

MINUTES

OTTAWA-CARLETON POLICE SERVICES BOARD

CHAMPLAIN ROOM

26 APRIL 1999

5:00 P.M.

PRESENT

Chair: Councillor H. Kreling
Vice Chair: Mr. G. Baskerville
Members: Mr. D. Adam, Ms. E. Buckingham, Councillor J. Legendre
and Mr. J. McCombie

Regrets: Regional Chair B. Chiarelli

ACKNOWLEDGEMENT - ATTENDANCE BY
A MEMBER OF ANOTHER POLICE SERVICES BOARD

Prior to the start of the meeting, Chair Kreling acknowledged the presence of Ms. Lynne Fox of the Amherstburg Police Services Board, and welcomed her to the meeting.

CONFIRMATION OF MINUTES

Councillor Legendre noted on the second page of the 22 Mar 99 Minutes, Chair Kreling had indicated the audio tapes of the 22 Feb 99 meeting could be reviewed with a view to clarifying a passage to which Councillor Legendre had referred (*Independent Opinion on the Provision of Legal Services*). The Councillor asked what the result of that review was.

Ms. W. Fedec, Executive Director, explained that in reviewing the information, the clause which had originally caused the confusion was simply deleted as being non-critical to the content of the Minutes.

That the Ottawa-Carleton Regional Police Services Board confirm the Minutes of the 22 March 1998 meeting.

CARRIED

PUBLIC DELEGATIONS

1. PROPOSAL RE PARKING CONTROL

- Executive Director's report and submission from Mr. Jonathan Murray,
Murray & Murray Parking Control Services, dated 19 Apr 99

Mr. Jonathan Murray, Murray & Murray Parking Control Services, explained his firm was seeking Regional Special Constable privileges to allow his firm to provide parking control services at the Regional, rather than at the municipal level. He noted he was not seeking authority to enforce parking regulations on city streets, but to deal with complaints regarding private property. Mr. Murray felt there were problems with municipal by-law enforcement officers or police officers being able to attend to such calls in a timely fashion, and suggested his company could complement the Police Service in this regard. He said his firm was seeking Special Constable privileges to issue tickets and to tow vehicles resulting from complaints arising from private property owners.

Responding to a question from Councillor Legendre, Mr. Murray explained his firm did not own a towing company, but contracted with one to deal with the towing complaints it received. He said all such towing-related information was documented with the Police Service, and that tows were performed only as the result of a public complaint. He noted his firm did charge a service fee to the vehicle owner under the *Repairs and Storage Liens Act* in order to get the vehicle back, and this fee was applied to pay for towing the vehicle.

Mr. Murray further explained his firm was contracted by clients such as Minto Developments Inc. to take care of its parking lots and to ticket and/or tow when necessary. He said the firm has licenses granted under municipal by-law from the cities of Gloucester and Ottawa which give his firm the same authority to tow as that of a Gloucester or Ottawa by-law officer, without requiring the Police Service to attend.

Vice Chair Baskerville wondered why the Regional Police Service would want to become involved with by-law enforcement, noting the Region had distanced itself from this process, which is now a lower-tier responsibility.

Mr. Murray suggested that human resources at the municipal level were at present insufficient to deal with private complaints. He reiterated that his firm could help deal with these and in doing so, complement the Police Service if granted the Regional authority he was seeking. He explained private property owners were becoming frustrated with the services currently in place because of long response times to complaints.

Member Buckingham asked Mr. Murray to elaborate on his statement regarding frustrations experienced by private property owners.

Mr. Murray explained the deputization programs for the municipalities in which his firm operates, require each individual property to whom he is contracted, to have papers stating that

a company such as his can be appointed for that particular property. Mr. Murray noted it sometimes takes several months for Council approval of this process, in which time the properties must use municipal by-law enforcement services. He noted municipal by-law enforcement officers are not always able respond to complaints in a timely manner, which leads to repeat offences by individuals who park illegally. He felt the offence must be addressed within 20 or 30 minutes.

Member Buckingham questioned the need for such a quick response, noting that those who park illegally on streets would receive tickets and would be towed only if the vehicle were in an important location. She asked the speaker how quickly a vehicle would be towed after being ticketed.

Mr. Murray said this depended upon the nature of the complaint. For example, he offered that a vehicle would require immediate towing if an individual parked illegally in another's paid parking space. He noted the vehicle would only be towed under a signed complaint from the complainant. He emphasized that this was the same procedure used by municipal by-law enforcement officers and the Police Service, and that all procedures were documented.

Member Buckingham said she needed to see statistical information regarding how often such tows occur from private properties with assigned parking spaces prior to supporting such a request. She felt these situations might be rare, as many apartments currently have secured underground parking with controlled access. She also noted media reports of tows occurring from automated parking lots with zero tolerance restrictions for vehicles parked over the time limit, and said that cars parked illegally on city streets might get ticketed for the same offence, but would not be immediately towed. Member Buckingham said she would be reluctant to support such a proposal if this could happen, and said she felt this seemed to be an abuse of power. She then asked who would vet these special constables, and who would undertake the responsibility and cost for their screening and training.

Mr. Murray explained his firm would bear the cost of this responsibility. He noted there were firms in the Region who issued their own parking violations and profited from this issuance. He emphasized it was not his company's intent to profit from towing services, but rather, to offer a service in response to complaints.

Member Buckingham asked who would receive the revenues generated by tickets issued by Mr. Murray's firm. Mr. Murray suggested either the Region could issue its own parking tickets and receive the resulting revenues, or his firm could issue tickets on behalf of the lower-tier municipalities and return revenues to same. He emphasized his firm would not profit from the issuance of tickets, and would make no request to do so.

Member Buckingham pointed out to Mr. Murray that if the Board were to grant his company this right, others would want the same right and it would be necessary to have assurance that it would be appropriately applied. She also informed Mr. Murray that Ontario Civilian Commission on Police Services (OCCPS) is not the body to which he would have to apply for

this approval. She noted the *Police Services Act* states that "...with the Solicitor General's approval, the Board may appoint a special constable to act for the period, area and purpose that the Board considers expedient..."

Responding to Member McCombie's query as to how many properties his firm oversees, Mr. Murray said he did not have the total number at hand, and could submit this information at a later date.

At Member McCombie's request, Chief Ford confirmed that tickets issued for private parking in the City of Ottawa were issued by the City, with all revenues returning to the City.

Member McCombie also raised a concern regarding the competitive nature of the towing business. He cited the example of the City of Montréal where the towing of vehicles for parking violations had gotten out of hand several years earlier. Member McCombie felt there could be a great abuse of towing privileges on private parking, and said he would not want to see the Region getting into a similar situation.

Councillor Legendre noted Mr. Murray had asked for this item to be placed on the agenda, and that he was seeking the Board's approval for a submission to OCCPS. The Councillor asked for a legal opinion as to whether Mr. Murray needed the Board's approval for this.

Chair Kreling noted that the Region does not currently own any public parking lots and does not monitor on-street parking, which is a lower-tier municipal responsibility. He asked for a legal opinion on the Region or the Ottawa-Carleton Regional Police Services Board becoming involved with a proposal such as the one put forward by Mr. Murray.

