

COMMITTEE OF THE WHOLE JUNE 7, 2004

SPECIAL CONSTABLE AUTHORITY

Recommendation

The Commissioner of Legal and Administrative Services, in conjunction with the Senior Manager, Enforcement Services recommends that:

1. Council approve a resolution confirming their support for the Special Constable initiative for the City of Vaughan, and;
2. Provide direction for staff to inform the York Region Police Services Board, and the York Regional Police Service Chief of the resolution.

Purpose

This report is to publicly endorse the Special Constable Program for the City of Vaughan.

Background - Analysis and Options

On February 10, 2003, Council provided direction to staff to make a formal application to the York Region Police Services board for Special Constable Status for a limited number of By-law staff.

This application was made by deputation at the March 26, 2003 York Region Police Services Board meeting. The Director of Legal Services, Senior Manager of By-law Enforcement, and then Regional Councillor Rosati presented a supporting business case to the Board.

On September 17, 2003 the York Regional Chief of Police reported to the York Region Police Services Board that he felt the proposed pilot from the City of Vaughan was not feasible. The York Region Police Services Board then directed the Chief to meet with area municipalities and report back to the Board.

A meeting was held with all municipalities in the Region being represented. At this meeting the Towns of Markham and Richmond Hill and the City of Vaughan all indicated their desire to acquire this enhanced enforcement status. The other municipalities did not have an interest in the program. All municipalities were asked to respond in writing to the Chief's report of September 17, 2003 and then subsequent meetings would be held. Vaughan has complied with this request. As of this date no other meeting has been scheduled.

On Sunday May 23, 2004, the Liberal Newspaper erroneously reported that Vaughan's Council had rejected the Special Constable concept.

As all information on this topic has been discussed in closed session, the media and the public may not be aware of Council's commitment to this initiative. As such, a resolution supporting this program will demonstrate to the public and again to the York Region Police Services Board Council's commitment to this initiative that is designed to increase the safety of the public, while working in partnership with York Regional Police.

Relation to Vaughan Vision

This is in keeping with the Vaughan Vision as it is in keeping with the goal of creating increased awareness of the City's leadership on key issues.

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

It is appropriate to make the public and the members of the York Region Police Services Board aware of Council's commitment to this project.

Attachments

Article from the Liberal dated May 23, 2004

Report prepared by:

Tony Thompson
Senior Manager, Enforcement Services

Respectfully submitted,

Robert Swayze
Commissioner of Legal & Administrative Services

Tony Thompson
Senior Manager, Enforcement Services

Resolution

WHEREAS the Police Services Act R.S.O. 1990, c.P.15 provides for authority for local Police Services Boards to appoint Special constables;

AND WHEREAS the Council of the Corporation of the city of Vaughan recognized the benefits of having Special Constable status to help address safety concerns of its citizenry;

AND WHEREAS, on February 10, 2003 The council of the Corporation of the City of Vaughan directed staff to make application to the York Regional Police Services Board for Special Constable Status'

AND WHEREAS, such application to the York Regional Police Services Board was made on March 26, 2003;

AND WHEREAS the applications still before the Board;

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Vaughan reaffirms its intention to have Special Constables employed by the Corporation.

And accordingly, that staff circulate this resolution to the Ministry of Community Safety and Correctional Services, York Regional Police Services Board and area municipalities.

Special constables face danger, chief says

BY JOAN RANSBERRY
Staff Writer

York's top cop continues to caution against introducing special constables to municipal streets.

Focusing on safety as one of the main reasons, York Regional Police Chief Armand La Barge said he doesn't support having unarmed constables patrolling streets looking for speeders and stop sign and seat belt violators.

Markham council votes Tuesday on a committee recommendation to have Mayor Don Cousens and the town's lawyer meet with the police board and the province to negotiate appointing special constables for Markham's streets.

Chief La Barge said of all the police officer funerals he's attended, the majority were killed while carrying out traffic-related duties.

Traffic patrols can be "very dangerous", he said.

Special constables have been successful in St. Albert, Alta., for 10 years, Councillor Stan Daurio said.

Carrying batons and pepper spray, they enforce speeding and stop sign and seat-belt violations in the town of 55,000 as well as municipal bylaw duties.

Ontario's Police Services Act forbids a special constable from performing duties of a police officer. They can, however, be used to support existing police services.

While the act authorizes police services boards to appoint special constables, the province will not approve

appointments unless there is a demonstrated need, Chief La Barge said.

The status of the special constables in Markham is at the information-gathering stage only, transportation committee chairperson and Councillor Khalid Usman said earlier this week.

"We (committee members) are giving council the authority to discuss it," he said.

By exploring the issue, Markham is following the proper steps, Chief La Barge said.

Last fall, Vaughan considered having bylaw enforcement officers become special constables. At the time, Chief La Barge filed a report citing training and supervision as issues of major concern. In the end, Vaughan council rejected the idea.

Chief La Barge is not alone in his objections. In his report, the chief stated during a conference last year, the Police Association of Ontario referred to special constables as a form of "two-tiered policing" and presented a paper "opposing strenuously the abdication of policing duties" in this manner.

One justification for special constables, according to a Markham staff report, is police "often assign a lower priority" to speeding and stop sign violations on local streets.

But Chief La Barge said his force is in a better position to police streets because regional council recently okayed hiring an additional 110 officers.