person cases.
- Managing CPIC updates and collaborating with external agencies such as the RCMP and OPP's National Centre for Missing Persons and Unidentified Human Remains (NMPUR) and Missing Person and Unidentified Bodies (MPUB). This includes assisting in identifying human remains through DNA and dental records and utilizing the National DNA Databank (NDDB) for new missing person and unidentified human remains investigations.

	<ul style="list-style-type: none"> • Facilitating the submission of DNA samples to the NDDDB under the National Missing Person DNA Program (NMPDP), in accordance with legislation. • Handling administrative tasks such as updating monthly missing person statistics, maintaining the organization's website, and ensuring alignment of missing person policies with those of the National Centre for Missing Persons and Unidentified Human Remains (NCMPUR). • Monitoring Medic Alert's® Hot Line Viewer Program. • Increasing public awareness and understanding of missing persons through the organization's Missing Person Website, Facebook page, and community handouts about the Medic Alert® Connect Protect Program. This ongoing effort aims to improve the safety and well-being of individuals, their families, and the community. • Conducting ongoing training sessions with communications, Support Services Officers (SSOs), and the community regarding Medic Alert - Connect Protect. • Compiling an annual report on Urgent Demands, as requested by the Chief, and providing a copy to the Police Service's Board. The report is also made available to the public on the HPS website. • Ensuring that training materials related to the newly formed Missing Person Act and the use of Urgent Demands are uploaded to CPKN (Canadian Police Knowledge Network) and accessible to all members. • Establishing and maintaining partnerships with various governmental and non-governmental services, organizations, and committees. • Utilization of the Legislative Software and Major Case Management Procedures in Missing Person Investigations. • Providing support and attempting to work closely with the relevant agencies involved in the care of repeat and vulnerable missing person in "Circles of Care".
<p>11</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> Work towards creating (including if necessary by making a request to the HPS Board for resources or funding) a new Missing Persons Unit ("MPU") with the responsibility of coordinating and directing missing persons investigations. Any MPU that is created may still rely on officers from patrol or other divisions as appropriate in conducting missing persons investigations.</p> <p><u>Response:</u> A proposal has been written for the creation of a five-person Missing Person Unit (MPU) for the Hamilton Police Service. This proposal is expected to be presented to the Hamilton Police Services Board in the fall of 2023 to request additional staffing and resources.</p>

	<p>The Unit would consist of one Sergeant, three Detective Constables and one Civilian Support Worker. Establishing a dedicated Missing Persons Unit would provide several advantages for the police service including specialization of staff, increased capacity for investigations, consistency in cases, access to specialized techniques and tools and greater ability to engage with community.</p>
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12

Recommendation status: Ongoing

Recommendation: In developing an MPU, the HPS should consider and review the recommendations in *Missing and Missed: The Report of the Independent Civilian Review into Missing Person Investigations* and their application to the HPS. Specifically, they should consider:

- a) Developing a strategic plan; including review and potential amendments to missing persons investigations (“MPI”) policies;
- b) Giving priority to MPIs and change in culture;
- c) Consistent coordination of MPI;
- d) Use of civilian support workers, civilians in duties not required for a sworn officer related to MPI, coordination and family support;
- e) Use of FOCUS tables;
- f) Continuity of investigations;
- g) Maintenance and development of community partnerships and, in particular, the Indigenous community;
- h) Timely media releases;
- i) Partnerships with youth institutions and, in particular, child and youth mental health facilities; and,
- j) Creation of an implementation strategy.

Response: After conducting an extensive evaluation of the shortcomings of investigations into missing and murdered 2SLGBTQ individuals in Toronto, Justice Epstein put forth 151 recommendations, with 41 being directly relevant to police conduct. The recommendations were put in place to address the systemic issues that led to inadequate investigations and to help prevent such occurrences from happening in the future.

In the fall of 2022, a Coroner's Inquest was held to examine the circumstances surrounding Devon Freeman's death in Hamilton. The inquest jury directed 75 recommendations towards the social agencies involved in Devon's missing person investigation, including the Ministry of Children, Community and Social Services. Of these recommendations, 12 were specifically related to the Hamilton Police Service, which was involved in the investigation. The recommendations were made to improve the overall investigative process and to prevent similar incidents from happening in the future. The recommendations encompassed various aspects, not only the specifics of police investigations such as proper risk assessment and comprehensive reporting, but also emphasized the significance of enhancing communication channels within and between child welfare and other relevant agencies. Additionally, the recommendations stressed the need for improved identification of suicidal risk, fostering

meaningful relationships with First Nations communities involved in care, and securing adequate funding for organizations engaged in this line of work.

Of the inquests and reviews mentioned, a number of recommendations were made, which have been grouped into six categories collectively for this report. These categories include investigative procedures and practices, staffing and resources, community engagement and consultation, specialized units and training, support services for families and victims, and policy development and implementation.

The recommendations aim to address the systemic issues that have hindered the investigations of missing individuals and to improve the response to cases of missing people. The implementation of these recommendations will require collaboration between multiple stakeholders, including law enforcement agencies, social service organizations, and the Indigenous community.

The below categories contain some of the main points of both the Missing and Missed Report as well as the Devon Freeman Inquiry.

Category 1: Investigative Procedures and Practices

- Officers' utilization of the Legislative Software and Major Case Management Procedures in Missing Person Investigations is inadequate.
- Improving the regulation of investigative continuity, supervision, and procedures for escalating cases.
- Outdated Risk Factor Checklists and Search Urgency documentation.
- Missing important investigative avenues and inconsistent investigations.
- There is limited and inconsistent utilization of specialty units, such as technology crime units, during investigations to support evidence gathering.
- In contrast to other high-risk incidents, there is no predetermined list of investigative steps that are mandatory to be completed.
- There are deficiencies in DNA compliance and collection.
- The Service lacks a dedicated procedure for lost or missing persons, as the ground search is integrated into the existing Service procedures that are directly affected. This leads to uncertainty regarding the involvement of the Public Order Unit in search operations, with no alternative solution provided.
- There is no established formal process to review missing person incidents that exceed 30 days.

Category 2: Staffing and Resources

- The current role of the Missing Person coordinator is overly expansive and demanding, posing challenges in effectively managing and overseeing the volume of cases for a single individual.
- Make the position of Missing Persons Coordinator a full-time permanent position, which to date has been part of a “pilot” project.
- Work towards creating (including, if necessary, by making a request to the HPS Board for resources or funding) a new Missing Persons Unit (“MPU”) with the responsibility of coordinating and directing missing persons investigations.

Category 3: Community Engagement and Consultation

- There is a lack of regular, ongoing, and consistent consultations with social and community agencies before, during, and after investigations.
- There is a need for more consistent relationship building with marginalized and vulnerable community members. Currently, there is ineffective and insufficient community outreach, leading to public confusion about whom to approach for assistance.
- There is no predefined procedure in place to keep the family of missing persons updated and engaged.
- There is a need for improved efficiency and enhanced maintenance of community partnerships, particularly with the Indigenous community. The appointment of an Indigenous liaison is a positive step, and its significance should not be overlooked.
- There is a prevailing notion that family members of missing persons are not recognized as victims, resulting in a deficiency of support services, including access to Victim Services. It is crucial to prioritize the identification of the needs of family members and caregivers of missing persons

Category 4: Specialized Units and Training

- Provide training for officers in the MPU and other officers who may work with the MPU on missing person investigations. Such training may include programs or courses offered by other police forces and/or programming put on by HPS officers with particular experience and expertise in missing person investigations. Such training should address issues such as identifying and dispelling stereotypes that arise in relation to missing persons, conducting risk assessments for missing persons, collecting information from the person/organization reporting a missing person, using investigative tools and techniques that assist in conducting missing person investigations.

- Use of civilian support workers, civilians in duties not required for a sworn officer related to MPI, coordination and family support.

Category 5: Policy Development and Implementation

- There is a lack of online reporting for missing persons, as well as an absence of a consistent and streamlined process for reporting such cases.
- Currently, there is a lack of accountability or established guidelines for non-policing agencies to diligently search for their missing persons prior to involving the police. This raises concerns about the default reliance on police involvement.
- There is no Memorandum of Understanding between police and community agencies on an agreed procedure when someone goes missing from care.
- No policy that dictates when an investigation should be escalated and the factors that must be present for the escalation to occur.

In reviewing the recommendations from both inquiries as summarized above, the HPS can move forward with the following:

a. Developing a strategic plan; including review and potential amendments to missing persons investigations (“MPI”) policies;

A proposal has been created for the implementation of a MPU. The proposal is comprehensive and lays out the structure of the unit, their responsibilities and how missing person investigations will be investigated.

b. Giving priority to MPIs and change in culture;

The creation of the MPU will ensure a team of specialty trained officers will be conducting missing person investigations and prioritizing them. The Unit will also be responsible for providing training for the police service and updating policy, to ensure appropriate response and facilitate cultural change in regards to these investigations.

c. Consistent coordination of MPI;

The MPU Sergeant will be responsible for overseeing and assigning investigations to the Unit. The team will be able to work together to support investigations, provide resources and ensure consistency in investigations.

d. Use of civilian support workers, civilians in duties not required for a sworn officer related to MPI, coordination and family support;

The proposal for the MPU includes a request for a fulltime civilian support worker. (See further explanation of this Civilian Support Worker role under Recommendation #15)

Incorporating a civilian member into the Missing Persons Unit will bring a number of advantages that will significantly enhance the overall response to missing person cases. The benefits include the inclusion of diverse perspectives, fostering stronger community connections, cultural competence, prioritizing victim-centric approaches, support for non-enforcement roles, and fostering increased public trust and accountability. The involvement of a civilian member enriches the Unit's ability to deliver a comprehensive, community-focused, and effective response to missing person cases.

e. Use of FOCUS tables;

In order to foster continuous dialogue and collaboration with the community, the HPS intends to establish High Risk Focus Tables. These table be will comprised of representatives from diverse stakeholders who will come together in regular case conferences to collectively review and discuss high risk cases. By actively involving the community in these discussions, the HPS aims to tap into their valuable expertise and insights, allowing for the shaping and refinement of their approach to handling missing person cases. A starting point for these tables was introduced during the early phases of community consultation in creating the MPU.

f. Continuity of investigations;

The MPU Sergeant will be responsible for overseeing and assigning investigations to the Unit. The team will be able to work together to support investigations, provide resources and ensure consistency in investigations. Having a team will allow for coverage while investigators have time off, training, etc.

g. Maintenance and development of community partnerships and, in particular, the Indigenous community;

Recognizing the importance of community engagement and the incorporation of diverse perspectives, the HPS made a conscious effort to actively seek input from community members and organizations in the foundational work of creating the MPU. This was achieved through a thorough and inclusive consultation process aimed at gathering valuable

insights on the most effective approaches to address missing person cases.

The initial consultation occurred on December 15, 2022, wherein representatives from 17 community agencies came together to engage in a constructive dialogue with the HPS. The focus of the discussions revolved around understanding the impact of missing persons on their respective organizations and exploring the nature of their relationship with the HPS during such instances. The insights and concepts generated during this consultation formed a solid foundation for further engagement.

On January 24, 2023, the HPS continued the consultation process with 14 community agencies, ensuring a diverse range of perspectives were considered. This inclusive approach extended to engaging Indigenous leaders, community groups, mental health professionals, and other stakeholders. By actively seeking input from these various sources, the HPS aimed to obtain a comprehensive understanding of the challenges and potential solutions, fostering a collaborative environment.

Based on the input gathered from the community consultations, a set of recommendations was unanimously developed regarding the essential components of forthcoming missing person investigations.

These recommendations included:

- Creation of a fully operational investigative Missing Person Unit: This unit will be staffed by a Sergeant, 3 Detective Constables, and a Civilian Support worker. They will be responsible for investigating missing person cases and working closely with community partners to build trust and support families.
- Implementing an online reporting tool to enable public reporting and enhance the collection of accurate information. This tool will enhance the ease and accuracy of reporting information related to missing persons.
- Engaging a Civilian community support individual to assist in missing person investigations.
- Incorporating advisory tables or focus groups to aid in identifying at-risk individuals, allocating adequate resources to prevent future missing person incidents, and facilitating information sharing during active missing person investigations.
- Improved Risk Assessment: Development of an enhanced Risk Assessment tool to identify high-risk cases and allocate resources

accordingly. This will aid in prioritizing investigations and ensuring appropriate response and support.

The MPU will continue to engage with the community members and agencies who were a part to this process, to foster relationships in relation to missing person investigations and capture their input and recommendations.

h. Timely media releases;

The HPS recognises the importance of releasing information to the public in a timely manner in missing persons investigations and understands this could assist in the person being located faster and in good health. As per the policy, the HPS will prepare and determine when to release information to the media to assist in locating the missing person. High priority is given to the media release, especially in exigent circumstances.

i. Partnerships with youth institutions and, in particular, child and youth mental health facilities, and;

On December 15, 2022 and January 24, 2023, The MP Coordinator facilitated an inclusive consultation process with 17 community agencies including but not limited to; Children's Aid Societies, Indigenous leaders, mental health professionals and various other social service agencies including shelters who are impacted by Missing Persons. The unanimous consensus underscored the importance of improving ongoing collaboration. In response, the police and stakeholders are uniting to form a committee dedicated to maintaining these relationships and enhancing relevant policies and procedures, particularly regarding repeat missing person cases, as the outcome of the Missing Person Unit proposal is awaited.

j. Creation of an implementation strategy.

The preliminary stages of the implementation strategy have occurred with the proposal for a Missing Person Unit. To inform the MPU proposal, the following steps were taken:

- 1.5 day HPS Internal consultation
- 2 day external community consultation
- Provincial Missing Person Working Group input
- Caseload analysis
- Environmental scan of other police services Missing Person Units
- Cost analysis for MPU

	<p>Once the MPU is approved for implementation, further discussion and planning will be conducted for rollout and training within the service.</p>
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13

Recommendation status: Ongoing

Recommendation: Provide training for officers in the MPU, and other officers who may work in conjunction with the MPU, on missing persons investigations. Such training may include programs or courses offered by other police forces and/or programming put on by HPS officers with particular experience and expertise in missing persons investigations. Such training should address issues such as identifying and dispelling stereotypes that arise in relation to missing persons, conducting risk assessments for missing persons, collecting information from the person/organization reporting a missing person, using investigative tools and techniques that assist in conducting missing person investigations.

Response: The MPU, once established, will be responsible for providing training to the HPS on missing person investigations.

The Ontario Police College is currently developing a Missing Person Investigators Course. This will allow MPU investigators, and other members of the HPS, to attend provincial training.

