

# REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD

Report of the Executive Director – May 27, 2009

## Ontario Association of Police Services Boards Conference

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### RECOMMENDATIONS

1. That the Board receive this report in compliance with its Conference Attendance and Travel Expense Policy; and
2. That the Board invite Mr. Gerry McNeilly, Director, Ontario's Independent Police Review Office to make a presentation to the Board.

### BACKGROUND

Mrs. Barbara Bartlett, Inspector Carolyn Bishop, and the Executive Director were among 288 delegates to the 47th Annual Meeting and Conference of the Ontario Association of Police Services Boards at the NAV Centre in Cornwall, April 30 to May 2, 2009. Participants attended a variety of workshops on innovations in policing, the reduction of crime through proactive policing of repeat offenders, guns and gangs, navigating inter-provincial challenges, OMERS, forensic analysis, cross-jurisdictional policing, changing needs of diverse communities, ethical conduct, board governance, and Ontario's New Independent Police Review Office.

At the Annual General Meeting, delegates supported a total of 10 resolutions, including the Board's resolutions on the *Federal Funding of 2500 Police Officers* and *Forfeited Offence-Related Property/Proceeds of Crime/Civil Remedies for Illicit Activities*.

### ANNUAL GENERAL MEETING

Delegates supported the following 10 resolutions:

#### **2009-01     AMENDMENT TO THE EQUIPMENT AND USE OF FORCE REGULATION**

**FROM:       OAPSB Zone 1A**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards call upon the Minister of Community Safety and Correctional Services to amend the Equipment and Use of Force Regulation such that Chiefs of Police and the Commissioner can, through prior written authorization, extend the 12-month requalification timeframe for specifically identified members for a supplementary period of not more than two months.

#### **2009-02     FEDERAL FUNDING – 2500 POLICE OFFICERS**

**FROM:       REGIONAL MUNICIPALITY OF PEEL POLICE SERVICES BOARD  
              REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards seek the support of the Canadian Association of Police Boards and endorsement by the Canadian Association of Chiefs of Police and the Canadian Police Association in urging the federal government to fulfill its commitment made in 2006 for sustainable funding for the permanent hire of 2,500 additional police officers.

**2009-03      TAXABLE STATUS OF MUNICIPAL POLICE VEHICLES**

**FROM:        REGIONAL MUNICIPALITY OF PEEL POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards (OAPSB) request that the provincial government afford municipal police services the same tax treatment as provided the Ontario Provincial Police and fire services and exempt the purchase of municipal police vehicles, and the repair and licensing of such vehicles from the provincial sales tax.

AND BE IT FURTHER RESOLVED that the OAPSB encourage its members to seek the support of their respective local MPPS and municipal councils for this resolution, and that the OAPSB also seek the support of the Association of Municipalities of Ontario, the Ontario Association of Chiefs of Police and the Police Association of Ontario for this resolution.

**2009-04      PROVINCIAL ANTI-VIOLENCE INTERVENTION STRATEGY (P.A.V.I.S.) GRANT FOR 2009/2010**

**FROM:        REGIONAL MUNICIPALITY OF PEEL POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards seek action on the part of the province to continue to fund and expand this successful program on a province-wide basis and that those police services boards currently receiving P.A.V.I.S. funds be encouraged to apply for continued funding in 2009 and subsequent years.

**2009-05      POLICE RECORDS CHECKS**

**FROM:        OAPSB ZONE 2 AND OTTAWA POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED THAT the Ontario Association of Police Services Boards strongly urge the Provincial Government to investigate the feasibility of:

1.        Establishing province-wide standards for the information considered relevant and subject to disclosure in response to a request for a police records check, which will also set the standard for databanks to be searched and how far back searches should go;
2.        Establishing a province-wide standard form for requesting police records checks, which will set the standard as to what information and documents have to be provided when requesting a police records check;
3.        Establishing a province-wide process and/or databank through which volunteer applicants can be checked, similar to the fingerprint-based security clearance process.

