

Union of BC Municipalities

# **Preliminary Local Government Input into Public Safety Modernization**

Based on the input and recommendations made by the  
Local Government Policing Modernization Roundtable

August 18, 2022



## 1. Introduction

In recognition of the role that local governments play with respect to public safety, and the impacts they will face as a result of policy decisions and approaches to police modernization, the Province has created the Local Government Policing Modernization Roundtable (LGPMR). The LGPMR is a forum for ongoing consultation, and where local governments may share their experience and knowledge and bring forward matters of interest or concerns respecting policing modernization, the Special Committee on Reforming the Police Act's (SCRPA) recommendations, and other public safety priorities. The UBCM Executive has appointed 15 local government representatives to the LGPMR, which is co-chaired by UBCM and the Ministry of Public Safety and Solicitor General.

The SCRPA final report, *Transforming Policing and Community Safety in British Columbia*, was completed on April 28, 2022. Following the release of this report, the LGPMR held three virtual meetings to discuss all relevant sections and recommendations contained in the report. Through evaluating these discussions, subsequent written feedback delivered by LGPMR members, and input provided by UBCM in its January 2021 submission to the SCRPA, a series of local government recommendations have been developed and endorsed by UBCM.

The purpose of this document is to convey the local government recommendations to Cabinet, which will be considering the short- and long-term direction for public safety modernization in British Columbia.

## 2. LGPMR Recommendations to Cabinet

This section outlines the recommendations made by the LGPMR, as endorsed by UBCM.

### ***SCRPA Recommendation #1:***

*Implement a new Community Safety and Policing Act to govern the provision of policing and public safety services based on values of decolonization, anti-racism, community, and accountability. This includes:*

- a) *Ensuring Indigenous peoples and nations, and municipal governments, are engaged in the drafting of the legislation.*

### **LGPMR Consensus Recommendation:**

- The LGPMR strongly supports the Province thoroughly engaging Indigenous peoples and nations, and local governments in the drafting of new public safety legislation.

### **SCRPA Recommendation #2:**

*Transition to a new BC provincial police service that is governed by the new Community Safety and Policing Act. This includes:*

- a) Establishing a governance model, such as municipal or regional police boards or committees, that is representative of the community and provides opportunities for local input on policing and public safety priorities.*
- b) Ensuring municipal council representation on municipal police boards or committees, while not allowing the mayor to serve as board chair.*
- c) Amalgamating police services on a regional basis where there are opportunities to address fragmentation, ensure equitable access to policing and public safety, and improve efficiency and effectiveness.*
- d) Enabling two police of jurisdiction to facilitate the process of transitioning from one service to another.*

### **LGPMR Consensus Recommendations:**

- Evidence to support a transition to a new B.C. provincial police service has not been provided, and as such there is no support within the LGPMR to transition away from the RCMP. Further, it is the Roundtable's perspective that continued focus on this aspect will take away scarce resources from other, more urgent public safety matters.
- There are a number of weaknesses in police service governance (e.g. police board composition, local accountability of RCMP detachments, integrated teams governance, etc.). There is LGPMR support for these weaknesses to be examined and best practices brought forward to primary stakeholders for consideration.
- Governance issues are a high priority and should be addressed in the short-term.
- The LGPMR agreed that service delivery models should be reviewed and options explored to address cost concerns, as well as increase efficiency and effectiveness. Affected communities must be involved in the process, and any changes under consideration must be supported by a detailed business case clearly demonstrating benefits. Changes that are implemented must be made seamlessly for the benefit of the individual receiving the service.

- The federal Minister of Public Safety has been asked to “conduct an assessment of contract policing in consultation with provinces, territories, municipalities, Indigenous partners and stakeholders.” The LGPMR supports UBCM and its members being active participants in this review.

**SCRPA Recommendation #3:**

*Ensure all Indigenous communities have direct input into their police service structure and governance, including self-administered services which could provide policing to neighbouring non-Indigenous communities.*

**LGPMR Consensus Recommendation:**

- There is support in favour of Indigenous communities having direct input into their police service structure and governance, including self-administered services which could provide policing to neighbouring non-Indigenous communities where the geographical layout and cost effectiveness are suitable, and the local government is seeking this type of arrangement.

**SCRPA Recommendation #4:**

*Create and appropriately fund a continuum of response to mental health, addictions and other complex social issues with a focus on prevention and community-led responses and ensuring appropriate first response. This includes:*

- a) Increasing coordination and integration across police, health, mental health, and social services.*
- b) Integrating mental health within 911 call options.*

**LGPMR Consensus Recommendations:**

- There is full support for the Province to create and fund a coordinated continuum of response to mental health, addictions and other complex social issues. This would include a focus on prevention and community-led responses, inter-agency coordination and information management, and an equitable first response. Part of the intent is to reduce the burden on police, as they are currently being asked to perform duties that they are not trained to undertake. These changes should be implemented province-wide and include:
  - a) Increasing coordination and integration across police, health, mental health and social services; and,
  - b) The addition of a mental health option within 911 call options.

