

**AGENDA MATERIAL
FOR
THE THUNDER BAY
POLICE SERVICES BOARD
REGULAR SESSION**

Date: TUESDAY, JANUARY 16, 2024

**Location: VALHALLA HOTEL – The Viking Room
1 Valhalla Inn Road, Thunder Bay, ON**

Time: 10:30 A.M.



**THE THIRD SESSION OF THE
FIFTY-FIFTH THUNDER BAY POLICE SERVICES BOARD**

TUESDAY, JANUARY 16, 2024

**VALHALLA HOTEL & CONFERENCE CENTRE – VIKING ROOM
1 Valhalla Inn Road, Thunder Bay, ON**

10:30 A.M.

REGULAR SESSION

1. DISCLOSURES OF INTEREST

2. CONFIRMATION OF AGENDA

(2 minutes)

RES 1

With respect to the Third Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on January 16, 2024, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

3. APPOINTMENT OF CHAIR AND VICE-CHAIR

(5 minutes)

The following call for the appointments of a Chair and Vice-Chair, effective January 16, 2024, for the remainder of 2024, or until a replacement has been appointed, will be presented for the Board's consideration:

RES 2

THAT _____ be appointed Chair of the Thunder Bay Police Services Board, and that _____ be appointed Vice-Chair of the Thunder Bay Police Services Board, effective January 16, 2024, for the remainder of 2024, or until a replacement is appointed;

4. CONFIRMATION OF MINUTES

(2 minutes)

The Minutes of the First Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on December 19, 2023, to be confirmed. **(Pages 7 - 17)**

RES 3

THAT the Minutes of the First Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on December 19, 2023 be confirmed.

5. REPORTS OF COMMITTEES

(15 minutes)

a) Governance Committee

Committee Chair, Ms. Denise Baxter, to provide an overview relative to the above noted.

i. Indigenous Relationship Policy

At the November 21, 2023 Regular Session of the Board, a proposed Indigenous Relationship Policy was presented for the Board's information. After the meeting, it was distributed to Chief Fleury's Indigenous Advisory Committee for comments and suggested edits.

The proposed Indigenous Relationship Policy, to be presented for adoption. **(Pages 18 - 20)**

Mr. J. Hannam, Secretary, to provide an overview relative to the above noted.

The following motion will be presented for the Board's consideration:

RES 4

With respect to the Indigenous Relationship Policy, as presented at the January 16, 2024 Regular Session of the Board, we recommend that the Thunder Bay Police Services Board approves adoption of the subject policy, as presented.

ii. Missing Person Procedure

Copies of the Thunder Bay Police Service Missing Person Procedure, Part 6 Chapter 37, for the Board's information. **(Distributed Separately with Agenda)**

Mr. J. Hannam, Secretary, to provide an overview relative to the above noted.

RES 5

With respect to the Thunder Bay Police Service procedure for Missing Persons, the Thunder Bay Police Services Board supports the subject procedure, as presented at the January 16, 2024 Regular Session of the Board.

b) Labour Relations Committee

(5 minutes)

Mr. W. Bahlheda, Chair, to provide an overview relative to the activities of the Labour Relations Committee.

6. REPORTS OF THE THUNDER BAY POLICE SERVICE

(5 minutes)

a) Quarterly Complaints

Report No. 03/24 (Police) relative to the summary of complaints for Q4 of 2023 (October, November and December, 2023), for the Board's information. **(Pages 21 - 23)**

Detective Sergeant J. Rybak, Thunder Bay Police Service, to provide an overview relative to the

above noted.

7. GENERAL MATTERS

- a) Emmanuel Oruitemeka Inquest (10 minutes)

Correspondence to former Chief of Police Sylvie Hauth from the Office of the Chief Coroner – Ontario Forensic Pathology Service, dated July 19, 2023, relative to the Inquest into the death of Emmanuel Oruitemeka, for the Board’s information. **(Pages 24 - 28)**

Verdict of Inquest Jury – Jury Recommendations to the Thunder Bay Police Service, for the Board’s information. **(Pages 29 - 31)**

Responses to the Ministry of the Solicitor General relative to the Jury Recommendations are due by January 19, 2024.

Inspector G. Snyder, Thunder Bay Police Service, to provide an overview relative to the above noted.

- b) Provincial Guns and Gangs Unit (5 minutes)

Chief of Police D. Fleury to provide an update relative to the above noted.

- c) Monthly Status Report (5 minutes)

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, to provide a monthly status report on the Board’s budget. **(Distributed Separately)**

- d) Board Member Orientation (10 minutes)

At the December 19, 2023 Regular Session of the Board, Councillor K. Etreni provided an overview of proposed Board orientation for discussion purposes only.

Draft Policy on Board and Committee – Orientation and Training to be presented for adoption. **(Pages 32 - 33)**

Councillor K. Etreni to provide an overview relative to the above noted.

The following motion will be presented for the Board’s consideration:

RES 6

With respect to the Policy on Board and Committee – Orientation and Training, as presented at the January 16, 2024 Regular Session of the Board;

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THAT the Thunder Bay Police Services Board approves adoption of the subject policy, as presented.

e) Board Committees (10 minutes)

At the December 19, 2023 Regular Session of the Board, Mr. T. Gervais, Police Services Advisor – Ministry of the Solicitor General, provided an overview of All Chiefs Memo Index No. 23-0085, the In-force date of the *Community Safety and Policing Act, 2019* (CSPA).

He noted that there are significant changes in the Act that will affect the Police Service and the Board and suggested a project management approach.

Discussion to be held relative to the formation of a subcommittee of the Board to deal with the transition to the CSPA, as well as the formation of other subcommittees required by the Board.

f) Strategic Planning (5 minutes)

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated January 9, 2024, relative to Strategic Planning, for the Board’s information. **(Page 34)**

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, to provide an overview relative to the above noted.

g) CSPA Summit (5 minutes)

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated January 9, 2024, relative to Board attendance at an upcoming summit, for the Board’s information. **(Page 35)**

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, to provide an overview relative to the above noted.

