

# THE CORPORATION OF THE CITY OF NELSON

Nelson Police Board  
MINUTES  
Nelson, British Columbia  
January 23, 2008

**THE FIRST REGULAR MEETING** of the Nelson Police Board for the year 2008 was held at the Nelson Police Department Boardroom, 606 Stanley Street, Nelson, BC, on Wednesday, January 23, 2008.

PRESENT: Mayor John Dooley - Chair  
Director Anna Maskerine  
Director Leona Ashcroft  
Director Barrie Taylor

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

## 1. ADOPT AGENDA

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

*That the Agenda be adopted as presented, with the addition of the following items:*

*5.d. Financial additions – Director Ashcroft*

**CARRIED**

## 2. APPROVAL OF PREVIOUS MEETING MINUTES

Moved by Director Maskerine, seconded by Director Ashcroft,  
And Resolved:

*That the Minutes of the Regular meeting of the Nelson Police Board of December 18, 2007, be adopted as circulated.*

**CARRIED**

### **3. PRESENTATIONS / AUDIENCE WITH BOARD**

#### **Operation Red Nose – Marie-Chantal Fortin**

Ms Fortin, the National Development Coordinator of Operation Red Nose, made a presentation to the Board regarding this Road Safety Awareness campaign offered throughout Canada in the month of December of each year. Most of the BC programs take place in the Lower Mainland.

If Nelson were to participate in this initiative, the program would need to establish a local host organization, namely, a legally constituted non-profit organization that is willing to give any proceeds to a local youth program. Other communities have utilized host organizations such as sports clubs and service clubs. This host organization would be required to enlist the partnership of the Nelson Police Department. The role of the police involvement is to screen the volunteers. The host organization is also required to enlist the partnership of the local media for promotion (at no charge), including radio stations and newspapers.

Ms Fortin explained that this campaign was developed to complement other driving safety programs in a non-judgmental and humorous way. ICBC is a founding Provincial host organization, and provides promotional materials to those participating in the campaign. ICBC also provides an umbrella insurance policy for client vehicles and host vehicles, and pays all resulting deductible amounts. Other provincial hosts include Via, AutoPlan Brokers, and CTV. CTV creates ads the host organization can bring to air on local radio stations and Shaw Cable.

The local host organizations are responsible for providing local needs, such as fuel for vehicles, a headquarters dispatch centre venue and food and refreshments for volunteers. These can be provided by sponsorship 'in kind' or through local financial sponsors. Some community car dealerships lend their customer service vehicles to the campaign, along with gas, at no charge. Client donations must go back to the host organization for donation to their chosen youth group, for that group's own purposes.

The host organization would have to recruit volunteers to provide rides between 11:00 pm and 2:00 pm on Friday and Saturday nights in December. It would also have to set distance restrictions to determine the range of the territory covered by that particular campaign.

The deadline for application to participate in this initiative for 2008 is May 31, 2008. Although there is no fee required to apply, 100% of all monies raised in Nelson are required to stay in Nelson.

Mayor Dooley thanked Ms Fortin for her informative and interesting presentation.

#### 4. BUSINESS ARISING FROM PREVIOUS MEETING

a. **2008 BCAPB Conference – Update**

Another conference call with the committee members will be scheduled in the near future to review action items. Unfortunately, Dr. Grady is unable to speak at the Conference during the lunch hour on May 3. Director Maskerine will pursue finding a replacement for him. A local committee meeting will be scheduled following the conference call to review follow-up items.

b. **New Coat of Arms & Flag Launch – February 29, 2008**

Chief Maluta reviewed the plans to date for this celebration. The invitation template has been finalized, and will include a donation envelope so invitees may bring a donation to the event or mail one in, if they are unable to attend. Leah Best, Executive Director of Touchstones Nelson is pleased to be the benefactor of this fund-raiser. Her staff will compose police displays from Department archives to be put on view at the event. Director Maskerine offered to take photos of the event for the Department collection.

