



# REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

## PUBLIC MINUTES

Thursday, December 15, 2011

Niagara Police Services Board  
Multipurpose Room 1<sup>st</sup> Floor, 110 James Street, St. Catharines

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### CALL TO ORDER

The Public Meeting of the Niagara Police Services Board commenced at 9:50 a.m.

### ROLL CALL

MEMBERS PRESENT: Mr. T. Shoalts, Acting Chair  
Mayor V. Badawey  
Mr. G. Burroughs  
Mr. H. D'Angela  
Mr. B. Marshall  
Mr. V. Stewart

Ms. D. Morton, Executive Director  
Mr. W. McKaig, Sullivan Mahoney

NRPS PRESENT: Chief W. Southall  
Deputy Chief J. Matthews  
A/Deputy Chief C. Scott  
Superintendent B. MacCulloch, Central Region  
Superintendent C. Sexton, Emergency/Investigative Services  
Superintendent G. Skafffeld, Eastern Region  
Superintendent B. Wright, Executive Services  
A/Superintendent D. D'Amico, Western Region  
Inspector M. McMullen, Executive Officer to the Chief of Police  
Inspector B. Flynn, Labour Relations  
A/Inspector P. McCauley, Eastern Region  
D/Sergeant M. Giannico, Executive Officer to the A/Deputy Chief  
D/Sergeant J. Sawicki, Executive Officer to the Deputy Chief  
Constable S. Basilone, Media Relations  
Ms. M. George, Director Business Services  
Mr. A. Askoul, Director Information/Communication Technology  
Ms. L. DiDonato-DeChellis, Manager of Finance Unit  
Mr. P. Divers, Corporate Support Analyst

OTHERS: Mr. Andy Petrowski, Regional Councillor, Region of Niagara  
Mr. J. Bolichowski, Reporter, St. Catharines Standard

### DECLARATIONS OF CONFLICT/PECUNIARY INTEREST

## MINUTES OF PREVIOUS MEETINGS

### 214. Minutes of the Public Board Meeting held Thursday, November 24, 2011.

Moved by: V. Badawey  
Seconded by: B. Marshall

That the Minutes of the Public Board Meeting held Thursday, November 24, 2011 be adopted as circulated.

Carried.

## REPORTS FROM THE BOARD CHAIRPERSON

**NRPS United Way Breakfast** - On December 1<sup>st</sup>, Members Burroughs, Marshall and Stewart attended the NRPS United Way Christmas Breakfast in support of the Service's annual United Way fundraising campaign. The event allowed members of the Service and the community to enjoy a hot breakfast with grilling services provided by Enbridge Gas, while being entertained by the singing performances of the St. Francis Secondary School Choir. Funds raised at the event supported the Service's United Way campaign.

**NRPS Promotional Ceremony** - On December 5<sup>th</sup>, the Service held a ceremony to formally recognize the promotions of five Staff Sergeants and 12 Sergeants with the Niagara Regional Police Service. Members D'Angela, Stewart and Acting Chair Shoalts attended the event to meet and congratulate the successful candidates.

**Canine Graduation Ceremony** - On December 20<sup>th</sup>, the Service will be holding a Canine Graduation Ceremony in the PSB Boardroom at 9:00 a.m. The event will formally recognize six Police Service Dogs and their handlers who have recently graduated from the canine training course. Those graduating include members of the NRPS, the Niagara Parks Police, the City of Buffalo Police Department and the Peterborough Lakefield Police Service. Members Marshall and Stewart will be representing the Board at the event.

**21<sup>st</sup> Annual Holiday Food and Toy Drive** – In December, many individuals turn to giving – giving their time, giving to others, to their family and friends, and giving to those in need. This year, it is known that many families have been hit hard by the changing economic situation and are impacted in various ways. The Board is thankful for the opportunity to participate in the Service's Annual Food and Toy Drive, hoping that the contributions will make the holidays a little extra special for those less fortunate.

Acting Chair Shoalts expressed gratitude to the Chief, her Executive staff and Service members who give their time, ideas and hard work to make the community a better, safer place for all of Niagara's residents to live in and enjoy.

On behalf of the Board, Acting Chair Shoalts extended the Board's best wishes to each and all for a wonderful holiday season and a safe, happy and healthy new year.

### Upcoming PSB Meetings

- **PSB Committee Meetings** – Thursday, January 12, 2012 at 8:30 a.m. in the PSB Boardroom.
- **Next Board Meeting** – January 26, 2012, at 8:30 a.m. in the PSB Boardroom.

The Board's Administrative Office will be closed from December 22, 2011 to January 3, 2012 for the holiday season.

