



# CORPORATION OF THE TOWNSHIP OF ESQUIMALT

Municipal Hall  
1229 Esquimalt Road  
Esquimalt, B.C. V9A 3P1

## Staff Report

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File #:24-119

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### TOWNSHIP OF ESQUIMALT STAFF REPORT

**MEETING DATE:** February 27, 2024

Report No. ADM-24-011

**TO:** Special Committee of the Whole

**FROM:** Dan Horan, Chief Administrative Officer

**SUBJECT:** Policing Models Options Analysis and Way Ahead

#### **RECOMMENDATION:**

That the Committee of the Whole consider the report on policing models options analysis and provide a recommendation to Council on a way forward.

#### **EXECUTIVE SUMMARY:**

One of Council's priority projects under Engaged and Healthy Community is to determine the way ahead for policing in Esquimalt. This project builds on the work started in the 2018-2022 term of Council, when it was a strategic priority to explore "equitable costing and optimization of policing," including reviewing all alternatives for provision of police services to the community. Council began an options analysis of police services early in their 2022-2026 term, with the bulk of the work being completed in 2023. This report brings forward the results of that analysis and provides Council with the opportunity to shape the way ahead for policing in the community.

#### **BACKGROUND:**

In the spring of 2022, the Township of Esquimalt began public engagement to gather thoughts about policing from members of the public who live and work in Esquimalt. The aim of the work was to engage the public about the level of satisfaction about policing and the Framework Agreement that governs the amalgamated Victoria Police Department (VicPD) that services both City of Victoria and the Township. The engagement explored aspects of police governance and services, including shared costs for the amalgamated force, allocation of police resources to each community, budget approval processes, dispute resolution and police operational performance metrics. Council directed that such an engagement with the community would inform a potential exploration of a change in police models.

The Community Policing Engagement Strategy: Final Report (see Attachment 1) was delivered on June 20, 2022. The Final Report describes that "...the analysis of open source data concluded [that] Esquimalt has the highest operating costs per capita among comparable municipalities..." and that public engagement demonstrated that the community supports a review of policing governance and

service delivery in Esquimalt. The study found that a significant portion of the community wanted Council to "...look further into options to either request an opt out of the current [Framework Agreement] or look at other service delivery models."

Council actioned several of the recommendations contained in the engagement strategy report. First, Council gave notice on August 16, 2022 of the Township's intent to withdraw from the Framework Agreement at the end of the 10-year term (December 2023). Second, Council directed staff to initiate a Request for Proposals to retain the required expertise to explore alternative models for policing in Esquimalt. The consultants selected for the work would be asked to pursue as many of the remaining recommendations as possible, including a zero-based review, a review of the report from the Special Committee on Reforming the *Police Act*, and consideration of results-based accountability.

The consulting firm perivale+taylor was selected in November 2022 to begin the analysis of police models for the Township. Their work began soon after with the bulk of the effort completed by fall of 2023. This work included several presentations and discussions with Council in closed session due to article 90(1)k of the *Community Charter*. During these early stages, the work centered on "...[n]egotiations and related discussion respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public." The outputs of perivale+taylor's work are now being disclosed in this report for review, discussion, and decision-making by Council in open session.

In addition to the work described above, the Township worked closely with the partners of the Framework Agreement (City of Victoria and the Victoria and Esquimalt Police Board) to negotiate an extension to the agreement that would support governance continuity beyond December 2023. Esquimalt's work in 2023 demonstrated that working with the Province to explore and potentially transition to a new policing model could take 2 or more years of work. Given the required level of effort to explore options, all parties agreed that a temporary extension to the Framework Agreement would ensure governance and operational oversight of public safety in the two communities. All parties agreed to a one-year extension with the opportunity to renew for up to two additional one-year terms.

Exploring change in policing models in a community is a complex and unusual endeavour for municipal Council and staff. The Township has benefited greatly from the advice and expertise of members of the Policing and Security Branch within the Ministry of Public Safety and Solicitor General. As Council considers potential next steps, it is clear that continued collaboration with Ministry staff will be essential.

**ANALYSIS:**

perivale+taylor began their work in November 2022, including extensive interviews of key players in multiple organizations, comparative research of police agencies, analysis of police workloads for VicPD, and analysis of Esquimalt's community safety needs. On completion of the research phase, perivale+taylor produced an outline of potential transitions to new policing models, including draft transition plans and an options analysis for Council review. After reviewing an initial draft of the study in mid-2023, Council requested that perivale+taylor provide additional information about facilities

requirements, expected costs for the transition process, and risks related to the transition. The resulting report produced by perivale+taylor is included as Attachment 2 and serves as the main deliverable for their work.

