

## MINUTES

### OTTAWA-CARLETON REGIONAL POLICE SERVICES BOARD

OTTAWA-CARLETON REGIONAL HEADQUARTERS  
CHAMPLAIN ROOM, 111 LISGAR STREET

22 APRIL 1996

5:00 P.M.

#### PRESENT

Chair: Mr. P. Vice

Members: Mr. G. Baskerville, Ms. A. Boudreau, Regional Chair P. Clark, Councillor D. Holmes, Councillor D. Pratt

#### REGRETS

Vice-Chair A. Bouwers

#### CONFIRMATION OF MINUTES

Moved by A. Boudreau

**That the Ottawa-Carleton Regional Police Services Board confirm the Minutes of the 25 March 1996 meeting.**

CARRIED

#### INQUIRIES

a) OAPSB Resolution on Speed Enforcement Through Stationary Mounted Radar

Councillor Holmes referenced the Resolutions recently circulated by the Ontario Association of Police Services Boards for consideration at its annual meeting in May. She noted in particular the Resolution dealing with speed enforcement through the use of stationary mounted radar submitted by the York and Halton Regional Police Services Boards. She wanted members of the Board attending the annual meeting (G. Baskerville and A. Bouwers) to know Regional Council has passed a similar Motion in the past and she would be happy to provide them with copies prior to the conference.

b) Clarification of the Steering Committee's Mandate

Councillor Pratt reported that at the first meeting of the Planning of Police Services (POPS) Steering Committee, discussion arose about whether the group should examine the problem of overlapping patrol duties on provincial roads such as Highway 17. Before proceeding further, the Committee wished to obtain clarification from the Board on whether its mandate should include an examination of possibly assuming responsibility for patrolling provincial highways within the Region.

Chair Vice believed this subject was never intended to form part of the Steering Committee's mandate. He felt it was appropriate that the OPP patrol provincial highways and had no interest in considering the possible assumption of that responsibility.

c) V. Westwick - Recipient of Gordon Henderson Award

On behalf of the Board, Chair Vice extended congratulations to Mr. V. Westwick, General Counsel, who was recently honoured as a recipient of the Gordon Henderson award. Chair Vice explained the award is traditionally given to lawyers who most exemplify the example of community involvement and generosity displayed by Mr. Henderson during his lifetime.

ITEMS OF BUSINESS

1. PENSION SUPPLEMENTATION PROGRAM

- Chief's report dated 15 Feb 96

The Board heard delegations from Mr. John Petersen, Chair, Ottawa-Carleton Regional Police Association; Mr. Meryle Cameron, the Association's trustee on the City of Ottawa's Superannuation Fund; and Mr. Jim Moorman, President, Ottawa-Carleton Pensioners' Association.

Mr. Moorman provided an overview of his past involvement with the Pension Supplementation Program. The program was first approved by the City of Ottawa in 1989 in recognition of the fact that approximately 60% of pensioners were receiving pensions below the poverty income level. Mr. Moorman stated that in 1993 when his Association was asked if it approved of changes to the Program to include total income in calculating the supplement, they were not aware of the impact this would have. They now know that for many of the pensioners whose total income is slightly above the poverty income level, the elimination of the supplement will put them below the poverty level once taxes are paid. Referencing a letter dated 26 November 1993 from himself indicating that the Pensioners' Association was in favour of this change,

Mr. Moorman stated categorically that he would not have written the letter if they had known at that time what the implications would be.

Mr. Cameron briefed the Board on the police perspective. He explained the high rates of inflation throughout the 1970's and 1980's have created tremendous hardship for pensioners fortunate enough to live a long life. They are now running out of money and cannot afford to stay in their homes or maintain their standards of living. Those hardest hit are the widows of former pensioners. As an example of how inflation has affected pensions, a former deputy chief who retired in 1973 has a pension today of \$17,163, while a person of similar rank retiring today would receive approximately \$79,000.

Mr. Petersen stated the Association does not quarrel with the Board wishing to change the rules for future recipients of supplementation, but does have difficulty with changing the rules retroactively. This in effect will erode a pension on which recipients have become dependent. He pointed out the people affected do not have the ability to re-enter the workforce in order to make up the difference, and have developed a dependency on a certain level of income. He acknowledged the rules are changing in other areas of the pension field, but not retroactively.

He noted people currently receiving pensions are from a different generation of workers when there was usually only one income earner, leaving widows trying to survive on a pension benefit derived from a spouse's income. The next generation of pension recipients will not be dependent on the supplementation in the same way.

He concluded by noting employees are closely monitoring what the Board does, and are concerned about how the Board, as their employer, treats retirees. The Board's decision will be an indication of how it intends to treat future pensioners.

