

BOARD OF POLICE COMMISSIONERS
MINUTES

March 18, 2013

PRESENT: Commissioner Earl Gosse, Chair
Commissioner Micki Ruth, Vice Chair
Commissioner Michael Moreash
Commissioner Phillip Read
Commissioner Linda Mosher
Commissioner Tim Outhit
Commissioner Barry Dalrymple

STAFF: Chief Jean-Michel Blais
Deputy Chief Bill Moore, Halifax Regional Police
Inspector Dennis Daley, RCMP
Superintendent Trish MacCormick, RCMP
Sergeant R. Scott Macdonald
Mr. Richard Butts, CAO
Mr. Matt Godwin, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 12:30 p.m. in the Meisner Room, Police Headquarters.

2. APPROVAL OF MINUTES – February 25, 2013

The minutes of February 25, 2013 were before the Board.

MOVED by Commissioner Moreash, seconded by Commissioner Read that the minutes of February 25, 2013 be approved as presented. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

Additions:

1. Chief's Directional Statement 2013

MOVED by Commissioner Ruth, seconded by Commissioner Dalrymple that the agenda be accepted as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

A letter from Dalhousie University was presented, acknowledging the Chief's recent lecture for graduate students in Library and Information Science.

7. REPORTS

7.1 Staff

7.1.1 RCMP Reports

The February RCMP Reports were before the Board.

Inspector Daley circulated the Dashboard.

Inspector Daley indicated the upcoming review of the Mayor's Roundtable on Violence; provided an update on firearm incidents; noted a recent media spot which spoke to thefts of motor vehicles. He also advised the appointment of Trish McCormick to the

criminal investigation division and that Superintendent Roland Wells will be assuming the Officer in Charge duties soon.

Inspector Daley pointed to the comparison data he has provided following a request from Commissioner Dalrymple. It provides comparison data on population per officer, caseload and the new crime severity index. At present, HRM ranks 83rd in their list of jurisdictions.

Commissioner Dalrymple noted he was pleased to see the caseload level and commented that the crime severity index is a better indicator than just homicides. HRM's comparative performance is far better than one might expect given perception.

The Chief made the point that if you have more reported crimes, it may not mean criminal activity is rising, but rather enforcement is on the rise.

MOVED by Commissioner Read, seconded by Commissioner Outhit that the February RCMP reports be received by the Board. MOTION PUT AND PASSED.

7.1.2 HRP Reports

The February HRP Reports were before the Board.

Chief Blais noted that he will be attending a church service on Sunday, March 24, 2013 focusing on racial discrimination.

Chief Blais circulated the police blotter, which offers a tally of one day's criminal activity. The document indicates the date time and district. The Chief provided highlights and noted it is complementary to the ongoing crime mapping service.

Commissioner Moreash asked about the distribution of the document and the Chief indicated it would be sent to the media and can be sent to the Board.

Councillor Outhit asked if it will be sent to the other Councillors and Deputy Chief Moore noted it will be disseminated broadly through the 12 hour media reports.

Chief Blais congratulated Superintendent Stephen Sykes on his retirement after 39 years of service.

Commissioner Ruth asked about the origin of the report and Deputy Chief Moore indicated that it was at the request of the Coast. The blotter is common to other jurisdictions and will not be labour-intensive to produce; it will also not take the place of their existing media updates.

MOVED by Commissioner Moreash, seconded by Commissioner Outhit that the February HRP reports be received by the Board. MOTION PUT AND PASSED.

7.1.3 Public Safety Update - Sergeant R. Scott MacDonald

The March Public Safety Update was before the Board.

Sergeant Macdonald reported that with the mid-February release of the crime mapping tool, the HRP has received requests for further data and noted the feedback has been much more on the positive side. The provision of this service addressed number 29 of the Mayor's Roundtable on Violence.

Sergeant MacDonald further noted that reviewing the Mayor's Roundtable on Violence was unanimously endorsed by Halifax Regional Council.

Commissioner Dalrymple noted that the public has been asking for years for this kind of information and thanks to this initiative law enforcement are making great strides toward transparency.

The Chair indicated that Commissioner Dalrymple's comments reflect the sentiments of the Board.

MOVED by Commissioner Moreash, seconded by Commissioner Read that the March Public Safety Update be received by the Board. MOTION PUT AND PASSED.

