



## THE CORPORATION OF THE MUNICIPALITY OF KINCARDINE

**Subject:** South Bruce OPP Detachment Board

**Report Number:** Clerks-2021-22

**Meeting Date:** Monday, June 14, 2021

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**Recommendation:** THAT Council receive Report Clerks-2021-22 South Bruce OPP Detachment Board;

**AND FURTHER THAT Council direct Staff to proceed with Option 1.**

**AND FURTHER directs staff to continue work with participating municipalities in submitting the OPP Detachment Board proposal.**

**Date to be considered by Council:** Monday, June 14, 2021

**Report Summary:**

With the passing of the Comprehensive Ontario Police Services Act, 2019 (Bill 68) and the establishment of the Community Safety and Policing Act, 2019 (CSPA) thereby repealing the Police Services Act, 1990, all existing s. 10 Police Service Boards will be dissolved, including the Kincardine Police Services Board.

Section 67 of the CSPA requires there to be an Ontario Provincial Police Detachment Board for each detachment that provides policing in a municipality. The South Bruce OPP currently provides policing to the Municipality of Kincardine, Township of Huron-Kinloss, Municipality of Brockton, Municipality of Arran Elderslie, and Municipality of South Bruce. All five municipalities are required to jointly submit one proposal for the composition of the new South Bruce OPP Detachment Board to the Ministry of the Solicitor General. The proposal was due June 7, 2021, however, the Ministry has granted an extension until the end of June 2021.

**Origin:** Comprehensive Ontario Police Services Act, 2019 (Bill 68) and the Community Safety and Policing Act, 2019 (CSPA)

**Existing Policy:** Police Services Act, 1990 (PSA)

## **Background/Analysis:**

On March 26, 2019, the Province of Ontario passed the Comprehensive Ontario Police Services Act, 2019 (Bill 68) and established the Community Safety and Policing Act, 2019 (CSPA). Once in-force the CSPA, 2019 will replaced the Police Services Act 1990 (PSA), which will terminate all existing Section 10 agreements and dissolve all Section 10 police services boards, including the Kincardine Police Services Board. Detachment Boards will be established in their place with enhanced responsibilities. The Ministry has stated that the introduction of Detachment Boards will not result in any substantive changes to the billing process and municipalities will continue to be billed individually.

At the May 17, 2021 Committee of the Whole meeting, Council requested an extension on the deadline to submit the proposal from the Ministry in order to have more time to discuss Detachment Boards. The Ministry agreed to grant an extension and the proposal must be submitted before the end of June 2021. Council also requested that a meeting with Lisa Thompson, MPP arranged. Mayor Glover and Deputy Mayor Roppel will be meeting with MPP Thompson in the near future. The Kincardine Police Services Board at its June 2, 2021 meeting choose not to make a recommendation to Council regarding the proposal.

### **No Changes to OPP Billing or Service Agreements**

The formation of a Detachment Board will have no impact on the O.P.P. Service Agreement the Municipality has with the Solicitor General. The Board is not responsible for reviewing and renewing service agreements. Municipalities will continue to be billed for OPP services individually. The billing system is determined by the number of residents and businesses (property count) in the Municipality and calls for service. The Municipality will still be able enter into agreements for enhanced policing services under the CSPA. The municipality will be responsible for funding and implementing these enhancements, not the Detachment Board. The School Resource Officer is an enhanced position funded by the Municipality of Kincardine.

### **Current Role of the Police Services Board**

Under Section 10 of the PSA, currently the main responsibilities of the board are to:

- a) Participate in the selection of the detachment commander of the detachment assigned to the municipality or municipalities;
- b) Generally determine objectives and priorities for police services, after consultation with the detachment commander or his or designate;
- c) Establish, after consultation with the detachment commander or his or her designate, any local policies with respect to police services (but the board or joint board shall not establish provincial policies of the Ontario Provincial Police with respect to police services);
- d) Monitor the performance of the detachment commander;

- e) Receive regular reports from the detachment commander or his or her designate on disclosures and decisions made under section 49 (secondary activities);
- f) Review the detachment commander's administration of the complaints system under Part V and receive regular reports from the detachment commander or his or her designate on his or her administration of the complaints system.

Board members do not interfere with operational decisions and responsibilities or with the day-to-day operation of the police force.

### **Future Role of the Detachment Board**

The role of detachment board members will expand under the CSPA to include additional responsibilities not currently covered by Section 10 in the PSA. Detachment Boards will be responsible for considering any community safety and well-being plans adopted by the municipality. Boards will also ensure that local actions plans prepared by the detachment commander address the objectives and priorities determine by the board.

Detachment Boards will enhance civilian governance and ensure that each municipality and First Nation receiving OPP services and supports has an opportunity to represent their local perspectives, needs, and priorities. This will also be an opportunity to collaborate with neighbouring municipalities on efforts to improve community safety, while still being able to advocate the Municipality's perspectives, needs, and priorities. A Detachment Board that consists of all the municipalities receiving policing from the South Bruce OPP will enhance the transparent, coordinated and efficient delivery of service.

The Council of The Municipality of Kincardine adopted the Community Safety and Well-Being Plan on December 14, 2020. The Plan was established to develop strategies that address safety and well-being concerns identified as being high risk in Bruce and Grey Counties in a proactive and collaborative manner. Crime Prevention was one of five priority areas for action identified in the Plan. The Township of Huron-Kinloss, the Municipality of Brockton, the Municipality of South Bruce, and the Municipality of Arran-Elderslie also adopted the same Community Safety and Well-Being Plan. The creation of a South Bruce OPP Detachment Board will further enhance the implementation of the communication and collaboration initiatives that are identified in the Plan.

