



# Public Safety Report

Review and recommendations from the Public Safety Liaison

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# INTRO

The mandate of this review is to address the social issues related to the impacts of homelessness, poverty, addictions, mental health and criminal behaviour on the City of Kelowna at this point in time. The review looked at the coordination of all levels of government to identify the services required and gaps in essential services required before there is a need for law enforcement.

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## LETTER FROM THE AUTHOR

After working 40 years in law enforcement and security, I can honestly say that reviewing the issues around homelessness and opioid crisis in Kelowna has been one of the most complex tasks that I have ever been asked to investigate or provide guidance to.

As a former RCMP officer and Superintendent of the Kelowna Detachment, my knowledge of the criminal justice system and the factors contributing to public safety have been assets in developing this report. But as any maturing individual acknowledges, there is always more to learn and apply to our practices.

Situations and conditions change and we must adapt and work together to ensure the safety of all Kelowna residents, businesses and visitors – and this includes our most vulnerable citizens. A number of large systemic changes have altered our environment – particularly in the downtown core. These include the opioid crisis, a change in approach from the Courts and the sheer number of individuals living in Kelowna without homes.

The formal mandate of my research and recommendations is to address public safety concerns related to the impacts of homelessness, mental illness, addictions and criminal behaviour in the City of Kelowna. My research includes interviews and discussions with more than 60 individuals and agencies including the RCMP, Interior Health, City of Kelowna Bylaw Services, Downtown Kelowna Association, Chamber of Commerce, local business owners, health and housing representatives, shelter operators, treatment agencies, complainants and advocacy groups.

This report contains a brief situational analysis and a number of recommendations that generally fall into four categories: further study, education, lobbying partners (including other governments) and actions. There were also a number a quick wins that I am pleased to report have already improved the situation downtown and beyond.

The one thing I know for sure: we can't arrest our way out of this crisis. Enforcement plays an important role in dealing with the issues our community now faces, but this is only one part of the equation. Enforcement only deals with the symptoms and not the causes. The *Journey Home* strategy is correct: housing and treatment are the key to long-term success. Until we get there, the City should take a leadership role in a collaborative and coordinated intergovernmental approach to the issues we see on the ground today.

As a member of this incredible community it is my pleasure to be part of efforts that will continue to build a safe and welcoming community for all residents, businesses and guests.

Bill McKinnon,  
Public Safety Liaison

## BACKGROUND/ CURRENT STATE

The City of Kelowna is a growing city, facing many of the same issues being experienced by other municipalities – big or small – around the province. During the summer of 2018, the public and local businesses expressed growing concerns about safety and cleanliness in Kelowna stemming from homelessness, due to mental health and drug use in the community.

The City has dedicated resources and time to facilitate the Journey Home engagement and the development of a Housing-First solution, yet the issues on the ground today will continue to affect local residents, tourists and business owners until the results of these efforts are realized.

Public safety is a big, subjective subject and has to be viewed from a variety of perspectives and lenses. In the City's 2017 Citizens Survey, mentions of social issues grew by 24 per cent over the previous survey (2015) and residents were more likely to cite issues around homelessness/poverty behind perceptions of deteriorating community safety. Nonetheless, Kelowna continues to be seen as a safe community overall, with 90 per cent of respondents describing the city as 'very/somewhat safe' (on par with 2015). Perceptions of downtown safety in particular, were slightly lower but still high overall, with 80 per cent of respondents describing this sub-area as 'very/somewhat safe.'<sup>i</sup>

### **Increasing calls for service**

Calls for service, both to the City and the RCMP have risen over the past year. As of September 2018, RCMP calls increased by more than 1,600 calls (four per cent over last year) and the Detachment is facing growing overtime costs due to growing call volume and staffing shortages.

The City of Kelowna is also seeing growing service requests for cleaning, sharps pick-up and bylaw infractions. One specific example: in 2017 Bylaw Services received 375 requests concerning homeless individuals; this year to date they have received more than 445.<sup>ii</sup> Sharps collection continues to increase around the city, up 21 per cent (as of September 2018) over the total annual collection count in 2016.

Council has also received correspondence from residents, businesses and tourists and weekly media coverage has led to heightened awareness around issues downtown and beyond.

### **Number of homeless individuals**

Kelowna experienced heightened problems with homelessness in 2005. Since that time, there continues to be significant growth in the number of people experiencing homelessness. In the most recent Point in Time Count, 286 individuals were experiencing homelessness with an additional 319 individuals living in temporary housing – an increase of 26 per cent over the previous count.<sup>iii</sup>

This rise in the number of individuals frequenting the streets or living rough has led the City and other service agencies to take emergent actions to reduce harm and create temporary shelter space during extreme weather events.

