



Hamilton Police Services Board

Thursday, December 12, 2019, 1:00 P.M.
Council Chambers, Hamilton City Hall
71 Main Street West

Pages

1. Call to Order

1.1 Changes to the Agenda

2. Public Presentations & Deputations

2.1 Members of the Month

3. General

3.1 Declarations of Interest

4. Consent Items

4.1 Approval of Consent Items

That the Board approve and receive the consent items as distributed.

4.2 Adoption of Minutes - November 14, 2019

5

The minutes of the meeting held Thursday, November 14, 2019, be adopted as printed.

4.3 Ontario Association of Police Services Board 2020 Membership Renewal

13

That the Board approve payment of the 2020 Membership fee in the amount of \$6,465.95.

4.4 Auction Account Fund

17

Support / Upcoming Events

RECOMMENDATION(S)

- That the Board approve the purchase of tickets to attend the Reverend John C. Holland Awards, scheduled for Saturday, February 1, 2020, Liuna Station, at a cost of \$100 per ticket, to be paid from the auction account.
- That the Board approve the purchase of tickets to attend the C.Y.O. Children's Fundraiser 2020 Gala Dinner, scheduled for Thursday, February 27, 2020, Carmen's, at a cost of \$125 per ticket, to be paid from the auction account.

4.5 For the Information of the Board:

4.5.a	Auction Account Expenditures – For Board Approval – October – December, 2019 (PSB 19-105)	18
4.5.b	Operating Budget Variance Report as at September 30, 2019 (PSB 19-109)	20
4.5.c	Capital Project Status Report as at September 30, 2019 (PSB 19-110)	22
4.5.d	Correspondence from the Hamilton Wentworth Catholic District School Board thanking the Hamilton Police Service for the excellent service and assistance provided during the 16th Annual Pilgrimage "Walk with Christ, Justice for the Poor".	24
4.5.e	Correspondence from Sergeant Mark McGugan, London Police Service, Director, Ontario Law Enforcement Torch Run congratulating the Hamilton Police Service as the "Top Zone Fundraiser (Department)".	25
4.5.f	Correspondence from Oscar Mosquera, Manager, Program Development Section, Ministry of the Solicitor General with respect to the 2019-20 – 2021-22 Community Safety and Policing (CSP) Grant.	26
4.5.g	Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Police Services Advisor Zone Assignments.	28

4.5.h	Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Search Warrant Tracking System.	32
4.5.i	Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Revised Note on Hazards in Clandestine Drug Labs and Illegal Marijuana Operations.	35
4.5.j	Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Expansion of Ontario’s Insurance Validation Program.	44
4.5.k	Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Race Data Collection in Use of Force.	47
4.5.l	Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Highway Traffic Act Amendments	52
4.5.m	Outstanding Issues as of December 12, 2019	59

5. Discussion Items

5.1	Independent Review Terms of Reference	61
-----	---------------------------------------	----

That the Board receive the Terms of Reference for information as provided by Mr. Scott Bergman, of Cooper, Sandler, Shime & Bergman, LLP.

5.2	City Clerk’s Division, Council Follow-up Notice: Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative	67
-----	--	----

That the Board receive the correspondence as provided.

5.3	Email from Jessica Bowen, Staff Liaison for the City of Hamilton’s LGBTQ Advisory Committee with respect to the Request from the LGBTQ Advisory Committee, to Provide a Deputation to the Board	69
-----	---	----

That the Board receive the email as provided.

5.4 Enactment of Hamilton Police Services Board Procedural By-Law 2019 - 001 (PSB 19-113)

77

- a. That the Hamilton Police Service Board repeal By-law Nos. 01-001 and 96-001 as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law.
- b. That the Hamilton Police Services Board enact By-law 2019-001, Being A By-law Governing the Proceedings of the Board.

6. **New Business**

7. **Adjournment**

THE POLICE SERVICES BOARD WILL ADJOURN THE PUBLIC PORTION OF THE MEETING AND RECONVENE IN CAMERA FOR CONSIDERATION OF PRIVATE AND CONFIDENTIAL MATTERS.

**MINUTES OF THE HAMILTON
POLICE SERVICES BOARD**

Thursday, November 14, 2019
1:00pm
Hamilton City Hall
Council Chambers

The Police Services Board met.

There were present: Fred Eisenberger, Chair
Donald MacVicar, Vice Chair
Fred Bennink
Chad Collins
Geordie Elms
Tom Jackson
Patricia Mandy

Absent: None

Also Present: Chief Eric Girt
Deputy Chief Frank Bergen
Deputy Chief Ryan Diodati
Chief Administrative Officer Anna Filice
Superintendent Jamie Anderson
Superintendent Nancy Goods Ritchie
Superintendent Greg Huss
Acting Superintendent Mark Stiller
Inspector Dave Hennick
Inspector Wendy Vallesi
Constable Lorraine Edwards
Marco Visentini, Legal Counsel
Dan Bowman, Director, Fleet & Facilities
Jackie Penman, Corporate Communicator
John Randazzo, Director, Finance
Leanne Sneddon, Director, Human Resources
Mr. Scott Bergman, Cooper, Sandler, Shime & Bergman, LLP
Lois Morin, Administrator

Call to Order	Chair Eisenberger called the meeting to order.
	<p>1.2 Additions/Changes to Agenda</p> <p>None</p>
Presentations	<p>2.1 Member of the Month</p> <p>Chair Eisenberger and Chief Girt presented the Member of the Month Award for July 2019 to Constable Colin Bouwers and Special Constable Matthew Eleftheriou. Constable Bouwers and Special Constable Eleftheriou were commended for quick and decisive response that brought a volatile situation under control.</p>

Chair Eisenberger and Chief Girt presented the Member of the Month Award for August 2019 to Sergeant Andrew Toms. Sergeant Toms was commended for his compassion, empathy and respect for life. The small act demonstrated true leadership and gave comfort to an elderly woman in her final hours.

Chair Eisenberger, Board Members and Chief Girt congratulated Superintendent Jamie Anderson on his well deserved retirement.

General

3.1 Declarations of Interest

None

5.6 Independent Review Committee Report

Member Bennink provided comments on behalf of the Independent Review subcommittee.

After discussion, the Board approved the following:

Moved by: Member Bennink
Seconded by: Member Elms

Therefore, be it resolved, that the Hamilton Police Services Board approve the following motion:

- a) That the Board approve the recommendation of the Independent Review Subcommittee to retain Mr. Scott Bergman of Cooper, Sandler, Shime & Bergman, LLP and his team, to complete an Independent Review of the events leading up to and including the PRIDE Celebration of June 15, 2019.
- b) That the Independent Review be completed by April 30, 2020.
- c) That the review be at a cost of no more than \$500,000 plus H.S.T.

Carried.

Member Bennink introduced Mr. Scott Bergman who provided comments with respect to the Independent Review.

**Consent
Agenda****4.1 Approval of Consent Items**

Moved by: Member Bennink
Seconded by: Vice Chair MacVicar

That the Board approve and receive the consent items as distributed.

Carried.

4.2 Adoption of Minutes – October 10, 2019

The minutes of the meeting held Thursday, October 10, 2019, be adopted as printed.

4.3 Auction Account Fund

Support / Upcoming Events
RECOMMENDATION(S)

- That the Board approve the purchase of tickets to attend the Afro Canadian Caribbean Association 40th Anniversary Gala, scheduled for Saturday, November 16, Hamilton Convention Centre, at a cost of \$100 per ticket, to be paid from the auction account.

4.4 For the Information of the Board:

- a) Operating Budget Variance Report as a August 31, 2019 (PSB 19-096)
- b) Capital Project Status Report as at August 31, 2019 (PSB 19-097)
- c) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Basic Constable Training Program – Allocation Request for January 8 – April 1, 2020 Intake.
- d) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Electronic Proof of Auto Insurance (EPAI).
- e) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Provincial Rail Summit.
- f) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Centre of Forensic Sciences – Toxicology Section Court Testimony and Letter of Opinion Acceptance Criteria.

- g) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Crime Prevention Week 2019 – Provincial Theme and Approach.
- h) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Director, Criminal Intelligence Service Ontario.
- i) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Proceeds of Crime (POC) Front-Line Policing (FLP) Grant Program – Call for Applications (2021-21 to 2022-23).
- j) Memorandum from Stephen Waldie, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Assistant Deputy Minister Announcement.
- k) Memorandum from Marc Bedard, Assistant Deputy Minister, Public Safety Division and Public Safety Training Division, Ministry of the Solicitor General, with respect to Introduction of the Provincial Animal Welfare Services Act, 2019.
- l) Email from Shekar Chandrashekar with respect to 25 October 2019, Item 5.5.
- m) Outstanding Issues as of November 14, 2019

**Discussion
Agenda**

5.1 2020 Vehicles – Pre-Budget Approval (PSB 19-101; see also PSB 02-052)

After discussion, as recommended by Chief Girt, in PSB 19-101 dated November 14, 2019, the Board approved the following:

Moved by: Member Collins
Seconded by: Member Mandy

- a) That the Hamilton Police Service Board (Board) pre-approve the expenditure of \$1,640,000 for the purchase of new police vehicles in the 2020 Police Capital Budget consisting of twenty (20) 4x4 utility police cruisers, one (1) forensic vehicle, two (2) heavy duty pick-up trucks (technology crime and support), one (1) marine “Argo”, five (5) vehicle write-offs (in 2019, 4 cruisers and 1 sedan) and fourteen (14) bicycles.
- b) That the Board pre-approve the expenditure of \$518,200 for the up-fitting of the above-referenced vehicles in the 2020 Police Capital Budget.

- c) That Fleet staff be authorized to participate in the provincial Police Co-Operative Purchasing Group (PCPG), using the Province of Ontario Vendor of Record Vehicle Acquisition Program, for the above-mentioned police specific vehicles.
- d) That Fleet staff be authorized to purchase used plain door vehicles, as outlined in *PSB 02-052 - Used Vehicle Purchases*.

Carried Unanimously.

5.2 HPS Projected Capital Expenditures: 2020-2029 (PSB 19-103) (See also: PSB 15-002, PSB 15-00a, PS 15-002x, PSB 16-113, PSB 17-122, PSB 18-108)

After discussion, as recommended by Administrator Lois Morin, in PSB 19-085 dated November 14, 2019, the Board approved the following:

Moved by: Member Jackson
Seconded by: Member Elms

1. That the Hamilton Police Service Board approves the list of 2020-2029 Projected Police Capital Expenditures.
2. That the Hamilton Police Service Board approves items 1 to 4 to be considered by the City of Hamilton for funding in 2020.
3. That the Hamilton Police Service Board forwards the approved plan to the City of Hamilton for inclusion in the 2020-2029 Capital Budget Plan.

Carried.

5.3 Body Worn Camera Steering Committee Final Report (PSB 19-090 – See also 17-124, 16-127 and 15-141)

After discussion, as recommended by Chief Girt, in PSB 19-090 dated November 14, 2019, the Board approved the following:

Moved by: Member Collins
Seconded by: Member Mandy

That the Board approve not implementing Body Worn Cameras at this time.

Carried.

After discussion, the Board approved the following:

Moved by: Member Collins
Seconded by: Vice Chair MacVicar

That an Annual report be provided to the Board with respect to Body Worn Cameras. The report is to include the following: data and status of Body Worn Cameras in other Canadian Jurisdictions; the costs associated with a Pilot Project for Body Worn Cameras; and the costs associated for the full implementation of Body Worn Cameras.

Carried.

5.4 Email from Christine Vernem, Legislative Secretary, On Behalf of Janet Pilon, Deputy Clerk, City of Hamilton, with respect to Correspondence from Daryl Vaillancourt, Chief, Humane Programs and Community Outreach, Ontario SPCA and Humane Society respecting Provincial animal welfare legislation, which is in the midst of a significant transition

After discussion, the Board approved the following:

Moved by: Member Jackson
Seconded by: Member Elms

That the Board receive the correspondence as provided.

Carried.

5.5 Request from the LGBTQ Advisory Committee, to Provide a Deputation to the Board

After discussion, the Board approved the following:

Moved by: Member Collins
Seconded by: Member Mandy

That the request from LGBTQ Advisory Committee to provide a deputation to the Board, be tabled for further clarification.

Carried.

Moved by: Member Collins
Seconded by: Member Jackson

That the LGBTQ Advisory Committee be advised that the Board does not have jurisdiction with respect to the Citizen Appointment to the Board and that the decision rests solely with the City of Hamilton Council, and

That the LGBTQ Advisory Committee be advised that the deputation request has been tabled for further clarification with respect to the second reason outlined in the deputation which is as follows: "2. We would like to address the action of members of the Hamilton Police Service at the meeting that members of our Committee hosted in Council Chambers on June 18, 2019."

Carried.

5.6 Independent Review Committee Report

This item was dealt with prior to Consent Items 4.1 through to 4.4 above.

New Business

6.1 Verbal Update on the Enforcement of Illegal Dispensaries & Court Actions

Chief Girt and Deputy Chief Bergen provided an update with respect to the enforcement on Illegal Dispensaries and the related charges and court cases.

6.2 Red Hill / Lincoln Alexander Traffic Enforcement

Member Collins provided an update with respect to the continuation of enforcement on the Red Hill and Lincoln Alexander Expressways as approved by the Council for the City of Hamilton.

6.3 Hamilton Police Service LGBTQ Advisory Committee

Member Jackson requested the status of the LGBTQ Advisory Committee being reconstituted with the Hamilton Police Service.

Chief provided an update with respect to the LGBTQ meetings and the reconstitution of the Hamilton Police Service Committee.

Next Meeting of the Board

Chair Eisenberger announced that the next meeting of the Board is scheduled for Thursday, December 12, 2019, 1:00pm, at Hamilton City Hall, Council Chambers.

Adjournment

Moved by: Member Elms
Seconded by: Member Bennink

There being no further business, the public portion of the meeting then adjourned at 2:19pm.

Carried.

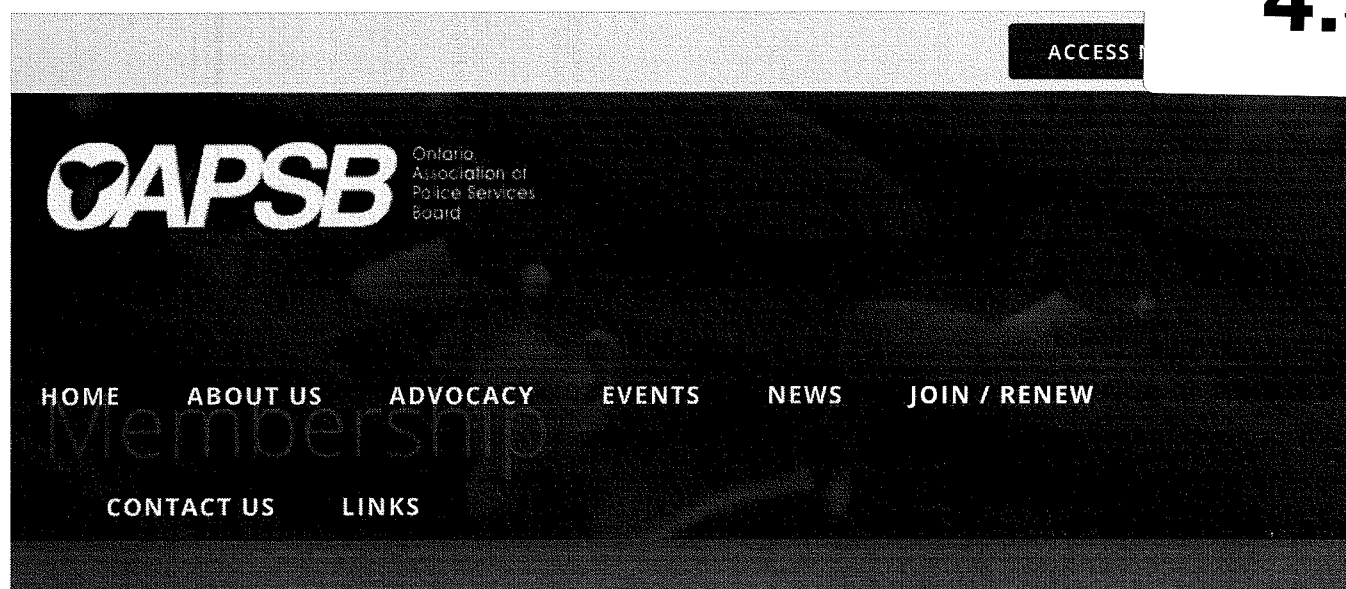
The Board then met in camera to discuss matters of a private and confidential nature.

Taken as read and approved

Lois Morin
Administrator

Fred Eisenberger, Chair
Police Services Board

November 14, 2019
lem:



Register by clicking here!

There are many benefits to OAPSB Membership including:

- Opportunities to meet public safety policy makers and program evaluators
- Opportunities to meet with law enforcement, police governance and other public safety budget decision-makers and purchasing agents
- Opportunities to influence public policy
- Advocating public safety concerns on your behalf
- Advocating public safety cost and funding concerns on your behalf

> Join / Renew Membership

> Membership Dues

Already a member?

To access the member portal, click here.