Eric Johnston, Acting Regional Solicitor, said the Corporation of the Regional Municipality of Ottawa-Carleton is not involved in either the businesses of parking or parking enforcement. He suggested there was a question as to legislative authority with respect to the proposal. He then introduced Mr. David White of the Regional Legal Department to explain further.

Mr. White confirmed that the Regional deputization program as contemplated by Mr. Murray is essentially a function reserved for local municipalities under the *Municipal Act* at present. He explained existing legislation allows a local municipality to designate an employee of an apartment building or some other person who is not an employee of the municipality to issue tickets on private property for parking enforcement. He noted there were such deputization programs in Ottawa, Nepean, Gloucester and other municipalities. He emphasized the Region does not currently have the authority under the *Municipal Act* to appoint such persons, and to extend the application of its by-laws onto private property. Speaking to Councillor Legendre's question, Mr. White said the Board has no authority regarding deputization for parking control matters.

Councillor Legendre then referred to the paragraph cited earlier by Member Buckingham with respect to the *Police Services Act* which seemed to indicate the Board did have the authority to appoint Special Constables.

Mr. White acknowledged the Region does have the authority to appoint Special Constables, but noted the deputization program as set out with respect to the extension of municipal parking by-laws onto private property and the enforcement of same, lies with the local municipalities. He confirmed for the Councillor that if the Region wished to proceed in this way, special legislation would have to be requested from the Government of Ontario.

Member Buckingham noted Chief Ford had indicated police officers have the legal authority to enforce by-laws but that this task has been delegated to lower-tier bylaw enforcement officers. The Chief also confirmed that police officers enforce by-laws only to a minimal extent. Member Buckingham stated that before supporting such a proposal she would need an argument other than it would make business easier for a private sector firm.

Chair Kreling thanked Mr. Murray for bringing the matter forward, but noted the legislative stumbling block with respect to the issue. He offered the issue might resolve itself with future governance modifications, but pointed out that it currently rests with the local municipalities and that there was no political interest in changing this for now.

The speaker said his understanding of the *Police Services Act* indicates the Act gives the Region this authority, and in so doing, does not prohibit the Region from performing this function. He said this did not necessarily mean an application for legislative change from the province would be required.

Chair Kreling explained that legal staff had advised the Board the present legislation gives the responsibilities and authorities, which Mr. Murray had proposed, to local municipalities. He said the Region and the Board do not have the ability to undertake the type of deputization program without a modification to provincial legislation. Chair Kreling said documentation which outlines this could be provided to Mr. Murray.

That the Ottawa-Carleton Regional Police Services Board receive this report for discussion.

RECEIVED

ITEMS OF BUSINESS

2. PRESENTATION ON
THE CRIME ANALYSIS FUNCTION IN THE POLICE SERVICE

- verbal presentation by Sergeant Graydon Patterson

Sergeant Graydon Patterson, OCRPS, began his presentation by defining Problem/Crime Analysis as a set of systematic and analytical processes. He said these are directed at providing timely and pertinent information relative to problem identification and crime patterns, trend correlation and tactical analyses. Sgt. Patterson said this information is used to assist operational and administrative personnel in the scanning and analysis of problems, support of effective problem-solving, prevention and suppression of criminal activities, and aiding in the investigative process and planning the deployment of resources.

Sgt. Patterson then introduced District Crime Analysts Josie Ho, who gave an overview of Project "Hot Wheels"; Kevin Logue, who gave an overview of the "Monterey" File; and Fraser Moffat and Christian Peterman, who explained the uses of the Geographic Information Systems (GIS) and Spatial Crime Analysis. A copy of the presentation is on file with the Board's Executive Director.

Following the presentation, Chair Kreling thanked Sgt. Patterson and his staff for the information.

That the Ottawa-Carleton Regional Police Services Board receive this presentation for information.

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3. PRESENTATION ON RESULTS OF THE 1998 PUBLIC SURVEY

- verbal presentation by Gail Johnson and Randy Mar

Dr. Gail Johnson, Director, Planning and Policy, OCRPS, and Randy Mar, Manager, Organization Development, OCRPS, presented the results of the 1998 Public Survey, a follow up to a 1995 Benchmark Survey conducted when police services were regionalized. Dr. Johnson presented results for the jurisdictions of Gloucester, Nepean, Ottawa, Rockcliffe Park and City of Vanier, and Mr. Mar presented results from jurisdictions policed by the Ontario Provincial Police (OPP) in 1998 when the survey was conducted.

Ms. Johnson explained the survey was conducted during the late spring of 1998, and its purpose was to seek public input and assistance in examining the OCRPS's service delivery. She said the survey deals with matters such as; conditions within neighbourhoods; police performance; policing priorities; contact with the public; the public's experience with crime; and regional policing within OCRPS jurisdictions. A copy of the presentation is on file with the Board's Executive Director.

Vice Chair Baskerville noted the three year gap between surveys and asked what frequency was planned for subsequent surveys. He also inquired whether the nature of questions asked would change in future surveys.

Dr. Johnson said the frequency of surveys would continue to be every three years, and was part of the Service's environmental scanning process. She said this was something the Service intended to perform every three years as part of its proposed business plan, consistent with the three year requirement called for under the Adequacy Standards. With respect to questions, Dr. Johnson suggested these would change as new issues arose.

Member Buckingham asked if a written report would be forthcoming. Dr. Johnson replied that an Environmental Scan document would be forthcoming within a month, which would include additional information.

Chair Kreling thanked the presenters for their efforts.

That the Ottawa-Carleton Regional Police Services Board receive this presentation for information.

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4. PRESENTATION ON CRITICAL INCIDENT STRESS MANAGEMENT
- verbal presentation by S/Sergeant Mel Robertson

Staff Sergeant Mel Robertson, Chair of the Ottawa-Carleton Regional Police Critical Incident Stress Management (CISM) Team, began his presentation by defining Critical Incident Stress as the unusually strong emotional reactions which have the potential to interfere with the ability to function normally as a result of the event. He summarized this as a normal reaction to an abnormal event. His presentation covered aspects of the services the team performs for members of the OCRPS, and the team's achievements since its inception in 1995. A copy of the presentation is on file with the Executive Director.

Chair Kreling thanked S/Sgt. Robertson for his presentation.

Replying to a query from Councillor Legendre, S/Sgt. Robertson explained that the make-up of the CISM team was created by a selection committee, which eventually became an 11-member advisory board, whose purpose is to manage the team.

Councillor Legendre noted S/Sgt. Robertson's presentation indicated the team has access to outside professional help, and asked if the advisory board included members from outside the Service.

S/Sgt. Robertson explained the outside professional help were members of the Regional Victim Crisis Unit. He said that as part of their contract, they are required to work with the CISM team, but choose to volunteer for this particular function.

Councillor Legendre believed the service being offered was priceless, and he commended S/Sgt. Robertson on the team's work.

Vice Chair Baskerville noted that earlier in the week he had received a call from a member of another police services board requesting information on crisis management. The Vice Chair informed members that S/Sgt. Robertson had met with the member over the weekend of 23-25 Apr 99 during the Ontario Association of Police Services Boards (OAPSB) annual conference. Vice Chair Baskerville thanked S/Sgt. Robertson and publicly acknowledged that both S/Sgt. Robertson and the Service are prepared to help others with similar interests.

That the Ottawa-Carleton Regional Police Services Board receive this presentation for information.

