



## Guelph Police Services Board

PO Box 31038, Willow West Postal Outlet, Guelph, Ontario N1H 8K1  
Telephone: (519) 824-1212 #7213 Fax: (519) 824-8360  
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## OPEN MEETING AGENDA

**THURSDAY, DECEMBER 10, 2020; 2:30 p.m.**

**LOCATION: Electronic Meeting**

**Call In: [+1 647-749-9252](tel:+16477499252) (Toll)**

**Conference ID Number: 859 216 233#**

**Closed Session: 1:00 p.m.**

**Open Session: 2:30 p.m.**

	<b>ITEM</b>	<b>ACTION</b>
1.	Welcome and Introductions	
2.	Meeting Called to Order	
3.	Declaration of Conflict or Pecuniary Interest	Information
4.	Closed Session Resolutions (if any)	Decision
5.	Presentations/Delegations – <b>Integrated Youth Services Network</b> Cyndy Moffat Forsyth, Director of Integrated Youth Services Network Helen Fishburn, Executive Director of CMHA Waterloo Wellington	Information
6.	Approval of Minutes of the Open Meeting of November 19, 2020	Decision
7.	Approval of Agenda	Decision

### **PART 1 - CONSENT**

*Items on the Consent Agenda can be approved in one motion. Prior to the motion, Board members may request that an item be moved from the Consent Agenda to the Discussion part of the agenda.*

7.1	Board Correspondence Report	Information
7.2	Meeting Dates for 2021	Decision
7.3	Board Sub-Committee Appointments for 2021	Decision
7.4	Headquarters Renovation & Expansion Report	Information
7.5	Human Resources Report – Member Appointments	Decision

### **PART 2 – DISCUSSION**

7.6	GPS Use of “GrayKey” Technology	Information
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	<b>ITEM</b>	<b>ACTION</b>
7.7	Appointment of Board Chair and Vice-Chair for 2021	Decision
7.8	Chief's Monthly Report ( <i>verbal</i> )	Information
7.9	New Business	
8.	Information Items	Information
	• Next Open Meeting: Thursday, <b>January 21, 2021</b> , 2:30 p.m.,	
9.	Adjournment	Decision

INTEGRATED YOUTH SERVICES NETWORK

WE'RE  
TRANSFORMING  
*spaces*

Page 1

An Update for the Guelph Police Services Board

December 11, 2020



*and we're*  
TRANSFORMING  
*lives*



What is an IYSN?

A “one-stop-shop” for youth aged 12-26 designed to meet a wide range of needs including mental health, substance use, primary care, education, employment, training, housing and other community and social services.



# Based on the Youth Wellness Hub Ontario model:

This evidence- based model will:

↑ Service accessibility

↑ Service availability

↑ Sense of belonging and connection

↑ Services to Wellington County

In 2018, a partnership of organizations and volunteers united in a common goal to build a new standard of care, support and services for our local youth.

- ✓ Canadian Mental Health Association Waterloo Wellington
- ✓ Guelph Y
- ✓ Guelph Community Foundation
- ✓ Shelldale Family Gateway
- ✓ East Wellington Community Services
- ✓ Minto Mental Health
- ✓ Big Brothers Big Sisters Centre Wellington
- ✓ University of Guelph
- ✓ The Rotary Club of Guelph



Why do we need the IYSN?

# A bold vision and plan of action is urgently needed, due to the acute youth situation in our community.

- Our kids and youth are at risk.
- Suicide is the second leading cause of death for youth ages 12-24 in Ontario. Self harm rates at the highest we've seen in the past ten years.
- Reports of substance-related overdose deaths between January and August 2020 in Guelph has increased by 200% compared to the same time period in 2019.
- Our world is becoming even tougher to manage and navigate.

# IMPACT: What We Know

- Youth are strengthened by being engaged, feeling a sense of purpose, belonging and being connected
- This model aligns with existing system transformation initiatives – ie Ontario Health Teams, Here4Hope, etc.
- Improve communication and sharing of information among service providers
- Accessibility and distribution of services to meet the growing needs in Wellington County
- All service providers on ONE system for full integration



What does a Youth Hub look like?

# 7 Sites: 1 Door

Providing centralized and integrated care with a focus on **intervention and prevention**

- Service Providers bring their services to the sites
- All connected by technology on ONE system