The following motion will be presented for the Board’s consideration:

RES 7	With respect to the <i>Community Safety & Policing Act, 2019</i> (CSPA) Summit, hosted by the Ontario Association of Police Services Boards (OAPSB), and others, on February 27 - 28, 2024, we recommend that the Thunder Bay Police Services Board authorize the following individuals to attend and that their expenses be paid from the Board’s operating budgets:
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8. PETITIONS AND COMMUNICATIONS

a) Tracking Board Reports

There are *no updates* for the following outstanding Board reports/standing agenda items.

i. Governance Committee – Policy Development

At the May 24, 2022 Regular Session of the Board, the use of Artificial Intelligence by the Thunder Bay Police Service was presented to the Board. At the February 21, 2023 Regular Session of the Board, the BriefCam Project Report was presented.

The Police Services Board was asked to develop a policy to ensure proper oversight regarding artificial intelligence and the use of video analytics.

ii. OIPRD Report Recommendations

Summary of status/progress of OIPRD Recommendations: a verbal update was presented to the Board on October 17, 2023.

iii. OCPC Chart – Summary of Recommendations

Summary of status/progress of OCPC Recommendations was last presented for the Board's information on June 28, 2022.

9. NEW BUSINESS

10. CONFIRMING BY-LAW

RES 8

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Chair and Secretary to the Thunder Bay Police Services Board, sealed and numbered:

1. A By-law to confirm the proceedings of a Regular Session of The Thunder Bay Police Services Board, this 16th day of January, 2024.

Explanation: Confirmation of the proceedings and each motion, resolution and other action passed or taken by the Thunder Bay Police Services Board at this meeting is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

BY-LAW NUMBER: PC2-2024

11. ADJOURNMENT

MEETING: THE FIRST SESSION OF THE FIFTY-FIFTH THUNDER BAY POLICE SERVICES BOARD

DATE: DECEMBER 19, 2023

TIME: 10:45 A.M.

PLACE: VALHALLA HOTEL & CONFERENCE CENTRE
1 VALHALLA INN ROAD, THUNDER BAY

CHAIR: MS. K. MACHADO

PRESENT:

Mr. W. Bahlleda
Ms. D. Baxter
Mayor K. Boshcoff
Ms. K. Machado
Mr. M. Mercer

OFFICIALS:

Mr. D. Fleury, Chief of Police
Mr. R. Hughes, Deputy Chief of Police
Inspector G. Snyder, Thunder Bay Police Service
Mr. J. Hannam, Secretary – Thunder Bay Police Services Board
Ms. L. Douglas, Assistant to the Secretary - Thunder Bay Police Services Board

ATTENDING BY ZOOM:

Councillor K. Etreni

ATTENDING BY ZOOM:

Mr. T. Gervais, Ministry of the Solicitor General

The meeting was called to order at 10:43 a.m.

On behalf of the Thunder Bay Police Services Board, Chair K. Machado offered sincere condolences to the family of Mackenzie Moonias.

1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

Under Reports of the Committees, Ms. Denise Baxter, Chair of the Governance Committee, will provide an overview of the Committee's activities.

Under New Business, Mr. T. Gervais, Police Services Advisor – Ministry of the Solicitor General, will provide a brief update on the *Community Safety and Policing Act*, which is scheduled to be enacted on April 1, 2024.

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

With respect to the First Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on December 19, 2023, we recommend that the agenda as printed, including

any additional information and new business, be confirmed.

CARRIED

3. CONFIRMATION OF MINUTES

The Minutes of the Twenty-Second Session (Regular) of the Fifty-Fourth Thunder Bay Police Services Board held on November 21, 2023, to be confirmed.

MOVED BY: Councillor K. Etreni

SECONDED BY: Mr. W. Bahlieda

THAT the Minutes of the Twenty-Second Session (Regular) of the Fifty-Fourth Thunder Bay Police Services Board held on November 21, 2023 be confirmed.

CARRIED

4. REPORTS OF COMMITTEES

a) Governance Committee

Ms. Denise Baxter, Chair of the Governance Committee, provided an overview of the Committee's activities. She noted that policies are being developed. A meeting was held with a researcher from Lakehead University, who is working on the EDI piece and will also support policy research going forward. The Committee will be consulting with the community and developing a process for vetting all policies to ensure they are sound.

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated December 11, 2023, relative to a Report Recommendations Work Plan, was provided for the Board's information.

Mr. J. Hannam provided a brief overview relative to the above noted.

i. Policies for Adoption

Memorandum to the Board from Malcolm Mercer, dated November 12, 2023, relative to proposed policies for Board – Chief Relationship and Information Sharing, was distributed separately and presented to the Board at the November 21, 2023 Regular Session.

The proposed Indigenous Relationship Policy will be presented at the January, 2023 Regular Session, following public consultation.

The following policies were presented at the November 21, 2023 Regular Session of the Board for discussion purposes only. They are now being presented for adoption.

- Proposed Information Sharing Policy
- Proposed Role and Responsibility Policy

Administrator M. Mercer noted that one of the priorities of the Governance Committee was to establish the above noted policies. He provided some background information on the reports of the G20 Summit in Toronto, and the Freedom Convey event in Ottawa, and how those reports underlined the importance of sharing information between the Chief of Police and the Police Services Board. The report from Justice Epstein on the McArthur murders in Toronto was also cited.

Chair Machado thanked Administrator Mercer for his role and assistance with educating the Board on these policies.

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

With respect to the Information Sharing Policy and the Role and Responsibility Policy, as presented at the December 19, 2023 Regular Session of the Board, we recommend that the Thunder Bay Police Services Board approves adoption of the above noted policies, as presented.

CARRIED

ii. Use of Force Policy By-Law

At the November 21, 2023 Regular Session of the Board, a Use of Force Policy was presented for the Board's information and was subsequently adopted.

MOVED BY: Mr. W. Bahlieda

SECONDED BY: Councillor K. Etreni

With respect to the Use of Force Policy for the Board, as adopted at the November 21, 2023 Regular Session of the Board, we recommend that By-law PC26-2023, a by-law to establish a Use of Force Board Policy, be adopted;

AND THAT the Chair and Secretary to the Board be authorized to execute the by-law.

