

HAMILTON POLICE SERVICES BOARD

9.1(i)

- Recommendation -

DATE: 2015 June 25
REPORT TO: Chair and Members
Hamilton Police Services Board
FROM: Glenn De Caire
Chief of Police
SUBJECT: *Hess Village – Voluntary Paid Duties*
(PSB 15-087)

BACKGROUND



Glenn De Caire
Chief of Police

FINANCIAL / STAFFING / LEGAL IMPLICATIONS:

FINANCIAL – n/a

STAFFING – n/a

LEGAL – n/a

BACKGROUND:

Hess Village is a well know destination within the city of Hamilton offering live entertainment, musical talent, arts, dining, and premier night clubs, which assist in promoting tourism and bringing vibrancy to the city.

The demographics of this area have changed significantly over the past several years. Historically, the patrons who attended came for the lunch hour period, and then the

Over the past decade, Hess Village has transitioned to that of a club environment. In doing so, the business luncheons and family dining has declined and the Village now attracts young adults and university/college aged patrons. The revitalization has been successful in making the Village a destination for patrons who want the club and night life experience.

This demographic change has resulted in larger gatherings of people especially during the summer months and long weekends. This has negatively impacted the surrounding neighborhood who has been victim to damage to their properties, vomiting on their lawns, driveways, and general disruptive behavior affecting their quality of life.

The crowds which now gather, arrive later and stay later in the evening. These crowds have consumed alcoholic beverages prior to arrival, a practice known as pre-loading. There has been noticeable increase in disorderly conduct including: public urination, noise complaints, and patrons consuming alcoholic beverages in the parking lots and the surrounding neighborhood adjacent to the Hess Village entertainment district.

This behavior has attracted the attention of the Alcohol and Gaming Commission, City of Hamilton By-Law, and the Hamilton Police Service, all with the responsibility of ensuring public safety, coupled with meeting Provincial Legislation for the service of alcohol.

At the May 2015 Police Services Board meeting, the Board received a copy of the Action Strategy Annual Report. In that report, the following was noted for Hess Village for the period 2012 – 2014.

Crime type	2012	2014	Percent increase
Violent Crime	51	63	23.5%
Robberies	15	24	60%
Assaults	74	83	12%

In 2005, the City of Hamilton designated that the area bound by Queen Street South, King Street West, Caroline Street South, and Main Street West be designated as an "Entertainment District".

The City of Hamilton has undertaken a beautification of Hess Village over recent years resulting in very attractive streetscape initiatives, improved lighting, and lane reductions, all meant to increase patronage to the area. Based on these and other

improvements, the City of Hamilton has increased the licensed capacity of the local liquor licensed establishments from 3,120 in 2003, to 4,863 in 2014, a 55% increase.

While Hess Village has seen an increase in capacity during this time period, the number of officers policing Hess Village has remained constant. There have been a number of different deployment and funding formulas attempted by the City of Hamilton, bar owners and the Hamilton Police Service, all with the same goal in mind; public safety, community safety, officer safety, and fiscal responsibility. More details of this funding breakdown and historical review can be found in the City of Hamilton report (PED12142), submitted September 12, 2012 by Tim McCabe, General Manager, Planning and Economic Development Department (see attached appendix).

Over recent years, this Board has received numerous board reports detailing in great depth the policing requirements including: CCTV cameras and associated costs for policing for Hess Village (PSB reports 08-002, 08-002a, 02-033h, 10-017b).

Current Billing Practice

The Business Licensing By-Law, Schedule 21, Section 10, sets out that the Hess Village bar/nightclub operators *"shall retain a minimum of 10 Special Duty Officers for the Hess Village Entertainment District each Thursday, Friday, Saturday from 11:00pm – 4:00am beginning April 15 and ending November 15 each calendar year."* However, the decision regarding how many paid duty officers will be present is made by the Hamilton Police Service with input from the bar/nightclub operators. The By-Law requires each Hess Village merchant to contribute their pro rata share, based on the total licensed capacity of their liquor license to the cost of the voluntary paid duty officers.

