

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

DATE: JANUARY 16, 2024

TIME: 9:02 A.M.

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

CHAIR: MS. K. MACHADO

PRESENT:

Mayor K. Boshcoff
Councillor K. Etrene
Ms. K. Machado

ATTENDING BY ZOOM:

Mr. W. Bahlieda
Ms. D. Baxter
Mr. M. Mercer, Administrator

OFFICIALS:

Mr. D. Fleury, 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:

Mr. R. Hughes, Deputy Chief of Police
Mr. T. Gervais, 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

Under New Business, a Request for Indemnification and discussion about the SIU news release on the death of Jenna Ostberg were added.

MOVED BY: Councillor K. Etrene

SECONDED BY: Mayor K. Boshcoff

With respect to the Fourth Session (Closed) 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.

CARRIED

3. CONFIRMATION OF MINUTES

Minutes of the Second Session (Closed) of the Fifty-Fifth Thunder Bay Police Services Board held on December 19, 2023, to be confirmed.

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

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

CARRIED

4. UPDATES FROM LEGAL COUNSEL

Mr. D. Jarvis, Filion Wakely Thorup Angeletti LLP, reported that there was nothing material to report on since the December, 2023 Closed Session.

A brief overview was provided on the files he was working on. He noted that another HRTO complaint was received, and his office is working on a response. The response will be filed within the next two weeks.

Mr. Jarvis left the meeting at 9:10 a.m.

5. ORGANIZATION AND PERSONNEL

a) Update on the 2nd Deputy Chief of Police Position

Mr. J. Hannam provided an update on the search for the new Deputy Chief of Police – Administration. The Governance Committee is meeting with the recruiters on January 17, 2024 to further discuss the launching of the search. There was no new feedback from Board members on the job description. Board members were encouraged to submit any additional feedback by Friday, January 19, 2024.

It was noted that the job descriptions for the Chief of Police and the Deputy Chief of Police positions will have to be updated to align with the job description for the Deputy Chief of Police – Administration.

b) SIU Investigations

Report No. 01/24 (Police) relative to SIU Administrative Report – Section 32 - SIU Case #22-OFP-220, and Report No. 02/24 (Police) relative to SIU Administrative Report – Section 32 - SIU Case #23-OCI-295, were provided for the Board's information.

Inspector G. Snyder provided a verbal overview of the above noted reports, and responded to questions. A verbal overview of the following investigations, as well as five (5) other outstanding investigations, was provided in Closed Session by Inspector Snyder.

- SIU #23-OSA-509 Sexual Assault Allegation – December 20, 2023 received SIU

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- notification. Incident date December 15, 2023;
- SIU #23-OSA-514 Sexual Assault Allegation – December 20, 2023 received SIU notification. Incident date December 16, 2023;
 - SIU #23-OOD-536 Other Death – January 3, 2024 received SIU notification. Incident date December 30, 2023.

Inspector Snyder noted that, once the above investigations conclude, an investigative review by the Service will follow. As always, the Service is fully cooperating with the SIU as they conduct their investigations. The rate for charges is low; there has been a 15-year gap between officers being charged (as a result of SIU investigations).

He noted that the majority of complaints are disproven when the body worn videos are reviewed.

c) SIU News Release on Jenna Ostberg

Discussion was held relative to the initial SIU media release on the death of Jenna Ostberg, and the repercussions/impact on the Police Service and the Mayor's Office that followed.

As a result of Chief Fleury's actions with the SIU Director, a second media release was issued, correcting some of the information in the initial release.

Discussion followed on public relations and the need to publicize good stories when they happen.

6. GENERAL MATTERS

a) Greenshield Benefits

Mr. J. Hannam, Secretary, provided an update relative to the above noted. He noted that the grievance in this regard had been resolved; however, there are occasional issues with responses from Greenshield on benefit submissions. When benefits are denied, Mr. Hannam is contacted by the Police Association, and then he contacts Service HR and through them the City's HR Division for resolution.

b) Nominations for Victim Services Awards of Distinction

At the December 19, 2023 Regular Session, 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, reported that he is finalizing two (2) nominations on behalf of the Board: one for the DEK Foundation (support for individuals in recovery from addictions) and one for the Thunder Bay and Area Victim Services. He has received input from both organizations and will be submitting the nominations in due course.

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7. LABOUR RELATIONS

Correspondence to Karen Machado, Chair – TBPSB, from Marc Caccamo, Bargaining Chair - Thunder Bay Police Association, dated December 20, 2023, was provided for the Board’s information.

Mr. W. Bahlheda, Chair of the Labour Relations Committee, reported that the Committee has started their review of the collective agreements in anticipation of negotiations. Mr. J. Hannam noted that he will be contacting the Police Association about meeting dates to begin negotiations.

8. NEW BUSINESS

Request for Indemnification

Confidential Memorandum to the Thunder Bay Police Services Board from John S. Hannam, dated January 11, 2024, relative to a request for indemnification from Staff Sgt. M. Dimini, was distributed separately on January 15, 2024 with the Additional Information package.

Mr. J. Hannam, Secretary, provided an overview relative to the above noted. He noted that the legal costs aren’t paid until the outcome of cases is arrived at. If the officer is found guilty, the officer is not indemnified with his legal costs.

MOVED BY: Ms. D. Baxter
SECONDED BY: Councillor K. Etreni

With respect to the request for indemnification of legal costs from S. Sgt. M. Dimini arising from defense of identified charges by the Ontario Provincial Police, we recommend that the Thunder Bay Police Services Board approves the request, subject to such provisions of Article 25 of the Uniform Collective Agreement as might apply.

Discussion followed on the motion and the request for indemnification.

Amending Motion:

MOVED BY: Mr. W. Bahlheda
SECONDED BY: Councillor K. Etreni

With respect to the motion responding to the request for indemnification of legal costs from S. Sgt M. Dimini, we recommend that the motion be amended to delete ‘approves’ and replace it with ‘acknowledges’, and adding the phrase ‘that the Board revisit the request once the outcome of the subject charges have been determined’.

CARRIED

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Amended Motion:

MOVED BY: Mr. W. Bahlieda
SECONDED BY: Councillor K. Etreni

With respect to the request for indemnification of legal costs from Staff Sergeant M. Dimini arising from defense of identified charges by the Ontario Provincial Police, we recommend that the Thunder Bay Police Services Board acknowledge the request;

AND THAT the Board revisit the request once the outcome of the subject charges have been determined, subject to such provisions of Article 25 of the Uniform Collective Agreement as might apply.

CARRIED

9. TRACKING OUTSTANDING MATTERS - None

10. CONFIRMING 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 of the Thunder Bay Police Services Board, sealed and numbered:

1. A By-law to confirm the proceedings of a Closed 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

CARRIED

11. ADJOURNMENT

The meeting adjourned at 10:18 a.m.