

MINUTES

OTTAWA-CARLETON POLICE SERVICES BOARD

CHAMPLAIN ROOM

28 JUNE 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

SPECIAL ACKNOWLEDGEMENT - OPP INSPECTOR BEECHEY

Prior to the start of the meeting, Chair Kreling noted this would be the last regular Board meeting attended by Ontario Provincial Police (OPP) Inspector Larry Beechey in his capacity as the OPP's contact to the Board. The Chair also noted the last component of the OPP-to-OCRPS transition would be completed on 5 July of 1999. Chair Kreling, both personally and on behalf of the Board, thanked Insp. Beechey for his efforts in assisting with the transition, and for his years of service to the residents of Ottawa-Carleton. The Chair also extended the Board's thanks and best wishes to those officers who have chosen to remain with the OPP and have accepted transfers to postings elsewhere in Ontario.

Inspector Beechey thanked the Board for its appreciation of the OPP's efforts. He noted his involvement with the Region and with the Police Services Board had proven to be an interesting learning experience, and he said he had appreciated the opportunity to work with everyone involved.

CONFIRMATION OF MINUTES

That the Ottawa-Carleton Regional Police Services Board confirm the Minutes of the 31 May, 07 June and 21 June 1999 meetings.

CARRIED

1. OTTAWA-CARLETON HIGH TECH
THEFT PREVENTION ASSOCIATION

- Executive Director's report dated 22 Jun 99 and attached correspondence from S. Neville, President, Ottawa-Carleton High Tech Theft Prevention Association

Chair Kreling introduced Mr. Stephen Neville, President of the Ottawa-Carleton High Tech Theft Prevention Association (OCHTTA), and Messrs. Lance Valcourt, Vice President, and Mark Bell, Director. Mr. Neville gave a presentation on the Association's goals, which include education and a raising of awareness of high tech crime, and of assisting local police services in dealing with these issues.

Mr. Neville explained the OCHTTA is a joint venture between the Regional Police Service and the business community. He said the Association was created in the fall of 1997 and was the first of its kind in Ontario and in Canada. Mr. Neville described the Association as a community-based policing initiative, in which the business community liaises with local police and with members of the RCMP and military police to discuss common problems. He credited Mr. Valcourt with being the driving force behind the initiative while still serving with the OCRPS.

Mr. Neville noted the Association is based on the High Tech Theft Prevention Foundation of Austin, Texas, and its members continue to share and exchange information to keep informed on issues of mutual concern.

Mr. Neville said the Association usually holds a meeting every six weeks, at which ongoing security issues of concern to the high tech community are discussed. He noted the Association also participates in conferences such as the *Policing Cyberspace* conference held in Vancouver in the fall of 1998, at which the Association made a presentation on the benefits offered by a High Tech Theft Prevention Association. In summary, he said he was proud of the contributions made by participating member associations and of the working arrangement the OCHTTA had established with the Police Service.

Mr. Neville elaborated for Vice Chair Baskerville on the assistance the Association has provided to the Police Service's High Tech Crime Team. He explained the Association had asked the Service what its High Tech Crime Team needed to better perform its work. A number of needs were identified, and the Association has since provided the High Tech Crime Team with a total of \$15,000.00 for the purchase of equipment or to help pay for staff training. The Association has also provided the Team with additional "buy" money for a floating cash fund to be used to purchase information on the street. Mr. Neville said he foresaw a continuation of this working relationship into the future.

The Vice Chair asked if any visible results had been noticed in either crime detection or crime deterrence in high tech areas.

Mr. Neville provided an example where the sharing of information had helped lead to the apprehension of an individual responsible for the theft of computer equipment from offices of the Department of National Defence. In another example, representatives from two different firms had shared information to come up with a solution to problems that were common to both.

Councillor Legendre commented the presentation was very general. He felt the examples offered did not directly relate to high tech crime, noting the theft of a computer did not make it a high tech crime. The Councillor believed the presentation should have focused on what the Association was doing to help deal with crimes such as internet fraud, pornography, etc.

The speaker responded that the Association has set up three different boards to address issues along these lines. One is for education and awareness; another deals with intellectual property and is focused on lobbying the government for changes to the Criminal Code of Canada to allow for the protection of intellectual property. Mr. Neville said the intent was to take a proactive approach, using a unified community voice to effect change. The third board deals with marketing issues.

The Councillor asked if Canada was lagging behind its competitors in the area of intellectual property.

Mr. Valcourt replied that this was the case, but it was hoped changes would be forthcoming. He noted the committee on intellectual property is chaired by a member of Nortel, and includes members of the Canadian Security and Intelligence Service (CSIS) and the RCMP. Mr. Valcourt said powerful legislation was enacted in the United States a number of years ago to deal with economic and industrial espionage, but that Canada had no such legislation. He felt minor changes to the Criminal Code would greatly assist Canadian police services in this area.

Chief Ford thanked the presenters for their efforts. He outlined that in 1997 when the OCHTTPA was inaugurated, Ottawa-Carleton was experiencing a significant level of computer-related theft because of the Region's status as "Silicon Valley North". He said at the time, Staff Sergeant Lance Valcourt had been in charge of the break and enter squad. The Chief said the idea of establishing a computer theft prevention program had been proposed as a cooperative effort between the Police and the private sector.

The Chief took the opportunity to present the representatives of the Ottawa-Carleton High Tech Theft Prevention Association with a plaque in appreciation of the organization's commitment to the Police Service's High Tech Crimes Unit and to policing in Ottawa-Carleton.

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

RECEIVED

2. ANNUAL REPORT - FALSE ALARM REDUCTION POLICY
- Director General's report dated 21 Jun 99

Chief Ford introduced Debra Frazer, Director of Financial Services, OCRPS, and Sergeant John Ferguson, Alarm Management Section, OCRPS. Ms. Frazer explained Sgt. Ferguson was involved with the development and implementation of the False Alarm Reduction Policy, the establishment of the Alarm Unit, and with various issues arising from the implementation of the False Alarm By-law.

Vice Chair Baskerville referenced the section on *Collections* (page six of the agenda), which noted some accounts were outstanding because alarm holders refused to pay fines. He asked what action could be taken in future to persuade alarm holders it would be in their best interests to pay.

Sgt. Ferguson replied that because the Police Service is committed to responding to all alarm calls, it was anticipated this might be a problem area. He explained the Service is working with McGrath Canada, a collection agency, to assist with collections. Sgt. Ferguson stated that when accounts grow to a size that makes collection economically feasible, the Service takes these accounts to small claims court. He said that to date, three such claims have been brought before the court, with the Service receiving judgements for the amounts requested. Sgt. Ferguson confirmed for the Vice Chair that this was the only action taken in the event that people did not pay their bills, and affirmed the Service would continue to respond to all alarm calls.

Vice Chair Baskerville requested that the Service monitor this area and that the Chief inform the Board if it was an increasing trend, so the Board might re-examine the Alarm Policy or take other measures if necessary.

Councillor Legendre said he could not imagine what other measures might be taken. He noted one that came to mind was a refusal to respond, but said he could not imagine the Service doing so. He referenced page five of the agenda, noting 577 alarm calls had been cancelled before dispatch, and over 3,800 had been cancelled prior to officer arrival. He asked if the \$60.00 fine for false alarm responses was levied in either of those situations if the call was cancelled. Sgt. Ferguson replied that no fine would be levied in either case.

