

MINUTES OF THE HAMILTON POLICE SERVICES BOARD

Thursday, July 23, 2020
1:00 PM
Virtual Meeting
(due to COVID-19)

The Hamilton Police Services Board met.

There were present: Donald MacVicar, Co-Chair
Fred Bennink
Chad Collins
Robert Elms
Tom Jackson
Pat Mandy

Also present: Chief Eric Girt
Deputy Chief Frank Bergen
Deputy Chief Ryan Diodati
Anna Filice, Chief Administrative Officer
Marco Visentini, Legal Counsel
Leanne Sneddon, Director, Human Resources
John Randazzo, Director, Finance/Chief Financial Officer
Kirsten Stevenson, Administrator
Lois Morin, Retired Administrator

Absent with regrets: Fred Eisenberger, Chair

1. Call to Order

Vice Chair MacVicar called the meeting to order.

1.1 Changes to the Agenda

There were no changes to the agenda.

2. Public Presentations & Deputations

2.1 COVID-19 Update: Ryan Diodati, Deputy Chief of Police (verbal update)

Ryan Diodati, Deputy Chief of Police and Anna Filice, Chief Administrative Officer, provided verbal updates on COVID-19.

3. General

3.1 Declarations of Interest

There were no declarations of interest.

4. Consent Items

4.1 Approval of the Consent Items

Moved by: Member Mandy

Seconded by: Member Bennink

That the Board approve and receive the consent items, as amended.

CARRIED.

4.2 Adoption of the Minutes - June 11, 2020

That the minutes of the meeting held on June 11, 2020, be adopted as printed.

4.3 For the Information of the Board

4.3.a Year End Report: False Alarm Reduction Unit - 2019 (PSB 20-042)

4.3.b Year-End Report: Crime Prevention Branch – CMD Volunteers - Auxiliary Unit – 2019 (PSB 20-053)

4.3.c Correspondence from Hilary Fleming with regards to police body cams

4.3.d Correspondence from Sharlene Craig with respect to implement body-worn cameras for police

4.3.e Correspondence from Stef Dubbeldam with respect to the Hamilton Police Services Board

4.3.f Correspondence from Erica Clarke with respect to call to action for body-worn cameras

4.3.g Correspondence from Terri Brunsting with respect to police body cams

4.3.h Correspondence from Ariana Moore with respect to body cameras on our police

4.3.i Correspondence from Lauren Morocco with respect to defund the police

4.3.j Correspondence from Danielle McKay with respect to divest police funding

- 4.3.k Correspondence from Carolyn McNeillie with respect to divest from Hamilton police**
- 4.3.l Correspondence from Kendra Cheeseman with respect to anti-racist action in Hamilton**
- 4.3.m Correspondence from Jelena Vermilion with respect to please divest from Hamilton police services**
- 4.3.n Correspondence from Chris Hampton with respect to policing in Hamilton**
- 4.3.o Correspondence from Reem Mandil with respect to divest from Hamilton police**
- 4.3.p Correspondence from Gabbi Greco with respect to divest Hamilton police in Hamilton**
- 4.3.q Correspondence from Hiva Nematollahi with respect to concern regarding Hamilton police**
- 4.3.r Correspondence from Olivia Watkin-McClurg with respect to defund Hamilton police**
- 4.3.s Correspondence from Yidan Lafond with respect to Hamilton defund police**
- 4.3.t Correspondence from Eric Viau with respect to regarding Hamilton police**
- 4.3.u Correspondence from Laura Howden with respect to divest from policing**
- 4.3.v Correspondence from Claire Bodkin with respect to defund the HPS**
- 4.3.w Correspondence from Mary Chu with respect to police service budget concerns**
- 4.3.x Correspondence from Emma Cole with respect to defund the police**
- 4.3.y Correspondence from Afra Iftikhar with respect to Hamilton police funding**
- 4.3.z Correspondence from Shanice Bowrin with respect to we need action!**
- 4.3.aa Correspondence from Jackie Levitt with respect to concerns about the Hamilton police**
- 4.3.ab Correspondence from Kelly Ebers with respect to 2020 Hamilton police budget - call for action defunding**

