



# NEW WESTMINSTER POLICE BOARD

## REGULAR Agenda

Tuesday, October 15, 2019 at 1000 AM  
New Westminster Police Department Boardroom

✓ Indicates attachment

	AGENDA
<b>1</b>	<b>ADOPTION of Regular Agenda October 15, 2019</b>
<b>2</b> ✓  ✓ ✓  ✓	<b>CONSENT AGENDA</b> 2.1 Approval of Minutes from September 17, 2019 2.2 Police Board Members Reports 2.3 Statistics: September 2017 2.4 Policy <ul style="list-style-type: none"> <li>• Policy Reviewed and Approved With Delegated Authority</li> </ul> 2.5 Correspondence <ul style="list-style-type: none"> <li>• CERA Society's Restorative Justice Symposium</li> <li>• OPCC New Service &amp; Policy Guidelines</li> <li>• CAPG 2019 Approved Resolutions</li> <li>• City Strategic Planning Report</li> </ul>
<b>3</b>	<b>ONGOING BUSINESS/DISCUSSION</b> None
<b>4</b> ✓ ✓	<b>NEW BUSINESS</b> 4.1 Draft 2020 Police Board Meeting Dates 4.2 Policy AC170 – McNeil Disclosure Policy
<b>NEXT MEETING</b> <b>Police Board</b> Date: Tuesday, November 19, 2019 at 1000 AM Location: New Westminster Police Department, Boardroom 555 Columbia St. New Westminster, BC	
<b>ADJOURNMENT OF Regular MEETING</b>	



## NEW WESTMINSTER MUNICIPAL POLICE BOARD

September 17, 2019 at 1000  
New Westminster Police Executive Boardroom

### MINUTES of Regular Meeting

<b>PRESENT:</b>	Mayor Jonathan Coté	Chair
	Mr. Sasha Ramnarine	
	Ms. Natalia Bryant	
	Ms. Carla Hotel	
<b>STAFF:</b>	Acting Chief Constable D. Jansen	
	Acting Deputy Chief P. Hyland	
	Inspector T. Matsumoto	
	Inspector T. Dudar	
	Acting Inspector D. McDaniel	
	Acting Inspector R. Long	
	Mr. M. Wilson	
<b>GUESTS:</b>	Ms. D. Dyer	Board Secretary
	Staff Sergeant Neil Collins	NWPOA
	Constable Wendy Bowyer	Presenter
	Hailey Finnigan	
	Dustin Godfrey	New West Record
<b>REGRETS:</b>	Ms. Christine Dacre	

---

#### 1. ADOPTION OF AGENDA

##### MOVED AND SECONDED (Hotel/ Ramnarine)

**THAT:** The New Westminster Police Board approve the September 17, 2019 Regular Agenda

**CARRIED**

#### 1.1. Presentation of Safe Place Program

Cst. Wendy Bowyer presented the Safe Place program.

Cst. Bowyer explained that this is a law enforcement run and driven initiative designed to provide a safe place for LGBTQ2S+ who are experiencing crimes such as bullying and harassment. Safe Place allows for shelter in local businesses or organisations who take part in the program until a police officer can arrive. This program was conceptualized by Seattle Police office, Jim Ritter. Cst. Bowyer reported that both Vancouver Police and some RCMP detachments have already adopted this program.

The next steps include training staff and soliciting local businesses to take part in this program. Training will be provided by Diversity Officer Dale Queering of the Vancouver Police. A Safe Place decal will be provided to participating businesses to display.

Mayor Cote thanked Cst. Bowyer for presenting.

## **2. CONSENT AGENDA (Hotel/ Bryant)**

### **2.1 Approval of Minutes from July 11, 2019**

### **2.2 Police Board Member Reports**

### **2.3 Statistics: July and August 2019**

### **2.4 Correspondence**

- Appointment and Bio of Natalia Bryant
- BCAPB Congratulations on New Police Board Member
- New Mileage
- UBCM Motion: Proceeds of Crime
- Fall Social Save the Date

## **MOVED AND SECONDED (Bryant/ Ramnarine)**

**THAT:** The Consent Agenda items be approved.

**CARRIED**

## **3. ONGOING BUSINESS/ DISCUSSION**

### **3.1. CERA Report**

Inspector Matsumoto presented the CERA Report.

Based on research, Inspector Matsumoto recommended that the New Westminster Police Board respectfully decline the request to fund Communities Embracing Restorative Action (CERA) from the existing New Westminster Police budget.

Discussion ensued.

**MOVED AND SECONDED (Bryant/ Ramnarine)**

**THAT:** The New Westminster Police Board decline the request to fund Communities Embracing Restorative Action (CERA) from the existing New Westminster Police budget; and

**THAT:** The Police Department pursue the actions listed in the report to work on increasing the referrals and use of the restorative justice program.

**CARRIED**

**3.2. Community Liaison Officer Proposal**

Inspector Matsumoto presented the Community Liaison Officer Proposal and findings.

Inspector Matsumoto recommended that the New Westminster Police Board support the establishment of a five constable part-time assignment to the Crime Prevention Unit as 'Neighbourhood Liaison Officers' to establish relationships with the eleven community neighbourhoods. The program is estimated to cost between \$28,000 and \$58,000 and would be funded from the existing budget for a trial period of one year.

Discussion ensued.

**MOVED AND SECONDED (Hotel/ Ramnarine)**

**THAT:** The Police Board support the recommendation.

**CARRIED**

**3.3. GOVERNANCE: Tri-Annual Financial Report**

Mr. Wilson presented the Tri-Annual Financial Report.

Mr. Wilson reported that the Department is under budget by \$61,800.

Received for information.

**4. NEW BUSINESS**

**4.1. CAPG – 2020 Conference Hosting Fee**

In July, the CAPG wrote to the New Westminster Police Board to express that they surpassed the required funding for the 2020 Conference. The CAPG offered the Board the chance to pledge the full \$1500, as previously agreed, or if they would like to only pledge a sum of \$900.

Discussion ensued.

**MOVED AND SECONDED (Ramnarine/ Hotel)**

**THAT:** The Police Board pledge \$1500 as previously agreed.

**CARRIED**

**4.2. Quarterly Report Trial**

Acting Chief Constable Jansen presented the Quarterly Report.

The Police Board have previously voiced that the Divisional Reports are often lengthy, therefore, a new sample Quarterly Report was created with a view to replacing the Divisional Report.

Discussion ensued.

It was decided that Divisional Report would be condensed to encompass three or four key files and the Quarterly Report would accompany the Divisional Reports.

**4.3. Joint Police Board and City Council Agenda Planning**

Discussion ensued surrounding the agenda items for the joint Police Board and City Council meeting taking place in October. The agreed upon agenda items were as follows:

- Calls for Justice
- CERA
- Community Liaison Officer

**ADJOURNMENT of Regular Meeting**

Chair Jonathan Coté adjourned the meeting at 1005 hrs.

**Next meeting:**           October 15, 2019 at 1100 AM  
New Westminster Police Executive Boardroom  
555 Columbia St., New Westminster BC

---

MAYOR JONATHAN COTE  
CHAIR

---

---

D. DYER  
RECORDING SECRETARY

---

# New Westminster Police Department

## UCR Monthly Offence Overview – September 2019

### General UCR categories:

Total Criminal code offences and property offences are within the expected range for September. Persons offence and other criminal code offence categories are both above the monthly range.