The Councillor then referenced a section of the report pertaining to the *Database of Alarmed Premises*, which showed 40,872 alarmed premises had been identified, and that 75% of these had been registered. He recalled that when the alarm registration process started the Police Service did not know how many alarms were in use. It now appeared to have this knowledge, including the number of unregistered alarms. He asked for an explanation.

Sgt. Ferguson explained that when the program commenced, the Service requested that alarm companies provide their databases of alarmed premises to the Police. He said that from this

database, the Service initiated a mail-out process which requested that the alarms be registered. He noted the Service also finds out about alarm systems when alarm calls are received from the alarm companies. Sgt. Ferguson further explained the number of 40,872 represents a combination of the data received from the alarm companies, and alarm calls received from alarm companies for unregistered alarms. He felt, however, that there were still more alarms in use of which the Service was unaware.

Councillor Legendre also recalled that prior to the By-law, alarm companies had not been keen on turning over their lists of customers. He asked if this problem no longer existed. Sgt. Ferguson explained that on a one-time basis, virtually every alarm company provided the Service with a list of customers in order to allow the Service to perform its mail-out. He noted there was no need to continue this, as currently, new alarm holders were provided with an alarm registration form at the time of installation of a new alarm system, or at the point of sale. He said it is then up to the alarm owner to fill in the form and return it to the Service.

Councillor Legendre commented that he found a statistic reflecting the number of valid calls, those classified as criminal acts, rather weak. He noted the report said the number of valid calls had increased slightly, to 2.5 % of all calls. The Councillor pointed out this low percentage of valid calls was one of the main arguments for putting the False Alarm By-law in place, yet despite a fair degree of compliance, the percentage of warranted calls remained low. He asked what the number of valid calls had been before the adoption of the False Alarm By-law.

Sgt. Ferguson stated that in the year prior to the adoption of the By-law, the number of false alarm responses was approximately 99% false, 1% valid. He noted this has improved slightly.

Member McCombie referenced the section on *Collections* on page six of the agenda, and asked what was meant by "individual personal circumstances".

Sgt. Ferguson explained that both he and the Assistant Alarm Administrator have the authority to cancel alarm fees under "Special Circumstances". He said some of these circumstances can involve deaths in the family, or people being involved in accidents. For example, he referenced alarm response calls in which a member of a household had died and an alarm had been set off because another individual looking after the house had come in and been unaware the alarm had been activated. He said that in many such cases, a fee would not be issued. He noted the number of such cases would be under 100.

Member McCombie asked how the Service would receive a registration form for an alarm if the owner failed to fill out the form and return it to the Service. Sgt. Ferguson stated that if the Service were to respond to an alarm call at an unregistered premise, a false alarm response fee and a registration fee would be issued to the homeowner at the same time.

Member Buckingham noted the report indicated revenues generated were roughly \$1.2 million, and she asked if this figure reflected amounts billed, or amounts collected. Ms. Frazer

explained the Service used an accrual method of accounting, which represented the amount billed, noting there was a difference between what was collected and what was outstanding.

Responding to a query from Member Buckingham as to whether the Service had a provision for bad debts, Ms. Frazer noted the program was in its first year. However, an attempt is being made for 1999 to arrive at a reasonable estimate of how much of the total would be uncollectable, and to make provisions for uncollectable amounts.

Member Buckingham referenced the statistics, noting that roughly 20% of all false alarm fines levied were considered uncollectable, which the Service sent off to the collection agency. She assumed the agency would take a percentage of whatever was collected. In total, she believed uncollectable amounts represented a figure of approximately \$50,000.00, and that this was an amount in excess of a projected deficit which had been reported by the Service at the Board's meeting in May. Member Buckingham hoped the Service would factor such amounts into its calculations so that projections would not be made based on unrealizable revenues.

Chair Kreling noted the Board had received correspondence from Mr. John Graham, who had raised a number of issues dealing with appeals. The Chair asked if other police services who had instituted a similar program were following an appeal process where the administrative unit which was responsible for the actual billing was also responsible for the appeal process.

Sgt. Ferguson explained that this was his understanding. He acknowledged other police services might have an outside appeal process, but said he could not be sure. He offered to investigate this matter further. Chair Kreling said the Board would appreciate finding out what other services were doing in this regard.

The Chair also noted the report indicated appeals are received from both the alarm companies and directly from the public, with more appeals coming from the alarm companies. He asked if the initial appeal has to be lodged by the alarm company.

Sgt. Ferguson explained an appeal can be launched by either the alarm company on behalf of the alarm holder or by the alarm holder. He said the Service has asked alarm companies to institute the initial appeal because the company can forward a computer printout of the call they have logged at the same time they forward an appeal. Sgt. Ferguson noted this can make for a quicker decision on the appeal. He said that of 196 appeals received, 121 came from alarm companies, and 75 came directly from members of the public. He clarified all appeals were dealt with in exactly the same manner.

Chair Kreling asked if the Administrative Unit was suggesting to the Board that alterations needed to be made to its False Alarm Policy at this time. Sgt. Ferguson stated the Policy has achieved its goals in general, and was working reasonably well. He did not feel that it needed any significant changes at present.

Gwen Preston, a resident of Ottawa, disagreed with the Policy, and requested that the Board ask the Regional Municipality to withdraw the By-law. She did not believe the Policy was as effective as the Police Service suggested. Ms. Preston then read from a prepared statement which outlined her comments and observations on the staff report (on file with the Executive Director).

Ms. Preston wondered why the Service would attempt to pursue the collection of a payment if a person refused to pay, noting the resulting process would consume more revenue in terms of time and effort than the amount to be collected. Referencing her own appeal of a false alarm fine, she estimated her process had consumed more resources in terms of the Police Service's time than the amount she had eventually paid. Ms. Preston felt the False Alarm Policy was unreasonable. She also expressed concern that although she had not authorized her alarm company to release personal information, the Police Service was now in possession of this confidential information. The speaker noted she would continue to refuse to fill out an alarm registration form, and felt there was no way of ensuring that anyone who received a new alarm would register it. She asked the Board to reconsider its position on the False Alarm By-law.

At Councillor Legendre's request, Ms. Preston elaborated on a particular circumstance she had heard of, in which a call to cancel an alarm had been disregarded. In speaking to her security provider, Kodiak Security, she had been told of an appeal which the company had submitted and which had been refused, involving a disabled person who could not get to a telephone in time to cancel an alarm call. She noted the person eventually managed to access a telephone and requested that the call be cancelled. The person was apparently informed it was too late to cancel the call as the police were either very close, or they were already there. Ms. Preston expressed disbelief that the appeal would not be granted given the person's disability and circumstances.

Chief Ford suggested the alarm company could draft a letter regarding the nature of the issue, and stated that if the circumstances were such that a disabled person could not get to a phone, the Police Service would make an exception and would not process the fine. The Chief noted, however, this was in the nature of a third-party complaint, and that the speaker had heard of the matter second-hand from another source. He said if the matter were brought to his attention, he would ensure that appropriate action was taken. Ms. Preston assured the Chief she would ask Kodiak Security to get in touch with him.

