



**BOARD OF POLICE COMMISSIONERS
MINUTES
July 6, 2022**

PRESENT: Commissioner Lindell Smith, Chair
Commissioner Carole McDougall, Vice Chair
Commissioner Yemi Akindoju
Commissioner Lisa Blackburn
Commissioner Harry Critchley

REGRETS: Commissioner Becky Kent
Commissioner Anthony Thomas

STAFF: John Traves, Municipal Solicitor
Chief Dan Kinsella, Halifax Regional Police
Inspector Jeremie Landry, Acting District Commander, Halifax District Royal
Canadian Mounted Police
Iain MacLean, Municipal Clerk
Andrea Lovasi-Wood, Legislative Assistant

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, reports, supporting documents, and information items circulated are online at halifax.ca.

The meeting was called to order at 12:33 p.m., and adjourned at 3:13 p.m.

1. CALL TO ORDER AND LAND ACKNOWLEDGEMENT

The Chair called the meeting to order at 12:32 p.m. and acknowledged that the meeting took place in the traditional and ancestral territory of the Mi'kmaq people, and that we are all treaty people.

2. COMMUNITY ANNOUNCEMENTS – NONE

3. APPROVAL OF MINUTES – June 20, 2022

MOVED by Commissioner Blackburn, seconded by Commissioner Akindoju

THAT the minutes of June 20, 2022 be approved as circulated.

MOTION PUT AND PASSED.

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

Additions: None

Deletions: None

As provided for in Section 37 (1) of Administrative Order One, *Respecting the Procedures of the Council*, the Board of Commissioners requested that item 10.2.1 Commissioner Critchley – Staff report regarding police enforcement of P-600 be considered after item 8.3.1 Presentation – Request to Create a Policy Regarding Police Action Where People are Sleeping in Tents in Public Spaces – Robin Tress.

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

THAT the agenda be approved as amended.

MOTION PUT AND PASSED.

5. BUSINESS ARISING OUT OF THE MINUTES – NONE

6. CALL FOR DECLARATION OF CONFLICT OF INTERESTS – NONE

7. CONSIDERATION OF DEFERRED BUSINESS – June 20, 2022

7.1 Halifax Regional Police/Royal Canadian Mounted Police Chief Updates

The Board of Police Commissioners agreed that at future meetings of the Board of Police Commissioners that the Board will receive Halifax Regional Police and Royal Canadian Mounted Police Chief Updates at the beginning of the meeting prior to item 10.1 Reports.

Chief Dan Kinsella, Halifax Regional Police gave an update on recruitment, staffing announcements and recent Halifax Regional Police initiatives including the establishment of a hate crime unit. Kinsella provided statistics relating to the increase in gun violence since 2019, detailed Halifax Regional Police's response to the increase in gun violence including increased gun seizures and the establishment of a gun violence hotline. Kinsella and Neera Ritcey, Director, Corporate Affairs, Halifax Regional Police responded to questions of clarification from the Board of Police Commissioners.

Inspector Jeremie Landry, Acting District Commander, Halifax District Royal Canadian Mounted Police (Halifax District RCMP) gave an update on staffing announcements, a summary of key operational activities and recent Halifax District RCMP initiatives including the revamping of the community and school police officer program into a newly implemented community action and response team. Landry

responded to questions of clarification from the Board of Police Commissioners regarding gun violence and gun seizures, the RCMP gun amnesty program, the use of street navigators and wellness court committees in community policing.

Landry and Kinsella responded to questions of clarification from the Board of Police Commissioners regarding the impact of the final Independent External Comprehensive Review of the Department of National Defence and the Canadian Armed Forces regarding sexual harassment and misconduct in the armed forces on the Halifax District RCMP and Halifax Regional Police assuming investigations of sexual assaults in the armed forces.

8. CORRESPONDENCE, PETITIONS & DELEGATIONS

8.1 Correspondence

Correspondence was received and circulated for items: 8.3.1.

For a detailed list of correspondence received refer to the specific agenda item.