7.1.4 Court Time

Commissioner Dalrymple indicated there must be something the Board can do to address the costs associated with this.

Commissioner Mosher asked what had happened with the discussion on having a municipal court, with the Chair responding that it was on last year's list of objectives, but the previous Chief and Mayor did not want to move forward on the item.

The Chair indicated a desire to have the item on a future agenda.

The Chief indicated this item takes up a great deal of officers' time.

Commissioner Ruth noted that the item fits well with the economics of policing considerations.

Deputy Chief Moore noted a new approach to this issue will pay off in the long run. Having officers turn up to court when witnesses fail to attend, among other issues, continues to be a significant drain on time.

The Chair noted that the past Chief had offered to do a draft document on this issue, but it never returned to the committee.

The Chief responded that he was willing to provide a document addressing the court time issue to the committee at a future meeting.

Deputy Chief Moore indicated that the fall may be the best time to return with this item. He further noted that the HRP would see immediate cost savings on breathalyzers alone.

Inspector Daley noted that the RCMP faces the same challenges. When officers are transferred to other jurisdictions, but are called back to testify, the Crown has been supportive. However, there is still a cost to this and, in addition, when the laboratory closes in Nova Scotia further travel will be required. In New Brunswick, video conference testimony is allowed.

Commissioner Dalrymple advised that he would like to see overtime costs going back several years. He would also see the costs for witness travel, whether they are civilian or police.

Commissioner Read asked what other levels of government should be involved in this discussion and that it should be an item for discussion provincially as well.

Deputy Chief Moore advised selecting witnesses is out of the HRP's hands, but it is HRP who is required to pay officer overtime.

The Chair indicated that the Chief's report will be the starting point for further discussion on the matter.

7.1.5 Chief's Strategic Direction

The Chief's 2013 Directional Statement, dated February 4, 2013, was before the Board.

The Chief requested input from the Board on the document.

The Chief raised the possibility of submitting an annual report from the Board to Regional Council. It would detail what the HRP has done and its plans for the future. He noted that there used to be a process like this, but this is no longer the case.

Deputy Chief Moore indicated the content and type of report is here for discussion and any feedback from the Board would be appreciated. His strategic communications staff are already considering this.

The Chief noted that the 2013/2014 budget is still an item for him and that he will address the Audit and Finance Standing Committee on March 20, 2013 regarding it.

The Chief indicated he would like to start discussion on the next budget earlier, particularly with the union, to avoid any unnecessary issues. This priority will dovetail with the strategic planning process, which will be led by Deputy Chief Moore.

7.2 Commissioners

The Chair advised that he has spoken to Mayor Savage regarding the Mayor's Roundtable on Violence and expressed the Board's opinion that they are glad to see it moving forward. He also noted that the advertisement for a new Board member has been circulated.

Commissioner Outhit also spoke to the Mayor on the roundtable and noted there is significant support for bringing it back. He was also glad to see the pedestrian safety campaign. He further noted that in past years HRP had a campaign to help get guns off the streets, "pistols for pixels" and asked if it was time to reinvigorate an initiative to do the same.

Sergeant Macdonald said he had had some discussion pertaining to this issue in the fall. He noted that a program like this took place in Toronto during hunting season and was considered a success and Winnipeg has also done something similar recently. He also noted that if there is no reward the Board should be prepared to have less interest.

Commissioner Outhit indicated that Councillors may be able to help with this and raised an experience he had at a hockey game in the US, where the team sponsored a gun return program.

Sergeant MacDonald indicated that most guns used in crimes are stolen out of the homes of legitimate owners. Owners should dispense with guns they do not use.

Deputy Chief Moore indicated that at all times, if someone wants to be relieved of their firearm, the police will come to retrieve it.

Commissioner Ruth reported that she testified last week to a House of Commons committee on the witness protection program. The Canadian Association of Police (CAPB) Boards indicated that recent changes have not gone far enough and more witnessed need to be allowed into the program. In 2011/12, only 30 of 108 individuals being considered for protection were admitted. The total cost of the program was roughly \$9.1 million.

Commissioner Ruth further noted that she is going to Ottawa again for the CAPB lobby days where members will meet with Members of Parliament. Most of the MPs she is meeting are Liberals. Along with the economics of policing, they will also be raising the Mental Health Act as well as First Nations policing.