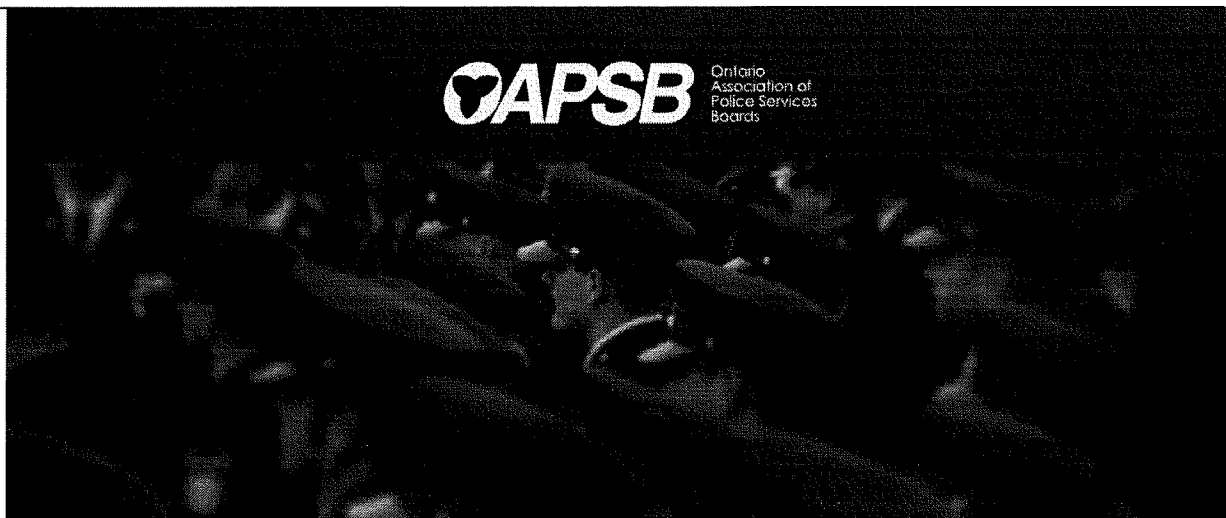
- Events featuring expert speakers on topical public safety and police governance issue, at reduced member rates
- Available On-line training regarding relevant legislation
- Available self-study guides regarding police governance
- Interactive classroom education opportunities in business planning, policy development, financial stewardship, secretarial duties, chief selection, monitoring & evaluating, etc.
- Networking opportunities at zone meetings, seminars and conferences
- Mentorship opportunities
- Access to advisory services
- On-line resources including tip-sheets
- News bulletins

Ontario Association of Police Services Board (OAPSB)

The Ontario Association of Police Services Boards (OAPSB) is the leading voice of police governance in

HOME NEWS
ABOUT JOIN/RENEW
US CONTACT
ADVOCACY LINKS
EVENTS

Ontario. We serve our members and stakeholders, as well as the general public. To learn more about OAPSB, [click here](#).



2020 OAPSB MEMBERSHIP

2020 Membership Dues

Voting Members (Police Services Boards)

Force Size	Membership Dues	HST	Total
1-10	CAD 685.67	CAD 89.14	CAD 774.81
11-30	CAD 1,169.80	CAD 152.07	CAD 1,321.87
31-50	CAD 1,425.73	CAD 185.34	CAD 1,611.07
51-100	CAD 2,991.14	CAD 388.85	CAD 3,379.99
101-200	CAD 4,362.48	CAD 567.12	CAD 4,929.60
201-300	CAD 5,041.75	CAD 655.43	CAD 5,697.18
Over 300	CAD 5,722.08	CAD 743.87	CAD 6,465.95

***Force size includes all paid employees - sworn officers, civilian & special constables**

Share

(<http://www.addthis.com/bookmark.php?v=250&username=eply2>)

Contact Information

4.4

4.4 Auction Account Fund

Support / Upcoming Events

RECOMMENDATION(S)

- That the Board approve the purchase of tickets to attend the Reverend John C. Holland Awards, scheduled for Saturday, February 1, 2020, Liuna Station, at a cost of \$100 per ticket, to be paid from the auction account.
- That the Board approve the purchase of tickets to attend the C.Y.O. Children's Fundraiser 2020 Gala Dinner, scheduled for Thursday, February 27, 2020, Carmen's, at a cost of \$125 per ticket, to be paid from the auction account.

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2019 December 12

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Eric Girt
Chief of Police

SUBJECT: *Auction Account Expenditures – For Board Approval
October-December, 2019
PSB 19-105*

BACKGROUND:

The Hamilton Police Service is one of several municipal police organizations that utilize the services of Police Auctions Canada, an internal based company that holds public auctions on line to sell property that is acquired by police services in compliance with the *Police Services Act*.

The report capturing all expenditures that have not yet been approved by the Board is attached.

For Board Approval, the expenditures from the Auction Account from October 1 to December 12, 2019, totaled \$1,237.35.



Eric Girt
Chief of Police

EG:FM

**FOR BOARD APPROVAL EXPENDITURES
FROM HAMILTON POLICE SERVICE AUCTION ACCOUNT
OCTOBER 1 TO DECEMBER 12, 2019**

DATE	NAME	DETAIL	TOTAL	DESCRIPTION
November 6	Rose's Crafts & Things	Bereavements x 7	\$ 565.00	NON-APPROVED
November 29	Rose's Crafts & Things	Bereavements x 9	\$ 672.35	NON-APPROVED
TOTAL			\$ 1,237.35	

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2019 December 12
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *Operating Budget Variance Report as at September 30, 2019*
PSB 19-109

BACKGROUND:

As at September 30, 2019, net expenditures are \$115,984,215 or 70.25% of the 2019 Operating Budget of \$165,096,070. The budget variance summary is provided in Appendix A and includes estimated projections to the end of the year. Overall, the net expenditures are anticipated to be within budget at year end.



Eric Girt
Chief of Police

EG/J. Randazzo

Attachment: *Appendix A*

cc: Anna Filice, Chief Administrative Officer
John Randazzo, Director – Finance

Budget Variance Report
Period Ended September 30, 2019

YTD Budget % : 75.00%

Hamilton Police Service	Annual		YTD		Available Balance	% Spent D=B/A	Comments
	Budget	Projected	Budget	Actual			
Revenues							
Grants and subsidies	\$ 9,483,120	\$ 8,780,224	\$ 7,109,496	\$ 6,568,565	\$ 2,914,555	69.27%	Revenue is less than anticipated due to provincial funding cuts as a result of staffing/program changes.
Fees and general revenues	2,707,210	2,837,023	2,029,599	1,984,593	722,617	73.31%	Revenue is less than anticipated due to timing of events in Special Duty and number of requests received for Gen Occur/ID Photo, Tow Fees and False Alarm Fees. This is offset by increase in Police Fees & Police Visa Clearances revenue, as well as ProAction Cops & Kids event.
Reserves/Capital recoveries	610,380	610,380	457,614	457,614	152,766	74.97%	In line with budget.
Total revenues	12,800,710	12,227,627	9,596,709	9,010,771	3,789,939	70.39%	
Expenses							
Employee Related Costs	159,352,440	159,352,440	119,466,486	111,896,021	47,456,419	70.22%	The YTD Budget includes an estimated Collective Agreement %
Materials and supplies	6,536,670	6,173,179	4,855,590	4,725,607	1,811,063	72.29%	Some expenditures are less than YTD Budget. Though they are
Vehicle expenses	2,075,000	1,877,681	1,555,632	1,375,127	699,873	66.27%	expected to be incurred over remaining months, they are anticipated
Buildings and grounds	2,287,600	2,232,276	1,715,022	1,320,432	967,168	57.72%	
Consulting expenses	42,600	42,600	31,941	38,414	4,186	90.17%	
Contractual expenses	775,950	772,086	581,733	542,150	233,800	69.87%	
Agencies and support payments	42,300	42,300	31,716	31,716	10,584	74.98%	
Reserves/Recoveries	4,211,370	4,211,370	3,202,281	3,202,281	1,009,089	76.04%	
Cost allocation	1,087,680	1,087,680	815,436	815,436	272,244	74.97%	
Capital Financing	1,116,130	1,116,130	836,766	836,766	279,364	74.97%	
Financial/Legal Charges	369,040	371,257	276,669	211,036	158,004	57.19%	
Total expenses	177,896,780	177,278,999	133,369,272	124,994,987	52,901,793	70.26%	Overall, expenditures are within Budget.
Total Net Expenditure	\$ 165,096,070	\$ 165,051,372	\$ 123,772,563	\$ 115,984,215	\$ 49,111,855	70.25%	Net Budget is on target for the year.

HAMILTON POLICE SERVICES BOARD

- INFORMATION -

DATE: 2019 December 12
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Eric Girt
Chief of Police
SUBJECT: *Capital Project Status Report as at September 30, 2019*
PSB 19-110

BACKGROUND:

The capital project status report as at September 30, 2019 is attached. The projects are anticipated to be completed as identified.



Eric Girt
Chief of Police

EG/J. Randazzo

Attachment: *Appendix A*

cc: Anna Filice, Chief Administrative Officer
John Randazzo, Director – Finance

Hamilton Police Service
Capital Projects Status Report
September 30, 2019

Appendix A

Project ID	Description	LTD Budget (\$) a	LTD Actual Expenditures (\$) b	Available Balance (\$) c = a - b	% Completed d = b / a	Status
3761351302	Police Computer Software	216,494	57,935	158,559	26.76%	HPS is examining Crime Analytics (ie. Dashboards). Business requirements gathering to commence in Q4 2019/Q1 2020.
3761651601	Police Expenditures	735,250	302,852	432,398	41.19%	Various projects in-progress: <ul style="list-style-type: none"> Oil tanks - TBD (dependent on potential relocation of Fleet Division). Equipment asset management lease - no longer required. To be transferred to Police reserve. Board tablets Drug detection device - Funds to be committed/spent as per PSB19-063. Gym wall repairs - specs are being examined, expected completion Q4 2019. Property counters - P.O. issued, expected completion Q4 2019. Board room furniture - no longer required. Completed with alternative solution. To be transferred to Police reserve. Airborne lead testing - continuing Body armours - on-going, expected completion Q4 2019.
3761651901	Police Computer Hardware	2,450,355	943,562	1,506,792	38.51%	Various projects in-progress: <ul style="list-style-type: none"> Evidence workflow (DEMs) - RFP in-progress, expected completion Q4 2020. Outlook - RFP in-progress, expected completion Q4 2020. Radio Infrastructure MITCE - part of the negotiated Motorola contract, expected completion Q4 2019. Desktop - expected completion Q4 2019. Network/Security - expected completion Q4 2019.
3761851100	2018 Police Vehicles	2,449,399	2,449,399	-	100.00%	Completed (project to be closed).
3761851801	Marine Vessel	800,000	777,395	22,605	97.17%	Delivered, received and final invoice paid in Q3 2019.
3761857801	Server Storage	556,500	337,715	218,785	60.69%	In-progress, funds to be spent by Q4 2019.
3761857802	Police Video Infrastructure	350,000	-	350,000	0.00%	RFP in-progress, expected completion Q4 2020.
3761857804	Radio Room Recording Upgrade	200,000	-	200,000	0.00%	P.O. issued, expected completion Q4 2019/Q1 2020.
3761951100	2019 Police Vehicles	1,973,140	1,258,988	714,152	63.81%	Project on-going - expected completion Q4 2019.
3761457401	Crime Mapping	250,000	208,559	41,441	83.42%	Any remaining funds on the approval of the Board to be transferred to the Police Computer Software project (3761351302).
3761857302	Intelligence Investigations	394,000	-	394,000	0.00%	On-going, part of multi agency Part VI Intelligence project.
3761951811	Conductive Energy Weapons (CEW)	335,000	334,173	827	99.75%	Received and paid for in Q2 2019.
3761951812	Roof Repairs/HVAC	1,000,000	-	1,000,000	0.00%	In-progress, purchase orders approved. Expected completion in Q4 2019.
3761957801	ISD - Compellent Storage	180,000	50,980	129,020	28.32%	Expected completion by Q4 2019.
3761957805	Computer Aided Dispatch (CAD)	300,000	-	300,000	0.00%	Phase 1 will be implemented in Q4 2019.
3761141100	Police - Land Purchase	1,312,020	1,312,656	636	100.05%	Completed.
3761241200	Police ISD Building	25,824,000	15,276,905	10,547,095	59.16%	Project on-going, completion expected by Q1 2020.
Police Total		39,326,157	23,311,120	16,015,038	59.28%	



Hamilton-Wentworth Catholic District School Board
Believing, Achieving, Serving

October 22, 2019

Mr. Eric Girt, Chief of Police
Hamilton Police Services
155 King William St.
Hamilton, Ontario
L8R 1A7

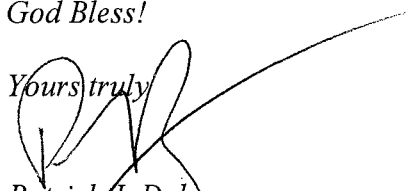
Dear Police Chief Girt:

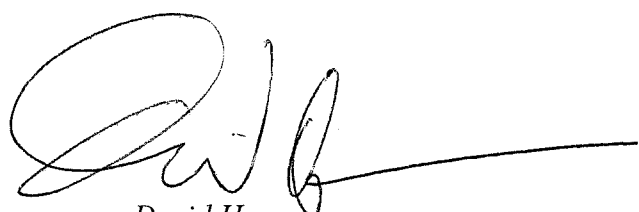
On behalf of the Hamilton-Wentworth Catholic District School Board, we wish to thank and commend the Hamilton Police Services for the excellent service and assistance it provided to us during our 16th Annual Pilgrimage "Walk with Christ, Justice for the Poor". Police presence was very much appreciated.

We thank you and your department for kind, wise and pleasant assistance and ask you to express our gratitude to all the officers that were present on this memorable day.

God Bless!

Yours truly


Patrick J. Daly
Chairperson of the Board


David Hansen
Director of Education

/kab

cc ✓ Mayor Fred Eisenberger, Chair
Hamilton Police Services Board



November 18, 2019

Chief Eric Girt

Hamilton Police Service
155 King William St.
Hamilton, ON, L8R 1A7

Dear Chief,

On behalf of the Ontario Law Enforcement Torch Run, I would like to congratulate you as your Service will be a recipient of the **“Top Zone Fundraiser (Department)”** which will be presented at the Law Enforcement Torch Run Kick-Off Conference in Kingston on: **Saturday, January 25, 2020**. The award will be presented at the Dinner portion of the Conference which runs from 6:00pm – 8:00pm. Four Points by Sheraton Kingston, 285 King Street East, Kingston, ON K7L 3B1

This award was created to recognize Services who demonstrate the highest level of financial success within their designated Torch Run Zone for the fiscal year.

Hamilton Police Service is most deserving of this Award. Your combined dedication and encouragement of others speaks volumes to the continued success of the Ontario Law Enforcement Torch Run for Special Olympics. Keep up the great work. Spread the word ... but most importantly, continue to enjoy the passion, and camaraderie that comes with being involved with such a worthy cause.

If you have any questions please contact Brock Robinson, Manager - Ontario Law Enforcement Torch Run, 416-447-8326 ext. 264 or via e-mail at: brockr@torchrunontario.com.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Mark McGugan".

Sgt. Mark McGugan, London Police Service
Director, Ontario Law Enforcement Torch Run

CC – Allen Schultz, Torch Run Representative

Law Enforcement Torch Run for Special Olympics Ontario
65 Overlea Boulevard, Suite 200, Toronto, ON, M4H 1P1
416-447-8326
www.torchrunontario.com
@torchrunontario



Ministry of the Solicitor General

External Relations Branch

25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**

Direction des relations extérieures

25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

November 19, 2019

Fred Eisenberger
Chair
Hamilton Police Services Board
2nd Floor 71 Main Street West
Hamilton, ON L8P 4Y5

Dear Mr. Eisenberger,

Thank you for submitting your application under the Provincial Priorities Funding Stream of the 2019-20 – 2021-22 Community Safety and Policing (CSP) Grant.

A total of 53 applications were reviewed by the CSP Grant Review Committee against strict eligibility and assessment criteria. Applications were reviewed and evaluated to determine an applicant's ability to:

- Address one or both of the CSP Grant objectives as well as at least of one of the identified provincial priorities;
- Effectively measure provincially-identified and locally-identified outcomes to demonstrate success of initiative(s); and
- Leverage partnerships with inter-jurisdictional and multi-sector agencies to implement activities and achieve common goals.

Regrettably, your application for HPS / JHS Gun & Gang initiative was not approved for funding. We appreciate your interest in the Provincial Priorities Funding Stream of the CSP Grant and encourage you to apply for a second Call for Applications that will be issued in early 2020 for a two-year grant cycle (2020-21 – 2021-22 fiscal years). This will again be a competitive, application-based process to address pre-identified provincial priorities, which may differ from the original call issued earlier this year. Further details will be released in the coming months.

In addition, the Ministry is also now accepting applications under the Proceeds of Crime (POC) Front-Line Policing (FLP) Grant for the 2020-21, 2021-22 & 2022-23 fiscal years. Funding under this grant program is available to municipal and First Nations police services, as well as the Ontario Provincial Police, for projects that focus on at least one of the following priorities:

Mr. Eisenberger
Page 2

- Gun & Gang Violence;
- Sexual Violence and Harassment; and/or
- Human Trafficking.

The deadline to submit applications is December 16, 2019. For more information on the POC FLP Grant, please contact Ram Thanabalasingam at Ramanan.Thanabalasingam@Ontario.ca or Silvana Burke at Silvana.Burke@Ontario.ca.

If you have any questions regarding the Provincial Priorities Funding Stream of the CSP Grant, please contact Tiana Biordi at 416- 326-9355 or Tiana.Biordi@ontario.ca or James Lee at 416-325-6039 or James.Y.Lee@ontario.ca.

Sincerely,

A handwritten signature in cursive script, appearing to read "O. Mosquera".

Oscar Mosquera
Manager, Program Development Section

Ministry of the Solicitor General

Ministère du Solliciteur général



Public Safety Division
Public Safety Training Division

Division de la sécurité publique
Division de la formation en matière
de sécurité publique

25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3

25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Police Services Advisor Zone Assignments**

DATE OF ISSUE:	November 13, 2019
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	19-0082
PRIORITY:	Normal

Effective **January 1, 2020**, changes will be made to the Police Services Advisors' Zone Assignments, as highlighted below. The assignments will be as follows:

Zone 1/1A	Tom Gervais	Zone 4	Chris Herapath
Zone 2	Graham Wight	Zone 5	Duane Sprague
Zone 3	Jeeti Sahota	Zone 6	David Tilley

Tom Gervais who is currently responsible for Zone 6 will now be responsible for Zones 1/1A.

Graham Wight who is currently responsible for Zones 1/1A will now be responsible for Zone 2.

David Tilley who is currently responsible for Zone 2 will now be responsible for Zone 6.

Chris Herapath will now be responsible for Zone 4 while Duane Sprague will retain Zone 5 and Jeeti Sahota will retain Zone 3.

Please refer to the attached chart for the revised assignments and contact information.

-2-

Should you have any questions, please contact Lindsey Gray, A/Manager, Operations Unit, at (647) 981-7547 or via e-mail at lindsey.gray@ontario.ca.

Sincerely,

A handwritten signature in black ink that reads "Marc Bedard". The signature is written in a cursive style with a large initial 'M'.

Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment

POLICE SERVICES ADVISORS – BOARD & POLICE SERVICE ASSIGNMENTS OPERATIONS UNIT

Zones are OAPSB / OACP consistent. Police services board names are as listed with the Public Appointments Secretariat, except for regional municipalities, which have been modified for consistency. Boards responsible for multiple municipalities (other than upper-tier boards) are indicated as “joint”. Boards with both PSA s.31 (municipal police service) and s.10 (OPP agreement) responsibilities are indicated as “hybrid” and are listed in each table. Police services with names significantly different from the governing board are listed with the board. There are currently **159** boards in Ontario.

Police Services Boards – Municipal Police Services

ZONES 1/1A	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6
Tom Gervais (416) 432-5645 tom.gervais@ontario.ca B/U Graham Wight	Graham Wight (416) 817-1347 graham.wight@ontario.ca B/U Dave Tilley	Jeeti Sahota (416) 702-4404 jeeti.sahota@ontario.ca B/U Chris Herapath	Chris Herapath (647) 531-9413 chris.herapath@ontario.ca B/U Duane Sprague	Duane Sprague (416) 573-8309 duane.sprague@ontario.ca B/U Jeeti Sahota	David Tilley (647) 224-9370 david.tilley@ontario.ca B/U Tom Gervais
Dryden	Belleville	Barrie	Brantford	Guelph	Aylmer
Greater Sudbury	Brockville	Bradford West Gwillimbury & Innisfil (joint) - <i>South Simcoe</i>	Halton Regional	Hanover	Chatham-Kent
North Bay	Cornwall Community	Cobourg	Hamilton	Orangeville	LaSalle
Sault Ste. Marie	Deep River	Durham Regional	Niagara Regional	Owen Sound	London
Thunder Bay	Gananoque	Kawartha Lakes	Woodstock	Saugeen Shores	Sarnia
Timmins	Kingston	Peel Regional (hybrid)		Shelburne	St. Thomas
	Ottawa	Peterborough		Stratford	Strathroy-Caradoc
	Smiths Falls	Port Hope (hybrid)		Waterloo Regional	Windsor
		Toronto		West Grey	
		York Regional			
6	8	10	5	9	8
					Total 46

Police Services Advisors – Board & Police Service Assignments – Operations Unit

Police Services Boards - OPP Service Agreements

ZONES 1/1A	ZONE 2	ZONE 3	ZONE 4	ZONE 5	ZONE 6
Atikokan	Admaston/Bromley	Alnwick/Haldimand	Blandford-Blenheim	Amaranth	Elgin Group (joint)
Blind River	Augusta	Asphodel-Norwood	County of Brant	Brockton	Essex
Bonfield	Beckwith	Brighton	East Zorra-Tavistock	Central Huron	Kingsville
Cochrane	Bonnechere Valley	Collingwood	Haldimand County	Chatsworth	Lakeshore
East Ferris	Carleton Place	Cramahe	Ingersoll	Georgian Bluffs	Lambton Group (joint)
Elliot Lake	Greater Napanee	Hamilton Township	Norfolk County	Goderich	Leamington
Espanola	Hawkesbury	Havelock-Belmont-Methuen	Norwich	Grand Valley	Point Edward
Fort Frances	Lanark Highlands	Midland	Tillsonburg	Grey Highlands	Tecumseh
Hearst	Merrickville-Wolford	North Kawartha		Huron-Kinloss	Thames Centre
Ignace	Montague	Nottawasaga (joint)		Kincardine	
Johnson	North Grenville	Orillia		Melancthon	
Kapuskasing	Pembroke	Otonabee-South Monaghan		Mono	
Kenora	Perth	Peel Regional (hybrid)		Mulmur	
Kirkland Lake	Petawawa	Penetanguishene		North Huron	
Laird	Prescott	Port Hope (hybrid)		North Perth	
Lakehead (joint)	Prince Edward	Smith-Ennismore		South Bruce Peninsula	
MacDonald, Meredith & Aberdeen Additional	Quinte West	Township of Tiny		South Huron	
Machin	Renfrew	Trent Lakes		Southgate	
Marathon	South Frontenac	Trent Hills		The Blue Mountains	
Mattawa & Area (joint)	Stirling-Rawdon			Wellington County	
Powassan	Stone Mills			West Perth	
Red Lake	Stormont, Dundas & Glengarry				
Shuniah	Tay Valley				
Sioux Lookout	The Nation Municipality				
Sioux Narrows – Nestor Falls					
Smooth Rock Falls					
Spanish					
Temagami					
Temiskaming Shores					
Terrace Bay					
The North Shore					
Thessalon					
Wawa					
West Nipissing					
34	24	19	8	21	9
					Total 115

Ministry of the Solicitor GeneralPublic Safety Division
Public Safety Training Division25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**Division de la sécurité publique
Division de la formation en matière
de sécurité publique25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Search Warrant Tracking System**

DATE OF ISSUE:	November 13, 2019
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	19-0083
PRIORITY:	Normal

At the request of the Ministry of the Attorney General (MAG), I am sharing a communication regarding a new process for search warrants, effective November 12, 2019.

Please review the attached memo from Assistant Deputy Minister Sheila Bristow, which provides details on the new search warrant control numbers and associated process. If you require further information, please contact Valerie Rizzo at Valerie.Rizzo@ontario.ca.

Sincerely,

A handwritten signature in black ink that reads "Marc Bedard".

Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment

Ministry of the Attorney General

Court Services Division
Office of the Assistant Deputy
Attorney General

McMurtry-Scott Building
720 Bay Street, 2nd Floor
Toronto ON M7A 2S9
Tel.: 416 326-2611
Fax.: 416 326-2652

Ministère du Procureur général

Division des services aux tribunaux
Bureau de la Sous-procureure générale
adjointe

Édifice McMurtry-Scott
720, rue Bay, 2^e étage
Toronto ON M7A 2S9
Tél. : 416 326-2611
Télééc. : 416 326-2652

Our Reference # A-2019-306

MEMORANDUM TO: Marc Bedard, Assistant Deputy Minister
Public Safety Division and Public Safety Training Division
Ministry of the Solicitor General

Date: November 1, 2019

FROM: Sheila Bristo
Assistant Deputy Attorney General
Court Services Division

SUBJECT: **Search Warrant Tracking System – Control Number**

This memorandum is being sent to advise you that Court Services Division, in collaboration with the Office of the Chief Justice of Ontario Court of Justice, will be implementing a new process to facilitate access requests for search warrants, effective November 12, 2019.

There is currently no consistent process throughout the province to track search warrants. A pilot project has been underway in Newmarket and Toronto courthouses that now assigns a “control number” (i.e. tracking number) to every search warrant prior to it being submitted for review by a judicial official. The pilot project has significantly improved our ability to track and locate search warrants in both of these locations.

Due to the success of the pilot project, and in order to implement a consistent process throughout the province, the judiciary have endorsed the following:

- When submitting a search warrant application, police officers will be asked to obtain a search warrant control number prior to the application being presented to a judicial official for review;
- Officers will obtain the control number from the local administrative office staff at each court location. Once generated by staff, the control number will be given to the submitting officer and written on the top righthand corner of the search warrant application;

.../2

- 2 -

- The search warrant application will then be submitted to the judicial official for consideration;
- When a report to justice is subsequently filed, the report must display the corresponding search warrant control number which will allow staff to easily retrieve the entry and update the search warrant tracking system as required. If the control number is not provided, the officer should contact the submitting officer to obtain that number;
- Where a police officer applies to unseal a search warrant, the application materials must include the search warrant control number. This will allow staff to quickly identify and locate the requested warrants; and
- When an access request is made by the media or the public in relation to a sealed warrant, and staff are unable to identify the correct one, the requestor will be directed to the local police office to obtain the search warrant control number.

Expected impact on Police Officers

Based on the current search warrant application process, it is anticipated that the province-wide expansion of the pilot project process will have minimal impact on police officers.

The process outlined above will assist officers as they will now possess a unique tracking number (i.e. the control number) which will allow them to reference and locate a warrant when they receive requests for access or when filing paperwork after the execution of the warrant.

We recognize that this process may increase requests for information by members of the media to their local police office. However, we will ensure that court staff take every step to identify the requested warrant prior to referring the media to the police.

Thank you for your assistance and cooperation in this matter.

Sincerely,



Sheila Bristo
Assistant Deputy Attorney General
Court Services Division

Ministry of the Solicitor General

Public Safety Division
Public Safety Training Division

25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3

Telephone: (416) 314-3377
Facsimile: (416) 314-4037

Ministère du Solliciteur général

Division de la sécurité publique
Division de la formation en matière
de sécurité publique

25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3

Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037



MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Revised Guidance Note on Hazards in Clandestine Drug
Labs and Illegal Marijuana Grow Operations**

DATE OF ISSUE:	November 22, 2019
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	19-0084
PRIORITY:	Normal

At the request of the Ministry of Labour, I am sharing a communication regarding a revision to Guidance Note #6: Hazards in Clandestine Drug Labs and Illegal Marijuana Grow Operations, as made by the Ontario Police Health and Safety Committee (OPHSC).

For further details, please review the memo from Assistant Deputy Minister Peter Augruso and the OPHSC Guidance Note, both attached.

Sincerely,

Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment

**Ministry of Labour,
Training and Skills
Development**

Office of the Assistant
Deputy Minister
Operations Division

400 University Avenue
14th Floor
Toronto ON M7A 1T7
Tel.: 416 326-7667
Fax: 416 212-4455

**Ministère du Travail, de la
Formation et du Développement
des compétences**

Bureau du
sous-ministre adjoint
Division des opérations

400, avenue University
14^e étage
Toronto ON M7A 1T7
Tél. : 416 326-7667
Télec. : 416 212-4455



November 7, 2019

MEMORANDUM TO: Marc Bedard
Assistant Deputy Minister, Public Safety Division
Ministry of the Solicitor General

FROM: Peter Augruso
Assistant Deputy Minister, Operations Division
Ministry of Labour, Training and Skills Development

**Subject: Revised Police Section 21 Committee Guidance Note #6:
Hazards in Clandestine Drug Labs and Illegal Marijuana Grow Operations.**

The Ontario Police Health and Safety Committee (OPHSC) is appointed by the Minister under Section 21 of the Occupational Health and Safety Act for the purpose of advising the Minister and making recommendations on occupational health and safety issues that affect police personnel across Ontario.

The OPHSC has revised GN #6: Hazards in Clandestine Drug Labs and Illegal Marijuana Grow Operations to enhance the information on risk assessments and to include reference to *CAN/CGSB/CSA-Z1640-18 Personal protective equipment (PPE) for investigating and dismantling clandestine drug laboratories.*

The Ministry of Labour, Training, Skills and Development is seeking the continued support of SOLGEN in raising awareness of health and safety issues by distributing the attached guidance note to police personnel at all levels within the policing community.

Yours sincerely,

Peter Augruso
Assistant Deputy Minister
Operations Division
Ministry of Labour



Memorandum

November 2019

To: Marc Bedard
Assistant Deputy Minister, Public Safety Division
Ministry of the Solicitor General

From: Ontario Police Health and Safety Committee
Labour and Management Co-Chairs

Re: *Guidance Note (GN) #6: Hazards in Clandestine Drug Labs and Illegal Marijuana Grow Operations - revised*

The Ontario Police Health and Safety Committee (OPHSC) is appointed by the Minister of Labour under Section 21 of the *Occupational Health and Safety Act* for the purpose of advising the Minister of Labour and making recommendations on occupational health and safety issues that affect police personnel across Ontario.

As you know, police personnel face unique occupational health and safety hazards that may not specifically be addressed in Ontario's *Police Services Act*, its regulations, or in supporting policing guidelines.

The OPHSC has revised *Guidance Note #6: Hazards in Clandestine Drug Labs and Illegal Marijuana Grow Operations* to expand on the risk assessment process and to include reference to *CAN/CGSB/CSA-Z1640-18 Personal protective equipment (PPE) for investigating and dismantling clandestine drug laboratories*.

The OPHSC is seeking your support in ensuring this guidance note is distributed broadly within the policing community.

Sincerely,

Mark Baxter
Labour Co-Chair
Police Association of Ontario

Bryan Larkin
Management Co-Chair
Ontario Association of Chiefs of Police



Ontario Police Health and Safety Committee

Guidance Note #6

Hazards in Clandestine Drug Labs and Illegal Marijuana Grow Operations

This guidance note has been developed to provide general information to police service employers, supervisors, workers, joint health and safety committees and health and safety representatives about some of the occupational health and safety issues related to clandestine drug labs and illegal marijuana grow operations.

Introduction

First responders, including police, fire and EMS are at serious risk from exposure to hazards found in clandestine drug labs, illegal cannabis extraction labs and illegal marijuana grow operations during investigation and/or dismantling of these operations.

Clandestine drug labs (CDLs) are makeshift laboratories for manufacturing illicit drugs such as methamphetamines, fentanyl, carfentanil, cocaine, etc. An illegal marijuana grow operation (MGO) is an indoor or outdoor space that is or has been used for production of marijuana without the proper authorization from Health Canada. These operations could also include illegal cannabis extraction labs that use highly flammable solvents in the production process.

Hazards

The nature and type of hazards found in these illegal operations may vary because of differences in the type and size of the operations, production processes, laboratory operator knowledge, location (e.g. commercial, residential, rural, urban) etc.

As new illicit drugs emerge the nature and type of hazards can evolve making it challenging for services to obtain real-time risk information.

Hazards may include but not be limited to:

- fire and explosion
- exposure to pesticides, fertilizers, and other chemicals
- atmospheric contamination by flammable and explosive products (e.g. propane and natural gas)
- hazardous combinations of incompatible chemicals
- poor waste management
- accidental exposure to illegal drugs (inhalation, skin/eye contact, accidental puncture)
- excessive carbon dioxide (CO₂) exposure
- carbon monoxide (CO) and oxides of nitrogen

- reduced oxygen atmosphere
- confined spaces and structural hazards
- electrical hazards (e.g. faulty/poor wiring or electrical by-pass)
- structural collapse (e.g. holes in the floor, rot from water damage)
- slip, trip hazards
- booby trap (e.g. trip wires and other anti-personnel devices)
- ultra-violet light (UV) exposure (grow lamps)
- infectious agents (dirty needles, syringes, glassware)
- mold, fungus, and bacteria (e.g. legionella)
- violent behavior and presence of weapons

Risk Assessment

Prior to entering a CDL or illegal MGO, police services should conduct a pre-deployment risk assessment to determine type of lab and potential hazards. This pre-deployment risk assessment can help to inform initial selection of personal protective equipment (PPE) and other protective devices, response protocols, notifications (e.g. local utility authority, fire services, emergency medical services) etc. Hazards may also be present around the perimeter of the suspected lab, for example in the form of booby traps or chemical waste which has been improperly disposed of.

Situational risk assessments will also need to be ongoing to assess for current and emerging hazards based on site specific circumstances. The results of these assessments should continue to inform response protocols and PPE and resources required to maintain worker protections.

CAN/CGSB/CSA-Z1640-18 recommends the assessment of the scene to:

- establish perimeters and zones for activities to be performed;
- inform selection of PPE;
- determine resources required; and
- establish a process for continued risk assessment.

Occupational Health and Safety Act and Regulations

Under the *Occupational Health and Safety Act (OHSA)*, police service employers and supervisors have a duty to take every precaution reasonable in the circumstances for the protection of a worker (OHSA clause 25(2)(h) and clause 27(2)(c) respectively). This also applies to protecting police service workers who may be exposed to the hazards of clandestine drug labs and illegal marijuana grow operations.

Information, Instruction and Supervision

Under the OHSA, an employer is required to make a worker aware of hazards in the work and provide workers with information, instruction, and supervision to protect their health and safety. (OHSA clause 25(2)(d) and clause 25(2)(a)).

A supervisor is required to advise workers of any potential or actual health or safety dangers of which the supervisor is aware. (OHSA clause 27(2)(a)).

This includes making police service workers aware of hazards they may encounter at CDLs or illegal MGOs during their work activities.

Information and instruction may include, but is not limited to: training in situational risk assessments; hazmat training; use, proper inspections, storage and limitations of PPE; decontamination protocols; air quality testing and ongoing monitoring (if done by the police service); emergency response protocols; role and authority of the Site Safety Officer etc.

Personal Protective Equipment (PPE) and protective devices

Employers must ensure that any equipment, materials or protective devices provided by the employer are used as required by the OHSA regulations (OHSA clause 25(1)(d)) Supervisors must ensure that a worker uses or wears the equipment, protective devices or clothing that the worker's employer requires be used or worn (clause 27(1)(b)). PPE must be a proper fit for each worker.

Workers shall use or wear any equipment, protective devices or clothing that the employer requires to be used or worn (OHSA clause 28(1)(b)). As previously mentioned, employers must provide workers with information, instruction and supervision to protect their health and safety (OHSA clause 25(2)(a)) which may include information, instruction and supervision related to the use, proper inspections, storage and limitations of PPE.

PPE and other equipment, materials and protective devices provided by the employer must be maintained in good condition (OHSA clause 25(1)(b)). PPE should be inspected, maintained and used according to the product manufacturer's instructions (e.g. as recorded on a warning label or safety data sheet).

Personal Protective Equipment for police service workers entering a CDL or illegal MGO may include but not be limited to: respirators, self-contained breathing apparatus (SCBA) eye and face protection, skin protection (e.g. coveralls, gloves) etc. The type of PPE required will be based on a risk assessment and may change over time based on the results of the situational risk assessments.

Police service employers, in consultation with their joint health and safety committee (JHSC), may wish to refer to *CAN/CGSB/CSA-Z1640-18 Personal protective equipment (PPE) for investigating and dismantling clandestine drug laboratories* for guidance in conducting a risk assessment and selecting appropriate PPE.

Employers must also ensure that tools and equipment cannot create a spark and potentially ignite flammable or explosive agents (i.e. are intrinsically safe). This includes items such as intrinsically safe radios, flashlights, phones, voice amplifiers, air sampling pumps etc. Refer to the manufacturer's recommendations and/or consult a safety specialist for information on intrinsically safe equipment.