8.2 Petitions – None

8.3 Presentation

8.3.1 Presentation – Request to Create a Policy Regarding Police Action Where People are Sleeping in Tents in Public Spaces – Robin Tress

The following was before the Commission:

- Correspondence from Robin Tress

Robin Tress gave a presentation regarding their desire that a policy be developed regarding police actions with unhoused people sleeping in tents in public spaces. This policy should stipulate that unhoused people should not be removed from parks unless real housing can be provided, that unhoused people be treated with respect for their human rights and that police not be the first line of response. Tress responded to questions of clarification from the Board of Police Commissioners clarifying that the policy requested should specify that civilian based services will be the primary source of response to unhoused people living in parks and that the Board advocate for more financial resources to address the issue.

9. INFORMATION ITEMS BROUGHT FORWARD – NONE

10. REPORTS

10.1 STAFF

10.1.1 Board of Police Commissioners 2021 Annual Report – Draft Report

The following was before the Commission:

- A draft information report from the Chair of the Board of Police Commissionaires dated June 1, 2022
- Motion Memorandum dated July 6, 2022

MOVED by Commissioner McDougall, seconded by Commissioner Blackburn

That the Halifax Board of Police Commissioners:

- 1. Approve the Board of Police Commissioners 2021 Annual Report as presented; and**
- 2. Direct that the approved Board of Police Commissioners 2021 Annual Report be forwarded to Halifax Regional Council for information.**

MOTION PUT AND PASSED.

10.1.2 Halifax Regional Police and Halifax District Royal Canadian Mounted Police and Crime Statistics

The following was before the Commission:

- A staff information report from Halifax Regional Police dated July 6, 2022
- A staff information report from Halifax District Royal Canadian Mounted Police dated July 6, 2022

Chief Dan Kinsella, Halifax Regional Police responded to questions of clarification from the Board of Police Commissioners regarding the number of homicides related to gun violence.

10.2 MEMBERS OF BOARD OF POLICE COMMISSIONERS

10.2.1 Commissioner Critchley – Staff report regarding police enforcement of P-600

The following was before the Commission:

- Request for Board of Police Commissioners consideration form from Commissioner Critchley
- Handout dated July 6, 2022

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

That the Chair of the Halifax Board of Police Commissioners (the “Board”) direct the Chief Officer of the Halifax Regional Police (“HRP”) and recommend that the Chief Superintendent of the Halifax District Royal Canadian Mounted Police (“RCMP”) prepare staff reports to be received by the Board at an early as possible meeting. These reports should briefly outline all policies, procedures, and other operational guidance provided to officers regarding the enforcement of subsections 8(1) and 8(2) of Halifax Regional Municipality By-Law P-600 Respecting Municipal Parks (“P-600”) as well as the *Protection of Property Act*.

John Traves, Municipal Solicitor responded to questions of clarification from the Board of Police Commissioners regarding By-Law P-600’s enforcement advising that By-Law P-600 is enforced by By-Law staff as directed by the Executive Director of Parks and Recreation. By-Law staff will follow up with provincial street navigators who will assist people living in the park to find support and housing. Traves advised that if enforcement actions go beyond ticketing, then support may be required from Halifax Regional Police (HRP).

Chief Kinsella, Halifax Regional Police responded to questions of clarification from the Board of Police Commissioners noting that there is no policy regarding the HRP’s role in the enforcement of By-Law P-600. Kinsella advised that HRP is not the first responder to unhoused encampment calls as its is By-Law enforcement’s jurisdiction under By-Law P-600 as detailed in the June 14, 2022 staff report to Regional Council entitled “Homelessness and Designated Locations Approach”. HRP will respond if called upon and if there is a report of criminal activity. HRP are responsible for the enforcement of the *Protection of Property Act* and its’ policy relating to the Act’s enforcement does not address encampments.

