

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

DATE: MARCH 19, 2024

TIME: 10:37 A.M.

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

CHAIR: MS. K. MACHADO

PRESENT:

Mr. W. Bahlleda
Mayor K. Boshcoff
Councillor K. Etrene
Ms. K. Machado
Mr. M. Mercer, Administrator

ATTENDING BY ZOOM:

Ms. D. Baxter
Mr. T. Gervais, Ministry of the Solicitor
General

OFFICIALS:

Mr. D. Fleury, Chief of Police
Mr. R. Hughes, Deputy Chief of Police
Ms. D. Paris, Director – Financial Services &
Facilities, Thunder Bay Police Service
Detective Inspector J. Pearson, Thunder Bay Police
Service
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

The meeting was called to order at 10:37 a.m. Chair K. Machado took the opportunity to acknowledge that this would be the last formal monthly board meeting for Administrator Malcolm Mercer. She thanked him for his work with the Board over the past two years, and commented that she, as Chair of the Board, was grateful for his guidance. He has been a valuable asset to this Board, the Police Service and indeed our community.

1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

Added under New Business,

- Police Service Report No. 11/24 – Firearm Data Submission.
- Draft Report on Staffing Recommendations.

MOVED BY: Mr. W. Bahlleda

SECONDED BY: Councillor K. Etrene

With respect to the Seventh Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on March 19, 2024, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

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3. CONFIRMATION OF MINUTES

The Minutes of the Fifth Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on February 20, 2024, to be confirmed.

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

THAT the Minutes of the Fifth Session (Regular) of the Fifty-Fifth Thunder Bay Police Services Board held on February 20, 2024 be confirmed.

CARRIED

4. PRESENTATION

At the January 18, 2022 Regular Session of the Board, the Board approved an increase from \$2,500 to \$3,500 of annual funding for the Thunder Bay Police Youth Corps on the condition that an expenditure report be provided annually on the disbursement of funds.

Report to the Thunder Bay Police Services Board from the Thunder Bay Police Youth Corps relative to their disbursement of funds for the period July 1, 2022 to March 19, 2024, was provided for the Board's information.

Sergeant Sean Shorrock – Deputy Commanding Officer – Thunder Bay Police Youth Corps, presented the above noted report and responded to questions.

The conditions of the Board's annual funding were met; a cheque in the amount of \$3,500 will be provided to the Thunder Bay Police Youth Corps.

5. REPORTS OF COMMITTEES

a) Governance Committee

Committee Chair Ms. Denise Baxter reported that the Governance Committee worked with the recruiters on the candidate brief for the 2nd Deputy Chief of Police position. The candidate brief has been posted, and can be found at the following link:

<https://careers.odgersberndtson.com/en-ca/job/29267/>

i. Governance Committee Composition

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated March 11, 2024, relative to the composition of the Governance Committee, was provided for the Board's information.

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Mr. J. Hannam, Secretary, provided an overview relative to the requirement to add a 4th Board member to the committee.

MOVED BY: Mr. W. Bahlieda
SECONDED BY: Mayor K. Boshcoff

With respect to the composition of the Thunder Bay Police Services Board's Governance Committee, we recommend that in order to comply with committee composition as provided for in the *Community Safety and Policing Act, 2019*, that the composition be amended from 3 members of the Board, and 3 community representatives, to 4 members of the Board and 3 community representatives;

AND THAT Board member Kasey Etreni be appointed to the Governance Committee to fulfil this change.

CARRIED

ii. Information Sharing Policy

Memorandum to the Board from Malcolm Mercer, dated March 13, 2024, relative to the Board's Information Sharing Policy, was provided for the Board's information.

Administrator M. Mercer provided an overview of the above noted memorandum, and discussed the timing of reports to be presented to the Board. A discussion followed about the timing of presentations and when related data can be practically included in some of the reports.

At 11:03 a.m., Denise Baxter assumed the role of Chair.

MOVED BY: Ms. K. Machado
SECONDED BY: Councillor K. Etreni

With respect to the Memorandum to the Board from Malcolm Mercer, dated March 13, 2024, relative to the Board's Information Sharing Policy, we recommend that the frequency and timing set out in the subject memorandum be approved.

Ms. K. Machado offered her amendments to the timing and frequency of the reports, as set out in Administrator Mercer's memorandum.