# IYSN Model focuses on three priorities:

1. Rural
2. Transitionally aged youth (18 – 26)
3. Technology



# 7 Sites 1 Door - Guelph Sites

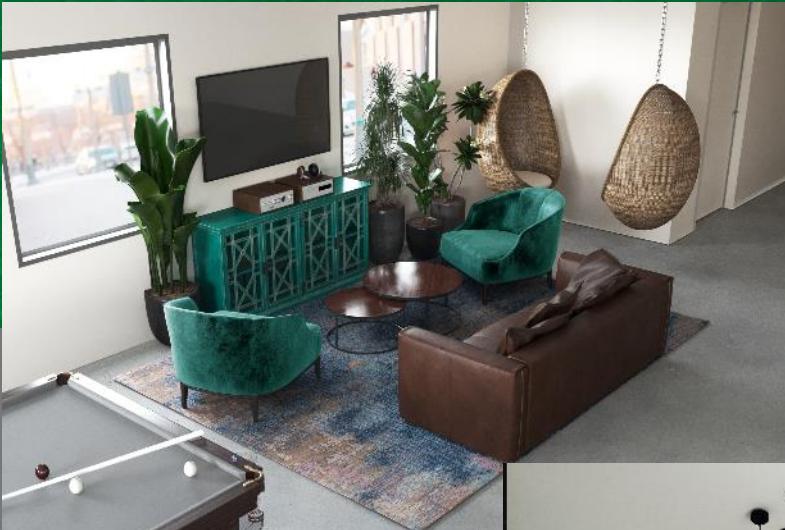
- University of Guelph
- Guelph Y
- Shelldale Family Gateway
- Canadian Mental Health Association Waterloo Wellington
- Minto Mental Health – Palmerston
- East Wellington Community Services – Erin
- Big Brothers Big Sisters Centre Wellington  
- Fergus + 6,000 additional square feet

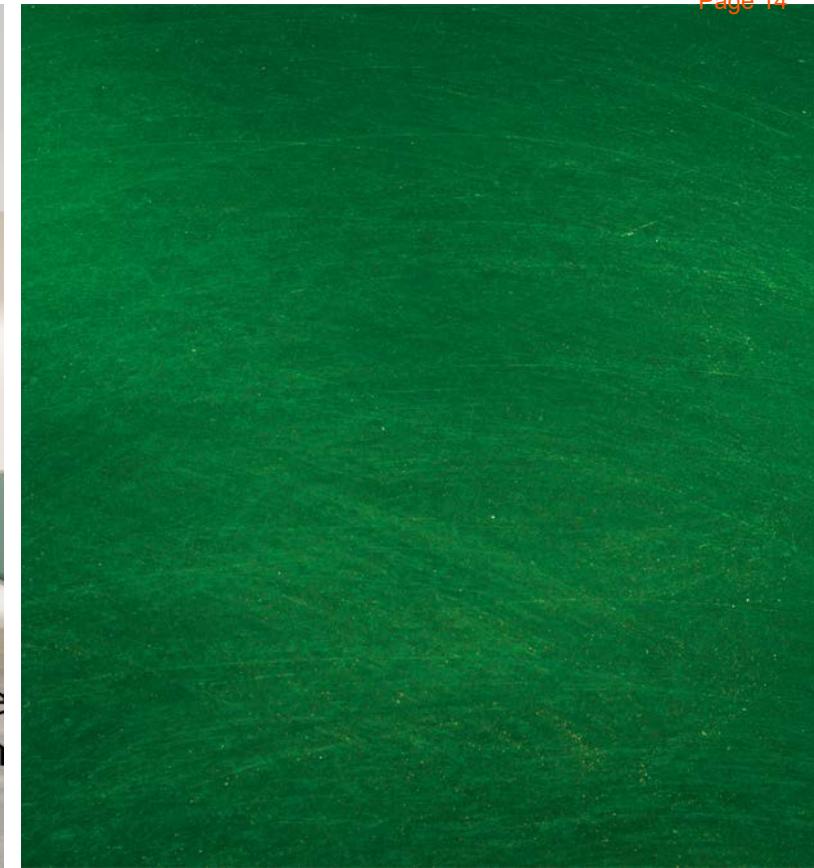
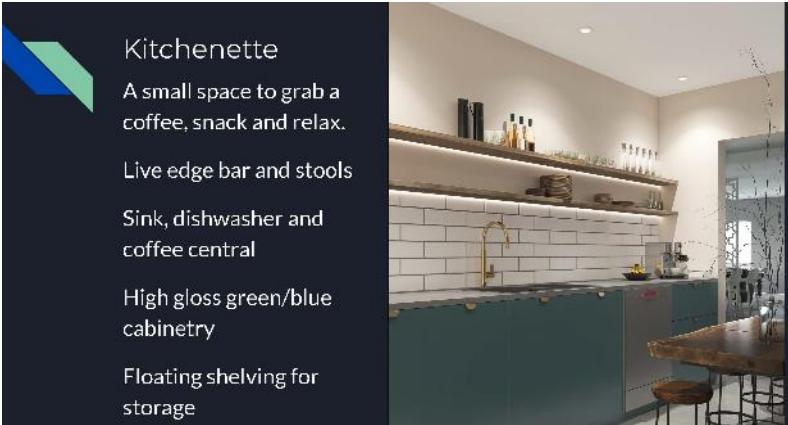
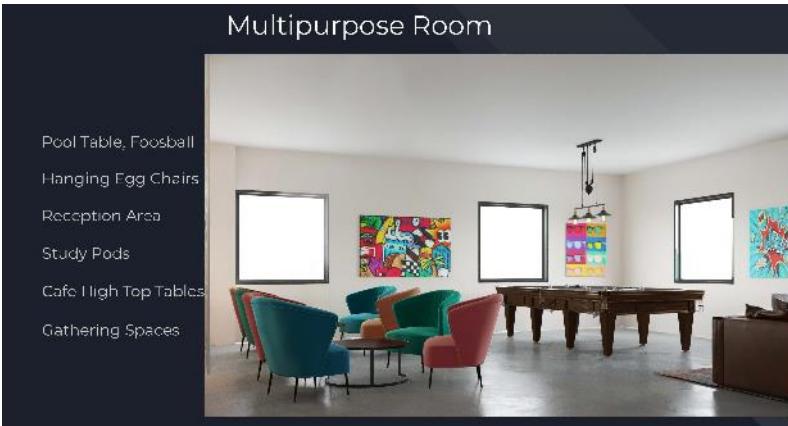


I imagine  
showing off my  
skills shooting  
hoops.

