

# AGENDA

## Police Board Meeting

Tuesday, February 22, 2022 4:00 PM

Training Room - Oak Bay Police Department

---

We acknowledge that the land on which we gather is the traditional territory of the Coast and Straits Salish Peoples, specifically we recognize the Lekwungen-speaking Peoples, known today as the Songhees and Esquimalt First Nations, and that their historic connections to these lands continue to this day.

**NOTICE OF THE REGULAR MEETING OF THE OAK BAY POLICE BOARD DUE TO A GLOBAL PANDEMIC, THIS MEETING MAY BE ACCESSED BY ZOOM VIDEO CONFERENCE**

Page

1. CALL TO ORDER:
2. APPROVAL OF AGENDA
  - 2.1 Approval of the February 22, 2022, Police Board Meeting Agenda.
3. ADOPTION OF MINUTES:
  - 3.1 Regular Meeting - January 25, 2022 3 - 8  
[25 Jan 2022 - Minutes Police Board](#)
4. STANDING ITEMS
  - 4.1 Strategic Plan Update
  - 4.2 Accountability Report - Deputy Chief Fisher 9  
[Accountability Report January 2022](#)
  - 4.3 BCAPB Update - Chair Murdoch
5. DEPARTMENT REPORTS:
  - 5.1 Chief Constable's Monthly Update - Chief Constable Ray Bernoties
  - 5.2 Overtime Report - Deputy Chief Fisher 10  
[Jan.2022 overtime report](#)
6. NEW BUSINESS:
  - 6.1 New Issues Raised by Board Members - Chair Murdoch
7. INFORMATION ITEMS:





## MINUTES

### Police Board - 25 Jan 2022

Tuesday, January 25, 2022 @ 4:00 PM

Training Room - Oak Bay Police Department

**PRESENT:** Kevin Murdoch  
Christine Hall  
Blair Littler  
Wendy Zink

**ABSENT:**

**STAFF:** Ray Bernoties, Chief Constable  
Mark Fisher, Deputy Chief Constable  
Paula Kully – Police Board Recording Secretary

#### 1. CALL TO ORDER:

Meeting called to order at 4:00 pm followed by a Territorial Acknowledgement

#### 2. APPROVAL OF AGENDA

2022 - 1 **MOVED and SECONDED**

*That the Agenda for the January 25, 2022 regular Police Board meeting be approved as distributed.*

**CARRIED**

#### 3. ADOPTION OF MINUTES:

2022 - 2 **MOVED and SECONDED**

*That the Minutes from the November 23, 2021, regular Police Board meeting be approved as distributed.*

**CARRIED**

#### 4. STANDING ITEMS

##### 4.1 Strategic Plan Update

###### **Community Consultation Survey**

The Strategic Plan Community Consultation Survey draft questionnaire was presented by Chief Bernoties. The board provided recommendations for amendments to the survey. Chief Bernoties will work with Wendy Zink to refine the survey and send it out to the board for final approval before posting it publicly.

2022 - 3 **MOVED and SECONDED**

*That once the proposed changes have been made to the survey and it has been distributed to the Board for final review, the survey can be disseminated to the public.*

**CARRIED**

###### **Review of Strategic Plan Stakeholder List**

The Board provided recommendations for additions to the list. The Board approved allowing flexibility with the list where it makes sense.

##### 4.2 Accountability Report - Deputy Chief Fisher

2022 - 5 **MOVED and SECONDED**

*That the accountability report be received for information.*

**CARRIED**

##### 4.3 BCAPB Update - Chair Murdoch

Chair Murdoch advised that a hybrid of the annual meeting is coming up in March or April in Surrey. It was originally scheduled for Nelson but as some people are still not comfortable with travelling the location was changed for ease of access.

Police services update - the Provincial report was recently released.

Watson is taking over training. They are conducting a survey and will be developing police board training.

2022 - 6 **MOVED and SECONDED**

*That the BC Association of Police Boards verbal update be received for information.*

**CARRIED**

## 5. DEPARTMENT REPORTS:

### 5.1 Chief Constable's Monthly Update

The department's COVID policy is in place. One employee recently tested positive with COVID but is doing well.

OBPD is currently fully staffed. The School Liaison Officer position has been filled by Cst. Mishrigi. She has been in schools when possible and is already involved.

The EV is still not prepared due to supply chain issues.

2022 - 7 **MOVED and SECONDED**

*That the Chief Constables verbal monthly update report be received for information.*

**CARRIED**

### 5.2 Quarterly Budget Report - Deputy Chief Fisher

The department did well with budget this year and ended up using 93.4% so far. Some areas of note were:

- Fuel costs were a bit higher.
- Training costs were down due to pandemic.
- The total EV expenses have not come through yet due to supply chain issues.
- Integrated unit's costs went up and the RCMP settlement was higher than expected.