Property offences continue to trend downward, and show a year-over-year decrease for the first time in 2019. Year-to-date totals for all other categories are higher than the prior year.

UCR (general)	September			2019		2018		% change	
	2018	2019	range	YTD	YTD/1000	YTD	YTD/1000	YTD	per 1000
Total Criminal Code	463	417	372-459	3844	50.3	3588	47.8	7%	5%
- Persons offences	56	78	55-59	703	9.2	426	5.7	65%	62%
- Property offences	348	264	254-344	2563	33.5	2605	34.7	-2%	-3%
- Other CC offences	74	87	72-83	711	9.3	646	8.6	10%	8%

Above normal range   Within normal range   Below normal range

### Specific UCR groups:

Assault files remain above the monthly range for September. All other monitored groups are within the expected range.

Totals for thefts from vehicles and drug files are lower than seen at this point in 2018. All other groups show increases in comparison to the previous year.

UCR (specific)	September			2019		2018		% change	
	2018	2019	range	YTD	YTD/1000	YTD	YTD/1000	YTD	per 1000
Robbery	2	6	2-6	27	0.4	24	0.3	13%	11%
Assault	27	40	26-32	326	4.3	222	3.0	47%	44%
Break & Enter	27	29	24-45	302	4.0	285	3.8	6%	4%
Vehicle Theft	22	19	14-28	189	2.5	181	2.4	4%	3%
Theft from Vehicle	150	72	40-120	625	8.2	756	10.1	-17%	-19%
Drugs (CDSA)	7	7	7-17	70	0.9	81	1.1	-14%	-15%

Above normal range   Within normal range   Below normal range

**CONFIDENTIAL** This document is the property of the New Westminster Police Board and may not be further disseminated without the approval of the Chief Constable. Prepared on 2019-10-04 by CP-NWPD-CIU. This report reflects the most current data available at the time of writing.



## REPORT

### *Financial Services*

**To:** Mayor Jonathan Coté, Chair, and Members  
New Westminster Municipal Police Board  
Open Meeting

**Date:** October 1, 2019

**From:** Mark Wilson  
Financial Services

**Subject:** Policy Reviewed and Approved With Delegated Authority

---

#### **RECOMMENDATION**

*That the Police Board receive this report for information purposes.*

---

#### **PURPOSE**

To provide information to the Police Board on policies that have been reviewed and approved with delegated authority.

#### **DISCUSSION**

The Police Board has delegated authority to the Chief Constable to make minor changes to policy and to advise the Board of such changes. The following policies have been reviewed with no required changes, only minor changes to the “policy” section, or only changes to the “procedures” section.

AA40-Chain of Command	Minor change Corporal has been added to the responsibility command by rank list.
AA60-Policy Maintenance	Addition of the Risk Assessment for each policy and The Risk Assessment scale.



AB10-Recruitment	Minor updates to Minimum Qualifications, Exempt Entry, Recruit selection process and major updates to the NWPD recruiting process for Experienced Officers.
AB120-Professional Development	Update to Increment Points Carry Over. Sworn members may now carry over a max of one Educational Increment Point.
AB150.01-Constable Increment Levels	Minor Changes under procedures as to whom will advise the member of their promotion.
AB210-Code of Administrative Conduct	Minor Wording Changes to add reference (see also: AB160-NWPD Impairment Policy), under Intoxicants.
AB350- Court Fines and Deposits	Updates in procedure, copy of Release Document attached to envelope as well as receipt to include Police file number as well as Court File Number.
AB360-Court Notifications	Updates to procedures with regard to chain of command, Members will communicate to their Supervisor and their Supervisor will communicate to the Manager.
AD80-Purchasing and Tendering	Minor change to allow the Chief Constable or designated SMT discretion regarding posting expenditures over \$75,000 externally.
AF100-Correspondence	Removal of Information Management Clerk for incoming mail, replaced with will be placed in individuals' mail slot.
AF70- Security, Confidentiality and Dissemination of Police Record Information	Updates in procedure under the Authority to Release a Response.
OB100- CDSA/Drug Investigations	Changes to procedures for "Cannabis Reporting Guidelines" and "Exhibit for Analysis".
OC20-Patrol Supervision	Two additions under when a Field Supervisor shall attend the Scene for the purpose of assuming Command.
OD180-Young Persons	Updates in procedure under Dispositions.
OD280- Asset Forfeiture	Changes to the procedures to reflect current practices and to provide greater clarity. Policy has also been renamed from "Civil Forfeiture" to "Asset Forfeiture".

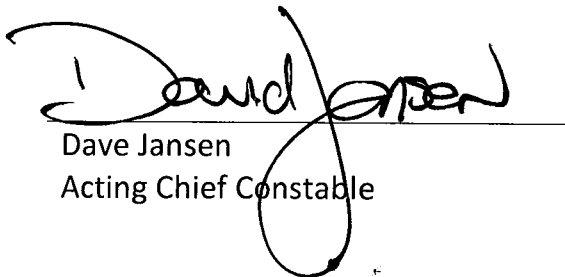
OF20-Exhibit/Property Control	Minor changes to procedures under Exhibits received, Items for Fingerprinting, Firearms/Ammunition, Money and Counterfeit bills and Photographs and film. New section on Disposal of DNA Exhibits.
OH10-Firearms	Minor Changes updating responsibilities from Property Services Section to Training Section.
OH30-Conducted Energy Weapon Deployment	Minor updates to the storage of all Conducted Energy Weapons.
OH50-Patrol Rifle	Updates in procedure under Officer Responsibilities.
OJ140-Motor Vehicle Collisions	Change to the dollar amount from \$1000 to \$10,000 for completing an ICBC MV6020.
OJ210-Bait Car program	Minor changes in procedures to reflect current practices.
OJ80-Prohibited Driving	Change to the time frame for completion of a MV2722 report, now with in three days.
OJ90-Violation Tickets	Changes on how to issue a warning and addition of the Traffic Enforcement Resource Manual and where to find it.
OK120-Organized Crime	Minor changes and addition of membership between NWPD and CFSEU-BC.
OK125-Terrorism and National Security	Minor wording updates under procedures and updated phone numbers for INSET.
OK130-Criminal Intelligence and Analysis	Updates in procedures to include Real Time Intelligence Center and Prime.
OK160-Polygraph Exams	Addition that the Supervisor of Admin Services/Human Resources will arrange Security clearance for employees who will need it.
OM30-Child & Youth Resource Unit	Changes to the procedures to reflect current practices and to provide greater clarity. Policy has also been renamed from "School Liaison" to "Child & Youth Resource Unit".
OM40-Crime Prevention	Minor changes to the Volunteer Bicycle Patrol Program. Removed paragraph on School Liaison Officers as that now has its own policy.
OM50-Victim Assistance	Updates of units and position names. Updated procedures for members when requesting Victim Services follow up, staying on scene with the VAU and including contact information of the victim in the file.