- 4.3.ac Correspondence from Alyssa DeAngelis with respect to divest from policing**
- 4.3.ad Correspondence from Jackson Virgin-Holland with respect to make Hamilton the best place to raise a child - abolish Hamilton police**
- 4.3.ae Correspondence from Adrian Underhill with respect to call to remove SROs and divest from Hamilton police**
- 4.3.af Correspondence from Katie Sullivan with respect to defund the Hamilton police**
- 4.3.ag Correspondence from Lindsay Staios with respect to divest from Hamilton policing campaign**
- 4.3.ah Correspondence from Miles Oreskovic with respect to HPS - body cameras**
- 4.3.ai Correspondence from Nykolas Moore with respect to body cameras**
- 4.3.aj Correspondence from Kait Bos with respect to invest in healthy & safe communities**
- 4.3.ak Correspondence from Ian Burns with respect to Black Lives Matter**
- 4.3.al Correspondence from Madelyn Byra with respect to defund policing campaign**
- 4.3.am Correspondence from Jessica Elves with respect to Ward 2 resident**
- 4.3.an Correspondence from Brittany Medeiros with respect to divest from policing**
- 4.3.ao Correspondence from Kate Hand with respect to defund HPS**
- 4.3.ap Correspondence from Salina Dang with respect to call to defund the HPS**
- 4.3.aq Correspondence from Abedar Kamgari with respect to 20% cut to police budget**
- 4.3.ar Correspondence from Carly Billings with respect to motion that requested a review of what a 20 percent reduction in the HPS budget would look like**
- 4.3.as Correspondence from Jessica Hymers with respect to policing in Hamilton**
- 4.3.at Correspondence from Evan Gravely with respect to delegation - Police Services Board**

- 4.3.au Correspondence from Ailie Ramage with respect to HPS board meeting motion to discuss 20% budget cut**
- 4.3.av Correspondence from Adrian Underhill with respect to defunding and demilitarizing the Hamilton Police Service**
- 4.3.aw Correspondence from Robin Hufgard with respect to service implications of cutting HPS budget**
- 4.3.ax Correspondence from Janna Watkins with respect to policing and systemic racism in Hamilton**
- 4.3.ay Correspondence from Paul Bakker with respect to motion to review police budget**
- 4.3.az Correspondence from Sarah Warry-Poljanski with respect to police board meeting re cuts to services**
- 4.3.ba Correspondence from Connie Kidd with respect to police budget**
- 4.3.bb Correspondence from Fareeda Baruwa with respect to review of Hamilton police motion**
- 4.3.bc Correspondence from Laura Biondo with respect to update re correspondence going to the June 11 public agenda of the HPS Board for consideration**
- 4.3.bd Correspondence from Dylan Coulson with respect to Hamilton review of police 20% budget cut**
- 4.3.be Correspondence from Alex Johnstone with respect to defund the Hamilton police**
- 4.3.bf Correspondence from Valeria Kuri with respect to urgent concerns**
- 4.3.bg Correspondence from Avril McMeekin with respect to Chad Collins' motion for budget review**
- 4.3.bh Correspondence from Julia Forrester with respect to call for the defunding of Hamilton police services**
- 4.3.bi Correspondence from Emma Battison with respect to defund the police, more representation**
- 4.3.bj Correspondence from Anna Morreale with respect to in response to Councillor Collins' motion**
- 4.3.bk Correspondence from Gary Capon with respect to Hamilton police budget and the Hamilton Police Board**
- 4.3.bl Correspondence from Megan Janssen with respect to defund Hamilton police**

- 4.3.bm Correspondence from Ryan Burne with respect to do not defund the police**
- 4.3.bn Correspondence from Debbie Davies with respect to police concerns**
- 4.3.bo Correspondence from Dima Matar with respect to a plea**
- 4.3.bp Correspondence from Scarlett Gillespie with respect to I support the call to defund the police**
- 4.3.bq Correspondence from Michael Kiriakou with respect to calling Hamilton to action**
- 4.3.br Correspondence from Kylah Carter with respect to concern for your board**
- 4.3.bs Correspondence from Sarah Van Berkel with respect to anti-racist Hamilton defund the police**
- 4.3.bt Correspondence from Sami Adham with respect to we can do better**
- 4.3.bu Correspondence from Alice Smith with respect to Police Services Board**
- 4.3.bv Correspondence from Hali Tsui with respect to action**
- 4.3.bw Correspondence from Jessica DeSantis with respect to urgent of ongoing matters**
- 4.3.bx Correspondence from Patrick Flattery with respect to police violence and anti-black racism**
- 4.3.by Correspondence from Sarah Johnston with respect to defunding police**
- 4.3.bz Correspondence from Anthony Stayrer with respect to limiting Hamilton police service's budget**
- 4.3.ca Correspondence from Cassandra Hamill with respect to defund the police**
- 4.3.cb Correspondence from Jeremy Drury with respect to body-worn cameras**
- 4.3.cc Correspondence from Emily Upper with respect to police presence in Hamilton schools**
- 4.3.cd Correspondence from Clare Brown with respect to defunding the Hamilton police**
- 4.3.ce Correspondence from Elizabeth Seidl with respect to reconsideration of policing & reallocation of taxes**

