



LONDON POLICE SERVICES BOARD MINUTES OF THE PUBLIC MEETING

Thursday April 16, 2020
Commencing at 11:35 a.m.

Virtual Meeting, Webex

PRESENT:

J. Sukhera, Chair; S. Toth, Vice Chair; Board Members J. Helmer, J. Lang, E. Holder and M. Cassidy; P. Strickland, Board Counsel; S. Williams, Chief of Police; T. McIntyre, Deputy Chief of Police, Operations; S. Betts, Deputy Chief of Police, Administration; P. Malone, Director of Legal Services; J. Foster, Board Administrator; D. Tilley, Ministry of Community Safety and Correctional Services (MCSCS) Zone Advisor; and members of the community and media.

1. Meeting called to order

Chair Sukhera welcomed all to the meeting and spoke about the unprecedented situation COVID-19 has created. He advised that the Board continues to exercise their governance role and is in regular communication with LPS leadership. He spoke of his experience as a health worker sharing his appreciation for the community's outpouring of love and support to him and to his colleagues. Many in our community are struggling and the heaviest on his heart now is the impact of the pandemic on those most vulnerable in our community. He said that if you are struggling, know you are not alone. Chair Sukhera thanked LPS leadership and members for their flexibility and for rising up to meet this challenge with compassion and courage. He thanked the community and said we are rising up together in shared experience and will get through this together. He thanked Ms. Jennifer Foster for her dedication, guidance and experience in assisting the Board with the necessary infrastructure to allow the Board to continue their role through the pandemic.

2. Disclosure of Interest – None

3. Introduction of Addendum Items and New Business

MOVED BY: E. Holder
Seconded by: J. Lang

“That the Board add for discussion during agenda item #16 the Human Trafficking Education and Awareness Grant and COVID-19 status information.”

CARRIED

4. Minutes of the February 20, 2020 Public LPSB meeting

MOVED BY: J. Helmer
Seconded by: M. Cassidy

“That the minutes of the February 20, 2020 Public Board meeting be adopted as presented.”

CARRIED

5. First Quarterly Report – Crime Stoppers and Pursuit Statistics

Deputy Chief McIntyre advised that there are no noteworthy trends in this report. Vice Chair Toth requested that in future, a “definitions” section be included in this report. Deputy Chief McIntyre said yes.

MOVED BY: E. Holder
Seconded by: J. Lang

“That the Board receives for informational purposes the First Quarterly Report – Crime Stoppers and Pursuit Statistics Report.”

CARRIED

6. First Quarterly Report – Complaints Against Police

Deputy Chief McIntyre said there are no noteworthy trends in this report.

Chair Sukhera referenced the Complaints presentation received by the Board at the November, 2019 Public meeting, noting that receiving feedback from the community is an important role of the Board. He said if anyone has any concerns, it’s important they share them with LPS.

MOVED BY: J. Helmer
Seconded by: S. Toth

“That the Board receives for informational purposes the First Quarterly Report – Complaints Against Police Report.”

CARRIED

7. 2019 Use of Force Statistics

Deputy Chief Betts drew attention to the report appendix, the Ontario Use of Force Model which guides Ontario police officers in the use of force continuum. He noted the extremely complex decisions related to use of force. Usually, no opportunity exists for deliberation and there is a requirement to act almost immediately in response to the behaviour of the subject who the officer is dealing with. He shared that officer presence and communication are central to the model and key to de-escalation. Only 0.2 % of interactions result in the application of use of force. LPS continually adjusts training with lessons learned and overall, LPS has seen a decrease in incidents of use of force likely related to increased and enhanced training of officers. He noted that race-based data will be included in future Use of Force annual reports.

Vice Chair Toth thanked Deputy Chief Betts for the detail in his written and oral reports, creating transparency and trust, in particular the addition of gathering and analyzing race-based data. She said this is an important report and a good news story.

MOVED BY: J. Lang
Seconded by: M. Cassidy

“That the Board receives for informational purposes the 2019 Use of Force Statistics Report.”

CARRIED

8. Annual Statistical Summary Report – Freedom of Information Unit

Deputy Chief Betts said this report shows an increase in the number of Freedom of Information (FOI) requests. Requests are often complex and time consuming though LPS generally still maintains the required service timelines. However, the costs associated to processing FOI requests far outweigh the revenue they generate.