OM60-Problem Oriented Policing	Updates of Unit names and removal of additional information.
AB110-Call Out	Annual review only.
AB130-Training	Annual review only.
AB150-Promotion	Annual review only.
AB170-Illness	Annual review only.
AB180-Acting Time	Annual review only.
AB230-Emergency Preparedness for Employees	Annual review only.
AB270-Change in Status	Annual review only.
AC10-Recognition & Commendations	Annual review only.
AC110-Civil Litigation	Annual review only.
AC30-Funerals	Annual review only.
AC70-Smoking Regulations	Annual review only.
AC90-Member Identification	Annual review only.
AD10-Budget	Annual review only.
AD40-Financial Audit	Annual review only.
AD50-Financial Signing Authority	Annual review only.
AD90-Car Mileage Allowance	Annual review only.
AF130-Security of Police Records Systems	Annual review only.
AF20-Legal Process	Annual review only.
AF30-Property Records	Annual review only.
AF60-Destruction of Operational Files	Annual review only.
AF65-Document Destruction	Annual review only.
AF80.1-CPIC	Annual review only.
AF80-File Security	Annual review only.
AG20-Property, Damage or Loss	Annual review only.
OA100-Fire Calls, Police Response	Annual review only.
OA110-Medical, Poisoning	Annual review only.
OB100.1-Seized Property Management	Annual review only.
OB150-Industrial Accidents	Annual review only.
OB160-Industrial Relations	Annual review only.
OB190-Counterfeit Currency	Annual review only.
OB220-Sexual Offence Investigations	Annual review only.
OB230-Shoplifting	Annual review only.
OB40-Anonymous Complaints	Annual review only.

OB70-Odour & Air Pollution	Annual review only.
OD150-International Operations	Annual review only.
OD230-Investigations-Patrol Response	Annual review only.
OD25-Computer Aided Dispatch Write Offs	Annual review only.
OD60-Interception of Private Communications	Annual review only.
OG20-Portable Radios	Annual review only.
OH40-Less Lethal Arwen	Annual review only.
OJ110-Traffic Control Devices	Annual review only.
OJ15-Commercial Vehicle Enforcement Unit	Annual review only.
OJ190-Vehicle Identification Numbers	Annual review only.
OJ20-Driving Complaints	Annual review only.
OK110-Vice-Morality	Annual review only.
OK20-Witness Protection	Annual review only.
OM100-Ridelongs	Annual review only.

This report has been prepared by: Mark Wilson

Approved for Presentation



Dave Jansen  
Acting Chief Constable



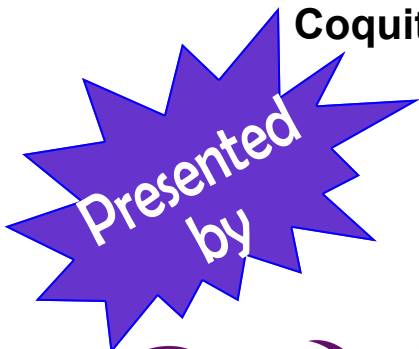
**Friday  
Nov 15**

**Restorative Justice Symposium**

***Increasing  
The Use Of  
Restorative Justice***

**11:30 - 3:30 pm  
Winslow Centre  
1100 Winslow Avenue  
Coquitlam**

**4:00 - 6:00 pm  
Vancouver Golf Club  
771 Austin Avenue  
Coquitlam**



**Registration & Program  
Information:  
Eventbrite.ca**

Our mission at CERA is to enhance the quality of justice in the communities we serve through restorative measures that attempt to repair the harm caused by crime, resolve conflict, and restore balance in relationships.

**For more information: [www.cerasociety.org](http://www.cerasociety.org)**

To: All Municipal Police Chief Constables

And to: All Municipal Police Boards

And to: All Professional Standards Officers

From: Police Complaint Commissioner

Date: September 9, 2019

**Re: Guideline on Service or Policy Complaints (Division 5 of the *Police Act*)**

---

## PURPOSE

The Police Complaint Commissioner has a statutory duty to inform, advise and assist police boards respecting their responsibilities under part 11 of the *Police Act*.

Furthermore, it is the responsibility of the Police Complaint Commissioner to establish guidelines to be followed when receiving a complaint under Division 5, pursuant to section 177(2)(a) of the *Police Act*. This statutory Guideline is intended to provide guidance to police departments and police boards with respect to the processing of Service or Policy complaints pursuant to Division 5 of the *Police Act*.

## LEGISLATION

### *Section 168 - Making a service or policy complaint*

- (1) Subject to subsection (3), any person may make a complaint to the Police Complaint Commissioner about
  - (a) the general direction and management or operation of a municipal police department, or
  - (b) the inadequacy or inappropriateness of any of the following in respect of a municipal police department:
    - (i) its staffing or resource allocation;
    - (ii) its training programs or resources;
    - (iii) its standing orders or policies;
    - (iv) its ability to respond to requests for assistance;
    - (v) its internal procedures.

- (2) The complaint may be made by stating or delivering it
  - (a) directly to the Police Complaint Commissioner, or
  - (b) for forwarding under section 169 to the Police Complaint Commissioner, to
    - (i) a member on duty at a station of any municipal police department who is assigned to receive and register complaints under this Division,
    - (ii) an individual designated by the Police Complaint Commissioner under section 51(5)(b), or
    - (iii) the chair of the board of a municipal police department.

*Section 169 - If complaint made to member, designated individual or chair under section 168(2)(b)*

- (1) When a member, an individual, or a chair referred to in section 168(2)(b) *[making a service or policy complaint]* receives a complaint under that provision, he or she must immediately
  - (a) record the complaint and the date and time of its receipt,
  - (b) provide the person making the complaint with written acknowledgement of its receipt, and
  - (c) forward a copy of the complaint or, if the complaint was not made in writing, a copy of the record of the complaint to
    - (i) a Chief Constable of the municipal police department concerned,
    - (ii) the board of that municipal police department, and
    - (iii) the Police Complaint Commissioner.
- (2) The member, individual or chair receiving the complaint must
  - (a) provide the person making the complaint with any assistance that person requires in making the complaint,
  - (b) provide the person making the complaint with any information or advice that may be required under the guidelines prepared under section 177(2)(a) by the Police Complaint Commissioner, and
  - (c) complete and forward, to the persons referred in subsection (1)(c), the record of the complaint in the form and manner required by the Police Complaint Commissioner.

*Section 171 - Investigation of department service and policy complaints*

- (1) On receiving a copy of a complaint, or a record of a complaint under this Division, or a complaint or part of a complaint described in section 82(6) *[determination of whether complaint is admissible]*, on receiving a notification under section 83(1)(a)(iii) *[notification following determination of admissibility]*, the board of the municipal police department concerned must promptly do one or more of the following:
  - (a) request a Chief Constable of that municipal police department to investigate and report on the complaint;
  - (b) initiate a study concerning the complaint;
  - (c) initiate an investigation into the complaint;

- (d) dismiss the complaint with reasons;
  - (e) taken any other course of action the board considers necessary to respond adequately to the complaint.
- (2) The Police Complaint Commissioner may recommend that the board initiate an investigation into the complaint if the board does not choose to do so under subsection (1)(c).
- (3) Within 20 business days after doing any of the things described in subsection (1)(a) to (e), the board must notify the person who made the complaint, the director and the Police Complaint Commissioner regarding the course of action being taken.
- (4) The Police Complaint Commissioner may request a status report from the board regarding the progress of an investigation or a study concerning a complaint under this Division, and the Police Complaint Commissioner must forward to the person who made the complaint a copy of any report the Police Complaint Commissioner receives in response to that request.