The HPS has supported the MP Coordinator in remaining current in missing person investigations, training and best practices by attending:

- Missing Person Training Day 2022 – Toronto Police Service
- The National Missing Person Conference 2023
- Provincial Missing Person Working Group meetings quarterly

The MP Coordinator current provides the following training for the police service:

- Provides ongoing training sessions with the Communications Branch, Community Safety Division Officers, and the community regarding Medic Alert Connect Protect
- Ensures training materials related to the newly formed Missing Person Act and the use of Urgent Demands are uploaded to CPKN (Canadian Police Knowledge Network) and accessible to all members
- Provides regular training reminders to educate police officers about missing persons and how to handle vulnerable members of the community who may wander due to cognitive issues

<p>14</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> Review and revise the risk assessment process and policies that govern whether a missing person is classified as “Level 1” or “Level 2”, as well as whether an urgent search is required. The revised risk assessment factors, as well as search urgency factors, should be evidenced-based and clearly defined. In determining whether an MPI is classified as a “Level 1”, the revised process should require gathering additional information about the missing person, including but not limited to:</p> <ul style="list-style-type: none"> a. any history of suicidal behaviours (ideations or attempts); b. whether the person is in an out-of-home placement at a mental health facility for children and youth; and, c. whether the missing person is an Indigenous youth. <p><u>Response:</u> In December 2022, the HPS made the following additions to the Risk Assessment Check List:</p> <ul style="list-style-type: none"> a. History of suicide attempts b. Indigenous youth d. Aboriginal changed to Indigenous <p>In addition, the following occurrence type changes were made:</p> <ul style="list-style-type: none"> a. Habitual changed to Repeat b. Option to specify whether the individual is in an out-of-home placement at a mental health facility for children and youth vs Group Home. <p>The Search Urgency Chart and revised policies will be implemented after establishing the MPU and the necessary policies. This will require careful consideration and collaboration to ensure the policies align with the needs and expectations of all stakeholders involved.</p>
<p>15</p>	<p>Recommendation status: Completed</p> <p><u>Recommendation:</u> Once a risk assessment has been completed, ensure that all missing person cases are triaged to determine the appropriate response to a person’s disappearance, including whether that response should involve a combination of the police and/or other community organizations and/or a multi-disciplinary response. Consider an appropriate role for community members or organizations as part of the missing person investigation, or in a debrief with the missing person once the investigation is concluded.</p> <p><u>Response:</u> All missing person cases as per policy, require a Search Urgency Chart be completed as soon as practicable. For incidents in which one or more risk</p>

factors are present (Level 1), mobile response will be conducted and the patrol Sergeant and Staff Sergeant are to be notified. The patrol Sergeant will respond to the scene for all Level 1 missing person incidents, provide support, field supervision and ensure the Staff Sergeant is updated. The Staff Sergeant will request the necessary resources and notify the Divisional Commander or the Duty Officer. The HPS has specialized resources available for exigent ground searches for missing persons including:

- Specialized Search Managers and Ground Search officers
- GPS tracking equipment
- Mounted Unit, ATVs and Marine Unit
- Emergency cellphone tracking
- Drone Operations

Community members and organizations are of high consideration during missing person investigations. Each case is different and has to be evaluated on its own set of circumstances. In cases where there is public involvement in searching for a missing person, the HPS designates a Volunteer Coordinator to organize those to attend to help and utilize volunteers in a meaningful way.

One of the main roles of the Civilian Support Worker in the MPU will be to work with and coordinate support with community agencies. This will ensure individualized response for the unique missing person, and help agencies best provide resources to the missing person and their family.

The Role of the Civilian Support Worker:

- immediately liaise with the family, social agencies or other individual(s) and maintain consistent contact and support throughout the investigative process and return home;
- control all information released by the investigative team to the victim, family, and close associates and ensure they are treated with sensitivity;
- ensure all information releases to the general public are preceded by similar releases to the victim;
- without jeopardizing any investigative strategy, discuss the need and the rationale for public information releases;
- ensure all information releases to the Missing Person family are authorized by the Missing Person Case Manager;
- ensure sufficient resources and personnel are in place to provide appropriate assistance to the missing person and their family;
- assist missing persons who have returned in obtaining support, assistance, referrals and compensation;
- work closely with the appropriate support service liaison or Victim/Witness Assistance Program personnel to ensure the appropriate and consistent

	<p>treatment and consideration of missing persons and their families (during and following the investigation); and,</p> <ul style="list-style-type: none"> • Ensure family/witnesses are informed of the case status on a regular basis.
<p>16</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> Improve the HPS’ system for collecting and reviewing information relating to missing persons investigations, including considering the use of Powercase, alternatives to the Occurrence Enquiry Log system, and the ability to flag individual reports/occurrences where an individual demonstrates suicidal behaviours (ideations or attempts) (rather than just flagging the name of the individual).</p> <p><u>Response:</u> The HPS aims to enhance its reporting approach by implementing an advanced online reporting tool, designed to maximize the amount of information obtained from reporters. This state-of-the-art tool has been empirically validated and demonstrated its ability to surpass traditional police questioning methods in eliciting comprehensive and detailed responses. By adopting this innovative reporting strategy, the HPS seeks to ensure accurate documentation and efficient sharing of all relevant information pertaining to missing person cases among investigations. This approach will ensure a thorough understanding of each case, facilitating well-informed decision-making and effective allocation of resources. This intuitive platform will streamline communication and coordination among investigators, promoting seamless collaboration and timely actions. The HPS is currently exploring the tool and our capacity to integrate it into the police service.</p>
<p>17</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> In consultation with residential homes and child and youth mental health facilities like Lynwood, develop a common joint responsibility protocol governing the process, roles and responsibilities when it comes to searching for youth who have left congregate settings without permission. The protocol should address:</p> <ol style="list-style-type: none"> a. the circumstances in which a missing persons report should be filed; b. the information to be provided as part of that report; c. the residential home’s responsibilities prior, during, and after filing a report d. the HPS’s responsibilities prior, during and after filing a report; and, e. Responsibility for conducting a debrief/return interview with the youth, and in particular with youth who habitually leave such facilities without permission, including whether such interviews may be best performed by other community groups or organizations such as Justice for Children and Youth.

	<p><u>Response:</u> The MP Coordinator has been in contact with Lynwood Hall, group homes, and foster homes, to discuss establishing a more streamlined reporting protocol that encompasses both police and social agencies.</p> <p>The Ministry of Children, Community and Social Services (MCCSS) have been consulted regarding potential collaboration, but there has been limited interest expressed thus far.</p> <p>All stakeholders involved have agreed on the need for a joint protocol, which was discussed and unanimously supported during the MPU community consultation meetings.</p> <p>The MP Coordinator has attended multiple missing person conferences at the provincial, national, and international levels, revealing that all policing agencies face similar challenges due to limited consistency in reporting policies between social agencies and policing agencies. This issue extends beyond HPS, indicating a larger systemic issue.</p> <p>The MP Coordinator is actively involved in a provincial collaboration with the RCMP focused on developing protocols for return home interviews. Currently, the RCMP is on the verge of launching a pilot project that will involve multiple municipal policing agencies.</p>
<p>18</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> In consultation with organizations like Hamilton Children’s Aid Society and other agencies servicing high-risk youth, develop a joint process whereby HPS and other community stakeholders come together to review any case of a missing youth from an out-of-home placement, on a timeline to be determined by the Missing Persons Coordinator based on the risk assessment for a particular youth.</p> <p><u>Response:</u> The MP Coordinator has been engaged in continuous discussions with Catholic Children's Aid agencies regarding the provision of services for high-risk youth. The focus is on exploring the potential for developing a collaborative process involving the police and community stakeholders to review out-of-home high-risk cases. However, this initiative is currently in its early stages due to the substantial nature of these recommendations.</p>
<p>19</p>	<p>Recommendation status: Completed</p> <p><u>Recommendation:</u> Establish the role of an Indigenous Liaison within the HPS. This position would be filled by an Indigenous police officer whose responsibilities would include outreach and engagement with First Nation and Indigenous communities.</p>

	<p><u>Response:</u> In April 2023, the Hamilton Police Service established the role of Indigenous Liaison. The member, a 25 year HPS police officer and a proud member of the Haudenosaunee and Anishinaabe communities, was warmly welcomed into this position by the newly formed Indigenous Consultation Circle. This Circle includes representatives from the Hamilton Regional Indian Centre, De Dwa Da Dehs Nye, the Hamilton Community Legal Clinic, the non-profit organization Niwasa Kendaaswin Teg, and the Hamilton Native Women's Centre.</p> <p>Further, in 2023, it is was a great honor for the HPS to announce the newest addition of its Mounted Unit, a horse named Chief Joseph Sawyer. Chief Joseph Sawyer, belonging to the Mississauga Tribe of the Ojibway Nation, specifically the Eagle Clan (now recognized as the Mississaugas of the Credit First Nations), is a symbolic tribute to the Indigenous heritage and contributions within our community.</p> <p>The creation of the Indigenous Liaison role marks a significant milestone in the ongoing efforts to cultivate trust and strengthen the relationship between the Indigenous community and the police.</p> <p>The Indigenous Liaison role will build upon the remarkable community outreach established by the MP Coordinator and other members of the HPS who have dedicated many years to this important work.</p>
<p>20</p>	<p>Recommendation status: Completed</p> <p><u>Recommendation:</u> Review the process and criteria for issuing a media release to ensure that, where appropriate, timely media releases are issued in missing person investigations, and that due consideration to issuing a media release occurs within set time periods during an investigation.</p> <p><u>Response:</u> A review of the policy and process for a media release in missing person cases was conducted. The process includes officers obtaining a photograph of the individual as part of the initial contact with family. As per the policy, the HPS will prepare and determine when to release information to the media to assist in locating the missing person. High priority is given to the media release, especially in exigent circumstances. The HPS recognizes the media release can assist in the missing person being located faster and in good health.</p>
<p>21</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> Provide Indigenous-led cultural competency and cultural safety training to all officers.</p>

Response: Enhancing our understanding of Indigenous history is an important endeavor, and the Hamilton Police Service remains steadfast in its dedication to strengthening relationships and building trust within the community.

Over the past several years the HPS has had the honour of working with our community partners to listen, learn and engage with the Indigenous Community through various outreach initiatives and educational sessions for our members.

- From February 2019 to December 2020, the HPS worked in collaboration with the City of Hamilton Urban Indigenous Strategy to establish a strategy aimed at facilitating meaningful, effective, and transparent communication and information-sharing on matters of mutual interest. This initiative aimed to provide a platform for fostering positive engagement and understanding between the HPS and the urban Indigenous community in Hamilton.
- For the month of October 2020, in collaboration with the City of Hamilton Urban Indigenous Strategy, the HPS showcased its first ever Missing and Murdered Indigenous Women and Girls Red Dress exhibit, which was displayed in the courtyard of HPS Div 10. This display, curated and maintained by HPS members, featured hanging red dresses and provided a public education forum for individuals to read and reflect at their own pace. The display created a thought-provoking atmosphere, leaving a profound impact on both the community and HPS members.
- The Legacy of Hope (LOH) Foundation, community and the HPS joined forces to inaugurate three exhibits at Hamilton Division 10 Police Station, running from June 25, 2021, to June 15, 2022. These exhibitions aimed to enhance comprehension of the past and present encounters of Indigenous communities in Canada, emphasizing their strength, cultural legacy, and positive impact on society. The overarching goal was to promote healing and inspire acts of reconciliation. The LOH was comprised of opening and closing ceremonies, along with guided tours of the exhibits, which were made accessible to both the community and members of the HPS.
- The HPS hosted a number of events in our “Lived Experience Speaker Series”. On November 16, 2021, the HPS collaborated with the City of Hamilton, Brantford Police Service, and McMaster University Police to host a virtual session featuring Jesse Thistle, the acclaimed author of bestselling book "From the Ashes." Jesse shared his personal journey as a Métis Cree, delving into his encounters with homelessness, intergenerational trauma, and finding his path. The event took place on Louis Riel Day, symbolizing the Service's commitment to Truth and Reconciliation.

	<ul style="list-style-type: none"> • On June 9th, 2022, the HPS, in partnership with De Dwa Da Dehs Nye - Aboriginal Health Centre, invited residential school survivor Albert Chokin to speak about his own lived experiences. This session garnered significant attendance and was well-received by HPS members. • In addition to those notable occasions, a range of community pro-action events took place, fostering meaningful connections between the community and police. These events included invitations for the HPS to participate in sunrise ceremonies, sacred fires, lacrosse games, mud runs and Pow Wows. In addition, the Indigenous Community was instrumental in naming HPS’s newest service horse “Chief Joseph Sawyer”. • In 2021 and 2022, The Hamilton Police Service Missing Person Coordinator received two heartfelt gifts from two separate agencies of the Indigenous Community: personalized ribbon skirts. These gestures served as a demonstration of gratitude for her dedication to Truth and Reconciliation efforts and her outstanding contributions to community outreach. <p>These events and gifts symbolize the continued efforts to foster understanding, respect, and unity between the Indigenous community and the Hamilton Police. They serve as significant steps towards initiating the healing process and efforts of reconciliation.</p>
<p>22</p>	<p>Recommendation status: Ongoing</p> <p><u>Recommendation:</u> Work in consultation with residential homes and child and youth mental health facilities like Lynwood to develop a living document for each youth in its care that can be readily shared with police if necessary, in the event that the youth is absent from the residence without permission and a missing person’s report is being filed, and in accordance with the requirements under Part X of the CYFSA.</p> <p><u>Response:</u> All parties involved have recognized the necessity of establishing a collaborative protocol, which has been thoroughly discussed and unanimously endorsed, drawing inspiration from the Philomena Protocol (Source: United Kingdom) during the community consultation meetings.</p> <p>Agency meetings are ongoing. The progress is slow due diverse protocols and privacy implications among organizations.</p>
<p>59</p>	<p>Recommendation status: Ongoing</p>

	<p><u>Recommendation:</u> That the MCCSS and all institutional parties to this inquest work together in a collaborative manner towards ensuring that First Nations children have a right to return to their home communities when receiving services under the CYFSA. This should be adopted and developed as “Devon’s Principle”.</p> <p><u>Response:</u> The HPS acknowledges the significance of working collaboratively with all other agencies, including the MCCSS, to work towards ensuring that First Nations children have the right to return to their home communities while receiving services under the CYFSA. The HPS advocates for the adoption and development of "Devon's Principle" to accomplish this goal and will seek community collaboration to this end.</p> <p>The HPS remains committed to implementing these recommendations in a timely manner, while prioritizing the establishment of a Missing Person Unit, community outreach and education for our members</p>
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Note: The MP Coordinator provided a letter of support for Georgina Island’s appeal to obtain the video footage from the inquest to best support the implementation of the recommendations. In particular, consent was provided for the public release and dissemination of the video footage which contained the MP Coordinator’s testimony.

Contact Information and Recommendation Referrals

Responses to Jury Recommendations
 Devon FREEMAN Inquest Q2022-22

HAMILTON POLICE SERVICE

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From: [Stevenson, Kirsten](#)
To: [Visentini, Marco](#)
Cc: [Bergen, Frank](#)
Subject: RE: Verdict explanation - FREEMAN Inquest Q2022-22
Date: Wednesday, April 12, 2023 9:34:00 AM
Sensitivity: Confidential

Thanks Marco – I'll let Pat know it will be going to the June meeting. Appreciate the update.

Take care,
Kirsten

From: Visentini_Marco <mvisentini@hamiltonpolice.ca>
Sent: Wednesday, April 12, 2023 9:04 AM
To: Bergen_Frank <FBergen@hamiltonpolice.ca>
Cc: Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>
Subject: RE: Verdict explanation - FREEMAN Inquest Q2022-22
Sensitivity: Confidential

Chief / Kirsten:

As part of the Inquest process, the Service is required to provide our response to the Coroner within 6 months of the Verdict being delivered.

The Verdict was delivered on November 30, 2023. As such, the due date for our response is May 30, 2023.

Once the response is delivered to the Coroner, the response letter will be reported to the Chief at the June meeting.

Any questions, let me know.

Marco Visentini, LL.B., (he/him)
Legal Counsel
Hamilton Police Service
T: 905.546.3860
F: 905.546.4752
mvisentini@hamiltonpolice.ca

Together. Stronger. Safer.

From: Bergen_Frank <FBergen@hamiltonpolice.ca>
Sent: Wednesday, April 12, 2023 5:52 AM
To: Visentini_Marco <mvisentini@hamiltonpolice.ca>
Subject: Fwd: Verdict explanation - FREEMAN Inquest Q2022-22
Sensitivity: Confidential

Frank Bergen
Chief of Police
Hamilton Police Service
T: 905.546.4700
fbergen@hamiltonpolice.ca

Together. Stronger. Safer.