In response to questions from Councillor Holmes, Mr. Moorman indicated the reaction to the introduction of a comparable by-law at both the RMOC and the City of Ottawa has been similar. Sixty-five percent of the pensioners were receiving some kind of supplement ranging from \$1,000 to \$6,000 per year. He stated it is not yet known how their income will be affected by the change in supplementation. The average age of recipients is 75 years. He expressed particular concern for the spouses of former pensioners and hoped at the very least something could be done for them.

Mr. Pierre Charette, Director, Human Resources, City of Ottawa, clarified the only change to the program for existing recipients is to introduce a total income means test, which will make the supplement calculation a lot more realistic. The previous calculation measured only the total pension and CPP benefits received against the poverty level, and adjusted the pension income by a factor of service if the total pension income was less than the poverty level.

He noted since the program was introduced in 1972, a great number of changes have been introduced to improve it and to increase the incomes of pensioners; these include indexing, guaranteed income supplements and RSP's. The average total income for the 68 police retirees or their spouses is in the range of \$28,000. He noted there is an element of fairness involved in amending the program in that people who have incomes far above the poverty level are still receiving supplements. The 1994 poverty level for a single is \$15,479 and \$20,981 for a family; these levels are adjusted annually.

Ms. J. Potter, Human Resources Commissioner, RMOC, added the previous program was made available to pensioners who may have had just 10 years of service with the Regional Corporation. That individual could have worked a full career in another organization entitling them to receive a pension from that source as well as receiving the supplement. One of the changes the Region made to address this was to extend the number of years of required service for future pensioners to 15 years from 10 years, in addition to including total income.

She explained the Region's experience since making the change in 1995 has been a reduction in the number of pensioners receiving the supplement from 177 to 84. Concerns were expressed by about 15 of those individuals who were no longer eligible. To assist those with an income of less than \$18,500, a phase-in period was introduced.

If the Board approves the recommendation to change the program, Councillor Holmes asked whether it would be possible for staff to report back in a year on concerns expressed, the number of people who are no longer receiving the supplement, the average income, etc.

Ms. C. Frederick, Director of Human Resources, Ottawa-Carleton Police Service, believed this information could be obtained fairly readily from the City of Ottawa. Mr. Charette indicated the City is presently analysing the data and the information requested should be available in a few months.

Regional Chair Clark believed the Regional approach should be adopted in that it provides a phase-in option for those in need, and makes provision for situations of hardship. He suggested the Board should also recommend to Regional Council that its existing by-law be amended to include COSF recipients from the Regional Police Service.

Councillor Pratt agreed the staff proposal targets those in need and is most appropriate given our current circumstances. He was prepared to submit a Motion recommending the adoption of a program similar to that of the Region's and including a phase-in option.

Chair Vice stated it was his understanding that anyone truly impoverished would continue to receive the supplement. He also noted that while he appreciated some recipients may have come to rely on the extra income, it was still intended to be a supplement for those in need. He had a problem in principle with giving a supplement to people with other sources of income just because they had come to depend on it. He also believed that while the Police Services

Board does not have to do everything the Region and the City does, it made sense to treat everyone fairly and equally. He supported the Motion submitted by Councillor Pratt.

Moved by D. Pratt

**That the Ottawa-Carleton Police Services Board approve the Pension Supplementation Program for employees of the Ottawa-Carleton Regional Police Service effective as soon as administratively possible, in the same manner as per the Regional Municipality of Ottawa-Carleton By-Law of 1993 and as amended in 1995, and that Regional Council be asked to amend such By-Law to incorporate Ottawa-Carleton Regional Police Service employees.**

CARRIED

Moved by D. Holmes

**That a report from staff be prepared to provide information regarding the numbers of recipients, funding levels, complaints, hardships, etc., as an update.**

CARRIED

2. **PUBLIC COMPLAINTS REPORT (MARCH 1996)**  
- Chief's report dated 15 Apr 96

**That the Ottawa-Carleton Police Services Board receive this report for information.**

RECEIVED

3. **CONVERSION OF REFRIGERANT CFC-11 TO HCFC-123, DIVISION 23/24**  
- Chief's report dated 15 Apr 96

**That the Ottawa-Carleton Police Services Board award a contract for the conversion of the refrigerant in the centrifugal chiller at Division 23/24 Police Station to Digel Trane Service, Ottawa, in the amount of \$85,600, including GST.**

CARRIED

4. ADOPTION OF REGIONAL POLICE SERVICE CREST AND BADGE  
- Regional Solicitor's report dated 11 Apr 96

**That the Ottawa-Carleton Police Services Board formally adopt the crest and heraldic badge attached as Appendix A and B respectively, as official marks of the Ottawa-Carleton Police Services Board.**

CARRIED

5. SERVICES PROVIDED ON CANADA DAY

Regional Chair Clark explained that for several years the Ottawa-Carleton Police Service has provided services on Canada Day at a cost of between \$25,000 and \$30,000 a year. He asked the Board to formally approve the absorption of these costs.