*Section 172 – If investigation or study is initiated under section 171*

- (1) At the conclusion of an investigation or a study initiated under section 171(1)(a), (b) or (c) *[investigation of department service or policy complaints]*, on dismissing the complaint under section 171(1)(d) or on taking a course of action under section 171(1)(e), the board must send to the person who made the complaint, the director and the Police Complaint Commissioner
- (a) an explanation for the board's action under section 171(1) in respect of the service or policy that is the subject of the complaint, and
  - (b) if applicable, a detailed summary of the results of any investigation or study initiated under that section.
- (2) If the person who made the complaint is dissatisfied with
- (a) the actions or inactions of the board under section 171(1)(a) to (e),
  - (b) the explanation given under subsection (1)(a) of this section,
  - (c) the results of any investigation or study initiated under section 171, or
  - (d) the summary of the results sent under subsection (1)(b) of this section,
- the person may, within 20 business days of receiving the explanation or summary referred to in subsection (1) of the section, request the Police Complaint Commissioner to review the matter.

*Section 173 – Police Complaint Commissioner's review of board decisions*

- (1) Subject to subsection (2) of this section, whether or not the person who made the complaint has requested a review under section 172(2) *[if investigation or study is initiated under section 171]*, the Police Complaint Commissioner may do any of the following:



- (a) review the decisions of a board under section 172;
  - (b) recommend to the board further investigation, study, courses of action or changes to service or policy;
  - (c) make recommendations to the director under section 177(4)(e) [*general responsibility and functions of Police Complaint Commissioner*].
- (2) A review conducted under subsection (1) must be completed within 40 business days of receiving the board's explanation referred to in section 172(1).
- (3) The Police Complaint Commissioner must include in the Police Complaint Commissioner's annual report any recommendations made to the boards or the director under subsection (1) and may comment on the responses received, if any.

*Section 177 – General responsibility and functions of Police Complaint Commissioner*

- (4) The Police Complaint Commissioner may also do any of the following:
- (a) prepare and provide informational reports on any matter related to the functions of the Police Complaint Commissioner;
  - (b) engage in or commission research on any matter relating to the purposes of this Part or Part 9;
  - (c) make recommendations to a board that it examine and reconsider any policies or procedures that may have been a factor in conduct that is the subject of a complaint or an investigation under this Part;
  - (d) make recommendations to the director or the minister that a review, a study or an audit be undertaken to assist police departments or forces, or any designated policing unit or designated law enforcement unit to which this Part is made applicable by regulation of the Lieutenant Governor in Council, in developing training or other programs designed to prevent recurrence of any problems revealed by the complaint process;
  - (e) make recommendations to the director that the director exercise one or more of the director's functions under sections 40 [*functions of director*], 42 [*studies by director*] and 44 [*special investigations*] in relation to a service or policy complaint under Division 5 about a municipal police department or a service or policy complaint about any designated policing unit or designated law enforcement unit to which Division 5 is made applicable by regulation of the Lieutenant Governor in Council;
  - (f) make recommendations to the minister for public inquiry under the *Public Inquiry Act* if there are reasonable grounds to believe that
    - (i) the issues in respect of which the inquiry is recommended are so serious or so widespread that a public inquiry is necessary in the public interest,
    - (ii) an investigation conducted under this Part, even if followed by a public hearing or review on the record, would be too limited in scope, and
    - (iii) powers granted under the *Public Inquiry Act* are needed;

- (g) consult with and advise persons who, in other jurisdictions of Canada or within the Royal Canadian Mounted Police, hold the same or a similar position as the Police Complaint Commissioner.

## PROCESS – RECEIVING SERVICE OR POLICY COMPLAINTS

Part 11, Division 5 of the *Police Act* sets out the provisions regarding processing service or policy complaints.

Section 168(1) of the Act defines a service or policy complaint as a complaint about the following:

- The general direction and management or operation of a municipal police department, or
- The inadequacy or inappropriateness of any of the following relating to the municipal police department:
  - Staffing
  - Resource allocation
  - Training programs or resources,
  - Standing orders or policies,
  - Ability to respond to requests for assistance, or
  - Internal procedures.

A service or policy complaint may be filed with the Police Complaint Commissioner, a member of a municipal police department who has been assigned to receive service or policy complaints, a designated individual as defined pursuant to section 168(2)(b) of the *Police Act*, or the chair of a municipal police board.

### *Complaint received directly to the OPCC*

When the Office of the Police Complaint Commissioner (OPCC) receives a service or policy complaint, that complaint *must* be forwarded to the relevant municipal police board for processing pursuant to Part 11, Division 5 of the *Police Act*.

The Police Complaint Commissioner does not have the discretion to determine the admissibility of that complaint or assess its merits. However, in the event that there is a lack of clarity regarding whether the complainant intends to file a service or policy complaint or a complaint about the conduct of a municipal police member, the OPCC will contact the complainant to obtain further clarity regarding that intent and to provide any information or assistance that is necessary.

### *Complaint received directly to the police board*

When a service or policy complaint is made directly to an assigned member, designated individual, or chair pursuant to section 168(2)(b) of the *Police Act*, the assigned member, designated individual, or chair must do the following:

- Record the complaint and the date and time of its receipt,
- Provide the person making the complaint with written acknowledgment of its receipt, and
- Forward a copy of the complaint to a Chief Constable of the municipal police department concerned, the board of that municipal police department, and the Police Complaint Commissioner.

The member, designated individual, or chair must also provide the person making the complaint any assistance that person requires in making the complaint. In the event of any lack of clarity with respect to whether a complaint should be processed as a service or policy complaint pursuant to Division 5 or a registered complaint pursuant to Division 3, the assigned member, designated individual, or chair should provide the complainant with sufficient information and assistance to allow the complainant to make an informed decision about which type of complaint they would like to file.

## **PROCESS - RESPONDING TO SERVICE OR POLICY COMPLAINTS**

Upon receipt of the service or policy complaint, the police board must **promptly** take one of the courses of action set out in section 171 of the *Police Act*. The board must communicate its intended course of action to the person making the complaint, the Director and the Police Complaint Commissioner within **20 business days**. This communication is limited to the board's intent, not the outcome, which is to be communicated at the conclusion of the board's review of the complaint.

It is important that the police board accurately categorize its response to a service or policy complaint. The board must take an action respecting a service or policy complaint that is articulated under section 171(1)(a)-(e) of the *Police Act*.

### *Request a Chief Constable to investigate and report on the complaint*

- The board can refer the complaint to the relevant municipal police department for investigation;
- The scope of the investigation relates to the service or policy issue contained in the complaint and should not be about whether an individual officer committed misconduct.

### *Initiate a study or investigation concerning the complaint*

- The board can seek the services of an independent contractor to complete this study or investigation.

*Dismiss the complaint with reasons*

- If the board determines no other action is required to be taken to address the complaint, then the board can dismiss the complaint. Reasons for this decision must be provided.
- A complaint should not be categorized as “dismissed with reasons” pursuant to section 171(1)(d) of the Acct if the board has undertaken an action to respond to the complaint.
  - *E.g., if the board refers the complaint back to the municipal police department for review, assessment or investigation so that it may report back to the board, the complaint should be categorized pursuant to section 171(1)(a) – request a Chief Constable of that municipal police department to investigate and report on the complaint.*

*Take any other course of action the board considers necessary to respond adequately to the complaint*

- The board’s response to a service or policy complaint is not confined to requesting the municipal police department to conduct an investigation or initiating an investigation or study.
- The board may decide on any other course of action that would adequately respond to the complaint.

If the board determines that it will not conduct an investigation pursuant to section 171(c) of the *Police Act*, the Police Complaint Commissioner may recommend that the board conduct an investigation pursuant to that section.