From: Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>
Sent: Tuesday, April 11, 2023 3:55:52 PM
To: Bergen_Frank <FBergen@hamiltonpolice.ca>
Cc: Pollock_Sandy <SPollock@hamiltonpolice.ca>
Subject: FW: Verdict explanation - FREEMAN Inquest Q2022-22

ATTENTION: This email originated from a sender outside of the HPS. Please avoid clicking links or opening attachments from external senders unless you are certain it is safe to do so.

Hi Chief – did you want to bring a report with regards to this matter to the April 27 meeting or the May 25 meeting?

I didn't want to forget about this item – wasn't sure how you wanted to report it to the Board.

Thanks,
Kirsten

From: Paredes, Marietta (SOLGEN) <Marietta.Paredes@ontario.ca>
Sent: Friday, January 20, 2023 10:08 AM
To: Bergen, Frank <fbergen@hamiltonpolice.on.ca>
Cc: Stevenson, Kirsten <Kirsten.Stevenson@hamilton.ca>
Subject: Verdict explanation - FREEMAN Inquest Q2022-22

Dear Chief Bergen,

Further to our letter of November 30, 2022, we are pleased to send the attached verdict explanation for the Freeman inquest. We hope this document will provide additional information to assist in the formulation of your response to recommendations.

Sincerely,

Marietta Paredes

Inquest Administrative Assistant
Office of the Chief Coroner
25 Morton Shulman Ave.
Toronto ON M3M 0B1

Cell: 437-779-2670

Marietta.paredes@ontario.ca

Auction Account – Requests for Funding and Support

Recommendation:

Based on past practice and in accordance with the Board's Auction Account Policy:

That tickets be purchased at a cost of \$50 each be purchased to support attendance at the 2023 Mental Health Morning event taking place on October 4, 2023 hosted by St. Joseph's Healthcare Foundation; and

That tickets (golfing fees) be purchased at a cost of \$200 each for participation at the 31st Annual Wesley Open Golf Tournament on September 11, 2023 at Century Pines Golf Club in support of preventing youth homelessness; and

That tickets at a cost of \$100 be purchased for women to participate in the First 100 to Respond Women's Only Golf Tournament on September 28, 2023 at the Southbrook Golf & Country Club to support YWCA Hamilton's community programs;

That these ticket purchases be taken from the Auction Account Fund.

2023 Mental Health Morning

Wednesday, October 4, 2023

7:30 AM

	Price	Quantity
Ticket (1 registrant)	\$50	
Table Sponsor (8 registrants)	\$750	
Yes, I'd like to make a donation:		optional



Join us this fall for a keynote address by Lynn Keane, former broadcast journalist, a speaker, author, athlete and passionate advocate for suicide prevention and mental wellness.

Since the death of her son Daniel by suicide in 2009, Lynn Keane has dedicated her life to sharing his story, and furthering the understanding of underlying causes and contributing factors in depression and suicide—as well as the importance of treating mental illness with understanding and compassion.

St. Joseph's Healthcare Hamilton (<http://www.stjoes.ca/>)

The Research Institute of St. Joe's Hamilton (<http://research.stjoes.ca/>)

St. Joseph's Health System (<http://www.sjhs.ca/>)

St. Joseph's Healthcare Foundation

224 James St. S., Hamilton, ON L8P 3A9

Tel: 905.521.6036 | Toll-free: 1.866.478.5037

Fax: 905.577.0860

Charitable Number BN 11918 3549 RR0001

info@stjoesfoundation.ca (<mailto:info@stjoesfoundation.ca>)

Sign Up for our Newsletter

SUBMIT

Connect With Us



31st Annual **WESLEY OPEN GOLF TOURNAMENT**

Monday, September 11th 2023

Registration 11:00 am Shotgun 12:30 pm

Century Pines Golf Club
592 Westover Rd., RR # 1, Troy, ON



Preventing Youth Homelessness

The 2023 Wesley Open Annual Golf Tournament will raise funds to help prevent youth homelessness.



Wesley provides Hamilton's only transitional housing program for youth as well as homelessness diversion beds, mobile street outreach teams, and recreation-based youth centres in priority neighbourhoods.



Wesley is a local non-profit, offering support for people experiencing poverty, homelessness, and barriers in Hamilton, Halton and Brantford.



wesley.ca/wesleyopen



WESLEY OPEN GOLF TOURNAMENT

Monday, September 11th 2023
Century Pines Golf Club

Registration & Lunch:
11:00 am

Shotgun Start:
12:30 pm

Dinner:
6:00 pm

Program Ends:
7:30 pm

PLATINUM PARTNER **\$5,000**

- One complimentary foursome
- Sponsorship acknowledgment at the dinner and option to address guests
- Opportunity to display corporate information at the event
- Signage displayed at tournament
- Half page ad in evening program
- Name and logo on all printed materials
- Logo recognition on wesley.ca with link to your website

GOLD SPONSOR **\$2,500**

- One foursome at 1/2 price
- Sponsorship acknowledgment at the dinner
- Signage displayed at tournament
- Business card sized ad in evening program
- Name and logo on all printed materials
- Logo recognition on wesley.ca with link to your website

SILVER SPONSOR **\$1,500**

- Sponsorship acknowledgment at the dinner
- Signage displayed at tournament
- Name and logo on all printed materials
- Logo recognition on wesley.ca with link to your website

BRONZE SPONSOR **\$1,250**

- Sponsorship acknowledgment at the dinner
- Signage displayed at tournament
- Name and logo on all printed materials
- Logo recognition on wesley.ca with link to your website

DINNER SPONSOR (Confirmed) **\$1,000**

- Sponsorship acknowledgment at the dinner
- Signage displayed at tournament
- Name and logo on printed materials

LUNCH SPONSOR **\$750**

- Signage displayed at tournament

CART SPONSOR **\$500**

- Company signage displayed on carts

HOLE SPONSOR **\$250 per hole**

- Company signage displayed at tournament hole

Other Ways to Contribute:

SILENT AUCTION/PRIZE DONATION

- Silent auction item or door prize with a minimum value of \$50
- Company name in evening program

GOLFER FEES

- Foursome \$800
- Single Golfer \$200





WESLEY OPEN GOLF TOURNAMENT

Monday, September 11th 2023
Century Pines Golf Club

SPONSORSHIPS

- Platinum Sponsor \$5,000 x 0.00 = \$ 0.00
 - Gold Sponsor \$2,500 x 0.00 = \$ 0.00
 - Silver Sponsor \$1,500 x 0.00 = \$ 0.00
 - Bronze Sponsor \$1,250 x 0.00 = \$ 0.00
 - Dinner Sponsor \$1,000 x 0.00 = \$ 0.00
 - Lunch Sponsor \$750 x 0.00 = \$ 0.00
 - Cart Sponsor \$500 x 0.00 = \$ 0.00
 - Hole Sponsor \$250 x 0.00 = \$ 0.00
- Do you wish to use your own signage? Yes

SILENT AUCTION/PRIZE DONATION

- Item Value \$
- Item Value \$
- Item Value \$

GOLFER REGISTRATION

- Platinum Foursome, complimentary Yes
- Gold Foursome \$400 x 0.00 = \$ 0.00
- Foursome \$800 x 0.00 = \$ 0.00
- Single Golfer \$200 x 0.00 = \$ 0.00

CONTACT INFORMATION

- Name
 - Email
 - Company Trade Name
 - Company Legal Name
 - Address
 - City
 - Phone:..... Fax #:.....
 - Twitter handle:.....
- Yes, please send me Wesley's E-newsletter & Updates*

*Consent for E-newsletters may be withdrawn at any time.

GOLFERS

Golfer # 1

- Name
 - Email
 - Address
 - City Province
 - Postal Code Phone #
- Yes, please send me Wesley's E-newsletter & Updates*

Golfer # 2

- Name
 - Email
 - Address
 - City Province
 - Postal Code Phone #
- Yes, please send me Wesley's E-newsletter & Updates*

Golfer # 3

- Name
 - Email
 - Address
 - City Province
 - Postal Code Phone #
- Yes, please send me Wesley's E-newsletter & Updates*

Golfer # 4

- Name
 - Email
 - Address
 - City Province
 - Postal Code Phone #
- Yes, please send me Wesley's E-newsletter & Updates*

I am unable to participate but would like to make a donation \$ 0.00

PAYMENT INFORMATION

CHEQUES payable to Wesley Urban Ministries

Credit Card (check one)

- Visa Mastercard

Card #

Expiry Date/..... Amt. Auth. \$ 0.00

Name

Signature

Send me an invoice





Hamilton Police Services Board c/o Kirsten Stevenson

155 King William St, Hamilton, Ontario

July 7th, 2023

Dear Chair Mandy and Members of the Police Services Board,

I am writing to you on behalf of the planning committee for the upcoming **First 100 to Respond Women's Only Golf Tournament** on September 28th, 2023 at Southbrook Golf & Country Club. This event is in support of YWCA Hamilton, and all earnings will go towards powering their meaningful programs. Last year, this tournament raised over \$21,000 and brought together over 100+ women from Hamilton and Halton.

YWCA Hamilton has been part of the Hamilton community for 130 years and serves 10,000+ people each year. The mission of YWCA Hamilton is to strengthen women's and girls' voices, broaden their choices, build dynamic leadership and provide essential and meaningful services that promote safe, inclusive, and equitable communities.

Please join us and help power life-changing and life-saving programs and services for women and children. You can support us by sponsoring one of the holes for \$500 at the **First 100 to Respond Women's Only Golf Tournament**. As a sponsor, your business will receive:

- Logo on Signage at Golf Hole
- Logo on Event Website and YWCA Hamilton's Social Media
- Logo on Sponsor Card in Each Golfer's Swag Bag
- Opportunity to Attend and Set Up Engagement Station at Your Hole.
- Opportunity to include items in Golfer's Swag Bags

We appreciate any contribution and will highlight the Hamilton Police Services Board at every opportunity. We hope that you will consider our request for support. Please contact me at the information below should you wish to contribute to this event.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "T MacSween".

Supt. Treena MacSween

Hamilton Police Service - Field Support Division

tmacsween@hamiltonpolice.ca



First 100 to Respond

Women's Only Golf Tournament

Sponsorship
Opportunities



When: September 28, 2023 at 2:00pm

Where: Southbrook Golf and Country Club

Tickets: \$100*

*Included is nine holes of golf, dinner, door prizes, a gift bag AND MORE!

In support of:



About the event

The 3rd Annual
First100 Women's
Only Golf

Tournament will
bring together 100+
women from
Hamilton and Halton
for a day of golf, fun
and fundraising.



- Last year's tournament was a huge success bringing together 100 golfers, volunteers and supporters
- Over \$21,000 was raised to power YWCA Hamilton's community building and life-changing programs

Last Year's Sponsors *Thank You for your Support!*

Dinner Sponsor



L.J. Barton
Mechanical Inc.



Cart Sponsor

and our many Hole Sponsors...



Sponsor a hole for \$500

Your logo will be featured:

- On signage at golf hole
- On event website & YWCA Hamilton's social media
- On sponsor card in each golfer's swag bag

You also have the option to attend the event to set up an engagement station at your hole to further interact with golfers.



Cart Sponsor \$1000 - Confirmed and Unavailable

Your logo will be featured:

- On signage at registration
- On event website & YWCA Hamilton's social media
- On sponsor card in each golfer's swag bag
- On every golf cart

Opportunity to include item in golfer's swag bag



Game Day Sponsor \$2000

Your logo will be featured:

- On signage at registration
- On event website & YWCA Hamilton's social media
- On sponsor card in each golfer's swag bag
- On signage at the ever popular Game Day Challenge

Opportunity to include item in golfer's swag bag



Dinner Sponsor \$3000

Your logo will be featured:

- On signage at registration
- On event website & YWCA Hamilton's social media
- On sponsor card in each golfer's swag bag
- On each dinner table

You will receive recognition from YWCA CEO during dinner, as well as the opportunity to address golfers during dinner

VIP Tickets for four golfers

Opportunity to include item in golfer's swag bag



Presenting Sponsor \$5000

Your logo will be featured *most prominently* as presenting sponsor:

- On signage throughout the event: at registration, at game, on golf carts, and on dinner tables
- On event website & YWCA Hamilton's social media
- On sponsor card in each golfer's swag bag

You will receive recognition from YWCA CEO during dinner, as well as the opportunity to address golfers at tee-off

VIP Tickets for four golfers

Opportunity to include item in golfer's swag bag



Compare the benefits

	Cart Sponsor	Game Day Challenge Sponsor	Dinner Sponsor	Presenting Sponsor
Logo on sponsor card in swag bag	✓	✓	✓	✓
Logo at registration	✓	✓	✓	✓
Logo on golf cart	✓			✓
Logo at Game Day Challenge		✓		✓
Logo on Dinner Tables			✓	✓
Recognition from YWCA CEO during dinner			✓	✓
4 VIP Tickets			✓	✓
Address golfers at Tee Off				✓
Address golfers at dinner			✓	

Other ways to help

This event is volunteer-led and all support is welcome. Here are some of the ways you can help make this event a smashing success:



- **Donate an item for golfers' SWAG bags to be provided to each golfer (144 quantity)**
- **Host a social media contest and provide 2 tickets as a prize (Cost \$200)**
- **Purchase a foursome of tickets for your employees or clients (Cost \$400)**
- **Donate an item to our silent auction or raffle**
- **Spread the word about the event to anyone who might wish to attend!**



WE APPRECIATE YOUR CONTRIBUTION AND WILL HIGHLIGHT YOUR COMPANY AT EVERY OPPORTUNITY.

WE HOPE THAT YOU WILL CONSIDER OUR REQUEST FOR SUPPORT.

CONTACT INFO:


Harvest Wiseman (She/Her)
Philanthropy Coordinator
YWCA Hamilton
Tel: 905.522.9922 x 314
75 MacNab Street South
Hamilton, ON L8P 3C1
hwiseman@ywcahamilton.org





HAMILTON POLICE SERVICE

INFORMATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	2022 Year End Report – Crime Prevention, Volunteers and Auxiliary Branch
REPORT NUMBER:	23-067
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

EXECUTIVE SUMMARY

This report provides information with respect to the Crime Prevention, Volunteer and Auxiliary Branch within Hamilton Police Service.

INFORMATION

The Hamilton Police Service Crime Prevention Branch is responsible for promoting and implementing community-based Crime Prevention initiatives within our diverse community.

These events allow our Service to interact and build bridges with the community, instruct citizens about the role of police, and raise safety awareness while educating the public. Crime Prevention Officers are the Service's experts on home, business and personal safety. Crime Prevention Officers routinely perform security audits at businesses, residences and places of worship. In addition, they provide presentations on a number of Crime Prevention initiatives to various agencies and community groups upon request. Crime Prevention has also heavily increased its social media presence as a way of connecting to an even larger audience in our City and beyond.

The staffing complement in the Crime Prevention Branch consists of two Constables, however in 2022, this was reduced to one Constable because the second officer was redeployed to front line patrol.

Vision: To be a trusted partner in delivering public safety.

Mission: To serve and protect in partnership with our communities.

Our Values: Compassionate, Dedicated, Inclusive, Integrity, Innovative, Professional, Teamwork

At the end of 2022, two new full time Crime Prevention Officers were selected to start their positions in January 2023.

The Auxiliary & Volunteer Branch members of the Hamilton Police Service dedicated their time to various activities over the past year. These valued members attended an array of important community programs that would not have been otherwise possible without their presence. The program continued to provide its members with meaningful opportunities despite continued COVID-19 restrictions during 2022 that allowed them to gain valuable skills as they work towards careers in policing and law enforcement.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – 2022 Year End Report Crime Prevention, Volunteers and Auxiliary Branch.

FB/F.Miscione

cc: Paul Hamilton, Deputy Chief – Support
Shawn Blaj, Superintendent – Community Safety Division

Vision: To be a trusted partner in delivering public safety.

Mission: To serve and protect in partnership with our communities.