- The LGPMR suggests that this recommendation receive the highest and most immediate priority.

#### **SCRPA Recommendation #5:**

*Ensure equitable access to high quality police and public safety services across BC. This includes:*

- a) Ensuring all policing is responsive to and informed by the community.*
- b) Implementing and enforcing provincial standards, policies, and expectations for service with respect to responding to individuals experiencing a mental health crisis, conducting wellness checks, responding to sexual assault, and conducting trauma-informed interviews.*
- c) Adopting a dynamic and flexible approach to policing that provides for different categories of policing and public safety personnel who have clearly defined roles, responsibilities, and functions such as responding to non-violent incidents and other situations that may not require uniformed police.*
- d) Expanding the use of culturally appropriate restorative justice programs throughout BC, including increased funding for these programs and education for police officers.*

#### **LGPMR Consensus Recommendations:**

- There is significant support for ensuring that all public safety services are coordinated, responsive to and informed by the community, and have appropriate community and local government oversight. Up-to-date needs analysis tools (e.g. data-informed, evidence based methodologies) should be used in resource planning and allocation (e.g. front-line police resourcing).
- There is moderate support for implementing and enforcing provincial standards and policies, and clearly outlining expectations for service with respect to responding to individuals experiencing a mental health crisis, conducting wellness checks, responding to sexual assault, and conducting trauma-informed interviews, to ensure all communities are receiving the same level of service. A number of Roundtable members expressed concern that provincial and federal orders of government are not adequately addressing their mandated responsibilities in areas such as mental health, addictions and broader healthcare; and, that work needs to be conducted in a coordinated manner.
- There is Roundtable support for adopting a dynamic and flexible approach to public safety that provides for different tiers of policing as well as other public safety personnel (e.g. Community Safety Officers, mental health response teams) who have clearly defined roles, responsibilities, and functions such as

responding to non-violent incidents and other situations that may not require uniformed police. The unique differences between large and small communities should be considered when examining options.

- There is broad support for expanding the use of culturally appropriate restorative justice programs and other alternative processes (e.g. mental health and community courts) throughout B.C., acknowledging that long-term provincial funding and education for police officers is necessary to effectively implement these programs.

### **SCRPA Recommendation #6:**

*Create a fair and equitable shared funding model for municipalities. This includes:*

- a) Consideration of local needs, health and social supports, and the geography of a service delivery area.*
- b) Exploring options to phase in or incrementally increase the municipal share of policing costs.*

### **LGPMR Consensus Recommendations:**

- UBCM has previously presented data to the SCRPA showing that B.C. local governments pay a disproportionate share of policing costs. The Roundtable urges the development, in partnership with local governments, of a more fair and equitable shared funding model between all policing partners in B.C. A member suggested that this system and funding formula should be defined before more in-depth discussions can be undertaken regarding associated issues (including those noted in Special Committee recommendation #6).
- As part of this discussion, Roundtable members consistently noted the need to address (i.e. reverse) downloads in areas that are not local government responsibilities such as healthcare (e.g. mental health and addictions); front-line resourcing (where the Province is not contributing at the same level as local governments); and other key areas (e.g. forensics).
- Roundtable members have, throughout this process, emphasized the need to consider local government needs, health and social supports, and service area geography. Issues such as amalgamation or policing hubs should be explored only in areas where the affected communities are seeking this type of service framework.
- Several roundtable members agreed with the need to examine the population thresholds (e.g. 5,000 and 15,000) for RCMP contract policing costs payable by local governments. These members agreed that, when a local government reaches a threshold, phasing in the new local government cost share (as outlined in the Municipal Police Unit Agreement) could be helpful. Other Roundtable

members would prefer to first examine the police funding and resourcing structure as a whole to develop a more equitable framework.

**SCRPA Recommendation #7:**

*Enhance and standardize initial and ongoing police education and training to reflect key values and competencies in order to shift police culture. This includes:*

- a) Ensuring police and public safety services are representative of the diversity of the communities served (including diversity of race, ethnicity, gender, and sexuality) via recruitment.*
- b) Implementing screening and performance evaluation for existing officers and new recruits that reflects desired values and principles, including humility, honesty, empathy, and lack of bias and prejudice, to ensure that these individuals are best suited for their current position or for advancement and are a good fit for the community.*
- c) Conducting regular mandatory psychological assessments for all police officers in BC.*
- d) Enhancing and standardizing training required for police recruits and implementing mandatory and meaningful ongoing education with respect to anti-racism, cultural competency, and trauma-informed practices.*
- e) Requiring police officers to complete training and education that is based on the historical, cultural, and socio-economic context of the communities in which they will be serving and is developed and delivered in consultation with the communities.*
- f) Developing benchmarks to measure the efficacy of police training and education with respect to a shift in police culture and conduct.*

**LGPMR Consensus Recommendations:**

- There is strong support for ensuring initial and ongoing police education and training reflects the values, competencies and expectations of those being served.
- There is moderate support for the subsections of SCRPA recommendation #7, noting that there are a number of practical issues that will need to be addressed for successful implementation.
- Several members discussed concerns around cost, and, consistent with previous LGPMR discussions, that police officers are being asked to perform duties outside their core responsibilities (e.g., those related to mental health and addictions).