Discussion followed on timing and frequency, and the Board asked that Chief Fleury coordinate his reports and data with Secretary Hannam.

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Amending Motion

MOVED BY: Ms. K. Machado
SECONDED BY: Councillor K. Etreni

With respect to the Board's Information Sharing Policy, we recommend that amendments to the frequency and timing, as proposed at the March 19, 2024 Regular Session of the Board, be incorporated into the Information Sharing Policy;

AND THAT the delivery of the Annual Report be determined upon further review.

CARRIED

Amended Motion

MOVED BY: Ms. K. Machado
SECONDED BY: Councillor K. Etreni

With respect to the Memorandum to the Board from Malcolm Mercer, dated March 13, 2024, relative to the Board's Information Sharing Policy, we recommend that the frequency and timing set out in said memorandum, as well as the amendments to the frequency and timing, as proposed at the March 19, 2024 Regular Session of the Board, be incorporated into the Information Sharing Policy, be approved;

AND THAT the delivery of the Annual Report be determined upon further review.

CARRIED

At 11:11 a.m., Ms. K. Machado assumed the role of Chair.

b) Labour Relations Committee

Committee Chair Mr. W. Bahlieda reported that the Committee will be meeting with the Police Association representatives, representing the Civilian and Uniform Collective Agreements, in late March, 2024 to exchange briefs. Further discussions about changes to the collective agreements will continue into April, 2024.

6. REPORTS OF THE THUNDER BAY POLICE SERVICE

a) OIPRD Report Recommendations

Chief of Police D. Fleury provided a brief update on the status/progress of the OIPRD Recommendations since last presented at the February 20, 2024 Regular Session of the Board.

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He noted that this report is coming to a conclusion in April 2024; it shows the efforts and work of the Police Service to achieve the conclusion of these recommendations. However, as a nature of the work involved, several recommendations will continue to be ongoing.

Conversations with the Director are very positive.

Discussion followed on the recommendations in the report that are directed toward the Coroner's office – that are out of the hands of the Police Service. With that in mind, Councillor K. Etreni noted that 80% of the recommendations directed at the Police Service have been completed.

The Police Service was thanked for their work completed on this report and the progress that has been made.

b) Year-End Financial Results – Thunder Bay Police Service

Report No. 08/24 (Police) relative to an update on the status of the Operational Budget of the Thunder Bay Police Service for the Year Ended December 31, 2023, was provided for the Board's information.

Ms. D. Paris, Director – Financial Services & Facilities, Thunder Bay Police Service, provided an overview relative to the above noted and responded to questions. She noted an unfavourable variance of \$2.8M at year-end. The reasons for the unfavourable variance are set out in the report.

Ms. Paris noted that 94% of the budget is for human services and wages. She has also noted some flattening out of legal services in 2024.

Discussion was held relative to a relatively small community like Thunder Bay having its own police service.

Regarding the management of WSIB cases, Chief Fleury noted that administration is paying attention to that piece and working with the Police Association on how to assist their members and get staff back to work.

c) Annual Report – Missing Persons Act

Report No. 09/24 (Police) relative to the Police Service's requirement to report annually on their use of urgent demands under the *Missing Persons Act*, was provided for the Board's information.

Chief D. Fleury provided an overview relative to the above noted and responded to questions. He noted that there was also one amber alert issued in 2023.

Member W. Bahlieda left the meeting at 11:34 p.m. Quorum remained present.

d) Annual Secondary Activities Report

Report No. 10/24 (Police) relative to a report on the secondary activities/employment of members of the Thunder Bay Police Service, was provided for the Board's information.

Chief of Police D. Fleury provided an overview relative to the above noted and responded to questions.

e) BriefCam Artificial Intelligence (AI) Update

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.

Detective Inspector J. Pearson provided a general update on the use of BriefCam AI software by the Thunder Bay Police Service. He noted that reports will be made public twice a year.

The software has been used in three (3) major crime investigations, and has allowed staff to quickly move through the video footage needed in those investigations. Four (4) members of the Service have been trained to use this software.

The Service is looking at a slight revision to the policy. Detailed audit reports will follow later this year.

Mr. J. Hannam, Board Secretary, noted that research work on the Board's policy has been completed and he anticipates a draft policy will be presented to the Board at their April 2024 meeting.