# Wellington North – Palmerston

## Artist Renderings





## Wellington North – Palmerston Renderings



# Community Commitment

**There is deep community commitment to the IYSN**

**We are actively seeking government funding**

**We are also actively fundraising and friend raising**

**We have big dreams: \$10 million campaign**

**We are seeing early success: 45% has been raised to date**

**We are determined**



I imagine a place  
where I can  
hang out and  
feel like I fit in.



**Campaign Cabinet lead by two community champions:  
Jim Jarell and Rose Zen Soligo**

# Role for the Guelph Police Services:

- ✓ Opportunity to join us in this space to be part of an integrated community based team
- ✓ Creates a safe opportunity to connect, build trust and be mentors to youth
- ✓ Come join us as a service partner

# Questions?

Helen Fishburn: Executive Director,  
CMHA WW

- [hfishburn@cmhaww.ca](mailto:hfishburn@cmhaww.ca)

Cyndy Forsyth: Director, IYSN

- [cyndy@transformingyouth.ca](mailto:cyndy@transformingyouth.ca)



## Guelph Police Services Board

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### OPEN MEETING

### MINUTES – NOVEMBER 19, 2020

An Open meeting of the Guelph Police Services Board was held by teleconference call, pursuant to Guelph Police Services Board By-Law 164 (2020), on November 19, 2020 commencing at 2:30 p.m.

<b>Present:</b>	R. Carter, Chair	G. Cobey, Chief of Police
	C. Guthrie, Member	D. Goetz, Deputy Chief of Police
	C. Billings, Member	J. Sidlofsky Stoffman, Legal Services Manager
	R. Curran, Member	L. Pelton, Financial Services Manager
	P. McSherry, Member	K. McKeown, Human Resources Manager
	C. Polonenko, Executive Assistant	

**Guests:** Guelph Police Service: Jessica Abra

1. **WELCOME AND INTRODUCTIONS**
2. **MEETING CALLED TO ORDER**

Chair Carter called the meeting to order at 2:35 p.m. by teleconference call between the attendees and gave Territorial Acknowledgement.

3. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST**

There were no declarations of conflict or pecuniary interest.

4. **CLOSED SESSION RESOLUTIONS**

**Moved by** C. Guthrie

**Seconded by** C. Billings

**THAT** the Guelph Police Services Board support the Cops and Kids Christmas Campaign in the amount of \$950.00, and

**THAT** the Guelph Police Services Board approve funding for the Guelph Community Health Centre in the amount of \$10,000.00, to be directed to the Welcoming Streets Initiative for the year 2021, with funds to be paid from the Community Account.

**-CARRIED-**

5. **PRESENTATIONS/DELEGATIONS** – None

## **6. APPROVAL OF MINUTES**

**Moved by** C. Guthrie  
**Seconded by** C. Billings

**THAT** the Minutes of the Open Meeting held Thursday, October 15, 2020 be approved as presented.

**- CARRIED -**

## **7. APPROVAL OF AGENDA**

**Moved by** C. Billings  
**Seconded by** P. McSherry

**THAT** the Guelph Police Services Board approve the Open Meeting agenda as presented.

**-CARRIED -**

**Moved by** C. Billings  
**Seconded by** C. Guthrie

**THAT** the Guelph Police Services Board adopt **Part 1 – Consent Agenda** as identified below.

### **7.1 Headquarter Renovation and Expansion**

That the Report titled “Police Headquarters Renovation and Expansion Project” and dated November 12, 2020, be received for information.

### **7.2 Board Correspondence Report**

That the report titled “Open Meeting – November 19, 2020 Board Correspondence Report” be received for information.

### **7.3 Community Account Report**

**THAT** the Guelph Police Services Board approves an extension of the contract with the firm Tonin & Co. by one year to perform the 2021 review engagement on the Community Account, to allow sufficient time for the Board to do a full review of Policy BD-01-002, Community Account.

### **7.4 September 2020 Financial Variance Report**

That the Report titled “September 2020 Financial Variance Report” and dated November 19, 2020, be received for information.

### **7.5 Human Resources Report – Member Appointments**

**THAT** Scott Carroll be appointed as a full-time member of this Service effective November 23, 2020.

### **7.6 Use of Force Quarterly Report**

That the report titled “Use of Force - Third Quarter” and dated November 19, 2020 be received for information.