### **The Red Zone**

The Red Zone was developed in 2005 to respond to the criminally transient population in downtown Kelowna at that time. The Red Zone was initially used in prosecution as a recommendation to the courts to move people outside of the downtown corridor where they had committed their offense. The boundaries were the

waterfront in the west, Doyle and Stockwell Avenues to the north, Ethel Street to the east, and Lake and Rowcliffe Avenues to the south.

It was previously thought that moving people along, ticketing for multiple offences and constant police interaction would reduce incidents downtown. But in reality all it did was displace problems to other areas, for instance, like the issues currently seen around the Capri Mall area.

The Court also found that individuals were violating probation orders when attempting to access services within the Red Zone, so Judiciaries now use what is referred to as go/no-go zones in probation orders. For example, if you were convicted of trafficking in City Park, you are no longer allowed access to that specific area.

### **Opioid Crisis**

In 2016, the Provincial Medical Health Officer declared a public health emergency over the growing epidemic of overdoses and overdose deaths in the province.<sup>iv</sup> Kelowna is no exception to this province-wide problem.

By August this year, Kelowna had already experienced 40 overdose deaths and is likely to surpass last year's total of 76 overdose deaths.<sup>v</sup> Most overdose deaths are occurring in private residences as the risk of overdose death is reduced in the vulnerable population when they are housed and supported. Interior Health is taking a strong multi-faceted approach to this issue in Kelowna, using a continuum of harm reduction and substance use services to support those vulnerable to this growing issue.

The state of emergency gives BC Health Services the authorization to introduce new services (without following traditional approval channels). Examples of this include inhalation and injection sites in low-barrier facilities.<sup>vi</sup> Inhalation sites allow users to smoke substances in a tent or properly vented area and are typically located outdoors at supportive sites. Injection sites are typically located indoors. Both are dedicated consumption areas. Staff in the vicinity are trained and equipped in case of an overdose.

Safe consumption sites are where use is supervised by an outreach worker. These sites are authorized by Health Canada. In Kelowna, a mobile safe injection site was approved in 2017 to operate in downtown Kelowna (12:30-5:30 pm) and Rutland (7-11:30 pm) daily.

### **Housing crunch**

Kelowna continues to experience a record low vacancy rate and increasing housing prices. Housing affordably continues to be a pressing issue in Kelowna as both direct housing costs, such as utilities and taxes, and indirect costs, such as transportation, are all increasing. In particular, nearly half of tenant households in Kelowna spend more than 30 per cent of their income on housing. From 2016 to 2017, rent costs grew by seven per cent to \$1,047/month. Many of these households are vulnerable to rent increases due to low vacancy rates.<sup>vii</sup>

Local shelters are also at or near capacity. A simple comparison of the most recent numbers of those living rough to shelter beds shows there is a significant deficit of shelter beds – especially in the event of extreme weather events. Of the three primary facilities in Kelowna, two are facing closure within six months if suitable new locations are not found.

The next step of the housing spectrum is supportive housing; moving people from homelessness or at risk of homelessness into housing. Kelowna currently has more than 3,000 supportive units around the city, under high demand. BC Housing is set to open 88 long-term supportive housing units this winter, but more units will be needed to meet the current and growing demand.

## HOUSING FIRST

The Journey Home Strategy is Kelowna's long-term solution for housing and homeless in our community. Every agency or person interviewed during this process highly endorsed the Housing First model and the work that City of Kelowna and the Journey Home team have put into a Kelowna-specific solution.

The Housing First model is a person-centered approach rooted in the belief that all people deserve housing and that anyone, even those with the most complex needs, can move successfully from homelessness to housing with the appropriate supports. This approach has been used in several cities across Canada and proven effective in reducing the cost of homelessness to health, justice and the community.

Among a number of actions, Journey Home calls for 300 units of supportive housing. In addition to the 88 coming on-stream this year, 120 more units are in progress. Journey Home is working to secure commitments for the remaining units the strategy calls for.

The end result in a perfect world would be for everyone to have a roof over their head and for all persons with addictions or mental illness to have the supports in place that would allow them to have a sense of purpose in life. However, there are short term efforts that will help ensure public safety and security until the milestones of the Journey Home strategy are achieved. Recommendations in this report will address those gaps and align with the work of Journey Home.

## QUICK FIXES

Early on in the information gathering phase of this report, it became apparent that there were a number of efforts that the City could implement around cleanliness and security efforts to quickly affect change to public perception of safety.

### 1. ROAD AND SIDEWALK CLEANING

Leon Avenue roadways and sidewalks both required extra attention due to high pedestrian use.

**Result:** Leon is now included in scheduled street cleaning and power washing. This has helped to keep this area cleaner and support local business owners.