Vice Chair Toth asked if this is a standard report, and if future reports could contain additional detail respecting the exemptions related to information that is not shared. For example, when and why are the various exemptions applied? She is interested in balancing transparency and protecting information that needs to be kept private. Deputy Chief Betts said her request is fair and LPS will ensure that information is included in next year's report.

MOVED BY: J. Helmer
Seconded by: E. Holder

“That the Board receives for informational purposes the Annual Statistical Summary Report – Freedom of Information Unit 2019 Report.”

CARRIED

9. Criminal Investigation Division Mandatory Board Report

Deputy Chief McIntyre said his report provides a snapshot of activity in LPS's Criminal Investigation Division in 2019.

MOVED BY: J. Helmer
Seconded by: S. Toth

“That the Board receives for informational purposes the 2019 Criminal Investigation Division Mandatory Board Report.”

CARRIED

10. Organized Crime Section Report

MOVED BY: E. Holder
Seconded by: M. Cassidy

“That the Board receives for informational purposes the 2019 Organized Crime Section Report.”

CARRIED

11. Internal Task Forces Adequacy Standards Report

MOVED BY: M. Cassidy
Seconded by: J. Helmer

“That the Board receives for informational purposes the 2019 Internal Task Forces Adequacy Standards Report.”

CARRIED

12. Audit of LPSB Special Funds

Deputy Chief Betts advised that this annual report relates to Board funds, Policy #106. There are two Board accounts, one with Tangerine and one with TD Canada Trust. LPS Finance Director Kim Darling completes this audit annually.

Vice Chair Toth asked for an explanation as to why we have these two accounts and is that efficient. Deputy Chief Betts stated there is a two decade history related to the LPSB Special Funds account. At the time the Board gave direction regarding financial aspects of this account through a financial audit. In 2003, the Board again directed an

allocation of funds which included funding to help offset the costs of LPS's 150th anniversary. What remains of those funds is what is referenced in this report. Use of these funds is within the Board's discretion.

Ms. Foster explained that to her knowledge, these accounts were created from funds received through the return of property to the LPS several years ago (pre-2010) and the accounts have not been accessed in the past ten years. Vice Chair Toth suggested the Board consider merging the accounts and discuss what we wish to do with the funds contained therein.

MOVED BY: S. Toth
Seconded by: J. Helmer

“That the Board receives for informational purposes the Audit of LPSB Special Funds Report and that the Board reviews the accounts, considers options for merging the accounts and explores appropriate use of the existing funds.”

CARRIED

13. 2019 Year End Position and Reserve Fund Balances

Deputy Chief Betts provided a summary of LPS's 2019 operating budget year end position. Very close accounting and adherence to budget efficiencies allowed for a 0.5% variance from the approved budget – a very small variance and a positive outcome particularly in the context of this being LPS's first four-year budget cycle. Deputy Chief Betts advised that the four reserves are maintaining a favourable and appropriate balance in accordance with City of London provisions. He asked the Board to confirm the positive variance from the 2016 – 2019 operating budget and that it be deposited into the Unfunded Liabilities Reserve Fund during a turbulent economic time when accessing the Unfunded Liabilities Reserve Fund could become necessary.

MOVED BY: J. Lang
Seconded by: J. Helmer

“That the Board receives for informational purposes the 2019 Year End Position and Reserve Fund Balances Report.”

CARRIED

14. Emergency Powers – Social Distancing Stops by Police (verbal)

Chair Sukhera shared that the Board has heard community concerns in relation to the execution by police of the Ontario State of Emergency Powers. Chair Sukhera

has had regular contact with Chief Williams and LPS leadership throughout the pandemic. Most calls regarding infractions fall under the City of London By-Law Enforcement team's responsibility, not LPS. He said the Board recognizes the impact on vulnerable members of our community and encourages feedback.

Chief Williams said LPS has a very good partnership with the City of London By-Law enforcement team supervised by Mr. Orest Katolyk. It is understood that they are very busy and LPS appreciates their handling of these matters. LPS officers are not completely detached from these issues though and are prepared to step in to assist during the course of their regular duties, as needed.

Vice Chair Toth said it is important to ensure the community is aware that enforcement of the Ontario State of Emergency Powers is primarily the responsibility of By-Law officers of the City. The Board is cognizant of concerns around potential for policing out vulnerable populations. Chief Williams and all of Administration have been very open to ensuring these issues are dealt with. She hopes that the City of London is tracking the meaningful data in relation to vulnerable and marginalized populations.