**-CARRIED-**

## **Part 2 – Discussion Agenda**

### **7.7 911 Calls Report**

Chief Cobey encouraged the community to stay on the line if they accidentally call 911, so the operator can follow up and not waste police resources. J. Sidlofsky Stoffman reported that despite the significant educational campaign that Peel Region had, numbers of unintentional 911 calls are still increasing there. The Guelph Police Service is developing SMS text messaging similar to the OPP response process to supplement calls for contacting callers in order to reduce the number of officers required to attend these calls. A lot of communication and education is required.

### **7.8 2019 Crime Severity Index Report**

The Board received this report for information. The Crime Severity Index (CSI) is a comparative measure calculated by Statistics Canada to provide information on the seriousness of crime occurring within a geographic area. The CSI is a measure of police-reported crime that reflects the relative seriousness of individual offences and tracks changes in crime severity. The overall CSI is determined based on the weighted calculation of a community's violent and non-violent crimes reported.

Chief Cobey reported that for the first time since 2013, the City of Guelph saw a reduction in the overall CSI. The 2019 CSI fell by 9.4% to 64.6. There were also decreases in both violent and non-violent CSI. The reduction in violent CSI is the largest decrease in Canada. In 2019, the City of Guelph had the lowest violent CSI among the 35 census metropolitan areas and ranked 15<sup>th</sup> for overall safety.

### **7.9 Policy Review Committee Report**

The Board received the report of the Policy Review Committee.

**Moved by P. McSherry**

**Seconded by R. Curran**

**THAT** the Guelph Police Services Board approve the following policies:

BD 01-005	Board Member and Board Staff Reimbursement of Expenses
BD 02-002	Long Service Recognition Program
BD 02-006	Guidance for Employment of Civilian Members
BD 04-005	Court Security and Prisoner Care and Control
BD 04-012	Public Order Maintenance
BD 04-023	Search of Premises
BD 04-026	Safe Storage of Police Service Firearms
BD 04-028	General Marked Patrol Vehicles
BD 04-030	Use of Volunteers
BD 04-034	Use of Force
BD-04-040	Collection of Identifying Information

**AND THAT** the Guelph Police Services Board approve the following amendment to Section 16.1(a) of Guelph Police Services Board By-law 136 (2009): “*The delegation(s) shall provide written notice of their request at least four (4) days before the date of the Board meeting subject to the time limit being waived by the Chair of the Board. The request shall also include a list of person(s) who will be appearing before the Board and a copy of the materials to be presented.*”

**-CARRIED-**

#### **7.10 Chief's Monthly Report**

Chief Cobey provided his monthly report for information.

- 1) The GPS Budget was presented to City Council on November 17<sup>th</sup>.
- 2) This year to date, there have been 70,201 calls for service, and 53,078 of those were since the start of the Covid-19 pandemic. He thanked the members of the Service for their hard work, community partners and members of the community, as we navigate through difficult times.
- 3) On November 5, 2020, Mike Schreiner spoke at Queens Park and highlighted the work of the Impact team and the GPS relationship with Impact. Helen Fishburn of the Canadian Mental Health Association has relayed the news that additional funding will be provided for the Impact team, which will serve to assist in reaching the goal to provide the right care to our community 24/7.
- 4) Chief Cobey will be participating in upcoming Ward 4 and Ward 1 Townhall meetings and invited board and community members to tune in.

**7.11 New Business** - There was no new business noted.

### **8. INFORMATION ITEMS**

- Next Open Meeting: Thursday, December 10, 2020, 2:30 p.m. (virtual)
- Ontario Association of Police Services Boards Spring Conference – May 26-29, 2021

### **9. ADJOURNMENT**

**Moved by** C. Guthrie

**Seconded by** C. Guthrie

**THAT** the Open meeting of the Guelph Police Services Board adjourn as at 3:00 p.m.

**- CARRIED -**

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R. Carter , Chair

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C. Polonenko, Executive Assistant



# Guelph Police Services Board

## Open Meeting – December 10, 2020 Board Correspondence Report

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- November 3, 2020: Canadian Association of Police Governance re: Board of Directors (attached)
- November 19, 2020: Community Account Funding to Cops & Kids (\$950) and Welcoming Streets Initiative (\$10,000)
- November 19, 2020: Guelph Police Service new hire Cst. Scott Carroll

## Cheryl Polonenko

**From:** Canadian Association of Police Governance (CAPG) <communications@capg.ca>  
**Sent:** November 3, 2020 10:51 AM  
**To:** board  
**Subject:** CAPG Announces 2020-2021 Board & Executive

[View this email in your browser](#)



Canadian Association of Police Governance

# Board of Directors

2020 - 2021

Ottawa, ON | Saturday, October 31, 2020

The Canadian Association of Police Governance (CAPG) is pleased to announce the Board of Directors elected at the 31st Annual General Meeting on Saturday, October 31, 2020.

