

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. Etrene

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. Etrene

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.

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- 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. Bahlheda

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 Paipooonge (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. Etrene

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. Etrene

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:

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.