



## **Board of Police Commissioners**

### **Agenda**

**Tuesday, December 11<sup>th</sup>, 2018**

**10:00 a.m.**

**2<sup>nd</sup> Floor Council Chambers**

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

#### **Commission Members:**

**Commissioner Steve Gillespie**

**Commissioner George MacDonald**

**Commissioner Jim MacLeod**

**Citizen Appointee - Commissioner Lloyd Bailey**

**Citizen Appointee – Commissioner Dale Deering-Bert**

**Citizen Appointee - Commissioner Paul C. MacDonald**

**Provincial Appointee – Commissioner Joseph Gillis**

*Cape Breton Regional Municipality*

**Board of Police Commissioners**

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- 
1. **Call to Order:** Deborah Campbell Ryan, Municipal Clerk
  2. **Administration of the Oaths of Office for Council and Citizen Appointees:** Demetri Kachafanas, Solicitor
  3. **Election/Selection of Chair and Vice-Chair:** Deborah Campbell Ryan, Municipal Clerk
  4. **Roll Call**
  5. **Approval of Minutes:** (previously distributed)
    - **September 11<sup>th</sup>, 2018**
  6. **Approval of Agenda** (motion required)
  7. **Orientation of New Board Members:**
    - 7.1 **Overview of Cape Breton Regional Police Services:** Chief Peter McIsaac (See page 3)
    - 7.2 **Role of Municipal Police Board:** Deborah Campbell Ryan, Municipal Clerk (See page 15)
  8. **Divisional Reports:** Staff Sergeant Joe Farrell and Staff Sergeant Bill Turner (See page 20)