## REPORTS FROM THE CHIEF OF POLICE

### Operational Statistics:

For the period January 1 through December 13, 2011:

#### *Marijuana Grow Operations*

- Total street value seized \$10,139,000;
- Total equipment seized \$297,110.

For the period January 1 through December 15, 2011:

#### *Homicides*

- 2 compared to 3 for same period 2010.

#### *Traffic Fatality Statistics*

- 14 collisions with 14 deceased, compared to 14 collisions with 14 deceased for same period 2010.

Chief Southall also spoke to the statistics for the two previous years with 2009 having 24 collisions with 26 deceased, and 2008 having 27 collisions with 29 deceased noting a significant reduction in both areas throughout 2010 and 2011.

#### *Life Threatening Injury Collisions*

- 23 compared to 33 for same period 2010; further compared to 33 in 2009 and 32 in 2008.

For the period November 1 to November 30, 2011:

#### *Robberies*

- 23 robberies, with 8 cleared or 35% cleared this period.

**Niagara's Largest RIDE Spot-Check** – On November 25<sup>th</sup> the Niagara Regional Police Service launched the 2011 Festive Season RIDE Program in St. Catharines with the co-operation of the Ontario Provincial Police and Niagara Parks Police. In total, over 30 law enforcement officers took part in the initiative. Between the hours of 10:00 p.m. and 4:00 a.m. police stopped over 1,500 vehicles in order to check the sobriety of the drivers. During this time, 40 roadside screening tests were conducted resulting in three arrests for impaired driving or being over the legal alcohol limit. Ten drivers had their licences suspended for three days. Officers also issued 14 Provincial Offence Notices (PON's) for a variety of *Highway Traffic Act* and *Liquor Licence Act* offences. The Niagara Regional Police Service's RIDE program will continue throughout the festive season into the New Year, in every community within the Niagara Region.

**Charges Upgraded - Homicide Investigation - Marissa Whalen** - In the ongoing homicide investigation into the death of two year old Marissa Whalen, charges against Roseanne Whalen were upgraded to 2<sup>nd</sup> Degree Murder. She is amongst three people charged in relation to this investigation. Efforts are continuing to confirm the identity of the human remains located in Ohsweken through DNA testing.

**Holiday Fundraising Initiatives** - In addition to the comments provided by Acting Chair Shoalts, Chief Southall thanked all who came out and gave their support at the NRPS United Way Christmas Breakfast and to those who have given their support during the NRPS Holiday Food and Toy Drive.

- On December 3<sup>rd</sup> NRPS members assisted in the community as they filled a Marine Boat with holiday donations to benefit Community Care. This is the 5<sup>th</sup> year of the event.
- On December 10<sup>th</sup> the NRPS and Victim Services Niagara in partnership with the Niagara Ice Dogs conducted their annual Teddy Bear Toss. Members of the public donated the stuffed bears after the Ice Dogs scored their first goal on the home ice during their game against the Kingston Frontenacs. Since NRPS participation began, nearly 4,000 Teddy Bears have been collected and distributed through Victim Services Niagara, their participating agencies, and local hospitals.

- On December 14<sup>th</sup>, nearly 60 officers from the NRPS, the Ontario Provincial Police, Niagara Parks Police, CN Police, and the Royal Canadian Mounted Police took on the role of personal shoppers to some of our local children during the 4<sup>th</sup> Annual Cop Shop. Armed with Christmas wish lists, the officers were paired with 30 specially chosen children as part of the Pen Centre's Cop Shop. Each child received a \$200 gift card, a pizza lunch and a photo with Santa, which was donated by the Pen Centre. Each child then headed off into the mall to shop with police officers as they used their gift cards to purchase winter clothing, toys and Christmas gifts.

**Criminal Background Checks – Status Report** – Deputy Chief Matthews provided the Board with an update on the progress made to mitigate the backlog of criminal background checks resulting from the increase in requests from employers and volunteer agencies throughout 2011.

He advised that the Service is currently recognizing a 20-day turn around from the time a background record check is requested to the time it is received by the applicant. A further reduction to 10-days is anticipated in 2012. Deputy Chief Matthews said this has been made possible through a partnership with Regional staff volunteering to assist the Service, which proved integral to addressing and alleviating the backlog issue.

Further to the Board's request for information on how many individuals receive background checks versus how many requests are made, Deputy Chief Matthews advised that the information is still being collected. The Service will also review the option of implementing a process that would allow for a two-day turnaround at an additional cost for matters that are extremely time sensitive as opposed to the standard wait time.

With respect to the development of a standardized form of verification that would indicate an individual has been subject to a vulnerable sector search within a certain time period, Chief Southall advised that she will request the Service's Central Records Manager address this matter at the next Law Enforcement and Records Managers Network (LEARN) meeting and report back to the Board.