2022 - 8 **MOVED and SECONDED**

*That the Quarterly Budget Report for 2021 year-end be received for information.*

**CARRIED**

### 5.3 Overtime Report - Deputy Chief Fisher

Deputy Chief Constable Fisher provided a brief overview of the November overtime report. Overtime costs were incurred due to a sudden death investigation, five members were sick at different periods during the month, the flood impacted one member and caused overtime for callouts.

During December sick coverage was down. Some overtime was incurred for training for critical incident response and the special event of the truck parade

2022 - 9 **MOVED and SECONDED**

*That the overtime reports for November and December of 2021 be received for information.*

**CARRIED**

Page 3 of 6

## 6. COMMUNICATIONS:

### 6.1 Police Resources in British Columbia 2020

Chief Bernoties provided an overview of the report and directed the Boar's attention to page 32 for Oak Bay. He noted that Oak Bay is the least expensive police department in BC and that in 2021 the case load per member will go up as we have 2 less members. This will make us the smallest department in the province (\*Note – we will actually be the second smallest – Nelson is smaller). Next year we can expect our costs will be comparably low. The Chief noted the document is interesting but doesn't receive a lot of attention. However, the province relies on it for comparatives.

2022 - 10 **MOVED and SECONDED**

*That the Police Resources in British Columbia 2020 report be received for information.*

**CARRIED**

### 6.2 New Newsletter

The newsletter was presented by Chief Bernoties. It will replace the monthly notice that Rebecca sends out to Block Watch. The department decided to update the format and make it more interesting to read. We are not committed to a schedule but are considering something bi-monthly or quarterly. It is distributed to Block Watch captains who in turn distribute it to their mailing list.

The Board suggested that the Newsletter be linked to district's website and posted on the department's website with a link on social media.

2022 - 11 **MOVED and SECONDED**

*That the new Newsletter be received for information.*

**CARRIED**

## 7. POLICY UPDATES

The following policies were reviewed and and amendments discussed:

- Department Issued Firearms (revised)
- Police Emergency Alert (new)
- Use of Force (revised)
- Bean Bag Shotgun (revised - removed as a weapon)
- Budget - Major Crime Reserve Fund (revised)

2022 - 12 **MOVED and SECONDED**

*That amendments to the Department Issued Firearms, Use of Force, Bean Bag Shotgun, and Budget -Major Crime Reserve Fund Policies be approved as presented and that the new Police Emergency Alert Policy be received for information.*

**CARRIED**

**8. NEW BUSINESS:**

**8.1 New Issues Raised by Board Members**

*No new issues raised.*

**8.2 Canadian Association of Police Governance - Call for Resolutions**

It was noted that any resolutions should be brought forward at the next meeting.

**8.3 Policy Consultant**

Chair Murdoch would like the Board to consider developing Board Policies. He will bring a budget consideration for consultant to assist with developing board policies to the next meeting.

The Board recommended starting with a good example from another source rather than begin from scratch.

**8.4 2021/2022 Statistics Report**

Chief Bernoties presented the report and noted that some numbers are down and that the pandemic may have been a contributing factor.

2022 - 13 **MOVED and SECONDED**

That the 2021/2022 Statistic Report be received for information.

**CARRIED**

**9. ADJOURNMENT:**

Motion to adjourn in camera/motion to adjourn.

2022 - 14 **MOVED and SECONDED**

*That the open portion of the Police Board meeting be adjourned at 5:36 pm and that a closed session be convened to discuss personnel issues, which may be dealt with in private under the Police Act.*

**CARRIED**

---

Mayor Kevin Murdoch, Chair

---

Paula Kully, Police Board Secretary

---

Date







## Oak Bay Police Department

1703 Monterey Ave, Victoria, B.C., V8R5V6 Ph (250) 592-2424 Fax (250) 592-9988

### ACCOUNTABILITY REPORT

Reporting Period: January 2022

	# new	#ongoing	YTD	Not accepted*	Unsub.	Substantiated	File numbers
<b>OPCC Complaints</b>	1	2	1	0	0	0	OPCC 21-19281 (Monitor) OPCC 21-19911 (Monitor) OPCC 21-20712 (Ongoing) OPCC 21-20485 (Resolved) OPCC 21-20844 (Inadmissible) <b>OPCC 22-21247 (Assessment Stage)</b>
<b>IIO Notifications</b>	0	0	0				
<b>Harassment incidents</b>	0	0	0				
<b>Respectful Workplace incidents</b>	0	0	0				
<b>Use of Force Reports</b>	0	0	0				

