

Report to Council

Report Title:	Brockton Police Services Board Update		
Prepared By:	Sarah Johnson, Jr. Deputy Clerk and Fiona Hamilton, Clerk		
Department:	Clerk's		
Date:	April 27, 2021		
Report Number:	CLK2021-12	File Number:	C11CL, P16PO
Attachments:	Ministry of the Solicitor General – Update on OPP Detachment Boards under <i>Community Safety and Policing Act, 2019</i> OPP Detachment Board Proposal Process Factsheet OPP Detachment Board Proposal Process Questions and Answers Email from the OPP MPB Financial Services Unit – 2021 Court Security and Prisoner Transportation Grant		

Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number CLK2021-12 - Police Services Board Update, prepared by Sarah Johnson, Jr. Deputy Clerk and Fiona Hamilton, Clerk and in doing so approves sending a letter to the Ministry of the Solicitor General requesting an exemption under the *Community Safety and Policing Act, 2019* to allow the Municipality of Brockton to maintain the Brockton Police Services Board as a singular Board as requested by the Brockton Police Services Board.

Report:

Background:

***Community Safety and Policing Act, 2019* Impact on Police Services Boards:**

Ontario passed the [Comprehensive Ontario Police Services Act, 2019](#) (Bill 68) and established the [Community Safety and Policing Act, 2019](#) (CSPA) which, once in force will repeal the [Police Services Act, 1990](#) (PSA). The new Act will dissolve the existing s. 10 Police Services Boards and require those Boards to submit proposals for new Boards.

Section 67 of the CSPA requires there be an Ontario Provincial Police Detachment Board for each detachment that provides policing in a municipality, or in a First Nations community. The Ministry was required to develop a regulation related to the composition of each OPP Detachment Board. To achieve this the Ministry developed the "OPP Detachment Board Framework". The framework will ensure that each municipality and First Nation receiving OPP services and supports has an opportunity to represent their local perspectives, needs and priorities. The framework will also allow for municipalities and First Nations to collaborate on

efforts to improve community safety. Municipalities can determine the preferred composition of their detachment board by submitting a proposal using a [digital form](#) provided by the Ministry.

Analysis:

Community Safety and Policing Act, 2019 Impact on Police Services Boards:

All municipalities policed by the South Bruce OPP Detachment that have s. 10 Police Services Boards (Brockton, Huron Kinloss, and Kincardine) will be required to work together and submit **one proposal** regarding the composition of their OPP Detachment Board. South Bruce and Arran-Elderslie would not be required to submit a proposal or join the other municipalities because they do not have separate police services boards. Requirements of the board include:

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

The OPP Detachment Board proposals are due to the Ministry of the Solicitor General by June 7, 2021. The proposal will require the municipalities to identify the number of seats each municipality will allocate on the board as well as the number of community representatives and provincial appointments. Names of the individuals that will be participating on the Detachment Board will not be required at this time. The Ministry will work with the municipalities to provide support during the proposal process.

The Clerk's department has registered for a virtual information session provided by the Ministry to determine the next steps in the process.

The Clerk's department has also begun to reach out to the other municipalities policed by the South Bruce OPP to begin a discussion on the OPP Detachment Board proposal to submit to the Solicitor General. At this time, there is a preference among the remaining South Bruce OPP Police Services Boards to remain as one consolidated Board.

The Clerk, Chief Administrative Officer, and Mayor have also met with the Brockton Police Services Board Chair, a Provincial Appointee, and Councillor representative to further discuss the impact the legislation would have on Brockton specifically.

As a result of the meeting with the Clerk, CAO and Mayor, the Brockton Police Services Board held a Special Meeting on April 22, 2021 at 5:00 p.m. to discuss and bring forth a recommendation to Council regarding their proposal to the Ministry of the Solicitor General for the Municipality of Brockton to maintain the Municipality's own Police Services Board.

At the April 22, 2021 Special Brockton Police Services Board Meeting, the following resolution was passed by the Brockton Police Services Board requesting that Council consider sending a letter to the Ministry of the Solicitor General requesting an exemption under the CSPA to allow Brockton to maintain its own singular Board instead of consolidating with the remaining South Bruce OPP Police Services Boards.

Brockton Police Services Board Resolution:

Moved By Tim Elphick

Seconded By Carl Kuhnke

Whereas the Province of Ontario passed the *Comprehensive Ontario Police Services Act, 2019* (Bill 68) and established the *Community Safety and Policing Act, 2019* (CSPA) which, once in force, will repeal the *Police Services Act, 1990* (PSA);

And Whereas Section 67 of the CSPA states that there be an Ontario Provincial Police (OPP) detachment board, or more than one OPP detachment board, for each detachment of the OPP that provides policing in a municipality or in a First Nation community;

And Whereas the Corporation of the Municipality of Brockton has entered into a policing contract with the OPP until June 30, 2022;

And Whereas there are unique circumstances to the Municipality of Brockton, including but not limited to: highest policing cost per household in detachment area; host to the Bruce County Courthouse (court security and prisoner transport costs); unique rural geography; variation in population size from other surrounding municipalities; and the public interest in ongoing review of service demands (e.g. calls for service);

Now Therefore the Brockton Police Services Board recommend that the Council of the Municipality of Brockton authorize the preparation and submission of a proposal to the Province of Ontario in that the Municipality of Brockton be authorized to establish their own OPP detachment board within the OPP: South Bruce Detachment;

And Further Be It Resolved, subject to the approval of the Province, it is recommended that any costs associated with establishing an OPP detachment board within the Municipality of Brockton continue to be appropriately budgeted in the annual Brockton Budget in each calendar year.

And Further Be It Resolved that the final submission to the Province of Ontario be copied to MPP Lisa Thompson.

Carried.

The Ministry has stressed that they will only accept **one proposal per detachment** and further encourage Detachment Boards to work together on their proposal. Therefore, staff will continue to collaborate with the South Bruce OPP Police Services Boards in the meantime to collaborate on the joint proposal, should the Brockton Police Services Board's request to Council and/or the Ministry of the Solicitor General be denied.

Court Security and Prisoner Transportation Grant (CSPTG):

The Municipality was recently informed by the MPB Financial Services Unit that Brockton will be receiving \$296,902 for the 2021 Court Security and Prisoner Transportation Grant, with 25% available now and the remainder scheduled for September 2021. Although, it was noted that “2020 reconciled CSPT costs will be compared to the actual grant allocated for 2020, and any grant overpayment will be deducted from the outstanding grant allocation. We anticipate that the number of municipalities with grant overpayments is likely to increase this year as COVID restricted access to courthouses across the province and therefore reduced 2020 court security and prisoner transportation costs.”

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

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| • Do the recommendations help move the Municipality closer to its Vision? | Yes |
| • Do the recommendations contribute to achieving Cultural Vibrancy? | N/A |
| • Do the recommendations contribute to achieving Economic Prosperity? | Yes |
| • Do the recommendations contribute to Environmental Integrity? | N/A |
| • Do the recommendations contribute to the Social Equity? | Yes |

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective?
N/A

There are no budgetary impacts at this time

The 2021 CSPTG reflects an increase grant of \$51,615 from 2020.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Sarah Johnson, Jr. Deputy Clerk



Fiona Hamilton, Clerk

Reviewed By:



Sonya Watson, Chief Administrative Officer