c. **Updated Strategic Plan Presentation to Council – April 21, 2008**

Director Maskerine agreed to make the presentation with Chief Maluta of the Updated Strategic Plan to City Council at the Committee of the Whole Meeting scheduled for April 21, 2008. It was decided that an appropriate time allocation for this presentation is 15 minutes. The purpose of the presentation is to give Council an idea of what items in the original plan have been accomplished and what issues are still to be addressed. A 15 minute presentation by Tom Steenvoorden of Office of the Police Complaints Commissioner will follow, on the subject of Civilian Oversight. This purpose Mr. Steenvoorden's talk is to provide information to Council and the general public regarding mechanisms and levels of civilian oversight with respect to our police Department.

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

*That the Nelson Police Board meet with Tom Steenvoorden of the Office of the Police Complaint Commissioner, at a dinner meeting prior to the presentation to Council on April 21, 2008.*

**CARRIED**

The Board Secretary will make booking arrangements for this additional information session for the Board members.

**d. Revised Use of Force Policy**

The Nelson Police Department has redrafted its Use of Force Policy OH 020, taking into account all the recommendations made to the British Columbia Association of Municipal Chiefs of Police, made by Joel A. Johnston, Police Services Division, on behalf of the Provincial Use of Force Working Group. The NPD policy includes details such as the manner in which the TASER is deployed, the commands used before and during its deployment, and the provision of medical attention after every TASER deployment.

The Provincial Working Group's recommendations are not expected to be adopted until six months or a year from now, so for the moment, the updated NPD policy refers to the National Use of Force framework. The Nelson Police Department has revised its policy at this time in an attempt to proactively bring the Department up to speed with a workable and liability-conscious policy. Chief Maluta reported to the Board that this policy is a work in progress, with clauses subject to change or additions to be made once the Provincial Working Group's recommendations are refined and adopted.

Chief Maluta indicated that all of the Department's police members are accredited in the use of the TASER when they graduate from the Justice Institute in New Westminster, B.C.

Chief Maluta reviewed the Department's procedures for dissemination of new policy. In this case, the members are required read the updated Use of Force policy and verify they have done so by signing off on a master list. Once the policy is approved by the Police Board, it will be posted on the desktops in the Policy and Procedure file of all Department computers.

Although it is not specified in the policy itself, the Department has trained and certified all Reserve Constables in the deployment of the TASER, to be used only in emergency cases of officer safety backup in the event a member is injured or disabled.

Moved by Director Maskerine, seconded by Director Ashcroft,  
And Resolved:

*That the Nelson Police Board accept the updated Use of Force Policy – OH 020, dated January 23, 2008.*

**CARRIED**

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

*That the Business Arising from the Previous meeting of the Nelson Police Board of December 18, 2007, be adopted as presented.*

**CARRIED**

## **5. DEPARTMENT REPORTS**

### **a. Chief's Report**

Attached as **Appendix "A"**.

The Board thanked Chief Maluta for including in his report an updated list of the community policing initiatives. These are positive, tangible benefits of the Department and the Board requested that he continue including these items in his monthly report to the Board.

Two Nelson Police members worked as security at the Community Complex on January 18 for the Blue Rodeo concert. The Nelson Maple Leafs Association will reimburse the City for this time spent.

### **b. Inspector's Report**

Attached as **Appendix "B"**.

Inspector Paivarinta reviewed his compilation of the 2007 yearend statistics comparatives. He noted the increase in the incidence of Requests for Assistance to the General Public. The RCMP assists have also increased, indicative of the current RCMP staffing shortage. Liquor offences in his report include consuming alcohol in public as well as minors in possession of alcohol. Over-service and violations of other sections of the *Liquor Control and Licencing Act* by bars, restaurants and nightclubs are cited by monitoring visits from the Provincial Liquor Inspector and by members issuing licenced premise checks.

