

**HAMILTON POLICE SERVICES BOARD  
PUBLIC MINUTES**

Thursday, February 29, 2024  
Investigative Services Division  
100 Wilson St., Hamilton, ON L8R 1J3  
The Boardroom  
1:00 P.M.

Present: Chair Mandy  
Vice Chair Bennink  
Member Elms  
Member Kroetsch  
Member Menezes  
Member Pauls

Absent with Regrets: Member Horwath

Also Present: Chief Frank Bergen  
Deputy Chief Ryan Diodati  
Deputy Chief Paul Hamilton  
Legal Counsel Marco Visentini  
Inspectorate of Policing – Police Advisor David Tilley  
Administrative Director Kirsten Stevenson  
Board Assistant Lucia Romano

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**1. Call to Order**

The meeting was called to order at 1:00 PM and quorum was confirmed.

**2. Acknowledgements**

Vice Chair Bennink provided the land acknowledgement.

**3. Approval of the Agenda**

The Administrative Director noted the following changes to the agenda:

- Added delegation request for today’s meeting, listed as item 5.4, from Lyndon George of the Hamilton Anti-Racism Resources Centre
- Added item 5.7 Police Services Board Administrative Director Verbal Update

- Added correspondence item 7.7 Correspondence from the Hamilton Anti-Racism Resource Centre in Response to the Community Advisory Panel (February 13, 2024)
- Added consent item 8.8 2022 Year End Report – Use of Force (amended)(23-059a)
- Added recommendation item 9.2 Canadian Association of Police Governance 2024 Webinar Purchases (PSB 24-010)

Added or revised items are noted with an ‘\*’.

Resolution Number **240229 - 1**

Moved By: Member Elms

Seconded By: Member Pauls

That the agenda be approved, as amended.

**CARRIED**

#### **4. Declarations of Conflicts of Interest**

There were no declarations of conflicts of interest.

#### **5. Delegations, Presentations and Verbal Updates**

##### **5.1 Members of the Month**

There was no member of the month presentation for February.

The Hamilton Police Service recognized the service of Father Ed Mahoney, Police Service Chaplain.

##### **5.2 Delegation from Jane Mulkewich respecting the Creation of a Community Advisory Committee**

(Approved at the January 25, 2024 Board meeting)

Jane Mulkewich provided a delegation and answered questions of the Board.

Resolution Number **240229 - 2**

Moved By: Member Menezes

Seconded By: Member Elms

That the presentation from Jane Mulkewich be received.

**CARRIED**

**5.3 Delegation from Andrew Bell respecting Procedural & Policy Considerations Arising from a Ruling by Goodman J. in the case of R. v. Holly Russell**

Resolution Number **240229 - 3**

Moved By: Member Menezes

Seconded By: Vice Chair Bennink

That the delegation request from Andrew Bell be approved for today's meeting.

**CARRIED**

Andrew Bell provided his delegation and answered questions of the Board.

Andrew Bell provided his presentation notes to the Administrative Director for distribution to Board members.

Resolution Number **240229 - 4**

Moved By: Member Menezes

Seconded By: Member Kroetsch

That the presentation from Andrew Bell be received.

**CARRIED**

**\*5.4 Delegation from Lyndon George of the Hamilton Anti-Racism Resource Centre**

Resolution Number **240229 - 5**

Moved By: Member Menezes

Seconded By: Vice Chair Bennink

That the delegation request from Lyndon George be approved for today's meeting.

**CARRIED**

Lyndon George provided his delegation and answered questions of the Board.

Resolution Number **240229 - 6**

Moved By: Member Elms

Seconded By: Member Pauls

That the delegation from Lyndon George of the Hamilton Anti-Racism Centre be received.

**CARRIED**

**5.5 Board Chair Verbal Update**

The Chair provided her updates to the Board.

Resolution Number **240229 - 7**

Moved By: Vice Chair Bennink

Seconded By: Member Elms

That the Board Chair updates be received.

**CARRIED**

**5.6 Chief of Police Verbal Update**

The Chief of Police provided his updates.

Resolution Number **240229 - 8**

Moved By: Member Pauls

Seconded By: Member Menezes

That the Chief of Police updates be received.

**CARRIED**

**\*5.7 Police Service Board Administrative Director - Verbal Update**

The Board Administrative Director provided her updates.

**6. Approval of the Minutes**

**6.1 Public Meeting Minutes of January 25, 2024**

Resolution Number **240229 - 9**

Moved By: Member Elms

Seconded By: Member Pauls

That the minutes of January 25, 2024, be approved as presented.

**CARRIED**

## **6.2 Special Meeting Minutes of February 13, 2024**

Resolution Number **240229 - 10**

Moved By: Vice Chair Bennink

Seconded By: Member Pauls

That the special meeting minutes of February 13, 2024, be approved as presented.