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5. APPROVAL OF PROJECT MANAGEMENT
SERVICES FOR THE NEW EAST DIVISIONAL BUILDING
- Director General's report dated 19 Apr 99

Chair Kreling drew the Board's attention to a letter from Projek Design and Development Inc. which questioned the report recommendation in terms of its intended competitive process objective regarding the provision of project management services for the new East Divisional Building. He also noted that two of Projek's representatives, Mr. Robert Guibord and Mr. Glenn Hewus wished to address the Board. The Chair then introduced Ms. Carol Roper, Accommodations Coordinator, OCRPS, currently working on the Service's Accommodation Master Plan, and Mr. Phil Andrews, Senior Policy and Purchasing Officer, Supply Management Division, Regional Finance Department. Mr. Andrews gave a brief overview of the staff report.

Chair Kreling then invited Messrs. Guibord and Hewus to address the Board.

Mr. Hewus believed the recommendation contained in the staff report contradicted the intent of the Request for Proposal (RFP) process of having three qualified project management teams produce a document for evaluation and recommendation based on best value. The speaker felt that recommending one project management team based on a disqualification of two others seemed to contradict a taxpayer funded process. He asked for feedback regarding the evaluation, and raised a concern regarding how the process would be applied towards the upcoming projects of the Service's west-end headquarters and warehouse. Mr. Hewus also wanted an acknowledgment that his firm's financial proposal had not been opened and would be returned if the evaluation were to go no further.

Mr. Guibord noted the RFP mentioned the possibility of an interview. He believed an interview process could have been used to address concerns once it had been decided his firm's proposal did not address the RFP's intended requirements. He noted Projek had provided an outline of project management services and not a detailed description.

Member Buckingham inquired as to the level of detail called for in the RFP. Mr. Andrews believed the 19 page RFP to be fairly extensive, and that it spoke to the depth of information required. He said he believed the evaluation criteria were sufficiently defined. Responding to a further query from Member Buckingham, Mr. Andrews said it was possible the RFP may have been more explicit than the industry was accustomed to dealing with. He explained that in the Request for Qualifications (RFQ) stage, staff try to deal with the issues of firm experience and administrative capability. He added that when staff next went to the RFP stage and had short-listed the three firms, an attempt was made to explain that staff's goal was to seek a detailed approach and methodology. Mr. Andrews explained the interview phase was to allow for an opportunity to receive clarification of a detailed submission rather than to allow for the introduction of new material.

Member Buckingham felt the question of an interview was immaterial in this case, as there appeared to have been a clear requirement that certain information was to have been provided. She noted Projek had not met the mandatory requirements of the initial screening process, and thus did not proceed to the next stage. She added it is not normal procedure to open the financial proposal or to perform further analysis if a proponent does not meet the minimum requirements. Member Buckingham disagreed with the view that staff had opted for a sole-source award, noting a competitive process had been undertaken, which had started out with six firms.

Mr. Hewus felt the questions contained in the Police Headquarters proposal were too generic, and that an interview process would have clarified whether or not the objectives being studied were achievable.

Member Buckingham asked whether Projek had submitted any questions during the bid period to seek clarification on items in the RFP. Mr. Guibord replied Projek had submitted questions on some issues that it felt required clarification, but that the outline was not one of the areas questioned. Member Buckingham then suggested this was one area in which the firm could seek further clarification, in future. She then asked staff if unsuccessful bidders were normally offered a debriefing on why their bids were unsuccessful.

Mr. Andrews stated this was a common practice, helpful to both staff and consultants, and a practice which he performed regularly. He informed that the principals from Projek had been invited to meet with staff, with a view towards clarifying staff's expectations and directing Projek on how the firm might improve the presentation of its information. Mr. Andrews noted a full debriefing would be offered within a few weeks.

Councillor Legendre referred to the RFP's second stage, regarding a request for an outline. Mr. Andrews said this document consisted of four or five pages, a copy of which could be provided to the Councillor.

Councillor Legendre then asked if Projek's financial quote would be returned unopened. Mr. Andrews explained the bid had been opened, as it had formed part of the RFP. He noted the bid had not been rated within the evaluation process. Councillor Legendre then asked if anyone else apart from staff had been privy to this information. Mr. Andrews replied this was not the case.

The Councillor noted the potential for further business with the future construction of the West District facility and storage warehouse. He asked if any commitment had been made to the winning bidder regarding these facilities. Mr. Andrews emphasized there was expressly no such commitment. He said staff had made clear that each assignment would be addressed singularly, with another RFP with respect to these facilities. Councillor Legendre then asked if staff intended to begin this process anew with a call for RFQ's, or whether those who had qualified previously would be invited to bid on the subsequent RFP. Mr. Andrews indicated the latter would be the case.

Vice Chair Baskerville noted the report stated the financial proposal was only rated for those proponents attaining a passing grade, which only one firm had done. Mr. Andrews explained for the Vice Chair that 70% was considered a passing grade.

The Vice Chair then asked staff for an overview of what the winning firm will do in its project management capacity. Ms. Roper explained the full range of construction project management will include the definition and gathering of functional requirements and the management of design work to the building's overall completion, commissioning and occupancy. She said the firm would help to ensure that work will be completed within the scheduled time frame of the spring of 2000.

Replying to a question from Chair Kreling to explain the make-up of the RFQ/RFP review teams, Mr. Andrews outlined the evaluation team for the RFQ stage was comprised of himself, Ms. Roper, and an independent consultant from Trefoil Management. He explained the RFP evaluation team consisted of these same three individuals and a manager from the Region's Property Services Department.

Chair Kreling asked if the process outlined and followed on the East Divisional building was a standard Regional process or one which was specific to the Police Service. Although Mr. Andrews acknowledged the two-stage process followed in this case may have been somewhat more intricate, he noted the process was still a typical one followed by both the Region and the Police Service. The Chair then asked if anything had been identified as unusual or abnormal, or whether Legal Services had been consulted for advice at any time during the course of the process. Eric Johnston, Acting Regional Solicitor, answered that Legal Services had not been consulted, but felt the process followed a normal pattern for the Region.

Councillor Legendre voiced a concern that the report indicated there would be no public consultation with regard to the building's design. He noted the building's purpose was to serve the public, thus he wanted to ensure that it would have a friendly face to the community and would not possess an intimidating air or appearance.

Steve Kanellakos, Director General Administration, OCRPS, assured the Councillor these concerns would be addressed. He said consultations had been undertaken with the Service's volunteer base and with those who worked in partnership with the Service through its community police centres to ensure the building will be community-friendly and accessible. He noted aspects of the site selection criteria included accessibility and the potential for the building's use as a community meeting place.

Mr. Hewus asked if the RFP and RFQ documents produced by the Region's Supply Division were standard Regional documents or whether they were obtained elsewhere. Mr. Andrews explained the documents were standard procurement documents that would be used on behalf of the Region, the City of Ottawa and the Regional Police Service.

Mr. Hewus asked if any Board members had been privy to the values contained in Projek's financial documentation. Chair Kreling noted he had no knowledge of any numbers, and that no such information was contained in the staff report. Mr. Hewus then suggested the Board might wish to review his firm's financial values to evaluate the difference in value between Projek and the proponent who had been given the job.