Many police service boards, including the Kincardine Police Service Board, have had a high rate of vacancies on boards, specifically related to provincial appointments. The Provincial Appointee position on the KPSB has been vacant since December 2019. As a result, the board has been unable to provide effective civilian governance and fails to adequately represent the needs of the various communities receiving OPP services. With the formation of Detachment Boards, the Ministry will work with the municipalities to reduce the backlog of provincial

appointments and ensure that provincial appointees are recruited and appointed in a timely manner.

All municipalities and First Nation communities receiving direct and/or supplemental services from an OPP detachment are required to submit one proposal per detachment. The proposal must include the desired composition of the board, if a municipality wishes to retain its own board, including the justification for this, and/or if the municipality is forfeiting its seat on the board.

The following is a list of options for Council to decide regarding the future of the Kincardine Police Services Board. The list is in no particular order.

### **Option 1 Forming One South Bruce OPP Detachment Board**

Requirements of the board include:

- Minimum size of 5 members, no maximum size but the Ministry recommends a maximum size of 15 members.
- 20% Community Representation – the Province will appoint community representatives should municipal council fail to appoint representatives by joint resolution.
- 20% Provincial Appointees.

The proposal will require the municipalities to identify the number of seats each municipality will have on the board as well as the number of community representatives and provincial appointments. The names of the individuals that will be participating in on the Detachment Board are not required at this time.

The Detachment Board model is already in-use in several places in Ontario, including Lambton Group Police Services Board which represents nine different municipalities who receive police services from the Lambton OPP. Each municipality has a representative on the board.

On April 27, 2021, the Clerk and Kincardine Police Services Board Secretary met with clerks from the other municipalities that receive police services from the South Bruce OPP to discuss the OPP Detachment Board Proposal. These municipalities include the Township of Huron-Kinloss, Municipality of Brockton, Municipality of Arran Elderslie, and Municipality of South Bruce.

At the May 5, 2021 Special Kincardine Police Services Board Meeting, a proposed framework was presented. The suggested board composition is as follows:

- One member from each participating municipality
- Two members from the community
- Two provincial appointees

The Councils of Huron-Kinloss, South Bruce, and Arran-Elderslie have all voted in support of this proposed framework.

The Ministry has acknowledged that as detachment boards are established and take on their new roles, there may be some boards that will require changes and the Ministry will assist with making those changes.

If a proposal is not submitted or a consensus cannot be reached on the composition, the ministry will determine the composition of the detachment board.

### **Option 2 Request to maintain a separate Police Services Board for the Municipality of Kincardine**

Multiple boards per detachment are permitted, but the rationale for multiple boards and the composition of each additional board must be submitted as part of the detachment proposal. The Ministry has indicated the following factors as acceptable rationale:

- **Geography** - The total geographic area of the Detachment. For example, detachments in Northern Ontario can cover hundreds of kilometers and there is a significant distance between the detachment and the communities it serves, often requiring several hours of travel.
- **Variations in population size** - As of 2016 the population of the Municipality of Kincardine was 11,380. The Municipality of Brockton's population was 9,461 in 2016. Arran-Elderslie's population was 6,803 and the Municipality of South Bruce was 5,639 in 2016. The Township of Huron-Kinloss had a population of 7,069. These are not considered significant variations in population size.
- **Number of municipalities and First Nations within an OPP detachment** - There are currently 5 municipalities in the South Bruce OPP Detachment. The Wellington County OPP Detachment already has one board for the whole detachment, which represents 7 towns and townships with population sizes ranging from just over 7,000 to almost 30,000. As previously mentioned, the Lambton Group Police Services Board represents 5 townships, 1 city, 1 village, and 2 towns.
- **Service demands** - The Municipality of Kincardine had 2,036 calls for service in 2020, while the Municipality of Brockton had 1,861. The Township of Huron-Kinloss, the Municipality of Arran-Elderslie, and the Municipality of South Bruce had just under 1000 service calls each. All five municipalities share similar top 10 calls for service including: Motor Vehicle Collisions, Suspicious Persons, Theft under \$5,000, Domestic Disturbance, False Alarms, Mental Health Act, and Mischief.

It is in the opinion of staff that the Municipality of Kincardine would not meet the criteria to request an independent Police Services Board.

**Option 3 Forfeit a Seat on the Board**

The Municipality may also choose not to participate on a detachment board and forfeit their seat. If the municipality forfeits their seat on the detachment board, they will not be able to meet with the Detachment Commander on a regular basis and will not receive regular reports. The detachment boards will be responsible for governance of local OPP policing within the entire detachment area. If the Municipality does not participate on a detachment board, the board will still be responsible for input into policing of that area and will be making decision regarding local policies for communities that choose not to participate.

The forfeiture of the seat needs to be indicated on the proposal.

**Corporate Strategic Plan 2020-2025: N/A**

**Financial Implications: N/A**

**Attachments:**

## Report Approval Details

Document Title:	South Bruce OPP Detachment Board - Clerks-2021-22.docx
Attachments:	
Final Approval Date:	Jun 9, 2021

This report and all of its attachments were approved and signed as outlined below:

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