



Chair Lindell Smith, Councillor
Halifax Board of Police Commissioners
PO Box 1749
Halifax, NS B3J 3A5

July 20, 2021

RE: Serious concerns regarding information sharing during an active police conduct investigation

Dear Chair Smith,

I am writing to you today regarding an email sent regarding an active police complaint that was sent to some Halifax Regional Councillors regarding by the Acting Chief Officer of the Halifax Division on Sunday July 18 (attached).

In summary my concerns are:

1. the complaint process will run per the Police Act and this update may have been inappropriate while that independent process plays out;
2. Under the Police Act (NS) RCMP is responsible to the BOPC, not Council, as far as this goes given complaints are not a direct BOPC responsibility;
3. sending this update to "RCMP" district councillors not all councillors is potentially divisive. RCMP is one of two police forces serving the region, overseen by BOPC, and all of Council votes on the RCMP contract and budget.

While unusual I believe the BOPC is would be within its mandate as the Police Advisory Committee for Halifax to review these actions and provide recommendations to the Chief Officer of the RCMP per section 66 and 68 of the Police Act (NS), specifically:

66 On behalf of the advisory board, the board chair or the chair's delegate may, in accordance with an agreement made pursuant to clause 36(1)(b), give advice in writing to the chief officer, but not to other members of the police department and, for greater certainty, no other member of the board shall give advice or direction to a member of the police department.

HALIFAX REGIONAL
MUNICIPALITY

July 20, 2021

MUNICIPAL CLERK

Municipal Clerks Office

Date Distributed: September 17, 2021

BOPC, STAFF, Solicitor

Other:

68(3)(c) ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;

(d) ensure that police services are delivered in a manner consistent with community values, needs and expectations;

(e) act as a conduit between the community and the police department;

I also note that the BOPC acting as the PAC has under s 68(2)(g) the right to “review with the chief officer or the chief officer’s designate information provided by the chief officer respecting complaints and internal discipline.”

Given the unprecedented sensitivity around the current complaint involving RCMP and a senior HRP officer and a candidate for political office, I believe the BOPC should require the Chief Officer be required to review this case with the Board upon completion of the external complaint investigation.

Finally, I urge the BOPC to consider adoption a communication policy for both forces so it is clear what type of info should be shared with which decision making body, and when.

Yours,

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CC: CAO
Municipal Soliciter
Municipal Clerk (for distribution to the Board)

475(1)(a), 475(1)(c)

475(1)(a), 475(1)(c)