Returning to the firearms collection item, Commissioner Mosher noted that one American city partnered with a jewelry store to create an innovative program. It was called the called the "calibre collection". She also indicated that Councillors may be willing to contribute some of their district funding to a program for gun retrieval.

Councillor Dalrymple echoed those remarks. Councillors have contacts who might be willing to support this initiative. The last program was a success. On another note, he has received a great deal of positive feedback on the crime-mapping website and that the crosswalk safety and bus ads are generating lots of conversation.

7.2.1 Updates

7.2.2 Presentation – Commissioner Ruth (15 mins.)

A summary of Commissioner Ruth's presentation was before the Board.

Commissioner Ruth offered a presentation on her recent attendance at a summit on the economics of policing, at which the Chief was also an attendee, in Ottawa.

She noted the conference was well attended, with about thirty speakers from Canada, the United States, the United Kingdom and New Zealand. A general theme of the conference was the need for a holistic approach to finding solutions that includes others such as Justice, Health and Social Services.

Commissioner Ruth also noted that representatives from other countries indicated that Canada still has time to avoid the mistakes those countries have made. The country must look more broadly than frontline policing and consider the impact of education and how we define crime itself.

Commissioner Ruth indicated that the document provided to the Board is what will be taken to Ottawa for the CAPB's lobbying days.

Inspector Daley asked what mistakes other countries referenced that they had made and the Chief responded that it was more with respect to the model of policing, given that the US model is more centralized and as a result many cities have had to borrow money to fund operations.

Inspector Daley asked if any weight was given to safety and Commissioner Ruth responded that the focus on this was limited, particularly given that no one from health or housing spoke.

Deputy Chief Moore asked if community mobilization was discussed and the Chief noted that a woman from Scotland, with a health background, spoke to the relationship between health and crime.

Deputy Chief Moore referenced the efforts of the former police Chief in Prince Albert who brought together various departments such as health, education, community workers and others to create a community approach. Scotland has a similar community health model.

Inspector Daley noted they are adopting a similar approach to Price Albert involving a partnership with Education. The second phase of CommStat involves offender management as well as a risk assessment piece.

Commissioner Moreash would like to see more on this approach at a future meeting and Commissioner Dalrymple indicated that a presentation on this would be ideal for the Mayor's Roundtable on Violence.

Deputy Chief Moore advised that his staff are instituting a Youth Advocate Program focusing on youth ages 7-14 who are vulnerable to gang activity.

7.2.3 Chair – Departing Remarks (15 mins.)

The Chair advised that this meeting would likely be his final meeting as Chair of the Board and read the following into the minutes as parting words for the Board:

1. Board members time on board

This culminates four years for me on the board which is longer than any Halifax board member for quite some time. Yet other municipal board members often serve much longer, sometimes in the order of 10+ years. Other Nova Scotia municipal board members have served on national boards, while Halifax has not had that kind of representation. It seemed to me that for a Halifax board member, if one were to get on a national board, that person would probably be near the end of his/her term without being extended. However I would encourage anyone who is interested to simply offer to serve on a national board and trust that the council would take that into account and likely extend the term with that as justification.

2. Attendance at conferences

In the past two years our board has been represented at provincial and national conferences. However in that period no council appointee has attended even though approval was given. The value of these conferences is tremendous in terms of sharing of information from other municipal boards. The provincial conferences are particularly beneficial because it is a good mixture of board members and Chiefs of Police. So a good cross section of board representation is encouraged. And it is imperative that we have representation at this year's national conference because of our turn to host the closing ceremonies, and prepare for hosting the conference the following year. We have exciting times ahead.

3. Chair/vice chair positions

For my first two years the chair and vice chair were council appointees and the NSAPB appointee was a councillor, and for the past two years they have all been citizen appointees. I think that we should remain open to either citizen or council appointees serving in those positions, and also share the representation on various committees and other provincial boards.

4. Board image

I have heard previous and current board members concerned about the image of the board, not wanting to appear as the coffee club/lunch club, whatever. My thoughts are not to get too hung up on that. We have a job to do in accordance with the Police Act, and we should simply do it without feeling the need to gain some kind of visibility. However I anticipate that that visibility will come with the impending contract negotiations and the hosting of a national conference in less than two years.