Councillor Legendre commented that occasionally, he had referred residents or constituents to Sgt. Ferguson, and said that these referrals had been handled in a humane and sensible way. He noted a general policy cannot foresee every possible circumstance, and he was glad to hear the Chief comment that exceptions would be made in special circumstances such as the one the speaker had just mentioned. Councillor Legendre said he agreed with many, but not all of the points Ms. Preston had made. He said he was unsure as to what the Board could do to improve the Policy.

Ms. Preston suggested the policy could be more responsive. She felt irritated that the policy did not take into account that an individual was taking measures to protect their own property to supplement or supplant police service. She noted in her own case, a friend had unknowingly set off the alarm, for which a fine had been issued. Ms. Preston said attempts to explain the situation were met with an unresponsive attitude from the Police.

Member Buckingham noted that both Ms. Preston and the letter submitted by Mr. Graham addressed the difficulty of finding out about the appeals process. She asked what was being done to make people aware of it.

Chief Ford acknowledged that there seemed to be a problem with communicating this issue to people. He said the Service would examine the matter to ensure there was an appropriate process whereby somebody who received notification of a false alarm and/or a bill would at the same time receive information on the appeal process.

Member Buckingham wondered why there was a separate appeals process for alarms when in some respects it seemed to be a service complaint. She noted that Part V of the *Police Services Act* states that service complaints have a particular process to follow. She appreciated the volume was such that it would be undesirable to send each complaint to the Professional Standards Unit, but noted two individuals had identified the issue of independence and fairness. Member Buckingham felt there was a problem with the perception of independence and fairness when the whole appeals process was within the same administrative unit.

Chief Ford said he did not consider these to be service complaints, but rather appeals of levied fines. He explained these were not appeals of a lack of service on the part of the organization or of the officers responding to the call; rather, they were appeals of whether or not the alarms were false.

Member Buckingham then said they might be considered policy complaints in terms of how the policy has been applied. Chief Ford argued they were not policy complaints either, but rather appeals of whether or not the fines could be justified.

Member Buckingham reiterated two people had commented on the lack of fairness and independence, and said she wondered what action could be contemplated to deal with this perception.

Chief Ford said the Service could look at the suggestions put forward by Mr. Graham, and that he could ask staff to review the appeal process. The Chief stated he would also like to research the appeal processes in other municipalities with similar by-laws. He suggested a report could return to the Board by September with options other than recommending a change to the By-law, as he believed some of the appeal processes could be changed through operational administrative functions.

Vice Chair Baskerville thanked Ms. Preston for her written summary. He asked the speaker if she had had the opportunity to attend the public forums and consultations that had occurred before this policy was put into place.

Ms. Preston stated she had not had opportunities to do so.

The Vice Chair commented that many of the issues Ms. Preston raised had also arisen during the public forums, and he noted there had been many differing opinions. He said the resulting policy was a compromise in an attempt to be reasonable to all parties. He felt, however, that some of Ms. Preston's concerns would be addressed with respect to appeals. He explained the Board had decided a policy was necessary, and that it would be ideal for all alarms to be registered. He asked Ms. Preston to expand on her statement that in conversations with her security provider she had been informed "the industry does not like the policy". Ms. Preston explained her security provider had indicated to her that it was not supportive of the policy.

Vice Chair Baskerville said he was not familiar with the views of all security firms, but noted that early on in the process, the association of alarm providers had recommended that the Board have a policy in place, and were very supportive of it, as the policy would bring some form of regulation and standards in responding to false alarms. He understood there were some firms who were not supportive of the policy, but believed that in some cases, these organizations did not belong to the industry association, which raised potential issues of whether the firms met industry standards.

Ms. Preston said she had no problem with the fact that a False Alarm Policy existed. She felt it would be beneficial in cases of people who were clearly abusing the service. However, she felt that in most cases, the registration fee and fines represented a tax grab which offered no additional service or protection for the expenditure. The speaker recognized the policy was a compromise, but noted some of the original proposals put forward had included the possibility for one or more allowable false alarms. She wondered why at least one allowable false alarm per year had not been accepted.

Vice Chair Baskerville appreciated Ms. Preston's concerns, but noted this issue had previously been discussed, resulting in the consensus which had formed the present policy. He suggested that the matter could perhaps be reviewed over time.

Chief Ford added that the False Alarm By-law had been passed by Regional Council, and noted there had been much debate at Council over the same issue.

Member McCombie emphasized his following comments were not reflective of the Board's position. He stated that personally, he agreed with most of Ms. Preston's comments, especially the one which dealt with providing the police with information about a person's residence. He noted he was an ex-police officer, and felt it was none of the Service's business as to what was in somebody's house. He expressed surprise that under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, the Service could obtain personal

information from alarm companies on people who have alarms. Member McCombie stated that had he been a member of the Board when the By-law was passed, he would have opposed it, and said he, too, believed the policy represented another form of taxation.

Deputy Chief Bevan explained why knowing special details about a residence could enhance an officer's safety. He said many residents own dogs, and that having information which would forewarn officers of their presence on the premises was appreciated. The Deputy Chief noted an officer's awareness of the situation is also enhanced if it is known there may be firearms on a property. In the regard for officers' safety, he felt such requests for information were reasonable in order to ensure that officers took the necessary precautions to protect themselves when attending alarm calls.

Chair Kreling noted the by-law and policy were not new, but were new to the Ottawa-Carleton Police Service. He explained that each of the three Police Services of Ottawa, Nepean and Gloucester, which had been amalgamated in 1995, had had some level of false alarm policy already in place. The Chair pointed out that every jurisdiction in Ontario with a municipal police service either already has a false alarm policy, or is in the process of putting one in place, and that discussions in other communities would probably echo those of the Region. Chair Kreling reflected the policy had been in place for a year, and noted a year of discussions had ensued prior to the Policy's recommendation by the Board and its passing into By-law by Regional Council. He acknowledged that not everybody would be satisfied with the policy, but hoped it could be refined so that it could draw on some of the constructive criticisms that had been received over the past year. The Chair noted the Board would receive a report in September which would give attention to the issues of transparency and the appeals process, and said he looked forward to seeing these issues addressed in the report.

He noted that unlike Member McCombie, he supported the policy from the outset, and continued to support it. He noted Ms. Preston's comments that costs are incurred whether the officer is in attendance at a false alarm or simply patrolling a neighbourhood, but stated that the objective was to make better use of officers' time rather than responding to false alarm calls. Chair Kreling acknowledged that one year of empirical data was insufficient, but that at present, no more was available. He affirmed the false alarm situation would continue to be monitored, and would be studied to see what refinements could be made to the policy. He thanked Ms. Preston for her comments, and said he believed they would form a part of the report which would return to the Board in September.

Ms. Preston asked if the September report could also clarify statistical data given to reflect the difference between hard and soft costs, and that reported revenues reflect confirmed revenues that would actually be received by the Service, taking into account that some of these revenues would be paid to the collection agency.

Chair Kreling said he appreciated the speaker's comments, and noted the issues of transparency, the appeals process, the limitation of the appeals, and cost recovery would be the

primary points in the report to come back to the Board in September. To this end, the Chair asked that the Chief apprise the Director General of the evening's discussions.