Safety Measures and Procedures

Safety measures and procedures may include but not be limited to:

- identification of a Site Safety Officer responsible for ensuring that all safety procedures and protocols are identified and adhered to.
- prioritization of response procedures to address worker protection, securing the area and protecting the public.
- coordinated protocol and procedures for emergency medical services, firefighting utility companies, etc. (Know when and how to request expert assistance).
- safe entry and exit procedures.
- identification of hazardous substances and other hazards such as booby traps, electrical contact, structural integrity etc.
- use, care and limitations of PPE and other protective devices.
- protocols and equipment for air and surface contamination testing prior to entering the site and ongoing while investigations are underway. Protocol should include who will do the testing (e.g. police services investigator, fire services, emergency response personnel).
- electrical power shut-off procedures (e.g. contact utility to safely shut off the power and ensure there are no by-pass hazards).
- decontamination resources and protocols for personnel, equipment and anything leaving the CDL or illegal MGO (e.g. evidence).
- measures and procedures for the safe handling and storage of evidence, including adequate ventilation of the storage area so as not to pose a health and safety risk, and assessment for chemical incompatibility to reduce the risk of an unwanted reaction.

Advancing a culture of health and safety together

Through careful risk assessment, planning, information, instruction and supervision, and the appropriate use of PPE we can all work together to protect workers from exposure to health and safety hazards and advance a culture of health and safety.

Acknowledgements

The Ontario Police Health and Safety Committee is made up of professionals in police services from across the province with representatives from the Police Association of Ontario, Ontario Provincial Police, Ontario Provincial Police Association, Toronto Police Service, Toronto Police Association, Ontario Association of Chiefs of Police, Ministry of the Solicitor General, Ministry of Labour, Training and Skills Development, Ontario Police College, Ontario Police Health and Safety Association, Ontario Senior Officers'

4

Police Association and Public Services Health and Safety Association. The committee also receives input from experts in the police sector. The Ministry of Labour, Training and Skills Development (MLTSD) would like to thank the committee for their help in making this guidance note possible.

Additional Information

OPHSC Guidance Note #4: Worker Information, Instruction and Training
 OPHSC Guidance Note #7: Searching Hazardous Sites
 OPHSC Guidance Note #12: Competent Supervision
 OPHSC Guidance Note #14: Field Drug Testing
 OPHSC Guidance Note #15: Respiratory Protection Policy and Program
 OPHSC Guidance Note #17: Infection, Prevention and Control

Adequacy and Effectiveness of Police Services Regulation

This regulation focuses on the effectiveness and integrity of investigations and does not specifically address the occupational health and safety hazards workers may be exposed to. Clause 12(1)(e) of the *Adequacy and Effectiveness of Police Services Regulation* requires the Chief of Police to develop and maintain procedures on and processes for undertaking and managing investigations into drug-related offences other than simple possession.

Section 29 of the *Adequacy and Effectiveness of Police Services Regulation* requires a police services board to have a policy on the investigation of drug-related offences other than simple possession.

For more information refer to O. Reg. 3/99 *Adequacy and Effectiveness of Police Services Regulation* at: <https://www.ontario.ca/laws/regulation/990003>

Additional references and resources

[Occupational Health and Safety Act](#)

O. Reg. 632/05 Confined Space (may apply in some circumstances)
<https://www.ontario.ca/laws/regulation/050632>

Reg.833 Control of Exposure to Biological and Chemical Agents (may apply in some circumstances) <https://www.ontario.ca/laws/regulation/900833>

CAN/CGSB/CSA-Z1640-18 Personal protective equipment (PPE) for investigating and dismantling clandestine drug laboratories.

RCMP Clandestine Synthetic Drug Labs
<http://www.rcmp-grc.gc.ca/drugs-droques/msdi-ilcmds/lab-eng.htm>

Ontario Police College
<http://www.opconline.ca>

Health and Safety System Partners

<http://www.labour.gov.on.ca/english/hs/websites.php>

This document should be shared with the workplace Joint Health and Safety Committee or Health and Safety Representative, incorporated into the workplace occupational health and safety policy and program and posted on the police service's intranet.

The Public Services Health and Safety Association may be contacted for assistance in the development and implementation of an occupational health and safety program, training and specialized services: <http://www.pshsa.ca/>

For more information, contact the Ministry of Labour, Training and Skills Development Health & Safety Contact Centre toll free at 1-877-202-0008.

For additional information on the requirements under the *Occupational Health and Safety Act* (OHSA), refer to http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm

This guidance note has been prepared to assist the workplace parties in understanding some of their obligations under the OHSA and the regulations. It is not intended to replace the OHSA or the regulations and reference should always be made to the official version of the legislation.

It is the responsibility of the workplace parties to ensure compliance with the legislation. This guidance note does not constitute legal advice. If you require assistance with respect to the interpretation of the legislation and its potential application in specific circumstances, please contact your legal counsel.

While this guidance note will also be available to MLTSD inspectors, they will apply and enforce the OHSA and its regulations based on the facts as they may find them in the workplace. This guidance note does not affect their enforcement discretion in any way.

Ministry of the Solicitor GeneralPublic Safety Division
Public Safety Training Division25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**Division de la sécurité publique
Division de la formation en matière
de sécurité publique25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Expansion of Ontario's Insurance Validation Program**

DATE OF ISSUE:	November 22, 2019
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	19-0085
PRIORITY:	Normal

At the request of the Ministry of Transportation, I am sharing a communication regarding online verification of mandatory automobile insurance coverage.

Please review the attached memo from Assistant Deputy Minister Kevin Byrnes, which provides details on the expansion of the online program. If you require further information, please contact Bob Rajhans at 647-618-0125.

Sincerely,

A handwritten signature in cursive script that reads "Marc Bedard".

Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment

**Ministry of
Transportation**

Road User Safety Division

87 Sir William Hearst Avenue
Building A, Room 191
Toronto, ON M3M 0B4
Tel: 416-235-4453
Fax: 416-235-4153

**Ministère des
Transports**

Division de Sécurité Routière

87, avenue Sir William Hearst
Édifice A, bureau 191
Toronto (Ontario) M3M 0B4
télé: 416-235-4453
télécopieur: 416-235-4153



November 19, 2019

MEMORANDUM TO: Marc Bedard
Assistant Deputy Minister
Public Safety Division
Ministry of the Solicitor General

FROM: Kevin Byrnes
Assistant Deputy Minister
Road User Safety Division
Ministry of Transportation

SUBJECT: Expansion of Ontario's Insurance Validation Program

This memorandum is to advise that the Province of Ontario, with the Insurance Bureau of Canada (IBC) is expanding the online verification of mandatory automobile insurance coverage for light duty personal use commercial vehicles at the time of vehicle licence plate renewal.

Effective **November 24, 2019**, as part of a plate renewal, an expansion of the online enquiry using the Vehicle Identification Number (VIN) will be sent to IBC requesting verification of mandatory automobile insurance coverage for light duty personal use commercial vehicles. A licence plate validation sticker will not be issued if insurance coverage cannot be verified.

Even though the Province will be verifying mandatory insurance coverage, drivers must still carry their insurance pink slips or Electronic Proof of Automobile Insurance to verify insurance at all times. Procedures for officers during road side stops will not change.

Online verification of insurance will not be conducted on the following vehicle types:

- Heavy commercial vehicles whose registered gross weight (RGW) exceeds 3,000 kg;
- Light duty business use commercial vehicles whose registered gross weight (RGW) is 3,000 kg or less;
- Buses;
- Snow vehicles;
- All Terrain Vehicles (ATV), motorcycles and motor homes; and
- Vehicles manufactured prior to 1983.

-2-

The enforcement community will have the same road side access to verification of insurance for the light duty personal use commercial vehicles as it currently does for passenger vehicles.

The expansion of the Insurance Validation Program will build on the Province's excellent road safety record by targeting uninsured drivers and making it difficult for them to drive on Ontario's roads.

I would ask that you please bring this memorandum to the attention of your policing stakeholders.

Ministry staff provided an information session to the Ontario Association of Chiefs of Police (OACP) Traffic Committee on September 18, 2019.

If members of the law enforcement community would like to discuss UVP, **they may contact Bob Rajhans at 647-618-0125** of the Ministry of Transportation's Vehicle Programs Office.

Thank you for your assistance with this matter and for your continued support.

A handwritten signature in black ink, appearing to read 'Kevin Byrnes', with a stylized, cursive style.

Kevin Byrnes
Assistant Deputy Minister
Road User Safety Division

Ministry of the Solicitor GeneralPublic Safety Division
Public Safety Training Division25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**Division de la sécurité publique
Division de la formation en matière
de sécurité publique25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: **Race Data Collection in Use of Force**

DATE OF ISSUE:	November 28, 2019
CLASSIFICATION:	For Action
RETENTION:	Indefinite
INDEX NO.:	19-0086
PRIORITY:	High

The *Anti-Racism Act, 2017* (ARA, 2017) creates a legislative framework to combat systemic racism and advance racial equity.

The General Regulation (O. Reg. 267/18) under the ARA, 2017, came into force in April 2018. The regulation authorizes and requires public sector organizations in the justice, education, and child welfare sectors to collect information about Indigenous identity, race, religion and ethnic origin.

Obligations on the Ministry of the Solicitor General

Under O. Reg. 267/18, the Ministry of the Solicitor General (ministry), as a public sector organization, is required (in policing) to collect the Participant Observer Information (POI) (i.e., police service members' perception) regarding the race of individuals in respect of whom a Use of Force Report is completed, and any other information set out in the report that the police service is legally required to provide to the ministry, excluding the individuals' names **by January 1, 2020**.

The Data Standards for the Identification and Monitoring of Systemic Racism, also known as Ontario's Anti-Racism Data Standards, were established to help identify and monitor systemic racism and racial disparities within the public sector.

-2-

The Data Standards establish consistent, effective practices for producing reliable information to support evidence-based decision-making and public accountability to help eliminate systemic racism and promote racial equity.

Equipment and Use of Force Regulatory Amendments

To assist the ministry in meeting its obligations under the ARA, 2017, regulatory amendments to the Equipment and Use of Force Regulation (RRO 1990, Reg 926) were filed on November 28, 2019. The revised regulation will be posted on [e-Laws](#) shortly.

The following amendments have been made to RRO 1990, Reg 926:

- Form 1 has been removed;
- Subsection 14.5 (2) requires the use of force report be in the form titled “Use of Force Report” developed by the Ministry of the Solicitor General, dated 2019/10. A copy of the report is publicly available on the government’s Central Forms Repository and the ministry’s [website](#).
- Subsection 14.5 (4) allows the Solicitor General to require “information from a report” instead of a copy of the report.

Effective January 1, 2020, members of a police service are required to use the revised Use of Force Report and fill out all the appropriate fields when the circumstances established in the regulation are met.

Please refer to Attachments 1 and 2 for the English and French versions of the revised Use of Force Report, respectively. The French version of the regulation can also be made available upon request.

Report Submission Process

Pursuant to subsection 14.5 (4) of Regulation 926 of the Revised Regulations of Ontario, 1990 (Equipment and Use of Force), the Solicitor General is requiring chiefs of police and the Commissioner of the Ontario Provincial Police to submit information from all Use of Force Reports effective **January 1, 2020**. The submission of that information must be in accordance with the process outlined below.

Please use the attached version of the report (Attachments 1 and 2) for operational purposes. The publicly available version on the government’s Central Forms Repository and ministry’s website cannot be completed electronically, nor can information from the report be submitted to the ministry automatically.

Once a Use of Force Report has been completed by an officer and reviewed by designated personnel within the police service, the service’s use of force training analyst must submit the report to the ministry via the submit button located on the electronic Use of Force Report.

-3-

The training analyst who submits the report must provide their email address to receive a confirmation email of the ministry's receipt of the report.

If you experience challenges in submitting electronic reports through the above process, the ministry's Analytics Unit can assist with alternate formats. Please contact Jeanette Gorzkowski, Manager of the Analytics Unit, at Jeanette.Gorzkowski@ontario.ca for support.

To reduce the potential that a use of force report may identify the individual in respect of whom the report is prepared, the following data fields will be **automatically redacted** when the report is submitted to the ministry electronically. If a paper copy is being used, the following fields **must be redacted** by the police service before the report is submitted to the ministry:

- All fields containing date in Part A and Part B;
- Time Incident Commenced;
- Time Incident Terminated;
- Location Code;
- Narrative; and
- Part B.

We recommend your members, and training analysts in particular, familiarize themselves with the report and test the submission function before January 1, 2020.

Any reports submitted to the ministry before January 1, 2020, will be accepted as test submissions only and deleted from the ministry's system. However, please note that any reports received after January 1, 2020 will be treated as actual operational report submissions.

If you have any questions regarding the content or functionalities within the report, please contact Lisa Sabourin at Lisa.Sabourin@ontario.ca (416-859-9323), or Amanda Fone at Amanda.Fone@ontario.ca (416-212-1497).

Race Data Collection

Consistent with Standard 40 of the Data Standards, the new Use of Force Report includes the following question and race categories:

What race category best describes the subject? (select only one)

- Black
- East/Southeast Asian
- Indigenous
- Latino
- Middle Eastern
- South Asian
- White

-4-

The aforementioned categories are the main race categories commonly used as social descriptors in Ontario. They are not based on science or biology but on differences that society has created (i.e., “socially constructed”). A service provider’s perception of another person’s race is based on information that can be readily observed, such as skin colour, hair texture, facial features, and other information that may be used to inform assumptions about a person’s racial background.

This information is being collected for the purpose of identifying and monitoring potential racial bias or profiling in a specific service, program, or function. Individuals providing POI (respondents) are limited to employees, officers, consultants, and agents of public sector organizations.

To identify and monitor the prevalence of racial profiling, it is important to capture the perceptions of persons to assess whether conclusions are being made and acted on based on stereotypes. In this respect, the “actual” racial background of the individual to whom the POI relates is less important to the assessment.

Further, it is important for members of police services to understand they are being asked to give their best assessment of an individual, honestly and in good faith, and that recording their perception of race in the use of force report is mandatory whenever a use of force report must be completed under the Equipment and Use of Force Regulation.

As a reminder, the existing provision under subsection 14.5 (3.4) of the Regulation, which provides that a Use of Force Report would be inadmissible as evidence at any disciplinary hearing under the *Police Services Act* other than a hearing to determine whether a police officer has contravened the requirements relating to the submission of a report, is still applicable.

Educational Materials for Officers

The Ontario Police College has developed a learning aid to assist police officers in understanding the new reporting requirements. This is available on the Ontario Police College Virtual Academy (OPCVA) via the following link:

<https://www.opcva.ca/course/changes-use-force-electronic-report>.

The learning aid includes general instructions for completion of use of force reports by officers and training material for the collection of race information.

I trust this information and the attached materials will assist police services in implementing race data collection in accordance with the Equipment and Use of Force Regulation. Your continued support in this important initiative is appreciated.

-5-

Sincerely,

A handwritten signature in black ink that reads "Marc Bedard". The signature is written in a cursive style with a large initial 'M'.

Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachments

Ministry of the Solicitor GeneralPublic Safety Division
Public Safety Training Division25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**Division de la sécurité publique
Division de la formation en matière
de sécurité publique25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037

MEMORANDUM TO: All Chiefs of Police and
Commissioner Thomas Carrique
Chairs, Police Services Boards

FROM: Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

SUBJECT: ***Highway Traffic Act Amendments for Dangerously Slow
Driving and Stay in the Right Lane***

DATE OF ISSUE:	November 28, 2019
CLASSIFICATION:	General Information
RETENTION:	Indefinite
INDEX NO.:	19-0087
PRIORITY:	Normal

At the request of the Ministry of Transportation, I am sharing a communication regarding amendments to the *Highway Traffic Act* (HTA), which will impact fines for certain offences. These amendments will take effect on November 29, 2019.

Please review the attached memo from Assistant Deputy Minister Kevin Byrnes, which provides further detail on the amendments. If you require further information, please contact Angela Litrenta at (416) 235-5130.

Sincerely,

A handwritten signature in black ink that reads "Marc Bedard".

Marc Bedard
Assistant Deputy Minister
Public Safety Division and Public Safety Training Division

Attachment

Ministry of Transportation**Ministère des Transports**

Road User Safety Division

Division de Sécurité Routière

87 Sir William Hearst Avenue
Room 191
Toronto ON M3M 0B4
Tel.: 416-235-4453

87, avenue Sir William Hearst
bureau 191
Toronto ON M3M 0B4
Tél. : 416-235-4453



MEMORANDUM TO: Marc Bedard
Assistant Deputy Minister
Public Safety Division

FROM: Kevin Byrnes
Assistant Deputy Minister
Road User Safety Division

SUBJECT: **Amendments to Sections 132, 147 and 148(2) of the Highway Traffic Act to increase the fine range for Dangerously Slow Driving and the requirement to Stay in the Right Lane.**

This memorandum is to advise the policing community across the province about an increase in the set fine amount for Part I *Provincial Offences Act* (POA) offence notices for dangerously slow driving and the requirement to stay in the right lane set out in the *Highway Traffic Act* under sections 132 (Unnecessary slow driving prohibited), 147 (Slow vehicles to travel on right side) and 148(2) (Overtaking and passing rules/Passing meeting vehicles) (copy attached). These offences are listed as items 342, 342.1, 431, 431.1, 433 and 433.1 in Schedule 43 of POA Regulation 950.

The set fine amount for these offences is being increased from \$85.00 and \$120.00 (community safety zone) to \$150.00 and \$300.00 (community safety zone), effective **November 29, 2019**.

SCHEDULE 43*The Highway Traffic Act*

Item	Offence	Section	Set Fine
342.	Unnecessary slow driving	132	\$150.00
342.1	Unnecessary slow driving -community safety zone	132	\$300.00
431	Fail to keep right when driving at less than normal speed	147(1)	\$150.00
431.1	Fail to keep right when driving at less than normal speed – community safety zone	147(1)	\$300.00
433	Fail to turn out to right when overtaken	148(2)	\$150.00
433.1	Fail to turn out to right when overtaken – community safety zone	148(2)	\$300.00

If members of the law enforcement community would like to discuss the fine range increases for these offences in more detail, they may contact Angela Litrenta at (416) 235-5130.

Thank you for your assistance in communicating these changes.

A handwritten signature in black ink, appearing to be 'K. Byrnes', with a stylized, cursive script.