Our Values: Compassionate, Dedicated, Inclusive, Integrity, Innovative, Professional, Teamwork

2022

Appendix “A” to report #23-067

Crime Prevention,

Volunteer & Auxiliary Branch

Prepared by: Staff Sgt David McKenzie and Inspector
Frank Miscione



COMMUNITY SAFETY DIVISION

**HAMILTON
POLICE SERVICE**
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Crime Prevention Branch

The Hamilton Police Service (HPS) Crime Prevention Branch is responsible for promoting and implementing community-based Crime Prevention initiatives within our diverse community.

These events allow our Service to interact and build bridges with the community, instruct citizens about the role of police, and raise safety awareness while educating the public. Crime Prevention Officers (CPOs) are the Service's experts on home, business and personal safety. CPO's routinely perform security audits at businesses, residences and places of worship. In addition, they provide presentations on a number of Crime Prevention initiatives to various agencies and community groups upon request. Crime Prevention has also heavily increased its social media presence as a way of connecting to an even bigger audience in our city and beyond.

The staffing complement in the Crime Prevention Branch consists of two Constables, however in 2022, this was reduced to one Constable due to re-deployment to the front line to assist with staffing.

At the end of 2022, two full time Crime Prevention Officers were selected to start their positions in January 2023

Crime Prevention Branch - Community Safety

The Crime Prevention Branch had to adjust due to the COVID-19 restrictions and staffing. As a result many Crime Prevention initiatives were suspended or altered.

- Take your kid to work day
- Police in the Park
- Migrant Workers Day
- McMaster Children's Hospital Walk and Wheel
- Safety Patroller Training

By using social media and traditional media including Cable 14, The Hamilton Spectator, CHCH News and other print media, Crime Prevention was able to engage the community 50 times.

The topics ranged from:

- Fraud
- House security
- Personal safety to University students
- Bicycle safety
- General safety tips to public
- Lock it or Lose it
- Christmas shopping tips
- Halloween safety tips

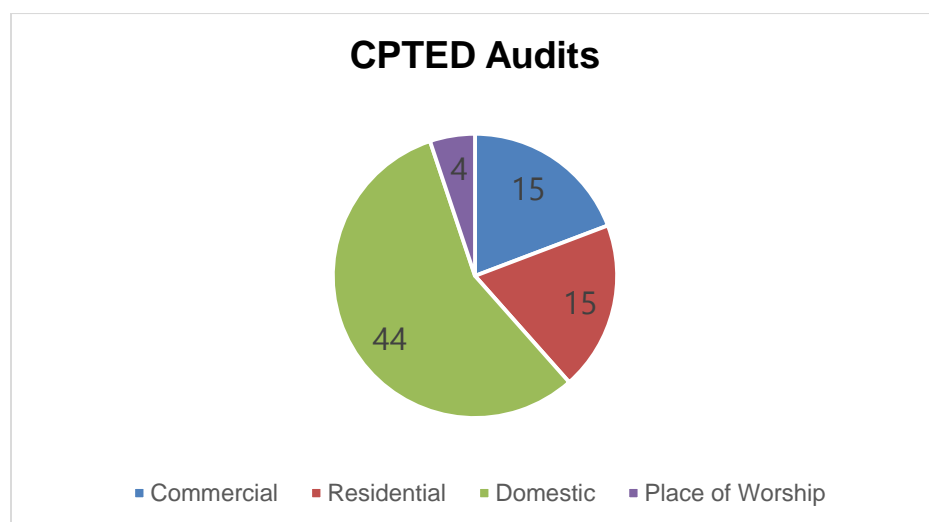


The Crime Prevention Branch was also able to promote community safety by attending in person events such as:

- CPTED audits
- Bullying presentations to students
- Babysitting safety presentations to kids
- Fraud presentations to the public

Crime Prevention through Environmental Design

Audits are a critical component of safety planning for certain members of the community. The Crime Prevention Branch is trained in CPTED principles in order to provide crime reduction and prevention strategies. Crime Prevention conducted **78** audits for businesses, places of worship and residential properties throughout Hamilton.



Crime Prevention Branch - Engagement & Partnerships

Crime Prevention continued to enhance communication with our communities to promote information sharing and mutual respect while engaging in strategic organizational partnerships.

Coffee with a Cop

Coffee with a Cop is an initiative where police officers attend coffee shops and have coffee with the community. These events give the community a chance to have conversations with sworn and civilian members. Each event has a theme based on days or months of significance. For



example a 2S&LGBTQIA Coffee with a Cop was held in the centre court at Limeridge Mall during Pride Month in June where 2S&LGBTQIA members and ally's engaged the community.

In 2022 there were seven Coffee with a Cop events.

Date	Location	Business	Topic
March 15th 2022	100 Wilson Street	HPS ISD Building	Fraud
April 5 th 2022	155 King William Street	HPS Central Station Communications	Communications
May 19th 2022	155 King William Street	HPS Central Station Lobby	Meet & Greet for Police Week
June 4 th 2022	92 Glancaster Road	Liberty 4 Youth	Liberty Justice Event
June 15 th 2022	999 Upper Wentworth Street	Limeridge Mall	2S&LGBTQIA+
August 23 rd 2022	112 King Street East	Starbucks	Meet & Greet
November 8 th 2022	50 Dundurn Street South	McDonalds	Meet & Greet

Citizen's Police College

Starting in 1997, Hamilton Police Service was one of the first police services in Ontario to offer this type of program to its community members. Citizens' Police College was designed for individuals interested in learning more about the various aspects of policing. The Crime Prevention Branch host and facilitate the sessions. They bring in representatives from various units within the HPS to present to the class. This was the first in person session since 2019 due to COVID-19.

In 2022, there were **31** students who participated in six classes once a week for 3 hours. Several subjects were presented including:

- Communications
- Emergency Response Unit
- Mounted Unit
- Victim Services
- Crisis Response
- Traffic and Impaired Driving Unit
- Technological Crime and Cybercrime
- Marine Unit and K-9
- Social Navigation Program
- Homicide Unit
- Forensics



Police week 2022

In 2022, police week ran from May 15th to May 21st. Each year the Ontario Association of Chief's of Police (OACP) puts out a theme for Police Week. Each service in Ontario works within that theme to create events during police week. The theme for 2022 was "Helping Build Safer Communities" which highlighted and celebrated the important role our police officers play in helping Ontarians build and maintain healthy and safe communities across our Province.

Events for Police Week 2022 were:

- Awards Night – The event recognized HPS members receiving
 - Leonard G Lawrence
 - Member of the Year
 - POP Project of the Year
 - Citizens Partnership Awards, Citizens Courage Awards
 - Crime Stoppers Award
 - Victim Services Award
- Coffee with a Cop – Central Station lobby to meet & greet the public
- Chief for a Day - Kids in Grades 6-8 are invited to submit 1-2 minute videos over Social Media explaining why they should be selected as the Chief for a Day. Crime Prevention selected two students to act as Chief and Deputy Chief for a day, which included meeting the Chief and touring various units within the police service.

Presentations & Community Events:

Crime Prevention developed and delivered **12** safety awareness, and education presentations to internal units and community groups:

1. Speaker series – Sgt Moran
2. Ancaster Babysitting Course x 2
3. McMaster – Be Safe
4. Criminal offense Presentation – Communications
5. Citizens Police College x 6
6. Islamic School of Hamilton – Bullying Presentation

Crime Prevention participated in **14** Community events:

- | | |
|--|--|
| 1. Mounted Patrol Unit Memorial & Open House | 5. Coffee with a Cop – Limeridge Mall |
| 2. Coffee with a Cop – Fraud | 6. Indigenous Speaker series – Central Station |
| 3. Coffee with a Cop – Communications | 7. Indigenous series – Legacy of Hope |
| 4. Coffee with a Cop – Central Station forecourt | 8. Wee Sea – Proaction |



- | | |
|---|---|
| 9. Montessori School – Helpers and Heroes | 12. Run to Remember |
| 10. Coffee with a Cop – Liberty for Youth | 13. Coffee with a Cop – Dundurn McDonalds |
| 11. Coffee with a Cop – Royal Connaught | 14. Crime Prevention Week |

Crime Prevention - Technology & Asset Management

Cop Logic

In 1997, the Hamilton Police Service implemented the Shop Theft Protocol Program which was developed to divert routine shop theft calls from the regular police response cycle. In 2021, to streamline the process, the Shop Theft Protocol program transitioned to the online Cop Logic reporting where the Loss Prevention Officers can submit a report online. This process reduces data entry errors, fax issues, legibility issues and Charter issues.

The Crime Prevention officers reviews each report.

In 2022 there were 409 reports submitted by Loss Prevention Officers from various businesses.

Auxiliary, Volunteer, & Co-op

The Auxiliary & Volunteer Coordinator is responsible for Auxiliary Officers and Police Volunteers, Coop Students and the administration of these collective volunteer programs.

In 2021, the Auxiliary and Volunteer program was suspended due to COVID restrictions. In March of 2022, events slowly returned, allowing the auxiliary to once again participate. There was a noticeable drop in auxiliary numbers after the COVID 2-year program shutdown. The drop in Auxiliary numbers were attributed to life changes, new jobs, natural attrition, and retirements.

The co-op and volunteer programs remained suspended throughout 2022, with recommendations to be reviewed by 2023.

Auxiliary, Volunteer, & Co-op - Community Safety

The Auxiliary program continues to provide opportunities for Auxiliaries to participate at events such as, ride-along's, parades, and ceremonies. The unit continues to serve with pride and professionalism, **41** Auxiliary officers completed **3940** hours of volunteer service in 2022. As COVID-19 restrictions were lifted and events returned, Auxiliaries participated in supporting HPS at large scale events most notably CONCACAF World Cup Qualifying and NHL Heritage Classic.



Large Scale Events 2022

1. CONCACAF World Cup Qualifying
2. Heritage Classic NHL
3. Tiger-Cat Games x 18
4. Arkells Rally
5. Forge FC games x 16
6. Canada Day Parade
7. Santa Claus Parade
8. Supercrawl
9. Road to Conquer Cancer
10. Around the Bay
11. Peach Festival
12. Cactus Festival

Auxiliary, Volunteer, & Co-op - Engagement & Partnerships

The Auxiliary Unit was able to provide support for Hamilton-based charity events such as the Ride to Conquer Cancer and Nancy's House for Human Trafficking, Social Navigator Coat Drive, Tiger-Cat and Forge Soccer games, various festivals, and MAC 91/92.

Auxiliary, Volunteer, & Co-op – People and Performance

Recruitment

In the spring of 2022, a class of twelve new auxiliary officers were trained after waiting a year and a half for the program to be reopened. The successful applicants completed their training requirements and were ready for deployment in June 2022.

Career Development

The Auxiliary program is a great way for community members to learn if policing is a career for them to pursue. In 2022 there were a number of Auxiliaries that gained employment in policing or other aspects of law enforcement:

- Three Constables - Hamilton Police Service
- One Special Constable – Hamilton Police Service
- One Military Police Officer - Canadian Armed Forces
- One Cadet - RCMP
- One Constable - Halton Regional Police Service
- One Border Officer - CBSA



Training

The Auxiliary Coordinator kept the Auxiliaries engaged via training and meetings.

In 2022 there were two Use of Force Training sessions to keep their qualifications up to date and three team meetings to discuss challenges and share ideas.

A training initiative was implemented in January 2022 that provided Auxiliaries free access to training on the HPS Canadian Police Knowledge Network (CPKN) portal. Many Auxiliaries were excited by the training and seized the opportunity to complete other elective CPKN courses.

Total CPKN courses completed: 183

Total CPKN volunteer hours: 832

Retention

In 2022, Auxiliary Officers were recognized for their significant years of committed service:

One member with five years of service

One member with 10 years of service

Conclusion

The Crime Prevention Branch and the Auxiliary & Volunteer Branch continued to engage the community in 2022 despite challenging circumstances as a result of a global pandemic. We continued to provide our community with strategies to reduce or prevent crime. This was done in concert with supporting our volunteer members by providing them meaningful opportunities.

During 2022, the Crime Prevention Branch overcame challenges relating to community engagement. This was in large part due to COVID-19. Crime Prevention took on this challenge and found unique and innovative ways to build relationships with the community while still being respectful of community needs and wishes. Crime Prevention built on their 2020 Social Media Strategy this year by continuing to embrace technology as a means to interact and engage with the community. They continued with virtual Coffee with a Cop and virtual Citizens Police College. By running these programs virtually, it enabled Crime Prevention to reach a broader audience while still providing the same quality service as we had in the past. Looking ahead, the Crime Prevention Branch will continue to explore facilitating other programs virtually.


The Auxiliary & Volunteer Branch members of the Hamilton Police Service dedicated their time to various activities over the past year. These valued members attended an array of important community programs that would not have been otherwise possible without their presence. The program continued to provide its members with meaningful opportunities despite continued COVID-19 restrictions during 2022 that allowed them to gain valuable skills as they work towards careers in policing and law enforcement.





HAMILTON POLICE SERVICE

INFORMATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	Interprovincial Policing Act 2009
REPORT NUMBER:	23-069
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

EXECUTIVE SUMMARY

The Interprovincial Policing Act 2009 and our Policies and Procedures require a bi-annual report to the Police Services Board as to the use of this legislation.

INFORMATION

The Interprovincial Policing Act 2009 came into force on July 5, 2010. The *Act* establishes a system for temporarily appointing police officers from other Canadian provinces and territories as police officers in Ontario. The Minister has designated the Chief and the two (2) Deputy Chiefs as appointing officials under this *Act*.

Appointing officials are responsible for reviewing requests for appointment under the *Act*, and approving, denying or terminating the appointments of extra-provincial police officers.

The Deputy Chief of Operations is also responsible for maintaining all records as prescribed by the *Act* and is required to report to the Ministry of the Solicitor General, as required, on the appointments pursuant to the legislation. The *Act* also states that appointing officials will be required to notify the Board of appointments made or terminated within the police service.

During the period from January 1, 2023 to June 30, 2023, the Hamilton Police Service approved no requests under this legislation.

APPENDICES AND SCHEDULES ATTACHED

Not applicable

FB/R.Diodati

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HAMILTON POLICE SERVICE

INFORMATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	2022 Year-End Financial Report – Final
REPORT NUMBER:	23-056a
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

EXECUTIVE SUMMARY

- The Hamilton Police Service (HPS) has completed its 2022 year-end process
- The City of Hamilton's (City) external auditors, KPMG, have concluded their year-end audit activities with no issues/misstatements identified with respect to the HPS
- Based on the final 2022 year-end financials, there was no change from the preliminary figures presented in PSB 23-056 report. The HPS ended its 2022 fiscal year with a favourable year-end variance (surplus) of \$1,020,546 or 0.56% below the 2022 approved net budget

INFORMATION

Based on the preliminary unaudited financials, as reported through PSB 23-056, the HPS was projecting a total net 2022 fiscal year-end surplus of \$1.02M. At the time of that report, the year-end process and activities had concluded, however, the financial results remained subject to the final financial audit by the City's independent external auditors, KPMG.

Since then, KPMG has completed its 2022 year-end audit process on the City's consolidated financial statements as at December 31, 2022. The consolidated financial statements include operations/activities of all City departments, including the HPS. There were no issues/misstatements identified relating to the HPS. As such, there are no changes to the preliminary year-end results reported originally through PSB 23-056. The positive variance of \$1.02M was transferred to the HPS Tax Stabilization Reserve in accordance with the Operating Budget Surplus/Deficit Policy (see Appendix A).