- **Dan Bellegarde**, File Hills Board of Police Commissioners Director First Nations
- **Peter Nahwegahbo**, UCCM Police Services Board Director First Nations

- **Firth Bateman**, Delta Police Board Director British Columbia
- **Carole McDougall**, Halifax Board of Police Commissioners Director Nova Scotia
- **Allie Szarkiewicz**, Winnipeg Police Board Director Manitoba
- **Micki Ruth**, Edmonton Police Commission Director Alberta
- **Marco De Iaco**, Calgary Police Commission Director Alberta
- **Andrew Minor**, Manitoba Police Commission Director Non-Police Board
- **Jyotsna (Jo) Custead**, Saskatoon Board of Police Commissioners Director Saskatchewan
- **Karl Kiefer**, Waterloo Regional Police Services Board Director Ontario
- **Charles Leger**, Codiac Regional Policing Authority Director New Brunswick

The following Directors were elected for two-year term ending in 2021

- **Amed Naqvi**, Nelson Police Board Director British Columbia
- **Joel Murray**, Regina Board of Police Commissioners Director Saskatchewan
- **L.A. (Sandy) Smallwood**, Ottawa Police Services Board Director Ontario
- **Bob Hall**, Peterborough Police Services Board Director Ontario
- **Wayne Talbot**, Truro Board of Police Commissioners Director Nova Scotia

## Executive Committee

**President:** Micki Ruth, Director Alberta

**Vice President:** Wayne Talbot, Director Nova Scotia

**Treasurer:** Amed Naqvi, Director British Columbia

**Secretary:** L.A. (Sandy) Smallwood, Director Ontario

CAPG is the strong national voice and resource for civilian governance of policing in Canada. We work collaboratively and proactively with members and partners to enhance municipal police governance. CAPG is particularly well suited as the primary aggregator of best practices, studies, and reports in the police governance sector. Over the years, the CAPG has developed robust working relationships with a number of stakeholder agencies, ensuring it is always at the forefront of the latest trends in policing and police governance models.

Canadian Association of Police Governance

# 2020 Resolutions

Passed at the 31st Annual General Meeting of  
the CAPG on October 31st, 2020

All submitted resolutions passed without amendment at the 31st Annual  
General Meeting of the CAPG

2020 CAPG Resolutions

Canadian Association of Police Governance

# 2020 Emil Kolb Award

FOR EXCELLENCE IN POLICE GOVERNANCE

The Emil Kolb Award for Excellence in Police Governance was established in 2013 and it recognizes individuals with significant contributions, commitment and leadership towards the enhancement of civilian police governance in Canada.

The winners of the 2020 Emil Kolb Award are:

- Terry Coleman, nominated by the Alberta Association of Police Governance
- Ken East, nominated by the Peterborough Police Services Board
- Mark Reder, nominated by Metro Vancouver Transit Police Board

The Board had a hard time making a decision on just one winner of the award for 2020 and narrowed it down to three very deserving recipients. Each winner fostered meaningful relationships with stakeholders, challenged and inspired others to work together and demonstrated a high level of integrity and ethical standards.

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You are receiving this email because you are a Member of CAPG.

**Our mailing address is:**

Canadian Association of Police Governance



## GUELPH POLICE SERVICES BOARD

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### CHAIR'S OFFICE, GUELPH POLICE SERVICES BOARD

**TO:** Chair Robert Carter and Members of the Guelph Police Services Board

**DATE:** December 10, 2020

**SUBJECT: 2021 Guelph Police Services Board Meeting Dates**

**PREPARED BY:** Cheryl Polonenko, Executive Assistant, Guelph Police Services Board

**APPROVED BY:** Robert Carter, Chair

**RECOMMENDATION: THAT** the Guelph Police Services Board approve the presented schedule for its meetings in 2021.

#### **SUMMARY:**

The meeting schedule for the Guelph Police Services Board for 2021 will continue to be the 3<sup>rd</sup> Thursday of each month with the exception of August (no meeting), and an earlier date in December. Meetings will commence with a Closed Meeting at 1:00 p.m. or at a time to be determined, followed by an Open Meeting at 2:30 p.m. The scheduled meeting dates will be adhered to as closely as possible, however, on occasion may be subject to change.

**Since March of 2020, board meetings have been conducted virtually due to COVID-19 and will continue to be held virtually until further notice.**

Meetings in 2021 were scheduled to take place at City Hall, 1 Carden Street, in the Margaret McKinnon Room 112, due to Headquarter renovations. Should the Board be able to meet at Headquarters prior to the end of 2021, and the Board is again able to conduct in-person meetings, they will move from City Hall. Any deviation from the schedule below will be updated on the website and in the agenda.

#### **\*Meetings virtual until further notice**

January 21	Virtual (or Meeting room 112)	July 15	Meeting room 112
February 18	Virtual (or Meeting room 112)	August – No meeting	
March 18	Virtual (or Meeting room 112)	September 16	Meeting Room 112
April 15	Virtual (or Meeting room 112)	October 21	Meeting room 112
May 20	Virtual (or Meeting room 112)	November 18	Meeting room 112
June 17	Virtual (or Meeting room 112)	December 9 (or 16) * to be determined	Meeting room 112

*\* The December meeting will be scheduled for the 2<sup>nd</sup> week to accommodate Christmas celebrations.*



## GUELPH POLICE SERVICES BOARD

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### CHAIR'S OFFICE, GUELPH POLICE SERVICES BOARD

**TO:** Chair Robert Carter and Members of the Guelph Police Services Board

**DATE:** December 10, 2020

**SUBJECT: Guelph Police Services Board Committee Structure for 2021**

**PREPARED BY:** Cheryl Polonenko, Executive Assistant, Guelph Police Services Board

**APPROVED BY:** Robert Carter, Chair

**RECOMMENDATION:** That the Guelph Police Services Board retain the current 2020 committee structure for 2021.

**SUMMARY:**

The purpose of this report is to assist the Board in determining membership of the standing committees for 2021 pursuant to section 9 of By-Law 136 (2009).