### 2. GARBAGE CANS

Over the years, growing numbers of people in the downtown has increased the need for more garbage pick up and the number of garbage bins. Along Leon, bins had been damaged and removed over time, but never replaced. As a result, garbage was much more visible and not collected at the same level of service as other areas.

**Result:** Civic Operations has ordered new garbage bins which will be installed upon delivery to reduce the amount of litter found on the sidewalks and street on Leon Avenue.

### 3. CAPRI AREA

Increasing issues were being reported in the Gordon Drive & Sutherland area caused in part to the displacement of people from inside the Red Zone. Complaints included ongoing noise at night, people

sleeping in business doorways and ongoing need to clean up needles and human waste. After an assessment was made of the area, and interviews were completed with local business owners, the City hired private security to patrol the area during the evening when most of the complaints were being issued.

**Result:** The patrols began in late July and, since that time, businesses are no longer finding as many people sleeping on the steps or in alcoves and disturbances have been greatly reduced.

#### 4. ACCESS TO PUBLIC FACILITIES

Public urination and defecation was a reoccurring problem around the Cornerstone shelter on Leon Avenue. As only registered occupants of the shelter are entitled to access their facilities for safety, a lack of public facilities in the area led to the issue.

**Result:** Porta Potties were installed behind the Cornerstone shelter for public use in early August. After installation, there were reports of these facilities being used for criminal behaviour and shelter, however, they were effective in reducing the incidences of public urination/defecation in the nearby area.

#### 5. SHARPS COLLECTION

In 2016, the City of Kelowna and partners including Interior Health worked to address sharps inappropriately discarded in the community. Unfortunately, despite the rising number of needles being found in the community and need for protocol, no decisive action was taken and the group had not met since 2016.

**Result:** A review of the Kelowna Sharps strategy was undertaken and since that time the following procedures have been implemented:

- The introduction of a single phone number for residents to report improperly discarded needles on public or private property: 250-469-8801 (needle collection option)
- Updated information about sharps collection on the city website: [kelowna.ca/safety](http://kelowna.ca/safety)
- A proactive, multi-agency approach in areas with a higher incidence of discarded needles:
  - o Parks checked daily during summer months and kept clear and free of debris
  - o Beach sweeps completed each morning during summer months to keep beaches clean of debris
  - o Increased patrols by park staff, bylaw and RCMP officers
  - o Education of other partners, including the DKA, Uptown Rutland Business Association, SD 23 and other services, on how to look for needles and pick up as needed
  - o New sharps collection bins added where needed
  - o Plans for three new community sharps collection boxes in strategic areas around the city, allowing members of the public to safely dispose of found needles (should they feel comfortable doing so)
  - o Replaced absent/damaged needle disposal boxes as needed

The Police Services Crime Prevention Unit has been tasked with leading and managing the sharps collection program going forward

## TAKING THE LEAD

Collaboration is the key to developing and implementing solutions that will work for Kelowna. During interviews, key stakeholders all indicated that they want to be part of a collaborative approach to reduce the social impact to the community during this Opioid/Homelessness crisis. To have successful collaboration, the City needs to: take a leadership role in facilitating this collaboration between partners, become more involved in the decisions of partners that affect the quality of life for residents and business owners around the city, and understand and measure the issue through shared data.

Over the past number of years, partners have met at critical times to discuss and solve specific issues. However, successful collaboration was not achieved or sustained due to a lack of leadership and accountability. The City of Kelowna was an active partner, but to date has not taken on the leadership role that others are looking to it for. Due to the complex nature of the issues, traditional jurisdictional boundaries and unknown costs, that was probably the best, most logical, approach at the time.

However, given the crisis this community finds itself in today and the outcry of the business community and citizens of this city, a different approach is now required: a sustained, collaborative approach that includes BC Housing, RCMP, Bylaw Services, Interior Health, social service agencies – including the Journey Home Society, business leaders, and the City of Kelowna working together.

This type of initiative requires leadership from the City of Kelowna because, at the end of the day, the City owns the community outcomes (safety, cleanliness, security, damaged infrastructure, economic viability, enforcement costs etc.). From the public's perspective, the current issues are not well understood and the causes and solutions are often oversimplified.

Having the City lead this group will establish and maintain commitment and accountability of all parties. This doesn't let other partners off the hook: those representing the various stakeholders and partners also need to have an appropriate level of system awareness and decision making ability to represent their organizations and take action from the committee's direction. Each partner has a responsibility to communicate and engage with the public on decisions that affect the community as well as work together to support community needs.

This committee will provide the necessary expertise and understanding to make strong decisions that work best for the community as a whole. The outcomes and results of collaborative decisions will directly benefit and impact both the residents and business community of Kelowna.