## PROCESS - CONCLUDING SERVICE OR POLICY COMPLAINTS

To conclude a service or policy complaint, pursuant to section 172(1) of the *Police Act*, the police board must send to the person who made the complaint, the Director and the Police Complaint Commissioner an explanation for the board’s action under section 171 of the Act and, if applicable, a detailed summary of the results of any investigation or study undertaken.

The board should thoroughly describe the action undertaken, the results and what, if any, changes are being made to staffing, resource allocation, training, policies or procedures as a result. If following an investigation, study or report, the board determines that no changes are necessary, a detailed explanation should be provided advising the reasons of this decision.

To maintain public trust in the administration of the police complaint process, it is critical that responses to service or policy complaints are completed in a timely manner. Pursuant to section 171(4) of the Act, the Police Complaint Commissioner may request status reports from the board and must forward the response to the person who submitted the complaint. Police boards can expect regular requests for updates on the status of service or policy complaints from the OPCC.

Upon receipt of the board’s conclusion, the person who made the complaint has **20 business days** to request that the Police Complaint Commissioner review the matter if dissatisfied with

the board's actions or results. It is, therefore, important that the board confirm receipt of its conclusion with the person who made the complaint.

Irrespective of whether a request for review is received, the Police Complaint Commissioner has **40 business days** to review the board's conclusion and exercise one of the authorities granted by section 173(1) of the *Police Act*. Any recommendations that the Police Complaint Commissioner makes to the board or the director must be published in the OPCC's annual report. The Police Complaint Commissioner may also comment on the responses received from the board.

Despite these procedures, the Police Complaint Commissioner retains the discretion pursuant to section 177(4)(c) of the *Police Act* to make recommendations to police boards to examine any policies or procedures that may have been a factor in the conduct that was a subject of a complaint or investigation under Part 11.

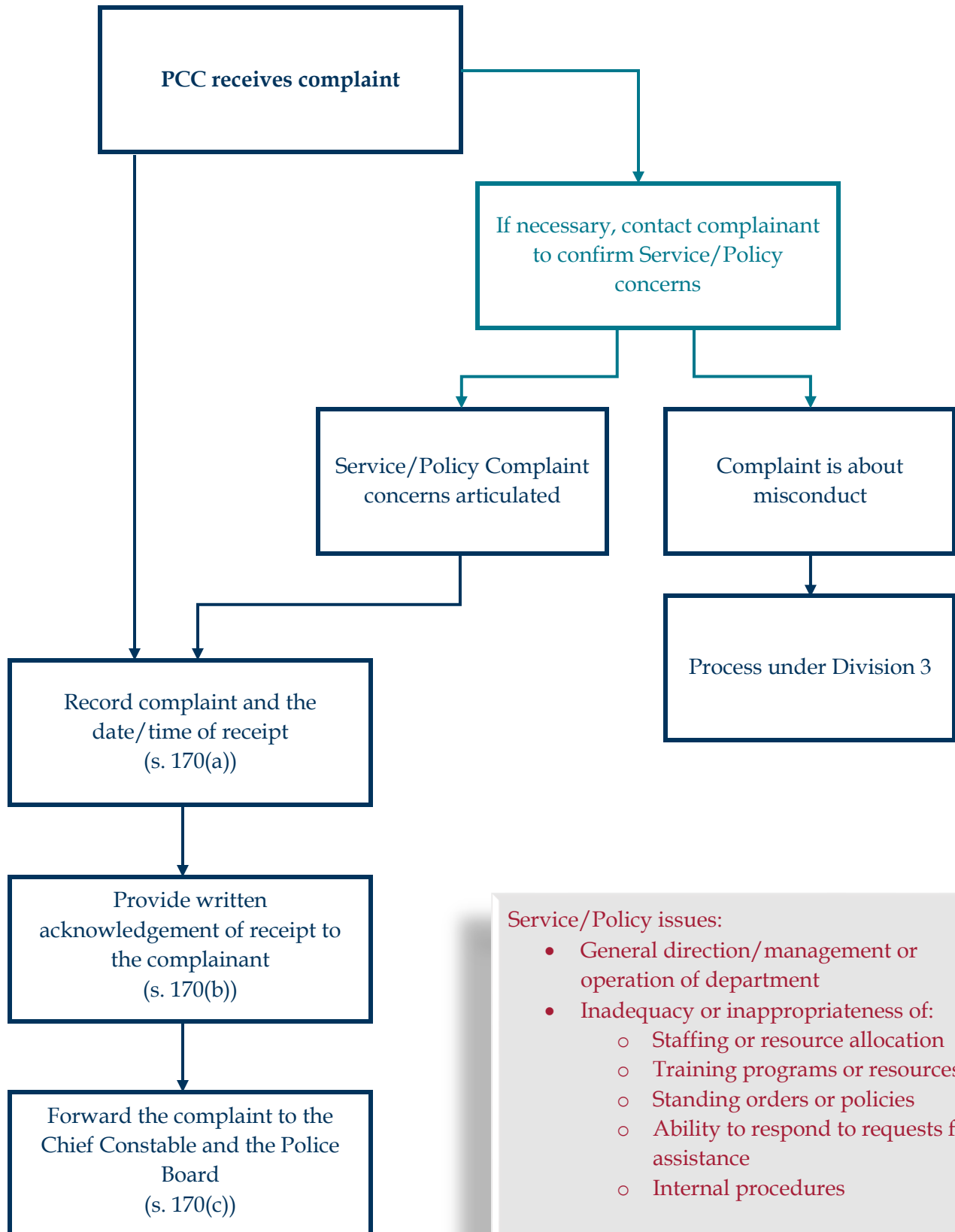
In addition, pursuant to section 177(4)(e) of the *Police Act*, the Police Complaint Commissioner may also make recommendations that the director exercise one or more of the director's functions pursuant to sections 40, 42 or 44 of the *Police Act* in relation to a service or policy complaint.