**2009-06      COSTS RESULTING FROM ENFORCEMENT OF FEDERAL LAWS**

**FROM:        OAPSB ZONE 2**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards request the Government of Canada to immediately address this issue by compensating Municipal Governments for all their associated costs resulting from the enforcement of federal laws and seek the support of the Canadian Association of Police Boards in this action.

**2009-07      FORFEITED OFFENCE-RELATED PROPERTY/PROCEEDS OF CRIME/CIVIL REMEDIES FOR ILLICIT ACTIVITIES**

**FROM:        REGIONAL MUNICIPALITY OF YORK POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards (OAPSB) call upon the Government of Ontario to provide appropriate annual funding from the Province's Proceeds of Crime Fund that will ensure the ongoing development of asset forfeiture amongst Ontario police services;

AND BE IT FURTHER RESOLVED that the OAPSB seek the support of the Canadian Association of Police Boards in this action and call upon the Federal Government to amend the *Forfeited Property Sharing Regulations* to include a cost recovery component to local jurisdictions or municipalities;

AND BE IT FURTHER RESOLVED that the OAPSB seek the support of the Canadian Association of Police Boards and call upon the Federal Government to revisit the Provincial Memoranda of Understanding to incorporate a cost recovery clause mandating reimbursement of costs to local jurisdictions or municipalities.

**2009-08      LEVEL OF SENTENCING IN ONTARIO'S COURT SYSTEM**

**FROM:        WEST PERTH POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards petition the Ministry of the Attorney General to review the adequacy of sentencing by the Province's Court System to better reflect the need for community protection.

**2009-09      CONFERENCE REFORMAT**

**FROM:        ZONE 5**

THEREFORE BE IT RESOLVED that:

1.      The Ontario Association of Police Services Boards consider amending the format of the Conference to end daily plenary sessions by 5:00 p.m; and
2.      The Ontario Association of Police Services Boards hold the President's Banquet on Friday evening.

## **2009-10 CROSS-JURISDICTIONAL POLICING**

**FROM: OTTAWA POLICE SERVICES BOARD**

THEREFORE BE IT RESOLVED that the Ontario Association of Police Services Boards strongly urge the Premier of Ontario to enact legislation that will provide for the reciprocal appointment of police entering or leaving the Province of Ontario.

### **OAPSB Board of Directors**

Delegates elected the following Board of Directors for 2009-2010:

### **OAPSB Executive Committee**

President	Cheryl Jamieson	Peel
First Vice-President	Dr. Alok Mukherjee	Toronto
Second Vice-President	Mary Anne Silverthorn	Oxford Community
Secretary-Treasurer	Mike Fenchak	Town of Lakeshore
Past President	Mary Smiley	Perth

### **OASPB Zone/Section Directors:**

Patrick Brett	Kenora	Director - Zone 1
Curly Everitt	Blind River	Director - Zone 1A
Henry Jensen	Ottawa	Director - Zone 2
Dave Aspden	Barrie	Director - Zone 3 (York Regional PSB)
Mary Anne Silverthorn	Oxford Community	Director - Zone 4
Kevin Eccles	West Grey	Director - Zone 5
Uly Bondy	Chatham-Kent	Director - Zone 6
Dr. Alok Mukherjee	Toronto	Director - Toronto
Terry Clayton	Durham	Director - Big 12
Bob Maich	Halton	Director - Big 12
Bernie Morellil	Hamilton	Director - Big 12
Cheryl Jamieson	Peel	Director - Big 12
Don Smith	Shuniah	Section 10 (North)
George Braithwaite	Lanark Highlands	Section 10 (South-east- zones 2, 3)
Mike Fenchak	Town of Lakeshore	Section 10 (South-west- zones 4, 5, 6)

## **HIGHLIGHTS OF THREE SESSIONS**

### **1. LEADERSHIP CHALLENGES OF A CHANGING WORKFORCE**

**Presenter:** Dr. Linda Duxbury, Professor, School of Business, Carleton University

Dr. Linda Duxbury entertained delegates with a well-researched presentation punctuated by numerous anecdotes to illustrate her salient points.