### **c. Financial Reports**

#### **Financial Reports for the Month ending December, 2007**

The Chief reviewed financial details of the Police Department budget for the benefit of the Board. The IRSU labour and recoveries will balance out at year end. The Keep of Prisoner Budget was reduced by the Provincial Government even more than anticipated, resulting in the decrease in KOP revenue. The Chief has requested a meeting with the Deputy Minister of Corrections to request a review of the KOP funding formula. In the meantime, the Department is conducting an audit of the time spent by all members of the Department on KOP related duties to support the application for a funding rate increase. Failing that option, the Mayor and the Chief have the avenue of appearing before the UBCM to attempt to renegotiate a new financial arrangement at a fixed level.

Chief Maluta is in the process of reviewing potential over-runs to the 2007 budget with the City Finance Department. There is still a great deal of year-end reconciliation work to be done. He will provide information to the Board regarding these budget items at the February 12, 2008 Police Board Meeting.

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

*That the Department Reports be received.*

**CARRIED**

d. **Financial additions – Director Ashcroft**

Director Ashcroft distributed a sample of a financial report for the Board to consider for use as a simplified template for monthly reports to the Board, as an alternative to the cumbersome reports generated by MAIS. The Board requested that the Board Secretary invite Jeanette McCarvell of the City Finance Department to the February 12, 2008 Nelson Police Board Meeting, to review possible alterations to the financial reports prepared for the Board.

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

*That the Department Reports be adopted as presented.*

**CARRIED**

**6. DIRECTOR'S REPORTS**

a. **Director Maskerine**

Further to the BCAPB 2008 Conference theme of Recruitment and Retention, Director Maskerine circulated a handout on generational differences in the workplace, for the Board's interest and information.

b. **Mayor Dooley**

Mayor Dooley reported that City Council endorsed the resolution put forward by the Abbotsford City Council for equitable police funding for all British Columbia municipalities.

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

*That the Directors Reports be received.*

**CARRIED**

**7. CORRESPONDENCE AND INFORMATION**

- a. Amended 2008 Nelson Police Board Meeting Schedule
- b. Police Services Board Training November 17, 2007
- c. Thank you to Cst. Scott-Pryke from P.A.R.T.Y. Program
- d. Thank you to Cst. Brind'Amour from World Junior A Challenge
- e. Thank you to NPD from World Junior A Challenge
- f. NDN Article December 20, 2007 – Cash for Clean Up
- g. Letter from Abbotsford Mayor dated December 18, 2007 re Police Equitable Funding
- h. Letter from SG Les dated December 21, 2007 re Steering Group on TASER Policy in BC

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

*That the correspondence and information be accepted as presented.*

**CARRIED**

**8. NEW BUSINESS/LATE ITEMS**

None

**9. ADJOURNMENT/CONFIRM DATE FOR NEXT MEETING**

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

*That the First Regular Meeting of 2008 of the Nelson Police Board be adjourned, and the next meeting to be held on Tuesday, February 12, 2008 beginning at 3:00 pm.*

**CARRIED**

Certified Correct:

B. Wood  
Secretary

  
Chair

**NEXT MEETING: Tuesday, February 12, 2008**  
**Time: 3:00 pm - Nelson Police Department Board Room**

**Appendix "A"**  
**Nelson Police Board Regular Meeting - January 23, 2008**  
**CHIEF'S REPORT FOR NELSON POLICE BOARD MEETING**  
**January 23rd, 2008**

*Regular Meeting*

**Calls for Service December 18, 2007 – January 17, 2008**

According to the PRIME RMS, Nelson Police fielded 389 calls during the 30 day period from our last Board meeting, or an average of 13 calls for service per day. Commensurate with calls for service, 80 prisoners were booked into the cell block for a variety of offences, an average of 2.6 daily. The Department remains at full strength over the period, with no time lost to accidents or injuries.

**Community Policing Initiatives**

**December 4<sup>th</sup>, 2007** - Retail outlets in Chahko-Mika Mall – staff spoken to regarding recognizing potential shoplifters, dealing with shoplifters and dealing with violent customers. Also spoke on personal safety and the like. A flyer is being designed for dissemination with the information discussed, so that staff can keep it on hand as a guidebook. This lecture will be offered to the Nelson Business Association for other businesses in Nelson as well.