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

RECEIVED

3. PRESENTATION - RED LIGHT CAMERAS AT INTERSECTIONS

- Verbal presentation by EDS firm
- Executive Director's report dated 23 Jun 99

Chair Kreling introduced Mr. Roberto de los Santos, Managing Director, Police & Law Enforcement, Government Services Division of EDS Systemhouse Canada, who gave a presentation on the capabilities of red light camera technology. The Chair also introduced Mr. Doug Brousseau, Acting Deputy Transportation Commissioner, who is involved with the Transportation Committee regarding aspects of the red light camera issue.

Mr. de los Santos thanked the Board for the opportunity to provide a brief overview of red light systems, which included statistics on "red light runners". He explained most of the empirical data had been compiled by third party non-profit organizations. He stated the "running" of red light traffic controls is a serious problem, and is the primary cause of urban collisions. Mr. de los Santos said the annual cost in the United States of America adds up to around \$7 billion. He also noted 80% of collisions caused by those running red lights result in injury, compared to 36% for all other collisions combined.

Mr. de los Santos outlined what he felt were the benefits of automated red light traffic enforcement. Safety aspects were said to include a reduction in side impact collisions and car/pedestrian collisions; the encouragement of "slow-down" reactions by drivers once systems were installed; and a reduction in gridlock in high-traffic intersections. From a police perspective, the benefits were said to include a reduction in the number of accident investigations; a reduced police presence at intersections, allowing personnel to be assigned elsewhere; an increased awareness of law enforcement; the conversion of manual ticketing to electronic ticketing; and, the elimination of the need for officers' court testimony. The speaker also noted budgetary benefits would include a high cost recovery for minimal investment in terms of revenues generated; an increased efficiency in the use of police personnel; and reduced court costs. Mr. de los Santos then provided an overview of a red light system currently in use in New York City (NYC). A copy of the presentation is on file with the Executive Director.

Councillor Legendre thanked the speaker for his presentation. Referring to the NYC statistics, he asked why only 51% of events captured resulted in tickets being issued.

The speaker explained the photo technology was sensitive, and often captured images of bicycle messengers or couriers crossing red lights. He also noted instances where there were

good reasons to violate red lights, such as in the case of emergency response vehicles. He said the statistics reflected the total number of instances where photos had been captured, and did not distinguish between legitimate occurrences and those that were not.

Responding to a question from Councillor Legendre regarding installation costs for one camera, Mr. de los Santos explained the camera was the focal point of a system which included many variables which would need to be factored into a red light installation. He noted costs would depend on the number of cameras installed, the type of camera installed, and what services were provided subsequent to image capture. Mr. de los Santos said the services could range from no service to a full outsourcing of the ticketing process, and said these services were all costed differently. He felt it would not be fair to offer a single price because of the many variables involved.

Further responding to questions from the Councillor, the speaker stated his firm was aware the province had passed legislation allowing municipalities to participate in a two-year pilot project if the municipality met certain conditions. Councillor Legendre noted various arrangements could be made to recoup costs if implementing a system on a permanent basis, but felt two years would offer insufficient time to do so. He then asked if EDS was prepared to respond to a request for proposal (RFP) knowing the time frame is only for two years. Mr. de los Santos said his firm would attempt to respond to the Region's requirements in any type of future procurement, and would offer the best type of system under the conditions put forth in the RFP.

Member Buckingham noted NYC statistics for 1998 indicated the number of tickets issued per day per camera had increased by about 20%. Mr. de los Santos pointed out the numbers indicated a decrease from 1994 to 1997. He said the 1998 increase represented a "surprise factor" following the addition of cameras at 12 new intersections.

Member Buckingham noted this suggested motorists' behaviour would not change if they did not believe their driving behaviour was being monitored. She felt this indicated red light systems served to control only the worst few intersections where they were installed.

Mr. de los Santos said NYC had decided not to use decoy systems, a mechanism which employs "dummy" cameras in addition to real ones, and allows camera locations to be alternated at random, thereby providing for a wider coverage of intersections. He suggested there was no evidence of a wide scale reduction of violations in areas where there was no evidence of surveillance equipment in place.

Member Buckingham acknowledged costs would vary depending on the range of services chosen. She asked for an estimate of what percentage would be left for a municipality after costs if it opted for a "full service" outsourcing process.

Mr. de los Santos said this would depend on whether the municipality had a line item in its budget to implement the system, or whether it was costed as a transaction-based activity. He

noted NYC had purchased the system and paid for its maintenance. He said the city had recovered \$9.8 million in fines, from which the cost of the system was subtracted to give a net cost. He said he was not equipped to give accurate figures for NYC. However, based on his experience of implementing these systems, he estimated the return on every dollar spent would exceed 50%.

Member Buckingham then asked what an average pay-back period would be for a typical installation. Mr. de los Santos explained EDS' payback periods were usually calculated on a number of intersections, so the payback period for any given system would depend on the number of installations. He said there were economies of scale which could be factored into this. He believed EDS would be able to accommodate a two-year pilot project and have a system pay-back within this period of time.

Chair Kreling asked if municipalities could enter into lease arrangements for the equipment. The speaker noted this was one possible option. Speaking to a question from the Chair regarding EDS' involvement with a pilot project in Toronto, Mr. de los Santos outlined a 30-day pilot had been done at no cost to the City. He explained the firm had been preparing to put together a similar project for Ottawa-Carleton, but that this was put on hold due to the creation of the new provincial two-year pilot project.

Councillor Legendre asked if privacy issues had arisen when the project was first proposed for NYC. Mr. de los Santos said privacy was more of an issue in systems which utilize a two-camera (forward and rear) system versus a rear system alone. Speaking to how this issue was handled in NYC, the speaker noted EDS had worked with the City to prepare a communications package to educate the public about how the system works and about the issues involved. Mr. de los Santos said the company's philosophy was that an informed citizen was a cooperative citizen. He believed this had been proven to be the case, and that citizens had accepted these types of systems.

Councillor Legendre asked if the ticket issued by the automated process was the same as that which would have been issued by police. Mr. de los Santos replied this was so, and that a photocopy of the captured image was included with the ticket. Speaking to a point raised by the Chair, the speaker felt the public had made a distinction between radar photo enforcement and red light photo enforcement. He said the belief was that people might exceed a speed limit at any given time in their lives without incurring injury, however, it was felt red light intersection violations constituted a different scenario.

Councillor Legendre felt situations existed where citizens might feel threatened by the possibility of a photo being taken. He inquired whether the issuing of a photo to the red light violator was a necessary part of the process.

Mr. de los Santos replied that this was not absolutely necessary, and that the decision of whether or not to include photos would have to be made when deciding on levels of service to be provided after image capture. He noted, however, that there is a substantial amount of

administrative overhead involved in processing the images, and that the volume of tickets can be considerable with around the clock, seven day a week coverage.

Councillor Legendre noted EDS had experience in a number of American jurisdictions, and with a limited test project in Toronto. He asked if the firm had any other experience with similar systems in Canada. Mr. de los Santos said the firm was looking forward to a future project in Ottawa-Carleton, but that it had no other Canadian experience. The Councillor then asked Mr. Brousseau for his comments on red light camera systems.