There is a labour force shortage because birth rates are declining globally, the population is aging, people are staying in school longer or returning to school, and many employees are retiring at an earlier age. Of 230,000 new immigrants to Canada, only 65,000 entered the labour market and almost no one entered policing. By 2016, the annual rate of immigration could increase to 650,000 per year, compared to 166,000 over the past quarter century.

Are highly skilled immigrants lining up to enter Canada? Policing? No. Many immigrants to Canada are not “labour force ready.” Since the 70s, there has been significant growth in the immigrant population whose mother tongue is neither English nor French. Nevertheless, there will need to be a dramatic increase in immigration to meet the looming labour force shortage.

Demographic changes will profoundly affect how organizations manage their human resources. Key to successful human resource management will be recruitment, retention of employees of all ages, succession planning, work-life balance, career development and transfer of knowledge.

Against this background of demographic trends, Dr. Duxbury argues that understanding generational differences is key to organizations attracting and keeping good employees. A progressive organization needs to understand what employees want from their jobs, their boss and what they will do if either “does not deliver.”

Dr. Duxbury proceeded to outline the differences in core and work values amongst the veterans (born 1920 to 1946); the baby boomers (born 1947 to 1964); generation X (born 1961 to 1974); and the nexus group (born 1975 onward). She asserted that any successful manager of cross-generational employees needs to understand that “you can rent their presence, but you cannot buy their passion.” Dr. Duxbury cautioned employers not to put too much emphasis on pay and intrinsic rewards to the detriment of emotional rewards, such as listening, respect, trust, and responsibility. For police services to thrive in the new millennium, they must make human resources and supporting employees a high priority.

Some organizations suffer from a culture of “modern madness,” characterized by a lust for power, feelings of grandiosity, a desire to micro-manage, and a high need for control and to dominate others. “In many police forces,” says Dr. Duxbury, “the culture is part of the problem.”

Leadership is paramount to changing culture. What leaders attend to, measure and control on a regular basis; how leaders react to critical incidents and organizational crisis; and how leaders allocate scarce resource will all affect the culture of an organization. “Become a change agent with a positive attitude,” she urged, “and invent the future instead of trying to redesign the past.”

## **2. CHANGING NEEDS OF DIVERSE COMMUNITIES**

**Presenter: Dr. Alok Mukherjee, Chairman, Toronto Police Services Board**

Dr. Alok Mukherjee believes that diversity encompasses more than race and ethnicity. It includes disability, gender, sexual orientation and socio-economic status, amongst other areas. Each Police Services Board has a legal responsibility to respond effectively to diverse and constantly evolving communities and to provide adequate and effective police services in an inclusive way, “without barriers caused by systemic reasons or attitudinal problems.” The police response to public demonstrations, for example, underscores the importance of effective training, proper policies and procedures, and recruitment practices that encourage diversity.

### **a. Statement of Commitment and Guiding Principles for Aboriginal Policing**

In February 2009, the Toronto Police Services Board approved a *Statement of Commitment and Guiding Principles* for Aboriginal policing that was developed by a working group comprised of members of the Toronto Police Service’s Aboriginal Consultative Committee, the City of Toronto’s Aboriginal Affairs Committee, and Board staff.

Dr. Mukherjee is proud of this Statement of Commitment and Guiding Principles because it provides a framework that ensures that the Aboriginal community is provided with adequate and effective police service in a culturally appropriate and competent manner. It covers such critical areas as representation and accessibility, training, and accountability, and participation, consultation and information sharing.

#### **b. Highlights of the Statement**

The Statement arises out of a context in which the Toronto Police service their unique community and diverse neighbourhoods. It references the commitment of the Toronto Police Services Board to respect and recognize the unique position of First Nations, Inuit and Métis peoples in Toronto. The Board recognizes that the Aboriginal community is distinct from other communities, as the “original peoples” of this land. The Board also acknowledges that:

- the relationship between police and the Aboriginal community has experienced difficulties in the past and needs to be replaced with one that is more equitable, mutually respectful, honest and trusting; and
- members of the Aboriginal community are over-represented in the criminal justice system as both victims of crime and accused persons; and
- the use of principles of restorative justice as well as participation in diversion programs, including Aboriginal diversion programs, for members of the Aboriginal community should be supported to the fullest extent possible.