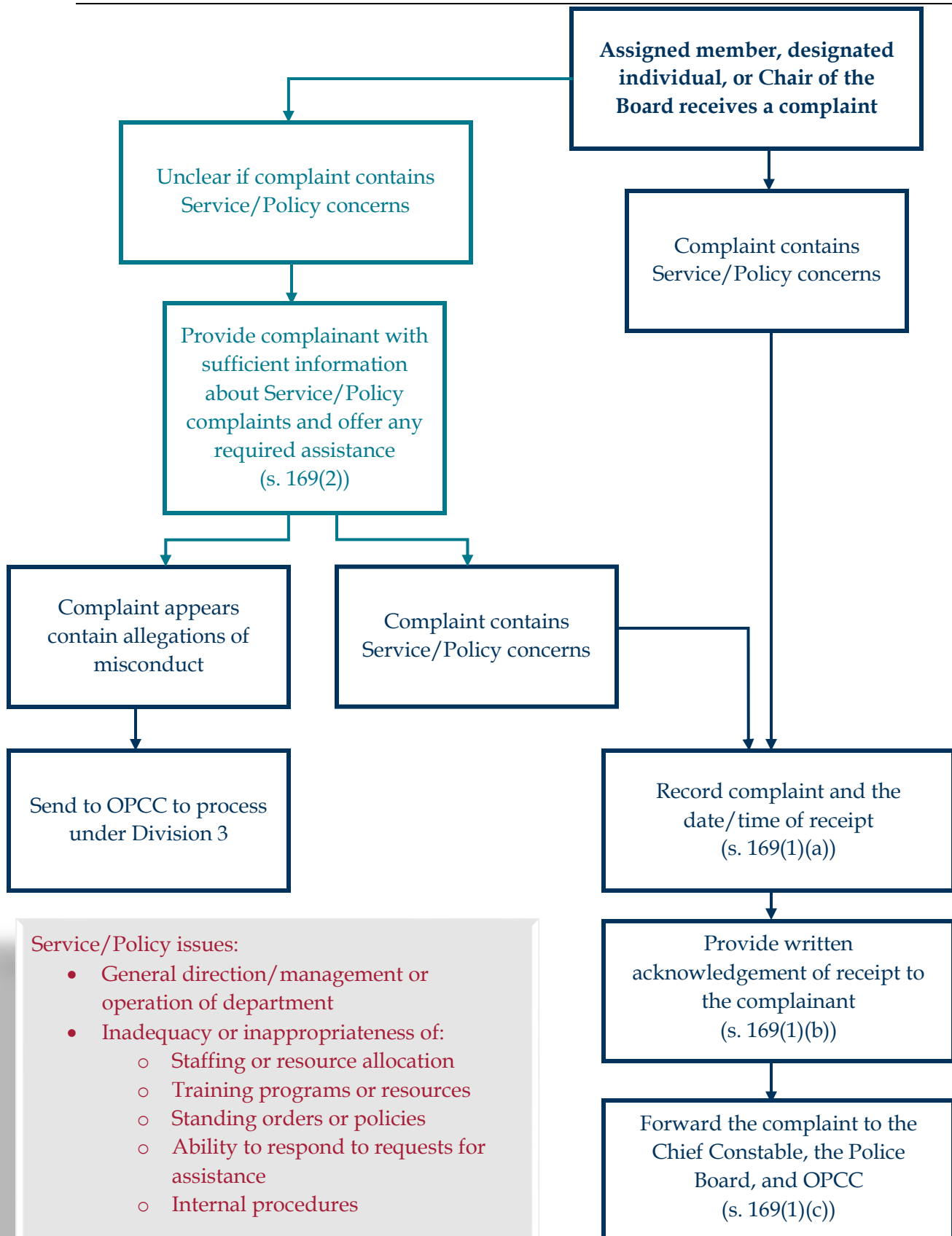
Clayton Pecknold  
Police Complaint Commissioner

## OPCC Receives Service or Policy Complaint – Intake Process

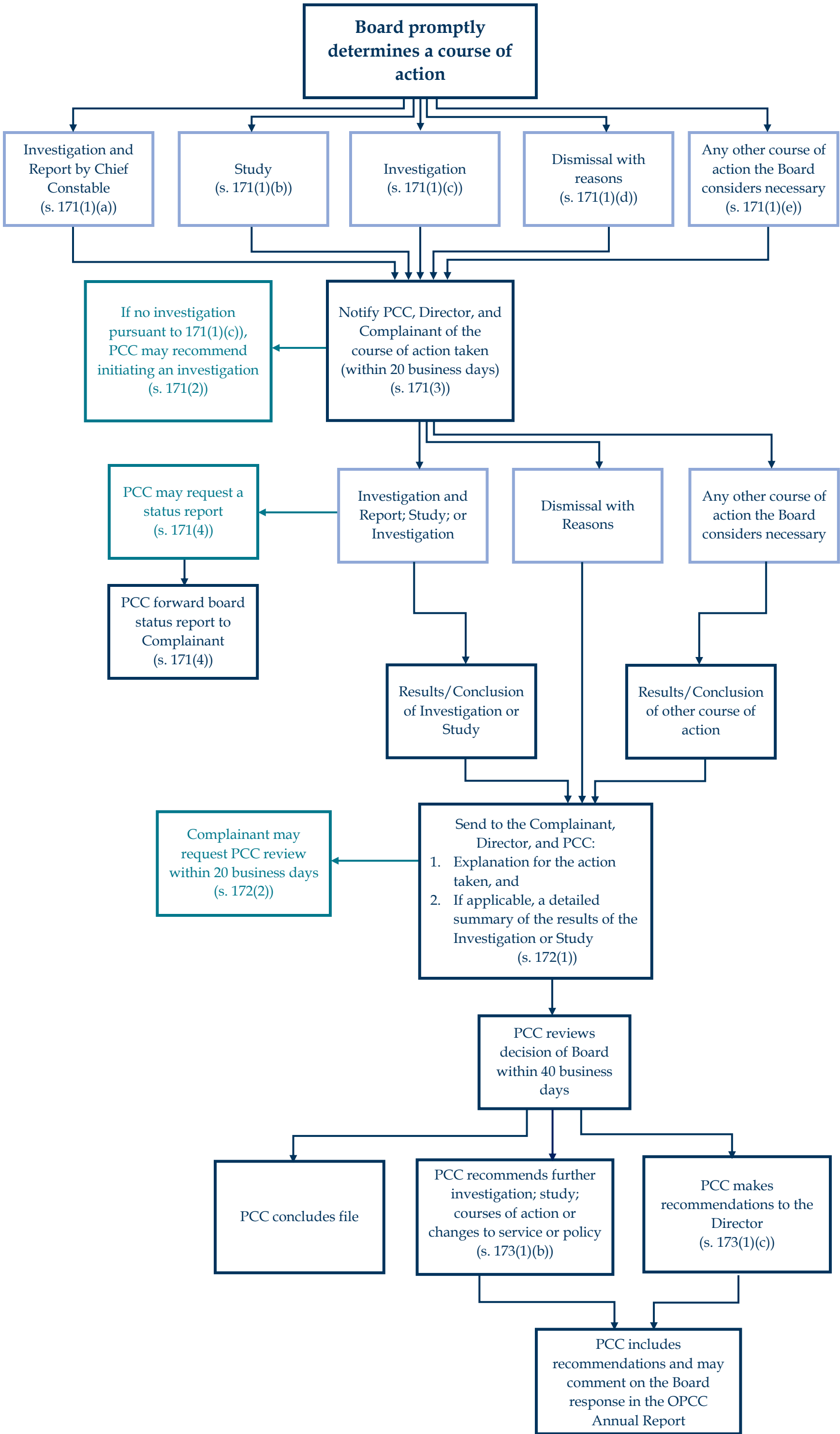
---



## Police Board or Police Department Receives Service or Policy Complaint – Intake Process



Responding to a Service or Policy Complaint - Process





## Daisy DYER

---

**From:** Canadian Association of Police Governance <communications@capg.ca>  
**Sent:** Friday, October 04, 2019 6:59 AM  
**To:** Daisy DYER  
**Subject:** 2019-2020 Executive and Approved Resolutions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Police Board

[View this email in your browser](#)



Valued CAPG Members,

We are pleased to advise the results of the election held on Saturday, September 28th:

---

### 2019 - 2020 CAPG Executive

President: Mary Anne Silverthorn, Woodstock ON

Vice President: L.A. (Sandy) Smallwood, Ottawa ON

Treasurer: Bob Hall, Peterborough, ON

Secretary: Wayne Talbot, NS

---

**You may also view the approved resolutions from the 30th Annual General Meeting in Calgary [HERE](#).**

Sincerely,  
The **CAPG** Team

---

*Copyright © 2019 Canadian Association of Police Governance, All rights reserved.*

You are receiving this email because you are a Member of CAPG.

