



Board of Police Commissioners

Agenda

Monday, March 29th, 2021

2:00 p.m.

2nd Floor Council Chambers

**City Hall
320 Esplanade
Sydney, N S.**

Commission Members:

Commissioner Steve Gillespie

Commissioner Eldon MacDonald

Commissioner James Edwards

Citizen Appointee - Commissioner Lloyd Bailey

Citizen Appointee - Commissioner Dale Deering-Bert

Citizen Appointee - Commissioner Helen Luedee

Cape Breton Regional Municipality

Board of Police Commissioners

Agenda

Monday, March 29th, 2021

2:00 p.m.

2nd Floor Council Chambers, City Hall

1. **Call to Order:** Deborah Campbell Ryan, Municipal Clerk

2. **Administration of the Oaths of Office for Commissioners:** Deborah Campbell Ryan, Municipal Clerk

3. **Election/Selection of Chair:** Deborah Campbell Ryan, Municipal Clerk

4. **Roll Call**

5. **Election/Selection of Vice Chair**

6. **Approval of Minutes:** (previously distributed)
 - **June 22nd, 2020**

7. **Approval of Agenda** (motion required)

8. **Training for Police Commissioners by Department of Justice:** Acting Chief Robert Walsh (See page 3)

9. **CBRPS Proposed Budget 2021-2022:** Acting Chief Robert Walsh (See page 5)

10. **Divisional Reports:** Acting Superintendent Reg Hutchings and Inspector Paul Muise
**To be distributed prior to meeting*

Adjournment

Municipal Police Boards

Authority of Boards of Police Commissioners under the Nova Scotia *Police Act*
Proclaimed January 1, 2006

Authority of the Police Board Chair

On behalf of the board, the board chair or the chair's delegate **may give advice or direction**, in writing, to the chief officer on any matter within the jurisdiction of the board under this Act, but **not to** other members of the police department and, for greater certainty, no other member of the board shall give advice or direction to a member of the police department. **Sec. 52**

Training for Police Boards

The members of a board shall undergo any training that may be provided for members of the board or required by the Minister or by the regulations. **Sec. 54**

Setting the Police Department's Annual Budget

The board shall annually cause the chief officer to prepare a budget for the police department. **Sec. 53 (1)**

The board shall ensure that the budget prepared pursuant to subsection (1) is consistent with those matters referred to in subsection 55(3). **Sec. 53 (2)**

The budget prepared pursuant to this Section shall be submitted to council by the board for approval. **Sec. 53 (3)**

Functions

Function of the Police Board

The function of a board **is to provide**

- a civilian governance on behalf of the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality; and
- b the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department,

but the board shall **not exercise jurisdiction** relating to

- c complaints, discipline or personnel conduct except in respect of the chief officer of the municipal police department;
- d a specific prosecution or investigation; or
- e the actual day-to-day direction of the police department.

Sec. 55 (1)

With the approval of the Minister, the council, by by-law, may prescribe

- a the additional or more specific roles and responsibilities of a board; and
- b the rules and regulations governing proceedings of a board, and the board has sole jurisdiction over the matters so delegated to it. **Sec. 55 (2)**

Specific Functions of the Police Board

Without limiting the generality of subsection (1), a board shall

- a determine, in consultation with the chief officer, priorities, objectives and goals respecting police services in the community;
- b ensure the chief officer establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
- c ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
- d ensure that police services are delivered in a manner consistent with community values, needs and expectations;
- e act as a conduit between the community and the police service providers;
- f recommend policies, administrative and organizational direction for the effective management of the police department;
- g review with the chief officer information provided by the chief officer respecting complaints and internal discipline;
- h ensure a strategic plan and business plan is in place; and
- i ensure the department is managed by the chief officer according to best practices and operates effectively and efficiently. **Sec. 55 (3)**

Responsibilities

Upon Receiving a Complaint Related to the Chief of Police

A complaint respecting the conduct or performance of duty of a member of a municipal police department who is the chief officer shall be referred to the board.

Sec. 73 (1)

The board shall investigate the complaint and attempt to resolve the complaint.

Sec. 73 (2)

The board may designate a person to investigate the complaint and report to the board.

Sec. 73 (3)

A person conducting an investigation pursuant to this Section is a special constable and has all the powers and immunities of a peace officer during the investigation and any hearing related to the matter under investigation.

Sec. 73 (4)

Where the complaint is not satisfactorily resolved by the board and where the person making the complaint or the chief officer has requested a review of that decision by the Review Board, the complaint shall be referred to the Complaints Commissioner in accordance with the regulations.

Sec. 73 (5)

The board shall report all complaints concerning a chief officer to the Complaints Commissioner at the time and in the manner prescribed by the regulations.

Sec. 73 (6)

Policy Regarding Police Extra Duty and Off Duty Employment

Every board shall establish a written policy respecting **extra-duty employment** by members of its police department and the policy shall

- a define extra-duty employment;
- b provide that requests for a member of the police department to be employed on extra duty be made to the chief officer;
- c require that a member of the police department engaged in extra-duty employment be in uniform except where the chief officer determines that plain clothes are required; and
- d require that at all times while on extra duty the member of the police department is under the orders of the police department and no one else.

Sec. 56 (1)

Every board shall establish a written policy respecting **off-duty employment** by members of its police department and the policy shall

- a define off-duty employment;
- b set policy guidelines regarding permitted and prohibited off-duty employment;
- c prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and
- d prohibit a member of the police department from being in uniform while engaged in off-duty employment.

Sec. 56 (2)

The chief officer shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy.

Sec. 56 (3)

Staff Composition of a Municipal Police Department

A municipal police department shall consist of a chief officer and such other members, special constables, by-law enforcement officers and civilian employees as the council, after consultation with the board, may from time to time determine.

