

**MEETING: THE SECOND MEETING OF THE FIFTY-FOURTH THUNDER BAY
POLICE SERVICES BOARD (CLOSED SESSION)**

DATE: JANUARY 17, 2023

TIME: 10:50 A.M.

PLACE: VALHALLA HOTEL & CONFERENCE CENTRE
1 Valhalla Inn Road, Thunder Bay, ON

ADMINISTRATOR: MR. M. MERCER

PRESENT:

Mayor K. Boshcoff
Councillor S. Ch'ng
Mr. M. Mercer

ABSENT:

Ms. G. Morriseau

OFFICIALS:

Mr. D. Taddeo, Acting Chief of Police
Mr. C. Adams, Director – Communications &
Technology
Inspector G. Snyder, Thunder Bay Police Service
Staff Sgt. J. Dampier, 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:

Mr. T. Gervais, Police Services Advisor – Ministry
of the Solicitor General
Mr. D. Jarvis, Filion Wakely Thorup Angeletti LLP

1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

Added under New Business, a Memorandum to the Thunder Bay Police Services Board from Malcolm Mercer, dated January 14, 2023, relative to the Annual Leave Grievance by the Police Association.

Also added under New Business, correspondence to Watson Labour Law, Ms. H. Walbourne, Legal Counsel – Thunder Bay Police Service, and Staff Sergeant M. Dimini, from Malcolm Mercer, Administrator, all dated January 12, 2023, relative to the Notice of Complaint/ Investigation and the Notice of Suspension of Deputy Chief of Police, Ryan Hughes.

MOVED BY: Mr. M. Mercer

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With respect to the Second Session (Closed) of the Fifty-Fourth Thunder Bay Police Services Board held on January 17, 2023, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED by the Administrator

3. CONFIRMATION OF MINUTES

The Minutes of the Thirty-Second Session (Closed) of the Fifty-Third Thunder Bay Police Services Board held on November 15, 2022, to be confirmed.

MOVED BY: Mr. M. Mercer

Minutes of the Thirty-Second Session (Closed) of the Fifty-Third Thunder Bay Police Services Board, held on November 15, 2022 be confirmed.

CARRIED by the Administrator

4. REPORTS OF THE THUNDER BAY POLICE SERVICE

a) Property Audit Report

Confidential Memorandum to the Thunder Bay Police Services Board from Acting Chief of Police D. Taddeo, dated January 6, 2023, relative to the annual audit of cash exhibits, was provided for the Board's information.

Mr. C. Adams, Director – Communications & Technology, provided a comprehensive overview relative to the audit process and the annual audit of cash exhibit.

No major issues were noted; however, several recommendations were made. Space remains at issue; the security system is adequate but the facility is at risk for a fire or something of that nature. The facility is not adequate to deal with the sheer volume of exhibits that need to be retained.

Mr. Adams responded to questions about the possibility of storing cash off-site as an interim measure until a new facility is built.

5. ORGANIZATION AND PERSONNEL

Complaints and Compliments

Staff Sergeant J. Dampier, Thunder Bay Police Service, provided a confidential verbal overview of complaints against police officers – complaints not accepted by the OIPRD, as well as newly

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accepted complaints by the OIPRD, for Q4 (October, November and December, 2022). Also included in the verbal overview were unsubstantiated and concluded complaints.

Discussion was held relative to providing more useful information for the Board. Inspector G. Snyder responded to questions.

Staff Sgt. Dampier left the meeting at 11:34 a.m.

6. GENERAL MATTERS

a) Inquest Recommendations – MacDougall

Inspector G. Snyder provided an overview of the recommendations that came out of the MacDougall inquest, as well as how the Police Service is addressing those recommendations. He noted that the Police Service is in full compliance with those recommendations.

b) SIU Investigations

Inspector G. Snyder provided an overview and responded to questions about six (6) SIU Investigations that are currently underway and ongoing.

Acting Chief of Police D. Taddeo reported that 2 of the investigations are directly linked to violent crime. He noted that the SIU will be releasing a media release later today, so he wanted the Board to be informed about the subject matter prior to the release.

Acting Chief Taddeo emphasized the enormous amount of manual work that goes into each investigation. He noted that the body worn cameras have provided an invaluable amount of evidence that ultimately shortens many investigations and mitigates many potential lawsuits.

Inspector Snyder noted that, going forward, the Police Service will be providing a quarterly report of SIU investigations for the Board.

Mr. C. Adams and Inspector G. Snyder left the meeting at 11:52 a.m.

7. UPDATES FROM LEGAL COUNSEL

Mr. D. Jarvis, Fillion Wakely Thorup Angeletti LLP, reported on the status of outstanding grievances, as well as those grievances that have been resolved since the last Board meeting.

Mr. Jarvis advised that the Oruitemeka Inquest might be scheduled for the first week of July 2023.

There are no updates regarding the large number of outstanding human rights applications. They

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are all sitting with the Human Rights Tribunal, which continues to make slow progress due to a lack of resources.

Thunder Bay Police Association – Annual Leave Policy Grievance

Memorandum to the Thunder Bay Police Services Board from Malcolm Mercer, dated January 14, 2023, relative to the Annual Leave Grievance by the Police Association, was distributed separately to the Board as Additional Information via email on January 16, 2023.