## **PRESENTATIONS**

## **DEPUTATIONS**

## **UNFINISHED BUSINESS**

## **CONSENT AGENDA**

### **215. RMON – Regional Council Resolutions – Approvals of November 17, 2011**

The Board considered correspondence dated November 18, 2011 from Mr. Kevin Bain, Regional Clerk, Regional Municipality of Niagara, providing the approvals of Regional Council's Corporate Services Committee and Budget Review Committee-of-the-Whole recommendations regarding the PSB Public Meeting Minutes of August 25, 2011; the 2012 NRPS Proposed Current/Operating Budget and the 2012 NRPS Proposed Capital Budget and 9-Year Forecast.

### **216. Special Fund – October 2011**

The Board considered Service report 261/2011 dated December 2, 2011 providing the Board with a summary of the transactions for the Niagara Regional Police Special Fund for the period October 1 to October 31, 2011.

Moved by: G. Burroughs  
Seconded by: V. Badawey

**That the information be received.**

**Carried.**

## **NEW BUSINESS**

### **217. CAPB and OAPSB – 2012 Membership Renewals**

The Board considered correspondence dated December 2, 2011 from Ms. D. Morton, Executive Director, providing background documentation received from the Canadian Association of Police Boards and the Ontario Association of Police Services Boards relating to a request for approval of membership renewal to both Associations.

Moved by: B. Marshall  
Seconded by: V. Stewart

**That the Board renew its membership in the CAPB and the OAPSB for the year 2012.**

**Carried.**

### **218. Police Services Board By-laws – Adequacy Standards Regulations**

The Board considered correspondence dated November 29, 2011 from Ms. D. Morton, Executive Director, providing four draft Board By-laws that have been amended to reflect updates resulting from the Ministry of Community Safety and Correctional Services' initiative to update its Policing Services Manual and including the amended Board By-laws that relate to Criminal Investigation Management and Procedure; Equipment – Body Armour; Victim's Assistance and Sexual Assault Investigation policies for adoption to properly reflect the Ministry's updates and maintain consistency.

The report referenced ongoing costs associated with the implementation of the by-laws to achieve compliance with the Adequacy Standards Regulation. It was noted that these costs are dealt with by the Chief on an ongoing basis as part of the police budget process, and the Board requested a future report on specific costs for compliance with these policies/by-laws.

Moved by: V. Badawey  
Seconded by: V. Stewart

**That the Board adopt By-law Numbers 310-2011, 311-2011, 312-2011 and 313-2011 as appended to the report;**

**And further, that By-law Numbers 310-2011, 311-2011, 312-2011 and 313-2011 be given the necessary number of readings, taken as read, signed, and the Board seal affixed thereto.**

**Carried.**

### **219. Police Services Board By-law – Accessibility Standards for Customer Service**

The Board considered correspondence dated December 5, 2011 from Ms. D. Morton, Executive Director, providing a draft Board By-law on Accessibility Standards for Customer Service required under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), developed in compliance to meet the first of five sets of standards to be issued by the Provincial Government in support of the AODA, and a request that the Board adopt the relating By-law #314-2011 to maintain compliance with statutory requirements.

The report referenced costs associated with the implementation of the by-law for compliance under the AODA legislation. It was noted that these costs will be dealt with by the Chief as part of the current budget process, and the Board requested a future report on specific costs related to compliance with the Customer Service Regulation.

Moved by: G. Burroughs  
Seconded by: B. Marshall

**That the Board adopt By-law No. 314-2011 as appended to the report;**

**And further, that By-law No. 314-2011 be given the necessary number of readings, taken as read, signed, and the Board seal affixed hereto.**

**Carried.**

**220. Police Services Board By-law – Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service**

The Board considered correspondence dated November 21, 2011 from Ms. D. Morton, Executive Director, providing a revised *By-law to Regulate the Financial Reporting, Control and Procurement of Goods and Services in the Niagara Regional Police Service* developed to properly reflect the elimination of the self-imposed limit on debt charges as part of the approved recommendations of the NRPS 2012 Capital Budget and 9-Year Forecast.

Moved by: V. Stewart  
Seconded by: G. Burroughs

**That the Board adopt By-law No. 309-2011 as appended to the report;**

**And further, that By-law No. 309-2011 be given the necessary number of readings, taken as read, signed, and the Board seal affixed thereto.**

**Carried.**

**221. Police Services Board – 2012 Committee Representation**

The Board considered correspondence dated November 21, 2011 from Ms. D. Morton, Executive Director, requesting the Board's confirmation of the mandate on its various standing committees as outlined in the report and approve its Committee membership for 2012.