5. Confidentiality/Spokesperson for board

The Police Act item 79(1) (d) and (e) states that board members keep confidential any information disclosed or discussed at a board meeting, and not claim to speak on behalf of the board unless authorized by the chair. Freedom of Information legislation has its limits. We still have protected lawyer/client privilege, doctor/patient information, and the media protect their sources. Those people stand to lose their job for disclosing information. Military members can be jailed for life or executed for disclosing information. This board also must guard information of a sensitive nature. It is incorrect to think that you can share information with someone else who has sworn an oath. You can only share information with someone else who has sworn to protect information and also has a need to know.

6. Two tier policing

I have heard various members and the media refer to the promise held by setting up two standards of police officer, of which the lower standard officer is much lower paid, in order to manage budgets. I personally think that that is a wrong headed approach for various reasons, so don't go there. Firstly, the basic requirements to become a police officer is really not that high, to have high school education, be healthy, and to have no criminal record. So would a lower calibre of officer not have high school, or maybe have a minor criminal record, or not really be fit? Two tier systems is becoming the trend in some other occupations, mainly because the managers use it as a way of avoiding dealing with the runaway salary costs of the main stay certified workers. And it is possible to get away with that in other occupations because the organization has time to assign jobs to people based on their capabilities. In the case of a police officer, the public has an expectation that if they see a uniformed officer then that officer can respond to on the spot distress needs such as apprehending a bank robber or any other criminal activity. The response from the police officer, to someone crying for help, cannot be "sorry I am not certified for this type of police work". The proper way of managing the rising costs of police salaries is simply to pay the market value for a police officer, no more, no less. This leads to my final point.

7. Budget and costs

I have frequently heard it said that policing is in the middle of the "perfect storm", and comparisons being made to health care costs. It is totally misplaced to make

those comparisons. The exponentially increasing costs of paying out pensions and covering medical costs of an aging population at a time when the revenue base shrinks, is going to bankrupt the western world in a few years. Whereas an aging population usually leads to a diminishing crime rate, even though concern about crime may rise. In policing we have created a mini crisis by agreeing to salary settlements that is not based on supply and demand. For example HRM has been locked in for about 12 years to a made in Central Canada salary scale leading us to pay more than is quite likely necessary to recruit and retain fully qualified police officers. It is dumb headed. We need a made in Atlantic Canada salary scale.

The discussion turned to the selection of a new Chair and Vice Chair.

Commissioner Mosher suggested the item be deferred until the next meeting as the new member should be able to participate. She noted that previously the CAO used to appoint the Chair and pointed out that meetings worked well when a new member was Chair of the Board and that the advertisement lists a specific skillset required.

The Chair advised he would like the terms of the Chair and Vice Chair to begin on the first of April so he can retain signing authority until then and completed some unfinished business.

Commissioners Moreash and Read advised their preference to have the vote now as it has been deferred for too long. Commissioner Dalrymple indicated the same preference.

8. ADDED ITEMS – NONE

9. Appointment of Chair and Vice Chair

The Clerk called for nominations for the position of Chair of the Board of Police Commissioners.

MOVED by Commissioner Moreash, seconded by Commissioner Dalrymple that Commissioner Micki Ruth be appointed Chair of the Board of Police Commissioners effective April 1, 2013. MOTION PUT AND PASSED.

MOVED by Commissioner Moreash, seconded by Commissioner Outhit that Commissioner Phillip Read be appointed Vice Chair of the Board of Police Commissioners effective April 1, 2013.

The Chair nominated Commissioner Mosher for Vice Chair. There was no seconder for the motion. MOTION FAILS.

On the nomination of Commissioner Read a vote was taken.

MOTION PUT AND PASSED.

The Chair offered his congratulations to the new Chair and Vice Chair.

Commissioner Read offered the Board's gratitude to the outgoing Chair, Commissioner Gosse. Applause was offered by the Board.

**MOVED by Commissioner Ruth, seconded by Commissioner Outhit that the Board of Police Commissioners move In Camera to discuss personnel matters.
MOTION PUT AND PASSED.**

**10. IN CAMERA
10.1 Approval of the Minutes**

This item was discussed In Camera.

10.2 Approval of the Order of Business

This item was discussed In Camera.

10.3 Personnel

This item was discussed In Camera.

11. NEXT MEETING DATE – April 8, 2013

12. ADJOURNMENT

The meeting was adjourned at 2:15 p.m.

Matt Godwin
Legislative Assistant