### CURRENT COMMITTEE STRUCTURE

Collective Bargaining	Finance	Policy Review	Performance Appraisal
R. Carter (Chair) R. Curran	C. Billings (Chair) C. Guthrie R. Carter	R. Curran (Chair) R. Carter P. McSherry	R. Carter C. Guthrie C. Billings R. Curran P. McSherry

**Attachments:** Section 9 of By-Law 136 (2009)

## Guelph Police Services Board Committee Structure 2021

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### **BY-LAW 136 (2009)**

#### **9. COMMITTEES OF THE BOARD [amended by By-law 154 (2014)]**

- 9.1 The Board will appoint by motion at its December meeting one or more Members to the Committees of the Board.
- 9.2 The Guelph Police Services Board has the following Standing Committees: Collective Bargaining, Policy, Performance Appraisal and Finance.
- 9.3 From time to time the Board may determine a need for other Ad Hoc Committees to inquire into any matter within the jurisdiction of the Board, and will appoint by motion at that time one or more Members to the Ad Hoc Committee of the Board.
- 9.4 Membership, statutory authority and responsibility of the Committees are determined in the Terms of Reference of the Committee as set out by the Board.
- 9.5 Committee members shall deal directly with the Chief of Police or a designated person, or in their absence, the Deputy Chief or a designated person, when services are required from a member of the Guelph Police Service to assist the Committee.
- 9.6 The Committee shall report upon its work to the Board at the meeting of the Board next following the date of the Committee meeting.



## GUELPH POLICE SERVICES BOARD

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### OFFICE OF THE CHIEF OF POLICE

**TO:** Chair Robert Carter and Members of the Guelph Police Services Board

**DATE:** Tuesday, December 1, 2020

**SUBJECT: POLICE HEADQUARTERS RENOVATION AND EXPANSION PROJECT**

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**PREPARED BY:** GPSHQ Renovation Liaison Derek McNeilly

**APPROVED BY:** Chief of Police Gord Cobey

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#### **RECOMMENDATION:**

For information only.

#### **SUMMARY:**

To provide the Board with an update on the Police Headquarters Renovation and Expansion Project.

#### **STATUS REPORT FOR THE MONTH OF DECEMBER 2020:**

Perini Management Services Inc (PMSI) has mobilized on site and several trades have returned to headquarters.

The site is being made ready with cleanup and inventory checks by PMSI labourers. Work has commenced with the return of two major trades - electrical and mechanical, as well as carpenters. Further trades are expected on site during the month of December.

A final construction schedule has not yet been finalized by PMSI but project completion is expected to be during the summer of 2021.

#### **STEERING COMMITTEE:**

The Steering Committee continues to meet and provide oversight on the project. The City of Guelph (CoG) project manager, Ken VanderWal, continues to work with GPS project staff.

The project manager is in regular dialogue with the architect and PMSI to bring identified deficiencies forward in a timely manner. In concert with PMSI, these will be addressed for appropriate resolution as the trades return.

## **POLICE HEADQUARTERS RENOVATION AND EXPANSION PROJECT**

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### **FINANCIAL REPORT:**

The total budget for the GPS Headquarters Renovation and Expansion Project (PS0033) is \$34.1M. The project manager, along with the CoG Finance team, continue to assess the status of the budget and the impact of the remaining work on the project.

### **CORPORATE STRATEGIC PLAN:**

This project continues as it relates to objective eleven of the 2016 - 2018 Guelph Police Service Business Plan to successfully complete the renovation and expansion of the Guelph Police Service Headquarters building.

1. Complete the police headquarters renovation and expansion on time and on budget in partnership with the City of Guelph.
2. Ensure business continuity during the project, including having new procedures and practices in place for the completed headquarters building.
3. Develop a communications plan regarding the Guelph Police Service headquarters renovation targeting the public and Guelph Police Service members.

### **FINANCIAL IMPLICATIONS:**

The Project Team is assessing the remaining work to complete the project against the approved budget of \$34.1M (PS0033).

### **ATTACHMENTS:**



## GUELPH POLICE SERVICES BOARD

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### OFFICE OF THE CHIEF OF POLICE

**TO:** Chair Robert Carter and Members of the Guelph Police Services Board

**DATE:** Thursday, December 10, 2020

**SUBJECT: MEMBER APPOINTMENTS**

**PREPARED BY:** Jaclyn Millson, Human Resources Advisor  
 Kelley McKeown, Human Resource Services Manager

**APPROVED BY:** Daryl Goetz, Deputy Chief

**RECOMMENDATION:**

THAT the Guelph Police Services Board review and approve member appointments as reported.

**SUMMARY:**

A proposal for staff appointments is presented to the Guelph Police Services Board for review and approval.

**REPORT:**

A board motion is required to appoint **Tracy Dupuis** as a Wellness Coordinator with our Service effective December 14, 2020.