CARRIED

iii. Missing Persons Policy By-Law

At the November 21, 2023 Regular Session of the Board, a Missing Persons Policy was presented for the Board's information and was subsequently adopted.

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Mr. J. Hannam, Secretary, provided a brief overview and noted that this is a policy of the Police Services Board, not the Police Service. The Service is working on procedures related to this policy.

MOVED BY: Mayor K. Boshcoff

SECONDED BY: Councillor K. Etreni

With respect to the Missing Persons Policy for the Board, as adopted at the November 21, 2023 Regular Session of the Board, we recommend that By-law PC27-2023, a by-law to establish a Missing Persons Board Policy, be adopted;

AND THAT the Chair and Secretary to the Board be authorized to execute the by-law.

CARRIED

b) Labour Relations Committee

Mr. W. Bahlleda, Chair of the Labour Relations Committee, provided a brief overview relative to the activities of the Labour Relations Committee, as well as the meeting between the Labour Relations Committee and the Thunder Bay Police Association. One of the areas of discussion at the meeting was the importance of mental health for the members of the Association and how the Police Services Board can assist.

The Committee is hoping to move together in harmony and foster better relationships with the Police Association.

i. Delegation of Authority – Appointment of New Hires

At the December 15, 2020 Regular Session of the Board, a resolution was passed to delegate authority to Kristen Oliver and Michael Power to appoint members and special constables to the Thunder Bay Police Service. It is now deemed necessary to amend By-law PC26-2020 by replacing named individuals with the Chair of the Thunder Bay Police Services Board and the Chair of the Thunder Bay Police Services Board's Labour Relations Committee.

Mr. J. Hannam, Secretary, provided a brief overview relative to the above noted.

MOVED BY: Mayor K. Boshcoff

SECONDED BY: Councillor K. Etreni

With respect to the Delegation of Authority By-law for the Thunder Bay Police Services Board, we recommend that By-law PC26-2020 be amended to replace delegation of authority to appoint new hires to the Chair of the Thunder Bay Police Services Board and the Chair of the Thunder Bay Police Services Board's Labour Relations Committee;

AND THAT the Chair and Secretary to the Board be authorized to execute the by-law.

CARRIED

5. REPORTS OF THE THUNDER BAY POLICE SERVICE

a) Annual Report – Thunder Bay Police Service

The 2022 Annual Report for the Thunder Bay Police Service was distributed separately on desks at the December 19, 2023 Regular Session of the Board.

Inspector G. Snyder provided an overview of the Annual Report using a PowerPoint presentation and responded to questions.

He noted that violent crime continues to increase in the community year over year. Thunder Bay has 6 times the number of homicides (based on population) compared to the national average. The severity of crime has a direct impact on the workload of the officers.

He also noted that the clearance rate is significantly higher for Thunder Bay compared to province and national averages.

The full report will be posted to the Police Service's website after this meeting.

Chief D. Fleury noted the incredible work that the officers are doing, as indicated by the Service's clearance rates. They are doing quality work and investigations on behalf of the whole community. Chief Fleury responded to questions about regional policing, and noted that a collaboration with the Minnesota State Police has been initiated.

Chair Machado thanked Inspector Snyder and the Police Service for their good work and for the Annual Report.

A brief discussion followed regarding the actual population of Thunder Bay, as well as the population of the Municipality of Oliver Paipoonge (serviced by the Thunder Bay Police Service), and the impact on the Police Service.

Mr. J. Hannam noted that the Annual Report will also be shared with City Council.

6. GENERAL MATTERS

a) Beau Aaron Baker Inquest

Verdict Explanation and Recommendations relative to the Inquest into the death of Beau Aaron Baker, were distributed separately for the Board's information.

Inspector G. Snyder, Thunder Bay Police Service, provided a brief overview of the death and the resulting inquest. He noted that three (3) recommendations were specific to police services in Ontario.

The Thunder Bay Police Service has provided their response. An overview of the Service's responses to Recommendations #13, #15, and #24 was provided.

b) Board Staffing Needs

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated October 13, 2023, relative to additional resources for the Board, re-presented for the Board's information.

Mr. J. Hannam noted the 115 recommendations (from various reports) to the Board, the ongoing work of the Board, as well as the need for additional support staff to complete work that needs to be accomplished at a more reasonable rate of progress. Additional staffing is particularly necessary for policy development, for building the Board's capacity on key community relationships and to be more fiscally responsible. He reported that a part-time individual has been hired to support the Governance Committee.

Discussion followed on staffing needs of the Board as well as the staffing model being presented. Several Board members were of the opinion that a full time employee is needed for the Board.

The current staffing model being recommended was not supported by the Board. The Board will need to determine which staffing model best suits their needs.

MOVED BY: Councillor K. Etreni

SECONDED BY: Ms. D. Baxter

With respect to the staffing needs of the Thunder Bay Police Services Board, we recommend that the Board approve the staffing model, as re-presented at the December 19, 2023 meeting of the Board;

AND THAT the positions be filled through independent contracts, in form and content satisfactory to the Board's Legal Counsel;

AND THAT the Chair of the Board be authorized to execute any such contracts.

LOST

MOVED BY: Ms. D. Baxter

SECONDED BY: Councillor K. Etreni

With respect to the staffing needs of the Board, we recommend that Karen Machado,

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Denise Baxter and Donna Smith revisit the matter, taking into account the feedback of the Board members, and return a new proposal for the Board's consideration.

CARRIED

b) Board Member Orientation

A draft policy on Board and Committee – Orientation and Training was distributed separately on desks at the meeting, for discussion purposes only.

Councillor K. Etrene provided an overview of the proposed Board orientation and responded to questions.

She asked for input from Board members, and asked that their comments be forwarded to her by January 6, 2024. She would like to finalize this policy at the January 16, 2024 Board meeting.

c) Budget Summary – Thunder Bay Police Services Board

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, dated December 11, 2023, relative to an update on the status of the Board's operational budget, was provided for the Board's information.