Traves further responded to questions of clarification on the constitutional issues regarding the enforcement of By-Law P-600 and the *Protection of Property Act*, clarifying that the Executive Director of Parks and Recreation is responsible for their enforcement. The Executive Director’s enforcement jurisdiction includes HRP and Halifax District RCMP support in circumstances where there is a need for law enforcement and the maintenance of public order per the *Police Act*. The Executive Director of Parks and Recreation and the Chief Administrative Officer, in consultation with Regional Council, have considered options to provide safer housing for unhoused people who reside in Meagher Park and that the enforcement of the By-law P-600 is the jurisdictional responsibility of HRM. Traves further advised the Board that a staff report may be requested to consider policies but decisions and enforcement of By-Law P-600 are the responsibility of HRM with police service intervention as deemed necessary by the Executive Director.

Commissioner Smith proposed that the staff report not include policies, procedures, and other operational guidance provided to officers regarding the enforcement of subsections 8(1) and 8(2) of Halifax Regional Municipality By-Law P-600. As provided for in section 53 (2) of Administrative Order One, *Respecting the Procedures of the Council*, the amendment was accepted as friendly.

The motion now read:

MOVED by Commissioner Critchley, seconded by Commissioner Blackburn

That the Chair of the Halifax Board of Police Commissioners (the “Board”) direct the Chief Officer of the Halifax Regional Police (“HRP”) and recommend that the Chief Superintendent of the Halifax District Royal Canadian Mounted Police (“RCMP”) prepare staff reports to be received by the Board at an early as possible meeting. These reports should briefly outline all policies, procedures, and other operational guidance provided to officers regarding the enforcement of the *Protection of Property Act* specifically as it relates to responding to encampment sites for homeless individuals in municipal parks.

Inspector Jeremie Landry, Acting District Commander, Halifax District RCMP advised the Board of Police Commissioners that the Halifax District RCMP have a policy regarding the enforcement of the *Protection of Property Act*. Operational guidance was provided to officers last fall that officer are not to remove unhoued people from parks but provide information regarding housing supports.

MOTION PUT AND PASSED.

10.3 COMMISSIONER UPDATES – NONE

11. ADDED ITEMS – NONE

12. ITEMS FOR FUTURE CONSIDERATION

The Board of Police Commissioners requested that Jacques Dubé, Chief Administrative Officer provide an update to the Board regarding the progress of the relocation of unhoued people from Meagher Park.

The Board of Police Commissioners requested a briefing note from Halifax Regional Police regarding the plan when involuntary compliance of By-Law P-600 is encountered and enforcement becomes necessary. Chief Kinsella, Halifax Regional Police referred the Board to the June 14, 2022 “Homelessness and Designated Locations Approach” report.

13. IN CAMERA (IN PRIVATE)

13.1 In Camera (In Private) Minutes – June 20, 2022

This matter was dealt with in public.

MOVED by Commissioner Blackburn, seconded by Commissioners Akindoju

THAT the In Camera (In Private) minutes of June 20, 2022 be approved as circulated.

MOTION PUT AND PASSED.

Private and Confidential Information Items

1. Private and Confidential In Camera (In Private) Information Report - re: Personnel Conduct Matter
2. Private and Confidential In Camera (In Private) Information Report - re: Personnel Conduct Matter

14. NOTICES OF MOTION

14.1 Commissioner Smith

TAKE NOTICE that, at a future meeting of the Board of Police Commissioners, I intend to move a motion to propose that the Chair of the Board of the Police Commissioners direct the chief officer of the Halifax Regional Police to prepare a staff report responding to the recommendations of the Nova Scotia Police Review Board and outlining:

1. If HRP will be implementing the suggestions put forward by the Review Board
2. What training and education is in place for officers for the three topics outlined in the Nova Scotia Police Review Board decision.
3. Highlighting improvement opportunities in education or training related to the outlined topics
4. A plan to address the necessary improvements.

15. DATE OF NEXT MEETING – August 3, 2022 – if required

16. ADJOURNMENT

The meeting adjourned at 3:13 p.m.

Andrea Lovasi-Wood
Legislative Assistant