

MINUTES of the open portion of the regular meeting of the OAK BAY POLICE BOARD held in Council Chambers of Oak Bay Municipal Hall, 2167 Oak Bay Ave, Oak Bay, BC, on Thursday, March 31, 2016 at 3:00 p.m.

PRESENT:	Board Members:	Nils Jensen, Chair
		Mary Kelly
		Brian Rendell
		Sandra Waddington
	Chief Constable:	Andy Brinton
	Deputy Chief Constable:	Kent Thom
	CAO & Police Board Secretary	Helen Koning
	Executive Assistant/Recording Secretary	Laura Lang

Chair called the meeting to order at 3:07 p.m.

APPROVAL OF AGENDA:

Agenda approved.

ADOPTION OF MINUTES:

RESOLVED that minutes of the open portion of the regular meeting of the Oak Bay Police Board, held on Tuesday, February 23, 2016, be adopted.

DEPARTMENT REPORTS:

Chief Brinton advises that the 2015 year-end figures are not yet finalized and there was very little to report regarding the budget year to date for February.

Overtime Report (January, 2016)

Sick time has been a little higher for the first few months of the year than anticipated. Chief Brinton to investigate further to determine the cause.

Chief Constable's Monthly Report (February 10, 2016)

The Road to Mental Readiness training is taking place during the first week of April, with two members selected to be instructors – Constable Sheri Lucas and Constable Mike Martin. The plan is to roll it out to all members of the department during the mandatory training sessions in the fall.

Support Services Monthly Report (Sgt Smith, February 11, 2016)

The Chair acknowledges comments from the Support Services report regarding the level of service provided by the front desk staff at the police department. The front desk positions are more than reception, providing answers and information on a wide range of police issues, without the assistance of operational members, who are otherwise engaged. The level of service provided at the front counter is reflective of the level of service the citizens of Oak Bay want.

Deputy Chief Thom would like to acknowledge the time and effort put in by Restorative Justice Victoria related to the issue covered by the media regarding the high school junior boys

basketball team. All sixteen team members participated in a “Closing Circle” through Restorative Justice Victoria, along with one school counsellor and a former Oak Bay High School rugby player who is now a current facilitator with Restorative Justice. Both facilitators spent an entire week preparing for the closing circle by holding a number of interviews prior to the meeting. It was a very strategic process, with a very positive end result. The Restorative Justice facilitator attended the police department and provided an overview of the process and the result. School counsellors will take the outcome of any restorative justice process to help determine how it may benefit the entire school body. The Chair requests that thanks and acknowledgement be passed on to Restorative Justice Victoria.

Chair Jensen questioned as to when the planned scooter rodeo for seniors was to be held. Date is still to be determined. It was recommended by the Chair that this event would be a good one for available Board members to attend. No name tags have been issued to the Board members, such as the ones that Council wear at public events. Police Department staff to make some enquiries with municipal staff regarding ordering name tags.

RESOLVED that all of the Department Reports be received.

COMMUNICATIONS:

6. Request for Additional Capital Funding

The total amount requested is \$20,500, which is above and beyond existing contingencies that have already been depleted.

MOVED and seconded: That Chief Brinton request that council include this amount, which is an additional request than previously approved by Council, in the police provisional budget and take to the estimates meeting in April.

CARRIED

7. Special Municipal Constables Complaints Regulation

Any departments with staff holding Special Constable status are being encouraged to examine their employee list closely to determine if any of the Special Constable status can be eliminated. Oak Bay does not currently have any positions holding Special Constable status.

RESOLVED that the correspondence regarding the Special Municipal Constables Complaints Regulation be received.

8. Integrated Policing Initiatives Working Group

This initiative is likely to be dormant for a period of time until legal issues are resolved.

RESOLVED that the correspondence regarding the Integrated Policing Initiatives Working Group be received.

9. BC Association of Police Board Executive

Sandra Waddington wishes to remain on the BCAPB Executive for one more year and then turn it over to another member during her last year so that there is some continuity before Sandra's term on the board ends.

RESOLVED that the correspondence regarding the appointment of the BCAPB Executive Board be received, and the issue be TABLED until the April meeting to determine an alternate representative.