Tracy has been employed by CMHA Waterloo Wellington as a Crisis Response Coordinator/Mobile Crisis Team member since 2014, was a Registered Practical Nurse Instructor at Conestoga College from 2013-2014 and prior to that was employed by Homewood Health Centre as a Nurse Case Manager from 2002-2013.

Tracy is a Registered Practical Nurse who is ASIST trained (Applied Suicide Intervention Skills Training) who also has an Addiction Care Worker Diploma and Substance Use and Addiction Nursing Certificate in addition to numerous other health related courses and certificates.

**MOVED THAT:**

- ***Tracy Dupuis be appointed as a full-time member of this Service effective December 14, 2020.***

**CORPORATE STRATEGIC PLAN:**

Guelph Police Service is committed to attracting, recruiting, developing and retaining members in a manner that will support a workplace that is reflective of our community. By doing so, the

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Service will achieve excellence in our service delivery and provide quality and innovative services that are valued by our stakeholders.

**FINANCIAL IMPLICATIONS:**

The compensation and benefit costs for this position will be contained within the overall budget.

**ATTACHMENTS:**

Nil



## GUELPH POLICE SERVICES BOARD

*Pride Service Trust*

### OFFICE OF THE CHIEF OF POLICE

**TO:** Chair Robert Carter and Members of the Guelph Police Services Board

**DATE:** December 10, 2020

**SUBJECT:** Response to e-mail Correspondence received from Lauren Silver, Senior Policy Advisor, Office of the Information and Privacy Commissioner (Ontario) re: GPS Use of "GrayKey" Technology

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**PREPARED BY:** Judith Sidlofsky Stoffman, Legal Counsel

**APPROVED BY:** Gord Cobey, Chief of Police

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**RECOMMENDATION:**

That the Board Chair receive the report set out below for information only.

**OVERVIEW:**

Oct. 7, 2020, the Service's Freedom of Information Office received an FOI Request from Mr. Graeme McNaughton, a reporter with the Guelph Mercury Tribune, in which Mr. Graham sought the following information:

- *Copies of policy of use documents, user manuals/brochures, action reports and directives from the chief, deputy chief and/or legal counsel on the GrayKey unit and any associated licensing.*

On November 6, 2020 a response to that request was issued by Ms. Tricia Agocs, the Service's Freedom of Information Analyst, in which she responded:

- *To assist with a response to your request, I reached out to our Technological Crimes Unit and I confirm the following:*
  - *The GrayKey unit is used only by our Technological Crimes Detectives*
  - *The Guelph Police Service does not have an internal policy or procedural document about the device*
  - *There were no directives issued by the Executive Leadership regarding the GrayKey unit*

- *The Guelph Police Service does not own a User Manual for the device.*

Thereafter, on November 18, 2020, Mr. McNaughton delivered a further e-mail to the Service's Media Officer requesting the information set out below:

- I am looking to speak with someone at the Guelph Police Service in regards to the use of GrayKey, a unit that can unlock iPhones. It is my understanding that the Technological Crimes Unit has one of these.
- *More specifically, I am looking to speak about the following:*
  1. *How many times has the Guelph Police Service used the GrayKey unit?*
  2. *Is a court order or warrant required in order to use the GrayKey?*
  3. *According to an FOI I filed, the Guelph Police Service does not have an internal policy around when and how the GrayKey should be used. Why is there no policy in place?*
  4. *Has the Information and Privacy Commissioner of Ontario been notified of the Guelph Police Service's possession and use of GrayKey?*
  5. *Why did the Guelph Police Service acquire a GrayKey?*

The questions posed by Mr. McNaughton were specifically related to tools and techniques for law enforcement purposes and to which the Service chose not to respond premised on the Law Enforcement exemptions enumerated in S. 8 of MFIPPA (including s. 8 (1) (c) thereunder).

Thereafter, Mr. McNaughton published his article in the Guelph Mercury on November 23, 2020.

- <https://www.guelphmercury.com/news-story/10272853-guelph-police-have-tool-to-unlock-iphones-and-copy-contents-with-no-policy-on-when-or-how-to-use-it/>

On that same November 23, 2020 date, correspondence from Ms. Lauren Silver, Senior Policy Advisor at the Office of the Information and Privacy Commissioner was directed to the Service's FOI Analyst in which Ms. Silver indicated:

- *We read in the media about the Guelph Police Service's use of GrayKey technology to unlock iPhones, and are interested in learning more about the technology.*
- *Would you, or someone else, be available next week to provide us with a briefing about the Service's use of GrayKey?*

#### **GREYKEY TECHNOLOGY AND GUELPH POLICE SERVICE'S USE OF SAME:**

The GrayKey mobile forensic tool is manufactured by Gray Shift a corporations that manufactures mobile device digital forensic access and extraction products sold only to law enforcement, public safety and defense agencies and not the private sector. Information on the corporation and the GrayKey tool may be found on the corporate website: <https://www.grayshift.com/>

Many police services across the province and across the country have used the the GrayKey product since it went to market in 2017/2018. The Guelph Police Service's GrayKey Mobile Forensic tool was

only unveiled as recently as January 21, 2020 and is not available to anyone outside of the Service's two member Technical Crimes Unit.