- 4.3.cf Correspondence from Josh Neubauer with respect to defunding the police**
- 4.3.cg Correspondence from Paola Munoz with respect to I support the call to defund the police**
- 4.3.ch Correspondence from Melissa Dowdall with respect to Hamilton police services**
- 4.3.ci Correspondence from Michael Friesen with respect to building safer communities - the defund police**
- 4.3.cj Correspondence from Richard Hishon with respect to current news - police defunding**
- 4.3.ck Correspondence from Rita Bailey with respect to refusing to defund the police is a racist act**
- 4.3.cl Correspondence from GASP Hamilton with respect to defund the police**
- 4.3.cm Correspondence from Whitney Bolam with respect to police harassment in Hamilton**
- 4.3.cn Correspondence from Andrea Horvath with regards to NDP - Our Caucus Commitments: Ending Police Violence. Invest in BIPOC Lives**
- 4.3.co Correspondence from Lauren Morocco with respect to Officers Opening Fire on Our Streets - Accountability, Budget Review, Independent Investigation & Retraining Demands**
- 4.3.cp Correspondence from the Office of the City Clerk, City of Hamilton with respect to Jessika Taveras - a call for action**
- 4.3.cq Correspondence from the Office of the City Clerk, City of Hamilton with respect to correspondence respecting Hamilton Police Officers and Body Cameras**
- 4.3.cr Correspondence from the Office of the City Clerk, City of Hamilton with respect to the suspension of the Police Liaison Program in the Hamilton District School Board**
- 4.3.cs Correspondence from the Office of the City Clerk, City of Hamilton with respect to correspondence respecting the divesting & defunding of the Hamilton Police Service**
- 4.3.ct Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to 2020 Promotional Exams**
- 4.3.cu Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor**

General with respect to Extension of the Expiry of Drive and Vehicle Products and Services - Reminder

- 4.3.cv Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Update to Essential Businesses List**
- 4.3.cw Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Reduce Impaired Driving Everywhere (RIDE) Grant Program - Call for Applications (2020/21 - 2021/22)**
- 4.3.cx Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Audit of the First Responders COVID-19 Risk Look-Up Tool Web Portal**
- 4.3.cy Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to COVID-19 Testing for Police Services**
- 4.3.cz Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Stage 2 of Re-Opening of Ontario**
- 4.3.da Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Re-Opening of Ontario Courts to In-Person Hearings (Hearing Preparation and Witness Notification)**
- 4.3.db Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to 2020/2021 Constable Joe MacDonald Public Safety Officers' Survivors Scholarship Fund Call for Applications**
- 4.3.dc Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Re-Opening of Ontario's DriveTest Centres**
- 4.3.dd Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Enforcement of the Provincial Animal Welfare Services Act, 2019**
- 4.3.de Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Firearms Reference Table**

- 4.3.df Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Suspension of Existing Next Generation 9-1-1 (NG 9-1-1) Deadlines Due to COVID-19**
- 4.3.dg Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Availability of Centre of Forensic Sciences Experts for Remote Testimony**
- 4.3.dh Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Re-opening of Courts on July 6, 2020**
- 4.3.di Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Update on the 1-800 COVID-19 Enforcement Support Line**
- 4.3.dj Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Court Entrance Screening and Compliance Monitoring**
- 4.3.dk Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Survey of Police Services - Mental Health-Related Demands and Police Response in Ontario**
- 4.3.dl Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Electronic Sudden Death Police Reports and Coroner Investigation Reports**
- 4.3.dm Memorandum from Richard Stubbings, Assistant Deputy Minister, Public Safety Division, Ministry of the Solicitor General with respect to Anti-Human Trafficking Community Supports Fund and Indigenous-led Initiatives Fund**
- 4.3.dn Outstanding Issues as of July 23, 2020**

After discussion, the Board approved the following:

Moved by: Member Mandy

Seconded by: Member Elms

That consent items 4.3 cn and 4.3 cs be pulled from consent items and placed under discussion items for consideration.

CARRIED.

After discussion, the Board approved the following:

Moved by: Member Jackson

Seconded by: Member Collins

That the expected completion dates of Outstanding Issues item 2. Sex Assault Review – PSB 18-103 be amended to Q4 2020, that Item 8. Police Station 40 – Waterdown be amended to Q1 2021 and that item 9. 2020 Hamilton Police Services Board Budget be amended to Q3 2020.