Moved by P. Clark

**That the Ottawa-Carleton Police Services Board approve that costs of providing policing services on Canada Day be absorbed by the Ottawa-Carleton Regional Police Service.**

CARRIED

6. UPDATE ON ALARM POLICY

Chief Ford reported Inspector I. Davidson is currently working with the Region's Legal Department to develop a policy for an alarm by-law. Once it has been prepared it will be presented to the Board for consideration. He noted there will be some changes to the draft policy previously circulated to Board members.

Chair Vice commented OPP representatives have indicated the proposed policy is very similar to their own. He noted concerns of the Board pertain to legal liability and the ability to protect people who have several false alarms. The OPP are working on the same issues and he suggested it would be beneficial to discuss it with them.

Regional Chair Clark complimented Inspector Davidson for his work in compiling the report and in identifying all the issues. He noted the Region of Niagara is currently in the process of finalizing its by-law for an alarm policy after significant discussion. He thought their experience would be useful in finalizing a by-law for Ottawa-Carleton because it addresses concerns about suspension of service and appeared to be administratively feasible. He did not support suspension but agreed with charging a registration fee.

He stated that in Metro Toronto, anyone with an installed alarm system is considered to have an enhanced level of service, and is charged for it regardless of whether or not the police have had to respond. Regional Chair Clark disagreed philosophically with that approach, but also recognized the need to address the problem of people with repeated false alarms to ensure they manage their system better.

He hoped the Ottawa-Carleton Police could wait another couple of months to obtain the complete package from Niagara as he believed it might well address all concerns.

Councillor Holmes noted principals from two local elementary schools have expressed concerns to her about possible discontinuation of service. They indicated they would be happy to pay a fee for false alarms after a certain number of free occurrences, but did not want any loss of service.

Inspector Davidson responded the position taken by the school principals is very reasonable and is being considered. He noted 19 of 24 police services they have spoken to do have a suspension policy in place. However, the Region's Legal Department strongly believes suspension of service would be an indefensible position should a lawsuit ever develop. Staff are still investigating several options such as a reinstatement fee attached to the tax base. He noted it is a question of compliancy and whether the citizens of Ottawa-Carleton could accept an increased level of service by reducing the false alarm rate, and whether police can justify continuing to respond to the number of alarms to which they currently must respond.

Inspector Davidson stated he is also examining the possibility of some form of independent verification for people with a significant number of false alarms (i.e. four). He clarified it is not the suspension of service to a criminal act that is in question, but the suspension of police service to an electronic activation.

Councillor Pratt inquired whether Inspector Davidson was aware of any companies that certify alarm companies as approved by the local police service. Inspector Davidson responded Vancouver does. Staff are also currently discussing the possibility of establishing standards that alarm companies would have to meet.

Councillor Pratt noted alarm company contracts clearly state there are no financial penalties for the company even if they are providing faulty equipment; the penalty is the responsibility of the service recipient. He inquired if any consideration has been given to addressing the problem at its origin.

Inspector Davidson stated staff will be meeting with the Underwriters Laboratory of Canada (ULC) to determine whether standards can be set for alarm companies to follow. The option will be pursued but he anticipated it would be done over the longer term. They are however in favour of making all alarms ULC approved, as well as requiring installers to take some kind of

training into which police can have input. Financial disincentives for alarm companies marketing faulty equipment has also been raised as a possibility.

**That the Ottawa-Carleton Police Services Board receive this report for information.**

RECEIVED

7. PARTNERS IN COMMUNITY SAFETY:  
COMMUNITY POLICING/ENFORCEMENT GRANT - 1995 REPORT  
- Chief's report dated 15 Apr 96

**That the Ottawa-Carleton Police Services Board receive this report for information.**

RECEIVED

8. INFORMATION REPORT:  
NOTICE OF RATIFICATION OF COLLECTIVE AGREEMENT  
BETWEEN THE OTTAWA-CARLETON POLICE SERVICES BOARD  
AND OTTAWA-CARLETON POLICE SENIOR OFFICERS' ASSOCIATION  
- Director General's report dated 15 Apr 96

**That the Ottawa-Carleton Police Services Board receive this report for information.**

RECEIVED

9. REGULAR REPORT FROM THE CHIEF AND OPP INSPECTOR  
- verbal report from Chief B. Ford and Inspector V. Burns

OPP Inspector V. Burns reported on a joint investigation conducted by the OPP in Kanata and the Ottawa-Carleton Police Service. Five individuals involved in the armed robbery of a Brinks truck and break-and-enter into a bank were arrested. A large amount of weapons, money, ammunition and dynamite were recovered. He noted the joint effort is another example of how well the two organizations can work together.

