

THE CORPORATION OF THE CITY OF NELSON

Nelson Police Board
MINUTES
Nelson, British Columbia
June 23, 2009

THE FIFTH REGULAR MEETING of the Nelson Police Board for the year 2009 was held at the Nelson Police Department Boardroom, 606 Stanley Street, Nelson, BC, on Tuesday, June 23, 2009.

PRESENT: Mayor John Dooley - Chair
Director Barrie Taylor
Director Mike McIndoe

ALSO PRESENT: Chief Dan Maluta
Inspector Henry Paivarinta
Board Secretary Brita Wood

REGRETS: Director Leona Ashcroft

1. ADOPT AGENDA

Moved by Director Taylor, seconded by Director McIndoe,
And Resolved:

That the Agenda be adopted as presented.

CARRIED

2. APPROVAL OF PREVIOUS MEETING MINUTES

Moved by Director McIndoe, seconded by Director Taylor,
And Resolved:

That the Minutes of the Regular meeting of the Nelson Police Board of May 27, 2009, be adopted as circulated.

CARRIED

3. PRESENTATIONS / AUDIENCE WITH BOARD

One guest was present: Chris Shepherd from the Kootenay Express Newspaper.

4. BUSINESS ARISING FROM THE PREVIOUS MEETING

a. City Council Travel Training Budget

The Directors requested the Board Secretary ask for year end travel expenditures from City Council to compare to the Police Board travel expenses. In the meantime, the Directors requested the Board Secretary provide a list of travel and training obligations expected for the next year and distribute it at the next meeting.

b. Police Board Community Involvement – Director Ashcroft

Because Director Ashcroft was absent, this item was tabled to the next meeting.

c. Justice Reform – Delta Police Board Resolution

Moved by Director Taylor, seconded by Director McIndoe,
And Resolved:

That Nelson Police Board send a letter of support to the Delta Police Board, suitable for inclusion in Delta's package being sent to the Federal Justice Minister, in their efforts to lobby for justice reform.

CARRIED

d. Board Fall Retreat – Director McIndoe

The Directors tentatively set September 22, 2009 at 1:00 pm for a fall retreat, with the regularly scheduled Board Meetings to follow.

5. DEPARTMENT REPORTS

a. Chief's Report

The attached **Appendix "A"** contains the Community Policing Activities since the May 27, 2009 Board Meeting.

Since the last Board meeting, the Department received 450 CAD calls, averaging a fairly taxing 16 calls for service per day. These calls resulted in 94 subjects booked into lockup for an average 3.6 prisoners per day. The usual daily prisoner average is 2.1 to 2.4 per day. Many of these offenders were recidivist (chronic) offenders. Often offenders are found to

be breaching conditions of previous convictions and their transgressions often involve addiction and mental health issues. Judges typically hand out weekend sentences in an effort to help the offenders maintain their functioning in the community with family and employment commitments. If the weekend offenders re-offend, often Judges then sentence them to 30 to 90 days continuous time.

The GIS just wrapped up a 7 month operation resulting in 9 individuals arrested or having warrants issued. Some of these individuals are now turning themselves in. The CPO report (attached) shows the May-June period to be the busiest for that officer to date in 2009. The Park Patrol is in full operation and has experienced some terrific successes in deterring vandalism and thefts and in one case, actually interrupted a theft of gasoline in progress.

News resulting from the BC Association of Chiefs of Police Meetings includes the announcement that former Chief of West Vancouver Police Department Kash Heed has been appointed the new BC Solicitor General. He brings with him to that role a high degree of understanding due to his policing background.

Additionally, a motion was passed at the BC Association of Chiefs of Police June meeting that a letter from that Association go forward to the Provincial Government requesting that the KOP fee schedule be reviewed, in light of the fact no increases to this funding has been received since 2002. Chief Maluta was asked by BCAMCP President Bob Rich to draft that letter.

Nelson SAR has been affected by the PEP decision to a 60 day withdrawal of services if the Government doesn't provide some remedy to the indemnification issue that has arisen following the lawsuit resulting from the tragic death of a Quebec woman skier near Revelstoke. The position of the Chief on this issue is that unless Search and Rescue personnel perform in a grossly negligent manner, their indemnification should be automatic.

All Nelson Police Board Directors are invited to the new Provincial Court Judge Lisa Mrozinki's swearing in ceremony at the Nelson Court House on June 26, 2009 at 12:30 pm, with a reception at Touchstones to follow.

b. Inspector's Report

The Department has received the recently ordered and Provincially funded in-car cameras. Inspector Paivarinta is waiting for installation of this new equipment in the Department's fleet vehicles.

c. Financial Reports
Financial Reports to May 31, 2009

These reports were provided in the Agenda package for the Board's information. The Department's goal at this time is to be at 58% of the annual budget remaining and we are currently on target. Our traffic fine sharing revenues for 2009 have been received.

Moved by Director McIndoe, seconded by Director Taylor,
And Resolved:

That the Department Reports be received.

CARRIED

6. DIRECTOR'S REPORTS

a. Mayor's Report

Mayor Dooley acknowledged the wealth of recent volunteer work completed by the Department's officers, particularly Cst. Janet Scott-Pryke, the Community Policing Officer. He thanked the Chief, Inspector and Officers and officers who are committed to having a positive impact on our community.

b. Director McIndoe

Director McIndoe thanked the Department for allowing the LV Rogers Graduation Class latitude in using unconventional vehicles in their 2009 graduation cavalcade, and praised the students for their restraint. He also thanked all the members who were involved in making the event a safe and successful parade for our community's enjoyment.