10. 2016 BCAPB Annual General Meeting and Conference

MOVED and seconded: That the Oak Bay Police Board will sponsor a coffee break at the BC Association of Police Boards 2016 Conference and AGM.

CARRIED

11. Oak Bay Police Board Manual – Draft #2

The Freedom of Information and records management sections are still under development, with research ongoing as well as a few editorial changes to be made.

On page twelve (12) of the manual in the "Guidelines for Conduct" section, the phrase "Duty of Loyalty" was brought into question. After discussion regarding the intent, it was determined that it should be reworded to read "*To give one's loyalty to the board in its role as civilian oversight when acting on behalf of the board.*"

MOVED and seconded: That the manual be approved, subject to editorial changes, changes to the records management section and rewording of the "Duty to Loyalty" from page 12, Guidelines for Conduct.

CARRIED

CHIEF'S ORDERS: (Policy Changes)

- AC 000 – Use of Telephones and Cellular Telephones
- AF 100 – Intra/Internet and Voicemail Usage
- AF 120 – Social Media

AC000

Two existing policies updated and one new piece of policy presented. Discussion held regarding the proper use of cellular phones and personal use of work cellular phones. Chief Brinton advises that section 3.9 of Policy AC 000 states that "*personal calls, although not prohibited, are discouraged.*" The use of the departmental cellular phones will be monitored and any excessive personal use would be dealt with on a case by case basis.

The department wants to discourage the use of personal cellular phones for investigational purposes due to the potential for those phones to be seized as exhibits under investigative authority by the Independent Investigations Office (IIO). By providing departmental cellular

phones for investigative purposes, the potential for the seizure of personal cellular phones is mitigated.

Section 3.33 of Policy AC 000 requires more clarity as to the intention of the wording. Chief Brinton to investigate further and return to the Board. The wording throughout the policy often referred to both “employees” and “members”, the suggestion was made that one or the other of the terms be used throughout, rather than a mixture of both. To be changed for consistency.

Section 3.14 it was suggested that the word “real” prior to “expectation” be removed.

MOVED and seconded: That policy AC 000 be reviewed for consistency, editorial changes and changes to section 3.33 and 3.14 as noted and returned to the Board.

CARRIED

AF 100

In section 7.0 of policy AF 100, the Chair suggests that there be more clarity regarding the personal use of email. In particular when members are sending a personal email from work that their position as a police officer not be used to their advantage or to reflect back upon the department. This could be prevented by prohibiting any personal emails sent from the departmental email or that there be no indication of their position, rank or authority within the email. Chief Brinton agrees that there should be policy in place to prevent an expectation of preferential treatment when using departmental email for personal reasons. Chief Brinton feels that the better option would be to prohibit the personal use of departmental email.

MOVED and seconded: That Chief Brinton consult with Sergeant Smith and return policy AF100 with required changes.

CARRIED

AF 120

Discussion held regarding the supervision of departmental use of Twitter. Chief Brinton advises that sections 2.2 to 2.4 repeat the point stated in section 1.4 of Policy AF 120 and suggests section 1.4 be removed entirely. Members may be allowed to have a personal Twitter or other social media account, but must remain cognizant that whatever is published may run the risk of reflecting negatively on both the member and the department. There should be clarity regarding the difference between personal use of social media and departmental use of social media within policy AF 120.

MOVED and seconded: That section 1.4 be removed and that changes be made and brought back to the Board after further review by the police department.

CARRIED

MOVED and seconded: That all three Policies be reviewed, amended and returned to the Board for further review and/or approval.

CARRIED

NEW BUSINESS:

The Board feels that the joint meeting with Council on March 21 went very well and support holding annual joint meetings. Police Board and Council both agree that this would improve visibility for the Police Board in the community.

MOVED and seconded: That the Oak Bay Police Board and Oak Bay Municipal Council meet on an annual basis.

CARRIED

ADJOURNMENT:

RESOLVED that the open portion of the meeting be adjourned and that a closed session be convened to discuss personnel and legal issues, which may be dealt with in private under the *Police Act*.

The open portion of the meeting adjourned at 4:22 p.m.

Certified Correct:

Secretary, Oak Bay Police Board

Chair, Oak Bay Police Board