**Our mailing address is:**

Canadian Association of Police Governance  
78 George Street  
Suite 204

Ottawa, ON K1N 5W1

Canada

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

#### **Resolution #2019-1**

##### **First Nations Police Governance Council First Nations Policing Designated an Essential Service**

WHEREAS unlike all other policing institutions in Canada, First Nations police services are not all governed by legislation; and

WHEREAS First Nations police services are funded as programs through agreements with the federal and provincial governments and can be cancelled at any time; and

WHEREAS the Auditor General reported that policing services on First Nations reserves fail to meet the standards applying to police services in non-aboriginal communities; and

**THEREFORE**, be it resolved that the First Nations Police Governance Council (FNPGC) and the Canadian Association of Police Governance (CAPG) ask the Federal Government to:

- a) Draft legislation to recognize and fund First Nations Policing as an essential service and not a program.
- b) Satisfy all the recommendations made by the Auditor General to ensure that First Nations policing services meet the same standards applied to police services in non- aboriginal communities.
- c) Ensure there is a fair level of sustainable funding to ensure an effective and efficient level of First Nations policing service delivery and that their wages, pensions and benefits are comparable to all police services in Canada.

#### **Resolution #2019-2**

##### **First Nations Police Governance Council First Nations Policing Funding for Governance Training**

WHEREAS governance of First Nations police has been identified as a critical issue by the Auditor General, Public Safety Canada's review of First Nations Policing in Canada and by members of First Nations.

**THEREFORE**, be it resolved that the First Nations Police Governance Council (FNPGC) and the Canadian Association of Police Governance (CAPG) ask the Federal Government to focus resources on strengthening community governance of First Nations police service providers including funding for training of oversight and governance bodies so they are culturally appropriate, responsive and accountable to the communities they serve.

#### **Resolution #2019-3**

##### **Regina Board of Police Commissioners Cannabis Revenue Sharing**

WHEREAS the legalization of recreational cannabis has resulted in the creation of a new excise tax that is creating revenue collected by the federal government, and

WHEREAS the Federation of Canadian Municipalities and its Big City Mayors Caucus endorsed the policy wherein 75% of that revenue is made available to the provincial governments with the federal government expressing support for a portion being shared with municipalities, and

WHEREAS municipal governments incur significant expenses as a result of legalization, including but not limited to police service costs related to officer training and the purchase of roadside testing equipment and laboratory testing;

THEREFORE, be it resolved that the Canadian Association of Police Governance (CAPG) urge provincial and federal governments to provide a fair, equitable and permanent portion of cannabis excise tax to municipal governments to costs of increased demand on police resources and improved roadside drug screening technology.

#### **Resolution #2019-4**

#### **Regina Board of Police**

#### **Commissioners Mental Health Partnerships**

WHEREAS police services in Canada are dealing with an escalation in mental health-related calls and the impact on resources is becoming a material issue in increasingly-strained police and local government budgets, and

WHEREAS relying on police to provide a critical front-line response to mental health crises is a costly alternative to proactive care exposes police agencies to increased and unnecessary risk and exacerbates the emotional stress affiliated to mental illness, and

WHEREAS Police Services in several Saskatchewan cities have seen growing success as a result of implementing Police and Crisis Teams (PACT), which are a possible model and have been recognized through additional support by the provincial government;

**THEREFORE**, be it resolved that the Canadian Association of Police Governance (CAPG) urge the federal and provincial governments to further increase funding to support and increase community partnerships involving police services and mental health professionals, such as the Police and Crisis Team (PACT) partnership that Regina Police Service has with the Provincial Health Region.

Sustainable Transportation

We advocate and plan for inclusive and sustainable transportation that supports everyone. We consider our most vulnerable road users first, both now and as we prepare for a future of mobility which is inclusive, shared, connected, electric, and autonomous.

Key directions:

- Create great streets, infrastructure, and places that support everyone in making sustainable transportation choices that are safe and that reduce greenhouse gases.
- Work in partnership with TransLink and others to ensure a transit-friendly city by addressing barriers to safe, efficient, and reliable transit.
- Ensure that travel to school is as safe, comfortable, convenient, and sustainable as possible for everyone.
- Use a disability justice lens to recognize and mitigate barriers to universal access and mobility.

Organizational Effectiveness

We aim to be innovative and visionary in everything we do, both within our organization and in how we engage and work with our residents, organizations, and businesses. We place a high value on ensuring City staff have the necessary skills, training, and technology to deliver services to the community effectively and efficiently.

Key directions:

- Invest in new learning and development opportunities for staff to advance Council priorities in the areas of truth and reconciliation, diversity and inclusion, and community partnership excellence.
- Be innovative and visionary in the City’s utilization of people, procedures, technology, and resources in the City’s service delivery.

Our Core Services

As a local government, the City of New Westminster is responsible for a number of core services that ensure our community is safe, healthy, and meets our residents’ needs. Our core services include:

- Planning and development
- Safety and security
- Infrastructure and utilities
- Parks and recreation
- Cultural and community services
- Legislative, treasury, and administrative services

# City of New Westminster

## Council Strategic Plan

### 2019-2022

Overview

The City of New Westminster Council Strategic Plan 2019-2022 outlines the priority areas and directions on which Council’s leadership role will be focused during this term. The plan acts as a road map for steering the City’s activities on behalf of the community and is informed by core values that are interwoven into everything we do as we fulfil our vision for New Westminster.

Our Vision

A vibrant, compassionate, sustainable city that includes everyone.



Our Core Values

- INTEGRITY – We act with honesty and truthfulness, adhering to strong ethical principles in everything that we do.
- COMPASSION – We foster an environment of kindness and empathy and place a high value on caring for and understanding others.
- INNOVATION – We celebrate creativity and seek to discover new solutions and ideas that enhance the positive impact of our work.
- OPENNESS – We conduct our business with transparency, communicate clearly, and value meaningful engagement with our community.
- ACCOUNTABILITY – We are prudent and fiscally responsible in all aspects of our work, keeping the best interests of our community front of mind at all times, and remaining answerable for our actions.
- SUSTAINABILITY – We take a long-term approach to planning and decision-making when addressing current needs while remaining mindful of the need to protect future generations through regeneration of our natural ecosystem and reduced dependency on fossil fuels.
- PARTNERSHIP – We collaborate across City departments and with our community, seeking opportunities to have fun together.
- INCLUSION – We place high value on the principles of equality and equity and strive to build an environment where everyone is included, valued, and treated with dignity and respect.

# Priority Areas

## Affordable Housing

Affordable housing is critical for health, security, and overall well-being and encompasses choice, supply, security, affordability, and suitability. As the City, we strive to do our part to meet the housing needs of our diverse community, including protecting rental housing stock and tenants’ rights, addressing homelessness, and locating housing close to employment, childcare, and services.

Key directions:

- Protect and enhance rental housing, including below and non-market units.
- Aggressively pursue creative approaches to housing policy and on-the-ground projects to transform the way housing is provided in New Westminster.
- Facilitate development of a range of ground-oriented infill housing and provision of other choices in housing under a range of tenures and ownership models.
- Explore strategies to reduce homelessness, including developing opportunities for supportive housing.
- Use partnerships, negotiations with developers, and leveraging of City resources to secure development of below and non-market housing, as well as affordable child care.

## Culture and Economic Development

A dynamic local economy is resilient, sustainable, and reflects the rich cultural diversity of the community. Through effective collaboration with local business and community partners, we will strengthen the delivery of our cultural and economic development services and ensure ours is a city of choice to live, work, and play.

Key directions:

- Support and foster small retail storefronts and businesses to ensure the local economy reflects the diversity of the community.
- Continue to identify, develop, promote, and enhance diverse cultural services and assets through pursuit of strategic partnerships, collaborations, and plans.
- Encourage and support economic growth and investment in key business and culture sectors.