Mr. J. Hannam, Secretary, provided a brief overview relative to the above noted.

d) Approval of 2024 Budget – Thunder Bay Police Services Board

Memorandum to Thunder Bay Police Services Board from John S. Hannam, Secretary, dated December 13, 2023, relative to the proposed 2024 budget for the Thunder Bay Police Services Board, was provided for the Board's information.

Mr. J. Hannam, Secretary, provided a brief overview relative to the above noted, and noted that the 2024 budget is largely unchanged from the Board's 2023 budget. However, additional funds for community engagement and proposed increase in staffing resources have been added to the budget. He was satisfied that the legal fees budget should be sufficient going forward. It was noted that the 2024 budget has been submitted to City Council.

MOVED BY: Councillor K. Etrene

SECONDED BY: Ms. D. Baxter

With respect to the 2024 Operating Budget for the Thunder Bay Police Services Board, as presented at the December 19, 2023 meeting, we recommend that the Board approve the budget.

CARRIED

e) Website Updates

Mr. J. Hannam, Secretary, noted that the costs involved with the development of Members Only access to the Board's website were forwarded by email to Board members prior to this meeting.

Development is underway.

f) Indigenous Chiefs Forum

On Tuesday, December 12, 2023, Chief D. Fleury hosted an Indigenous Chiefs Forum. Members of the Thunder Bay Police Services Board attended.

Chief D. Fleury was pleased with the outcome. The overall intent of the Forum was to have an open discussion on expectations of the community at large as well as the Indigenous community.

Chief Fleury is hoping to make this an annual event, and would like to have different people presenting different areas of discussion at the next one. He would also like to explore opportunities for one-on-one conversations with people experiencing homelessness and other hardships.

The Chief was congratulated on initiating this event.

7. PETITIONS AND COMMUNICATIONS

a) Nominations for the 2023/2024 Attorney General's Victim Services Award of Distinction

All Chiefs Memo Index No. 23-0077, relative to nominations for the 2023/2024 Attorney General's Victim Services Awards of Distinction, was provided for the Board's information.

Mr. J. Hannam, Secretary, will follow up on this opportunity, and will nominate groups brought forward by the Board, as appropriate.

b) Tracking Board Reports

There are *no updates* for the following outstanding Board reports/standing agenda items.

i. Emmanuel Oruitemeka Inquest

Board Responses to Jury Recommendations for the Ministry of the Solicitor General, due January 19, 2024.

ii. Governance Committee – Policy Development

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At the May 24, 2022 Regular Session of the Board, the use of Artificial Intelligence by the Thunder Bay Police Service was presented to the Board. At the February 21, 2023 Regular Session of the Board, the BriefCam Project Report was presented.

The Police Services Board was asked to develop a policy to ensure proper oversight regarding artificial intelligence and the use of video analytics.

iii. OIPRD Report Recommendations

Summary of status/progress of OIPRD Recommendations: a verbal update was presented to the Board on October 17, 2023.

iv. OCPC Chart – Summary of Recommendations

Summary of status/progress of OCPC Recommendations was last presented for the Board’s information on June 28, 2022.

8. NEW BUSINESS

Community Safety and Policing Act, 2019

Mr. T. Gervais, Police Services Advisor – Ministry of the Solicitor General, provided an overview of All Chiefs Memo Index No. 23-0085, the In-force date of the *Community Safety and Policing Act, 2019* (CSPA).

He noted that there are significant changes in the Act that will affect the Police Service and the Board. On behalf of the Ministry of the Solicitor General, Mr. Gervais will be the primary support to the Board through the transition. He suggested a project management approach. The Board should consider a transition lead on the work that will need to be done. Inspector G. Snyder will be the contact for the Service.

A subcommittee of the Board was suggested; however, there was no decision made on how the Board will deal with the work that needs to be in place prior to enactment of the CSPA.

9. BY-LAWS

a) Use of Force Policy By-Law

MOVED BY: Mayor K. Boshcoff
SECONDED BY: Councillor K. Etreni

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Chair and Secretary, sealed and numbered:

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1. A By-law to establish a Use of Force Board Policy as adopted at the November 21, 2023 Regular Session of the Thunder Bay Police Services Board.

Explanation: A By-law to establish a Use of Force Policy for the Thunder Bay Police Services Board, and to amend By-law Number PC10-2001 by removing the Use of Force Policing Standards Policy from Schedule “A” of the Adequacy Standards Policies for the Thunder Bay Police Service Board. References and amendments to Use of Force in By-Law PC10-2001 and its Attachment “A” for Adequacy Standard Policies in PC2-2008, in PC32-2018, or in other By-laws of the Board since the enactment of PC10-2001, or in any policies or procedures of the Thunder Bay Police Service, are hereby repealed, effective the passing of this By-law PC26-2023.

BY-LAW NUMBER: PC26-2023

CARRIED

- b) Missing Persons Policy By-Law

MOVED BY: Ms. D. Baxter

SECONDED BY: Mr. W. Bahlieda

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Chair and Secretary, sealed and numbered:

1. A By-law to establish a Missing Persons Board Policy as adopted at the November 21, 2023 Regular Session of the Thunder Bay Police Services Board.

Explanation: Further to the Senator Murray Sinclair Report, and its recommendations, it is necessary and expedient to establish a Missing Persons Policy for the Thunder Bay Police Services Board, as adopted at the November 21, 2023 Regular Session of the Board.

BY-LAW NUMBER: PC27-2023

CARRIED

- c) Delegation of Authority to Appoint New Hires By-Law

MOVED BY: Councillor K. Etreni

SECONDED BY: Ms. D. Baxter

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Chair and Secretary, sealed and numbered:

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1. A By-law to amend By-law PC26-2020, to delegate authority for the appointment of new hires for the Thunder Bay Police Service.

Explanation: A By-law to amend By-law PC26-2020, with respect to delegation of authority to appoint new hires, from named individuals to the Chair of the Thunder Bay Police Services Board and the Chair of the Thunder Bay Police Services Board's Labour Relations Committee.

BY-LAW NUMBER: PC28-2023

CARRIED

10. CONFIRMING BY-LAW

MOVED BY: Councillor K. Etreni

SECONDED BY: Ms. D. Baxter

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Chair and Secretary to the Thunder Bay Police Services Board, sealed and numbered:

1. A By-law to confirm the proceedings of a Regular Session of The Thunder Bay Police Services Board, this 19th day of December, 2023.