During the core business season, which runs from Victoria Day through Labor Day each year, the Hamilton Police Service deploys voluntary paid duty officers Friday and Saturday nights from 11p.m. – 3a.m. Where there is a significant event or promotion planned for a Thursday night, or Sunday, a determination is made with input from the City of Hamilton S.E.A.T. committee, club owners, and the Hamilton Police Service whether voluntary paid duty officers are required for that special event. At times, Hamilton Police Service, deploy on duty resources and do not charge pay duties, which demonstrates our ability to work together.

The policing model is as follows:

- (a) Eight (8) voluntary paid duty officers assigned 4 hour shifts are paid for by Hess Village merchants. Six (6) Constables and two (2) Sergeants.

- (b) One (1) Communications Dispatcher, and two (2) Constables assigned to patrol the neighboring streets and community, paid for by the Hamilton Police Service tax dollars.
- (c) Up to eight (8) Hamilton Police Service Auxiliary Officers at no cost.

Billings charged to Hess Street establishments under the Licensing By-Law, comparing 2012 – 2014 figures, illustrating a reduction in policing costs in the amount of \$42,054.96 or a 28% decrease.

Number of establishments	Year	Total amount billed	Amount outstanding
15	2012	\$150,251.49	\$19,058.19
15	2013	\$124,882.84	\$48,156.71
15	2014	\$108,196.53	\$39,141.48

Best Practices

Research has shown there are a number of cities within Ontario and Canada, which have identified entertainment districts. None have a By-Law requiring merchants to hire and pay for voluntary paid duty policing costs.

Research also indicates a wide range of funding options including: voluntary paid duties, on duty responses, operating budgets or approved overtime budgets, and in the case of Toronto Police Service, TAVIS grant monies. It should also be noted that many Police Services have either stopped performing voluntary paid duties at licensed establishments or are currently considering stopping. The main reason cited for ceasing to perform voluntary paid duties at licensed premises is officer safety concerns.

Review of cross section of Police Services for comparators.

Police Service	Officer /Population ratio	Entertainment District	Funding for entertainment district	Cost per hour for VPD
Hamilton Police	150/100,000	yes	vpd's, on duty	\$66.10
Toronto Police	201/100,000	yes, several	TAVIS and O/T	\$68.00
Calgary Police	170/100,000	no longer red mile	operating budget	u/k
Vancouver Police	202/100,000	yes	operating budget	u/k
York Regional	135/100,000	no	on duty, vpd's	\$67.08
Durham Regional	135/100,000	several	on duty, no vpd's	\$65.00
Winnipeg Police	213/100,000	no	on duty, no vpd's	\$105.00
Edmonton Police	190/100,000	yes	on duty, vpd's	\$96.00
London Police	164/100,000	Yes several	vpd's min 2	\$65.81
Waterloo Police	138/100,000	no	vpd's min 2	Wage x1.5

Recommendations

The Hamilton Police Services core function, as set out in law is: crime prevention, law enforcement, assistance to victims of crime, public order, and emergency response. In executing these core functions the Hamilton Police Services main responsibility is to protect life and property. Deployment of officers, and consideration of deployment of officers, is always made with community and officer safety in mind. The model, historical and present, in relation to policing deployment at Hess Village always considers officer and community safety.

- a) The Hamilton Police Service will continue to work within the confines of the current City of Hamilton Business Licensing By-Law, as set out in Schedule 21, Section 10.
- b) The Hamilton Police Service will continue to work with bar owners and merchants in determining the number of officers, if any, that are required for dates leading up to May 24 weekend (the period from April 15 – May 24 weekend), and after Labor Day weekend, (the period after Labor Day – November 15).
- c) The Hamilton Police Service will monitor the crowd size and determine on a nightly basis, the number of officers required for the duration of that voluntary paid duty assignment. Where officers are not required they can be released after the minimum shift 3 hours is completed. This determination will be made in consultation with the Duty Officer, Division 10 Patrol Staff Sergeant, and the voluntary paid duty Sergeant, after assessing the crowds and other extenuating factors, including calls for service, or ongoing major incidents.
- d) The Hamilton Police Service will continue to assign, where available, on-duty support units to assist with policing Hess Village. This will be at the discretion of the Hamilton Police Service, and will not result in additional charges to the Hess Village bar owners and merchants.

GD/K. Weatherill