**Adjournment**

# Departmental Overview

December 2018

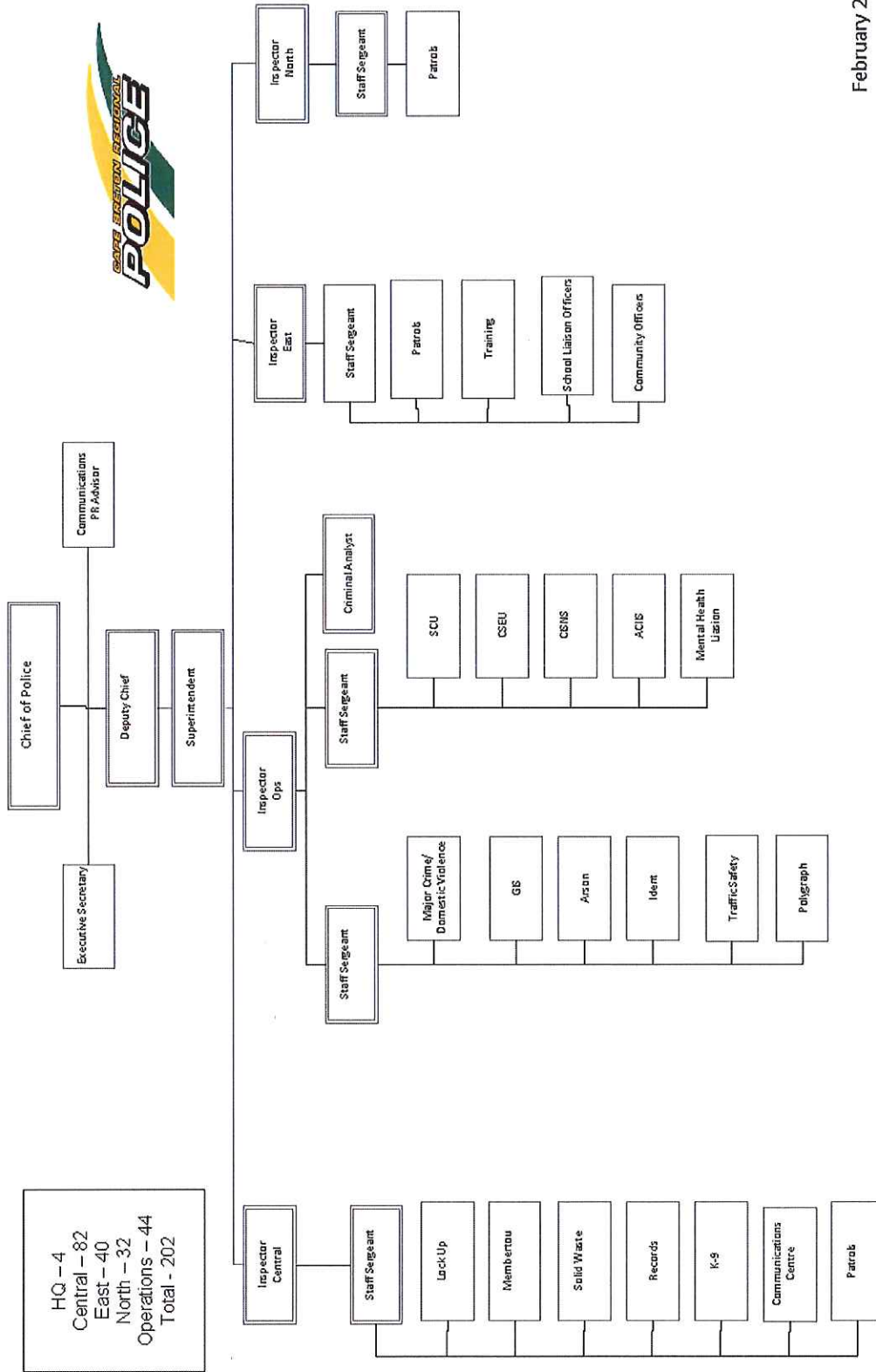


# Municipal Policing Authority

- ▶ *Nova Scotia Police Act*: Municipal Responsibility
  - Law and Order
  - Adequate, efficient, effective service
  - Crime prevention, law enforcement, victims of crime, emergency services, public order
  - Necessary infrastructure and administration
- ▶ Governance:
  - Oversight
  - Arms-length operations, respect for justice system



# Our Organization



February 2018



# At Your Service



- ▶ Patrols
- ▶ Traffic Safety
- ▶ K9
- ▶ First Nations Policing \*
- ▶ Community Officers \*
- ▶ School Liaison Officers \*
- ▶ Mental Health



- ▶ Public Safety Unit
- ▶ Emergency Response Team
- ▶ Marine & Dive Unit
- ▶ Bicycle Patrol



- ▶ Major Crime
- ▶ Domestic Violence \*
- ▶ Forensic Identification
- ▶ Polygraph
- ▶ Arson \*
- ▶ Internet Crime \*
- ▶ CSEU / Street Crime \*
- ▶ CISNS \*
- ▶ Criminal Analyst



- ▶ Comms / PR
- ▶ Records
- ▶ Lock-Up
- ▶ Training \*



# Safe Communities

- ▶ Crime Stats:

- 2016–17: +13%
- property crime

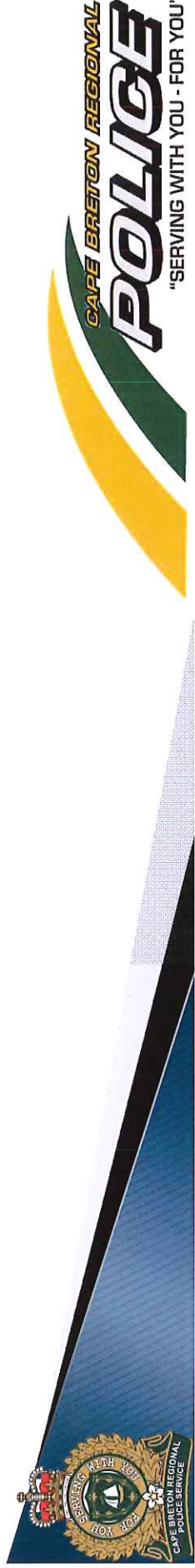
- Lower than NS & Canada

- 2013 – 2017: –20%



# Economics of Public Safety

- ▶ Policing = more than rates of crime
  - 20–30% of work reflected in statistics
- ▶ Agency of last resort –> Agency of first choice
  - Calls for Service – 65,000
  - Socio–economics of crime
- ▶ Increased demands, accountabilities, complexities = increasing costs