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APPENDICES AND SCHEDULES ATTACHED

Appendix A – Operating Budget Surplus/Deficit Policy

FB/S.Dzaferi

- c: Ryan Diodati, Deputy Chief – Operations
- Paul Hamilton, Deputy Chief – Support
- Sanela Dzaferi, Director – Finance

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HAMILTON POLICE SERVICE

POLICE RESERVES

OPERATING BUDGET SURPLUS (DEFICIT) RETENTION POLICY

Policy Statement

The creation of a formal operating budget surplus (deficit) retention policy to Police Reserves and a policy on the creation, use, and management of reserves, within the framework of a formalized Police reserve policy, is a best practice initiative recommended by Ontario Association of Chiefs of Police (OACP), and followed by all Police Services and Municipalities throughout the Province of Ontario.

Reserves are used to accumulate funds over time to replace capital assets and provide a measure of financial flexibility to budget shortfalls or unexpected or unanticipated events. A balanced approach to the planning and use of the reserves is considered good financial management, it permits Police funds to be spent sensibly in future Police operations, and ensures Police service levels are maintained and not immediately impacted by any potential unexpected events.

Purpose

To establish guidelines and criteria for proper administration of Hamilton Police Service's accumulated operating budget surpluses and/or deficits retained by the Hamilton Police Service in Police designated reserves.

Policy

1. That any future surpluses arising from the Hamilton Police Service operating budget be initially transferred to the Hamilton Police Service Tax Stabilization reserve, held by the City of Hamilton.
2. That any future deficits from the Hamilton Police Service operating budget be funded firstly from the Hamilton Police Service Tax Stabilization reserve.
3. That the use or transfers of funds from the Police Tax Stabilization reserve be approved by the Hamilton Police Service Board.

Authority

The City of Hamilton has authority for the establishment and use of reserves as per section 290 of the *Municipal Act*.

Appendix A

General Guidelines

1. All expenditures from any Police Reserve shall require Hamilton Police Service Board approval, either through a separate Board report, motion, or through the annual budget process.
2. All transactions for expenditure and revenues related to reserves are to be processed through the Police current operating fund or the Police capital fund and then transferred to or from the Police reserves.
3. Actual investment earnings from the City of Hamilton's investment management program are to be allocated to the Police reserves based on month end balances for a 12 month (Dec-Nov) period.

Guidelines for Borrowing from Reserves

1. Borrowings from a reserve are to be allowed only if the analysis of the reserve funds indicates excess funds are available and the use of the funds will not impact the reserves current operations.
2. All internal reserve borrowings are to be repaid with principal and interest.
3. The internal borrowings interest rate shall be the rate equivalent to the City of Hamilton's external borrowing rate at the time of the borrowing.

Governing Legislation

Reserves are governed by the Ontario *Municipal Act*.

Policy History

A formal Police reserve policy has not existed in the past. However, it has been a past practice any Police operating budget surplus (deficit) has been retained in Police reserves held by the City of Hamilton. Any and all transfers to / from the Police reserves have been approved by the Hamilton Police Service Board through a Board report, motion, or through the annual budget process.

Appendix B

HAMILTON POLICE SERVICE

OPERATING BUDGET SURPLUS (DEFICIT) RETENTION POLICY

POLICE TAX STABILIZATION

Policy Statement

This policy sets the guidelines for the sources, uses, and appropriate target levels for the balance in the Police Tax Stabilization Reserve.

Purpose

To offset Police Service cost increases due to fluctuations in the economy and/or to offset yearly budget increases and/or deficits.

Policy

1. That any future surpluses arising from the Hamilton Police Service operating budget be initially transferred to the Hamilton Police Service Tax Stabilization Reserve held by the City of Hamilton.
2. That transfers from the Tax Stabilization Reserve to any other Hamilton Police Service Reserve (i.e. Capital Reserve) and/or to fund planned capital expenditures, and/or to offset annual budget increases, be approved through recommendation and resolution by the Hamilton Police Service Board.
3. That any deficits from the Hamilton Police Service operating be funded firstly from the Hamilton Police Service Tax Stabilization reserves.
4. That the use of funds from the Tax Stabilization Reserve be approved by the Hamilton Police Service Board.

Authority

1. All uses of funds in the Tax Stabilization Reserve must be approved by the Hamilton Police Service Board either by a budget submission, by a separate Board report, or by motion of the Hamilton Police Service Board.
2. The City of Hamilton has authority for the establishment and use of Reserves per section 290 of the *Municipal Act*.

Appendix B**Source of Funds**

The Police Tax Stabilization Reserve was initially funded through Omers' contribution holiday for the period August 1999 to December 2003 and/or via annual Operating Fund surplus through approved Board resolution. Moving forward, the source of funds are to be transferred to this reserve include;

1. Initial year end operating budget surplus.
2. Investment income earned on the Reserve's balance as per City policy and procedures.
3. Any approved transfers from other reserves.
3. Remaining balances in Police reserves approved for closure.
4. If applicable, repayment of principal plus interest for any internal borrowings from the reserve as per City policy and procedures.

Use of Funds

The use of funds from the Tax Stabilization Reserve is permitted upon approval of the Hamilton Police Service Board. Uses may include;

1. Extraordinary and unforeseen operating expenditures.
2. Operating revenue shortfalls.
3. To offset annual budget increases.
4. Operating program phase-ins, pilot projects, and one-time expenditures.
5. Operational reviews and departmental reorganizations.
6. Borrowing to fund operating budget programs or special requests.
7. To transfer funds, through Hamilton Police Service Board recommendation and resolution, to another Police Reserve for funding future Police capital projects.

Appendix B

Target Levels

The balance in the Police Tax Stabilization Reserve has a target level %, target level \$, and ceiling as follows;

Target Level %: 5% of the previous year's tax levy for Hamilton Police Service.

Target Level \$: \$7 million (based on 5% of the 2014 Police levy to nearest million)

Target Ceiling: To be equivalent to the Target level dollars amount.

Governing Legislation

There is no legislation governing the use of the Police Tax Stabilization Reserve.

Limitations

Changes in the use of the Police Tax Stabilization Reserve are to be approved through a Hamilton Police Service Board resolution and forwarded to City Council for approval as changes in Reserve and Reserve funds are ultimately at the discretion of Hamilton City Council.

HAMILTON POLICE SERVICES BOARD


OUTSTANDING BUSINESS LIST AS OF JULY 27, 2023

ITEM NUMBER	ITEM	DATE	ACTION	EXPECTED COMPLETION DATE
1	Creation of Hamilton Police Services Board Website (PSB 22-013)	July 28, 2022 Item 7.7	That the Board Administrator provide status reports back to the Board as required.	August 2023
2	Protocol for Sharing Information Between the Hamilton Police Services Board and the City of Hamilton	March 30, 2023 Item 8.1	That this item be referred to the Governance Committee; and That the Governance Committee report back to the Board on a process to engage all stakeholders in updating this protocol.	Future meeting
3	Workload Analysis	a) May 25, 2023 Item 9 b) June 22, 2023 Item 8.3	a) That the Administrator work with the Service on wording for a motion pertaining to the collection of data regarding Service Member workload analysis. b) That a report on workload analysis be provided to the Board at their September meeting.	a) June 22, 2023 (COMPLETE) b) Sept. 28, 2023
4	Race Identity Based Data	June 22, 2023 Item 8.1	That the Chief of Police provide a report to the Board at its December 2023 meeting on the status of the race identity based data team from the province.	December 2023



HAMILTON POLICE SERVICE

INFORMATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	2S&LGBTQIA Facilitator Update
REPORT NUMBER:	23-072
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

EXECUTIVE SUMMARY

This report and Appendix provide a high-level overview of the progress of the contracted third party 2S&LGBTQIA facilitator, Rebecca Banky, regarding her focus groups and discussions with 2S&LGBTQIA Communities.

INFORMATION

The Hamilton Police Service (HPS) contracted Rebecca Banky to construct, organize and engage in focus groups and a town hall meeting with 2S&LGBTQIA individuals and communities regarding their perspectives on the HPS. The intention is to highlight experiences and recommendations that can inform future practices of the HPS, to ensure the safety of the communities we serve.

The attached Appendix A – Facilitator Update: 2S&LGBTQIA – provides an overview of the progress Rebecca Banky had made, thus far, in her work with the 2S&LGBTQIA communities.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – 2S&LGBTQIA+ Facilitator Update

FB/R.Moran

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2S&LGBTQIA+ Facilitator Update

Rebecca Banky (she/her)



About Me

- EDI Background, with panel moderation and facilitator focus
- Transgender woman and current chair of Hamilton's LGBTQ Advisory Committee
- 10+ years Hamilton resident and community advocate
- Contracted by HPS in February of 2023 to facilitate conversations with the 2SLGBTQIA community



Timetable

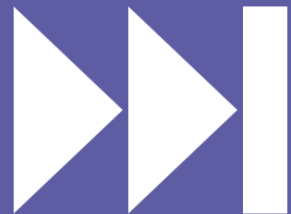
- Steps so far
 - Goal Outlining
 - Running Focus Groups
- What's next?
 - More focus groups
 - Collaborative Town Hall **early fall, date TBD**
 - Legacy Steps

Stage One – Goals & Expectations (Completed)



Work with HPS to identify new goals since the progress on Bergman Report recommendations

Rebuilding trust will be an ongoing process



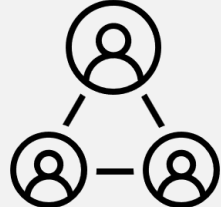
Wider context of Hamilton and North American policing limits potential for reconciliation

Key goals include increased willingness to access service, community partnerships, visible good-faith efforts



Stage Two – Focus Groups (Ongoing)

Facilitator shares HPS goals with groups of small, micro-town halls comprised of 2SLGBTQIA+ community



Some groups virtual, anonymous-in-person, located in multiple parts of the city

Trauma-informed approach to site selection and conversations



Stage Two – Focus Groups (cont.)

Closed Door Meetings without HPS

- Focus groups conducted: 8
- Unique community members included: 90+
- Organized out of private homes and community spaces
- Themes emerging: a need for officer training around queer populations, concerns around trust and confidence, the inflexibility of black-and-white systems



Major Challenges – Time & Community Buy-In

- Smaller groups will take longer to reach critical mass
- Easier to manage smaller groups
- Regular meetings with HPS Team to strategize and maintain a schedule



Stage Two – Focus Groups (cont.)



8
Focus Groups
Conducted

93
Unique Community
Members Included

90%+
Indicated they, or
someone close to them,
had **negative personal**
experience with HPS

70%+
Indicated they believe
HPS needs to **make**
changes to rebuild trust

Stage Three – Collaborative Town Hall

Town Hall with HPS & Community

- Collaborative Town Hall event, run by HPS & Facilitator (**early fall, date TBD**)
- Virtual attendance made available
- 2SLGBTQIA+ community invited to attend and contribute
- Trained support people available on site

Tone & Expectations

- Community are not looking for an apology
- Re/defund arguments should be addressed directly rather than ignored
- Expect attendees who have reasons to fear law enforcement
- Attendees are looking for optimism and change



Stage Four – Legacy & Community Task Force

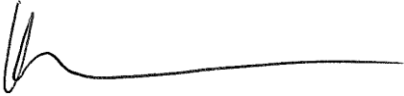


Questions & Discussion



HAMILTON POLICE SERVICES BOARD

RECOMMENDATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	2024 Hamilton Police Services Board Meeting Schedule
REPORT NUMBER:	PSB 23-023
SUBMITTED BY:	Kirsten Stevenson, Board Administrator
SIGNATURE:	

RECOMMENDATION

That the Board meet on the following dates in 2024 at 1:00 PM for their regular meetings held in Council Chambers at City Hall:

- Thursday, January 25
- Thursday, February 29
- Thursday, March 28
- Thursday, April 25
- Thursday, May 23
- Thursday, June 27
- Thursday, August 1
- Thursday, September 26
- Thursday, October 24
- Thursday, November 28
- Tuesday, December 17

EXECUTIVE SUMMARY

- Section 10.2 of the Board’s Procedural By-law provides the Board shall hold its regular meetings at 1:00 PM on a Thursday of the month in Council Chambers at City Hall in accordance within the schedule adopted annually by the Board.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: not applicable

Staffing: not applicable

Legal Implications: not applicable

ALTERNATIVES FOR CONSIDERATION

The Board may wish to consult the Administrator on other date options.

APPENDICES ATTACHED:

Not applicable

GOVERNANCE COMMITTEE REPORT JUNE 29, 2023

9:30 AM Central Station – The Boardroom
155 King William Street
Hamilton, ON L8R 1A7

Present: Member Elms (Chair), Kroetsch, Mandy, Pauls and Administrator
Stevenson

THE GOVERNANCE COMMITTEE PRESENTS THE REPORT FROM ITS JUNE 29, 2023 MEETING AND RECOMMENDS THE FOLLOWING:

1. Final Revisions to the Board’s Procedural By-law 19-001

That the Board approve the revisions made to Procedural By-law 19-001, as noted in Appendix ‘A’ to this report; and

That Procedural By-law 19-001 and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law be repealed; and

That Procedural By-law 23-001 come into force on the date of its enactment.

2. Review and Prioritization of the Outstanding Business List

That the Governance Committee’s Outstanding Business Prioritization List as of June 22, 2023, attached to this report as ‘Appendix B’, be received.

FOR INFORMATION:

a) Approval of the Agenda (Item 1)

The agenda for the June 29, 2023 Governance Committee meeting was approved, as presented.

b) Approval of the Minutes (Item 2)

May 9, 2023 (Item 2.1)

The minutes of the May 9, 2023 meeting of the Governance Committee were approved, as presented.

c) Adjournment (Item 4)

There being no further business, the meeting adjourned at 11:13 AM.

Respectfully submitted,

Member Elms, Chair
Governance Committee

Kirsten Stevenson
Administrator
Hamilton Police Services Board

SUMMARY OF REVISIONS MADE TO THE BOARD'S PROCEDURAL BY-LAW

- 1. General Updates**
- 2. Frequently Used Words or Terms Replaced**
- 3. Added or Modified Definitions**
- 4. New or Modified Sections**

1. GENERAL UPDATES

- Formatting cleaned up
- Now AODA compliant
- Index items are hyperlinked within document to find information efficiently
- Wording cleaned up to remove irrelevant terms (i.e. more inclusive)
- References to Acts or Policies are hyperlinked to applicable documents

2. FREQUENTLY USED WORDS OR TERMS REPLACED

- 'closed meeting' replaces all references to 'in camera' or 'confidential' meetings
- 'delegation' replaces all references to 'deputation'
- 'virtual' replaces all references to 'electronic meetings' or 'electronic voting'
- 'conflicts of interest' replaces all references to 'conflicts/pecuniary interest'
- 'their' or 'they' replaces all references to 'him or her'

3. ADDED OR MODIFIED DEFINITIONS

- Conflicts of interest (added): include conflicts related to pecuniary interest, direct or indirect in accordance with the [*Municipal Conflicts of Interest Act, R.S.O. 1990, c.M.50*](#)
- Hybrid meeting (added): a meeting in which Members join both virtually and in-person
- Virtual meeting (added): a meeting where Members participate remotely

4. NEW OR MODIFIED SECTIONS

- **Section 8 – Delegation of Authority** (new section)
- **Section 11.2 – Location, Time and Frequency** (Meetings of the Board) (revised section to allow for hybrid and virtual meeting attendance by Members)
- **Section 11.3 – Public Access to Virtual Meetings** (new section)

- **Section 11.6 – Timing of Notice to Media and Public** (revised timeline for the posting of agenda & materials publicly online – notice was previously listed as ‘the Tuesday before the meeting is to be held’ which has been updated to ‘at least seven (7) days before the meeting and shall include the proposed agenda as well as record of the previous public meeting’)

- **16.3 – Order of Items (Board Agendas)** (revised & new items added) as follows:
 1. Call to Order
 2. **Acknowledgements (new)**
 3. **Approval of the Agenda (new)**
 4. Declarations of Conflicts of Interest (revised wording)
 5. Delegations, Presentations and **Verbal Updates (verbal updates is new)**
 6. **Correspondence (new)**
 7. Consent Agenda
 8. Recommendations (new wording to replace ‘Discussion Items’)
 9. **Motions (new)**
 10. Closed Meeting
 11. **Closed Meeting Report Back (new)**
 12. Adjournment

- **Section 21.12 – Chair Moving Motion** (revised to allow a process for the Chair to move a motion)

- **Section 24 – Delegations** (revised): most of the wording has been removed from this section as it duplicates the wording found in the Board’s Delegation Policy. Section 24 now reads as follows:
 - Any person, group of people, or organization wishing to address the Board regarding a matter within the Board's jurisdiction shall submit a request to the [Administrator](#) as outlined in the [Delegation Policy](#).

