

	<b>Report Title</b>	<b>Shared Court Security Funding Model</b>
	<b>Report No.</b>	CA0 16-11
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	<b>Meeting Type</b>	Council Meeting
	<b>Council Date</b>	September 26, 2016
	<b>Attachments</b>	<ul style="list-style-type: none"> <li>• OXFORD COUNTY REPORT NO. CS 2016-23 SHARED SECURITY FUNDING MODEL</li> <li>• OXFORD COUNTY REPORT NO. 2015-45 COURT SECURITY FUNDING REQUEST – WOODSTOCK POLICE SERVICES</li> </ul>

## RECOMMENDATION

THAT Council receive report CAO 16-11 Shared Court Security Funding Model, for information;

AND THAT report CAO 16-11 Shared Court Security Funding Model be provided to Oxford County Council as the Town of Tillsonburg's response to Oxford County Report No. CS 2016-23.

## EXECUTIVE SUMMARY

The purpose of this report is to provide information to Council regarding the following recommendation adopted by Oxford County Council at its meeting of August 10, 2016.

"That County Council authorize staff to circulate Report No. CS 2016-23, titled Shared Court Security Funding Model, to the Area Municipalities and the Woodstock Police Services Board for review and comment, to be received on or before September 30, 2016."

A copy of Oxford County report CS 2016-23, Shared Court Security Funding Model is attached.

## BACKGROUND

In 2015, a delegation from the Woodstock Police Services Board presented to County Council a request for funding to assist with their increasing court security and prisoner transportation costs relative to the Oxford County Provincial Courthouse located at 415 Hunter Street, Woodstock. County staff, in November of 2015 subsequently prepared Report No. CS 2015-45 (copy attached) and passed the following resolution at their meeting of November 25, 2015:

"That County Council, in response to the Woodstock Police Services Board's request for funding court security and prisoner transportation costs, commits to collaborating with all Area

Municipalities within the County in determining a course of action that will be in the best interest of all of Oxford County.”

Staff can confirm that there has been no collaboration with the Town of Tillsonburg and the most recent report from Oxford County is the first time Town input has been requested. The Town had no input into the contents of the most recent County report dated August 10, 2016.

Based on the County report, County Council wanted to “formulate a proposed course of action regarding a fair and equitable funding model for court security and prisoner transportation costs related to the Oxford County Provincial Courthouse”. As a result, the County report takes an “approach that allocates net CSPT costs incurred by all municipalities on the County levy in the same manner as other County services...” By taking this approach, there would be “a shift in property tax from Woodstock taxpayers in the amount of approximately \$178,000 to the remaining area municipalities – resulting in an average increase of approximately \$26,000.” For the Town of Tillsonburg, this would be an increase of approximately \$37,000.

Currently the Town of Tillsonburg budgets for Court Security and Prisoner Transportation (CSPT) costs through the OPP contract which totalled \$17,418 in 2015. This expense was partially offset from a grant from the Ministry of Community Safety and Correctional Services in the amount of \$6,718 for a total net impact to the local levy in 2015 of \$10,700.

In the proposal as provided by Oxford County, the County will budget for CSPT costs for all municipalities. Under this method, the net CSPT costs on the County levy will be \$362,665. It is assumed that these funds would then be transferred to the Woodstock Police Services Board to fund CSPT. It is staff’s understanding that the Town would still budget for OPP contract CSPT expenses, however, the offset to revenue will be from the County rather than from the Ministry. The Town would fully recover the costs resulting in a net Town of Tillsonburg levy impact of \$0. The issue is that even though the Town will see a savings through the Town levy, taxpayers will be paying more (\$37,000) for CSPT costs through the County levy.

As stated in the County report, the proposed distribution is similar to other services the County provides to the area municipalities. Staff suggest there is a difference in CSPT services over other County services in that it is currently the Woodstock Police Services Board that sets the service level and not the County. Therefore, the County nor the area municipalities have any say in the cost of the Woodstock Police Services Board providing CSPT. Based on the contents of the County report, in the future, the Woodstock Chief of Police could establish a local court security committee to assist in developing a court security plan. The problem is this plan could be developed with little to no accountability to County Council or the area municipalities.

The proposal as contained in the County report is basically a proposal to share expenses with the Woodstock Police Services Board for the provision of CSPT. Conversely, there are revenue programs that are not shared with all area municipalities which might help offset increased CSPT costs. For example, there are revenues raised through the payment of fines through the Provincial Offences Act (POA). It would seem that POA revenues would be an appropriate source of funding towards court security as fines are generated by both the OPP and WPS.

The current proposal is basically a method of subsidizing the provision of CSPT which under the Police Services Act is the responsibility of the Woodstock Police Services Board. The Act states;

**Municipalities with police forces**

137. (1) A board that is responsible for providing police services for one or more municipalities has the following responsibilities, with respect to premises where court proceedings are conducted:

1. Ensuring the security of judges and of persons taking part in or attending proceedings.
2. During the hours when judges and members of the public are normally present, ensuring the security of the premises.
3. Ensuring the secure custody of persons in custody who are on or about the premises including persons taken into custody at proceedings.
4. Determining appropriate levels of security for the purposes of paragraphs 1, 2 and 3. R.S.O. 1990, c. P.15, s. 137 (1); 1997, c. 8, s. 41.

Currently, the Police Services Act seems clear on the responsibility of the municipality in which the court proceedings are conducted. The benefit to the local economy which has the courthouse can be significant in terms of local employment and service to local residents. In addition, the Police Services Act is currently under review so it may be premature to make any decisions related to court security in advance of any possible revisions to the Act.

Finally, there are four conclusions outlined on page seven of the County report. Staff are concerned about a number of the recommendations. Perhaps as the report identifies, prior to changing the funding model, the first course of action would be to encourage the Ministry of the Attorney General to ensure the courthouse is adequately fitted with security measures to protect those using the facility. As well, the report suggests new reporting criteria to the County by the area municipality in terms of budgets and reconciling year end actuals which is not currently required. Conversely, if the proposal was approved, consideration should be given to area municipality representation on the local court security committee.

Staff is of the opinion that the current funding model should remain in place but would be supportive of efforts to advocate for increased funding for court security from the province and waiting for the completion of the Police Services Act review.

**COMMUNITY STRATEGIC PLAN IMPACT**

NA

**FINANCIAL IMPACT/FUNDING SOURCE**

No direct costs at this time.