Chief Ford reported on the murder of Christopher Smith. Police are appealing to the public for anyone who may have witnessed the incident to contact them. Also, a murder-suicide recently took place at an apartment on Baseline Road.



The Chief advised that Deputy Chief Renaud will be taking sick leave effective immediately, for a short period of time. Some administrative changes will be made to cover off during his absence. Chair Vice publicly wished Deputy Chief Renaud well on behalf of the Board.

10. CANCELLATION OF AUGUST MEETING  
- Board Secretary's report dated 10 Apr 96

**That the Ottawa-Carleton Police Services Board approve the cancellation of the regular meeting scheduled for 26 August 1996.**

CARRIED

MOTIONS FOR CONSIDERATION

11. MOTION RE: IMPAIRED DRIVING  
- documentation submitted by Councillor D. Pratt

Councillor Pratt stated he was motivated to introduce this Motion by the growing problem of impaired driving. The community he represents in Nepean was particularly traumatized by the death of two people in January on Greenbank Road in which police clearly feel alcohol was a factor. He believed accidents such as this were a concern for all communities because it leaves everyone feeling that the same thing could happen to them.

Approximately 250 people attended a meeting held in Nepean last week to provide support for a private member's bill that is currently before the Ontario Legislature. The bill would impose stiffer penalties for impaired driving by the following measures:

- If a person was convicted of impaired driving more than once, their driving license would be suspended for life.
- Upon first conviction, a person's driving license would be suspended for one year, and the driver would have to complete educational and rehabilitative programs as a condition for license reinstatement.
- When a person is charged with impaired driving, his or her license would be suspended until the charge is heard in court, or for 90 days after the laying of the charge, whichever occurs first.
- It would be an offence punishable by a fine and/or imprisonment to knowingly lend a vehicle to a disqualified driver.

- The vehicles of people who drive while disqualified would be impounded. If the driver is found to be guilty, the vehicle would become Crown property and would be sold by auction.
- The proceeds from auctions of vehicles would be paid into a new Drinking and Driving Trust Fund that would be used for programs to prevent drinking and driving.

Councillor Pratt noted the government's recent decision to extend the hours of operation for bars in Ontario has caused concern, but residents will have to wait and see what the results will be.

Chief Ford expressed support for the proposal because it has the potential to decrease incidences and the further abuse of suspension and impaired driving laws by repeat offenders. He noted approximately 63% of all people charged with impaired driving are repeat offenders, and 48% of all vehicle accidents are alcohol-related. He has personally written to the Minister of Justice about this issue, and intends to raise it in his capacity as the Chair of the Canadian Association of Chiefs of Police Law Amendments Committee.

Mr. Baskerville supported the Motion in principle, but objected to a lifetime suspension upon a second offence. He believed it was a particularly long and harsh sentence for someone in their twenties. He could support the private member's bill if the wording was changed to incorporate a lesser penalty, and agreed to support Councillor Pratt's Motion as the wording allowed for some flexibility.

Councillor Holmes was delighted to see MPP Marland working so hard on this issue. She has always considered a vehicle to be similar to a gun in that it can be a weapon if used incorrectly. She felt strongly that drinking and driving must be stopped and that there must be as much consideration for the person injured as for the driver. She believed the punishments in Ms. Marland's bill were appropriate.

Ms. Boudreau felt very strongly that this was an appropriate Motion for the Board to endorse, and was supportive of any role the Board could play in bringing about stiffer penalties aimed at reducing impaired driving.