Kevin Byrnes
Assistant Deputy Minister
Road User Safety Division

Attachments:

HTA sections 132, 147 (1) and 148 (2)
Set Fine Order

Unnecessary slow driving prohibited

132 (1) No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when the slow rate of speed is necessary for safe operation having regard to all the circumstances. R.S.O. 1990, c. H.8, s. 132 (1).

Exception

(2) Subsection (1) does not apply to a road service vehicle. 1994, c. 27, s. 138 (10).

Note: On November 29, 2019, the day named by proclamation of the Lieutenant Governor, section 132 of the Act is amended by adding the following subsection: (See: 2019, c. 8, Sched. 1, s. 26)

Offence

(3) Every person who contravenes this section is guilty of an offence and on conviction is liable to a fine of not less than \$150 and not more than \$1,000. 2019, c. 8, Sched. 1, s. 26.

Section Amendments with date in force (d/m/y)

1994, c. 27, s. 138 (10) - 01/07/2010

[2019, c. 8, Sched. 1, s. 26](#) – 29/11/2019

Slow vehicles to travel on right side

147 (1) Any vehicle travelling upon a roadway at less than the normal speed of traffic at that time and place shall, where practicable, be driven in the right-hand lane then available for traffic or as close as practicable to the right hand curb or edge of the roadway. R.S.O. 1990, c. H.8, s. 147 (1).

Exception

(2) Subsection (1) does not apply to a driver of a,

- (a) vehicle while overtaking and passing another vehicle proceeding in the same direction;
- (b) vehicle while preparing for a left turn at an intersection or into a private road or driveway;
- (c) road service vehicle; or

(d) bicycle in a lane designated under subsection 153 (2) for travel in the opposite direction of traffic. R.S.O. 1990, c. H.8, s. 147 (2); 2015, c. 14, s. 41.

Note: On November 29, 2019, the day named by proclamation of the Lieutenant Governor, section 147 of the Act is amended by adding the following subsection: (See: 2019, c. 8, Sched. 1, s. 27)

Offence

(3) Every person who, while driving a motor vehicle, contravenes this section is guilty of an offence and on conviction is liable to a fine of not less than \$150 and not more than \$1,000. 2019, c. 8, Sched. 1, s. 27.

Section Amendments with date in force (d/m/y)

[2015, c. 14, s. 41](#) - 02/06/2015

[2019, c. 8, Sched. 1, s. 27](#) – 29/11/2019

Overtaking and passing rules

Passing meeting vehicles

148 (1) Every person in charge of a vehicle on a highway meeting another vehicle shall turn out to the right from the centre of the roadway, allowing the other vehicle one-half of the roadway free. R.S.O. 1990, c. H.8, s. 148 (1).

Vehicles or equestrians overtaken

(2) Every person in charge of a vehicle or on horseback on a highway who is overtaken by a vehicle or equestrian travelling at a greater speed shall turn out to the right and allow the overtaking vehicle or equestrian to pass. R.S.O. 1990, c. H.8, s. 148 (2).

Note: On November 29, 2019, the day named by proclamation of the Lieutenant Governor, section 148 of the Act is amended by adding the following subsection: (See: 2019, c. 8, Sched. 1, s. 28)

Offence

(2.1) Every person who, while driving a motor vehicle, contravenes subsection (2) is guilty of an offence and on conviction is liable to a fine of not less than \$150 and not more than \$1,000. 2019, c. 8, Sched. 1, s. 28.


ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

IT IS ORDERED, pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the attached Items of Schedule 43 under the Provincial Statutes and Regulations thereunder is the Set Fine.

This Order comes into effect on the 29th day of November 2019

DATED AT TORONTO this 13th day of November 2019


.....
Lise Maisonneuve, Chief Justice
Ontario Court of Justice

Ontario Court of Justice
Last Updated: November 29, 2019

SCHEDULE 43*The Highway Traffic Act*

Item	Offence	Section	Set Fine
342.	Unnecessary slow driving	132	\$150.00
342.1	Unnecessary slow driving — community safety zone	132	\$300.00
431.	Fail to keep right when driving at less than normal speed	147(1)	\$150.00
431.1	Fail to keep right when driving at less than normal speed — community safety zone	147(1)	\$300.00
433.	Fail to turn out to right when overtaken	148(2)	\$150.00
433.1	Fail to turn out to right when overtaken — community safety zone	148(2)	\$300.00





HAMILTON POLICE SERVICES BOARD

OUTSTANDING ISSUES as of December 12, 2019

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
1. Other Business	May 26, 2016	That Chair Eisenberger work with the Board Administrator to implement the use of Electronic devices for monthly agendas.	PSB 16-001 – Ongoing	2 nd Quarter of 2019
2. Sex Assault Review - PSB 18-103	November 22, 2018	That the a report be brought back to the Board on the progress of the recommendations presented within the Sexual Assault Review Report (PSB 18-103)		4 th Quarter of 2019
3. Email from Alicia Davenport, Legislative Coordinator, City of Hamilton, Office of the City Clerk with respect to Enforcement of One-Meter Law for Cyclist Safety (City Wide)	October 10, 2019	A report to be provided following the review and assessment of the technology as well as the data collected in other jurisdictions.		4 th Quarter 2020
4. Body-Worn Camera Report	November 14, 2019	That an Annual report be provided to the Board with respect to Body Worn Cameras. The report is to include the following: data and status of Body Worn Cameras in other Canadian Jurisdictions; the costs associated with a Pilot Project for Body Worn Cameras; and the costs associated for the full implementation of Body Worn Cameras.		4 th Quarter of 2020

4.5(m)



HAMILTON POLICE SERVICES BOARD

OUTSTANDING ISSUES as of December 12, 2019

ITEM	ORIGINAL DATE	ACTION REQUIRED	STATUS	EXPECTED COMPLETION DATE
<p>5. Independent Review of the Events leading up to and including the PRIDE Celebration of June 15, 2019</p>	<p>November 14, 2019</p>	<p>That the Board approve the recommendation of the Independent Review Subcommittee to retain Mr. Scott Bergman of Cooper, Sandler, Shime & Bergman, LLP and his team, to complete an Independent Review of the events leading up to and including the PRIDE Celebration of June 15, 2019.</p> <p>That the Independent Review be completed by April 30, 2020.</p> <p>That the review be at a cost of no more than \$500,000 plus H.S.T.</p>		<p>By April 30, 2020</p>

COOPER, SANDLER, SHIME & BERGMAN LLP

BARRISTERS AND SOLICITORS

MARK J. SANDLER, LL.B. *
JONATHAN A. SHIME, B.A., LL.B.
SCOTT D. BERGMAN, B.A., LL.B.
MEGAN M. SCHWARTZENTRUBER, B.A. (Hon), J.D.
WAYNE A. CUNNINGHAM, B.A., J.D.
AMANDA M. ROSS, B. A. (Hon), J. D.
BENJAMIN ELZINGACHENG, B.Sc., PhD, J.D.

SUITE 1900
439 UNIVERSITY AVENUE
TORONTO, ONTARIO
M5G 1Y8

TELEPHONE: (416) 585-9191
FAX: (416) 408-2372

E-MAIL: info@criminal-lawyers.ca
WEBSITE: www.criminal-lawyers.ca

AUSTIN M. COOPER, Q.C., LLD (1929-2013)
(FOUNDING PARTNER)

*CERTIFIED BY THE LAW SOCIETY AS A
SPECIALIST IN CRIMINAL LAW

December 4, 2019

Hamilton Police Services Board
c/o Ms. Lois Morin, Administrator
155 King William Street
Hamilton, ON L8N 4C1

Dear Ms. Morin:

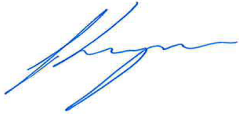
Re: Independent Review of the Events Surrounding Hamilton Pride 2019

Since my November 14, 2019 appointment by the Hamilton Police Services Board as the Independent Reviewer into the events surrounding Hamilton Pride 2019 celebrations, I have had the opportunity to meet with many members of the Hamilton Two Spirit and LGBTQIA+ communities to obtain input with respect to the Terms of Reference for the Review.

After engaging in this consultation process, I am pleased to provide the Hamilton public and the Board with the enclosed and finalized Terms of Reference for my Independent Review. I trust the Terms will be included as part of the publicly available agenda prior to the Board's next meeting on December 12, 2019.

I very much look forward to working with members of the Hamilton Two Spirit and LGBTQIA+ communities, the Board and the Hamilton Police Service during this important Independent Review. Should you or the Board have any questions, I would be pleased to discuss further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Bergman". The signature is fluid and cursive, with a prominent initial "S" and a long, sweeping underline.

Scott Bergman

Encl.

Independent Review of the Events Related to Hamilton Pride 2019

TERMS OF REFERENCE

(1) WHEREAS on June 15, 2019, planned Hamilton Pride celebrations at Gage Park in the City of Hamilton turned violent after street preachers with homophobic, transphobic and extremist views accompanied by yellow-vested protesters and people wearing Canadian Nationalist Party and “Sons of Odin” regalia attended the event and clashed with counter-protesters (anarchists). A number of people were arrested, including some of the counter-protesters;

(2) AND WHEREAS the events that unfolded during Hamilton Pride should be of deep concern to the City of Hamilton, the Two Spirit and LGBTQIA+ (Lesbian, Gay, Bisexual, Trans, Queer, Intersex, Asexual, Plus) communities and the public at large, leading many to question how this targeted hatred and violence could have taken place, what may have facilitated or enabled it to occur, and what could have been done to prevent it;

(3) AND WHEREAS in particular, great concern has been expressed about the Hamilton Police Service’s preparation and planning before, response to, and conduct during and after the hate-based, violent and disturbing events that unfolded in relation to Hamilton Pride 2019 and about the adequacy of measures taken by the Service to prevent or address the violence;

(4) AND WHEREAS it is important that every appropriate measure be taken to prevent such hatred and violence from ever taking place and to ensure that a culture of human rights and respect is promoted and maintained in the City of Hamilton, particularly in and around Pride celebrations and that the City of Hamilton and the Hamilton Police Service take meaningful steps to gain or regain the trust of the Two Spirit and LGBTQIA+ communities and the public at large;

(5) AND WHEREAS it is equally important that everyone in Hamilton, including but not limited to the Two Spirit and LGBTQIA+ communities feel that they live and work in a safe and supportive environment where homophobia, transphobia, racism, ableism and targeted hate are disavowed and appropriately addressed by the Hamilton Police Service and the City of Hamilton;

(6) AND WHEREAS the Hamilton Police Services Board (the “Board”) is responsible, pursuant to subsection 31(1) of the *Police Services Act*, R.S.O. 1990, c. P.15 (the “Act”), for the provision of adequate and effective police services in the City of Hamilton;

(7) AND WHEREAS the Board must, pursuant to subsection 31(1) of the Act, generally determine after consultation with the Chief of the Hamilton Police Service objectives and priorities with respect to the police services for the City of Hamilton, establish policies for the management of the Hamilton Police Service and direct the Chief and monitor his performance;

(8) AND WHEREAS the Board may express its opinion or make recommendations to the Chief of Police on any aspect of policing in the municipality, while not directing the Chief of Police with respect to specific operational matters or with respect to the day-to-day operation of the Hamilton Police Service;

(9) AND WHEREAS the Board believes it would be beneficial and of assistance to the Board in carrying out its responsibilities pursuant to subsection 31(1) to conduct a review of the adequacy of the Hamilton Police Services Board policies and procedures and the Hamilton Police Service's procedures and practices related to Hamilton Pride events, including a systemic evaluation of the manner in which the Hamilton Police Service prepared for and responded to the events surrounding Hamilton Pride 2019;

(10) AND WHEREAS the Board believes that it is important that the terms of reference of such a Review must be designed, among other things, to ensure that the Reviewer is truly independent;

THEREFORE:

To ensure that these concerns are fully addressed in a timely and effective way, and that the Two Spirit, LGBTQIA+ communities and the public in Hamilton have confidence in how these concerns are being addressed, the Hamilton Police Services Board is hereby appointing external legal counsel to conduct an Independent Review (the "Review") to examine these issues and make recommendations to the Board.

The Independent Reviewer is to examine and report to the Hamilton Police Services Board and the community upon the following:

1. Whether and to what extent the Hamilton Police Service failed to respond to the hate-based conduct, violence and related events in relation to Hamilton Pride 2019 in an effective, timely and bias-free way.
2. Whether and to what extent the Hamilton Police Service coordinated and communicated with Hamilton Pride organizers leading up to the Pride 2019 event at Gage Park.
3. Whether and to what extent the Hamilton Police Service investigated the events that unfolded at Hamilton Pride 2019 after June 15, 2019.
4. Whether and to what extent existing practices, procedures, the leadership or culture within the Hamilton Police Service explains, facilitated or contributed to the violence surrounding Hamilton Pride 2019 or have contributed to a significant level of distrust towards the Service by members of the Two Spirit and LGBTQIA+ communities.
5. What, if any, changes should be made to existing practices, procedures, leadership or culture of the Hamilton Police Service so as to promote effective, timely and bias-free policing in the future.

6. Whether and to what extent existing practices or procedures of the Hamilton Police Service adequately address the operational issues raised by the events surrounding Hamilton Pride 2019.
7. What, if any, changes should be made to existing practices or procedures to address such operational issues.
8. Whether and to what extent existing training or education of Hamilton Police Service officers adequately addresses bias-free policing as well as strategies in dealing with homophobia, transphobia, xenophobia, racism, ableism or hate motivated violence.
9. What, if any, changes should be made to existing training or education of Hamilton Police Service officers to address any inadequacies in such training or education and what steps can be taken to ensure competency and accountability among Hamilton Police Service officers and its leadership.
10. What, if any, support processes and procedures are already in place or should be put in place to promote safe and inclusive future Hamilton Pride celebrations free from, hate, homophobia, transphobia, racism, ableism, and any apprehended or actual violence.
11. Apart from practices or procedures of the Hamilton Police Service, whether and to what extent existing policies of the Hamilton Police Services Board adequately address issues raised by the events under consideration.
12. What, if any, changes should be made to existing policies of the Hamilton Police Services Board to address such issues, recognizing the statutory prohibition against directing the Chief of Police with respect to specific, operational matters or with respect to the day-to-day operation of the Hamilton Police Service.
13. What, if any, additional measures should be taken by the Hamilton Police Services Board or the Hamilton Police Service to build and maintain a relationship of mutual trust and respect with the Two Spirit and LGBTQIA+ communities in Hamilton, and to restore confidence in the Hamilton Police Service going forward.

The Chair and members of the Hamilton Police Services Board will cooperate fully with the Independent Reviewer in conducting the Review and will instruct members employed by the Board to cooperate fully with the Independent Reviewer in conducting the Review.

The Chief of Police will cooperate fully with the Independent Reviewer in conducting the Review and will instruct members employed by the Hamilton Police Service to cooperate fully with the Independent Reviewer as deemed necessary.

The Reviewer may request that the Chief of Police, the Hamilton Police Services Board and those employed by either to provide relevant information or records for the Review.

The Reviewer may hold such meetings, interviews and consultations, and may make such procedural decisions with respect thereto, as the Independent Reviewer deems advisable in their discretion in the course of the Review. Such meetings, interviews and consultations may include, but are not limited to, affected community members and groups, experts, and members or employees of the Hamilton Police Services Board and Hamilton Police Service.

In fulfilling their mandate, the Independent Reviewer must not interfere with, or prejudice, any criminal proceedings. Nor is the Independent Reviewer entitled, in law, to make findings of civil or criminal responsibility.

The Independent Reviewer is entitled to employ, in the exercise of their own independent discretion, such additional resources, including experts, counsel and others as deemed necessary to fulfill their mandate.

The Independent Reviewer is to report to the Hamilton Police Services Board and the public not later than April 30, 2020.

City Clerk's Division

COUNCIL FOLLOW-UP NOTICE

TO: Lois Morin
Administrator,
Hamilton Police Services Board

DATE: November 14, 2019

FROM: Stephanie Paparella
Legislative Coordinator, Office of the City Clerk

SUBJECT: **Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative**

Please be advised that, at its meeting of November 13, 2019, Council approved Item 7.2, which reads as follows:

7.2 Amendment to Item 8 of the General Issues Committee Report 19-012, respecting an Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative

WHEREAS, at its meeting of June 26, 2019, Council approved Item 8 of the General Issues Committee Report 19-012, respecting an Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative, which reads as follows:

8. Extension of the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative (Item 11.1)

WHEREAS, the enhanced enforcement initiative undertaken by the Hamilton Police Service, as outlined in Report PW19014(a), has shown a positive impact on managing compliance to the posted speed limit along the Lincoln M. Alexander Parkway and Red Hill Valley Parkway; and,

WHEREAS, Transportation Operations and Maintenance staff, in consultation with the Hamilton Police Service, recommends the extension of the initiative as a proactive measure to improve roadway safety along the parkways;

THEREFORE, BE IT RESOLVED:

That the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative be extended for a period of 28 weeks; effective immediately until December 31, 2019, to be funded in the amount

Council Follow-up Notice – Item 7.2
Council Meeting Date: November 13, 2019
Page 2 of 2

of \$285,000 from the Red Light Camera Reserve #112203, with a zero net levy impact.

WHEREAS, continued enhanced enforcement will improve roadway safety along the Parkway;

THEREFORE, BE IT RESOLVED:

That the Lincoln M. Alexander Parkway and Red Hill Valley Parkway Enhanced Enforcement Initiative be further extended for a period of 18 weeks; effective January 1, 2020 until April 30, 2020, to be funded in the amount of \$175,000 from the Red Light Camera Reserve #112203, with a zero net levy impact.

We respectfully request your consideration respecting this matter and look forward to confirmation of this important initiative.

Thank you!

Copied: Mike Zegarac, General Manager, Finance & Corporate Services

Morin, Lois

From: Bowen, Jessica
Sent: November-29-19 9:32 AM
To: Morin, Lois
Subject: Correspondence for HPS Board Meeting
Attachments: Correspondence_HPSB.pdf

Hello Lois,

I am the staff liaison for the City of Hamilton's LGBTQ Advisory Committee. Please find attached a request from the LGBTQ Advisory Committee for the attached to be included on the December 12, 2019 HPS agenda as a correspondence.