7. GENERAL MATTERS

a) Emmanuel Oruitemeka Inquest

The following information, relative to the Emmanuel Oruitemeka Inquest, was provided to members of the Thunder Bay Police Services Board in the January 16, 2024 Regular Session agenda:

- Correspondence to former Chief of Police Sylvie Hauth from the Office of the Chief Coroner – Ontario Forensic Pathology Service, dated July 19, 2023.
- Verdict of Inquest Jury – Jury Recommendations to the Thunder Bay Police Service.

Inspector G. Snyder, Thunder Bay Police Service, provided background information on the death of Mr. Oruitemeka and a verbal update on the recommendations received as a result of the inquest. The Police Service has responded to the Solicitor General on the changes that have occurred within the Service, and have advised that the Service is in compliance with the

recommendations. All recommendations have been fulfilled and the vast majority of recommendations have been complied with.

b) Amendments to Procedural By-Law

Memorandum to the Thunder Bay Police Services Board from John S. Hannam, Secretary, dated March 12, 2024, relative to proposed amendments to the Board's Procedural By-law, was provided for the Board's information.

Tracked changes to By-law PC5-2020 as well as a draft of By-law PC6-2024, which incorporated the proposed changes to By-law PC5-2020, was distributed separately for the Board's information prior to the meeting.

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

With respect to by-law PC5-2020, being a by-law to govern the proceedings of the meetings of the Thunder Bay Police Services Board, and its committees, we recommend that the proposed amendments to the by-law be made in compliance with the *Community Safety and Policing Act, 2019* and for its general improvement;

AND THAT PC5-2020 be repealed and replaced with a new consolidated by-law as presented;

AND THAT the new by-law be effective as of April 1, 2024.

Mr. J. Hannam, Secretary, provided an overview of the changes required as a result of the new *Community Safety and Police Act*. The bulk of the changes are around reasons for closed meetings. Discussion was held relative to providing the new requirement of seven (7) days' notice and the reasons for a closed session meeting. Mr. T. Gervais, Police Services Advisor – Ministry of the Solicitor General, was asked for guidance on the logistics of providing seven (7) days' notice for closed meetings. Mr. Gervais will hold further discussions with the Inspectorate of Policing and then will communicate back to the Board as soon as he can.

Amending Motion

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

THAT the following phrase be added: AND THAT a subcommittee of the Chair and Vice Chair be created, with the authority to establish meetings on behalf of the Board.

CARRIED

Amended Motion

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

With respect to by-law PC5-2020, being a by-law to govern the proceedings of the meetings of the Thunder Bay Police Services Board, and its committees, we recommend that the proposed amendments to the by-law be made in compliance with the *Community Safety and Policing Act, 2019* and for its general improvement;
AND THAT a subcommittee of the Chair and Vice Chair be created, with the authority to establish meetings on behalf of the Board.

AND THAT PC5-2020 be repealed and replaced with a new consolidated by-law as presented;

AND THAT the new by-law be effective as of April 1, 2024.

CARRIED

BY-LAW

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

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

1. A By-law to provide rules governing the proceedings of the Thunder Bay Police Service Board and its Committees.

Explanation: The Thunder Bay Police Services Board enacted by-law PC5-2020, being a by-law to provide for the rules governing the proceedings of the Board on April 21, 2020. It is necessary and expedient to repeal and replace By-law PC5-2020 by resolution adopted by the Thunder Bay Police Service Board, dated March 19, 2024.

BY-LAW NUMBER: PC6-2024

CARRIED

- c) 2024 OAPSB Spring Conference & AGM

Notice of the Ontario Association of Police Services Boards (OAPSB) 2024 Spring Conference and AGM, was provided for the Board's information.

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Mr. J. Hannam provided an overview relative to the above noted. Board members were canvassed for interest in attending the Conference/AGM.

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

With respect to the Ontario Association of Police Services Boards' Notice of their 2024 Spring Conference & Annual General Meeting being held in-person June 3rd to June 5th, 2024, we authorize the following members of the Thunder Bay Police Services Board to attend:

1. Mayor Ken Boshcoff
2. Councillor Kasey Etreni
3. Karen Machado
4. Denise Baxter
5. Wayne Bahlieda

AND THAT all expenses incurred be paid from the Board's budget.