Within its set of guiding principles, the Board ensures that the Toronto Police Service “works continuously to build sustainable relationships with members of the Aboriginal community at both the corporate and the divisional levels.” Training programs for all Members of the Toronto Police Service address issues of diversity and cultural competency.

The Board has committed to adequate resources for the Toronto Police Service Aboriginal Peacekeeping Unit. Dedicated officers for the Aboriginal community liaise between the Toronto Police Service and the community. Furthermore, the Board will ensure that the Toronto Police Service reflects the population it serves. Recruitment, selection, hiring and promotional practices will continue to facilitate the Aboriginal community’s participation in and access to the Toronto Police Service.

#### **c. Other Initiatives**

Other Board initiatives include policies on Race and Ethno-Cultural Equity, Culturally Significant Days, Victims and Witnesses Without Legal Status, and Transsexual and Transgendered Persons; its mobile crisis intervention teams that pair police officers with psychiatric nurses to provide services to mentally ill people; and the Board’s human rights project charter.

Dr. Mukherjee noted the implementation of the Board’s 2007 Human Rights Project Charter co-sponsored by the Chief of Police and the Ontario Human Rights Chief Commissioner Barbara Hall is most significant. The Charter sets out a framework for the Board, the Toronto Police Service and the Ontario Human Rights Commission to work together to identify human rights issues and to recommend changes to policies, procedures and training. It is a collaborative effort that demonstrates the Board’s determination to engage in a systematic effort to eliminate racism and all forms of discrimination from the organization.

#### **d. Work in Progress**

The Board is also developing other policies that are relevant to policing diverse communities and which form part of a broader, systemic strategy to deal with human rights issues.

#### **ONTARIO'S INDEPENDENT POLICE REVIEW ACT, 2007**

**Presenter: Mr. Gerry McNeilly, Independent Police Review Director**

Mr. McNeilly believes that "civilian oversight of policing is a key component of democratic governance and that effective civilian oversight typically includes a fair, independent and transparent process for dealing with public complaints about the police." Provincial and municipal policing in Ontario is provided by approximately 25,000 Ontario Provincial Police officers and 60 municipal police services. In short, the "police need the public and the public needs the police."

Since the *Independent Police Review Act* passed in 2007, Mr. McNeilly has consulted widely with Chairs of Police Services Boards, Chiefs of Police, the OPP Commissioner, the Ontario Association of Chiefs of Police, and the Police Association of Ontario, Association Presidents, and community groups across the province. He wants partners, not stakeholders, in the public complaint process, and he will continue to consult and collaborate widely. Mr. McNeilly will meet once or twice yearly with regional and other advisory committees whose members will be drawn from the police and community groups. The Independent Police Review Office is scheduled to open in the fall of 2009.

The new legislation has posed some procedural challenges. In addition to the statutory categorization of some complaints as "frivolous and vexatious," the new *Act* provides for the consideration of a public complaint in the "public interest." Furthermore, what constitutes "a personal relationship" with the complainant will also need to be determined within the context of third party complaints. The Independent Police Review Office will have the power to issue summonses and search warrants without judicial authority.

Mr. McNeilly expects that he will refer most public complaints to the involved police service or to another police service for investigation and furthermore, that police services will work out a quid pro quo arrangement for covering the costs of these investigations.

Mr. McNeilly acknowledges the public's high confidence ratings in the police and hopes that his office will help to achieve 100 percent confidence in policing in Ontario. A strong communicator and advocate for democratic governance, Mr. McNeilly is willing to meet with Boards to discuss his new role and the responsibilities of his office.

#### **SUMMARY**

The 47th OAPSB Annual General Meeting and Conference offered delegates an educational forum in which to discuss a variety of governance and policing issues of interest to them and the citizens they serve.

The Point Edward Police Services Board will host the 48th OAPSB Annual General Meeting and Conference at the Holiday Inn from April 29 – May 1, 2010.

Connie Phillipson  
Executive Director