7. CORRESPONDENCE AND INFORMATION

- a. Volunteer Time from the NPD
- b. Nelson Police Camp 2009
- c. Thank you to D/Comm. Gary Bass from Chief Maluta
- d. Thank you from Heart & Stroke – Big Bike Ride

Moved by Director McIndoe, seconded by Director Taylor,
And Resolved:

That the Correspondence and Information be received.

CARRIED

8. NEW BUSINESS/LATE ITEMS

a. Redeployment of M26 TASER

Chief Maluta reported that the one NPD TASER (Model M26) has not been available to members since December 10, 2008 when it was sent off for testing, following a directive from Police Services Division. 128 M26 TASERS province-wide were sent for testing and the failure rate was 80%. Director of Police Services Kevin Begg advised us as of June 1, 2009 that our TASER tests well within the safety parameters.

Chief Maluta asked the Board for direction regarding redeployment of the M26. He indicated that our Department does not have concerns with usage creep. On average, our Department as a whole deploys the weapon one time per year.

The TASER X26 models are the new, improved, and more efficient, and the Board budgeted for 3 X26's, one to be stored in each police vehicle. The purchase was postponed pending the findings of the Braidwood Inquiry.

Mr. Braidwood could recommend continued testing requirements and the Chief asked Director Kevin Begg if redeploying the TASER prior to the Braidwood findings puts the Department in a position of increased liability. Kevin Begg indicated that, since our M26 has been tested and is within manufacturer's specifications, we are clear to put it back in service.

The Board entered into a broader discussion regarding the merits of using the TASER rather than the use of deadly force. In fact, the Department's liability may very well be increased if a TASER is not available, since the next mode of force on the force continuum is deadly force.

The Board debated the merits of redeploying the M26 model or acquiring and deploying one or three X26 models.

When asked whether the Chief had concerns with member usage of the TASER, he expressed confidence in the Department's clear policies and warnings against its abuse. If it is used inappropriately, it will be removed. Management is confident that members now have clearer direction on recognizing excited delirium and members have been warned on no gratuitous usage. Both the Chief and Inspector testified that when the TASER comes with responsible use, it is an invaluable tool and is not used as a compliance tool.

Moved by Director McIndoe, seconded by Director Taylor,
And Resolved:

That the Department decommission the old M26 model TASER and purchase a new X26 model TASER to replace it and put the X26 into service as soon as is operationally feasible. That the Board revisit this decision upon release of the Braidwood inquiry report and consider increasing the complement to three X26 models at that time.

CARRIED

b. Crimestoppers

The Nelson Police Department agreed to share the responsibility of housing the Crimestoppers office with Trail and Castlegar. Following logistical problems getting them set up in Castlegar, Chief Maluta was pleased to report the Crimestoppers office is now housed within our Department. A desk and phone line has been set up in a corner of the Comms Room and is detached from the Department to ensure confidentiality. Crimestoppers organizers are recruiting a volunteer to administer the program and expect to have it up and running in short order. The Chief stressed that Crimestoppers tips often provide that extra bit of information that allows an officer to obtain a search warrant. He also indicated that very few of the people calling with tips claim rewards that are available to them. He stressed that this is a good service and our Department is happy to keep it in the West Kootenays.

9. ADJOURNMENT/CONFIRM DATE FOR NEXT MEETING

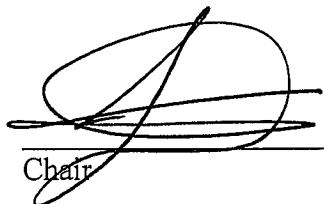
Moved by Director McIndoe and seconded by Director Taylor,
And Resolved:

That the Fifth Regular Meeting of 2009 of the Nelson Police Board be adjourned, and the next meeting be held on Tuesday, July 21, 2009 beginning at 3:00 pm.

CARRIED

Certified Correct:

B Wood
Secretary


Chair

**NEXT MEETING: Tuesday, July 21, 2009
Time: 3pm - Nelson Police Department Board Room**

**Appendix "A" for June 23, 2009
Nelson Police Board Meeting – Regular Meeting**

Chief's Report

**Nelson Police Department
Community Policing Activities**

May/June 2009

(Cst. Janet Scott-Pryke)

Meetings:

June 2nd, 2009 – Public Works – Meeting with Allan Fillion re: traffic issues at South Nelson Elementary School, Graffiti paint for Rotary for city property, new cell phones for patrol vehicles

June 10th, 2009 – Lunch meeting with Ms. Leona Ashcroft re: promoting the Nelson Police Board in the community

June 11th, 2009 – Friends of Nelson Elders – donated 'Slow Moving Vehicle' signs and safety flags to NPD to give out to those who drive motorized handicap vehicles – the next City Newsletter submission will advertise the donation and that people can pick them up at NPD

Other Initiatives:

May 18th, 2009 – City Newsletter submission – re: Thank you for support for Nelson Police Camp 2009

May 23rd, 2009 – Kid Walk – Bicycle Safety Rodeo – Central School – with R/Cst. Mark Young

May 25th, 2009 - Nelson Youth Centre Job Fair – Nelson Chamber of Commerce

June 1st, 2009 – City Newsletter submission - re: Vacation Crime Prevention Tips

June 6th, 2009 – LV Rogers Secondary School – Grad Cavalcade – with R/Cst N. McPhee, R/Cst. A. McPhee, R/Cst. M. Young. And R/Cst. T. Kidd doing traffic control, along with Sgt. Bank who led the Cavalcade on the NPD motorcycle

Respectfully Submitted.
Janet Scott-Pryke
Community Policing Office