**CARRIED**

## **7. Correspondence**

After discussion, the Board approved the following:

Resolution Number **240229 - 11**

Moved By: Member Elms

Seconded By: Vice Chair Bennink

That correspondence listed as items 7.1 through 7.9 be received.

**CARRIED**

**7.1 Correspondence from Denninger and Thompson Jeweller and Pawnbroker Inc. regarding Continued Concerns in the Downtown Business Core (January 24, 2024)**

**7.2 Invitation from Peel Regional Police to attend the 2nd Annual Auto Theft Summit (January 25, 2024)**

**7.3 Correspondence from Durham Regional Police Services Board regarding Election of Chair and Vice Chair (January 24, 2024)**

**7.4 Media Release from Niagara Police Services Board regarding Appointment of New Chief of Police Bill Fordy (January 29, 2024)**

**7.5 Thank You from CHML regarding Christmas Tree of Hope (January 30, 2024)**

**7.6 Thank You from Catholic Youth Organization regarding 2024 Children's Fundraiser (February 05, 2024)**

- \*7.7 **Correspondence from the Hamilton Anti-Racism Resource Centre in Response to the Community Advisory Panel (February 13, 2024)**
- \*7.8 **All Chiefs Memo – 2024/25 – 2025/26 Safer and Vital Communities Grant Call for Applications 24-006 (January 26, 2024)**
- \*7.9 **All Chiefs Memo- 2024/25 – 2025/26 Safer and Vital Communities Grant Call for Applications Revised Submission Deadline 24-0012 (February 28, 2024)**

## **8. Consent Agenda**

After discussion, the Board approved the following:

Resolution Number **240229 - 12**

Moved By: Member Elms

Seconded By: Member Pauls

That consent items listed as 8.1 through 8.8, be received.

**CARRIED**

### **8.1 Auction Account Requests for Support**

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

That tickets at a cost of \$125 each be purchased to attend the 'Shine Bright 60<sup>th</sup> Anniversary Fundraiser', hosted by the Hamilton and Niagara chapter of the Kidney Foundation, taking place on April 26, 2024, in support of innovative kidney health and transplant research, as well as programs and services for those living with kidney disease; and

That a donation of \$250 be made to the Special Olympics '2024 Spring Games', taking place May 23-26, 2024, hosted by the Region of Waterloo and the Waterloo Police Service. The donation will support the 'Draft an Athlete' initiative to help an athlete achieve their goals and compete at the games; and

That tickets at a cost of \$185 each be purchased to attend the Hamilton Chamber of Commerce '2024 Outstanding Business Achievement Awards' in celebration of local business excellence, taking place on April 10, 2024, at Carmen's Banquet Centre; and

That tickets at a cost of \$150 each be purchased to attend the YWCA 'Women of Distinction Awards', honouring women and girls in Hamilton and Halton, and providing meaningful support for gender-inclusive and

equitable communities, taking place on March 7, 2024, at Hamilton Convention Centre; and

That tickets at a cost of \$200 each be purchased to attend the Good Shepherd event 'A Place that Feels Like Home' in support of the Emmanuel House Hospice compassionate end-of-life care, taking place on April 4, 2024; and

That these donations and tickets be purchased from the Auction Account Fund.

- 8.2 2023 Year End Report - Hamilton Police Services Board Auction Account (24-011)**
- 8.3 Community Safety and Policing Act Regulation Feedback on General Matters**
- 8.4 Five Year Report - Freedom of Information Branch Statistics (24-012)**
- 8.5 Interprovincial Policing Act 2009 (Correction) (23-069a)**
- 8.6 Correspondence to City of Hamilton regarding Hamilton Police Services Board Special Meeting Outcome (February 14, 2024)**
- 8.7 Outstanding Business List as of January 25, 2024**
- \*8.8 2022 Year End Report - Use of Force (amended) (23-059a)**

## **9. Recommendations**

After discussion, the Board approved the following:

### **9.1 Vendor Name Correction - Amendment to 17-109a (17-109b)**

Resolution Number **240229 - 13**

Moved By: Member Elms

Seconded By: Member Menezes

That the Board approve the amendment to 17-109a to correct the legal name of the vendor from M.D. Charlton Inc. to M.D. Charlton Co. Ltd.

**CARRIED**

### **\*9.2 Canadian Association of Police Governance 2024 Webinar Purchases (PSB 24-010)**

After discussion, the Board approved the following:

Resolution Number **240229 - 14**

Moved By: Member Elms

Seconded By: Member Menezes

That the Board purchase the CAPG 13 webinar bundle at a cost of \$1500.00 plus H.S.T.