# Strategic Direction

- ▶ Valued Human Resources
  - Our members are our most valuable asset serving our community and must be supported professionally and personally.
- ▶ Service Delivery
  - We exist to serve our community and ensure public safety
- ▶ Effective Partnerships
  - We are guided by our motto of “Serving With You – For You”, engaging our public in partnerships for public safety.
- ▶ Financial Stability
  - Ongoing fiscal pressures mean we must be strong financial stewards.



# Human Resources

- ▶ Cohesive, positive environment
- ▶ Healthy, productive employees
- ▶ Career development, succession planning
  - Diversity
  - Competency-based assessment and career-pathing
  - Mental Health resources
  - Attendance Management & Performance



# Service Delivery

- ▶ Technology, intelligence for efficiency
  - Online reporting
  - Problem-oriented policing
  - GPS mapping, dispatch
  - CBRM wide operational platform



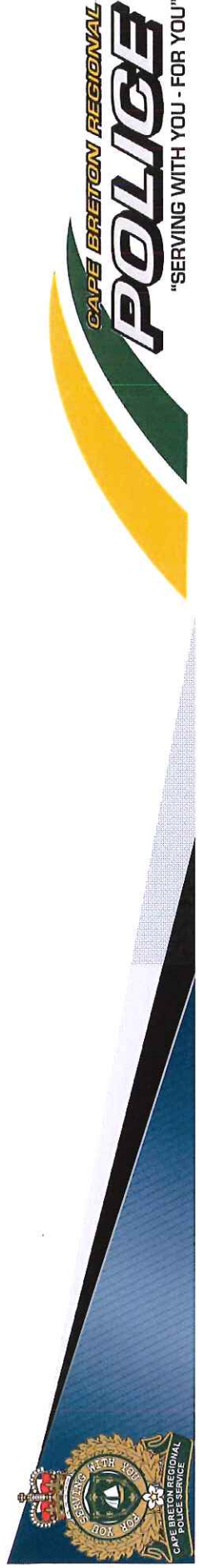
# Effective Partnerships

- ▶ Evolving community needs
  - New Canadians
  - Vulnerable, marginalized populations
- ▶ Collaboration
  - Shared roles, responsibilities
- ▶ Public engagement
  - Trust, confidence, support
  - Complexities of public safety

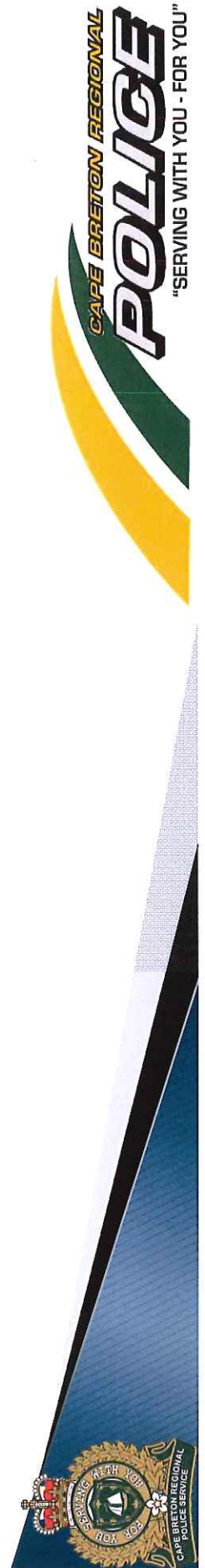


# Financial Stability

- ▶ Value for resources
  - External service delivery partnerships
  - Sick time, accommodated duties, overtime
  - Maintenance – facilities, equipment
  - Outsourcing