Staff considers the report produced by perivale+taylor to be thorough and complete, providing Council with the full range of options to determine a way ahead for policing in Esquimalt. The report includes a workload analysis that quantitatively defines Esquimalt's specific needs for policing. The report also provides an analysis of policing models, including the following options:

- an RCMP solution;
- a policing contract with another municipal police force;
- a stand-alone Esquimalt Police Department (EPD);
- an EPD with specialized services provided by a larger police department; and,
- an amalgamated police force (VicPD) with a new governance framework to replace the Framework Agreement.

The report provides a detailed analysis of the options for change, including feasibility assessments as well as an outline of the risks and challenges fundamental to potential transitions in Esquimalt. An outline of some particularly important issues such as labour relations, facility's needs, and specialized services required to support policing in Esquimalt are outlined.

Some of the highlights of the perivale+taylor analysis are further summarized below. There are options for the way ahead that are not likely supportable due to feasibility issues or based on Council's expressed strategic intent. Some of the options are potentially supportable and are likely to be explored further by Council.

Section 3.5 of the perivale+taylor report highlights that "...pursuing an RCMP full policing service for Esquimalt is not a feasible way forward." Staff have considered the rationale laid out in this section and support the conclusion that the RCMP should not be pursued as a solution for Esquimalt's policing challenges.

Sections 3.3 and 3.4 of the report describe policing models where other municipal police agencies (such as VicPD) provide services to Esquimalt on a strictly contractual basis. Staff concur with perivale+taylor's conclusion that this option limits Esquimalt's ability to influence governance and oversight of policing (due to lack of participation in a police board), which is enough to eliminate contracted services as a viable way forward.

The option of a fully standalone EPD is described in the report. Though this option meets many of Council's desired outcomes for community policing in Esquimalt, the option is considered by staff to be cost prohibitive, complex, and challenging for a small community. Esquimalt could not likely support larger city services such as major crime investigation and detention in a sustainable way.

The option of a core EPD supported by services provided by a larger police department is explored in the report and is deemed a viable option that could be pursued in Esquimalt. This model, similar to the arrangement in place in Oak Bay, is potentially feasible for Esquimalt. A core EPD with some services (such as major crime investigation) supported by a larger police department on a contractual

basis could provide the balance of costs and benefits that Council is seeking.

The final option considered in the study is the continuation of an amalgamated police force (VicPD) that is overseen by the Victoria and Esquimalt Police Board. There are several paths that Council could follow that would end in this option being selected. First, Council could simply choose that the current arrangement (with a new governance agreement) is the preferred way ahead. Alternatively, should Council decide to pursue a transition to a different policing model in Esquimalt, it is possible that the models being considered are ultimately found during the transition process to be unfeasible. This outcome would then require a way forward that matches the current arrangement for policing. An additional factor that must be understood is that Provincial authorities may decide not to support any future requests for change by Esquimalt. If an amalgamated police force remains the police of jurisdiction for both Esquimalt and Victoria, a new agreement that would take the place of the current Framework Agreement would need to be negotiated.

The perivale+taylor report describes (in section 1.1) why an amalgamated police force under the governance framework that has been in place since 2014 is difficult for Council to support. The key issue remains the high costs of policing under the current model. Policing costs in Esquimalt are significantly higher than for comparable municipalities. Though Esquimalt's Council has publicly acknowledged VicPD's challenges in policing the downtown core and the Legislative Precinct, Council does not believe it is an equitable arrangement for the Township to be the only other municipality contributing to VicPD's costs. VicPD provides excellent community service. The evidence for this is clear in the perivale+taylor workload data as well as in the Crime Severity Index data for the community. The Crime Severity Index for both violent and non-violent crimes are much lower in Esquimalt than in Victoria, and much lower than the BC average. The Township is getting good service, but on a per-capita basis, the operating costs of police services in Esquimalt are amongst the highest in the region.