Vice Chair Baskerville backed Chair Kreling's statement that the only financial information Board members had been privy to had been that contained in the staff report. He explained the only way other firms' financial quotes would have been included would have been if there had been other firms who were compliant. The Vice Chair stated he was not interested in seeing Projek's numbers as the firm had not made it to the second stage of the RFP, and as such, the firm's numbers were not significant. He then said he was prepared to support the staff recommendation. Vice Chair Baskerville said he had also hoped Projek staff would have been debriefed prior to their appearance before the Board so that their compliance deficiencies could have been better explained, but he noted this would take place soon. He felt Projek would have to accept the current decision, and he hoped that the firm would be more clear on the demands and expectations of these processes to improve their chances of winning future contracts.

Mr. Hewus accepted the Vice Chair's comments, and said Projek's intent had only been to voice an opinion. However, noting that several members had emphasized Projek had not been compliant with established procedures, the speaker noted the Region's procedures were well-defined, and yet the firm's sealed envelope had been opened.

Chair Kreling said he appreciated the speakers' comments and questions. He then informed the Board of his personal knowledge of Projek's work and reputation, noting the firm has a

number of clients which include the Federal Government. The Chair also hoped Projek would take advantage of the offered debriefing, adding that the firm was still on the list of pre-selected firms which would have an opportunity to submit RFP's on future projects. Chair Kreling said he hoped Projek would return in future, and that matters surrounding these issues could be clarified to everyone's satisfaction.

Councillor Legendre suggested that staff review the steps taken when bids are opened to ensure that in future, only the sealed financial information supplied by successful bidders would be opened.

That the Ottawa-Carleton Regional Police Services Board approve the selection of the proposal as submitted by MHPM Project Managers Inc. for project management services for the delivery of the new East Divisional Building in the Township of Cumberland at the corner of 10th Line and St. Joseph Blvd., for an amount not exceeding \$249,640 (plus GST).

CARRIED

6. REPORT ON YEAR 2000 READINESS
- Chief's report dated 15 Apr 99

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

RECEIVED

7. 1998 FOURTH QUARTER FINANCIAL REPORT
- Director General's report dated 20 Apr 99

Councillor Legendre referenced page 49 of the agenda with respect to the allocation of the 1998 surplus. He noted the report stated \$1.7 million of a potential two million dollar surplus would be set aside in a reserve fund. He inquired whether it would be a Regional or a Police Service reserve fund.

Debra Frazer, Director of Financial Services, OCRPS, believed it would probably be a Regional reserve fund, in that the funding was part of a strategy to fund all Regional mill rates in 1999, including Police Services. She explained the mechanism for implementing it is up to the Region's Finance Commissioner.

Ms. Frazer further explained that Regional Finance staff had initially arrived at a number of \$1,685,000.00 based on estimates of incoming payments-in-lieu-of taxes (PIL) revenue, and it was this amount that would be allocated from the surplus to the 1999 budget. She also noted this number has been changing with news that the Provincial government is providing a \$15 million windfall to assist with the 1999 budget.

Councillor Legendre then noted that roughly \$1.5 million of the total surplus was generated by additional revenue from Provincial Offences Notices. He believed it was necessary for the Service to divest itself of this source of funding, as he did not want the Service to be perceived to be in the business of generating funds in such a manner.

Having understood that \$1.7 million of the total funds generated was to be placed in a neutral Regional fund from which the Service would be given money to operate, the Councillor then asked if staff were recommending that the remaining \$0.3 million be allocated to a separate reserve fund for the benefit of the Police Service. He asked whether this was also under the control of the Region's Finance Commissioner.

Ms. Frazer said this was what staff were recommending. She explained the Region has the authority to establish reserve funds on behalf of the Police Service, noting, for example, the one established for the replacement of police vehicles. Ms. Frazer said she would need to seek legal advice as to who has ultimate direction of the reserve funds.

Responding to a question from Councillor Legendre regarding the need for \$0.3 million to be placed in a special fund for the Police Service, Ms. Frazer explained that in discussions with the Board it was determined this would be one of the Service's strategies to fund one-time costs related to Year 2000 (Y2K) issues. She said the Service will be experiencing unusual levels of overtime related to its duties in the millennium, and that a source of one-time funding to offset these expenses would help to balance the budget. Ms. Frazer confirmed this amount was over and above the Service's approved budget for 1999.

Referring to the Summary of Estimates - Fourth Quarter Financial Report chart on page 51 of the agenda, Councillor Legendre asked for an explanation of the external legal services which had been expended, resulting in a \$174,000.00 shortfall for the Police Services Board. Councillor Legendre noted the chart outlined that there were no significant issues related to the Chief of Police, but said he recalled there had been a considerable legal bill related to the charging of two officers in 1998.

Ms. Frazer explained that because of how budget activities are structured, expenses incurred by the Ottawa-Carleton Regional Police for legal costs and claims are listed under one of four categories grouped together under the heading "Police Services Board". The activities grouped under this heading include: the Police Services Board, the legal advisor, the Police auction and ceremonial events. She confirmed that the matter referenced by Councillor Legendre was included in this area.

Responding to a query from Member Buckingham, Ms. Frazer said that at present the Service has only one reserve fund, that being the one for vehicle replacement. Member Buckingham expressed surprise at this, noting the Service has a number of major unfunded liabilities.

Ms. Frazer stated the Service has contributed \$900,000.00, the value of the savings of the Ontario Municipal Employees' Retirement System (OMERS) employer's contribution, into the Region's Vested Sick Leave Reserve Fund. She said this would help offset sick leave and cash-ins related to future retirements. She noted the Service generally funds its sick leave liability through a \$2.5 million annual budget provision.

Member Buckingham asked why the Police Service would not set up its own reserve fund for this purpose. Ms. Frazer replied that this could be requested.

Member Buckingham said she was a strong proponent of reserve funds as a mechanism to be used in instances where a surplus exists. She noted the Municipal Act states the Police Service cannot have an operating surplus or deficit in any given year. By putting funding into a reserve, the end result would be no surplus and no deficit. She said she would like to see the Service move toward this end, and she believed that a number of reserves could be established including a capital reserve, a sick leave reserve, and a retirement fund reserve.

Vice Chair Baskerville said he also believed in the need to build up certain contingencies or reserves. He suggested that one be established, setting aside an annual amount, to pay for professional services associated with the periodic selection of a new Chief of Police and Deputy Chiefs. He said this could be an ongoing activity and that the amount could be monitored so that when required, financing would not be as significant an issue.

Referring to point No. 7, *Patrol Services: Central*, on page 47 of the agenda, Vice Chair Baskerville observed the report notes a positive variance of \$404,000.00 and references a vacancy rate. He inquired if cost savings had been realized due to a vacancy rate and understaffing.

Ms. Frazer explained the cost savings in this section were not related to a vacancy rate, but to underspending of court time and overtime budgets. Ms. Frazer also noted the Service would recover the costs of salaries, overtime and court time for officers who assisted in Rideau and Osgoode Townships during the 1998 Ice Storm.

Vice Chair Baskerville noted a previous report on OPP policing had stated the OPP were maintaining staffing at higher levels than had previously been the case. The Vice Chair believed it was important to acknowledge the OPP had done this as a result of pressure from the City of Kanata Council to the Ottawa-Carleton Police Services Board, which in turn asked the OPP to take action. He believed this situation should have been monitored, and suggested that when it appeared the OPP was going to be able to comply by reducing its vacancy rate, the Police Service should have adjusted its budget accordingly.