- **Section 26.2 Standing Committees** (new) – added to differentiate between standing committees and ad hoc committees. This section also includes the names of all current standing committees of the Board (Governance Committee and Finance Committee).

HAMILTON POLICE SERVICES BOARD**BY-LAW 23 – 001**

A By-law Governing the Proceedings
of the Board

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BY-LAW NO. 01-2023

**A BY-LAW GOVERNING THE PROCEEDINGS OF THE
HAMILTON POLICE SERVICES BOARD**

1. PREAMBLE

WHEREAS *The Police Services Act*, further referred to as "*The Act*", provides there shall be a Police Services Board for every municipality that maintains a police force;

AND WHEREAS pursuant to *the Act*, a Board shall hold at least four meeting each year;

AND WHEREAS *The Act* provides a Police Services Board shall establish its own rules and procedures in performing its duties under this *Act*;

AND whereas the Police Services Board deems it expedient to pass such a By-law to make rules and regulations governing the orders and procedures of the Board:

NOW THEREFORE THE CITY OF HAMILTON POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

For the purposes of this By-law:

2.1 Definitions

Act: [*The Police Services Act*](#) (*PSA*), or any other Act replacing the *PSA*, the Province deems must be adhered to by Police Services Boards in Ontario

Acting Chair: the Vice Chair who shall act as the Chair if the Chair is absent or if the Chair's position is vacant, pursuant to *the Act* or as prescribed by Section 7 of this By-law;

Administrator: the person appointed to the Administrator position by the Board;

Agenda: the document prepared for distribution as prescribed by Section 15 of this By-law;

Board: the Hamilton Police Services Board;

Chair: the Member elected as Chair of the Board by its Members pursuant to *The Act*;

Chief: the Chief of Police of the Hamilton Police Service;

Committee: a Standing or Ad Hoc Committee of the Board, pursuant to *the Act*;

Closed session: a confidential meeting that is closed to the public in accordance with *the Act*;

Conflicts of Interest: include conflicts related to pecuniary interest, direct or indirect in accordance with the [Municipal Conflicts of Interest Act, R.S.O. 1990, c.M.50](#)

Delegation: a presentation to the Board at the request of a person or group;

Emergency meeting: a meeting that deals with an emergency or extraordinary situation;

Hybrid meeting: a meeting in which Members join both virtually and in-person

In writing: hand-written, type-written, printed or via email

Majority vote: an affirmative vote of more than one-half of the Members present and voting (50% of Members plus 1 Member)

Meeting: a meeting of the Board or a Committee;

Member(s): a Member of the Hamilton Police Services Board and includes the Chair and Vice Chair;

Motion to defer: a motion to delay consideration of a matter until later in the same meeting or to a future meeting of the Board or a Committee;

Motion to receive: a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of the Board with no additional action being taken;

Motion to refer: a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and if deemed desirable, one or more reports from the Chief of Police, Administrator, or other official or Committee;

Motion to table: a motion to postpone without setting a definite date as to when the matter will be considered again;

Notice of motion: an oral notice or written motion received by the Administrator, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee;

Point of order: a question by a Member with the view to calling attention to any issue relating to this By-law or the conduct of the Board's business or in order to assist the Member in understanding the Board's procedures, making an appropriate motion, or understanding the effect of a motion;

Point of privilege or personal privilege: a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member who considers that his or her integrity or that of a Member has been impugned or questioned by a Member;

Presentation: an address to the Board or Committee

Quorum: a majority of the Members of the Board in accordance with *the Act*;

Recorded vote: a written record of the name and vote of every Member voting on any matter or question;

Resolution: the decision of the Board on any motion;

Service: the Hamilton Police Service;

Special meeting: a meeting other than a regularly scheduled meeting or emergency meeting;

Two-thirds majority vote: an affirmative vote of at least two-thirds of the Members present and voting;

Vice Chair: the Member elected as the Vice Chair of the Board by its Members pursuant to *the Act*.

Virtual meeting: a meeting where all Members participate remotely.

3. RULES OF PROCEDURE

3.1 General Application

The rules of procedure contained in this By-law shall be observed in all proceedings and shall be the rule for the order and dispatch of business before the Hamilton Police Services Board.

3.2 Committee Rules

The rules of procedure contained in this By-law shall be observed, with necessary modifications, in proceedings of all Committees of the Board.

3.3 Suspension of Rules and Regulations

The rules of procedure may be suspended at such time or times and upon such conditions as may be deemed appropriate by an affirmative vote of at least two thirds (2/3) of the Members of the Board.

3.4 Procedures Not Covered in By-law

All points of order or procedure for which rules have not been provided in this By-law shall be decided by the Chair in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.

3.5 Statutes of Ontario to Prevail

Should any provision of this By-law be or become in contravention of any legislation of the Province of Ontario, the provincial legislation shall prevail.

3.6 Statutory Requirements

Notwithstanding anything in this By-law, where the Board or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers of Procedure Act* shall govern the proceedings.

3.7 Amendments to Rules

This By-law shall not be amended or repealed except by the concurring votes of at least two-thirds (2/3) of the Members of the Board and a notice of motion to amend this By-law must be delivered to each Board Member and the Administrator at least two (2) weeks prior to the meeting at which the motion to amend is to be considered.

4. ELECTION OF THE CHAIR AND VICE CHAIR

4.1 Election of Chair

Pursuant to *the Act*, the Board shall elect a Chair at its first public meeting in each year.

4.2 Election of Vice Chair

Pursuant to *the Act*, the Board shall elect a Vice Chair at its first public meeting in each year.

4.3 Deferral

The election of the Chair and Vice Chair shall be held at a meeting where the majority of Members of the Board are present, and an election may be deferred until such meeting.

4.4 Term

The Chair and Vice Chair of the Board shall hold office for a one-year term until their successors are elected in accordance with *the Act* and this By-law.

The Chair and Vice Chair may be elected for more than one term.

4.5 Nominations

The Administrator shall act as presiding officer at the first meeting of the Board in each year until the Chair is elected

4.6 Form of Nomination

Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.

4.7 Eligibility

A nominee is a person whose candidacy for the position of Chair or Vice Chair has been moved and seconded by Members present at the first meeting of the Board in each year.

4.8 Nominations Closed

Where it appears to the Administrator there are no further nominations, the Administrator shall call for a motion declaring nominations closed.

4.9 Speakers

After nominations have closed and prior to the vote being taken, each mover

and seconder of a nominee and each nominee shall be permitted to speak to the nomination for no more than five (5) minutes.

4.10 Order of Speakers

The speakers shall be called upon to address the Board in alphabetical order of the nominees' surnames.

4.11 Withdrawal

A nominee may withdraw their name at any time prior to the vote being called.

4.12 Vote

A public vote shall be taken regardless of the number of nominations.

4.13 No Majority Obtained

If there are more than two nominees who elect to stand the vote will be conducted by ranked ballot.

4.14 Announcement

When voting is complete, the Administrator shall announce the new Chair.

4.15 Election of Vice Chair

The election of the Vice Chair shall follow the procedure set out for the election of the Chair. The election of Vice Chair shall be led by the Chair.

5. DUTIES OF THE CHAIR

5.1 Chair's Duties

It is the duty of the Chair to:

- (a) preside at all meetings of the Board so its business can be carried out efficiently and effectively;
- (b) be the spokesperson for the Board;
- (c) represent the Board at official functions;
- (d) commence the meetings of the Board by taking the Chair and calling the meeting to order as soon as a quorum is present;
- (e) announce the business before the Board and the order in which it is to

be acted upon;

- (f) receive and submit, in proper manner, all motions presented by Members;
- (g) put to a vote all motions which are moved and seconded or which necessarily arise in the course of the proceedings, and to announce the result;
- (h) sit as ex-officio as a Member of all Committees of the Board and be entitled to participate and vote at the meetings;
- (i) decline to put to vote motions which do not comply with this By-law or which are not within the jurisdiction of the Board;
- (j) maintain order and preserve the decorum of meetings;
- (k) to adjourn or suspend the meeting to a time specified by the Chair where it is not possible to maintain order, without any motion being put forward;
- (l) to permit any question be asked through the Chair or any employee of the Hamilton Police Service in order to provide information to assist in any debate when the Chair deems it proper;
- (m) adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required.

5.2 Signature

The Chair and Administrator shall be authorized to sign all documentation for and on behalf of the Board including but not limited to: By-laws, agreements, purchases, resolutions and minutes, which have been approved by the Board.

6. DUTIES OF VICE CHAIR

6.1 Vice Chair's Duties

The duties of the Vice Chair shall be to act in the absence of the Chair and shall have the same authority as the Chair would have if present.

7. ACTING CHAIR

7.1 Appointment of Acting Chair

In case the Chair does not attend within fifteen (15) minutes of the time a quorum is present after the scheduled commencement time for a meeting of

the Board, or after the resumption after an adjournment or recess, the Vice Chair shall serve as Acting Chair. In the absence of the Chair and the Vice Chair, the Administrator shall call the Members to order and an Acting Chair shall be appointed from among the Members present and they shall preside until the arrival of the Chair or the Vice Chair.

7.2 Designation

The Chair may designate the Vice Chair, or in the absence of the Vice Chair, another Member as Acting Chair during any part of a Board meeting if they vacate the Chair for any reason.

7.3 Authority of Acting Chair

The Acting Chair shall have and may exercise all the rights, powers and authority of the Chair under this By-law.

8. DELEGATION OF AUTHORITY

8.1 Items to be Approved

To accommodate matters requiring the Board's approval prior to its next meeting taking place, the Board Chair and Vice Chair may jointly approve the following items by means of the Board's delegated authority as provided for in Section 37 of *the Act*:

- (a) the hiring of civilian & sworn members of the Hamilton Police Service;
- (b) the hiring and re-appointment of Special Constables;
- (c) Memorandums of Understanding;
- (d) auction account funding requests
- (e) any other item the Chair and Vice Chair deem necessary to be signed prior to the next regularly scheduled meeting taking place.

8.2 Reporting Approved Items

All documents requiring signing by the Chair and Vice Chair under the Board's delegated authority shall be reported back at the next meeting of the Board and listed under the consent agenda.

9. CONDUCT OF MEMBERS

9.1 Conduct of Members

Members will adhere to Ontario Regulation 421/97 Members of Police Services Boards – Code of Conduct (set out in Appendix "A" to this By-law),

and any other rules of conduct as set forth by *the Act* or other relevant legislation.

10. DUTIES OF THE ADMINISTRATOR

10.1 Duties of Administrator

The duties of the Administrator pertaining to meetings of the Board shall be to:

- (a) serve as the administrative link between the Board, the Chief, the Board's legal counsel and labour negotiator, Committees of the Board, the media, and members of the community;
- (b) prepare and finalize agendas and materials for all Board and Committee meetings, in consultation with the Chair
- (c) attend all Board and Committee meetings;
- (d) record the minutes of the proceedings at meetings of the Board and Committees of the Board;
- (e) receive and process all communications addressed to the Board;
- (f) prepare reports for Board and Committee meetings related to Board matters requiring consideration;
- (g) prepare and issue all communications arising from the proceedings of the Board and Committees of the Board, unless otherwise directed by the Board;
- (h) maintain a record of Board resolutions requiring further or future actions and keep the Board informed of these matters.

11. MEETINGS OF THE BOARD

11.1 Regular Meetings

Regular meetings of the Board shall be held at least four times each year pursuant to *the Act*.

11.2 Location, Time and Frequency

The Board shall hold its regular meetings at 1:00 p.m. on a Thursday of the month. Meetings may be held in person with all Members physically present, virtually with all Members participating by video or teleconference, or by a combination of both in person and virtual attendance (considered a hybrid meeting). The Board will hold its meetings in the City of Hamilton's Council

Chambers located at 71 Main Street West, Hamilton, Ontario in accordance within the schedule adopted annually by the Board.

11.3 Public Access to Virtual Meetings

In the case of a virtual meeting, the public shall be provided with access to those portions of the meeting taking place in open public session through a live stream link provided on the Board's website. Except for registered delegations, the public's participation in a virtual meeting shall be observation only.

11.4 Alternative Date and Time

The Board may cancel regularly scheduled meetings or may change any of its dates, time or place of meetings, upon the concurring votes of a majority of the Members.

11.5 Notice to Members

Notice to Members of all meetings, agendas, agenda items, cancellations and postponements shall be provided by the Administrator in the most expedient manner available.

11.6 Timing of Notice to Media and Public

The Board shall post notice of meetings that are open to the public on the Internet at least seven (7) days before the meeting, except in extraordinary circumstances, and shall include the proposed agenda for the meeting as well as record of the previous public meeting.

11.7 Meeting Attendees

Every person attending Board meetings, except for Board Members and Board staff, authorized police staff, and others authorized by the Chair or the Board, shall remain in the audience portion of the boardroom before, during, and after any meeting.

11.8 Expulsion

The Chair may cause any member of the public who creates a disturbance or acts improperly to be expelled from the meeting.

12. LIVE-STREAM AND VIDEO RECORDED MEETINGS

In the event the Board live streams and/or video records its meeting(s) the following shall apply:

12.1 Announcement

At the start of the meeting, the Chair shall advise all in attendance the meeting is being video recorded and/or live-streamed.

12.2 Presentations

The Administrator will advise all delegates in advance of Board meetings their presentation may be live-streamed and the recording archived for public viewing.

12.3 Delegate Opinions

Opinions of delegates are their own and the Board is not responsible for delegate comments or any materials delegates choose to provide.

12.4 Video Posting

The Administrator will post the recorded meeting online within one week of the meeting taking place.

12.5 Not Official Record

A recorded video of a Board and/or Committee meeting is not an official record of that meeting. The official record of the Board or Committee meeting shall consist solely of the minutes approved by the Board.

13. SPECIAL MEETINGS OF THE BOARD**13.1 Special Meetings**

The Chair may at any time summon a special meeting.

The Administrator may summon a special meeting at the request of the majority of the Members of the Board.

13.2 Notice of Special Meeting

Written notice of special meetings of the Board or its Committees, other than one summoned by verbal notice, setting out the time and place of the meeting and detailing the matters to be considered, shall be delivered to all Members not less than twenty-four (24) hours prior to the meeting in accordance with Section 10.4 of this By-law. Notice of all special public meetings shall be provided in accordance with Section 11.5 of this By-law.

13.3 Process to Summons

A special meeting may be summoned by verbal notice provided at least two-

thirds (2/3) of the Members of the Board consent to the time, place, manner, and the matter to be considered. The decision to summon the meeting shall be ratified at the Board's next regularly scheduled meeting.

13.4 Matters Decided at Special Meetings

At special meetings of the Board, the Board shall not decide upon any matter unless the matter has been specified in the notice calling the special meeting. This provision may be waived only where all Members are present to vote upon a motion to waive it and only with a two-thirds (2/3) majority vote. The Board's decision must be reported back at the next regularly scheduled meeting for ratification.