# “Serving With You – For You”



# Municipal Police Boards

## Authority of Boards of Police Commissioners under the Nova Scotia Police Act

### 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

## 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)**

## 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;

- 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)**

## 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)**



For more information call  
902-424-4030

**Municipal Boards of Police Commissioners**

**Board member selection process**

**76** The selection process used by a council in appointing a board member to a vacancy on the board, except a board member appointed by the Minister under clause 44(3)(c) of the Act, must include all of the following:

- (a) the board vacancy must be advertised and applications must be solicited for the vacancy;
- (b) each application must be reviewed by a panel established by the council.

**Board member qualifications**

**77 (1)** To be a candidate for appointment as a board member under Section 76, a person must demonstrate all of the following qualifications to the satisfaction of the council:

- (a) residence in the municipality served by the board;
  - (b) knowledge of community issues;
  - (c) a good character;
  - (d) the skills and abilities to make the commitment of time and effort required to carry out board responsibilities.
- (2)** To be a candidate for appointment as a board member under Section 76, a person must consent to criminal and background checks.
- (3)** A person must not be appointed as a board member if criminal and background checks show that the person has been convicted of any criminal offence or has been or is the subject of a disciplinary proceeding in any jurisdiction that, in the opinion of the council, would reasonably be expected to have a negative impact on their acting as a board member or on the board generally.

**Role of board chair**

**78** The role of a chair of a board includes the following responsibilities:

- (a) to preside over the board and to manage, organize, set agendas for and attend meetings, ensuring that all policies developed by the board are appropriately implemented;

- (b) to develop an operations and policy manual that will assist in the orientation of new appointees and direct acting board members regarding their roles and responsibilities;
- (c) to ensure that board members are informed of matters within the board's jurisdiction;
- (d) to act as the sole spokesperson for the board;
- (e) in conjunction with board members and in consultation with the Chief Administration Officer of the municipality, to evaluate the performance of the chief officer on a yearly basis.

**Code of conduct for board members**

**79 (1)** A board member must do all of the following:

- (a) uphold the letter and spirit of the code of conduct set out in this Section and discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board;
- (b) unless they have a reasonable excuse, attend every board meeting;
- (c) not interfere with the police department's operational decisions and responsibilities or with the day-to-day operation of the police department, including the recruitment and promotion of officers;
- (d) keep confidential any information disclosed or discussed at a board meeting;
- (e) not claim to speak on behalf of the board unless authorized by the chair of the board to do so;
- (f) discharge their duties loyally, faithfully, impartially and according to the Act, any other Act and any regulation, rule or by-law;
- (g) discharge their duties in a manner that respects the dignity of individuals and is in accordance with the *Human Rights Act* and the [Canadian] *Charter of Rights and Freedoms* (Canada);
- (h) not use their position inappropriately to advance their interests or the interests of any person or organization with whom or with which they are associated;

- (i) immediately resign from the board if applying for employment with a police department, including employment on contract or on fee for service;
  - (j) refrain from engaging in professional or personal conduct that could discredit or compromise the integrity of the board or the police department;
  - (k) if their conduct or performance is the subject of investigation or inquiry, temporarily withdraw from all board activities and duties as a member of the board until the completion of the investigation or inquiry.
- (2) If the chair or the majority of the board determines that a board member has breached the code of conduct for board members, the board must record that determination in its minutes.
- (3) On determining that a board member has breached the code of conduct for board members, the board may take one or more of the following actions:
  - (a) issue a reprimand to the board member;
  - (b) order a period of suspension for the board member;
  - (c) recommend to the Minister or the council that the board member be dismissed under subsection 44(7) of the Act.