Ms. Frazer explained that the timing of the billing from the OPP makes this a difficult task, as the OPP's fiscal year end and the Region's fiscal year end are different.

The Vice Chair next commented on point No. 13, *Compensation*, which addressed a negative variance and salary gapping that occurs while vacant positions are being filled. He believed the Service should ideally be as close to its authorized complement as possible, in order to have the maximum number of officers out performing police work. He said he hoped the Service was not using vacancies as a means of controlling its budget.

Ms. Frazer said the Service's budget is premised on roughly a 30-35 person vacancy factor which occurs through a normal level of retirement, maternity leave, and paid leaves of absence, i.e. long term disability, or people who take time off to pursue educational leave.

Vice Chair Baskerville recognized this is a management tool, but noted there is a downside which means police officers are not doing police work. He said he and others believe this is a cause for concern, and it will be necessary to gather more information prior to revisiting this issue.

Speaking to the staff recommendation, the Vice Chair felt putting surplus funds into a reserve fund was appropriate, noting there have already been a number of unplanned and unexpected activities in 1999 which have put pressure on the current year's budget in terms of expenditures.

Ms. Frazer said staff were currently preparing a report for the Board's next meeting which would address all factors presently being discussed. She noted the Service has incurred higher levels of overtime related to the OC Transpo incident and daily call-outs for political or labour issues. Ms. Frazer added the number of transferees from the OPP will also have an impact on the Service's budget as 41 transferees had been planned for, and 50 have decided to accept the OCRPS's offer of employment. She stated it was early to be identifying savings, but said staff would be looking at various budget pressures to see where balances could be achieved.

Councillor Legendre said he would support the recommendation, with the understanding that the larger amount, that being \$1.7 of the potential \$2 million surplus, would be placed in a Regional reserve fund.

The Vice Chair, serving as Acting Chair, said he believed it was recognized that this is part of the Region's overall financial plan, and that these are reserves being put aside for the Region's concerns.

That the Ottawa-Carleton Regional Police Services Board recommend to Regional Council that any surplus funds generated from the Police Services' Budget be contributed to reserve funds.

CARRIED

8. QUARTERLY COMPLAINTS REPORT (period ending 31 March 99)
- Chief's report dated 14 Apr 99

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

RECEIVED

9. 1998 O.P.P. ANNUAL REPORT
- Insp. L. Beechey's report

Inspector Larry Beechey, OPP, distributed copies of the report to all Board members and then gave a brief overview of its highlights. He noted that Rideau, Osgoode and Cumberland Townships were not included in the report, as policing by Ottawa-Carleton had been phased in and these communities were no longer under OPP jurisdiction.

Highlights included:

- Break and enter statistics were down 34% for 1998, and had been reduced by 55% over the last three years.
- The population had increased by almost 3,200 people.
- During 1998, the OPP had approved an additional complement of seven officers for Kanata and Goulbourn.
- Violent crime was down four per cent.
- Robberies were down seven per cent.
- Calls for service were up slightly. Insp. Beechey said the OPP had responded to 17,515 calls for service in 1998. He noted the main increase was in Goulbourn Township, where there was a nine percent increase. He said calls in the other two Townships were down minimally.

Statistics for vehicle thefts had risen considerably. Insp. Beechey said the OPP had initiated a project and had successfully charged and convicted three groups of individuals. Since then, vehicle thefts had dropped off for the latter part of the year. Insp. Beechey confirmed that most stolen vehicles had been recovered.

Vice Chair Baskerville asked the Inspector if the increased number of calls for service in Goulbourn could be attributed to the increased growth in the Stittsville area. Insp. Beechey confirmed the increase in calls for service in Goulbourn were generally based around Stittsville, but did not know if this could be attributed to growth in the area.

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

RECEIVED

10. RESULTS OF O.P.P. SURVEY ON "POLICING FOR RESULTS"

- Insp. L. Beechey's report

Inspector Beechey said 383 residents of Kanata, Goulbourn and West Carleton were contacted for the survey, which is believed to be 95% accurate. He provided the following highlights:

- 90% of residents feel safe.
- 11% had fallen victim to some type of crime during a six month period in 1998.

Ratings of satisfaction with policing services:

- Ease of contact with officers - 95%
- Enforcement of aggressive driving - 44%
- Victim sensitivity was rated at 74%
- OPP problem-solving - 70%
- Charging criminals - 67%
- Police visibility - 60%

Ratings of OPP Quality of Service:

- Traffic accidents - 100%
- Traffic stops - 86%
- Complainants - 81%
- Victims - 70%
- Persons charged - 65 % were satisfied with the OPP's dealings.

Inspector Beechey said the greatest public awareness of programs was for Neighbourhood Watch, followed by the Reducing Impaired Driving Everywhere (R.I.D.E) program. He said the least known initiatives were the Youth Officer program and the Marine program, and explained the Marine program is used only in West Carleton and the Youth Officer program is best known in high schools.

The Inspector noted the survey included an overview of research results and survey findings broken down by response from each of the three municipalities. He outlined the major community concerns were break-ins, theft of motor vehicles, youth loitering, and loud partying in the Constance Bay area. Insp. Beechey said meetings with members of the communities and Councillors resulted in the completion of three business plans to target the major areas of concern in each of the municipalities.

Vice Chair Baskerville felt the report indicated Insp. Beechey was making good progress. He asked if the report was part of a province-wide OPP survey methodology.

The Inspector confirmed that this was so. He said he had originally felt the benefit to the OPP of a survey for the area would have been minimal because of the short time left until amalgamation by the Ottawa-Carleton Service. However, he stated the survey would

prove to be of benefit to Chief Ford and his staff for the information it contained on the area being taken over. He noted these community surveys, originally conducted in all OPP contract locations within the province, were being expanded to include all OPP non-contract locations as well.

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

RECEIVED

11. **REQUEST FOR CHANGE IN
LEGISLATION: WEARING OF SEAT BELTS**

- Executive Director's report and attachments dated 21 Apr 99

Vice Chair Baskerville said that having read comments submitted by the Chief and others, he was unsure whether the Board could approve the recommendation as written. He said he was prepared to endorse the City of Orillia's recommendation in principle, but cautioned if the resolution was not worded carefully, regulations might be enacted which would put seatbelts in OC Transpo and school buses, where they could be damaged and/or vandalized.

Chair Kreling suggested the Board proceed with endorsement of the resolution. He also suggested the whole report, including incorporated comments, could be forwarded to the City of Orillia and the province to better reflect the Board's views.

That the Ottawa-Carleton Regional Police Services Board endorse in principle the Orillia Police Services Board Resolution urging the Ontario Government to immediately review the *Highway Traffic Act* for irregularities concerning transporting passengers in any vehicle without the use of seat belts, and forward both the resolution and the background information provided by staff to the Orillia Police Services Board and the Ontario Government.