**CARRIED**

## **10. Motions**

### **10.1 Hamilton Police Service Board Community Liaison Representative and Knowledge Translation Plan to Engage with the Broader Hamilton Community (January 25, 2024)**

Moved By: Member Menezes

Seconded By: Member Kroetsch

WHEREAS understanding the needs of our community cannot rely solely individuals or groups proactively coming forward to voice a concern at Board meetings settings far removed from the local contexts of these community members in the complex fabric of our city and its institutions and structures;

WHEREAS historical and current systems of power, privilege, and opportunity continue to function in all levels of our society including the Board, limiting the engagement of equity-deserving communities;

WHEREAS opportunities for engagement must include opportunities for the Board to visit community groups and organizations, if invited, so that community and Board members have additional and non-traditional opportunities for engagement, dialogue, and shared understandings of our community needs;

WHEREAS our current system of correspondence and delegations perpetuate the exclusiveness of the Board and its resulting views, relying on access to, understanding of, and comfort in navigating, political and legal jargon and processes;

WHEREAS the Board's Citizen Appointee is the only member specifically selected by the community to the Board;

WHEREAS the Board should be proactively planning for the new Community Safety and Policing Act, 2019 (CSPA, 2019) which will replace the Police Services Act, 1990 on April 1, 2024; and

WHEREAS the CSPA, 2019 requirement that the Board establish policies for the provision of adequate and effective policing in accordance with the



needs of the population they serve, requires us to fully engage as broadly as possible, with the diverse Hamilton community, not just the communities currently represented at the Board.

THEREFORE, BE IT RESOLVED THAT the Board's Citizen Appointee, be designated as the Community Liaison to meet with community members and groups and, in collaboration with community, report any arising concerns back to the Board at monthly meetings; and

BE IT ADDITIONALLY RESOLVED that the Board designate a specific budget toward the translation of knowledge, policies, and board resolutions for Board ongoings to be more widely accessible and understood by the Hamilton Community.

Although the motion was moved and seconded, after discussion the Board passed the following motion:

Resolution Number **240229 - 15**

Moved By: Vice Chair Bennink

Seconded By: Member Pauls

That the motion submitted by Member Menezes be referred to the Governance Committee for consideration.

**CARRIED**

## **10.2 Budgetary Reporting from the Hamilton Police Services Board**

Moved By: Member Kroetsch

Seconded By: Member Menezes

WHEREAS, on February 13, 2024, members of the Hamilton Police Services Board, at its Special Meeting to discuss the budget, said they would be willing to ask the Hamilton Police Service to report back on policy portions of the budget motions presented by Members Kroetsch and Menezes.

THEREFORE, BE IT RESOLVED -

That the Hamilton Police Service report back, in Q2 2024, on the following:

- (a) The potential to merge duplicative departments (i.e. with the City of Hamilton's divisions with the same responsibilities) including, but not

limited to, Corporate Communications & Public Affairs, Legislative Support, Legal, Accounting, Information Technology, and Human Resources;

- (b) A Reserve Financing Strategy in line with the City's multi year Reserve Financing Strategy outlined in FCS24002 - Appendix E, through 2027; and
- (c) The potential to reallocate both sworn and civilian staff to fill any necessary staffing gaps in advance of the 2025 budget by examining the possibility to -
  - (1) use reporting ratios by rank, including the supervision of both civilian and sworn members, to increase the ratio of staff to management of 11:1 (rounded) to be in line with other City emergency services like the Hamilton Fire Department at 66:1 (rounded) and the Hamilton Paramedic Service at 50:1 (rounded);
  - (2) eliminate positions using the attrition of staff through retirement (i.e. not replace managers when they retire to increase the overall ratio) including the potential to incentivize staff eligible to retire at an unreduced pension; and
  - (3) disband units (i.e. mounted unit, sworn staff allocated to recruitment, etc.) to reallocate resulting staff that are neither mandated by legislation nor recommended through Provincial inquests.

Although the motion was moved and seconded, after discussion, the Board approved the following:

Resolution Number **240229 – 16**

Moved By: Member Kroetsch

Seconded By: Member Menezes

That the motion be deferred to the next Board meeting on March 28, 2024.

**CARRIED**

**11. Closed Meeting**

Resolution Number **240229 - 17**

Moved By: Vice Chair Bennink

Seconded By: Member Elms

That the Board move into closed session 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 into closed session at 3:26 P.M.

**12. Closed Meeting Report Back**

The Board returned to public session at 5:02 P.M.

During its closed meeting today:

- The Board approved its closed minutes of January 25, 2024;
- dealt with personnel and legal matters in accordance with Section 35(4) of the *Police Services Act*; and
- Dealt with a complaint respecting Chair Mandy. The decision of the Board was that no action will be taken.

**13. Adjournment**

Resolution Number **240229 - 30**

Moved By: Member Pauls

Seconded By: Member Menezes

As there was no further business, the Board adjourned at 5:04 P.M.

**CARRIED**

Taken as read and approved.

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Chair Pat Mandy

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Administrative Director  
Kirsten Stevenson