**Divisional Report**  
**September 1, 2018 – November 30, 2018**

**Calls responded to by the CBRPS:**

**September 1 to November 30, 2018**

| <b>Area</b>        | <b>Calls</b>  | <b>Reportable</b> |
|--------------------|---------------|-------------------|
| North Division     | 2654          | 1081              |
| Central Division   | 5627          | 2667              |
| East Division      | 3425          | 1611              |
| <b>CBRPS Total</b> | <b>11,706</b> | <b>5359</b>       |

**September 1, 2017 to November 30, 2017**

| <b>Area</b>        | <b>Calls</b>  | <b>Reportable</b> |
|--------------------|---------------|-------------------|
| North Division     | 2748          | 973               |
| Central Division   | 5553          | 2515              |
| East Division      | 3279          | 1350              |
| <b>CBRPS Total</b> | <b>11,580</b> | <b>4,838</b>      |

**HIGHLIGHTS AND INITIATIVES**

- All officers and civilian staff have completed online Cannabis Training through the Canadian Police Knowledge Network and now have a clear understanding of the offences and penalties under the Cannabis Control Act.
- Three new constables were sworn in to service as a result of a recruitment campaign to fill existing vacancies and maintain our compliment of frontline officers on the streets in our communities.
- Participated in Operation Impact, a national campaign to raise awareness about risky driving behaviours including speed, seatbelt use, impaired driving, and distracted driving. Through checkpoints police laid a total of 64 charges for speeding (56), no seatbelt (1), and impaired driving (7).

**Training:**

- Major Crime Investigative Techniques Course, Ontario (2)
- Computer Forensic Examiner Course, Ontario (1)
- Major Case Management-Team Commander Course, Ontario (1)
- Atlantic Law Enforcement Conference, Dartmouth (1)
- Domestic Violence Educator Training, Dartmouth (1)
- Trauma Informed Training to Sexual Violence, Sydney (22)
- Critical Incident Commander Course, Ontario (2)
- Investigation & Assessment of Child Sexual Abuse Course, Dartmouth (2)
- Drug Recognition Expert Training, P.E.I and Florida (5)
- Standard Field Sobriety Testing Course, Dartmouth (2)
- Atlantic Women in Law Enforcement Conference, Moncton (4)
- Use of Force Trainer Recertification Course, P.E.I. (2)
- Forensic Interviewing Course, P.E.I. (4)
- Investigative Statement Analysis Course, Ontario (1)
- Drug Investigative Techniques Course, Ontario (1)

**Patrols:**

- Attended calls relating to incidents of Robbery, Assault, Suspicious Fires, Vehicle Theft, Vandalism, Deceased Persons, Missing Persons, Break and Enter, Motor Vehicle Accidents, Domestic Violence and Weapons Complaints, and impaired driving complaints.
- Addressed citizen complaints regarding mischief, disturbances, and noise complaints.
- Periodic checks performed on the Westmount & North side Trestles.
- Assisted investigative sections with vehicle stops.
- Participated in Remembrance Day Ceremonies across CBRM.
- Participated in several meetings with share holder and community partners.

**Lockup:**

| September | October | November | Total |
|-----------|---------|----------|-------|
| 194       | 194     | 195      | 583   |

**Membertou:**

- Responded to 387 calls for service.

- Attended/participated Directors Meeting, Conference Planning Committee Meeting, No Texting & Driving Roadside Checkpoint, Healthy Living Conference, Because You Care Cup, Bullying presentations at Membertou School, Human Rights Presentation, Family Violence Presentation
- Attends, on a regular basis, Pavilion Gaming Centre, building 3 Gaming Centre and Entertainment Centre, Day Care Centre, Elementary School, Membertou Fitness Centre, Businesses located on Churchill Drive, Monthly Ticket Draws at VON Office.