Best regards,

Jessica Bowen
Supervisor, Diversity and Inclusion
Human Resources, City of Hamilton
(905) 546-2424 Ext.5164

Correspondence to the Hamilton Police Services Board

We regret that it has taken us so long to address these issues to the Hamilton Police Services Board. We first needed to get part of our May 15, 2019 motion in front of City Council and to begin the process of having additional members selected to our Committee.

We had tried to depute to the September meeting of Hamilton Police Services Board (HPSB) but we learned that we submitted our request late, something which was completely our fault.

Subsequently, we have submitted 2 requests to the HPSB to give deputations to the matters outlined in this letter and have been denied in both instances.

The LGBTQ Advisory Committee is profoundly disappointed and concerned by the conduct of the Board in denying our requests to speak to them. To our knowledge, and after some preliminary research, this appears to be an unprecedented response to a request from a City of Hamilton Advisory Committee to speak to the HPSB.

The reasons provided verbally at your meetings, namely that our deputation request was “not relevant”, are concerning since our deputation intended not only to directly address the Board’s composition, a matter which concerns the Board, but also to address the actions of the Hamilton Police Service in the performance of its duties in relation to a meeting that our Committee itself organized. As we will outline in this letter, we think it’s important for the Hamilton Police Service to acknowledge not only its technical obligations, however they might perceive them, but the impact of their actions.

Denying us the opportunity to speak to you for a total of 5 minutes not only sends a chilling message but has a strong impact on whether or not others will seek to address your Board in the future.

As we have been denied the opportunity to speak, we are sending this to you as an item of correspondence to be placed on your next agenda as information for the Board.

HPSB Appointment Process

The first matter we wish to address is the appointment process that led to the composition of the current Board. As the Committee outlined in its motion of May 15, 2019, we have serious concerns about the process that was used to both recruit and appoint the only citizen member of your Board. You have claimed that this is not a

matter that is relevant to your Board but one for City Council alone to address. While we agree that City Council ultimately decides the outcome of such a matter, there's nothing wrong with you weighing in on the subject and addressing it to City Council in an exercise of self-reflection.

We'd like to share the experience of the LGBTQ Advisory Committee, which upon reflection, found itself in a similar situation, so that you might understand our reason for coming to you directly about this. The LGBTQ Advisory Committee was capped at 9 members. Members questioned the appointment process used to select and cap those members and raised a number of valid concerns to City Council.

It made a motion asking City Council to reverse its decision and to appoint additional members to its Committee. Both the Audit, Finance & Administration Committee and City Council approved our request and, as of November 14, 2019, we will have new members join our Committee. This was not initiated by an outside party, or by City Council itself, but by our Committee's reflection on its own ability to represent Two-Spirit and LGBTQIA+ communities.

You, too, have the right to ask City Council to reevaluate the appointment processes that have been used to select the sole citizen appointee to this Board. You have the right to say that the process didn't meet the standards of community engagement that are expected by Hamiltonians. In fact, we would argue that you not only have this right but you have this obligation as a public entity in the face of not only our request today but in the face of many public comments from marginalized communities, including applicants to the position, and in the face of a demonstration in front of this very Board on the matter earlier this year.

In addition, and during the time of this citizen appointment, the Hamilton Police Service had neither a Community Relations Co-ordinator nor an advisory committee of its own that might have been part of developing, participating in, or guiding any selection process. The City also did not or was not able to consult its own LGBTQ Advisory Committee on the matter or reach out to the many other Advisory Committees that represent marginalized communities in Hamilton for their advice.

There, of course, is another option. The recent citizen appointee to the Board, should they wish to honour the requests being made about this publicly, could resign from the Board and allow their seat to be filled through a process that marginalized communities in this City would be permitted to participate in shaping.

Surveillance at a Safe Space Meeting

We are also writing to more formally address concerns that have come to light recently about a meeting we hosted in Council Chambers on June 18, 2019.

First, a bit of background about the meeting. It was our intention to replace our regularly scheduled Committee meeting with a public event that would allow members of Two-Spirit and LGBTQIA+ communities to express their thoughts about our motion on May 15, 2019 regarding the annual flag raising ceremony traditionally put on by the Committee in June. After the violent attacks at this year's Pride event in Gage Park, we expanded the scope of the meeting to include a discussion about Pride and deemed the meeting a "safe space". We did this in the promotion of the event, to the media, and declared that publicly at the event. As the event's moderator, our Chair made it clear that we were asking people not to surveil, audibly, visually, or otherwise, the meeting as it was a safe space to allow the community to speak candidly about their experiences in the violent aftermath of Pride.

It has come to our attention that a member of the Hamilton Police Service willfully surveilled that meeting on June 18, 2019 and, in at least one instance, reported someone's speech to the Ontario Parole Board. While we acknowledge that the Hamilton Police Service has the legal right to report someone to the Ontario Parole Board, we question whether this had a detrimental impact to the communities who were there to process their grief and anger. Essentially, we're asking if the Hamilton Police Service, in any way, considered the impact of their actions and if that impact was appropriately responsive to their stated public priorities. Where is the balance between honouring, respecting, and meeting marginalized communities where they are at vs. a duty to surveil? Were these actions necessary to protect the public? What public? Was this an appropriate use of discretion in a situation that called for careful consideration of a community so recently impacted by violence?

In any event, it is our position that if the impact of one will have very serious consequences on the other that it be reconsidered and weighed accordingly.

As well, Hamilton Police Service leadership should take responsibility for these serious impacts, regardless of who in the Service reported them, especially when members of its senior leadership team were in the room.

The impact of this action has been much broader than the outcome and has further eroded trust between communities and the Hamilton Police Service.

This has impacted our Committee directly as we hosted, planned, and advertised this event and feel a responsibility and accountability to Two-Spirit and LGBTQIA+

communities. We feel that is our duty to address this to the Board so that you are aware of the impact. That we're writing to you at all, some months after the event, to publicly address these issues to your Board should in itself exemplify the ripple effect that your actions have had.

As you continue to reflect on your governance of the Hamilton Police Service, whatsoever that may be under the Police Services Act, we ask you to consider the ability, conduct, and service of the Hamilton Police Service to engage in meaningful dialogue with communities in Hamilton, to take action based on our recommendations and comments, and to apologize and acknowledge behaviour where it has been inappropriate or harmful.



**Hamilton Police Services Board
Deputation Request Form**

(Request to appear before the Police Services Board)

****Please note** - The information on this form will be published on a public agenda and therefore released to the public and media.**

Your Name: _____

Firm / Organization: LGBTQ Advisory Committee
(if applicable)

E-mail Address: _____

Home Phone: _____

Fax No.: _____

Business Phone: _____

Mailing Address: _____

Details of Deputation to be discussed including a summary and the objective(s) of the presentation:

Please see the attached supporting documentation that we hope will make our request to depute clearer. We are asking to depute at the November 14, 2019 meeting of the Hamilton Police Services Board and for the Board to honour the request it denied at its last meeting.

Will you require a LCD Projector: Yes No
(Please note, you must bring your own computer)

Have discussions or correspondence taken place with a member of the Hamilton Police Services Board or the Administrator? If so, with whom and when?

Not that would be applicable to this delegation, from what we know.

Please submit the completed form either in person, via fax or e-mail to:

Administrator
Hamilton Police Services Board
155 King William Street
P.O. Box 1060, LCD1
Hamilton, ON
L8N 4C1

Fax: 905-546-4720
E-Mail: lois.morin@hamilton.ca

To: Hamilton Police Services Board
From: LGBTQ Advisory Committee, City of Hamilton

Re: Request to depute to the November 2019 meeting of the Hamilton Police Services Board

Tuesday, October 15, 2019

On Thursday, October 10, 2019 the Hamilton Police Services Board denied the LGBTQ Advisory Committee's request to depute to its members during its regularly scheduled monthly meeting in November.

In the Board's comments they said that our request to depute wasn't relevant.

This was confusing to us since the Hamilton Police Services Board was directly mentioned in the attachment we included with our request.

As we understand it, it's practically unprecedented for a legitimate body like an Advisory Committee to be denied the opportunity to depute to this Board. Not only are we concerned by this but, given the public comments from members of the Board and the Chief of Police that suggest that there is a genuine willingness to listen to marginalized communities, we were disappointed that you chose not to give us an opportunity to address you.

There is no other opportunity for dialogue with the Hamilton Police Services Board outside the deputation process. We hope that you change your position on our request and grant us permission to speak at your November meeting.

As it is clear that we are required to provide further clarity in order to be offered the privilege of speaking to the Board, we have expanded on the detailed request that we have already submitted for today's meeting.

We have 2 reasons for wanting to address the Board, they are as follows:

- (1) We would like to urge you to reconsider the selection of your most recent Board appointment, to declare the position vacant, and to go through a reselection process for the position. While we realize that the ultimate authority lies with the City, we want to be able to speak to the Board about this directly. The LGBTQAC recently went through a similar process. We want to be able to share that experience with you and urge you to consider it.

(2) We would like to address the action of members of the Hamilton Police Service at the meeting that members of our Committee hosted in Council Chambers on June 18, 2019.

We therefore respectfully request that you accept and approve this request to depute at your next regularly scheduled meeting on November 14, 2019.

We hope that having more ample and clear notice about the subject of our deputation will allow you to prepare questions in advance so that there can be a discussion and dialogue with the Board rather than just a deputation from the Committee.

If any part of our request is unclear, we ask that you reach out to us, through staff or the Chair's personal email, to clarify. We assure you that the content of our deputation is completely relevant to the Hamilton Police Services Board and should be heard by its members.

We look forward to your response.

Sincerely,

Cameron Kroetsch
Chair, LGBTQ Advisory Committee
City of Hamilton

HAMILTON POLICE SERVICES BOARD**- RECOMMENDATION -**

DATE: 2019 December 12

REPORT TO: Chair and Members
Hamilton Police Services Board

FROM: Lois Morin
Administrator

SUBJECT: *Enactment of Hamilton Police Services Board Procedural By-law
2019-001
PSB 19-113*

RECOMMENDATIONS:

- a) That the Hamilton Police Service Board repeal By-law Nos. 01-001 and 96-001 as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law.
- b) That the Hamilton Police Services Board enact By-law 2019-001, Being A By-law Governing the Proceedings of the Board.



Lois Morin
Administrator

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – n/a

STAFFING – n/a

LEGAL – n/a

BACKGROUND:

At its meeting of December 20, 2018, the Board approved a Governance Subcommittee to review and recommend amendments to current policies and procedures and / or new policy for approval by the Board. The Governance Subcommittee is comprised of Chair Eisenberger, Vice Chair MacVicar and Member Mandy. At the first meeting the committee recommended a new procedural by-law be prepared for Subcommittee Review and ultimately Board approval. The Procedural By-laws of the Niagara, Peel, Halton, Toronto, York, Ottawa and Durham Police Services Boards were reviewed and incorporated in the new procedural By-law.

The Governance Subcommittee met on Thursday, December 4, 2019 to review the attached *draft* By-law. After amendment(s) and review, the subcommittee is recommending that the Board adopt the attached *draft* procedural by-law 2019-001 being a By-law Governing the Proceedings of the Board.

/L. Morin

Attachment: Appendix "A": Hamilton Police Services Board By-law 2019 - 001

HAMILTON POLICE SERVICES BOARD

BY-LAW 2019 - 001

A By-law Governing the Proceedings of the Board

TABLE OF CONTENTS

SECTION		PAGE NO.
1.	PREAMBLE	
	Preamble.....	1
2.	INTERPRETATIONS	
	Definitions	1
3.	APPLICATION	
	General	3
	Committee Rules	3
	Suspension of Rules and Regulations.....	3
	Procedures Not Covered in By-law.....	3
	Statutes of Ontario to Prevail.....	3
	Statutory Requirements.....	3
	Amendments to Rules.....	3
4.	ELECTION OF THE CHAIR AND VICE-CHAIR	
	Election of Chair.....	3
	Election of Vice-Chair	3
	First Meeting in Each Year	3
	Deferral	4
	Term	4
	Nominations.....	4
	Form of Nomination	4
	Eligibility	4
	Nominations Closed.....	4
	Speakers.....	4
	Order of Speakers.....	4
	Withdrawal	4
	Vote.....	4
	No Majority Obtained	4
	Announcement.....	4
	Procedure for Election of Vice-Chair	4
5.	DUTIES OF THE CHAIR	
	Chair's Duties.....	5
	Signature.....	5
6.	DUTIES OF THE VICE-CHAIR	
	Vice-Chair's Duties	5
7.	ACTING CHAIR	
	Appointment of Acting Chair	5
	Designation	6
	Authority of Acting Chair	6

8.	CONDUCT OF MEMBERS	
	Members Conduct.....	6
	Appendix "A"	18
9.	DUTIES OF THE ADMINISTRATOR	
	Duties of the Administrator	6
10.	MEETINGS OF THE BOARD	
	Regular Meetings.....	6
	Location, Time and Frequency	6
	Alternative Date and Time	6
	Notice to Members.....	6
	Notice to Media and Public.....	6
	Failure to Meet Notice Provisions.....	7
	Meeting Attendees.....	7
	Expulsion	7
11.	LIVE STREAMED/VIDEO RECORDED MEETINGS	
	Live Stream/Video Recording	7
	Announcement.....	7
	Presentations.....	7
	Delegation Opinions.....	7
	Video Posting.....	7
	Not Official Record.....	7
12.	SPECIAL MEETINGS OF THE BOARD	
	Special Meetings.....	7
	Notice of Special Meetings	7
	Process to Summons.....	7
	Matters Decided at Special Meetings	8
	Failure to Meet Notice Provisions.....	8
13.	EMERGENCY MEETINGS	
	Emergency Meetings.....	8
	Agenda Items.....	8
	Member Polling	8
	Failure to Meet Notice Provisions.....	8
14.	QUORUM	
	Quorum – Board	8
	Call Meeting to Order.....	8
	No Quorum at Beginning	8
	Loss of Quorum During Meeting.....	8
15.	BOARD AGENDAS	
	Materials for Agendas.....	9
	Redirection of Police Operational Matters	9
	Agenda.....	9
	Delivery of Agenda.....	9
	Order of Business	9
	Circulation to Public	9
	Communications	9
	Consent Agenda	9
	Introduction of Business Not Included on Agenda.....	9

16.	BOARD MINUTES	
	Minutes	10
	Approval	10
	Signature	10
17.	DISCLOSURES OF CONFLICT/PECUNIARY INTEREST	
	Method of Disclosure	10
	Confidential Sessions	10
	Absence – Disclosure at Next Meeting	10
	Record of Disclosure	10
18.	RULES OF DEBATE	
	General	10
	Recognition of Member	10
	Order of Speakers	10
	Address to the Chair	11
	Relevancy	11
	Interruptions	11
	Read Motion	11
	Speaking to a Question	11
	Reply	11
	Speaking Time	11
	After Question Put by Chair	11
	Points of Order	11
	Chair to Rule on Point of Order	11
	Decision Final	11
19.	RULES OF VOTING	
	General	11
	Put Question to Vote	11
	Every Member Votes	11
	Failure to Vote	11
	Manner of Vote	11
	Equality of Votes	11
20.	MOTIONS AND NOTICES OF MOTIONS	
	Introduction of Additional Items	12
	Oral Motions	12
	Must be Seconded	12
	Wording	12
	Emergency Motion	12
	Substantive Motion	12
	Motion to Amend	12
	Withdrawal	12
	Refer to Question	12
	Direction to Chief	12
	Not Debatable	12
	Deemed Carried	13
	Procedure on Motions	13
	Chair to Refrain as Mover	13
	Motion to Reconsider	13

21.	OUTSTANDING INQUIRIES AND MOTIONS	
	General	13
	Follow-up	13
	Written Response	13
	Record Keeping	13
22.	PUBLIC ACCESS TO MEETINGS	
	Meetings Open to Public	14
	Public Access	14
	Recording Equipment	14
	Confidential Sessions	14
23.	DELEGATIONS AND PRESENTATIONS	
	Written Request	15
	Criteria for Deputations	15
	Limitations	15
	Time	15
	Conduct	15
	Disorder/By-law Breach	15
	Board Questions	15
	Public Audience	15
24.	MEDIA RELATIONS	
	Board Spokesperson	16
	Administrator as Resource	16
	Special Circumstances	16
	Communication by Board Members	16
	Media Releases	16
	News Conferences	16
25.	COMMITTEES	
	Committees	16
	Ad Hoc Committees	16
	Board's Role	16
	General Role of Committees	16
	Committee Chair	16
	Committee Proceedings	17
	Committee Membership	17
	Members' Rights	17
	Sub-Groups	17
26.	BY-LAWS	
	One Motion	17
	Form	17
	Reading	17
	Authentication	17
27.	ENACTMENT	
	Repeal	17
	Effective Date	17



BY-LAW NO. 01-2019

**A BY-LAW GOVERNING THE PROCEEDINGS OF THE
HAMILTON POLICE SERVICES BOARD**

1. PREAMBLE

- 1.1 WHEREAS Section 27 (1) of the *Police Services Act (PSA)*, R.S.O. 1990, c. P.15, as amended, provides that there shall be a police services board for every municipality that maintains a police force;
- 1.2 AND WHEREAS pursuant to Section 35 (1) of the *PSA*, a board shall hold at least four meeting each year;
- 1.3 AND WHEREAS Section 37 of the *Police Services Act* provides that a Police Services Board shall establish its own rules and procedures in performing its duties under this *Act*;
- 1.4 AND whereas the Police Services Board deems it expedient to pass such a by-law to make rules and regulations governing the orders and procedures of the Board:

NOW THEREFORE THE CITY OF HAMILTON POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2. INTERPRETATIONS

For the purposes of this By-law:

- Definitions
- 2.1 “*Act*” means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
 - 2.2 “*Acting Chair*” means the Vice-Chair who shall act as the Chair if the Chair is absent or if the Chair’s position is vacant, pursuant to Section 28(2) of the *Act* or as prescribed by Section 7 of this By-law;
 - 2.3 “*Administrator*” means the person who has been appointed to the Administrator / Secretary position by the Board;
 - 2.4 “*Agenda*” means the document prepared for distribution as prescribed by Section 15 of this By-law;
 - 2.5 “*Board*” means the Hamilton Police Services Board;
 - 2.6 “*Chair*” means the Member elected as Chair of the Board by its Members pursuant to Section 28(1) of the *Police Services Act*;
 - 2.7 “*Chief*” means the Chief of Police of the Hamilton Police Service;
 - 2.8 “*Committee*” means a Standing or Special Committee of the Board, pursuant to Section 34 of the *Act*;

- 2.9 *"Confidential Session"* means a meeting that is closed to the public in accordance with the Act;
- 2.10 *"Deputation"* means an address to the Board or its Committees at the request of a person wishing to speak;
- 2.11 *"Majority vote"* means an affirmative vote of more than one-half of the Members present and voting;
- 2.12 *"Meeting"* means a meeting of the Board or a Committee;
- 2.13 *"Member"* means a Member of the Hamilton Police Services Board and includes the Chair and Vice-Chair;
- 2.14 *"Motion to defer"* means a motion to delay consideration of a matter until later in the same meeting or to a future meeting of the Board or a Committee;
- 2.15 *"Motion to receive"* means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of the Board with no additional action being taken;
- 2.16 *"Motion to refer"* means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and if deemed desirable, one or more reports from the Chief of Police, Administrator or other official or Committee;
- 2.17 *"Motion to table"* means a motion to postpone without setting a definite date as to when the matter will be considered again;
- 2.18 *"Notice of motion"* means an oral notice or written motion received by the Administrator, moved by a Member, and seconded by another Member, for inclusion on an agenda of a meeting of the Board or a Committee;
- 2.19 *"Pecuniary Interest"* means a direct or indirect pecuniary interest of a Member as defined in the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50;
- 2.20 *"Point of order"* means a question by a Member with the view to calling attention to any issue relating to this By-law or the conduct of the Board's business or in order to assist the Member in understanding the Board's procedures, making an appropriate motion, or understanding the effect of a motion;
- 2.21 *"Point of privilege or personal privilege"* means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member who considers that his or her integrity or that of a Member has been impugned or questioned by a Member;
- 2.22 *"Presentation"* means an address to the Board or Committee at the request of the Board or a Committee of the Board;
- 2.23 *"Quorum"* means a majority of the Members of the Board in accordance with Section 35(2) of the Act;
- 2.24 *"Recorded vote"* means a written record of the name and vote of every Member voting on any matter or question;
- 2.26 *"Resolution"* means the decision of the Board on any motion;

- 2.27 "Service" means the Hamilton Police Service;
- 2.28 "Special Meeting" means a meeting other than a regularly scheduled meeting, called pursuant to Section 12 of this By-law;
- 2.29 "Two-thirds majority vote" means an affirmative vote of at least two-thirds of the Members present and voting;
- 2.30 "Vice Chair" means the Member elected as the Vice Chair of the Board by its Members pursuant to Section 28(2).