### **SCRPA Recommendation #8:**

*Require police services to collect and publicly report disaggregated race-based and other demographic data and conduct comprehensive reviews of and amend policies and procedures to address systemic racism in policing.*

### **LGPMR Consensus Recommendation:**

- There is strong support for this recommendation, noting that there will be significant issues around data capture, usage and storage that must be addressed for successful implementation.

### **SCRPA Recommendation #9:**

*Establish a single, independent, civilian-led oversight agency responsible for overseeing conduct, complaints, investigations, and disciplinary matters for all police and public safety personnel with powers or authority under the new Community Safety and Policing Act. This includes:*

- a) Prioritizing the creation of stand-alone legislation for police oversight.*
- b) Ensuring the oversight agency is reflective of the diverse population and cultures of BC.*
- c) Providing navigation and triaging services to assist complainants throughout the complaints process.<sup>8</sup>*
- d) Implementing a multi-stream approach to processing complaints, expediting minor performance and procedural matters, and offering multiple resolution pathways such as direct conversations, mediation, or restorative justice.*
- e) Revising the definition of misconduct to include demeaning and discriminatory conduct, language, jokes, statements, gestures, and related behaviours.*
- f) Establishing a duty to cooperate with investigations and a duty to report misconduct for all police and public safety personnel with protections for reporting.*

### **LGPMR Consensus Recommendations:**

- There is strong LGPMR support for this recommendation, noting that the proposed agency will have to be properly resourced so that it can deliver upon its expectations.
- Several members noted that there could be some challenges in bringing the RCMP and municipal police agencies together as part of one oversight agency.



### **SCRPA Recommendation #10 (Directed to the Legislative Assembly):**

*Immediately appoint an all-party parliamentary committee to undertake a broad review of the Mental Health Act with a view to modernizing the Act and ensuring it aligns with the recommendations in this report.*

### **LGPMR Consensus Recommendation:**

The LGPMR did not discuss SCRPA recommendation #10, which as noted above, was directed to the Legislative Assembly.

### **SCRPA Recommendation #11 (Directed to the Legislative Assembly):**

*Establish an all-party select standing committee on policing and community safety to:*

- a) Oversee the implementation of changes recommended in this report.*
- b) Conduct regular reviews of the new Community Safety and Policing Act.*
- c) Examine standards, policies, and programs related to the provision of policing and public safety in BC and report annually on this work.*
- d) Work with key partners to address colonial structures and systemic racism in policing.*
- e) Receive and review annual updates from the Ministry of Public Safety and Solicitor General regarding emergent issues in policing and community safety and the effectiveness of police services in BC.*

### **LGPMR Consensus Recommendation:**

The LGPMR did not discuss SCRPA recommendation #11, which as noted above, was directed to the Legislative Assembly.

## **3. Additional UBCM Recommendations**

While a majority of the key issues raised by UBCM in its January 2021 submission were covered in the SCRPA recommendations (e.g. funding, mental health, governance), there are a few items that were noticeably absent.<sup>1</sup> As such, UBCM is providing the following additional recommendations for consideration by Cabinet:

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<sup>1</sup> UBCM's January 2021 submission to the Special Committee on Reforming the Police Act may be accessed here: [https://www.leg.bc.ca/content/CommitteeDocuments/42nd-parliament/1st-session/rpa/meeting-documents/2021-02-08\\_UBCM\\_Submission.pdf](https://www.leg.bc.ca/content/CommitteeDocuments/42nd-parliament/1st-session/rpa/meeting-documents/2021-02-08_UBCM_Submission.pdf)

- That the Province be mandated to fund and provide significant technological investments on a province-wide basis. For example, this would include provincial responsibility for the province-wide delivery of 911 emergency communication services.
- That the Province examine opportunities for preventative and proactive investments in policing and public safety services.
- That the Province examine the public safety services being provided and work with local governments and other relevant stakeholders to determine which order of government is best suited to provide each service.
- That the Province ensure proper governance structures are in place to balance the need for operational independence with the accountabilities and oversight required by the governing body.
- That the Province ensure data and business intelligence systems meet the needs of internal and external users.
- That the Province work with local governments to review the appropriateness of using local property taxes to fund policing costs.

#### **4. Conclusion**

UBCM appreciates the provincial government's consideration of the recommendations made in this submission and looks forward to continued engagement, through the Local Government Policing Modernization Roundtable, regarding public safety modernization. The changes under consideration represent a significant amount of work, which if pursued should be commenced as soon as possible in collaboration with the LGPMR.