Explanation: Confirmation of the proceedings and each motion, resolution and other action passed or taken by the Thunder Bay Police Services Board at this meeting is required, adopted, ratified and confirmed as if all such proceedings had been expressly embodied in this By-law.

BY-LAW NUMBER: PC29– 2023

CARRIED

11. ADJOURNMENT

The meeting adjourned at 12:07 p.m.

Proposed Indigenous Relationship Policy

Indigenous Relationship Policy	Date Created	2023/XX/XX
	Previous/Replaces	N/A
	Last Date Reviewed	N/A
	Last Date Revised	N/A
	Policy Review Cycle	XXXX
Contact for Policy Questions:	Contact Position: XXXXX	

“...we have to acknowledge that there is systemic racism in the board and in the police service (and) on behalf of the board, I wish to apologize to each and every member of the Indigenous community of Thunder Bay for the existence of systemic racism.” Thomas Lockwood, Administrator

Introduction

Indigenous Peoples have a right to equitable and quality services.

The Service, Chair and Board:

- commit to reconciling relationships with Indigenous Peoples through constructive action addressing systemic racism within the Service and Board.
- commit to transparency and accountability through the sharing of information, reporting, and engagement on policy with Indigenous Peoples.
- will work within a relationship framework that is committed to the principles of reconciliation, that acknowledges and respects Indigenous Peoples, their governance and their agencies, with whom the Service, Chair and Board will work collaboratively.

Collaboration with Indigenous Peoples may include both formal and informal approaches and will utilize an inclusive Nation to Nation Plus approach with the Urban Indigenous Community, Indigenous Women’s agencies, as well as First Nation, Metis, and Inuit governance. This

Proposed Indigenous Relationship Policy

collaboration aligns with the principles and rights with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Definition of Terms

In this policy:

“Indigenous” is inclusive of all First Nation, Metis, and Inuit peoples, including urban Indigenous peoples.

“Board” means the Thunder Bay Police Services Board.

“Chair” means the Chair of the Board and, in their absence, the Vice-Chair of the Board.

“Chief of Police” means the Chief of the Service.

“Service” means the Thunder Bay Police Service.

“Thunder Bay” means the city of Thunder Bay and any neighbouring community(ies) for which the Service has policing responsibility.

This is a policy of the Thunder Bay Police Services Board with respect to relations between the Board and the Service with Indigenous Peoples:

1. This policy recognizes that:
 - a. Thunder Bay and the surrounding area is built on the traditional territory of the Anishnabek people, originally known as Anemki Wequedong, now also the Treaty Territory of the Fort William First Nation, signatories to the Robinson-Superior Treaty in 1850.
 - b. Indigenous peoples continue to call Thunder Bay home and may access multiple services within the area, including Thunder Bay Police services. Indigenous peoples have an interest in Thunder Bay being a safe community and have a right to be provided with quality, respectful services.
 - c. First Nation, Metis, Inuit, and Urban Indigenous governance and agencies are entitled to share the perspectives and experiences of their members, clients and the Indigenous community with the Board and the Service. The Board and

Proposed Indigenous Relationship Policy

Service will work with them towards establishing transparent and solution focused outcomes.

- d. The Board and Service will work collaboratively with Indigenous communities and governance and with Indigenous agencies, including with First Nations police services, to learn, build relationships, share resources, and work together towards community safety.
 - e. Developing and maintaining respectful and collaborative relationships with Indigenous leaders is an important aspect of ensuring that the Board and the Service fairly and effectively serve Indigenous Peoples. This type of working relationship is a contribution by the Board and the Service towards reconciliation.
2. The Chair and the Chief of Police will individually, and together, work to establish respectful and collaborative relations with the Indigenous leadership that is inclusive of both the elected leadership of the First Nation, Metis, Inuit communities within the area, as well as the leadership of the Urban Indigenous agencies and Indigenous women's specific agencies.
 3. The Chair and the Chief of Police will report to the Board in respect of their work as it relates to this policy and will report on concerns, issues, feedback received from the Indigenous partners as well as collaborative outcomes.
 4. The Chair and the Chief of Police will request at least twice-yearly meetings with the Indigenous leaders designated by the First Nation, Metis, Inuit, and Urban Indigenous governance and agencies to share information about the work of the Board and the Service and to receive information and advice from the Indigenous partners.
 5. The Chair and the Chief of Police will report to the Board at its May and November meetings, and otherwise as may be appropriate, in respect of the twice-yearly meetings mentioned above.



Thunder Bay Police Service

DARCY FLEURY, CHIEF OF POLICE
1200 Balmoral Street, Thunder Bay, ON P7B 5Z5
Tel: (807) 684-1304 • Fax: (807) 623-9242

Date of Report: January 4, 2024
Date of Meeting: January 16, 2024
Report No: 03/24

Thunder Bay Police Services Board
317 Victoria Avenue East, Suite 8
Thunder Bay, ON P7C 1A4

SUBJECT

The Independent Police Review Act, 2007, established the Office of the Independent Police Review Director (OIPRD) and delegates' responsibility for the oversight and governance of public complaints concerning Ontario's Police Services to the OIPRD.

The Police Services Act establishes a partnership between the Thunder Bay Police Service, the Police Services Board, members of the public, and the OIPRD to investigate and resolve public complaints.

The Professional Standards Branch of the Thunder Bay Police Service investigates public complaints assigned by the OIPRD, under Part V of the Police Services Act, with respect to:

- Officer conduct complaints
- Complaints about the service and policies of the Thunder Bay Police Service

At the conclusion of the investigation, the office of the Chief of Police will adjudicate the complaint. A substantiated officer conduct complaint may be dealt with by informal resolution or a Police Services Act Hearing. A substantiated service or policy complaint requires the Chief of Police report to the complainant, the Police Services Board and the OIPRD, on the resolution of the complaint. An unsubstantiated Officer conduct or policy/service complaint requires that no further action be commenced.

All steps in the public complaint process are subject to review by the OIPRD.