Mr. Brousseau disputed earlier claims that people could not learn new behaviour, and cited the example of Oxnard, California, where the violation rate dropped by 40-50% where cameras were installed. He noted that in locations where cameras were not in place, a similar drop in violations was noted, which he felt indicated people's behaviour could change. Mr. Brousseau then gave an overview of the Region's association with red light camera systems. He stated the Region had lobbied intensively for red light cameras as a way of supplementing police enforcement. He said these efforts led to the introduction of provincial legislation in December of 1998 to permit the installation of red light cameras.

Mr. Brousseau noted the legislation includes a number of issues that have to be resolved. One that is troublesome to Ottawa-Carleton is the two year period for the trial pilot which starts when someone in the province is ready to implement a red light camera system. He stated Ottawa-Carleton was not yet ready to do so, but Toronto has already established a budget of \$3 million for red light camera implementation. Mr. Brousseau said the Region is working with a province-wide committee including all municipalities interested in this technology. However, the process is being driven by Toronto, which wishes to proceed by the end of 1999. Mr. Brousseau said that if this happens, the Region will be unable to take advantage of a full two-year test period as it will not yet be ready. He stated Regional staff were meeting with their Toronto counterparts regularly to help resolve some of these issues.

Mr. Brousseau said other issues were more specific to the Region, such as what to do with out-of-province violators, noting many Québec vehicles were used within the Region. He stated the province had indicated a desire to process red light camera data at a central location in order to ensure uniformity across the province. Mr. Brousseau said this process would see the Region sending away its film for processing, which raised other issues such as who would be rendering the actual judgements. He said the Region was working with its partners and the province on aspects of the technical specifications, and added that the Region was also examining a partnership with Toronto for the tendering process, which might result in additional cost savings.

Mr. Brousseau noted Regional Council had directed staff to include funds in the year 2000 budget for the implementation of red light camera systems at two intersections, with a number of additional "dummy" locations. He stated that at present, actual costs were unknown as the province had not yet defined the project's parameters. Mr. Brousseau felt the issue of most interest to the Board would be the degree of police enforcement to be included in the pilot. He

stated one of the pilot's objectives would be to judge whether police enforcement or red light camera enforcement was better. He said the degree of this additional police enforcement, along with its associated cost, was as yet unclear.

Councillor Legendre sought help in drafting a Motion to ask the Service to include an amount in its year 2000 budget to allow it to meet the requirements of the impending legislation, and to allow the Region to begin preparations for implementation in 2000.

Mr. Brousseau said the Region has been working with the Police Service, Legal Department and other stakeholders to prepare a Capital budget for Regional Council's consideration in support of the pilot project. He said the Transportation Department's finance administrators had suggested adding extra police enforcement costs to the Capital budget and to charge police time against the Region's Capital budget.

Councillor Legendre expressed surprise at the suggestion of the police submitting a bill against the Capital budget. Mr. Brousseau felt all parties involved in the project were part of the Region, and answered to the same taxpayer. He did not see the need to employ two different systems on the pilot project. He predicted that once the cameras were installed, they would never be removed, and that the pilot would succeed. He said other arrangements could be made over the long term.

Councillor Legendre prepared a Motion indicating the Board's support and directing staff to proceed with the initiative for next year. The Councillor asked the delegation if other commercial operations in Canada would likely respond to Toronto's upcoming RFP. Mr. de los Santos believed there were other companies that provided similar services.

Councillor Legendre wondered if the RFP could be structured to allow the Region to either proceed in advance of having anything finalized in the budget, or at no cost to the Region. He said that presently, the Region had to wait until its 2000 budget was approved prior to any action being taken. He noted this would preclude the Region from using the full two year time frame to full benefit, as other jurisdictions were ready, and would have the equipment in place by the start of this period.

Mr. de los Santos explained EDS had a transaction-based model which would require no initial Capital expenditure on the part of the municipality. Costs for the system would be absorbed through tickets issued. This would include costs for the cameras, installation, system maintenance and back-end services provided after the picture was taken.

Councillor Legendre noted in the case of NYC, it had taken between five and seven years to recoup costs. He felt there was no way costs could be recouped in two years.

Chair Kreling suggested the discussion was turning towards financing, and felt these were questions better left for staff to work out between the other interested stakeholders and the

province. He noted the program's parameters were as yet unknown, and that the Region would not know what to include in an RFP until this issue was settled.

Councillor Legendre said the delegation had spoken of recouping costs through the tickets issued. He noted the only assurance the Region had was that the program would last for two years. He asked the speaker if EDS was prepared to enter into an agreement that could see the province removing the cameras at the end of the trial period.

Mr. de los Santos said he was not in a position to say the firm could put forward a system that after two years either would or would not be paid for. He said that of the different models the company had for payment, he was prepared to put forward one which did not involve an initial Capital expenditure.

Member McCombie felt that as a tender had not yet been called for, Member Legendre should not be asking the speaker questions that he was not in a position to answer.

Councillor Legendre explained he had not been seeking a bid from the delegation, but rather, information on the potential for pay-back of costs within the two-year time frame.

Member Buckingham said she understood the decision to acquire red light cameras had been strictly that of Regional Council. Mr. Brousseau explained the existing legislation, passed in December of 1998, allowed Council to ask that the Region be designated one of the areas for the pilot project.

Member Buckingham noted it was up to Regional Council to define the RFP and put it out for tender. She said the only Police Services Board aspect would involve an agreement for stepped up enforcement, of which there was as yet no definition. Member Buckingham felt that at some point, Regional Council should approach the Board as this would result in increased costs for the Service. She said the Board would then have to examine its priorities and budget to decide where it wanted to allocate its resources.

Mr. Brousseau confessed he was not fully familiar with the Police Services Board's role and the workings of its budget. He believed, however, that the Board was on record as supporting this initiative.

Member Buckingham noted this was so, but pointed out the project was under provincial legislation. She said the Board was obligated to set the Service's objectives in consultation with the Chief, and to ensure that Council approved the Board's budget as a lump sum and not as individual line items. She felt that at some point it would be necessary to have an idea of what the Board's role would be in the process. She did not dispute the effectiveness of red light cameras, but noted the Board and Council would have to examine the issue in terms of what was the most cost-effective way of paying for the system.

Chair Kreling noted that under the legislation, municipalities had to put forward a request to be designated. Subsequently, an agreement between a municipality's Police Services Board, Council and the Province would be required in order to proceed with a pilot project.

There being no further discussion, Chair Kreling read the following Motion from Councillor Legendre:

Moved by J. Legendre

That the Ottawa-Carleton Regional Police Service co-operate with the RMOC's Transportation Department and the Finance Department with a view to introducing red light cameras as part of the two-year pilot program allowed in Ontario.

CARRIED

4. **STAFF PRESENTATION - PROCEEDS OF CRIME**
- Verbal presentation by Sergeant Gary Tyo

Chief Ford introduced Sergeant Gary Tyo, OCRPS. The Chief noted that since January of 1999, Sgt. Tyo has been working with the Integrated Proceeds of Crime (IPOC) Unit with the Royal Canadian Mounted Police's (RCMP) "A" Division in Ottawa. He explained there are 10 IPOC Units across the country staffed by RCMP, local and provincial police services who cooperate with the federal government to take away the benefits of crime from those committing them.

