



Eastern Ontario Wardens' Caucus

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Submission to the Standing Committee on
Justice Policy

March 1, 2017

Overview

The Eastern Ontario Wardens' Caucus (EOWC) Inc. is an incorporated not-for-profit organization comprised of the heads of Council of eleven (11) Counties and two (2) single-tier municipalities in Eastern Ontario. Its members include:

- County of Frontenac
- County of Haliburton
- County of Hastings
- City of Kawartha Lakes
- County of Lanark
- United Counties of Leeds and Grenville
- County of Lennox and Addington
- County of Northumberland
- County of Peterborough
- United Counties of Prescott and Russell
- County of Prince Edward
- County of Renfrew
- United Counties of Stormont, Dundas and Glengarry



Shafiq Qaadri, MPP, Chair
Christopher Tyrell, Clerk
Standing Committee on Justice Policy
Room 1405, Whitney Block
Queen's Park, Toronto, ON M7A 1A2

Dear Chair Qaadri,

As it has done since its incorporation a decade ago, the Eastern Ontario Wardens' Caucus (EOWC) continues to develop extensive research and advocacy regarding the financial sustainability of rural Eastern Ontario's municipalities.

This research confirms that rural ratepayers and businesses across the region continue to be challenged to pay the costs of vital municipal services, and also require assistance from the province in terms of service delivery, including the improvement of cellular and mobile broadband services. The local municipal sector is also at a crossroads in terms of financial sustainability, and has difficulty paying the ever-increasing costs of municipal services – including but not limited to roads, bridges, social housing, long-term care facilities, and land ambulance – vis-à-vis a relatively small and widely dispersed population.

The recommendations in this submission Standing Committee on Justice Policy fully support the position of our partners in the Association of Municipalities of Ontario (AMO), as well as the work of the Future of Policing Advisory Committee (FPAC) and AMO's Policing Modernization Report of 2015.

The EOWC's greatest concerns stem from the overall high costs of providing policing services in our communities as well as the mandatory Community Safety and Well-Being Plans forced upon municipalities, should the Bill pass.

Ontarians pay the highest policing costs in the country. Most of those dollars come from municipal property taxpayers. Ontarians also pay the highest property taxes in the country. In 2015-16, per capita spending in Ontario was \$362 while the provincial average across the country was \$328. Those extra dollars could provide many of the local services that keep people safe and healthy.

Furthermore, the EOWC echoes AMO's point that the legislation governing policing is one of the reasons for the rising cost of policing across Ontario. While there are a few changes in Bill 175 will advance the agenda to modernize policing, particularly with respect to oversight, there are equally some elements that will drive municipal costs and police budgets even higher.

The EOWC is not in agreement with the proposal to mandate municipalities to develop Community Safety and Well-Being Plans, including the establishment of an advisory committee with representatives from LHINs, health care, education, social services, child services, an elected official, a police service board member, and others. A notably absent participant is anyone from the police service itself. In addition, municipalities have little or no direct authority over such organizations, making it difficult to develop and adopt the proposed plans.

It should not be the responsibility of municipalities to develop plans to mitigate crime, victimization, and drug overdose – nor is it feasible to consider any plans to do so. Like AMO, the EOWC objects to the universal imposition of a new unfunded mandate, and we are not confident the government has fully considered what this would mean for municipal governments in terms of costs, capacity to deliver or implement, and the risks of non-compliance. It is worth remembering that 190 municipalities (42 per cent) have six or less full-time administrative staff. The appointment of a community safety planner only further undermines the authority of democratically elected municipal councils.

The Province should:

- limit the scope of this mandate based on the size of a municipality, or where an acute local public safety need exists;
- require participation of the Police Chief or police service representatives;
- encourage the development of such plans through outreach and financial support, rather than punishing municipalities for non-compliance; and
- encourage CSWB planning on a voluntary basis, including the Ministry's development of a grant program or other means to support such efforts.

Secondly, as participants in AMO's Policing Modernization Report, the EOWC also hoped that the legislation would enable greater civilianization rather than restrict it. The opportunity for civilianization is now *extremely limited*, as drafted in the bill – and this, at a time where recruitment of police officers is a real challenge for all police departments in North America. A decade ago, the number of police applicants exceeded the number of vacancies 100-fold and more, and the challenge that faced recruitment divisions was processing huge volumes of applications to find the best qualified. As you are well aware, this is no longer the case.

With another “peak” of retirements scheduled to occur over the next five years in Ontario, the situation is a real threat to the police services. Civilianization would relieve some of this pressure. The authority to use civilians or contracted services in the delivery of some public safety functions by civilians or non-officers could have delivered the same public service functions – at a reduced cost. Hiring civilians who have the competencies, experience and training to perform many of the roles suggested in AMO's Policing Modernization Report is a good business decision that has advantages well beyond just saving taxpayers' dollars. In its current form, Bill 175 limits civilianization to non-profit entities delivering crime prevention and assistance to victims of crime, and some highly specialized functions (such as forensic identification and polygraph operators) for which there are likely very few non-profit providers.

As AMO indicates, one key way to reduce costs is for officers not to fulfill all the functions they are currently doing. There are a number of functions that could be overseen by a police service, but delivered by others, and could also be delivered in more efficient ways. Accordingly, the Province should:

- permit the civilianization of court security and prisoner transportation functions;
- permit the civilianization of all specific functions listed in the Bill to include corporate entities; and
- permit the civilianization of minor property offences, directing traffic, and crime scene security.

Costs can be reduced by ensuring officers are performing the critical public safety functions which require a sworn, armed officer. As stated in AMO's paper, “A safe and secure community depends on multiple organizations and professions, not just the police.”

Our final concern is about police service boards, which we must set up to succeed. They will only be successful if they are representative of their community. This Bill would eliminate nearly 100 police service boards in rural and northern regions. There is no doubt that this increases the distance between the police, its civilian boards, and the local community. Gone are the community policing officers, and the Community Policing Advisory Boards – the connection between the police and the community. There is no requirement for the detachment commander or other police officers to meet with community members. This is a real loss. For the changes to the number of police service boards to be successful, the Bill must be changed to provide that every municipal council will have a seat at the table of an OPP board.

In addition, provincial appointees to police service boards must be done in a timely way, one which enhances diversity, with a skill set that contributes to good governance. There is nothing in Bill 175 that speaks to provincial performance on this. Diversity on the boards is not enough; mandated competencies, skills and experience are just as important.

The EOWC also believes that the Bill needs to clarify who has the mandate to help support boards. There needs to be an organization named in this Bill that has been established to help police board members fulfil their governing function, by providing training and other resources. Nowadays, officers are expected to juggle a variety of tasks. Officers communicate with the public, solve problems, navigate different cultures, use computers, radios and other technology while on the move, and make split-second decisions about use of force with a variety of high-tech tools on their belt. Many of those decisions are recorded by dashboard cameras, officer body cameras, or bystanders with smartphones. Higher community expectations and scrutiny create an environment where officers are judged in public long before any due process.

Strong, competent leadership and a healthy relationship with the community will offset negativity and maintain the esprit de corps that the profession so rightly deserves. On behalf of Eastern Ontario's rural municipalities – none of which have the resources, financial or administrative, to implement and pay for the changes proposed in Bill 175 – thank you for considering the proposed amendments.

Regards,
Warden Robin Jones
Chair, 2018, Eastern Ontario Wardens' Caucus