REPORT SUMMARY

Summary of Fourth Quarter Complaints 2023	
Local Inquiries	0
Customer Service Resolution (CSR)	0
Withdrawn by Complainant Prior to Screening by OIPRD	2
Not Accepted	12
Accepted – Transitioned from CSR/ER	0
Accepted – OIPRD investigate	0
Accepted – TBPS Investigate	7
Accepted – OPP Investigate	0
Total Fourth Quarter Service Complaints	2
Total Fourth Quarter Conduct Complaints	19
Total Fourth Quarter Complaints	21

2023 Complaints Disposed of in the Fourth Quarter of 2023	
Withdrawn	3
Unsubstantiated	1
CSR/ER	0
Substantiated	0
Informal Resolution	0
PSA Hearing	0
Total	4

Summary of 2023 Complaints Disposed of by Quarter in 2023	
First Quarter	3
Second Quarter	1
Third Quarter	4
Total Disposed 2023 Complaints by Quarter	8

2023 Outstanding Complaints	
Service Complaints	2
Conduct Complaints	6
Section 72 (Suspended Investigations)	1
Total	9

Summary of 2022 Complaints Disposed of by Quarter in 2023	
First Quarter	5
Second Quarter	5
Third Quarter	0
Fourth Quarter	0
Total Disposed 2022 Complaints in 2023	10

2022 Outstanding Complaints	
Service Complaints	0
Conduct Complaints	0
Section 72 (Suspended Investigations)	1
Total	1

2016-2017 Complaints Disposed of in the Fourth Quarter of 2023	
Withdrawn	0
Unsubstantiated	0
CSR/ER	0
Substantiated	0
Informal Resolution	0
PSA Hearing	0
Total (OIPRD has the outstanding 2016-2017 complaint)	1

COMMENTS

N/A

RECOMMENDATIONS

For Information Only

Respectfully submitted,

Darcy Fleury
Chief of Police

Prepared by: Inspector Gordon Snyder – Corporate Services

Ministry of the Solicitor General

Ministère du Solliciteur général

Office of the Chief Coroner
Ontario Forensic Pathology Service

Bureau du coroner en chef
Service de médecine légale de l'Ontario



Forensic Services and
Coroners' Complex
25 Morton Shulman Avenue
Toronto ON M3M 0B1

Complexe des sciences judiciaires
et du coroner
25, Avenue Morton Shulman
Toronto ON M3M 0B1

Telephone: (416) 314-4000
Facsimile: (416) 314-4030

Téléphone: (416) 314-4040
Télécopieur: (416) 314-4060

July 19, 2023

Via email: Sylvie.hauth@thunderbaypolice.ca

Sylvie Hauth
Chief of Police
Thunder Bay Police Service
1200 Balmoral Street
Thunder Bay, ON P7B 5Z5

Dear Chief Hauth:

Re: Inquest into the death of: Emmanuel ORUITEMEKA
Date Death Pronounced: February 16, 2014
OCC Inquest File No.: Q2023-11
Date Inquest Jury Verdict &
Recommendations Received: July 14, 2023

The jury in the inquest into the death of Emmanuel Oruitemeka has made recommendations which your organization may be in a position to implement. Please report back regarding your consideration to implement the recommendations relating to your organization by completing the attached chart, *Responses to Jury Recommendations*. Your response is requested by **January 19, 2024**.

A list of organizations requested to report back is provided.

We are pleased to provide you with a copy of the inquest jury verdict and recommendations. The presiding officer's verdict explanation will follow when it becomes available.

I would like to explain the significance of inquests and consequent recommendations under the *Coroners Act*. An inquest is a public hearing conducted by a presiding officer before a jury of five community members. Inquests are held for the purpose of informing the public about the circumstances of a death. An inquest does not find fault, blame or legal wrongdoing but rather examines the circumstances of one or more deaths and looks for lessons that can be learned from the death(s) that may contribute to a safer future for the living. Juries often make recommendations based on these learned lessons and, while they are not binding, it is hoped that implemented recommendations will prevent future deaths in similar circumstances.

Responses to inquest recommendations will be made public. Therefore, your response should not contain personal identifiers with the exception of identifying the decedent.

Please provide us with the name and contact information of the individual leading your organization's response by September 19, 2023. As well, if you feel any of the recommendations should be directed elsewhere, complete the attached *Contact Information and Recommendation Referrals* form and forward to OCC.inquests@ontario.ca.

As noted above, inquest jury recommendations are not legally binding; however, we trust they will be given careful consideration for implementation and, if not implemented, that your organization provides an explanation.

Thank you for participating in this important process. Please contact me if you have any questions.

Sincerely,



David A. Cameron, MD, LLB, CCFP
Regional Supervising Coroner – Inquests

/msp

Attachments:

Responses to Jury Recommendations

List of Organizations Requested to Respond to Jury Recommendations

Contact Information and Recommendation Referrals

Responses to Jury Recommendations
 ORUITEMEKA Inquest Q2023-11

THUNDER BAY POLICE SERVICE

<p>RECOMMENDATIONS:</p> <p align="center"># 1 to 13</p>

REC. #	ORGANIZATION'S RESPONSE

List of Organizations Requested to Respond to Jury Recommendations

ORUITEMEKA Inquest Q2023-11

Thunder Bay Police Service

Government of Ontario

Contact Information and Recommendation Referrals

Responses to Jury Recommendations

ORUITEMEKA Inquest Q2023-11

THUNDER BAY POLICE SERVICE

Part I: Contact Information

Name	Position Title
Email address	Telephone number

Part II: Referral

We believe the following recommendations may be best addressed by these organizations:

Recommendation Number	Organization Name & Address	Contact Name & Title

Forward to occ.inquests@ontario.ca



Office of the
Chief Coroner
Bureau du
coroner en chef

Verdict of Inquest Jury
Verdict de l'enquête

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

We the undersigned / Nous soussignés,

_____ of / de Gorham, Ontario
 _____ of / de Thunder Bay, Ontario
 _____ of / de Thunder Bay, Ontario
 _____ of / de Rosslyn, Ontario
 _____ of / de Gorham, Ontario

the jury serving on the inquest into the death(s) of / membres dûment assermentés du jury à l'enquête sur le décès de:

Surname / Nom de famille <u>Oruitemeka</u>	Given Names / Prénoms <u>Emmanuel</u>
---	--

aged 25 held at 25 Morton Shulman Ave. (virtual), Ontario
à l'âge de tenue à

from the July 04 to the July 14 20 23
du au

By Dr. Bob Reddoch Presiding Officer for Ontario
Par président pour l'Ontario

having been duly sworn/affirmed, have inquired into and determined the following:
avons fait enquête dans l'affaire et avons conclu ce qui suit :

Name of Deceased / Nom du défunt
Emmanuel Oruitemeka

Date and Time of Death / Date et heure du décès
February 16, 2014 3:42 pm

Place of Death / Lieu du décès
Thunder Bay Regional Health Science Centre, 980 Oliver Road, Thunder Bay Ontario

Cause of Death / Cause du décès
a. Anoxic Ischemic Brain Injury, DUE TO or as the consequence of b. Cardiovascular Collapse
DUE TO or as the consequence of c. Cocaine Ingestion

By what means / Circonstances du décès
Undetermined

Original confirmed by: Foreperson / Original confirmé par: Président du jury

Original confirmed by jurors / Original confirmé par les jurés

The verdict was received on the 14 day of July 20 23
Ce verdict a été reçu le (Day / Jour) (Month / Mois)

Presiding Officer's Name (Please print) / Nom du président (en lettres moulées) <u>Dr. Bob Reddoch</u>	Date Signed (yyyy/mm/dd) / Date de la signature (aaaa/mm/dd) <u>2023/07/14</u>
---	---

Presiding Officer's Signature / Signature du président

We, the jury, wish to make the following recommendations: (see page 2)
Nous, membres du jury, formulons les recommandations suivantes : (voir page 2)



Office of the
Chief Coroner
Bureau du
coroner en chef

Verdict of Inquest Jury Verdict de l'enquête

The Coroners Act – Province of Ontario
Loi sur les coroners – Province de l'Ontario

**Inquest into the death of:
L'enquête sur le décès de:
Emmanuel Oruitemeka**

JURY RECOMMENDATIONS RECOMMANDATIONS DU JURY

To the Thunder Bay Police Service:

1. Schedule joint training on an annual basis, allowing first responders to learn more about the roles and responsibilities of other agencies, in consultation with the Thunder Bay Fire Department and Superior North Emergency Medical Services (SNEMS).
2. Review and develop a plan to incorporate mandatory anti-Black racism training into future anti-racism programs and initiatives. The content of this training should include, but not be limited to, the history of Black people in Canada and the justice system, anti-Black racism, and unconscious bias. The training must address:
 - a. identifying and managing implicit bias;
 - b. internal reluctance to acknowledge the existence of systemic racism;
 - c. identifying, understanding, and eliminating systemic racism;
 - d. understanding the impact and perception of police conduct during interactions with Black people; and
 - e. understanding the meaning and connotation of certain words and actions in relation to Black people.
3. The training described at paragraph 2 should comply with the following principles:
 - a. The content of the training should be developed in consultation with community organizations and content experts with lived experiences.
 - b. The training is updated on an ongoing basis with different simulations and examples of interactions with Black people.
 - c. There is a mechanism to test, and a record is maintained of, all police members that have completed the training.
4. Ensure that all police members are aware of internal policies by providing in-person training on all policy updates and critical policies during annual block training and during a member's regularly scheduled shifts. The training should include interactive scenario-based exercises that are relevant to the duties of Thunder Bay Police Service police members.
5. Consider the implementation of an electronic learning ("e-learning") platform to facilitate the delivery of policy training that may occur outside of the annual block training.
6. Where an individual dies in police custody, ensure that all police members involved in the detention, arrest, or monitoring of the deceased are provided information about the cause of death, and provided training on symptoms that may be related to the cause of death, as soon as reasonably possible following the death.
7. Institute a policy to mandate regular educational and mental health debriefs with all police members involved with incidents that engage the Special Investigations Unit (SIU) to ensure that supports are in place, and ensure that the incident is used as a learning tool so that future incidents can be prevented.
8. Implement and train all police members on a policy that requires all police members to communicate clearly and directly, and apply the "closed-loop" communication method (i.e., the person receiving instruction or information repeats it back to make sure the message is understood correctly, and the sender confirms).

9. Train and require all police members to ascertain any medical information and salient factors about persons in their care or custody who are unresponsive or experiencing medical distress, to clearly record this information in the police member's notebook, and to ensure to communicate this information with other police members actively involved in the care of the person. This should include medical personnel being made aware of this information.

10. Deliver training to all police members related to the recognition of medical distress. The training should include interactive scenario-based exercises that are relevant to the duties of Thunder Bay Police Service police members. Include the facts and circumstances of Mr. Emmanuel Oruitemeka's death as the basis of a scenario-based policy training exercise. Consider creating a re-enactment video of Mr. Emmanuel Oruitemeka's death to portray the actions of the officers that were not conducive to life saving actions in relation to excited delirium. This should include all information from the time of entering the cruiser on the scene forward to SNEMS intervention.

11. Redraft the prisoner care and control policy to clearly delineate elements of care (e.g., mandatory health checks, safety assessments) and elements of handling (e.g., seizure of property, detention), and further train all police members to understand the differences and balance between the care of persons and the handling of persons in their custody.

12. Revise the "jailer responsibilities" section of the jailer training guide to include a mandatory requirement to assess the safety and well-being of a person who may be placed in a cell.

13. Require both the Jailer and Watch Commanders to have Emergency First Responder First Aid certification (i.e., a level above standard first aid).

To the Government of Ontario:

14. Provide funding to permit the Thunder Bay Police Service to implement the e-learning program.

Personal information contained on this form is collected under the authority of the *Coroners Act*, R.S.O. 1990, C. C.37, as amended. Questions about this collection should be directed to the Chief Coroner, 25 Morton Shulman Avenue, Toronto ON M3M 0B1, Tel.: 416 314-4000 or Toll Free: 1 877 991-9959.