Sgt. Tyo gave a presentation which included a brief history of the Proceeds of Crime (POC) legislation in Canada (on file with the Executive Director).

Sgt. Tyo explained Proceeds of Crime are defined as "...any property, benefit or advantage, within or outside of Canada, obtained or derived directly or indirectly as a result of either the commission, in Canada, of an enterprise crime offence, or an act or omission anywhere that, if it had occurred in Canada, would have constituted an enterprise crime offence or designated drug offence." He added that throughout the world, drug traffickers often transfer assets to family members or acquaintances. Sgt. Tyo said POC legislation allows police services to confiscate these assets if it can be proven the individual is directly involved in a proceeds of crime offence. He noted there were 29 enterprise crime offences listed under the Criminal Code of Canada for which goods may be confiscated.

He explained the number of IPOC personnel has grown over time, from 14 members in 1981 to a total of 242 members by 1989, including increased resources to Customs and Excise Sections to help curtail illegal tobacco smuggling. Sgt. Tyo noted that in 1997, 10 IPOC units

were created across Canada, resulting in the resources of RCMP, regional and municipal services being used in joint operations.

Sgt. Tyo said the OCRPS first became involved in 1991 when a member was seconded to the IPOC unit. A second member was seconded in 1993, and a third participated in an exchange between the RCMP and the OCRPS's Criminal Investigations Section in 1995. He said the RCMP works with the Service to exchange information on major crimes and fraud. Sgt. Tyo outlined the IPOC Unit comprises 24 members from the RCMP, OCRPS, OPP, Departments of Justice, Customs and Excise, and Revenue Canada, in addition to using the services of a Chartered Accountant and four support staff.

Sgt. Tyo also explained a sharing arrangement, mandated by legislation and provincial and federal agreements, gives a percentage of the "take" to either the province or the federal government, depending on the extent of a police service's involvement in an investigation. He said POC Law Enforcement Grants, administered by the Criminal Intelligence Service of Ontario (CISO), may be used by regional or municipal police services for law enforcement or crime prevention programs, allowing profits from drug trafficking to be returned to communities through crime prevention and drug prevention programs.

Sgt. Tyo noted that since 1991, OCRPS investigative involvement has resulted in seizures amounting to a value of \$2.7 million. He explained investigational expenses amounted to approximately 40% of this value, but that these costs are borne by the RCMP. Sgt. Tyo then provided examples of three POC cases, noting some investigations can take several years before being concluded.

He stated that globally, \$400 billion worth of money is laundered annually, half of which is related to the illicit drug trade. Sgt. Tyo said current money laundering legislation is not very successful, but that new legislation is being drafted to remedy this.

Sgt. Tyo explained that new recruits and criminal investigators are kept informed of POC issues, and that a protocol is being drafted to help all levels of the Service deal with POC offences. He also explained that using RCMP facilities allows the Service better access to national and international information databases.

Vice Chair Baskerville asked if the POC Unit had a deterrent effect on criminal activity that could be directly attributed to the Region, or whether it was just part of a national problem.

Sgt. Tyo responded that although he was new to the unit, his usage of electronic surveillance in various investigations indicated that local drug traffickers were worried about drug investigations and POC measures, which did serve to act as a deterrent.

Sgt. Tyo emphasized that the total cost of the investigations were borne by the RCMP, and that the only costs incurred by the Regional Police Service were for salaries and overtime. He added that the partnership with the RCMP had allowed members of the Service to attend

courses which would not have been available through the Regional Police budget, and to make contacts, exchange information and network.

Responding to a question from the Vice Chair as to what the Board could do to assist or support this ongoing activity, Chief Ford stated the Unit was performing an important task by helping to reduce the overall crime in the National Capital Region, noting the Unit's efforts had effects which reached beyond the Region's boundaries. Chief Ford emphasized the Unit needed to know its endeavours had the Board's moral and substantive support.

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

RECEIVED

5. YOUTH JUSTICE COMMITTEES
- Chief's report dated 21 Jun 99

That the Ottawa-Carleton Regional Police Services Board:

- 1) **Support and endorse the concept of Youth Justice Committees in Ottawa-Carleton;**
- 2) **Support the involvement of the Regional Police Service as a partner in the province's pilot project for the establishment of a Youth Justice Committee in Ottawa-Carleton and**
- 3) **Endorse the proposed model for a Youth Justice Committee in Ottawa-Carleton.**

CARRIED

6. COMMENDATION LETTERS (SINCE LAST MEETING)
- Chief's report dated 21 Jun 99

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

RECEIVED

7. 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 20 Jun 99, he attended an incident near Cornwall involving the abduction of a male who had been taken hostage in his own vehicle. The Inspector reported that a female young offender and a male had fled into the bush. The female subsequently emerged from hiding, but the male had committed suicide. Insp. Beechey reported the OPP had employed its tactical, emergency response, canine and helicopter units to assist in bringing a successful conclusion to the incident.
- On 23 Jun 99, the OPP assisted in staffing a command post established to combat a fire which started in the OPP's Perth detachment. Insp. Beechey said over 30 members of the OPP were involved in helping to provide security, investigative assistance and traffic control in the area.
- On 27 Jun 99, a motor vehicular accident occurred in the Perth area, resulting in the deaths of five Kanata youth. Insp. Beechey said the OPP offered victims' assistance counselling through its counselling service to the survivors and to victims' parents, police and others. He also noted the OPP, in conjunction with the Regional Police, would be assisting with traffic and media for the funerals.
- On 28 Jun 99, Insp. Beechey was informed a male had been arrested over the weekend, resulting in the OPP being able to clear 16 break and enter cases within Goulbourn Township and 16 frauds related to stolen property.

Chief Ford thanked Inspector Beechey for his cooperation and the strong working relationship enjoyed between the OPP and OCRPS, noting the Service had a long history of working with the OPP. He also commended Insp. Beechey for professionalism, and thanked him for his involvement in the sometimes difficult transition process.

Chief Ford then reported on the following items:

- Between the 14th and 28th of May 99, Ottawa-Carleton Regional Police participated in an Ontario-wide aggressive driving campaign. In total, 1,114 provincial offence notices were handed out during the campaign, aimed at creating public awareness regarding the costs of aggressive driving.
- The Regional Police Service has formed a "Cold Case Squad" in the Major Crime Section. The two-member squad will review old unsolved homicide cases by applying modern investigative techniques.
- Beginning the second week of June, marine officers began enforcing new boating regulations. In addition to issuing warnings and provincial offence notices for boating infractions, there were four water rescues, three drug seizures and arrests, and 97 boat checks for required boating equipment. A Marine Watch Program, similar to the Neighbourhood Watch but involving the boating community and police, is also being re-introduced to the Region.
- On 3 June 99, Regional Police and the Region of Ottawa-Carleton, in cooperation with other public agencies, launched a Graffiti Removal Project. The pilot project is intended to clean-up graffiti, investigate acts of graffiti vandalism, and develop a database of resources.