**December 6<sup>th</sup>, 2007** – Community Services Workshop – “Why doesn’t she just leave?” held at the Nelson RCMP office.

**December 6<sup>th</sup>, 2007** – National Day of Remembrance and Action on Violence Against Women – candle lighting ceremony at 1600 hrs in recognition of victims of violence.

**December 12<sup>th</sup>, 2007** – Police Camp Meeting at LV Rogers School with LV staff, volunteers, and RCMP

**January 8<sup>th</sup>, 2008** – Planning meeting for the Blue Rodeo Concert (January 19<sup>th</sup>, 2008) in conjunction with representatives of the Nelson Maple Leafs, Nelson Brewing Company, Nelson and District Community Complex and the Liquor Inspector. Two off-duty officers will be called out for tour of duty at the concert and the security plan set out by the organizers will be forwarded to NPD. Reserve police officers will assist with traffic control.

**February 16, 2008** – Planning is being undertaken for an Internet Safety Conference for parents of all students in School District #8. The General Investigation Section will assist with this endeavour.

Although there was no official Christmas CounterAttack campaign kickoff this year, which usually takes place in early December, Police Services Division did forward funding for the road checks through the Christmas period. Anecdotal reporting would suggest that people did get the message this year, with the vast majority using designated drivers and other strategies to avoid drinking and driving. The road checks did produce

other tangible results, such as the arrest of Wanted Persons, impoundments of unsafe and uninsured vehicles and the like.

There is currently no coordinator for the Nelson and District Road Safety Committee. The CPO is attempting to recruit a coordinator and get this group active again in addressing road safety issues in our area.

### **Reserve Policing**

Two of our long-standing Reserve members provided an excellent complement to the sworn officers on New Year's Eve. Not unexpectedly, this was an extremely busy night, with 9 individuals arrested and held in the cell block. The extra pairs of hands were much appreciated by the patrol officers.

Reserves have now been trained in the use of the M26 Taser by the Departmental Use of Force Instructor, in the event they have to utilize this device to fend off an attack or repel a suspect in a situation where the regular member is wounded or disabled. This training was undertaken as a proactive preventative measure to enhance officer safety.

### **Special Events**

Planning is proceeding on our Ceremonial Badge and Flag (Armorial Bearings) launch, in partnership with Touchstones Museum, to take place on Friday, February 29<sup>th</sup>, 2008. A meeting was held with Leah Best, Executive Director of Touchstones, to plan the scope of the event, which we are spearheading as a joint venture and fundraiser for the museum. It promises to be a noteworthy event.

A Board subcommittee continues to fine tune the planning of the BC Association of Police Boards AGM and Conference, to be held on May 2-4, 2008.

### **Equipment and Infrastructure**

We have asked the City to fast track our acquisition of portable radios, which were budgeted in Capital for 2008 and given provisional approval by the Board. We have hit critical mass and are experiencing increasing failures of the radios, resulting in some serious concerns with respect to officer safety. There is a heightened responsibility for the employer in this area, with new legislation issued by WorkSafe BC coming into effect on February 1<sup>st</sup>, 2008, with respect to working alone and in isolation ("Grant's Law").

### **Kootenay Integrated Road Safety Unit**

The RCMP has added strength to the unit by bringing on two of their members in Trail and Castlegar, for a total complement of seven officers. The Castlegar member will focus on the high accident corridor of Hwy 3 to Grand Forks. The latest data from ICBC indicates that enforcement efforts are paying off with respect to seat belt usage, with

surveys indicating we are up regionally to an approximate 92% wearing rate. This, in itself, will save lives.