14. EMERGENCY MEETINGS

14.1 Emergency Meeting

Notwithstanding any other provision of this By-law, an emergency meeting may be called by the Chair without written notice to deal with an emergency or extraordinary situation, provided an attempt has been made by the Administrator to notify the Members about the meeting as soon as possible and in the most expedient manner available.

14.2 Agenda Items

The only matters to be dealt with at an emergency meeting shall be business relating to the emergency or extraordinary situation.

14.3 Member Polling

At the discretion of the Chair and with the consent of the majority of the Members of the Board, an emergency or extraordinary situation may be dealt with by means of virtual polling, or other communication methods as to permit all people participating to communicate adequately with each other. The Board's decision must be reported back at the next regularly scheduled meeting for ratification.

15. QUORUM

15.1 Board Quorum

A majority of the Members of the Board constitutes a quorum. All Members participating virtually shall be counted in determining whether or not a quorum of Members is present.

15.2 Call Meeting to Order

As soon after the hour of the meeting as a quorum is present, the Chair shall

call the meeting to order.

15.3 No Quorum at Beginning

If a quorum is not present within thirty (30) minutes after the scheduled time of a meeting, the Administrator shall record the names of the Members of the Board present and the meeting shall stand adjourned until the date of the next meeting of the Board.

15.4 Loss of Quorum During Meeting

If a quorum is lost during a meeting of the Board, the Chair shall, upon determining that a quorum is not present, request the Administrator to call for a quorum for a period of fifteen (15) minutes, or until a quorum is present, whichever is sooner.

15.5 Idem

If there is still no quorum of the Board after fifteen (15) minutes, the meeting shall stand adjourned, and the Administrator shall record the names of the Members present. In this case, all unfinished business shall be carried forward to the next meeting of the Board.

16. BOARD AGENDAS

16.1 Agenda Materials

Except as otherwise provided by this By-law, all correspondence, notices of motion, and other communication addressed to the Board which is received by the Administrator at least ten (10) days prior to a regular meeting shall be placed on the agenda and shall be dealt with at the next regular monthly meeting.

16.2 Redirection of Police Operational Matters

Where, in the opinion of the Administrator, the subject matter of any communication is properly within the jurisdiction of the Hamilton Police Service, such communication shall be referred to the Chief of Police for necessary action without prior reference to the Board.

16.3 Order of Items

The Administrator shall prepare the agenda, under the direction of the Chair, for distribution with the routine order of business for regular meetings of the Board to be as follows:

1. Call to Order

2. Acknowledgements
3. Approval of the Agenda
4. Declarations of Conflicts of Interest
5. Delegations, Presentations and Verbal Updates
6. Approval of the Minutes
7. Correspondence
8. Consent Agenda
9. Recommendations
10. Motions
11. Closed Meeting
12. Closed Meeting Report
13. Adjournment

16.4 Availability of Agendas

The agendas for regular meetings shall be available to Members ten (10) days preceding the day appointed for holding the meeting.

16.5 Order of Business

The business of the Board shall, in all cases, be taken up in the order in which it appears on the agenda, unless otherwise decided by the Board. Any matter on the agenda not decided by the Board shall be placed on the agenda of the next regular meeting of the Board.

16.6 Circulation to Public

Seven (7) days before the meeting takes place, the proposed agenda, including draft minutes, will be made available to the public on the Board's website.

16.7 Communications

Every communication intended to be presented to the Board or its Committees must be provided in a legible format to the Administrator and must contain the full name and contact address of at least one person and preferably the addresses and contacts of all signatories. For all

communications submitted, there shall be a designated contact person to whom the Administrator can communicate with on behalf of the Board or Committee.

16.8 Consent Agenda

Multiple agenda items for a meeting containing recommendations to "receive for information" or that fall within a consent agenda may be adopted by a single motion. Any specific item of business will be provided individual deliberation and debate upon the request of any Member.

16.9 Introduction of Business Not Included on Agenda

No business shall be introduced at a meeting which has not been included on the agenda for such meeting unless the person seeking to introduce the business obtains the approval of a majority of the Members of the Board present at the meeting.

17. BOARD MINUTES

17.1 Minutes

The Administrator is responsible for recording minutes of each meeting of the Board and its Committees, which shall include:

- (a) the place, date and time of the meeting;
- (b) the names, titles, and attendance of the following: Board Members, Board Staff, Chief of Police, Deputy Chiefs, Police Service Legal Counsel and Inspectorate of Policing Advisors;
- (c) approval of the minutes of the previous meeting;
- (d) declarations of conflicts of interest;
- (e) all other proceedings of the Board without note or comment.

17.2 Approval

The minutes of each Board meeting shall be presented to the Board for approval at the next regular meeting.

17.3 Signature

After the minutes have been approved by the Board, they shall be signed by the Chair and the Administrator.

18. DECLARATIONS OF CONFLICTS OF INTEREST

18.1 *Conflict of Interest Act & Board Policy on Conflicts of Interest*

Members of the Board shall adhere to the *Municipal Conflict of Interest Act*, the Board's Declarations of Conflicts of Interest Policy P-001 and any other Act or Regulation that may apply to this subject matter.

18.2 Method of Disclosure

Where a Member has any conflict of interest, direct or indirect, in any matter and is present at a Board or Committee meeting at which the matter is the subject of consideration, the Member shall:

- (a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) not take part in the discussion of, or vote on, any question in respect of the matter;
- (c) not attempt in any way, whether before, during or after the meeting, to influence the voting on any such question; and
- (d) complete and submit details of their conflict(s) using the Board's Conflict of Interest and Pecuniary Interest Declaration Form (refer to Policy P-001). Whenever possible, these forms will be submitted to the Administrator in advance of meetings or as soon as possible thereafter.

18.3 Closed Sessions

Where a meeting is not open to the public, in addition to complying with the requirements set out above, the Member shall leave the meeting for that part during which the matter is under consideration if they have declared a conflict of interest (as provided for in the [*Municipal Conflicts of Interest Act, R.S.O. 1990, c.M.50*](#)).

18.4 Absence - Disclosure at Next Meeting

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest at the next meeting at which such Member attends.

18.5 Record of Disclosure

The Administrator shall record the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes of that particular meeting of the Board or of Committee.

18.6 Conflict of Interest Registry

The Administrator shall post and maintain a Conflict of Interest Registry publicly on the Board's website.

19. RULES OF DEBATE

19.1 General

All Members of the Board shall exercise their right to debate within the framework set out in these rules.

19.2 Recognition of Member

To address the Board, a Member shall indicate their request to speak either by raising their hand or by selecting 'speak' on the tablets provided in Council Chambers. The Member will be recognized by the Chair and direct all comments through the Chair.

19.3 Order of Speakers

When two or more Members indicate their desire to speak at the same time, the Chair shall follow the order of speakers as listed.

19.4 Addressing the Chair

Every Board Member, prior to speaking, must address the Chair, and all remarks must be directed through the Chair.

19.5 Relevancy

All remarks and comments must be relevant to the question under consideration and the Chair shall be the judge of such relevancy.

19.6 Interruptions

When a Member is speaking, no other Member shall interrupt the Member except to raise a point of order, privilege, or personal privilege.

19.7 Read Motion

A Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member who is speaking.

19.8 Speaking to a Question

No Member shall speak more than once to the same question or motion

without approval of the Board.

19.9 Reply

Notwithstanding section 18.8, a reply may be made by the Member who has presented a motion to the Board, following the conclusion of the speeches of the other Members.

19.10 Speaking Time

No Member shall speak to the same question or motion, or in reply, for more than five (5) minutes at a time.

19.11 After Question Is Put by Chair

After the question has been put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

19.12 Points of Order

When a Member desires to address a point of order they shall do so through the Chair. The Member shall state the point of order to the Chair and the point of order shall forthwith be decided by the Chair.

19.13 Chair to Rule on Point of Order

Thereafter, a Member shall only address the Chair for the purpose of appealing the Chair's decision to the Board.

19.14 Decision Final

If no Member appeals, the decision of the Chair is final.

19.15 Idem

The Board's decision is final if the Chair is challenged.

20. RULES OF VOTING

20.1 General

All voting, except with respect to the election of the Chair and Vice Chair, shall be conducted in the manner prescribed by the rules in this section.

20.2 Put Question to Vote

When the Chair is putting a question to vote, no Member of the Board may leave the room or cause any disturbance.

20.3 Every Member Votes

Every Member of the Board, including the Chair, who is present when a question is put, shall vote thereon, unless disqualified by a conflict of interest.

20.4 Refusal to Vote

The refusal to vote by a Member who is not disqualified by a conflict of interest shall be deemed to be a negative vote.

20.5 Manner of Vote

The manner of determining the decision of the Board on a question shall be at the discretion of the Chair and may be by show of hands, voice, or otherwise.

20.6 Tied Votes

Where there is a tied vote on any decision, the question shall be deemed defeated.

20.7 Virtual Voting

Any Member participating virtually at a meeting of the Board shall be counted in the quorum for such meeting and entitled to vote.

21. MOTIONS AND NOTICES OF MOTIONS

21.1 Introduction of Additional Items

No Member shall introduce any item to the Board for its consideration unless:

- (a) the item relates to a matter on the agenda for that meeting;
- (b) the matter is of an urgent nature; or
- (c) approval is granted on a two-thirds majority vote.

21.2 Oral Motions

The following may be introduced orally without written notice and without leave of the Board:

- (a) a point of order or privilege;
- (b) presentation of petitions;
- (c) a motion to waive or suspend the rules of procedure;

- (d) any other procedural motion;
- (e) a motion to recess;
- (f) a motion to adjourn;
- (g) a motion to call the question;
- (h) a motion to retire into a closed session;
- (i) a motion to receive an item;
- (j) a motion to table an item;
- (k) a motion to refer;
- (l) a motion to defer;
- (m) a simple amendment;
- (n) a motion to adopt a recommendation; or
- (o) a motion relating to a report which was distributed with the agenda.

21.3 Wording

All motions or notice of motions shall be worded in the affirmative, where possible, and shall express fully and unambiguously the intention of the mover.

21.4 Emergency Motion

Notwithstanding the above, any motion may be introduced for consideration by the Board in a situation deemed to be an emergency by the Chair.

21.5 Substantive Motion

There may be only one substantive motion before the Board at any time.

21.6 Motion to Amend

A motion may be amended during debate provided that the motion to amend is relevant and not in direct opposition to the main question.

21.7 Withdrawal

After a motion has been seconded, it may be withdrawn by the mover at any time before a vote is taken.

21.8 Refer to Question

A motion to refer a question shall include the name of the Committee, body, or official to whom the question is to be referred.

21.9 Direction to Chief

A direction to the Chief of Police by the Board shall be authorized by resolution of the majority of the Members present.

21.10 Deemed Carried

A motion is deemed carried where a majority of the quorum votes in the affirmative.

21.11 Procedure on Motions

The procedure on a motion is as follows:

- (a) the Chair shall read aloud each motion presented for the Board's consideration;
- (b) should the Chair deem the wording of a motion to be lengthy and not necessary to be read in full for comprehension, they may choose to condense the wording of the motion;
- (c) the motion must be moved and seconded;
- (d) once the motion has been moved and seconded, the Chair may restate the motion prior to opening the debate;
- (e) the motion shall be debated in accordance with Section 18 of this By-law;
- (f) once the debate has concluded, the Chair shall put the motion to a vote;
- (g) the vote shall be taken in accordance with Section 19 of this By-law;
- (h) the motion shall be declared carried or defeated.

21.12 Chair Moving a Motion

The Chair may move a motion after they have passed the role of the Chair over to the Vice Chair or other designate.

21.13 Motion to Reconsider

A motion to reconsider a matter previously decided by the Board shall be permitted within twelve (12) months of the original motion where a Board Member, who voted in the majority, gives notice in writing which is included in the agenda that they will move at the next meeting that a matter be reconsidered.

21.14 Idem

A motion to reconsider is not required after the expiration of twelve (12) months from the date the matter was previously decided, or if new material facts respecting the previously decided matter arise. In those cases, the motion procedures of 20.15 apply.

21.15 Idem

A motion to reconsider requires an affirmative vote of at least two-thirds (2/3) of the Members of the Board to pass.

22. OUTSTANDING MOTIONS

22.1 General

Motions made at a meeting of the Board may be introduced orally or in writing and shall be recorded in the Minutes of the meeting.

22.2 Follow-up

Following each Board meeting, the Administrator will forward in writing any motions requiring action or a subsequent report to the Chief of Police or other person assigned responsibility for responding.

22.3 Written Response

The response shall be submitted in writing to the Administrator for inclusion in an upcoming Board agenda.

22.4 Record Keeping

The Administrator shall keep a record of all motions requiring a response and shall submit this record to the Board at each of its meetings.

23. PUBLIC AND CLOSED MEETINGS

23.1 Meetings Open to Public

Meetings of the Board shall be open to the public except as provided for in Section 35(4) of *the Act* and this Section of the By-law. No person shall be excluded from a meeting open to the public except for improper conduct as

determined by the Chair.

23.2 Public Access

The public shall be allowed access into the meeting area fifteen (15) minutes before the scheduled start time of the meeting.

23.3 Recording Equipment

The use of recording equipment or any other device used for recording the proceedings of a meeting by members of the public, including the news media, may be permitted and shall be subject to the approval and/or direction of the Chair unless otherwise decided by the Board.

23.4 Closed Sessions

A meeting may be conducted in Closed Session pursuant to 35(4) of the *Act* if the Board is of the opinion that:

- (a) matters involving public security may be disclosed and, having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public; or
- (b) intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public.

23.5 Idem

Without limiting the intent of 22.4 (a) and (b) above, the following circumstances are deemed to be matters that permit a meeting, or part of a meeting, to be closed to the public if the subject matter being considered is:

- (a) the security of the property of the City;
- (b) personal matters about an identifiable individual, including Hamilton Police Service employees;
- (c) labour relations or employee negotiations;
- (d) litigation or potential litigation, including matters before administrative tribunals, affecting the Board or Police Service;
- (e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

- (f) any other matter in respect of which a council, board, committee or other body may deem confidential or has provided on a confidential basis;
- (g) relates to the consideration of a request under the [Municipal Freedom of Information and Protection of Privacy Act](#), if the Board is designated as head of the institution for the purposes of that Act;
- (h) education or training session for the benefit of Members.

24. DELEGATIONS

24.1 Delegation Requests and Criteria

Any person, group of people, or organization wishing to address the Board regarding a matter within the Board's jurisdiction shall submit a request to the [Administrator](#) as outlined in the [Delegation Policy](#).

25. MEDIA RELATIONS

25.1 Board Spokesperson

Unless otherwise specified, the spokesperson for the Board is the Chair of the Board. Should the Chair be unavailable, the Vice Chair shall be the spokesperson for the Board.

25.2 Administrator as Resource

On matters of factual information, administration of the Board, or communicating a decision of the Board in response to an enquiry, the Administrator may act as a resource person on behalf of the Board.

25.3 Special Circumstances

In special circumstances, such as labour relations, or where a Board Committee has been established on a specific issue, the Board may designate the Member leading the negotiations, or the Chair of the Committee, to act as spokesperson for the Board.

25.4 Communication by Board Members

Board Members may communicate a position of the Board; however, should a Board Member publicly disagree with a position of the Board, or should a Board Member comment upon a matter not yet before the Board, they will clearly identify they are speaking as an individual and not on behalf of the Board. A Board Member shall not state the Board has taken a position on a matter, until the matter has been voted upon.

25.5 Media Releases

Media releases shall be prepared by the Administrator and approved by the Chair or the Vice Chair prior to release. Board Members shall receive a copy of the release as soon as possible once it has been approved.

25.6 News Conferences

News conferences on matters within the jurisdiction of the Board shall be called at the discretion of the Chair or the Vice Chair. Whenever possible, Board Members shall be advised of the event prior to its taking place.

25.7 Idem

For additional information please refer to the Hamilton Police Services Board [Media Relations Policy](#).