Sec. 37 (1)

Staffing Matters

Members, special constables, by-law enforcement officers and civilian employees of a municipal police department, other than the chief officer, shall be appointed, promoted, suspended, dismissed or reinstated by the board on the recommendation of the chief officer or by the chief officer in accordance with a by-law made by the municipality for that purpose.

Sec. 37 (4)

	Projected Operating Results 2020-21	Approved Budget 2020-21	Requested Budget 2021-22	Budget Increase (Decrease)	Pre-Covid Draft Budget 2020-21	Pre-Covid Budget Variance
Police Services						
6000 WAGES/SALARIES	\$ 21,047,966	\$ 22,519,599	\$ 23,082,229	\$ 562,630	\$ 22,936,266	\$ 145,963
6010 BENEFITS	4,065,000	4,202,425	4,565,436	363,011	4,285,758	279,678
6011 WAGE RECOVERY	(2,524,039)	(3,907,964)	(3,905,272)	2,692	(3,907,964)	2,692
6180 OTHER COST RECOVERY - MEMBERTOU	(994,364)	(144,698)	(147,564)	(2,866)	(144,698)	(2,866)
GL 6000, 6010, & 6011 WAGES & BENEFITS NET OF COST RECOVERY	\$ 21,594,564	\$ 22,669,362	\$ 23,594,829	\$ 925,467	\$ 23,169,362	\$ 425,467
6020 TRAINING/EDUCATION	78,308	85,010	100,000	14,990	170,020	(70,020)
6030 TRAVEL/CONFERENCES	7,988	21,875	70,000	48,125	87,500	(17,500)
6040 PROF MEM/DUES & FEES	1,345	5,000	2,500	(2,500)	5,000	(2,500)
6050 OFFICE SUPPLIES	40,000	45,000	40,000	(5,000)	45,000	(5,000)
6060 OFFICE EQUIPMENT	76,507	30,000	45,000	15,000	30,000	15,000
6070 PHOTOCOPY SUPPLIES	13,152	18,000	18,000	-	18,000	-
6080 ADVERTISING	5,061	5,000	5,000	-	5,000	-
6090 POSTAGE & 6100 COURIER	14,411	12,000	15,000	3,000	12,000	3,000
6110 TELEPHONE/FAX	223,250	182,800	227,500	44,700	182,800	44,700
6120 PUBL./SUBSCRIPTIONS	4,840	6,000	6,000	-	6,000	-
6130 COMPUTER HARD/SOFTWARE	142,202	217,000	155,000	(62,000)	217,000	(62,000)
6140 COMPUTER SOFTWARE	125,972	107,000	130,000	23,000	107,000	23,000
6150 MEETING EXPENSES	10,000	11,500	11,500	-	11,500	-
6170 PROMOTION	8,360	11,000	11,000	-	11,000	-
7000 HEAT	17,794	50,000	25,000	(25,000)	50,000	(25,000)
7010 ELECTRICAL	103,680	110,350	110,350	-	110,350	-
7020 WATER	9,551	10,000	10,000	-	10,000	-
7030 BLDG/FACILITY MAINT	83,000	83,000	83,000	-	83,000	-
7040 BLDG/FACILITY REPAIR	27,363	15,000	15,000	-	15,000	-
7060 BLDG/FACILITY RENOV	13,841	17,500	15,000	(2,500)	15,000	-
7070 BLDG/FACILITY RENTAL	19,014	25,000	25,000	-	25,000	-
7110 SECURITY	969	3,700	2,000	(1,700)	3,700	(1,700)
7500 VEH/EQUIP MAINT	72,793	10,000	48,020	38,020	10,000	38,020
7505 GASOLINE & DIESEL	282,386	344,250	405,000	60,750	405,000	-
7510 VEH/EQUIP REPAIRS	359,386	287,717	287,717	-	287,717	-
7530 VEH/EQUIP REPLACEMENT	580,000	580,000	580,000	-	580,000	-
7540 VEH/EQUIP RENTAL	-	2,000	2,000	-	2,000	-
7550 VEH/EQUIP TOWING	3,098	5,000	5,000	-	5,000	-
8000 OPERATIONAL EQUIP	124,741	120,000	135,000	15,000	120,000	15,000
8010 OPERATIONAL MAT/SUPP	124,098	156,000	135,000	(21,000)	120,000	15,000
8020 MAINTENANCE EQUIP	15,278	7,570	7,570	-	7,570	-
8090 UNIFORMS/CLOTHING	146,744	175,000	175,000	-	175,000	-
8100 PROFESSIONAL SERVICE	168,000	130,000	135,000	5,000	130,000	5,000
8110 CONTRACTS/AGREEMENTS	20,151	28,000	28,000	-	28,000	-
8125 MAJOR INVESTIGATIONS	106,307	129,168	129,168	-	129,168	-
8150 GRANTS/SUBS TO ORG	50,000	50,000	50,000	-	50,000	-
Total Expenditures	\$ 24,674,136	\$ 25,765,802	\$ 26,839,154	\$ 1,073,352	\$ 26,438,687	\$ 400,467

	Projected Operating Results 2020-21	Approved Budget 2020-21	Requested Budget 2021-22	Budget Increase (Decrease)	Pre-Covid Draft Budget 2020-21	Pre-Covid Budget Variance
Police Services Revenue						
4751 RECORDS INQUIRIES	\$ 93,789	\$ 70,000	\$ 105,000	\$ 35,000	\$ 140,000	\$ (35,000)
5151 FINES	235,395	137,500	225,000	87,500	275,000	(50,000)
Total Revenues	\$ 329,184	\$ 207,500	\$ 330,000	\$ 122,500	\$ 415,000	\$ (85,000)