## Environment and Climate

We are committed to taking bold action to address the climate emergency, which includes achieving greenhouse gas reductions required to keep global temperature increases below 1.5°C. To do so, we must engage and involve the entire community, ensuring special consideration is given to those most vulnerable. At the same time, we must continue to protect our ecosystem and urban forest while preparing for the unavoidable impacts that climate change brings.

Key directions:

- Take bold action on corporate and community emissions with the goal to have net zero emissions by 2050 and aggressive benchmark targets between now and 2050.
- Implement the Environmental Strategy and Action Plan to protect and enhance biodiversity, natural areas, and our urban forest to improve ecological health, habitat, and community livability.

## Facilities, Infrastructure and Public Realm

Well-designed civic facilities are essential for a livable, thriving, and sustainable community. As such, reinvestment is needed to maintain existing assets, support sustainable lifecycle costing, and uphold levels of service the community expects and deserves. Our work on this front is guided by the strong belief that public spaces are for everyone and their design should reflect our community’s diversity and commitment to reconciliation.

Key directions:

- Ensure all major projects incorporate:
  - Climate robust infrastructure;
  - High standards of project delivery; and
  - Adaptation strategies that build on existing programs or policies and provide co-benefits with other community priorities such as advancing reconciliation.
- Advance key utility projects.
- Prepare a land acquisition strategy to advance this plan.
- Support and engage the community in preparing for future facilities, parks and open space needs, and aspirations.

## Reconciliation, Inclusion and Engagement

Our community is equitable, inclusive, and welcoming, and we recognize cultural diversity as a source of enrichment and strength. We value, foster, and maintain strong relations with the Indigenous members of our community and embrace reconciliation as a path forward. We also seek to ensure ours is a socially-connected and engaged community where all residents have opportunities to be involved.

Key directions:

- Actively and meaningfully engage with Indigenous nations, bands, communities, and individuals to develop enduring relationships.
- Ensure that the organization’s engagement practices and processes are representative of the entire community.
- Continue to monitor, evaluate, and respond to emerging community and social issues.
- Create a welcoming, inclusive, and accepting community that promotes a deep understanding and respect for all cultures.
- Apply a social equity lens throughout the organization to ensure that all residents can access, participate in, and benefit from City facilities, infrastructure, programs, and services.
- Take a lead role in responding to the opioid epidemic, including coordinating actions with community partners.



### 2020 Draft Police Board Meeting Dates

January	21 January
February	18 February
March	Spring Recess
April	21 April (Joint)
May	19 May
June	30 June
July	21 July
August	Summer Recess
September	15 September
October	20 October (Joint)
November	24 November
December	Winter Recess





## **REPORT**

### ***Financial Services***

**To:** Mayor Jonathan Coté, Chair, and Members  
New Westminster Municipal Police Board  
Open Meeting

**Date:** October 1, 2019

**From:** Mark Wilson  
Financial Services

**Subject:** Policy AC170 – McNeil Disclosure Policy

---

#### **RECOMMENDATION**

*That the Police Board approve the amended policy AC170 – McNeil Disclosure Policy.*

---

#### **PURPOSE**

The purpose of this report is to provide information to the Board on the amendments to policy AC170 – McNeil Disclosure Policy.

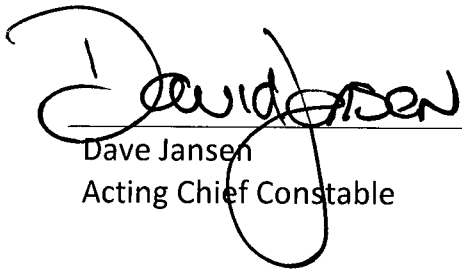
#### **DISCUSSION**

The policy has been amended to provide clearer direction to members and to relocate paragraphs from the “Policy” section to the “Procedures” section. These paragraphs relate to which members are responsible to conduct initial screenings and for receiving and reviewing the Member Conduct Disclosure, and other administrative tasks that are procedural duties and not policy statements.

**ATTACHMENT:**      Current Policy AC170 – McNeil Disclosure Policy  
                                 Draft Policy AC170 – McNeil Disclosure Policy

This report has been prepared by: Mark Wilson

Approved for Presentation



Dave Jansen  
Acting Chief Constable

# McNeil Disclosure Policy

**AC170**

Revised: September, 2019

**AC170**

**RISK ASSESSMENT: Medium**

## **POLICY**

1. The New Westminster Police Department will ensure that findings of relevant and serious misconduct by its members under the Police Act, are treated as first-party disclosure to Crown Counsel in a similar manner that investigative materials are currently disclosed in a Report to Crown Counsel (*R. v. Stinchcombe*).
2. The New Westminster Police Department will also ensure that, findings of guilt under any Federal or Provincial statute as they relate to sworn members must likewise be disclosed in this manner.

## **REASONS FOR POLICY**

3. To ensure compliance with the Supreme Court of Canada [2009] decision in *R. v. McNeil*, this requires first party disclosure of materials relating to police misconduct.

# McNeil Disclosure Policy

AC170

Revised: July, 2018

AC170

## POLICY

1. Findings of relevant and serious misconduct under the *Police Act* are to be treated as a first-party disclosure to Crown Counsel in a similar way that investigative materials are currently disclosed in a Report to Crown Counsel (*R. v. Stinchcombe*). Additionally, findings of guilt under any Federal or Provincial statute as they relate to sworn members must likewise be disclosed in this manner.
2. The Court Liaison Officer is responsible for the following:
  - a) To conduct the initial screening of every Member Conduct Disclosure Form submitted by members
3. The Professional Standards Unit Disclosure Officer is responsible for the following:
  - a) Receiving all Member Conduct Disclosure Forms from the Court Liaison Officer on which members have indicated “Yes” or “Unsure” to any of the questions;
  - b) Reviewing all Member Conduct Disclosure Forms received by the Court Liaison Officer and the corresponding Report To Crown Counsel for *McNeil* disclosure purposes;
  - c) Applying the guidelines in this policy in determining whether or not a member’s record will be disclosed to Crown.
4. Any member who appears on a Report to Crown Counsel in any capacity will have the following record(s) disclosed if deemed “relevant” by the Professional Standards Unit:
  - a) Any conviction or finding of guilt under the *Criminal Code* or the *Controlled Drugs and Substances Act* [for which a pardon has not been granted].
  - b) Any outstanding charges under the *Criminal Code* or the *Controlled Drugs and Substances Act*.
  - c) Any conviction or finding of guilt under any other federal or provincial statute.
  - d) Any finding of misconduct after a hearing or proceeding under the *Police Act* where the misconduct is related to the current investigation;

- e) Any finding of misconduct after a hearing or proceeding under the *Police Act* which has not been expunged; or
  - f) Any current charge of misconduct under the *Police Act* for which a Notice of prehearing Conference, Disciplinary Proceeding or Public Hearing has been issued.
5. All future changes to a member's status or circumstances in relation to the requirements of the *McNeil* self-disclosure form must likewise be reported to the Chief Constable via the Professional Standards Unit in order that accurate disclosures are made.
6. All new sworn members hired by the New Westminster Police Department must complete a *McNeil* disclosure form.

## **REASONS FOR POLICY**

7. To ensure compliance with the Supreme Court of Canada [2009] decision in *R. v. McNeil*, this requires first party disclosure of materials relating to police misconduct.