### **K-9 Unit:**

- Responded to 83 calls for K-9 service Robbery, Sexual Assault, Suicidal persons, Domestic Assault/Threat, Barricaded Persons, Missing Persons, Flight from Police, Arson, Motor Vehicle Collisions, Home Invasion, Break & Enter, Lost Items, Alarms, Assist Major Crime Unit, Street Crime Unit, ERT, IDENT members, other agencies RCMP, CBSA, EHS.
  - Located / arrested 6 persons, located 10 articles, laid 7 charges, and issued 5 Summary Offence Tickets.
- Assisted patrols with 154 calls for service, 41 alarms and 27 vehicle stops.
- Attended the EMO Exercise at Seaview Manor in Glace Bay
- Hosted a K9 introduction for St. Ann School in Glace Bay
- Regular Foot Patrols conducted in all Divisions.

### **School Liaison Officers:**

- Participated in coaching and mentoring students.
- Worked closely with school administration to address potential issues and ensure school safety.
- Investigated criminal matters that occurred during school hours.
- Assist patrol officers with files connected to students at schools.
- Dealt with incidents including: property damage, bullying, theft, working with school administration and parents to address issues internally through suspensions and restitution or through further police investigation and the Court system where warranted.
- Assisted patrol officers with files connected to students at schools.
- Worked with Addictions Services to refer youth with addiction issues.
- Helped students who were experiencing personal problems by referring to Mental Health Services.
- Attended various after school activities and events, which include sporting events, meetings, and Parent/Teacher meetings.

- Conducted various presentations including orientation for international students, a presentation regarding speed, distracted driving and texting, a presentation on the new cannabis laws as well as several sessions on policing.
- Assisted with preparations for the Remembrance Day Ceremonies in schools.

### **Community Officers:**

- Conducted foot patrol in many CBRM communities and spoke with merchants and citizens.
- Conducted safety presentations for various organizations such as Revenue Canada, Breton Ability Centre and the French School.
- Participated in a Missing Person exercise.
- Attended community events such as CBU Harm Reduction Day and Radio Day
- Attended several meetings including community office meetings and Neighborhood Watch.
- Worked with various community agencies including Crossroads Clubhouse and Breton Ability Center.
- Conducted a number of talks to senior groups on safety and fraud prevention.
- Participated in Remembrance Day Ceremonies throughout CBRM.

### **Relays (Resiliency Education Leadership Adventure and Youth Service):**

- Hosted activities such of Fear Factor-Amazing Race as well as neighbourhood BBQ's
- Took part in a demonstration of the traditional Mi'kmaq Walters game as well as Observing an archeological dig.
- Participated in the Pride Parade, a Pow Wow, Culture Camp and the Mi'kmaq Summer Games.

## **OPERATIONAL SUPPORT**

### **Traffic Safety Unit:**

- Enforced 261 *Motor Vehicle Act* charges.
  - Motor vehicle infractions.
- Assisted with several events within CBRM, Fiddlers Run, Because You Care Cup, and the Terry Fox Run

- Assisted the Public Safety Unit with Roger's Hometown Hockey security.
- Attended numerous community meetings including Sydney Downtown Redevelopment Project, Active Transportation

### **Street Crime/Drug Unit:**

- Executed 12 warrants, laid 41 charges and seized over \$33,000 worth of drugs.
- There was the first charge under the newly enacted Cannabis Act with the seizure of almost \$17,000 in cannabis.
- Assisted other agencies and sections of the CBRPS in executing search warrants, conducting surveillance and making arrests.
- Shared intelligence on persons involved in criminal activity with police agencies across Nova Scotia.
- Conducted presentations on current street-drug trends for school students and hospital staff.

### **Community Safety Enforcement Unit:**

- Worked on 190 assignments and laid 48 charges.
- Conducted numerous compliance checks, property checks, address checks, vehicle stops and attempts to execute outstanding warrants, arresting individuals breaching conditions.
- Assist other units including Major Crime, Street Crime, Arson, and Domestic Violence with property and compliance checks and extra patrols.
- Assisted patrols with calls on motor vehicle accidents, domestic violence, and disturbances.
- CSEU continued efforts in the downtown area to prevent illegal activity.

