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June 30, 2020
The Honourable Sylvia Jones
Solicitor General
George Drew Building
18th Floor
25 Grosvenor St.
Toronto, ON M7A 1Y6

RE: OPP Detachment Board Composition

The purpose of this letter is to share our views regarding OPP detachment board composition, on behalf of the members of the Ontario Association of Police Services Boards (OAPSB).

These views are informed by three key occurrences:

1. Our 2016 survey of members regarding the legislative rewrite, which received an 80% response rate;
2. The OPP Governance Summit we hosted in January 2020, in which our members discussed Detachment Board composition with policy staff from your Ministry; and
3. The recent position paper of the Association of Municipalities of Ontario (AMO) titled *New Ontario Provincial Police Detachment Boards: Building a Framework for Better Policing Governance* dated 1 May 2020.

Firstly, please know that we applaud the extension of OPP governance to over 200 more communities. This is a tremendous step in that OPP policing is optimally aligned with the people's needs, values and expectations.

We also applaud the legislative requirement for police board members to successfully complete training and implore you to include competency-development training as part of that requirement (i.e. "*how* to govern police" training).

There is overwhelming consensus among our members that a single model will not serve the interests of every community in Ontario. Our members made it loud and clear at the OPP Governance Summit that, when it comes to creation of OPP detachment boards, that "one size will not fit all" and larger boards are preferable to insufficient representation of affected communities. We believe that AMO shares this view.

OAPSB has a long history of collaborating with AMO on positions of mutual interest, while maintaining organizational independence. This relationship reflects our member boards' relationships and appropriate independence from the municipal councils in their communities – the subject of the 2014 OAPSB paper "[*Independent Citizen Governance of Police – Reasons & Principles*](#)". Many municipal councillors appointed to boards are also members of AMO, thereby strengthening our relationship.

It is within this context that we write to state our difference of opinion with several key aspects of AMO's suggestions regarding OPP detachment board composition. Specifically:

1. OPP detachment boards should remain **independent, stand-alone local boards**. They should not be based on District Social Services Administration Boards (DSSAB) nor municipal council for that matter. Police governance is far too complex to add it onto a governing body that is focussed on other matters. This is one of the many reasons police governance training for new board members is essential. Detachment boundaries are not congruent with DSSAB boundaries, which unnecessarily complicates board jurisdiction. DSSAB composition is overwhelmingly municipal councillors and their staff, which is not a reasonable balance of municipal councillors and independent directors. Our northern Zone Directors inform us that their constituent boards are overwhelmingly opposed to this suggestion for a convenient solution, and question how police governance could be so disregarded with this suggestion.
2. **Provincial appointees** make invaluable contributions to our member police boards, and are a key component to the balance of municipal councillors and independent directors that makes up all police boards in Ontario today. We note that the jurisdictional scan that was provided in the AMO report was incomplete. A comprehensive look at police boards across Canada reveals that, on average, more than two-thirds of board members are independent directors rather than municipal councillors or municipal staff.

Province	Municipal Board Composition			Remarks
	Councillors	Municipally appointed citizens	Provincially-appointed citizens	
BC	2		Up to 7	
AB	1-2	3 -10		staff may serve in councillors' places
SK	3	2		
MB	Up to 2	2 or more	1-2	
NB	1+	1+	1+	
NS	2	2	1	
QC, NL, PEI				No boards
Total	Up to 12	9 to 20+	Up to 12+	
ON - Current OPP contract boards	1-2	1	1-2	

Notwithstanding historic challenges and delays in provincial appointments, replacing them all with councillors or municipal staff serves to solve one problem by creating a larger one: the loss of balance and independence on police boards. Clearly the other provinces in Canada have seen this, and have reduced the overall number of municipal councillors or their staff to ensure an appropriate balance of views and board independence is preserved.

A better solution would be to allow detachment boards themselves to appoint a citizen who is neither a municipal councillor nor municipal staff for a period of three (3) years, into any provincial (or municipal) appointment that goes vacant for 90 days or more. This would ensure OPP detachment

boards remain well appointed while preserving the balance of perspectives and board independence.

In summary, we have surveyed, focus grouped and researched the matter of OPP detachment board composition, and have concluded that:

1. OPP detachment board composition needs to be flexible enough to adapt to the widely-varied groupings of communities policed by OPP communities.
2. Just as police must be afforded a certain degree of independence to properly undertake their duties, so must police boards. Increasing the number of municipal councillors would upset a delicate balance of views on police boards today, and significantly erode police boards' essential independence.
3. OPP detachment boards should remain independent local boards, and not become part of District Social Services Administration Boards (DSSAB) by design, nor extensions of municipal councils by composition;
4. Detachment boards themselves should be allowed to appoint a citizen who is neither a municipal councillor nor municipal staff for a period of three (3) years, into any board appointment that goes vacant for 90 days or more.

Thank for considering our Association's perspective on these matters.

Yours truly,

A handwritten signature in dark ink, appearing to read 'P. Weaver'.

Patrick Weaver
Chair

A handwritten signature in dark ink, appearing to read 'F. Kaustinen'.

Fred Kaustinen
Executive Director

cc:

Deputy Minister Di Tommaso
AMO President McGarvey
OPP Commissioner Carrique
OPPA President Jamieson
OAPSB Board of Directors &
Members