15. Towing – Service Delivery Model Review (verbal)

Chair Sukhera advised that the Board received a report from LPS Administration related to the towing service review. Consensus among the Board is that the issue will be shared at a future meeting as the Board intends to engage in a fulsome discussion on the issue, with opportunity for maximum public engagement, before a decision is made, due to the engagement limitation of today's virtual meeting. The Board appreciates that this item is of considerable interest to the community.

Mayor Holder said he often doesn't want to bring Municipal Council issues into London Police Board discussions, however it's important to comment on the significant public input that Council has received respecting this contract. It is in the purview of the Board to renew for one more year, which is the recommendation of LPS Administration and he said he is inclined to go that way. He hopes that the Board hears feedback through proper channels from anyone with a vested interest in this issue.

Deputy Mayor Helmer asked to have this matter brought forward at the next LPSB meeting, May 21st.

16. New Business

Chair Sukhera shared the following informational items:

- Human Trafficking Education and Awareness Grant – This was discussed and approved in today's earlier in camera meeting and represents \$98,000 in funding to bolster awareness of human trafficking in our community, to help LPS to continue to lead the way in this work. Congratulations to LPS on this grant. Deputy Chief McIntyre said this grant will help LPS educate the community about a topic they are generally not well informed on, and the Service is excited to move this initiative forward. Councillor Cassidy said this initiative fits well into the City's Strategic Plan, one pillar of which is creating a safe London for women and girls.
- COVID-19 status reporting policy – The Board has received a memo from the MCSCS recommending the Board draft a policy related to COVID-19 status information sharing. The development of a Board policy is distinct from development of operational procedure by Administration. The Board is in regular communication with Administration and is now developing this policy. The situation related to the required policy and procedure is rapidly evolving and the Board intends to develop a policy which is sensitive to the needs of our community, as well as sensitive to the many ethical, privacy/confidentiality and health status issues that are inherent to a policy of this nature as well as sensitive to the timelines that may be involved.

Chief Williams advised that LPS Administration received the same communication from MCSCS and through working closely with Ministry Zone 6 Advisor Dave Tilley now has a procedure in place. He said that Mr. Tilley has been very helpful as the parameters of the guideline change minute by minute in this very dynamic situation. He said LPS is committed to protecting the welfare of officers while respecting the privacy of the COVID-19 health information collected, and will continue to evolve the procedure as necessary.

Vice Chair Toth shared a few critical pieces of this policy:

- 1) It must be consistent with LPS internal procedures;
- 2) It must balance the needs and safety of first responders and safety of community members with the privacy of citizens whose health status is documented; and
- 3) It is prescribed by MCSCS and some parameters might be outside of the Boards' control.

Vice Chair Toth said the Board will consider retention and destruction timelines and processes and who has access to the information.

Chair Sukhera said the Board will keep the community updated in relation to this important matter.

Vice Chair Toth shared an update in relation to a discussion in the in camera meeting, related to the OPP Review Panel Report recently released on the eve of the COVID-19 State of Emergency, related to 'mental-health crisis' among officers, citing 17 officer suicides since 2012. Given the pandemic state, Vice Chair Toth raised this item now to ensure it doesn't fall off our radar if there are any learnings which could impact LPS. LPS Administration is on top of it, as is the London Police Association. Chief Williams said he appreciates Vice Chair Toth's comments, which dovetail with the earlier Office of the Chief Coroner Report and said his Administration will report back to the Board on this.

Chair Sukhera said he hopes for more engagement at the next Board meeting, though he is resolute that we will stay connected, continue to follow public health guidelines and get through this emergency. He asked the community to continue to look out for its most vulnerable, our elderly and others who may be suffering in the pandemic's shadows. He thanked everyone for their participation and told community and media members to reach out should they wish to speak about any LPSB matters.

17. Date of Next Meeting: Thursday May 21, 2020

18. Adjournment

MOVED BY: E. Holder
Seconded by: M. Cassidy

"That the Board adjourn the Public meeting."

CARRIED

Time Noted: 12:27 pm

Dr. Javeed Sukhera, Chair
London Police Services Board
Approved and signed May 21, 2020