- On 2 June 99, approximately 100 members of the Service took part in the Ottawa-Carleton portion of the Law Enforcement Torch Run. These events help persons with developmental disabilities participate in programs across the province and gain the self-confidence to become more active members of society.
- The Regional Police Tactical Unit has worked with the Ottawa District School Board in developing strategies in preparing for and handling bomb threats. This partnership has helped to make schools safer and strengthens the ability of the police to respond effectively to calls at schools.
- Regional Police will be conducting a six month test of the "Taser", a pain compliance instrument which delivers an electrical charge, causing immobility. The device, which has been used successfully in other major cities, will provide officers with the ability to take violent and uncooperative persons into custody in a safe manner.
- On 24 and 25 June 99, a Hearing Officers/Prosecutors Seminar organized by OCRPS staff was attended by Senior officers from across the province. Course curriculum included presentations by Murray Chitra (Chair, OCCPS), Justice McKinnon of the Ontario Superior Court and several local lawyers.
- The Underwater Search and Recovery Unit recovered seven stolen vehicles from local quarries. A cost recovery plan has been implemented to cover the cost of diving services by billing insurance companies. The plan has not met opposition from insurance companies.
- On the weekend of 10 June 99, a coordinated effort was made by Regional Police and other public agencies to provide extra patrols in and around NCC Greenbelt areas of Nepean in order to curtail acts of vandalism, assaults and underage drinking associated with end-of-year "bush bashes". The joint enforcement effort resulted in the issuing of eight NCC Act charges, two Liquor Licence Act charges and three drug seizures.
- On 21 June 99, a Coroner's Inquest held into the death of Thomas Bernard, an inmate who died while in custody at the Regional Detention Centre (RDC) resulted in eight recommendations being made. One which affects police operations calls for better communication between Regional Police and the RDC.

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

RECEIVED

8. BOARD SUPPORT REQUIREMENTS
- Submitted by Member E. Buckingham

WHEREAS the Adequacy Standards Regulation have resulted in significantly increased Board responsibilities;

WHEREAS this Board in establishing a policy framework has created an ongoing requirement to maintain and update this document; and

WHEREAS after over four years of existence it is timely for the Board to review its own support requirements;

THEREFORE BE IT RESOLVED THAT the Human Resources Committee be tasked with:

- **Identifying the Board's ongoing support requirements;**
- **Identifying different means for addressing these requirements.**

In carrying out these tasks, the Committee will consult with other members of the Big 12 to determine what support they regularly receive as a Board and how it is provided. The Human Resources Committee is to report back to the Board at the regular September 1999 meeting on its progress to date.

CARRIED

9. POLICING SERVICES DIVISION GUIDELINES AND OTHER SUPPORTS FOR THE ADEQUACY STANDARDS REGULATION
- Submitted by Member E. Buckingham

Member Buckingham asked Chief Ford if either he or his staff had identified any concerns resulting from the Service's examination of the draft sample Board policies associated with the Provincial Adequacy Standards Regulation. She felt that if the Board were to draft a letter with comments to the Ministry, it would be prudent to gather input from the whole organization.

Dr. Gail Johnson, Director of Corporate Planning, OCRPS, believed Member Buckingham's Motion encompassed the concerns held by OCRPS staff. She noted the draft Board policies seemed to go beyond what the legislation calls for, and felt they were more prescriptive than they needed to be. Dr. Johnson felt this would not greatly affect the Ottawa-Carleton Police Services Board, which has many established policies, but could be problematic for smaller police services boards trying to develop their own.

Member Buckingham said she could foresee Part V complaints arising as a result of a board policy being more prescriptive than the police service guideline. She noted the suggested board policies use words such as "must", whereas the suggested police service guideline uses "should". She suggested the reverse should be the case. Member McCombie agreed.

Member Buckingham noted the Board was in receipt of a letter dated 25 Jun 99 from the President of the Ontario Association of Police Services Boards (OAPSB) pertaining to the suggested Board policies, asking member Boards to comment by 5 Jul 99. She said she wanted a letter from the Board circulated to the OAPSB and to all local Members of Provincial Parliament who were part of the government. She suggested the Board's letter be circulated to all police services boards within the province, urging them to write to the Minister, as she felt a

multiple response would carry greater weight with the Minister than a single letter from the OAPSB on behalf of all Ontario police services boards.

Vice Chair Baskerville agreed with member Buckingham. He explained the OAPSB's 25 Jun 99 letter had resulted from a letter he had faxed to the OAPSB in his capacity as an OAPSB Director, which contained his concerns and those of the Board's Policy Committee. The Vice Chair asked if staff from the Police Service could help draft a letter of reply addressing the Board's and the Service's particular concerns. He expressed shock that the suggested policy for business planning specified the size of a jail cell being written into policy. He wondered whether this came from some regulation or ministry guideline.

Dr. Johnson believed such a policy would have come from a police department which included this stipulation as part of its policy. She noted much of the proposed legislation seemed to be a conglomeration of many different individual policies.

Vice Chair Baskerville said both he and member Buckingham had examined elements of the generic policy and were left wondering where certain references had come from. He noted some of these included specific references to the Criminal Code, etc. He said it was the Policy Committee's view that this was not required in the draft Board policies. He felt the drafting of specific policies and procedures should be the job of professionals hired by the boards.

Chief Ford said he believed this issue was also on the agenda of the Ontario Association of Chiefs of Police (OACP), currently meeting in Thunder Bay. He said he would speak to Deputy Chief Mackie, also a member of the OACP Executive, to determine if the OACP had arrived at similar conclusions.

Councillor Legendre said he fully supported Member Buckingham's Motion. He noted mention had been made of draft guidelines at the OAPSB's annual meeting in April. He asked if the guidelines had been ready at that time.

Member Buckingham stated the guidelines were not available in April, but were issued in draft form early in June to a selected distribution list. She explained Vice Chair Baskerville had obtained a copy because he is a Director of the OAPSB. She said the OAPSB's letter of 25 Jun 99 indicated the Ministry has historically used a process whereby it sends draft documents to major stakeholders, i.e. the OACP and the OAPSB, and assumes the associations will in turn distribute the material to their membership. She noted this process is limited and is slow. She hoped the Ministry would find a faster way to perform this task to ensure more timely input in the future.

Councillor Legendre noted the OAPSB's letter was dated 25 Jun 99, and expressed surprise the organization had been in possession of the draft policies for several weeks prior to disseminating the information.

Member Buckingham stated the OAPSB was currently without an executive director and hence might not be keeping up with matters as quickly as it should. She noted the Ministry is on a tight time frame with regard to the adequacy standards. However, she felt the Ministry, throughout its process in developing the standards, never really encouraged or went out of its way to seek input from individual police services or police services boards.

Councillor Legendre asked if the people who had put together the sample guidelines were the same people who would have put together the new Police Act.

Member Buckingham believed individual police advisors, a high number of whom did not have a background in policy development, had been working on the policies. She noted the concern had been raised several months ago with Michael Mitchell, Director of the Police Support Programs Branch of the Ministry of the Solicitor General, whether his office possessed the resources to properly develop policies.

There being no further discussion, the Board then considered the following Motion from Member Buckingham.