Thus, it is to be emphasized that the GrayKey unit is not, has not been and will not be used for what are referred to as "cursory searches of cell phones incident to arrest" (as those types of searches are contemplated by the Supreme Court of Canada in *R. v. Fearon*).

The GrayKey unit is only used for forensic examinations once legal authorization has been received. In the Tech Crime Unit, all forensic examinations (not "searches") of cell phones are predicated upon and guided by express legal authority (ie. Court issued search warrants; Coroner's authority and/or consent of the phone owner).

As of November 26, 2020, our Tech Crimes Unit has, by virtue of authorization, attempted to extract data from forty-nine (49) Apple iPhone Devices. Forty-seven (47) of those examinations proved successful. Two (2) were unsuccessful.

Below is a breakdown of the authorized examinations carried out to November 26, 2020:

Judicial Authorization: 33 examinations in total

- CDSA Search Warrants – 19
- Criminal Code Search Warrants – 14

Coroner's Authority: 5 examinations

Consent of the Owner: 11 examinations

The circumstances associated with the successful examinations included \*:

Drugs	(19)
Fraud	(3)
Robbery	(5)
Sexual Assault	(2)
Domestic Violence	(3)
Sudden Deaths	(5)
Child Sexual Exploitation	(6)
Intimate Image Distribution	(1)
Assault	(1)

\* Some investigations had multiple GrayKey extractions.

The unsuccessful examination attempts involved:

Suicide	(1)
Drugs	(1)

**CONCLUSION:**

Unfortunately, when read in the absence of the above-noted information, the November 23 Guelph Mercury article appears to indicate that the GrayKey unit is being used in an unlawful fashion. This is certainly not the case. Great care is taken to ensure the GrayKey device is used in accordance with judicial authorization and/or owner consent.

The Guelph Police Service will continue to use the most up-to-date technology available to investigate offences in our community and it will do so, at all times, within the confines of the law.

Specific procedures on searches of cellphones by officers incident to arrest which fall under the principles articulated by the Supreme Court of Canada in *R. v. Fearon* and examinations of cellphones by technical crimes unit members using digital forensic access and extraction techniques pursuant to judicial warrants and/or owner consent are in the drafting process.

A copy of this report is being provided to the Office of the Privacy Commissioner in full response to the request delivered to this Service by Ms. Silver of that office.

**CORPORATE BUSINESS PLAN: N/A**

**FINANCIAL IMPLICATIONS: N/A**

**ATTACHMENTS: N/A**



## **GUELPH POLICE SERVICES BOARD**

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### **CHAIR'S OFFICE, GUELPH POLICE SERVICES BOARD**

**TO:** Chair Robert Carter and Members of the Guelph Police Services Board

**DATE:** December 10, 2020

**SUBJECT: Guelph Police Services Board Executive Positions of Chair/Vice-Chair for 2021**

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**PREPARED BY:** Cheryl Polonenko, Executive Assistant, Guelph Police Services Board

**APPROVED BY:** Robert Carter, Chair

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**RECOMMENDATION:** Decision for Chair position and Decision for Vice-Chair position.

#### **SUMMARY:**

The purpose of this report is to assist the Board in determining the Chair and Vice-Chair positions of the Guelph Police Services Board for 2021 pursuant to section 4 of By-Law 136 (2009).

#### **CURRENT CHAIR/VICE-CHAIR POSITIONS**

Chair: Robert Carter  
Vice-Chair: Vacant

Attachments: Section 4 of By-Law 136 (2009)

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**BY-LAW 136 (2009)****4. SELECTION OF CHAIR AND VICE-CHAIR**

4.1 In accordance with Section 28(1) and (2) of the Act, the members of the Board shall, at the meeting held in December of each year, select from amongst its members, a Chair and Vice-Chair which shall be effective January first of the succeeding year, in the following manner:

- (a) The election of the Chair and Vice-Chair shall be conducted by the incumbent Chair, or, if unavailable, the incumbent Vice-Chair or the Mayor;
- (b) Nominations shall require a mover and seconder, both of whom shall be members of the Board;
- (a) Where more than one nominee stands for election, a vote shall be taken;
- (b) Prior to the vote being taken, each nominee shall be given five minutes to speak to the nomination. Candidates shall be called upon in alphabetical order of their surname;
- (c) After the nominees have completed their speeches, a vote shall be taken;
- (d) If the nominees are tied on the first vote, a ten minutes recess shall be held and a second vote shall be taken. If on the second vote the nominees remain tied, a further ten minutes recess shall be held and a third vote shall be taken. If nominees remain tied after the third vote, the election of the Chair or Vice-Chair shall be decided by lot drawn by the Mayor or their designate;
- (e) Any votes required under this section, shall be taken as described by the provision of Section 61(1) and (2) of the *Municipal Act, R.S.O. 1990* as amended, which requires that each member present indicate their vote openly and that no vote be taken by ballot or any other method of secret voting.

4.2 In the event of the position of Chair or Vice-Chair becoming vacant for any reason, a new Chair or Vice-Chair as the case may be, will be elected.