CARRIED as amended

12. **GUIDEBOOK FOR THE
AMALGAMATION OF POLICE SERVICES IN CANADA**

- Executive Director's report dated 19 Apr 99
- Guidebook issued separately

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

RECEIVED

13. COMMENDATION LETTERS

- Chief's report dated 15 Apr 99

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

RECEIVED

14. REGULAR REPORT FROM CHIEF OF POLICE AND OPP INSPECTOR

- verbal report from Chief Ford and Inspector Beechey

Inspector Larry Beechey, OPP, reported on the following items:

- On 6 Apr 99, the OPP investigated an incident of arson at South Carleton high school in Richmond. A bomb threat was also called in to the school the following morning. Classes were cancelled for the week, and the incident is still being investigated.
- On 15 Apr 99, a female employee of the Ministry of Transportation on Hazeldean Road in Kanata was robbed of a cash bag. This incident is also still under investigation.
- On 18 Apr 99 the OPP supplied 26 officers to the Corel Centre for the OC Transpo Memorial Service.
- On 24 Apr 99 Insp. Beechey attended an appreciation night for the West Carleton OPP, held in Kinburn. The event was put together by the community group "The Bay Action Team from Constance Bay" and by West Carleton Township residents and municipal officials. The Inspector reported the event was attended by municipal, regional, provincial and federal officials. All past and present members of the West Carleton detachment were presented with plaques and certificates.

Chair Kreling thanked Inspector Beechey for the OPP presence and participation at the OC Transpo Memorial Service.

Chief Ford reported on the following items:

- On 6 Apr 99, Regional Police responded to a multiple murder-suicide at OC Transpo headquarters. A coroner's inquest has been called for and members of the Service have been directed by coroner Dr. Benoit Bouchard not to discuss the matter with media.
- On 15 Apr 99, police investigated the murder of a homeless person in Ottawa. A 25 year old Ottawa resident was later arrested and charged with the murder.
- On 16 Apr 99, Regional Police charged a 26 year old Nepean man for uttering death threats at his place of work. The man stated he would kill staff members if he did not receive his cheque. He left and was later arrested without incident at his Nepean home.
- On 19 Apr 99 an Ottawa man was arrested as a result of death threats uttered through written correspondence. The man indicated he would commit an act similar to the OC Transpo incident at the Ottawa Hospital, General Campus due to harassment at his workplace and the termination of employment.
- General Counsel Vince Westwick was appointed Chair of the Criminal Intelligence Service of Canada Committee on Organized Crime and Legislation. The Chief said Mr. Westwick

will be working closely with the Criminal Intelligence Service of Canada on major issues associated with organized crime.

- On 20 Apr 99, the Region implemented a new financial system, SAP. The Chief said the software, which is Y2K compliant, would give the Service real-time access to financial data and that all seemed to be going well after its first week. The Chief said the Service has been a part of this initiative from the outset. He noted Ms. Debra Frazer, Director of Financial Services and Material Management, is on the Steering Committee, and that all of the Service's financial staff are receiving training.
- On 21 Apr 99, Chair Kreling and Member Buckingham attended a ceremony at which the Solicitor General for the Province of Ontario presented a cheque for \$30,000.00 to the Salvation Army for the continuation of the Pre-Charge Diversion Program. The Chief explained the program is a partnership between the OCRPS, Salvation Army, Solicitor General's office, and the Ministry of the Attorney General, and helps divert people from the court system, relieving the burden on the courts and on police officers.

In addition to his regular report, Chief Ford issued a statement pertaining to the hearing of Constable John Savage. The Chief's statement is reproduced in its entirety:

STATEMENT BY CHIEF FORD TO THE POLICE SERVICES BOARD

Chair Kreling, Members of the Board,

This is the first opportunity I have had to speak publicly with you about a matter that has consumed much attention of this Board, the media and my office in the past 18 months.

Tonight, I would like to let the Board and members of the public know that now is the time to move on. It is time to continue with the positive changes we have underway at the Ottawa-Carleton Police to move our organization closer to community policing than we have ever been.

Let me now speak briefly and publicly about a few issues that have remained in the public domain unchallenged until now.

As you know Supt. Sweeney's decision was rendered in the Police Act hearing against an Ottawa-Carleton Police constable on April 16. Until that decision was delivered, it would have been inappropriate for me to discuss the issue in public.

Since the time of the Sweeney decision I have met and answered questions from members of this Board and my senior officers and management. Furthermore, I have met with and answered questions from members of the Editorial Boards of the two major newspapers and conducted interviews on two major newscasts.

I have also written to the Police Association today inviting their Executive to meet and discuss this matter. Through these actions, I have attempted to assist in laying this matter to rest in

order to move forward.

This whole affair has been painful for everyone. Along with members of the organization, I appreciate the support that you and the entire Board have provided during this time.

First, I want you to understand that the allegations concerning the Deputy came to my attention five months after a thorough investigation had failed to produce any real evidence supporting the allegation.

It was vital that this matter be handled fairly and without favour.

Our organization demands that the highest ethical standards be followed. No member of the service is exempt from this...not me as Chief and not the constable in the district. This goes for our civilian employees as well.

The public trust demands this and I take my sworn obligation to protect that very seriously.

I am well aware of many of the questions surrounding this issue. I've been reading them in the newspaper so, I appreciate the opportunity to raise them now in this setting.

To begin with, on the question of when the Deputy was notified of the investigation. This was done more than two weeks after I first learned of the issue. In fact, he had already been under investigation without being notified for 5 months. The Deputy was treated just as any officer would be in such a case. The figures are available for your review, but let me assure you that notification in this case was no different than any other internal case.

The Chair of the Police Services Board was notified without delay and the necessary arrangements were made for an investigation to be conducted.

It has been falsely reported many times I refused to testify. You probably don't know that I met defense counsel, at his request, in advance of the hearing, and answered all questions he had of me. I can only assume my evidence would not have served his purpose.

Supt. Sweeney's judgment strongly supports this point and refers to the fact the defense failed to call me and that rested with them.

If there are any doubts about the quality of the investigation done by Inspector Harder, read Supt. Sweeney's judgement. Don't take my word for it. Supt. Sweeney said there is no evidence to support allegations of a cover-up.

This issue has been hard on me because I have had to resist jumping into the fray despite what I knew and I had no choice because of legal proceedings. I hope, now that you have all the facts that it will give you the depth of understanding you need in order to understand this matter because I believe our citizens have the right to know all the facts.

In the past four years we have needed to challenge the status quo — we needed to ensure that we put this police service on a sound footing to take on the challenges that face our community: crime and disorder, prostitution and drugs, domestic violence and hate crime, traffic and property crime.

We needed to be innovative, challenging and forward looking. Deputy Chief Mackie helped lead our members through this change at significant cost to his personal and professional life.

Change is never easy. There will always be resistance to change - and that is one of the greatest challenges those of us leading the change face. Resistance, opposition and differing views. We however have been committed to professionalizing the police service for the community's benefit.

We need to have up to date business practices in our police service. It has not been easy doing this but it will serve the interests of the members and the community for us to move in this direction. We need to have standard job descriptions, a fair and open transfer and promotion process, clear lines of accountability, professional training and career development, top notch equipment, and sound policies and procedures relying on the best that policing has to offer our community.

We are on the way to achieving these goals.

We have been through massive change in our organization in the past four years. This will not end with the completion of amalgamation of OPP areas in July of this year.