CARRIED.

5. Discussion Items

5.1 Crisis Response Branch Presentation: Social Navigator Program / Crisis Outreach & Support Team / Mobile Crisis Rapid Response Team

Sergeant Steve Homes and Mental Health Clinician Sarah Burtenshaw provided a presentation and answered questions of the Board with respect to the Crisis Response Branch.

After discussion, the Board approved the following:

Moved by: Member Jackson

Seconded by: Member Mandy

That the presentation be accepted and received, as provided.

CARRIED.

5.2 2019 Youth Services Annual Report Presentation

Superintendent Will Mason provided a presentation and answered questions of the Board with respect to the 2019 Youth Services Annual Report.

After discussion, the Board approved the following:

Moved by: Member Jackson

Seconded by: Member Elms

That the presentation be accepted and received, as provided.

CARRIED.

5.3 Year End Report: Use of Force 2019 (PSB 20-043)

Sergeant Andrew Poustie provided a presentation and answered questions of the Board with respect to the Year End Report – Use of Force 2019.

After discussion, the Board approved the following:

Moved by: Member Bennink

Seconded by: Member Mandy

That the presentation and report be received and approved as provided.

CARRIED.

5.4 Lease Agreement Renewal - Ancaster Fairgrounds (PSB 13-073a) (see also PSB 13-073 and 12-079a)

After discussion, the Board approved the following:

Moved by: Member Collins

Seconded by: Member Jackson

That the Hamilton Police Services Board approve the renewal of the Lease Agreement originally executed on the 17th day of September, 2013 (Lease) between the City of Hamilton (Lessee) and Ancaster Agricultural Society (Lessor) for the purposes of providing a location for the HPS Mounted Unit, at the Ancaster Fairgrounds, 630 Trinity Road South, Ancaster, and

That pursuant to Section 2(6) of the Lease, the Hamilton Police Services Board approve the four (4) year option to renew (Renewal Option) the Lease being on the same terms and conditions, except rent which shall be negotiated or failing which arbitrated, and

That the Hamilton Police Services Board approve the City of Hamilton Corporate Real Estate Division exercise the Renewal Option and enter into negotiations with Ancaster Agricultural Society (Lessor), for the purposes of establishing a fair market rent for the four (4) year option renewal term and those other terms satisfactory to the City Solicitor, and

That the Lease Agreement for 630 Trinity Road South, Ancaster, contains the following salient terms and conditions:

Area: Approximately 4,800 square feet of ground level space, known as the Education Building, to be used as stables. Approximately 200 square feet of space in Merritt Hall to be used as administrative offices.

The use of the riding arena and horse rings when available for police horse training.

Term: A Renewal Option period commencing on September 15, 2021, and expiring September 14, 2025. The lease may be terminated by the Lessee at any time with no penalty by providing six (6) months prior written notice.

Rental Rate: To be negotiated by City of Hamilton Corporate Real Estate.

CARRIED.

5.5 Missing Persons Act: Form 7 Annual Reporting (PSB 20-058)

After discussion, the Board approved the following:

Moved by: Member Mandy

Seconded by: Member Elms

That the Board receive the 2019 Missing Person - Urgent Demands for Records Report, known as Form 7, and make the report available to the public, as specified by the regulations of the Missing Person Act, 2018 of the Ministry of the Solicitor General of Ontario.

CARRIED.

5.6 Hamilton Police Service Equity, Diversity & Inclusion Plan (PSB 20-060)

After discussion, the Board approved the following:

Moved by: Member Jackson

Seconded by: Member Bennink

That the Board receive and approve the report, as provided.

CARRIED.

5.7 Hamilton Police Service Budget Process (PSB 20-061)

After discussion, the Board approved the following:

Moved by: Member Mandy

Seconded by: Member Bennink

That the Board receive and approve the report, as provided.

CARRIED.

5.8 Hamilton Police Service Response re: Use of Force Inquiries ("8 Can't Wait") (PSB 20-062)

After discussion, the Board approved the following:

Moved by: Member Mandy

Seconded by: Member Elms

That the Board receive and approve the report, as provided.

CARRIED.