### **Major Crime/Domestic Violence Unit:**

- Assigned 33 new investigations and laid 44 criminal code charge, including Youth Criminal Justice Act charges in relation to complaints including Forcible Entry, Robbery, Assaults, Sexual Assaults, Domestic Violence, Criminal Harassment, Uttering Threats, Break and Enters, Fraud, Weapon Violations, Breach Violations, Attempt to Obstruct Justice, and executing Arrest Warrants.
  - Currently managing 47 active investigations.
- Executed 9 search warrants and production orders along with sealing orders.
- Continued preparing Court documentation for upcoming trials.

- Reviewed 249 domestic-related files and received 165 domestic violence referrals, resulting in 350 Criminal charges.

### **General Investigation Section**

- Assigned 85 new files for investigation, including sexual offences, theft, assault, and Breaches of Court orders. A total of 39 charges were laid.
- Currently managing 51 active investigations.
- Prepared and executed multiple search warrants and production orders.
- Registered persons on the National Sex Offender Registry.

### **Arson Investigator:**

- Leading 11 active criminal investigations.
- Investigations into offences including Arson, Possession of Incendiary Materials, Break and Enter, Forcible Entry as well as breaches of court orders resulting in 25 criminal charges being laid.
- Prepare and execute production orders related to ongoing investigations.
- Worked closely with the Fire Marshall's office, polygraph examiner and Forensic Identification Unit, Insurance Bureau of Canada and CBRM Inspection and Bylaws, as well as RCMP Technology Lab in Halifax.

### **Internet Child Exploitation Unit (ICE) / Computer Forensic Unit:**

- Worked on 44 investigations including incidents of child luring, child pornography and the forensic analysis of computers and mobile devices such as tablets and cell phones.
- Prepared and executed several search warrants and production orders.

### **Forensic Identification Unit:**

- Responded to 96 calls for service including: Arson, Deceased Persons, Photo array requests, Break & Enter, Assist Other Agency requests, Mischief, Recovered Stolen Vehicles, Assault, Sexual Assault, Motor Vehicle Accidents, Home Invasion, Search Warrants, Damage.
- Prepared files for court including exhibit preparation.
- Maintained exhibit control for all evidence seized by the police service, and managed all photographic evidence.

- Conducted lab work associated with file exhibits submitted by Major Crime, General Investigation Unit, Arson Investigation Unit and Patrols for processing.
- Conducted examinations is 3 related fingerprint and 3 related footwear examinations and identifications

#### **Solid Waste:**

- Received 54 complaints of illegal dumping resulting in 2 charges laid.
- Several interviews carried out.

#### **Polygraph Unit:**

- Assisted members of Major Crime, General Investigative Section, Arson Investigator and Patrols with several investigations, conducting Polygraph tests, taking statements and conducting interviews, and advising on interview strategy and technique.

#### **Criminal Analyst:**

- Assisted with investigations, analyzing data, producing reports and crime mapping to identify potential suspects, timelines and target areas.
- Fulfilled internal and external requests for statistical information.
- Facilitated information sharing with Criminal Intelligence Service of Nova Scotia and maintained all information entries to the Automated Criminal Intelligence Information System (ACIIS).
- Liaised with Correctional Services Canada for information sharing on federal parolees.
- Created documentation for Prolific Offender's going to Court, liaising with Crown's Office to promote a zero tolerance approach to remand.

#### **Mental Health Liaison Officer:**

- Acted as a liaison between the NSHA and the CBRPS to help address systemic issues and resolve particular situations involving individuals with mental health disorders.
- Assisted with training in Mental Health, including strategies for officers to identify and resolve situations dealing with persons suffering from mental illness.
- Participated in community education committees and focus groups, conducted presentations and advocacy, provided outreach services to support individuals with mental illness and accompany mental health nurses meeting with unpredictable/concerning clients.
- Collaborated with Crown Prosecutors, Defence Lawyers and Mental Health professionals on supportive plans for those involved in the justice system.

- Assisted officers with cases involving emotionally disturbed persons and incidents involving patients within the Cape Breton Regional Hospital.