Instead, our challenges for change will only continue as we embark upon a process of defining our existing partnerships and building new ones with the community. We are committed to making the community a genuine partner in our work and this will become our next greatest challenge.

In the interest of all who have been harmed over these past two years and in the interest of the entire organization, we must now move forward to address the important changes that are in front of us.

Thank you.

Councillor Legendre asked that copies of the above statement be made available to Board members and was assured that they would be. Chief Ford said his statement would also be made available to the media, that such information had already been imparted to the editorial boards of both The Ottawa Citizen and The Ottawa Sun, and that he had been interviewed by both the local CBC affiliate station and CJOH.

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

RECEIVED

15. NOTICE OF MOTION:
REVISED BOARD PROCEDURE BY-LAW & IN CAMERA MEETINGS
- Executive Director's report and attached joint report from the Executive Director and the A/Regional Solicitor dated 20 Apr 99

Moved by J. Legendre

That the Ottawa-Carleton Regional Police Services Board hereby give Notice that the attached report and revised *Procedure By-law* will be considered at the Board meeting on 31 May 1999.

CARRIED

OTHER BUSINESS

1. NOTICE OF MOTION:
SPECIAL PROVINCIAL AGENCY TO HANDLE POLICE COMPLAINTS

Councillor Legendre referenced an interview Chief Ford had accorded to The Ottawa Citizen, wherein he had suggested the establishment of an independent provincial body to probe police misconduct. The Councillor noted the article suggested the province could do this without spending additional money, by having police services contribute resources which currently fund their individual Professional Standards Units. The Councillor said the article reflected that this would also result in cost savings, as the cost for the provincial service would be lower than the cost of each service having its own unit. Councillor Legendre therefore issued the following Notice of Motion to allow this subject to be further discussed at the Board's next regular meeting.

That the Ottawa-Carleton Regional Police Services Board:

- 1. Consider Chief Ford's suggestion that the Provincial government establish an independent body to investigate all allegations of police misconduct; and**
- 2. Consider, as well, his suggestion that the resources for such an initiative come from the monies now expended, throughout the province, on professional standards units (internal affairs branches) within all of the major police services in the province.**

2. REQUEST FOR INDEPENDENT REVIEW OF CHIEF

Councillor Legendre referenced the OCCPS meeting of 10 May 99, at which they will be considering the Ottawa-Carleton Regional Police Association's request for an investigation into Chief Ford's handling of the allegations regarding Deputy Chief Mackie. Councillor Legendre said he wanted the Board to communicate to OCCPS its wish for an independent review of the handling of the allegations regarding the Deputy Chief. He noted the Board, in so doing, would indicate it was making the request in the best interest of the Service and of the public being served. In light of the date of the OCCPS meeting and the Board's own schedule, he asked for a suspension of the Rules of Procedure to allow for consideration of his Motion.

At Chair Kreling's request, Eric Johnston, Acting Regional Solicitor, confirmed that a Motion to suspend the Rules would be necessary to allow for consideration of Councillor Legendre's Motion, for which no notice had previously been given. As provided by the Board's Procedural By-Law, this consisted of a majority of votes of the whole Board, or four votes.

Vice Chair Baskerville voiced a concern that no members of the public were in attendance. He noted that only employees of either the Police Service or the Region were present.

Member McCombie felt that due to the serious nature of the issue, it should have been included in the agenda, and discussed in a public forum. He felt that having the matter discussed solely before his employees would be unfair to the Chief, and he indicated he would therefore vote against such a proposal.

Speaking in support of suspending the Rules, Councillor Legendre explained he had not had an opportunity to place this issue on the agenda because of various timelines involved. He said the nature and results of the decision rendered by Mr. Neil Sweeney on Constable Savage's hearing had been a significant factor in his decision to bring this Motion forward, and he had not wanted to bring anything forward until the results of the hearing were known. The Councillor said he wanted the Board to communicate its thinking on the matter to OCCPS before that body rendered its decision.

Moved by J. Legendre

That the Rules of Procedure be suspended in order to consider a Motion requesting OCCPS to investigate the way in which Chief Ford handled the investigation into the allegations against Deputy Chief Mackie.

CARRIED

YEAS: D. Adam, E. Buckingham, J. Legendre, G. Baskerville,
H. Kreling....5

NAYS: J. McCombie....1

Chair Kreling then read Councillor Legendre's Motion to the Board as follows:

That the Ottawa-Carleton Regional Police Services Board communicate with the Ontario Civilian Commission on Police Services (OCCPS) its wish for an independent review of the handling of the allegations regarding Deputy Chief Mackie. The Board, in so doing, would clearly indicate that it makes this request as being in the best interest of the Service and of the public being served.

Speaking to his Motion, Councillor Legendre referred to a paper he had written and distributed to Board members. He said the document, entitled "Public Indications of Malaise at the Ottawa-Carleton Regional Police Service", included his own thoughts on the matter, and identified six elements as potential sources for this malaise. He reflected that some of these indicators could be dealt with through methods such as conflict resolution. However, Councillor Legendre concluded that in order to deal with the matter fully, an independent investigative process by an arm's length organization such as OCCPS would be required. He felt the questions and allegations would not cease over time, and that both the Chief and the Service were being affected in the interim.

Chair Kreling said he would not support Councillor Legendre's Motion. He said the past 18 months had been very trying with respect to matters surrounding what had become known and often referred to the "Mackie allegations" or the "Mackie investigation". The Chair noted that an outside investigation had taken place, had found no wrongdoing on the part of the Deputy Chief, and had exonerated him. The Chief of Police subsequently sent that investigation to the Metropolitan Toronto Police Service for review by its Professional Standards Unit, which found that the earlier independent investigation had been complete and sufficient. Chair Kreling felt there had been a sufficient number of investigations, independent reviews, hearings and decisions pertaining to those hearings. He stated that no-one had the right to cast any shadow of doubt against Deputy Chief Mackie, and he underscored that none of the allegations had in any way been substantiated.

Chair Kreling said he did not feel a vote in favour of this Motion would do anything to help further the interests of the Service, the community, or the individuals who had been implicated in a matter which did not exist. He reiterated he would vote against the Motion, and encouraged other Board members to do the same.

Vice Chair Baskerville stated OCCPS would review the material in its possession, and would decide whether it had sufficient information to make a decision. The Vice Chair believed it best that the Board await OCCPS' decision, noting there were many possible outcomes. Vice Chair Baskerville believed the Motion was premature and said he, too, would vote against it.

Member Adam spoke in favour of the Motion. He said he had long been uncomfortable with the handling of the investigation into this issue, and had met with many in his community who felt the issue was unclear. Member Adam felt the issue would not go away, and he believed in the necessity for an inquiry into the matter. He suggested that opportunities to resolve the

situation had been missed, and that matters could not move forward until certain issues had been dealt with fully and openly.

Councillor Legendre emphasized that his Motion did not concern Deputy Chief Mackie, but concerned Chief Ford's handling of the investigation. He informed the Board he had drafted a second Motion dealing with removing the cloud of doubt from the Deputy Chief.

Member McCombie believed it was necessary to bring closure to the matter. He noted this issue had been ongoing for almost two years, and felt it would not go away on its own. He considered that perhaps the Motion was premature, but noted the Service needed to deal with the many serious issues facing it without constant media distraction. Member McCombie felt the only way to proceed would be to vote in favour of the Motion.