Member D'Angela requested he be included as a member of the Board's Finance Committee.

Moved by: V. Stewart  
Seconded by: B. Marshall

**That the Board approve the Committee mandate as outlined in the report and confirm its Committee membership for 2012, as amended.**

**Carried.**

**222. 2012 Vehicle Replacements**

The Board considered Service report 259/2011, dated December 1, 2011 requesting approval to initiate the vehicle replacement capital project for commencement of the purchasing process of 20 of the required 41 vehicles in order to meet the Service's scheduled vehicle replacement needs and to take advantage of the Police Vehicle Tender process through the Police Co-operative Purchasing Group.

An error in number of vehicles being requested for purchases was identified and it was noted that the report should read 20 vehicles as opposed to 21.

The Board asked about potential cost savings through the co-ordination of fleet services between the Region and NRPS (i.e. mechanics/service technicians, vehicle maintenance, etc.). Chief Southall advised that this topic was raised in the past and she will review the matter and bring forward a report for further consideration.

When the issue was previously examined, Ms. George recalled that separate Fleet Services were retained because of the specialized police requirements (i.e. NRPS communication/radio systems) with the exception of body shop work, which was transferred to the Region instead of outsourcing to multiple vendors.

Moved by: B. Marshall  
Seconded by: V. Stewart

**That the information be received;**

**And further, that the Board approve initiation of Capital Budget ZPO1201, 2012 Vehicles with a budget of \$1,620,000 to be funded by the Police Vehicles and Equipment Replacement Reserve Fund;**

**And further, that the Board approve the purchase of 20 vehicles requested for deployment in the first half of 2012 through the Police Purchasing Cooperative Tender at an approximate cost of \$475,000.**

**Carried.**

**223. NRPS Accumulated ESSO Gas Points**

The Board considered Service report 257/2011 dated December 1, 2011 providing Service suggestions for use of the NRPS accumulated 630,000 Esso Reward Points and requesting Board direction for appropriate use of the points.

The Board asked for further clarification on why the Service ceased using the redemption of points to reduce NRPS fuel and/or car wash costs, the practice behind Fleet Services having fuel cards on-hand and any other opportunities that may be available to the NRPS through reward point systems (i.e. Regional Purchasing Cards).

Moved by: H. D'Angela  
Seconded by: V. Stewart

**That the Board support "Option 4" of Service report 257/2011 to maintain Esso Reward Card Points for use by the Niagara Regional Police Service;**

**And further, that the Service explore additional opportunities regarding reward points incentives/programs for participation by the Niagara Regional Police Service;**

**And further, that a long-term policy be developed regarding reward points initiatives.**

**Carried.**

**224. NRPS Men's Hockey Team – 2012 International Police Hockey Tournament**

The Board considered Service report 253/2011 dated November 24, 2011 requesting the Board consider a donation to offset expenses for the NRPS Men's 'Over 35 Division' Hockey Team to compete in the 2012 International Police Hockey Tournament being held in Windsor on March 1 and 2, 2012.

The Service was directed to provide a report to the Board detailing contributions made by the Niagara Region Police Association to assist Service members for consideration of implementing a Board/Association "matching" donation practice.

Moved by: V. Badawey  
Seconded by: B. Marshall

**That the Board approve a donation of \$500.00 from the Special Fund to help offset the expenses incurred for registration, travel and accommodations by the members of the NRPS for participation in the 2012 International Police Hockey Tournament.**

**Carried.**

**225. Police Services Board - Amendment to Licencing By-Law 300-2010 – Removal of the Definition of "Passenger"**

The Board considered correspondence dated December 9, 2011 from Ms. Sara Premi, Sullivan Mahoney, providing the Board with a draft amended By-law, which no longer includes the definition of "passenger", as throughout the course of by-law review and enforcement, it was determined that the definition of "passenger" in the by-law is unnecessary and not consistent with the other definitions therein.

Mr. McKaig clarified that the definition of passenger is defined in the current by-law as "a person in a licenced vehicle". Recently, it was determined that the definition could cause confusion for an individual being a passenger in an unlicensed vehicle and for that reason; the Board was requested to amend the by-law to remove the definition.

Moved by: V. Stewart  
Seconded by: V. Badawey

**That the Board By-law adopt By-law No. 315-2011, being a by-law to amend Licening By-law No. 300-2010;**

**And further, that By-law No. 315-2011 be given the necessary number of readings, taken as read, signed, and the Board seal affixed thereto.**

**Carried.**

**ADJOURNMENT**

The Public Meeting adjourned at 10:36 a.m.

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Chairperson

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Executive Director