Les renseignements personnels contenus dans cette formule sont recueillis en vertu de la *Loi sur les coroners*, L.R.O. 1990, chap. C.37, telle que modifiée. Si vous avez des questions sur la collecte de ces renseignements, veuillez les adresser au coronier en chef, 25, avenue Morton Shulman, Toronto ON M3M 0B1, tél. : 416 314-4000 ou, sans frais : 1 877 991-9959.

Board and Committee - Orientation and Training

Policy No:

Date Approved:

Next Review Date:

Dates Amended:

Policy Statement

1. The Thunder Bay Police Services Board (“the Board”) recognizes that the governance of a Police Service is a significant public responsibility, and the Board strives for excellence in police governance. The Board acknowledges that members bring a variety of competencies and skills to their position and that their contribution can be enhanced through ongoing professional development opportunities.
2. Therefore, it is the policy of the Board to provide a comprehensive orientation program to both newly appointed Board and Board committee members.

APPLICATION AND SCOPE

This policy applies to all Board, and committees of the Board, members.

POLICY GUIDELINES

1. Each newly appointed member of the Board is required to attend:
 - a. orientation sessions provided by the Secretary in coordination with the Executive Secretary, Thunder Bay Chief of Police (Chief of Police) and Regional Solicitor.
 - b. orientation sessions provided by the Ontario Ministry of Community Safety and Correctional Services.
2. A newly appointed Board member orientation must include education/overview in:
 - a. Board organizational structure,
 - b. Board role, authorities, limitations,
 - c. expectations of a Board member,
 - d. Board duties and duties of the Chief of Police,
 - e. oath of office, conflict of interest, oath of confidentiality, code of conduct,
 - f. human rights, systemic racism,
 - g. recognition and respect for the diverse, multi-racial and multicultural character of Ontario society,
 - h. recognition and respect of rights and cultures of First Nation, Inuit and Metis Peoples,
 - i. overview of the strategic plan for the service,
 - j. overview of current budget and budgeting process,
 - k. communication protocols,
 - l. current and confidential issues,
 - m. Board meetings, schedule, minutes,
 - n. Board policies and procedures,
 - o. legislation – Police Services Act.
3. A Board member shall not exercise their powers/perform the duties of a board member until they have successfully completed education and signed documents relative to section 2.
4. A newly appointed Board member orientation should include:
 - a. an introduction to the Chief of Police,
 - b. an overview of the Thunder Bay Police Service,
 - c. a tour of the police facilities,

- d. a meeting with senior and front-line officers,
 - e. a briefing on current challenges and community developments,
 - f. a police car ride along,
 - g. a photo taken for the manufacture of an identification badge.
5. A newly appointed member of a committee of the Board orientation must include education in:
- a. Committee role and member responsibilities,
 - b. conflict of interest, oath of confidentiality, code of conduct,
 - c. human rights, systemic racism,
 - d. recognition and respect for the diverse, multi-racial, and multicultural character of Ontario society
 - e. recognition and respect of rights and cultures of First Nation, Inuit, and Metis Peoples,
6. A Committee member shall not exercise their powers/perform the duties of their position until they have successfully completed education and signed documents relative to section 5.

OTHER DEVELOPMENT OPPORTUNITIES

Provided the requirements have been met in the above-noted sections, and if there are sufficient funds in the annual board budget, Board members are encouraged to attend other learning and networking sessions related to policing and/or governance offered by:

- Ontario Association of Police Services Boards
- Police Association of Ontario
- Canadian Association of Police Governance
- Canadian Police Association
- Canadian Association of Civilian Oversight and Law Enforcement
- Other related organizations.

MENTORING OPPORTUNITIES

Current Board Members who wish to serve as mentors to new Board members are to advise the Chair of the Board.

Statutory Authority/References

1. Legislative Authority: Section 35 (2) of the Community Safety and Policing Act, c. 1, Sched 1, s. 37 (2)
2. Senator Murray Sinclair report dated November 1, 2018

TO: Thunder Bay Police Services Board

FROM: John S. Hannam, Secretary

DATE: January 9, 2024

SUBJECT: **Strategic Planning**

As members of the Board will know setting out a Strategic Plan for policing in our community(s) is a requirement on the Board.

Currently in the *Police Services Act* that work is set out in Section 30 of Regulation 3/99 to the *Act*, describing the details to be addressed in a ‘business plan’.

In the *Community Safety and Policing Act* (CSPA) that responsibility is set out in *Section 39 of the Act*, identifying the plan as a ‘Strategic Plan’ and adding a number of key areas of consideration to be addressed in preparing the Plan. The number of changes that outline what a Strategic Plan must consider, and that it is laid out in the legislation, not in regulation, highlights the importance of this as requirement on the Board. The new Act also directs that plans be reviewed and/or revised once every 4 years, as opposed to the current 3 year cycle.

As the current plan ‘expired’ at the end of 2023 it is time for the Board to begin to consider how it wishes to proceed with the development of a new plan, in accordance with the provision of the CSPA. Consideration should be given to the timing and resources to be applied. This memorandum is presented to encourage the Board to begin that conversation.

Memorandum

TO: Thunder Bay Police Services Board

FROM: John S. Hannam, Secretary

DATE: January 9, 2024

SUBJECT: **CSPA Summit**

In preparation for the enactment of the *Community Safety & Policing Act, 2019* on April 1, 2024, the Ontario Association of Police Services Boards (OAPSB), in partnership with the POA, OACP and OSOPA, is hosting a summit on the new Act and the many changes that the Act presents for both Services and Boards. The summit will include sessions on key topics such as: Adequate and Effective Policing and Provision of Police Services, and the Responsibilities of the Board and Chief as impacted by the new Act.

The following link to the summit site provides greater detail on the event:

<https://oapsb.ca/events/cspa-summit/>

Having at least one or two members of the Board attend these sessions is recommended to you.

Accordingly the following motion is presented to authorize the expenses of doing so:

“With respect to the CSPA Summit, hosted by OAPSB, and others, on February 27-28, 2024, we recommend that the Thunder Bay Police Services Board authorize the following individuals to attend and that their expenses be paid from the Board’s operating budgets:

_____”