Member Buckingham said she was unsure as to how to vote on this matter. She acknowledged it was necessary to bring closure to the matter, and pondered that supporting Councillor Legendre's Motion was one way to accomplish this end. However, she noted that OCCPS would examine a body of evidence and ultimately make its own decision, irrespective of how the Board voted. Member Buckingham stated she would likely support the Motion, noting she felt the Board had nothing to fear from an additional inquiry which might bring closure once and for all.

There being no further discussion, the Board voted on Councillor Legendre's Motion.

Moved by J. Legendre

That the Ottawa-Carleton Regional Police Services Board communicate with the Ontario Civilian Commission on Police Services (OCCPS) its wish for an independent review of the handling of the allegations regarding Deputy chief Mackie. The Board, in so doing, would clearly indicate that it makes this request as being in the best interest of the Service and of the public being served.

CARRIED

YEAS: D. Adam, E. Buckingham, J. Legendre, J. McCombie....4

NAYS: G. Baskerville, H. Kreling....2

3. REQUEST FOR INVESTIGATION OF ALLEGATIONS AGAINST DEPUTY CHIEF

Councillor Legendre introduced the following Motion:

That the Board deplores that the investigation into the allegations of improper behaviour by Deputy Chief Mackie has been seriously questioned in the press, by members of the Service, and by the hearing officer (Sweeney), and in view of this state of affairs, which has the unfortunate result of leaving Deputy Chief Mackie's reputation

less than fully restored, this Board requests OCCPS to either conduct an investigation itself, or that it ask a large independent force (not including Toronto or Halton, as they have already been peripherally involved) to conduct an investigation to deal with the original allegations.

Chief Ford pointed out this Motion dealt with a personnel issue which directly concerned the Deputy Chief. The Chief asked the Board to consider this matter in camera. He felt the subject of the Motion was not a matter for public debate, and asked the Board to also consider the fact that Deputy Chief Mackie was without legal counsel.

Chair Kreling said he appreciated the Chief's comments, and asked for guidance from legal staff as to whether this matter would be more properly dealt with in camera. The Chair said he wanted to ensure that, as the matter was being considered for discussion in a public forum, proper legal procedures were followed.

Mr. Johnston reminded members the Board was operating under the provisions in the *Police Services Act*. He emphasized matters of a personal or intimate nature should be dealt with in camera. Mr. Johnston felt the Motion contained potentially serious issues and concerns; if the Board were to proceed to deal with the Motion there were ramifications which had to be considered. He said he could provide advice that would be best received in camera.

Councillor Legendre pointed out that the legal authority for closed meetings was defined on page 79 of the agenda, which pertained to a report dealing with the *Revised Board Procedure By-Law and In Camera Meetings*.

Member McCombie felt the Motion could be dealt with expeditiously. He said the last thing he wanted was another prolonged investigation into the allegations surrounding the Deputy Chief.

Chair Kreling said the Board would have to proceed with caution. He suggested the Board first deal with the Motion to consider suspension of the Rules, and then proceed to the main body of the Motion. He said if the Board began to discuss matters of a nature which were too sensitive for the public forum, he would ask members to stop and convene in camera.

Member Adam respectfully suggested it would be difficult to do this once the debate commenced. He felt the Board should move in camera before deliberation started.

Councillor Legendre suggested if the Board voted in favour of suspending the Rules, it might be prudent to receive advice in camera. He suggested that once the Board had received advice, it could choose to either have part of the debate in public, or continue it in camera.

In the interest of caution, Chair Kreling said he would move that the Board move in camera following the vote on the Motion to suspend the Rules.

Moved by J. Legendre

That the Rules of Procedure be suspended to consider a Motion pertaining to a further investigation into allegations against the Deputy Chief.

CARRIED

Moved by H. Kreling

That the Ottawa-Carleton Regional Police Services Board move In Camera to discuss a Motion dealing with matters of a personal nature in accordance with Section 35(4)(b) of the *Police Services Act*.

CARRIED

The public portion of the meeting temporarily adjourned at 9:00 p.m. The Board reconvened in public at 9:20 p.m.

Chair Kreling reported that Councillor Legendre's Motion with respect to Deputy Chief Mackie had lost on a vote of 5:1.

INQUIRIES

1. Study of Procedures Re: Littleton, Colorado Incident

Member McCombie said he had earlier spoken with the Chief about the recent school multiple murder-suicide in Littleton, Colorado, and noted Chief Ford had indicated that a member of the Service's Tactical Unit might be sent to Colorado to learn from the incident. Member McCombie acknowledged the requirements of operational procedures involved, and noted his comments were not intended as a criticism. However, he said he hoped that should such a tragedy ever occur within the Region, the Service would have a greater sensitivity to the feelings of victims' families, and that bodies would be removed with greater haste than had occurred in Littleton. He felt the Board would fully support anything that could be done to learn from this incident for integration into Ottawa-Carleton's system.

Chief Ford agreed with Member McCombie's statement about the trauma experienced by victims' families as the result of such an event. He said the possibility of sending members of the Service's tactical team to Colorado had been discussed with Deputy Chief Mackie. Although this would not likely happen for several months, the Chief agreed it would be an excellent learning opportunity. He noted the Service's own procedures had changed as a result of similar incidents such as the one at Montreal's École Polytechnique a decade earlier. Chief Ford said the tactical team has met with emergency medical personnel in Ottawa-Carleton to discuss a partnership in the training of medical teams in tactical intrusions into places where such situations occur.

2. Promotion of Public Complaints Process

Councillor Legendre congratulated member Buckingham for chairing a Public Complaints session at the Ontario Association of Police Services Boards (OAPSB) conference held 23-25 Apr 99. He believed member Buckingham had given a good summary of Ottawa-Carleton's experience regarding the public complaints process. He noted he had a three-part inquiry arising from this session.

The Councillor stated that mention was made at the conference of several police services that had a complaints section on their web sites, including the town of Cobourg. Ottawa-Carleton was not one of them. He asked if the Service could look into having such a section on its web site to facilitate the process for those who wished to submit a complaint electronically.

Councillor Legendre next asked about a short video developed by the Toronto Police outlining the complaints process and how the service might deal with complaints received. He asked if a copy of this video could be obtained to see if it included information our own Service could use and build upon. The Councillor relayed information regarding a contact person to Deputy Chief Mackie.

Finally, the Councillor inquired about the availability of the province's complaints brochure in all Regional Community Police Offices (CPO's). Councillor Legendre noted he had received phone calls from members of the public informing him they had not been able to submit complaints at CPO's. He questioned this, but acknowledged he was aware that complaints had to be received in writing. He asked whether or not complaints brochures were available in Community Police Offices, and about the ability of CPO's to receive complaints in general.

CONSIDERATION OF MOTION TO MOVE IN CAMERA

Moved by H. Kreling

That the Ottawa-Carleton Regional Police Services Board adjourn the public portion of its meeting to move In Camera to discuss Confidential Items 1 and 2 pertaining to a property matter and a litigation matter respectively, in accordance with Section 35(4)(b) of the *Police Services Act*.

CARRIED

ADJOURNMENT

The meeting adjourned at 9: 25 p.m.

W. Fedec
Executive Director

H. Kreling
Chair