3. APPLICATION

- General Application* 3.1 The rules of procedure contained in this By-law shall be observed in all proceedings and shall be the rule for the order and dispatch of business before the Hamilton Police Services Board.
- Committee Rules* 3.2 The rules of procedure contained in this By-law shall be observed, with necessary modifications, in proceedings of all Committees of the Board.
- Suspension of Rules and Regulations* 3.3 The rules of procedure may be suspended at such time or times and upon such conditions as may be deemed appropriate by an affirmative vote of at least two-thirds (2/3) of the Members of the Board.
- Procedures Not Covered in By-Law* 3.4 All points of order or procedure for which rules have not been provided in this By-law shall be decided by the Chair in accordance as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.
- Statutes of Ontario to Prevail* 3.5 Should any provision of this By-law be or become in contravention of any legislation of the Province of Ontario, the provincial legislation shall prevail.
- Statutory Requirements* 3.6 Notwithstanding anything in this By-law, where the Board or a Committee convenes for the purpose of holding a hearing as required by any statute, the provisions of the statute and the *Statutory Powers of Procedure Act* shall govern the proceedings.
- Amendments to Rules* 3.7 This By-law shall not be amended or repealed except by the concurring votes of at least two-thirds (2/3) of the Members of the Board and a notice of motion to amend this By-law must be delivered to each Board Member and the Administrator at least two weeks prior to the meeting at which the motion to amend is to be considered.

4. ELECTION OF THE CHAIR AND VICE-CHAIR

- Election of Chair* 4.1 Pursuant to Section 28(1) of the Act, the Board shall elect a Chair at its first meeting in each year.
- Election of Vice-Chair* 4.2 Pursuant to Section 28(2) of the Act, the Board shall elect a Vice-Chair at its first meeting in each year.
- First Meeting in Each Year* 4.3 The election of the Chair and Vice-Chair shall be conducted at the first public meeting of the Board in each year.

- Deferral* 4.4 The election of the Chair and Vice-Chair shall only be held at a meeting where all Members of the Board are present, and an election may be deferred until such meeting.
- Term* 4.5 The Chair and Vice-Chair of the Board shall hold office for a one-year term until their successors are elected in accordance with the Act and this By-law.
- 4.6 The Chair and Vice-Chair may be elected for more than one term.
- Nominations* 4.7 The Administrator shall act as presiding officer at the first meeting of the Board in each year until the Chair is elected and shall call for nominations.
- Form of Nomination* 4.8 Each nomination shall be made openly and shall have the consent of the nominee and be seconded by a Member.
- Eligibility* 4.9 A nominee is a person whose candidacy for the position of Chair or Vice-Chair has been moved and seconded by Members present at the first meeting of the Board in each year.
- Nominations Closed* 4.10 Where it appears to the Administrator, by asking for further nominations and receiving no response, that there are no further nominations, the Administrator shall call for a motion declaring nominations closed.
- Speakers* 4.11 After nominations have been closed, each mover and seconder of a nominee and each nominee shall, prior to the vote being taken, be permitted to speak to the nomination of not more than five (5) minutes.
- Order of Speakers* 4.12 The speakers shall be called upon to address the Board in alphabetical order of the nominees' surnames.
- Withdrawal* 4.13 A nominee may withdraw his or her name at any time prior to the vote being called.
- Vote* 4.14 A vote shall be taken regardless of the number of nominations. No vote shall be taken by ballot or any other form of secret voting.
- No Majority Obtained* 4.15 If there are more than two nominees who elect to stand and, if upon the first vote no nominee receives the majority required for election, the name of the nominee receiving the least number of votes shall be dropped and the Board shall proceed to vote again and continue until either:
- (a) a nominee receives the majority required for election at which time such nominee shall be declared or elected; or
 - (b) it becomes apparent by reason of an equality of votes that no nominee can be elected. In this case, each nominee shall address the Board for a maximum of five (5) minutes, followed by a ten minute recess, and another vote. If no nominee is elected at this time, the Board shall rely on seniority of a Board Member (i.e. date of appointment) to elect the Chair.
- Announcement* 4.16 When voting is completed, the Administrator shall announce the new Chair.
- Election of Vice-Chair* 4.17 The election of the Vice-Chair shall follow the procedure set out for the election of the Chair.

5. DUTIES OF THE CHAIR

Chair's Duties

- 5.1 It is the duty of the Chair to:
- (a) preside at all meetings of the Board so that its business can be carried out efficiently and effectively;
 - (b) be the spokesperson for the Board;
 - (c) to represent the Board at official functions;
 - (d) commence the meetings of the Board by taking the Chair and calling the meeting to order, as soon as a quorum is present;
 - (e) announce the business before the Board and the order in which it is to be acted upon;
 - (f) receive and submit, in proper manner, all motions presented by the Members;
 - (g) put to a vote all motions which are moved or which necessarily arise in the course of the proceedings, and to announce the result;
 - (h) announce the results of the vote on any motions presented for a vote;
 - (i) sit as ex-officio as a Member of all Committees of the Board and be entitled to participate and vote at the meetings;
 - (j) decline to put to a vote motions which do not comply with this By-law or which are not within the jurisdiction of the Board;
 - (k) maintain order and preserve the decorum of the meeting;
 - (l) where it is not possible to maintain order, to adjourn or suspend the meeting to a time specified by the Chair, without any motion being put;
 - (m) to permit any question to be asked through the Chair or any employee of the Hamilton Police Service in order to provide information to assist in any debate when the Chair deems it proper;
 - (n) adjourn the meeting when business is concluded or upon a motion to adjourn or to recess the meeting as required.

Signature

- 5.2 The Chair and Administrator shall authenticate by his or her signature, as required, all documentation for and on behalf of the Board including but not limited to By-laws, agreements, resolutions and minutes, which have been approved by the Board.

6. DUTIES OF VICE-CHAIR

Vice-Chair's Duties

- 6.1 The duties of the Vice-Chair shall be:
- (a) The Vice-Chair shall act in the absence of the Chair and shall have the same authority as the Chair would have if present.
 - (b) In the absence of both the Chair and the Vice-Chair at a meeting, the Members present shall elect a chair for the purpose of presiding over the meeting.

7. ACTING CHAIR

Appointment of Acting Chair

- 7.1 In case the Chair does not attend within fifteen (15) minutes of the time a quorum is present after the scheduled commencement time for a meeting of the Board, or after the resumption after an adjournment or recess, the Vice-Chair shall serve as Acting Chair. In the absence of the Chair and the Vice-Chair, the Administrator shall call the Members to order and an Acting Chair shall be appointed from among the Members present and he or she shall preside until the arrival of the Chair or the Vice-Chair.

- Designation* 7.2 The Chair may designate the Vice-Chair, or in the absence of the Vice-Chair, another Member as Acting Chair during any part of a Board meeting when he or she leaves the Chair for any reason.
- Authority of Acting Chair* 7.3 The Acting Chair shall have and may exercise all the rights, power and authority of the Chair under this By-law.

8. CONDUCT OF MEMBERS

- Members' Conduct* 8.1 A code of conduct setting out general standards for acceptable conduct by Members in performance of their duties is set out in Appendix "A" to this By-law.

9. DUTIES OF THE ADMINISTRATOR

- Duties of Administrator* 9.1 The duties of the Administrator pertaining to meetings of the Board shall be:
- (a) Serve as the administrative link between the Board, the Chief, the Board's legal counsel and labour negotiator, Committees of the Board, the media and members of the community;
 - (b) Organize meetings, prepare agendas for the meetings, in consultation with the Chair, and ensure their timely distribution;
 - (c) Attends all Board meetings and Committee meetings;
 - (d) Record the minutes of the proceedings at meetings of the Board and Committees of the Board;
 - (e) Receive all communications addressed to the Board;
 - (f) Prepare and issue all communications arising from the proceedings of the Board, unless otherwise directed by the Board;
 - (g) Maintain a current record of Board resolutions requiring further or future actions and to keep the Board informed of these matters.

10. MEETINGS OF THE BOARD

- Regular Meetings* 10.1 The regular meetings of the Board shall be held at least four times each year pursuant to subsection 35(1) of the *Police Services Act*.
- Location, Time and Frequency* 10.2 The Board shall hold its regular meetings at 1:00p.m. on a Thursday of the month, in Council Chambers, of the City of Hamilton – 71 Main Street West, Hamilton, Ontario in accordance within the schedule adopted annually by the Board.
- Alternative Date and Time* 10.3 The Board may cancel the next regular meeting or may change any one or more of its dates, its time or its place, upon the concurring votes of a majority of the Members.
- Notice to Members* 10.4 Notice to Members of all meetings, agendas, agenda items, cancellations and postponements shall be provided by the Administrator to a Member's residence or place of business, as directed by the Member. It may be sent by first-class mail, courier, facsimile or electronic mail as requested by the Member. It may also be provided by telephone or personal contact in the case of an emergency.
- Notice to Media and Public* 10.5 Notice of all public meetings, agendas, cancellations and postponements shall be provided to the public and the media by posting a listing of these on the Board's web page, on the Tuesday before the meeting is to be held and updated as required.

- Failure to Meet Notice Provisions* 10.6 The Administrator shall use his or her best efforts to satisfy the notice provisions set out in this section. Failure of the Administrator to satisfy any of the notice provisions contained in this section does not invalidate the meeting or any proceeding at the meeting.
- Meeting Attendees* 10.7 Every person attending the Board meeting, except for Board Members and Board staff, authorized police staff and others authorized by the Chair or the Board, shall remain in the audience portion of the boardroom before, during and after any meeting.
- Expulsion* 10.8 The Chair may cause to be expelled and exclude any member of the public who creates any disturbance or acts improperly during a meeting of the Board.

11. LIVE-STREAMED/VIDEO RECORDED MEETINGS

- Live Stream/Video Recording* 11.1 In the event the Board live streams and/or video records its meeting(s) the following shall apply:
- Announcement* 11.2 At the start of the meeting, the Chair shall advise all in attendance that the meeting is being video recorded and/or live-streamed.
- Presentations* 11.3 Wherever possible, the Board will advise all delegates in advance of the Board and/or Committee meeting that their presentation may be live-streamed and the recording archived for public viewing.
- Delegate Opinions* 11.4 Opinions of delegates are their own and the Board is not responsible for delegates comments or any materials delegates choose to provide.
- Video Posting* 11.5 The Board will post, as soon as practicable following the meeting, the archived live stream video.
- Not Official Record* 11.6 A recorded video of a Board and/or Committee meeting is not an official record of that meeting. The official record of the Board and/or Committee meeting shall consist solely of the Minutes approved by the Board. The video is available for details and content.

12. SPECIAL MEETINGS OF THE BOARD

- Special Meeting* 12.1 The Chair may at any time, summon a special meeting.
- 12.2 The Administrator may summon a special meeting on the request of the majority of the Members of the Board.
- Notice of Special Meeting* 12.3 Written notice of special meetings of the Board or its Committees, other than one summoned by verbal notice, setting out the time and place of the meeting and detailing the matters to be considered, shall be delivered to all Members not less than 24 hours prior to the meeting in accordance with Section 10.4 of this By-law. Notice of all special public meetings shall be provided in accordance with Section 10.5 of this By-law.
- Process to Summons* 12.4 A special meeting may be summoned by verbal notice provided that at least two-thirds (2/3) of the Members of the Board consent to the time, the place, the manner and the matter to be considered and that the decision to summon the meeting is later ratified by the Board.

Matters Decided at Special Meeting 12.5 At special meetings of the Board, the Board shall not decide upon any matter unless the matter has been specified in the notice calling the special meeting. This provision may be waived only where all Members are present to vote upon a motion to waive it and only with a two-thirds majority vote.

Failure to Meet Notice Provisions 12.6 The lack of receipt of a notice of, or an agenda for, a special meeting by any Member shall not affect the validity of the special meeting or any action taken thereat.

13. EMERGENCY MEETINGS

Emergency Meeting 13.1 Notwithstanding any other provision of this By-law, an emergency meeting may be called by the Chair without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Administrator to notify the Members about the meeting as soon as possible and in the most expedient manner available.

Agenda Items 13.2 The only business to be dealt with at an emergency meeting shall be business dealing with the emergency or extraordinary situation.

Member Polling 13.3 At the discretion of the Chair and with the consent of the majority of the Members of the Board, an emergency or extraordinary situation may be dealt with by means of telephone or electronic polling, or other communication method as to permit all persons participating to communicate adequately with each other. The Board's decision must be reported back at the next regularly scheduled meeting for ratification.

Failure to Meet Notice Provisions 13.4 The lack of receipt of a notice of, or an agenda for, an emergency meeting by any Member shall not affect the validity of the emergency meeting or any action taken thereat.

14. QUORUM

Quorum - Board 14.1 A majority of the Members of the Board constitutes a quorum.

Call Meeting to Order 14.2 As soon after the hour of the meeting as a quorum is present, the Chair shall take the chair and call the meeting to order.

No Quorum at Beginning 14.3 If a quorum is not present within thirty (30) minutes after the scheduled time of a meeting, then the Administrator shall record the names of the Members of the Board present and the meeting shall stand adjourned until the date of the next meeting of the Board.

Loss of Quorum During Meeting 14.4 If a quorum is lost during a meeting of the Board then the Chair shall, upon determining that a quorum is not present, request the Administrator to call for a quorum for a period of fifteen (15) minutes, or until a quorum is present, whichever is sooner.

Idem 14.5 If there is still no quorum of the Board after fifteen (15) minutes, the meeting shall stand adjourned, and the Administrator shall record the names of the Members present. In this case, all unfinished business shall be carried forward to the next meeting of the Board.

15. BOARD AGENDAS

- Materials for Agendas* 15.1 Except as otherwise provided by this by-law, all correspondence, notices of motion, and other communication addressed to the Board which is received by the Administrator at least 10 days prior to a regular meeting shall be placed on the agenda and shall be dealt with at the next regular monthly meeting.
- Redirection of Police Operational Matters* 15.2 Where, in the opinion of the Administrator, the subject matter of any communication is properly within the jurisdiction of the Hamilton Police Service, such communication shall be referred to the Chief of Police for the necessary action without prior reference to the Board.
- Agenda* 15.3 The Administrator shall prepare the agenda, under the direction of the Chair, for distribution with the routine order of business for regular meetings of the Board to be as follows:
- (a) Call to Order;
 - (b) Public Presentations & Deputations
 - (c) General: Declarations of Conflict/Pecuniary Interest by Members;
 - (d) Consent Agenda;
 - (e) Discussion Agenda;
 - (f) New Business;
 - (g) In Camera Report Back;
 - (h) Confidential Meeting;
 - (i) Adjournment.
- Delivery of Agenda* 15.4 The Administrator shall cause to be delivered to each Member at least 48 hours before the scheduled time for a meeting the agenda and copies of related materials.
- Order of Business* 15.5 The business of the Board shall, in all cases, be taken up in the order in which it appears on the agenda, unless otherwise decided by the Board. Any matter on the agenda not decided by the Board shall be placed on the agenda of the next regular meeting of the Board.
- Circulation to Public* 15.6 As soon as agenda information is published and distributed by the Administrator to the Members, the information may be made available to the public.
- Communications* 15.7 Every communication intended to be presented to the Board or its Committees must be legibly written and must contain the signature and contact address of at least one person and preferably the addresses and contacts of all signatories. For all communications submitted, there shall be designated a contact person to whom the Administrator can communicate on behalf of the Board or a Committee.
- Consent Agenda* 15.8 All or several items on the agenda for a meeting containing a recommendation to "receive for information" may be adopted by a single motion. Any specific items of business will be provided individual deliberation and debate upon the request of any Member.
- Introduction of Business Not Included on Agenda* 15.9 No business shall be introduced at a meeting which has not been included on the agenda for such meeting unless the person seeking to introduce the business obtains the approval of a majority of the Members of the Board present at the meeting.