### **Succession Planning and Training**

NCO's are slated for enhanced Professional Standards training this year, in addition to Justice Institute of BC programs on Emergency Preparedness, the week long hands-on "Minerva" simulations. This will enable them to get a better grasp on the running of Emergency Operations Centres (EOCs) and their role during a critical incident. In congruence with our goal of cross-training employees to make them adept at a variety of component functions in the Department, we will be training our Court Liaison in Dispatch.

### **British Columbia Association of Municipal Chiefs of Police (BCAMCP)**

I was unable to attend this month's BC Chiefs meeting. The Agenda is attached.

Dan Maluta  
Chief of Police

## B. C. ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE

Central Saanich Police Service  
1903 Mt. Newton Cross Road  
Saanichton, B.C.  
V8M 2A9

Tuesday, January 8, 2008 – 0900 hours

### AGENDA

ITEM	PRESENTER
1. <u>ADDITIONS TO AGENDA</u>	
2. <u>MINUTES OF BCAMCP MEETING</u>	
A. Adoption of November 20, 2007 Meeting Minutes – Bear Mountain Resort, Victoria, B.C.	
3. <u>PRESENTATIONS</u>	
A. OPCC Protocol Development regarding External Investigation	Dirk Ryneveld, Commissioner, OPCC Bruce Brown, Deputy Commissioner, OPCC
4. <u>OLD BUSINESS</u>	
A. Disclosure of Crime Victim Info under FIPPA – Legal Opinion	ADM/Dir. Kevin Begg
B. Public Safety Cooperation Protocol – First Nations	C/Cst. Jim Cessford et al
C. Comms Centre E-mail Addresses	C/Cst. Dan Maluta
5. <u>NEW BUSINESS</u>	
A. Monthly Report – Ministry of Public Safety and Solicitor General	ADM/Director Kevin Begg
B. JIBC Update	Supt. Axel Hovbrender
C. Crown Police Liaison Committee Issues <ul data-bbox="321 1509 1062 1625" style="list-style-type: none"><li>• CPLC Membership and Attendance</li><li>• Use of Motor Vehicle Act s. 67 Warning Cards</li><li>• Lack of Police Expert to Provide Evidence of Cellular Phone Tower Sites</li></ul>	C/Cst. Ian Mackenzie
D. Use of Sheriffs Service for Executing Outstanding Warrants	C/Cst. Ian Mackenzie
E. Recruiting, Retention & Training	C/Cst. Jim Cessford
F. Specialized Policing Unit	C/Cst. Jim Cessford
G. Abbotsford UBCM Initiative – Equitable Police Funding	C/Cst. Ian Mackenzie

6. **CORRESPONDENCE**

- A. Letter from Chief Shrive re CACP Director, Pacific Region, dated November 16, 2007
- B. Letter to Mr. Loukidelis from Chief Maluta re Disclosure of Information to Victim Services, dated November 27, 2007

7. **OTHER BUSINESS**

Round Table Discussion – *In Camera* – Municipal Chiefs

- BC Fed Telemarketing - Impact of BCCA Decision: Police Services Union, Port Moody, District 43 v. Port Moody Police Board

8. **ADJOURNMENT**

**Appendix "B"**  
**Nelson Police Board Regular Meeting – January 23, 2008**  
**INSPECTOR'S REPORT**

**Nelson Police Department**  
**Year to Date Statistics**

	2007	2006	2005
Assault (Level 1)	67	52	56
Assault (W/Weapon)	13	21	16
Domestic - No Assault	83	68	54
Threats	26	33	39
B&E (Business)	25	22	63
B&E (Residential)	53	55	108
Theft Bicycle	48	34	47
Vehicle Theft	28	27	26
Theft from Vehicle	99	113	110
Theft (Under \$5000)	216	267	316
Counterfeit	22	58	75
Disturb Peace	96	63	112
Liquor	284	257	214
Ind/Har/Obs PO	37	41	31
Imp/Over 80 mgs	42	48	50
MVA +1000	127	103	73
H&R (CC/MVA)	52	45	87
Assist RCMP	99	79	70
Assist Gen Public	2442	2077	1992