Mr. Jarvis provided an overview relative to the grievance, and recommended that the Board deny the grievance, as set out in Administrator Mercer's memorandum.

MOVED BY: Mr. M. Mercer

With respect to the Annual Leave Policy Grievance presented by the Thunder Bay Police Association, dated September 9, 2022, we recommend that, having considered the grievance and exhausted attempts to resolve the matter, the Thunder Bay Police Services Board deny the grievance;

AND THAT the Association be so advised.

CARRIED by the Administrator

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, will send out a letter of denial to the Police Association, and provide a copy for Filion Wakely Thorup Angeletti LLP.

Mr. D. Jarvis left the meeting at 12:04 p.m.

8. GENERAL MATTERS, *continued*

c) Strategic Plan Update

Further to Acting Chief of Police D. Taddeo's Report No. 04/23 presented in Regular Session, Acting Chief Taddeo provided a response to Question #2 in the Report, regarding the average number of days a job is posted to when a successful candidate starts. External postings are filled as quickly as possible.

Acting Chief Taddeo noted that the Police Service is involved with a number of drug investigations where Thunder Bay will be the lead agency for these investigations. An overview of investigations outside of Thunder Bay was also provided.

An overview of his meeting with the Deputy Solicitor General, the Assistant Deputy General of Correctional Services and MPP Kevin Holland was provided. More regional dollars are needed.

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Acting Chief of Police Taddeo left meeting at 12:12 p.m.

d) Memorandum – Summary of Approvals by Administrator

Memorandum to Members of the Thunder Bay Police Services Board from Mr. J. Hannam, Secretary to the Board, dated January 9, 2023, relative to a summary of approvals made by Administrator Malcolm Mercer since the November 15, 2022 Closed Session, was provided for the Board's information.

Administrator Mercer also noted that he also entered into an agreement with Chief Hauth relative to her retirement benefits.

e) Accounts Update – Approval for Payment of Invoices

Confidential Memorandum from John S. Hannam, Secretary to the Board, to Members of the Thunder Bay Police Services Board, dated January 9, 2023, relative to the invoices processed for payment since the November 15, 2022 Closed Session, was provided for the Board's information.

9. TRACKING OUTSTANDING MATTERS

- Draft policy responding to recommendations # 2 through 4 of the Epstein Report – Missing and Missed
- Request for Appointment of a Conciliation Officer - Firth
- Ogima Complaint
- Oruitemeka Inquest

10. NEW BUSINESS

Deputy Chief of Police Ryan Hughes – Suspension and Investigation

Correspondence to Watson Labour Law, Ms. H. Walbourne, Legal Counsel – Thunder Bay Police Service, and Staff Sergeant M. Dimini, from Malcolm Mercer, Administrator, all dated January 12, 2023, relative to the Notice of Complaint/Investigation and the Notice of Suspension of Deputy Chief of Police, Ryan Hughes, were distributed to the Board Only as Additional Information on January 16, 2023.

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, provided background information as well as an overview relative to the above noted correspondence.

Administrator M. Mercer provided an overview of the final report from the Toronto Police Service, as well as his recommendations on how to proceed. He responded to questions from members of the Board.

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Administrator Mercer asked Mr. J. Hannam to direct the Board's legal counsel, Mr. Jarvis, to seek an informal resolution of this matter. When legal counsel determines whether an informal resolution can be agreed of a hearing will be required, the Board will consider whether to lift the suspension.

MOVED BY: Mr. M. Mercer

With respect to the suspension of Ryan Hughes, Deputy Chief of Police, it is recognized that the investigation conducted by the report from the Toronto Police Service, as directed by the Ontario Civilian Police Commission, has been completed;

AND THAT the conclusions of that investigation are as reflected in the letters sent to the Deputy Chief and the named complainants;

AND THAT we recommend that the Thunder Bay Police Services Board directs legal counsel to seek an informal resolution to the substantiated charges, pending the outcome of which the suspension of the Deputy Chief shall continue in place.

CARRIED by the Administrator

11. NOTIFICATION OF RESIGNATION

Correspondence to Mr. Malcolm Mercer, Administrator of the Thunder Bay Police Services Board, from Chief Sylvie Hauth, dated January 5, 2023, relative to official notification of her resignation, was provided to Board Members Only.

Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, provided an overview relative to the above noted. He noted that Chief Hauth will be taking an early retirement, effective January 27, 2023. Administrator Mercer has entered into an agreement with Chief Hauth for benefits. The Agreement has been duly executed as of this meeting. A media release will be released today after this meeting.

It was noted that the Board will be executing a new agreement with Acting Chief Taddeo to extend his current agreement beyond Chief Hauth January 27, 2023 retirement date.

12. CONFIRMING BY-LAW

MOVED BY: Mr. M. Mercer

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

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1. A By-law to confirm the proceedings of a Closed Session of The Thunder Bay Police Services Board, this 17th day of January, 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: PC2 – 2023

CARRIED by the Administrator

13. ADJOURNMENT

The meeting adjourned at 12:33 p.m.