\*Not accepted by OPCC and/or IIO

Mark Fisher  
Deputy Chief Constable

**OAK BAY POLICE DEPARTMENT**  
**Monthly Overtime Report**  
**Month of: January 2022**

*\* Note: hours are actual hours worked*

Overtime Type	Hours Worked	Paid Out	Banked	Year to Date Worked
Court	-			-
COVID-19 Related	-			-
Investigation	8.50	2.25	6.3	8.50
Meetings	4.00		4.0	4.0
Shift Coverage	20.00	11.0	9.0	20.0
Sick Relief	18.50	9.5	9.0	18.5
Special Duty	-			-
Training	-			-
<b>TOTAL</b>	<b>51.00</b>	<b>22.75</b>	<b>28.25</b>	<b>51.00</b>

Recoverable OT worked                      35.00



## Oak Bay Police Department

1703 Monterey Ave, Victoria, B.C., V8R5V6 Ph (250) 592-2424 Fax (250)592-9988

---

February 11, 2022

Ms. Shannon Oberholtzer  
Senior Program Analyst  
Policing and Security Branch  
Ministry of Public Safety and Solicitor General

In response to the request of February 10, 2022, I am providing the requested annual reporting on the Experienced Officer Applicants that our department hired in calendar year 2021.

Our department hired the following two Experienced Officers from out of province in calendar year 2021:

Constable Jason Jewkes      Officer 153

Constable Kevin Diachina      Officer 154

Constable Jewkes completed his police recruit training at the RCMP Training Academy in Regina, Saskatchewan.

Constable Diachina completed his police recruit training at the Ontario Police College.

If you require any additional information please contact me directly at 250-220-8890.

Regards,



M. Fisher  
Deputy Chief Constable  
Oak Bay Police Department



## Oak Bay Police Department

1703 Monterey Ave, Victoria, B.C., V8R5V6 Ph (250) 592-2424 Fax (250)592-9988

---

January 19, 2021

Ms. Jenni Bard  
Director  
Standards and Evaluations  
Police and Security Branch  
Ministry of Public Safety and Solicitor General

In response to the request on December 21, 2021, I am providing the requested information regarding audits of our police stops from 2019, 2020, and 2021 in addition to our current departmental policy as it pertains to police stops.

On January 20, 2021, our department implemented revised operational policy pertaining to police stops. The policy document, OD270 Police Stops, is attached.

We have conducted audits of our police stops that occurred subsequent to the implementation of Provincial Police Standards (BCPPS) 6.2.1 Police Stops in 2020. As per your request we have also compiled the data in regard to the number of occurrences recorded as Street Checks in PRIME in 2019, 2020, and 2021.

<b>Year</b>	<b>Street Checks</b>
2019	121
2020	5
2021	0

Of the five police stops that were conducted by our department in 2020, three of them were done prior to the new departmental policy and the new Provincial Police Standard being implemented. Those three checks were in compliance with the policy that was in place at the time of the checks.

The new departmental policy was placed on the department IntraWeb and all employees were advised on the new policy in late January 2020.

The first police check that was done subsequent to the implementation of the new policy was conducted by Cst. Mishrigi. In reviewing the PRIME documentation it is clear that she stopped the individual due to suspicious behaviour and the fact that there had been recent thefts from residences and vehicles in that area. Cst. Mishrigi asked the individual what they were doing, explained the reasons for the check and asked if he would voluntarily provide his name and address for a police data base query. The male agreed to this. Prior to him leaving Cst. Mishrigi also enquired about his well being and if he had a place to sleep for the night. Following the database query he left the area.

The second police check was conducted by Csts. Ulanowski and Brand when they observed a male in dark clothing with a toque and wearing a bandana covering his face at 2330 hrs on March 31, 2020. He was walking aimlessly and looking at the ground. Cst. Brand had attended a theft from vehicle complaint in that area a few hours prior. The members approached him and asked him if he was okay. He removed the toque and bandana and advised he was just looking for cigarette butts. He provided his name and police checks showed he has an extensive criminal record for theft as well as other offences. The male left the area after speaking with the officers.

When reviewing the police check narrative in relation to this query it was not clear whether or not the officers advised the male that the provision of his personal information was voluntary or that he was free to leave at any time. Deputy Chief Fisher followed up with Constables Brand and Ulanowski to seek additional details on this check and whether they covered this area off during the check. Constable Brand indicated that it was his second shift here at Oak Bay and he does not have any notes relating to the check. Constable Ulanowski says that he always advises people that they are free to leave and not required to stay when speaking with them on the street. Given the uncertainty around whether or not the individual was advised that he was free to leave at any time the entity information in relation to this file has been removed from PRIME. In addition to that Deputy Chief Fisher has ensured that both Constables Brand and Constable Ulanowski have reviewed the departmental policy on Police Checks.

Deputy Chief Constable Mark Fisher can serve as the contact person for our office if you or the audit team require additional information in relation to your compliance evaluation.

R. Bernoties  
Chief Constable  
Oak Bay Police Department