26. COMMITTEES

26.1 Establishing Committees

Subject to provisions of *the Act*, committees may be established within the jurisdiction of the Board at any time to assist in fulfilling its purpose, without interfering with or replacing the Board. As such, committees have no authority unless expressly conferred upon them by the Board. Committee Members shall not speak or act for the Board except when formally given such authority.

26.2 Standing Committees

The Board may establish standing committees to focus on a particular area of ongoing Board business. The Board shall assign duties to standing committees, and these committees shall report on its work to the Board, as directed by the Board. Current standing committees of the Board are the Governance and Budget Committees.

26.2 Ad Hoc Committees

The Board may establish ad hoc committees of limited duration, to inquire and report on a particular matter or concern. The Board shall assign ad hoc committees with specific roles, assigned outcomes and identified completion dates. An ad hoc committee shall dissolve automatically once the matter or issue has been resolved.

26.3 Committee Membership

The Board may appoint two (2) or more Members to a committee of the Board. The Chair, as ex-officio, is a Member of every committee.

26.4 Role and Responsibilities of Committees

Notwithstanding the deliverables assigned to committees by the Board, the roles and responsibilities of committees shall generally be to:

- (a) make recommendations to the Board on matters which are in their jurisdiction by way of preparing policy alternatives and implications for Board deliberation;
- (b) deal directly with the Chief of Police, or their designate, or the Deputy Chiefs or their designates, when the committee requires the assistance of the Hamilton Police Service.

26.5 Committee Chair

Each committee shall appoint a Chair at its first meeting of the year.

26.6 Committee Proceedings

The rules governing the procedure of the Board and the conduct of Members shall be observed in all committees so far as they are applicable. The committee Chair, in collaboration with the Administrator, will set and schedule meeting dates and agendas. Minutes, information, and recommendations resulting from committee meetings will be included in the Board's next scheduled meeting for consideration.

26.8 Members' Rights

Members who are not appointed to a specific committee may attend meetings of that committee and may, with the consent of the Chair of that committee, participate in discussion, but shall not be counted in the quorum or entitled to make motions or vote at these meetings.

26.9 Sub-Groups

No sub-groups of committees shall be established without approval by the Board.

27. BY-LAWS

27.1 One Motion

Every By-law shall be introduced upon motion by a Member, and any number of By-laws may be introduced together in one motion. The Board may, at the request of a Member, deal separately with any By-law.

27.2 Form

Every By-law, when introduced shall comply with the provisions of any relevant legislation.

27.3 Reading

Every By-law of the Board requires one reading before it may be passed.

27.4 Authentication

Every By-law which has been passed by the Board shall be printed, numbered and dated and shall be sealed with the seal of the Board and signed by the Chair and the Administrator and shall be archived in the Administrator's office.

28. ENACTMENT

28.1 Repeal

By-laws 19-001, 01-001 and 96-001 as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed.

28.2 Effective Date

This By-law shall come into force on the date of its enactment.

ENACTED AND PASSED this 27th day of July, 2023

THE CITY OF HAMILTON POLICE SERVICES BOARD

Chair: _____

Administrator: _____

APPENDIX "A"

Ontario Regulation No. 421197
Members of Police Services Board - Code of Conduct

1. Board Members shall attend and actively participate in all board meetings.
2. Board Members shall not interfere with the police force's operational decisions and responsibilities or with the day-to-day operation of the police force, including the recruitment and promotion of police officers.
3. Board Members shall undergo any training that may be provided or required for them by the Solicitor General.
4. Board Members shall keep confidential any information disclosed or discussed at a meeting of the board, or part of a meeting of the board, that was closed to the public.
5. No board Member shall purport to speak on behalf of the board unless they have been authorized by the board to do so.
6. A board Member who expresses disagreement with a decision of the board shall make it clear that they are expressing a personal opinion.
7. Board Members shall discharge their duties loyally, faithfully, impartially and according to *the Act*, any other Act and any regulation, rule or By-law, as provided in their oath or affirmation of office.
8. Board Members shall uphold the letter and spirit of the Code of Conduct set out in this regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board.
9. Board Members shall discharge their duties in a manner that respects the dignity of individuals and in accordance with the Human Rights Code and the Charter of Rights and Freedoms (Canada).
10. Board Members shall not use their office to advance their interests or the interests of any person or organization with whom or with which they are associated.
11. (1) Board Members shall not use their office to obtain employment with the board or the police force for themselves or their family Member.

(2) For the purpose of subsection (1), "Family Member" means the parent, spouse or child of the person, as those terms are defined in Section 1 of the *Municipal Conflict of Interest Act*.
12. A board Member who applies for employment with the police force, including employment on contract or on fee for service, shall immediately resign from the board.
13. Board Members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force.
14. A board Member whose conduct or performance is being investigated or inquired into by the Commission under Section 25 of *the Act* shall decline to exercise his or her duties as a Member of the board for the duration of the investigation or inquiry.
15. If the board determines that a board Member has breached the Code of Conduct set out in this Regulation, the board shall record that determination in its minutes and may:
 - (a) require the Member to appear before the board and be reprimanded;
 - (b) request that the Ministry of the Solicitor General conduct an investigation into the Member's conduct; or
 - (c) request that the Commission conduct an investigation into the Member's conduct under Section 25 of *the Act*.

HAMILTON POLICE SERVICES BOARD**GOVERNANCE COMMITTEE OUTSTANDING BUSINESS LIST****JUNE 29, 2023 – REVISED WITH ITEM PRIORITIZATION (POST MEETING)**


	MEETING DATE	MEETING ITEM #	MOTION	DUE DATE	PRIORITIZATION
1.	Governance Committee July 6, 2022	5.1	Defining Terms of Reference for the Governance Committee	September, 2023	2 (Kirsten to prepare draft in advance of meeting for review)
2.	Governance Committee August 23, 2022	8.	Create a Board policy to review Board policies on a consistent basis	September, 2023	2 (Kirsten to prepare a draft in advance of meeting for review)
3.	Governance Committee August 23, 2022	8.	Revise the Board's Deputation Policy to allow the public additional time to submit deputation requests to the Administrator for inclusion at upcoming Board meetings	September, 2023	2 (draft already prepared and ready for committee review)
4.	Board Meeting		Revise the Procedural By-law	July, 27 2023 Report to Board	1
5.	Governance Committee June 29, 2023		Discuss the creation of a Finance Standing Committee.	July 27, 2023 Report to Board (creation of Finance Committee included in new Procedural By-law for the Board's consideration	1

6.	Governance Committee June 29, 2023		Discuss the creation of a Board Accessibility Policy		Future meeting
7.	Governance Committee June 29, 2023		Discuss the creation of a Board Privacy Policy		Future meeting
8.	Governance Committee June 29, 2023		Revise the Board's Auction Account Policy (to standardize the purchase of tickets and support for funding requests)		Future meeting



HAMILTON POLICE SERVICE

RECOMMENDATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	Approved Backfill – Sworn Officers on WSIB
REPORT NUMBER:	23-070
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

RECOMMENDATION

That the Board support the increase of the Hamilton Police Service (HPS) approved headcount by sixteen (16) full-time Sworn Members to backfill officers currently included in the HPS authorized headcount who are absent on WSIB and who will meet the lock-in threshold timing by the end of 2023.

EXECUTIVE SUMMARY

- The Sworn Collective Agreement does not have language or the requirement to backfill Members who have been absent from work for twenty-four (24) months continuously with no expected return to work. This is notably different in the Civilian Collective Agreement, and in standard practices. This has negatively impacted staffing, contributing to overtime and a decline in Member wellness. The lock-in timing referenced above is the final review of loss of earnings benefits by the WSIB, meaning the Member will remain on WSIB with no prospect of returning to work in any capacity.
- As of May 30, 2023, HPS has 6 Sworn Officers locked in through WSIB and 10 Sworn Officers on track to be locked-in. There are currently thirteen (13) Constables and three (3) Sergeants who are eligible to meet the lock-in timing in 2023. Of those 16 Officers, 6 have completed the lock-in process and 10 are expected to lock in by the end of the year. These officers have not been permanently backfilled and have no prospect of returning to work.

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FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Sworn Members absent are replaced by call-ins and overtime. The HPS spent \$6.63M in overtime in 2021 and \$6.89M in 2022.

Due to recruitment and OPC constraints, these additional costs (wages and benefits of sixteen (16) Members) will not be realized until January 2024. The estimated increase to our operating budget in 2024 will be \$1,758,000.

Hiring full-time officers to backfill will reduce the pressures on overtime and assist in Member wellness.

Staffing: Increase the approved Sworn Constable headcount by thirteen (13) and Sworn Sergeants by three (3).

Legal Implications: N/A

INFORMATION

Patrol Divisions have a minimum staffing requirement to ensure effective response, public safety and safety of our Members. This language is embedded into our Collective Agreement, and has not changed since 2013. This is notable, as the population and demographics of Hamilton have changed over this same period of time.

When Sworn Members are absent from work (through annual leave, sick leave, maternity leave, parental leave or WSIB) they are not permanently backfilled. This often causes a call-in on overtime to meet the requirements of our Collective Agreement. The HPS has done everything creatively possible to offset the impact of Members being absent from work including temporarily moving Members from other support or investigative divisions to the front line, collapsing units and shifting staffing on a daily basis. This simply is no longer sustainable. We need to begin replacing Members who are absent from work with no prospect of returning to HPS.

The purpose of this report is to focus on Members who will meet the lock-in threshold for WSIB or occupational absences. Though we are seeking to backfill sixteen (16) Sworn Members, it is important to illustrate the full picture and impact of Members off work on WSIB.

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As of May 30, 2023, Sworn Members on WSIB were categorized as follows:

WSIB Status	Total Sworn Members	Already Locked-In	2023 Expected Lock-Ins
< 2 Year Absent (0-24 months)	22	0	0
2-3 Years Absent (25-47 months)	22	0	0
4-5 Years Absent (48-60 months)	10	0	0
> 5 Years Absent	16	6	10
TOTAL	70	6	10

In addition to the sixteen (16) being requested, as of May 30, 2023, there are an additional thirty-two (32) officers who have been off work on WSIB for greater than two (2) years and another twenty-two (22) officers who have been off work for less than two (2) years. Combining these figures, seventy (70) members represent 8% of our sworn workforce. This number has grown in large part due to additional WSIB legislation, specifically the Presumptive First Responder PTSD legislation.

In contrast, HPS backfills for certain Members on long-term disability (LTD) when they are not expected to return to work, but does not do so for comparable WSIB absences. This is due to the cost difference between backfilling for a Member on LTD and doing so for a Member on WSIB. Under our LTD program, HPS pays annual insurance premiums to an insurance provider. In the event of an LTD claim, the insurance company is responsible for paying the Member during the claim period. As a result, HPS can backfill that Member without increasing or exceeding the budget for that position. As a Schedule 2 employer, HPS does not pay premiums to WSIB and instead is responsible for continuing to pay the Member directly while they are off work. Therefore, backfilling an authorized position for a Member on WSIB means that HPS would need to compensate both Members at the same time.

The frequency of call-ins, overtime or running short on a squad has a negative impact on Member wellness. This reality is affecting our culture and the morale of our Members. In 2022, there were 2,266 call-ins just to maintain the minimum staffing levels identified in the Collective Agreement. The cost to HPS was approximately \$2.1M in 2022. This is not sustainable. We need to begin replacing Members who are absent from work with no prospect of returning to HPS.

In order to help with front line staffing issues, 48 Sworn Members were temporarily moved back to the front line in 2022. These Members will begin to transition back to their permanent positions in September 2023, as important work continues to increase and we have effectively created workload issues in our support units. Essentially we have been managing staffing in crisis response or reactive mode over many years and we have undoubtedly crossed the point where this is no longer sustainable and we need to add resources.

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As each Member vacates their WSIB benefit period in the future, the backfilled Member would take their place in the core authorized sworn headcount, and the approved backfill position would be removed from the approved backfill list.

By supporting these 16 approved WSIB Backfills for the long term, HPS anticipates a reduction in call-ins and an increase in Member wellness as we continue to strive to fulfill our mission to serve and protect in partnership with our community.

ALTERNATIVES FOR CONSIDERATION

Status Quo with no approval to backfill will continue with staffing by relying on call-ins and Member wellness challenges will increase.

Backfill 48 Members total (all Members over 2 years on WSIB), in line with disability management best practice. This alternative would require a phased-in approach over a number of years due to staffing, OPC and budgetary constraints.

APPENDICES AND SCHEDULES ATTACHED


Not applicable

c: Leanne Sneddon, Director – Human Resources
Sanela Dzaferi, Director – Finance



HAMILTON POLICE SERVICE

RECOMMENDATION REPORT

TO:	Chair and Members Hamilton Police Services Board
BOARD MEETING DATE:	July 27, 2023
SUBJECT:	Reward For Information – Missing Person/Homicide– Emily BAILEY
REPORT NUMBER:	23-073
SUBMITTED BY:	Frank Bergen, Chief of Police
SIGNATURE:	

RECOMMENDATION(S)

- a) That the Board authorize a reward in the amount of \$20,000.00 for information leading to the location of Emily Bailey's remains and conviction to those responsible for her disappearance.
- b) That 20% of the reward money offered be transferred to Police Reward Reserve Account #11225, for a total of \$4,000.00.

EXECUTIVE SUMMARY

- On January 10, 2022, Emily Bailey was reported missing to the Hamilton Police Service. Emily Bailey was last seen alive on January 1, 2022.
- The Hamilton Police Service Homicide Unit has been continuously investigating the disappearance of Emily Bailey. Foul play is suspected in the disappearance of Emily Bailey and her disappearance is being treated as a homicide. The Homicide Unit has exhausted many investigative avenues in effort to locate her body and identify the individual(s) responsible.
- Emily Bailey's family members have been supportive of the investigation and have offered any assistance they can. Investigators believe there are individuals who have information that have chosen not to come forward.
- In past homicide investigations, rewards have helped generate further leads and, in some cases, the leads and information provided have led to an arrest.
- Investigators are now seeking a reward for information that will help solve the disappearance of Emily Bailey.

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FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: See recommendations above.
Staffing: Not applicable.
Legal Implications: Not applicable.

INFORMATION

Emily Bailey was 23 years old at the time of her disappearance. She was last seen alive on January 1, 2022. The Homicide Unit took carriage of the investigation in March 2022.

To date, police have conducted numerous interviews, executed multiple search warrants and employed other investigative avenues in an attempt to solve this case.

Unfortunately based on the evidence, investigators believe Emily Bailey was murdered and her body subsequently disposed of. Emily Bailey's remains have yet to be recovered. Unfortunately, the investigation has been met with a limited number of people willing to come forward and provide information as to the suspect(s) or the circumstances of this investigation.

The Hamilton Police Homicide Unit have continued to investigate the disappearance of Emily Bailey. Investigators believe there are individuals with knowledge of what happened to Emily Bailey and the location of her remains; however, they may be hesitant to come forward given the group(s) responsible for the murder.

Investigators believe a reward for information leading to the recovery of Emily Bailey's remains and information leading to arrests will encourage someone to come forward to assist the Police with the investigation.

The Investigative team of the Hamilton Police Homicide Unit is respectfully requesting approval for a \$20,000.00 reward for information leading to the arrest of the individual(s) responsible for the murder of Emily Bailey. It is believed that this money would provide an incentive for someone with intimate knowledge of the circumstances to come forward to help solve this murder.

We are hopeful that notifying the public of this reward will generate new information.

ALTERNATIVES FOR CONSIDERATION

Not applicable.

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APPENDICES AND SCHEDULES ATTACHED

Not applicable.

FB/S.Beck

- c: Ryan Diodati, Deputy Chief – Operations
Martin Schulenberg, Superintendent – Investigative Services Division