CARRIED

d) Website Update

Mr. J. Hannam, Secretary, reported that he continues to work on uploading more policies, key documents, work plans and lists of recommendations to the website. The website will also be updated to include Councillor K. Etreni on the Governance Committee.

f) 2023 Budget Year-End Financial Results – Thunder Bay Police Services Board

Memorandum from Mr. J. Hannam, Secretary to the Thunder Bay Police Services Board, dated March 13, 2024, relative to the final operational budget for 2023.

The chart of 2023 Year End Actuals was distributed separately by email on March 16, 2024.

Mr. J. Hannam, Secretary, provided an overview and noted an unfavourable variance of \$242,000 at year end. The 2024 budget has increases in consulting and administrative fees. He is optimistic that the legal fees budget will be close to what was budgeted for 2024. He responded to questions about the Police Service's awards dinner.

Discussion was held and will continue at the April 2024 Board meeting about what additional committees are needed.

e) CSPA Transition

The *Community Safety and Policing Act, 2019* comes into effect on April 1, 2024.

Memorandum and Report to the Thunder Bay Police Services Board from Karen Machado, Board Chair, and member Kasey Etrene, dated March 13, 2024, relative to the impacts of changes from the *Community Safety and Policing Act, 2019*.

Mr. J. Hannam, Secretary, provided an overview of the above noted transition plan.

Mr. T. Gervais, Mr. Hannam, Chair Machado and Councillor Etrene have met to review the impacts of the new Act. The memorandum outlines what the major changes in the Act are and the actions required by Board and committees to begin work on some of these items.

The Board will be kept updated on the progress of the transition.

8. PETITIONS AND COMMUNICATIONS

a) Funding Initiative Proposal

The following documents were provided for the Board's information:

- Memorandum to the Thunder Bay Police Services Board from the Special Account Committee, dated March 12, 2024, relative to a funding request from the Thunder Bay and Area Victim Services;
- Funding Initiative Proposal to the Thunder Bay Police Services Board; and
- 2023 Financial Statements at March 31, 2023 for the Thunder Bay and Area Victim Services.

Mr. J. Hannam, Secretary, provided an overview relative to the above noted and responded to questions.

Discussion was held relative to the request and about volunteer organizations that make multiple requests for funding. It was noted that the funds in the Board's Special Account are from proceeds of crime and are not from the taxpayer.

It was noted that this request is tightly connected to policing in Thunder Bay, and that the request is appropriate for being funding by the Board's Special Account.

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

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With respect to the funding proposal received from Thunder Bay and Area Victims Services, as presented at the March 19, 2024 meeting of the Thunder Bay Police Services Board, we recommend that the proposal be approved;

AND THAT \$10,000 be funded from the Board's Special Account, and \$5,000 from the operating budgets of the Thunder Bay Police Service upon approval by the Chief of Police.

CARRIED

b) Tracking Board Reports

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

i. 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

a) Report of the Thunder Bay Police Service - Firearm Data Submission Report

Chief of Police D. Fleury provided a brief overview of Report No. 11/24 (Police) relative to reporting a listing of firearms that came into the possession of the Thunder Bay Police Service in 2023.

b) Thunder Bay Police Services Board – Staffing Recommendation

Draft Memorandum to the Thunder Bay Police Services Board from Karen Machado, Denise Baxter, and Donna Smith, dated March 19, 2024, relative to a staffing proposal for the Board, was emailed to Board members prior to the meeting.

Ms. D. Baxter provided an overview of the draft memorandum for the Board's information and discussion. She noted that no decision is required at this meeting.

She noted specifics of the workload that needs to be accomplished by the Board. There are not sufficient resources for the current workload. Options 1 and 2 were presented to the Board for their input. The proposal is presented to ensure the Board has the correct staffing complement to get the work done that needs to be accomplished.

Options 1 and 2 were presented and discussed. Board members were encouraged to email further input prior to Friday's meeting of the Working Group. A final draft of the memorandum is anticipated for the April 2024 Board meeting.

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10. CONFIRMING BY-LAW

MOVED BY: Councillor K. Etreni

SECONDED BY: Mayor K. Boshcoff

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 March, 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: PC5-2024

CARRIED

11. ADJOURNMENT

The meeting adjourned at 1:06 p.m.