16. BOARD MINUTES

- Minutes* 16.1 The Administrator shall cause minutes to be taken of each meeting of the Board, which shall include:
 - (a) the place, date and time of the meeting;
 - (b) the name of the Chair and the attendance of the Members, the Administrator, senior staff of the Hamilton Police Service, names of presenters and external delegations;
 - (c) the confirmation and correction of the minutes of the previous meeting;
 - (d) declarations of interest;
 - (e) all other proceedings of the Board without note or comment.
- Approval* 16.2 The Minutes of each Board Meeting shall be presented to the Board for approval at the next regular Meeting.
- Signature* 16.3 After the Board Minutes have been approved by the Board, they shall be signed by the Chair and the Administrator.

17. DISCLOSURES OF CONFLICT/ PECUNIARY INTEREST

- Method of Disclosure* 17.1 Where a Member has any pecuniary interest in any matter and is present at a Board meeting or Committee meeting at which the matter is the subject of consideration, the Member shall:
 - (a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - (b) not take part in the discussion of, or vote on, any question in respect of the matter; and
 - (c) not attempt in any way, whether before, during or after the meeting, to influence the voting on any such question.
- Confidential Sessions* 17.2 Where a meeting is not open to the public, in addition to complying with the requirements set out above, the Member shall forthwith leave the meeting for that part during which the matter is under consideration.
- Absence – Disclosure at Next Meeting* 17.3 Where the interest of a Member has not been disclosed by reason of his or her absence from the particular meeting, the Member shall disclose his or her interest at the next meeting at which such Member attends.
- Record of Disclosure* 17.4 The Administrator shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes of that particular meeting of the Board or of Committee.

18. RULES OF DEBATE

- General* 18.1 All Members of the Board shall exercise their right to debate within the framework set out in these rules.
- Recognition of Member* 18.2 To address the Board, a Member shall choose to speak by selecting "speak" on the tablet and be recognized by the Chair and direct all comments through the Chair.
- Order of Speakers* 18.3 When two or more Members indicate their desire to speak at the same time, the Chair shall follow the order of speakers as listed.

- Address the Chair* 18.4 Every Board Member, prior to speaking, must address the Chair, and all remarks must be directed through the Chair.
- Relevancy* 18.5 All remarks and comments must be relevant to the question under consideration and the Chair shall be the judge of such relevancy.
- Interruptions* 18.6 When a Member is speaking, no other Member shall interrupt the Member except to raise a point of order, privilege or personal privilege.
- Read Motion* 18.7 A Member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member who is speaking.
- Speaking to a Question* 18.8 No Member shall speak more than once to the same question or motion without leave of the Board.
- Reply* 18.9 Notwithstanding section 18.8, a reply may be made by the Member who has presented a motion to the Board, following the conclusion of the speeches of the other Members.
- Speaking Time* 18.10 No Member shall speak to the same question or motion, or in reply, for more than five (5) minutes, without leave of the Board.
- After Question Put by Chair* 18.11 After the question has been put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.
- Points of Order* 18.12 When a Member desires to address a point of order, the member shall ask leave of the Chair to raise a point of order and after leave is granted the member shall state the point of order to the Chair and the point of order shall be forthwith decided by the Chair.
- Chair to Rule on Point of Order* 18.13 Thereafter, a member shall only address the Chair for the purpose of appealing the Chair's decision to the Board.
- Decision Final* 18.14 If no member appeals, the decision of the Chair is final.
- Idem* 18.15 The Board's decision is final if the Chair is challenged.

19. RULES OF VOTING

- General* 19.1 All voting, except with respect to the election of the Chair and Vice-Chair, shall be conducted in the manner prescribed by the rules in this section.
- Put Question to Vote* 19.2 When the Chair is putting a question to vote, no member of the Board may leave the room or cause any disturbance.
- Every Member Votes* 19.3 Every Member of the Board, including the Chair, who is present when a question is put, shall vote thereon, unless disqualified by a conflict of interest.
- Failure to Vote* 19.4 The failure to vote by a Member who is not disqualified by a conflict of interest shall be deemed to be a negative vote.
- Manner of Vote* 19.5 The manner of determining the decision of the Board on a question shall be at the discretion of the Chair and may be by show of hands, voice or otherwise.
- Equality of Votes* 19.6 Where there is an equality of votes on any decision, the question shall be deemed to be lost.

20. MOTIONS AND NOTICES OF MOTIONS

- Introduction of Additional Items* 20.1 No member shall introduce any item to the Board for its consideration unless:

 - (a) the item relates to a matter on the agenda for that meeting;
 - (b) the matter is of an urgent nature; or
 - (c) leave is granted on a two-thirds majority vote.

- Oral Motions* 20.2 The following may be introduced orally without written notice and without leave of the Board:

 - (a) a point of order or privilege;
 - (b) presentation of petitions;
 - (c) a motion to waive or suspend the rules of procedure;
 - (d) any other procedural motion;
 - (e) a motion to recess;
 - (f) a motion to adjourn;
 - (g) a motion to call the question;
 - (h) a motion to retire into a confidential session;
 - (i) a motion to receive an item;
 - (j) a motion to table an item;
 - (k) a motion to refer;
 - (l) a motion to defer;
 - (m) a simple amendment;
 - (n) a motion to adopt a recommendation; or
 - (o) the motion relates to a report which was distributed with the agenda.

- Must be Seconded* 20.3 A motion shall be moved and seconded before the Chair shall put the question and the motion is recorded in the minutes of the meeting.

- Wording* 20.4 All motions or notice of motions shall be worded in the affirmative, where possible, and shall express fully and unambiguously the intention of the mover.

- Emergency Motion* 20.5 Notwithstanding the above, any motion may be introduced for consideration by the Board in a situation deemed to be an emergency by the Chair.

- Substantive Motion* 20.6 There may be only one substantive motion before the Board at any time.

- Motion to Amend* 20.7 A motion may be amended during debate provided that the motion to amend is relevant and not in direct opposition to the main question.

- 20.8 Only one motion to amend an amendment to the question shall be allowed.

- Withdrawal* 20.9 After a motion has been seconded, it may be withdrawn by the mover and the seconder at any time before a vote is taken.

- Refer to Question* 20.10 A motion to refer a question shall include the name of the committee, body or official to whom the question is to be referred.

- Direction to Chief* 20.11 A direction to the Chief of Police by the Board shall be authorized by resolution of the majority of the Members present.

- Not Debatable* 20.12 The motions referred to in 20.2 (e), (f), (g), (j) and (l) are not debatable.

- Deemed Carried* 20.13 A motion is deemed carried where a majority of the quorum votes in the affirmative.

- Procedure on Motions* 20.14 The procedure on a motion is as follows:

 - (a) the Chair shall read, state or verbally acknowledge each motion presented, whereupon the motion shall be deemed to be in the possession of the Board;
 - (b) the motion shall be seconded;
 - (c) the Chair shall restate the motion and open debate;
 - (d) the motion shall be debated in accordance with Section 18;
 - (e) the question shall be put to the Board by the Chair;
 - (f) vote shall be taken in accordance with Section 19;
 - (g) the motion shall be declared carried or lost.

- Chair to Refrain as Mover* 20.15 The Chair shall refrain from moving motions.

- Motion to Reconsider* 20.16 A motion to reconsider a matter previously decided by the Board shall be permitted within 12 months of the original motion where a Board Member, who voted in the majority, gives notice in writing which is included in the agenda that he or she will move at the next meeting that a matter be reconsidered.

- Idem* 20.17 A motion to reconsider is not required after the expiration of 12 months from the date the matter was previously decided, or if new material facts respecting the previously decided arise. In those cases, the motion procedures of 20.15 apply.

- Idem* 20.18 A motion to reconsider requires an affirmative vote of at least two-thirds (2/3) of the Members of the Board to pass.

21. OUTSTANDING INQUIRIES AND MOTIONS

- General* 21.1 Inquiries made at a meeting of the Board may be introduced orally or in writing and shall be recorded in the Minutes of the meeting.

- Follow-up* 21.2 Following each Board meeting, the Administrator will forward in writing any inquiries or motions requiring action or a subsequent report to the Chief of Police or other person assigned responsibility for responding.

- Written Response* 21.3 The response shall be submitted in writing to the Administrator for inclusion in an upcoming Board agenda.

- Record Keeping* 21.4 The Administrator shall keep a record of all inquiries and motions requiring a response and shall submit a list of outstanding inquiries and motions to the Board on a quarterly basis.

22. PUBLIC AND CLOSED MEETINGS

- Meetings Open to Public* 22.1 Meetings of the Board shall be open to the public except as provided for in Section 35(4) of the *Act* and this Section of the By-law and no person shall be excluded from a meeting open to the public except for improper conduct.
- Public Access* 22.2 The public shall be allowed access 15 minutes before the scheduled start time of the meeting.
- Recording Equipment* 22.3 The use of cameras, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for recording the proceedings of a meeting by members of the public, including the news media, may be permitted and shall be subject to the approval and/or direction of the Chair unless otherwise decided by the Board.
- Confidential Sessions* 22.4 A meeting may be conducted in Confidential Session pursuant to 35(4) of the *Act* if the Board is of the opinion that:
- (a) matters involving public security may be disclosed and, having regard to the circumstances, the desirability of avoiding their disclosure in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public; or
 - (b) intimate financial or personal matters or other matters may be disclosed of such a nature, having regard to the circumstances, that the desirability of avoiding their disclosure in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that proceedings be open to the public.
- Idem* 22.5 Without limiting the intent of 22.4 (a) and (b) above, the following circumstances are deemed to be matters that permit a meeting, or part of a meeting, to be closed to the public if the subject matter being considered is:
- (a) the security of the property of the City;
 - (b) personal matters about an identifiable individual, including Hamilton Police Service employees;
 - (c) labour relations or employee negotiations;
 - (d) litigation or potential litigation, including matters before administrative tribunals, affecting the Board or Police Service;
 - (e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (f) any other matter in respect of which a council, board, committee or other body may deem confidential or has provided on a confidential basis;
 - (g) relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Board is designated as head of the institution for the purposes of that Act;
 - (h) education or training session for the benefit of Members.

23. DELEGATIONS / DEPUTATIONS

- Written Request* 23.1 Any person, group of persons or organization wishing to address the Board regarding a matter within the Board's jurisdiction shall make a written request to the Administrator as outlined in the Deputation Policy.
- Criteria for Deputations* 23.2 Criteria for deputations to the Police Services Board:
- Individual complaints are not considered at Board meetings as there is a legislated public complaints process to deal with such matters that must be followed, and the Board must not intervene in that process.
 - Individual vendors will not be permitted to present to the Board as there is a City of Hamilton Policy that deals with this matter.
- Any other issue that falls within another Legislative Jurisdiction or policy shall not be permitted.
- Limitations* 23.3 Deputations shall only be heard upon the consent of the Board.
- Time* 23.4 A delegation shall address the Board through one (1) spokesperson for a period not exceeding five (5) minutes, unless approval to extend the speaking time is obtained from the Chair.
- Conduct* 23.5 All presenters shall address the Chair from the designated area and shall state their name and whom they represent.
- 23.6 No person shall:
- (a) Speak disrespectfully of any person;
 - (b) Use offensive words or language;
 - (c) Speak on any subject other than that which has received approval by the Board;
 - (d) Disobey the rules of procedure or a decision of the Chair or the Board.
- Disorder/By-law Breach* 23.7 The Chair may curtail any presentation, questions, or debate during a presentation for disorder or any other breach of this By-law, and if the Chair rules that the presentation is concluded, the person(s) appearing shall immediately withdraw.
- Board Questions* 23.8 Following the presentation, the Board may ask questions of the presenter for the purpose of clarifying information but shall not enter into a debate with the presenter.
- 23.9 At the conclusion of the presentation, the Board may receive the presentation, discuss it at that point or at a later time in the meeting, or defer the matter to a subsequent meeting for the purpose of receiving further information.
- Public Audience* 23.10 Members of the public who constitute the audience at a meeting shall respect the decorum of the Board and not:
- (a) Address the Board without permission of the Chair;
 - (b) Interrupt any speech or action of the Members of the Board or any other person addressing the Board; and
 - (c) Bring signage, placards, or banners into such meetings.
- Idem* 23.11 For additional information please refer to the Deputations to the Hamilton Police Services Board Policy.

24. MEDIA RELATIONS

- Board Spokesperson* 24.1 Unless otherwise specified, the spokesperson for the Board is the Chair of the Board. Should the Chair be unavailable, the Vice-Chair shall be the spokesperson for the Board.
- Administrator as Resource* 24.2 On matters of factual information, administration of the Board, or communicating a decision of the Board in response to an enquiry, the Administrator may act as a resource person on behalf of the Board.
- Special Circumstances* 24.3 In special circumstances, such as labour relations, or where a Board Committee has been established on a specific issue, the Board may designate the member leading the negotiations, or the Chair of the Committee, to act as spokesperson for the Board.
- Communication by Board Members* 24.4 Board Members may communicate a position of the Board; however, should a Board Member publicly disagree with a position of the Board, or should a Board Member comment upon a matter not yet before the Board, he or she will clearly identify they are speaking as an individual and not on behalf of the Board. Nor shall a Board Member state the Board has taken a position on a matter, until the matter has been voted upon.
- Media Releases* 24.5 Media releases shall be approved by the Chair or the Vice-Chair prior to release. Board Members shall receive a copy of the release as soon as possible once it's been approved.
- News Conferences* 24.6 News conferences on matters within the jurisdiction of the Board shall be called on at the discretion of the Chair or the Vice-Chair. Whenever possible, Board Members shall be advised of the event prior to its taking place.
- Idem* 24.7 For additional information please refer to the Hamilton Police Services Board Media Relations Policy.

25. COMMITTEES

- Committees* 25.1 Subject to the provisions of Section 34 of the *Police Services Act*, Committees may be established by the Board at any time as is deemed necessary for the consideration of matters within the jurisdiction of the Board.
- Ad Hoc Committees* 25.2 The Board may establish Ad Hoc Committees of limited duration, to inquire and report on a particular matter or concern. An Ad Hoc Committee shall dissolve automatically once the matter or issue has been resolved.
- Board's Role* 25.3 The Board shall determine the appropriate number of Committees, their membership, mandate and reporting practices.
- General Role of Committees* 25.4 The role of the Committees shall generally be to:

 - (a) make recommendations to the Board on matters which are in their jurisdiction; and
 - (b) guide and request staff through the Chief of Police, to provide reports on the direction and nature of policy development, fact findings, analysis and generation of possible alternatives required.
- Committee Chair* 25.5 Each Committee shall appoint a Chair of the Committee.

- Committee Proceedings* 25.6 The rules governing the procedure of the Board and the conduct of Members shall be observed in all Committees so far as they are applicable.
- Committee Membership* 25.7 Members shall be appointed to Committees by the Board and confirmed on an annual basis.
- Members' Rights* 25.8 Members who are not Members of a specific Committee may attend meetings of that Committee and may, with the consent of the Chair of that Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these meetings. The Chair, as ex-officio, is a member of every Committee.
- Sub-Groups* 25.9 No sub-groups of Committees shall be established without approval by the Board.

26. BY-LAWS

- One Motion* 26.1 Every by-law shall be introduced upon motion by a Member, and any number of by-laws may be introduced together in one motion, but the Board may, at the request of a Member, deal separately with any by-law.
- Form* 26.2 Every by-law, when introduced shall be in typewritten form and shall comply with the provisions of any relevant legislation.
- Reading* 26.3 Every by-law of the Board requires only one reading before it may be passed.
- Authentication* 26.4 Every by-law which has been passed by the Board shall be numbered and dated and shall be sealed with the seal of the Board and signed by the Chair or the Vice-Chair and the Administrator and shall be deposited in the Office of the Board.

27. ENACTMENT

- Repeal* 27.1 By-law Nos.01-001 and 96-001 as amended, and all other By-laws, sections of By-laws and procedural policies of the Board inconsistent with the provisions of this By-law are hereby repealed.
- Effective Date* 27.2 This By-law shall come into force on the date of its enactment.

ENACTED AND PASSED this 12th day of December, 2019.

THE CITY OF HAMILTON POLICE SERVICES BOARD

Chair _____

Administrator _____

APPENDIX "A"**Ontario Regulation No. 421/97
Members of Police Services Board – Code of Conduct**

1. Board members shall attend and actively participate in all board meetings.
2. Board members shall not interfere with the police force's operational decisions and responsibilities or with the day-to-day operation of the police force, including the recruitment and promotion of police officers.
3. Board members shall undergo any training that may be provided or required for them by the Solicitor General.
4. Board members shall keep confidential any information disclosed or discussed at a meeting of the board, or part of a meeting of the board, that was closed to the public.
5. No board member shall purport to speak on behalf of the board unless he or she is authorized by the board to do so.
6. A board member who expresses disagreement with a decision of the board shall make it clear that he or she is expressing a personal opinion.
7. Board members shall discharge their duties loyally, faithfully, impartially and according to the Act, any other Act and any regulation, rule or by-law, as provided in their oath or affirmation of office.
8. Board members shall uphold the letter and spirit of the Code of Conduct set out in this regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board.
9. Board members shall discharge their duties in a manner that respects the dignity of individuals and in accordance with the Human Rights Code and the Charter of Rights and Freedoms (Canada).
10. Board members shall not use their office to advance their interests or the interests of any person or organization with whom or with which they are associated.
11. (1) Board members shall not use their office to obtain employment with the board or the police force for themselves or their family member.

(2) For the purpose of subsection (1), "family member" means the parent, spouse or child of the person, as those terms are defined in section 1 of the *Municipal Conflict of Interest Act*.
12. A board member who applies for employment with the police force, including employment on contract or on fee for service, shall immediately resign from the board.
13. Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force.
14. A board member whose conduct or performance is being investigated or inquired into by the Commission under Section 25 of the Act shall decline to exercise his or her duties as a member of the board for the duration of the investigation or inquiry.
15. If the board determines that a board member has breached the Code of Conduct set out in this Regulation, the board shall record that determination in its minutes and may,
 - (a) require the member to appear before the board and be reprimanded;
 - (b) request that the Ministry of the Solicitor General conduct an investigation into the member's conduct; or
 - (c) request that the Commission conduct an investigation into the member's conduct under Section 25 of the Act