5.9 Correspondence from Lisa Chamberlain, Legislative Coordinator, Clerks Office, City of Hamilton with respect to Enforcement Request of Excessive Exhaust Vehicular Noise Levels (Revised City of Hamilton Council Follow-Up Item 6.2 June 24, 2020)

After discussion, the Board approved the following:

Moved by: Member Jackson

Seconded by: Member Collins

WHEREAS muffler-less vehicles and unnecessary noise under the *Highway Traffic Act* are both enforceable by Hamilton Police Service (HPS) for operating a vehicle without a muffler or having a muffler that produces excessive noise (Bill 229 - *Highway Traffic Amendment Act* (Muffler Noise), 2007);

WHEREAS the *Highway Traffic Act* covers both motorcycles and loud cars/trucks;

WHEREAS disturbances caused by Noise Pollution affects the "quality of life" for our residents;

WHEREAS a growing and increasing number of complaints are occurring during the period of COVID-19 due to less volumes of vehicles on the road;

WHEREAS HPS blitzes carried out on the Mountain and in Waterdown during the Summer of 2013 conducted by then Sgt. Myra James were tremendously successful in reducing Excessive Vehicular Noise levels and simultaneously raising awareness of this *Highway Traffic Act* offence; and

WHEREAS Halton Regional Police have conducted successful blitzes in 2020.

THEREFORE BE IT RESOLVED:

- (a) That the Board receive the correspondence as provided; and
- (b) That the Board request the Chief of Police to enact a Strategic Enforcement of Excessive or Unusual Noise from Motor Vehicles during the Summer/Fall of 2020; and
- (c) That the Board request the Chief of Police to work in consultation with City of Hamilton Licensing and By-law Services staff to explore a possible partnership between both agencies to work together in conducting Strategic Enforcement of Excessive or Unusual Noise from Motor Vehicles for education and/or possible enforcement blitz's during the Summer/Fall of 2020; and
- (d) That the Board request the Chief of Police to provide a report back to the Board with an update on these initiatives by the end of Q4 2020.

CARRIED.

5.10 City Clerk's Division, Council Follow-Up Notice with Respect to Correspondence Respecting the Divesting and Defunding of the Hamilton Police Services

After discussion, the Board approved the following:

Moved by: Member Collins

Seconded by: Member Jackson

That the Board receive the correspondence as provided; and

That the Hamilton Police Services Board forward the Crisis Response Unit presentation, Year End Use of Force report and presentation (PSB 20-043, Hamilton Police Service Equity, Diversity & Inclusion Plan report (PSB 20-060), Hamilton Police Service Budget Process report (SPB 20-061) and Hamilton Police Service Response re: Use of Force Inquiries report ("8 Can't Wait") (PSB 20-062) from its July 23, 2020 meeting to all members of the City of Hamilton's General Issues Committee for their consideration.

CARRIED.

5.11 Deputation Request Submission from Craig Burley with respect to the Independent Review of the Events Surrounding Hamilton Pride 2019

After discussion, the Board approved the following:

Moved by: Member Collins

Seconded by: Member Bennink

That the deputation request submission from Craig Burley be approved and that Mr. Burley be scheduled to speak at the October 15, 2020 Police Services Board meeting.

CARRIED.

***5.12 Correspondence from MPP Andrea Horwath with regards to NDP - Our Caucus Commitments: Ending Police Violence. Invest in BIPOC Lives (previously listed as Consent Item 4.3 cn)**

After discussion, the Board approved the following:

Moved by: Member Collins

Seconded by: Member Bennink

That the Hamilton Police Services Board forward the Crisis Response Unit presentation, Year End Use of Force report and presentation (PSB 20-043), Hamilton Police Service Equity, Diversity & Inclusion Plan report (PSB 20-060), Hamilton Police Service Budget Process report (PSB 20-061) and Hamilton Police Service Response re: Use of Force Inquiries report ("8 Can't Wait") (PSB 20-062) from its July 23, 2020 meeting to MPP Andrea Horwath in response to her correspondence dated July 2, 2020 pertaining to her call to action on police reform and community supports.

CARRIED.

6. New Business

6.1 Hamilton's Community Safety and Well-Being Plan

After discussion, the Board approved the following:

Moved by: Member Jackson

Seconded by: Member Collins

That the Board nominate Members Fred Bennink and Pat Mandy to represent the Hamilton Police Services Board on the Advisory Committee

to support the development of Hamilton's Community Safety and Well-Being Plan.

CARRIED.

7. Adjournment

Moved by: Member Bennink
Seconded by: Member Collins

That there being no further business, the public portion of the meeting adjourned at 5:18 PM.

CARRIED.

Taken as read and approved.

Kirsten Stevenson
Administrator

Fred Eisenberger
Police Services Board Chair

July 23, 2020