The perivale+taylor report outlines in Appendix C (Conceptual Transition Plans) how a transition to a new policing model would occur. Should Council decide to explore the option of working to establish an Esquimalt Police Department supported by a larger police department, for example, the following initial steps would need to be completed:

- A formal request from Esquimalt to the Minister of Public Safety and Solicitor General would be sent, outlining the work done so far, the community engagement that has occurred, and the draft transition plan that would be explored should the process be approved. The fundamental outcome that must be maintained throughout any potential transition process is "...an adequate and effective level of policing and law enforcement" in accordance with the *Police Act*.
- Should the Province support the Township's request to pursue an alternate police model, the Province would then need to establish an Esquimalt Police Board to begin a transition process. Establishing a new police board would take a minimum of 6-12 months to recruit and have appointees receive the required ministerial approval before commencing any work.
- A new Esquimalt Police Board would then conduct the recruitment of the Esquimalt Chief Constable and Deputy Chief Constable. This process would likely take an additional 6+ months.
- Once a Chief Constable is engaged in Esquimalt, the first year of the proposed transition plan

could begin. The perivale+taylor report outlines a 2+ year process, including fail-safe points, or go/no-go decision points, where the Esquimalt Police Board in consultation with key stakeholders (i.e. Minister, the Victoria and Esquimalt Police Board, and the Transition Team) can determine whether the next phase of the transition could or should occur.

The perivale+taylor report discusses at many points the risks and challenges inherent in any attempt to transition to a new police service. The endeavour includes significant risks, some of which can be mitigated but most of which must simply be accepted, particularly in terms of costs (how much it will cost to transition) and in terms of schedule (how long it will take to make the change). It is also important to highlight that the level of effort for staff (from City of Victoria, Esquimalt, VicPD and the Board) will be high as the work proceeds to move from idea to execution in a transition plan.

### **OPTIONS:**

The following options are presented for consideration:

- That the RCMP be removed from consideration as an option for policing in Esquimalt, and that an Esquimalt Police Department supported by a larger police department (similar to the Oak Bay model) be explored as a way forward.
- That the RCMP be removed from consideration as an option for policing in Esquimalt, and that a full-service contractual model with a municipal police department be explored as a way forward.
- That the RCMP be removed from consideration as an option for policing in Esquimalt, and that the Township begin negotiations for an updated Framework Agreement for a policing solution that includes the current amalgamated Victoria Police Department governed by the Victoria and Esquimalt Police Board.
- That staff be directed to conduct further research or analysis to facilitate Council decision-making on a way forward.

### **COUNCIL PRIORITY:**

Council endorsed the Police Service Model Transition (Phase 1) project as a Council Priorities Plan project for 2023-2026 as part of the Engaged and Healthy Community strategic area of focus. This report signals the end of Phase 1, and should Council decide on a way ahead, this project will be marked complete. A new project, Police Service Model Transition (Phase 2) will include the work required to complete the next steps as directed by Council in this report.

### **FINANCIAL IMPACT:**

The perivale+taylor report describes the likely financial impacts, risks and uncertainties related to any potential policing model transition that could occur in Esquimalt. Should Council decide to explore an EPD policing model, initial transition costs of at least \$1.5M (\$500,000 in year one, \$1,000,000 in year 2) would be required. Esquimalt would also be required to make facility changes to support policing going forward, ranging from a renovation of the current VicPD space in Municipal Hall (\$200,000) to construction of a new policing facility in Esquimalt (\$20,000,000). Determination of which facilities option to select to support policing in Esquimalt will need to be made during the transition process. The analysis from perivale+taylor highlights that a new EPD with special services provided by a larger police department could have operating costs of approximately \$8.5M per year,

where the current operating costs for policing are in the \$9.3M-\$9.9M range. There are significant startup, transition and capital costs that need to be understood when assessing the costs and benefits of a potential change in policing. The perivale+taylor report outlines this information in detail.

**COMMUNICATIONS/ENGAGEMENT:**

Key partners in policing and public safety, including Provincial staff from the Policing and Security Branch, as well as City of Victoria staff, VicPD staff and the Victoria and Esquimalt Police Board, have worked with Esquimalt staff throughout this process. It will be critically important going forward that Esquimalt continue to work closely with these partners to ensure that fundamental public safety needs continue to be met while policing model changes are explored.

Should Council select a way forward, the Township would issue a press release and update the Township's website to reflect the way ahead and the status of the project. Formal communication from the Township to the Minister of Public Safety and Solicitor General seeking support for next steps would then follow.

Any further exploration of policing models in Esquimalt will require several years of effort to pursue. Staff expect that further public engagement and consultation within the broader community will occur throughout this multi-year process.

**TIMELINES & NEXT STEPS:**

Any recommendations made by the Committee of the Whole would return to Council for consideration no sooner than March 4<sup>th</sup>, 2024.

**REPORT REVIEWED BY:**

1. Ian Irvine, Director of Finance, Reviewed
2. Deb Hopkins, Director of Corporate Services, Reviewed

**LIST OF ATTACHMENTS:**

1. Community Policing Engagement Strategy: Final Report, June 20, 2022
2. Township of Esquimalt Policing Service Delivery Model Review, December 2023