Moved by E. Buckingham

WHEREAS the Policing Services Division of the Ministry of the Solicitor General has developed sample Board policies to meet the requirements of the Adequacy Standards Regulation;

WHEREAS the draft Board policies appear to: go well beyond the requirements of the Adequacy Standards Regulation; are highly prescriptive; tend to have the Board directing the Chief of Police on how he should carry out his responsibilities which may be in contravention of the *Police Services Act*; and in some instances are more prescriptive than the Police Service guidelines (if anything it should be other way around); and

WHEREAS the Ministry's draft Board policies address areas that were specifically taken out of the Adequacy Standards Regulations as it went through the consultative process with the various stakeholders;

THEREFORE BE IT RESOLVED THAT correspondence be sent to the Minister of the Solicitor General conveying this Board's concerns with the proposed sample Board policies. At the same time the Minister is to be congratulated on his new appointment.

CARRIED

MOTION

(OF WHICH NOTICE HAS BEEN PREVIOUSLY GIVEN)

10. NEW “LEGAL MATTERS” SECTION OF
FINANCE AND ADMINISTRATION MANUAL

Vice Chair Baskerville said it was his understanding that the Finance and Administration Procedures (FAP) manual was for the use of the Police Service for its financial and administrative procedures, although it had been approved by the Police Services Board. He asked Councillor Legendre to clarify whether his reference to the provision of legal services was meant to outline how the Police Service would obtain its legal services, or how the Board would do so.

Councillor Legendre noted the Board changed the way it obtains its legal services a few months ago, but that these new procedures were not reflected in the FAP manual. He said his Motion asked that the applicable section be re-written to reflect this, as currently, the wording of the FAP manual implied the same person advised both the Chief and the Board. He stated someone from the Region’s Legal Department had suggested the section be reworded in view of the Board’s new procedures and practices.

Vice Chair Baskerville said part of his confusion resulted from the fact that the FAP manual was for the use of the Police Service. He felt that the issues identified by the Councillor should be addressed in the Board’s Policy Manual. He also noted that any changes to a staff procedural manual would more appropriately be made by the Director General, through the Chief, and not by the Board’s Solicitor.

Chair Kreling asked for a legal opinion as to whether the Board needed to make changes to the FAP manual, and asked who should be tasked with rewording the section in question.

Eric Johnston, Acting Regional Solicitor, said he had not had occasion to review the provisions of the FAP manual in detail. He said the Board had decided to use the Regional Solicitor’s office for its legal services, but noted the Police Service also used the office for some of its legal matters. He stated the Manual’s wording had been drafted in 1995 when the newly amalgamated Service was created, and said he believed the intent was for the wording to be generic. He made the fundamental point that there are complementary interests, however, if the Board wished the Region’s Legal Department to review the wording and make changes, he would do so. Mr. Johnston confirmed the responsibility of administration revisions to the FAP manual would be that of the Police Service’s Director General.

Councillor Legendre said he was unconcerned as to whom would be tasked with the revisions, provided they were undertaken.

Debra Frazer, Director of Financial Services, OCRPS, clarified the FAP manual currently defined the Board’s solicitor as “*a solicitor retained by the Board from time to time, or the*

Regional Solicitor". She noted this was in keeping with what the Board had approved at its last meeting. She noted the Board now had its own Policy Manual, and suggested the Board could repeal the By-law which had adopted the FAP manual. She said this would allow the Service to revise the FAP manual to be an administrative guideline for the Police Service in conducting its finance and administration matters.

Councillor Legendre reiterated he had already discussed his Motion with Don Wilson, a solicitor with the Region's Legal Department, and noted it was the Department's opinion that certain sections might require revision.

Member Buckingham asked whether the FAP manual had been merely accepted by the Board, or whether it had been adopted by a specific by-law. Wendy Fedec, Executive Director, OCRPSB, confirmed the manual had been adopted by a specific by-law, and had been recently amended by a further by-law earlier in the year.

Member Buckingham felt the FAP manual was an administrative document, and was too detailed for the Board to have as its manual. She noted it applies to procedures within the Police Service. She then proposed the following Motion:

That the Executive Director, with input from the Chief and Board Solicitor, determine what changes are required in the Board Policy Manual to take into account how legal services are provided to the Board, and determine the need for the continuance of Board By-law 1 of 1996 - the Finance and Administration Procedure Manual.

Member Buckingham said a report could then be brought back to the Board to formally cancel the By-law. She felt the Chief could delegate to someone within the service the task of determining how it wished to proceed with the FAP manual, and to study the Board's Policy Manual to determine what aspects of legal service needed to be accommodated within it. She felt this would address and clarify the issue.

Chair Kreling noted he considered Member Buckingham's Motion to be a Motion in substitution to that submitted by Councillor Legendre. The Councillor said he considered it to be a friendly amendment, and urged that it be carried by the Board.

Moved by E. Buckingham

That the Executive Director, with input from the Chief and Board Solicitor, determine what changes are required in the Board Policy Manual to take into account how legal services are provided to the Board, and determine the need for the continuance of Board By-law 1 of 1996 - the Finance and Administration Procedure Manual.

CARRIED

OTHER BUSINESS

1. Availability of Board Documents on OCRPS Web Site

Member Buckingham raised the issue of availability of Police Services Board documents to the public. She said many organizations' policies are available for downloading from their Internet web pages. She noted it would be desirable to make Board documents such as the Policy Manual available for downloading.

She requested that staff investigate how easily this could be done, and where the most appropriate place would be to locate them; i.e. under the Police Service, the Board, or the Region's web site.

She also noted the Board's web page is located under the sub-section called "Media", and requested that staff explore whether it could be moved to make it more accessible to the public.

INQUIRIES

1. Quality of Bilingual Service at OCRPS Reception

Councillor Legendre said he had spoken with Deputy Chief Bevan earlier in the evening regarding the quality of bilingual service provided by the Service's telephone reception. He felt the service was far from adequate, and felt a fully bilingual capability was fundamental to the Service's front-line operation. He hoped to receive feedback in the near future.

2. Citizens' Requests for Assistance Regarding Traffic Enforcement Problems

The Councillor also asked about public requests for police assistance on traffic enforcement issues, i.e., speeding or problems at intersection. He asked if there was a general number to call, and what internal process was involved in referring and dealing with such calls.

Chief Ford replied that if the complaint received was a traffic complaint, the location was noted and the call was directed to the Service's Traffic Section, or could be dealt with at the divisional level. The Chief said the Service generally responds to such complaints by undertaking initiatives such as radar patrols, etc. He noted another, possibly more effective, way to deal with such requests is by direct correspondence.

CONSIDERATION OF MOTION TO MOVE IN CAMERA

Councillor Legendre noted one item to be discussed in camera dealt with an application to extend the time for a Notice of Hearing. He said the background material indicated this was an internal disciplinary matter, to be treated as confidential by the Board. The Councillor pointed

out that once a Notice of Hearing is served and a charge has been laid, any subsequent hearing is held in public. He said he found it strange that the actual personnel matter would be dealt with in the open, yet the seemingly more superficial matter of the application to extend the time for a Notice of Hearing was to be treated as confidential.

Chair Kreling suggested the matter before the Board was still a matter for in camera consideration because at this point, no charge had yet been laid, and no hearing had yet been scheduled. He said the Board did not know, at this point, whether there would be a charge.

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 personnel matters, in accordance with Section 35(4)(b) of the *Police Services Act*.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

W. Fedec
Executive Director

H. Kreling
Chair