Moved by D. Pratt

**WHEREAS, drinking and driving is the largest criminal cause of death and injury in Canada;**

**AND WHEREAS, every forty-five minutes in Ontario a driver is involved in an alcohol-related crash;**

**AND WHEREAS, most alcohol related accidents are caused by repeat offenders;**

**AND WHEREAS, lengthy license suspensions for impaired driving have been shown to greatly reduce repeat offences;**

**AND WHEREAS, the victims of impaired drivers often pay with their lives, while only 22% of convicted impaired drivers go to jail, and even then, only for an average of 21 days;**

**THEREFORE, BE IT RESOLVED that the Ottawa-Carleton Police Services Board urges the Provincial Government to enact measures similar to those contained in a private members bill sponsored by Mississauga South M.P.P. Margaret Marland which would stiffen the penalties for impaired driving in Ontario.**

CARRIED

12. MOTION RE: NON-RETURNABLE WARRANTS  
- documentation submitted by Councillor D. Pratt

After viewing a brief video recording of a CBC documentary on non-returnable warrants, Councillor Pratt addressed the Motion. Although the problem is greatest in Vancouver, he believed it had aspects of national concern in that people can presently avoid the law by either moving out of a particular province, or moving beyond the radius within which a warrant would be exercised.

A study done by the Vancouver Police Department indicates a number of people picked up by police had been charged with some very serious offences such as rape, gross indecency, murder, assault and trafficking in narcotics. He believed it was important, from the standpoint of administration of justice in this country, to have a coherent policy on what is categorized as a serious crime versus a more minor offence. It was also important in Councillor's Pratt opinion to eliminate the potential for informal banishment through the use of warrants.

While these problems have not been identified locally, he felt they could become issues in the future without a coherent policy.

Regional Chair Clark expressed concern about the cost of returning criminals charged with minor offences such as possession of small amounts of marijuana or car theft. He stated he could not support the Motion until a cost analysis was done.

Councillor Pratt clarified the issue pertains to serious offences such as rape and kidnapping. He did not think the proposed policy would necessarily require any additional resources within Ontario, but it would provide a common standard when none exists now.

Councillor Holmes believed it was standard practice throughout the country for police services to use a limited warrant radius to ensure criminals leave the municipality. At the same time, there seems to be limited money to return criminals to the municipality in which they committed the offence. She felt it was time for the federal government to begin discussing solutions to the problem with the provinces.

Mr. Baskerville believed this was an administration of justice issue and as such, was under Provincial jurisdiction. He suggested the Province should perhaps be examining the matter and providing funding for it. He asked the Chief whether the problem existed in Ottawa-Carleton and whether local courts are using the radius as a means of banishing criminals from their jurisdiction.

Chief Ford responded he did not know the number of people wanted on warrants from other jurisdictions, although he did not doubt there were people in the Ottawa-Carleton area who were wanted elsewhere. He stressed the local justice system does not banish people from Ottawa-Carleton. He explained the warrant radius varies depending on the severity of the offence. The automatic radius of return on a warrant is 100 kilometers (the radius of Ottawa-Carleton). Staff sergeants have the ability to increase that radius to 400 kilometers outside Ottawa-Carleton. Further increases such as those required to return someone from Vancouver require permission from the Crown Attorney. He stated anyone found within the Province of Ontario or within a day's driving distance (four to six hours) is usually returned.

In response to a question from Councillor Pratt, Chief Ford indicated it would be nice to have some kind of national system that would enable criminals to be returned to the jurisdiction in which they committed a crime, or alternatively, to allow charges against them to be handled in another jurisdiction.

Moved by D. Pratt

**WHEREAS, the justice system provides for the release of the vast majority of individuals accused of criminal offenses before disposition of their cases before the courts;**

**AND WHEREAS, some of these accused fail to appear for trial with the result that a bench warrant for their arrest is issued by the presiding judge;**

**AND WHEREAS, the exercise of these warrants can vary from being Canada-wide in the case of serious offenses where the authorities will pay to have an accused returned from anywhere in the country to province-wide for minor offenses to an even smaller radii under some circumstances;**

**AND WHEREAS, there is concern that some jurisdictions apply radii for the execution of warrants that is so small that it is perceived by law enforcement officials as being an informal system of banishment;**

**AND WHEREAS, some of the accused who evade justice by leaving a particular jurisdiction have been charged with serious crimes such as rape, indecent assault, drug trafficking and other violent crimes;**

**THEREFORE, BE IT RESOLVED that the Ottawa-Carleton Police Services Board calls upon the federal Minister of Justice and the Attorney General for Ontario to initiate discussions with their provincial counterparts with a view to establishing a uniform warrant radius policy with reasonable return distances (perhaps kept at a minimum level of province-wide for all but the most trivial offenses), that information on return limitations not be divulged to the accused and that regular monitoring of the system take place to enhance respect for this aspect of the criminal justice system.**

CARRIED  
(P. Clark dissented)

IN CAMERA

Moved by D. Holmes

**That the Ottawa-Carleton Police Services Board move In Camera to discuss a personnel matter, in accordance with Section 35(4)(b) of the *Police Services Act*.**

CARRIED

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

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W. Fedec  
Secretary

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P. Vice  
Chair