A good place for this committee to start is to develop mutual guidelines around the placement of shelters and supportive housing in Kelowna, ensuring that the needs of clients, service agencies and the community are all balanced to mitigate and reduce unnecessary impacts.

Lastly, as we navigate these challenging social issues, create growth strategies, and implement services – there will be greater public awareness and expectation to measure change and effectiveness of a collaborative approach. Shared data from participating agencies is vitally important to understanding: the current state of affairs, identify emerging patterns, and to measure if change is occurring – whether it is positive or negative. The City of Kelowna could play an important role in the collection and analysis of this data. By combining all data, we can understand the past and present, measure progress and strategically plan for the future.

### **Recommendation:**

1. That the City of Kelowna lead a committee involving stakeholders (Interior Health, RCMP, City Policy & Planning, Bylaws, BC Housing, URBA, DKA, Chamber of Commerce) to work collaboratively to come up with actions to deal with the social impact of the opioid and homelessness crisis.
2. The Committee build criteria for the location of shelters and supportive housing in the city.
3. BC Housing, Interior Health, the RCMP and the City of Kelowna share relevant data so that decision makers from all agencies and levels of government can make informed and accurate decisions on social impacts related to opioid and homelessness issues.
4. The City develop performance measures to gage our progress in reducing the impact of social issues and perceptions of public safety. This will also allow the City to make adjustments if the measurements demonstrate we are not moving in the right direction.
5. The City, working with the committee, identify and address public information gaps.

## ENFORCEMENT

An incorrect — but prevalent — perception exists that many of the social and behavioural issues associated with homelessness and drug use can be solved with increased enforcement by the RCMP and City of Kelowna Bylaw Services. The City and RCMP have used a number of enforcement-based initiatives to combat crime and deter nuisance behaviours, including:

- Downtown Enforcement Unit
- PACT team (RCMP & Mental Health Nurse)
- Joint bike patrols (RCMP & Bylaw Officers)
- Gator patrols (RCMP)
- use of RCMP auxiliary officers

Yet, despite these efforts, issues have continued to grow. Based on interviews, discussions and observations, the following recommendations detail how current and potential enforcement-based services could be expanded, altered or refined to make best use of these resources and complement other services in the community.

### RCMP resources

The Kelowna City RCMP detachment has 188 RCMP officers' positions. However, at any given time, there are not 188 "boots on the ground." In 2018, the RCMP began the summer 24 officers short due to both position vacancies and temporary vacancies. (Members who are on temporary vacancies are not able to perform normal duties at all due to illness, parental leave, suspension or they are restricted to desk duties due to a medical condition. Parental leave, for example, can create up to a two-year vacancy for a position.)

In 2018, City Council approved four new RCMP positions, but to date these have not been filled. By the end of the summer the Detachment was 30 officers short.

As per the City's contract with the Province, Kelowna detachment assigned three officers to the District's Emergency Response Team (ERT). These officers have one week a month of mandatory training in addition to incident call-outs throughout the Southeast District. Kelowna RCMP members were also called to assist with emergency evacuations due to wildfires in other regions of the province. Combined, these staffing shortfalls are seriously impacting the ability of the Kelowna Detachment to respond to the growing incidents in Kelowna reported during the summer months.

Additional police officers are required to keep up with the continued growth of Kelowna and the ongoing opioid crisis that the community is experiencing. The Prosser report (RCMP resourcing study) was completed in January 2012 and stated the city required 20.5 RCMP FTEs by 2018 to effectively execute a crime reduction strategy. Between 2013-2018 the detachment added 18 officers.

#### **Recommendation:**

1. That the City of Kelowna lobby the Federal Government and RCMP to fill all vacant positions and develop a resourcing strategy to promptly fill temporary vacancies for members.
2. Add additional members on an ongoing basis to meet the needs to this growing community and deal with the increased calls for service.

## Operational Plan

Over the past few months, numerous service requests, letters to City Hall and media reports have highlighted issues in the downtown core and parks. Criminal behaviour (drug trafficking, prostitution, theft, assaults) is ongoing in the downtown core and offences are happening daily.

Over the past summer, incidents of public drug use and sex were reported in downtown city parks. For the most part, criminal activity is not occurring in downtown city parks. Most incidents involve breaches of City bylaws, i.e. smoking, drug use, open liquor, operating a bicycle without a helmet, or possession of drug paraphernalia. The public need to feel safe when using and enjoying our parks, and this can be accomplished by using a collaborative approach by the RCMP, bylaws, and the use of private security.

The RCMP recognize that they play a significant role in providing presence and safety in our parks, but given resourcing pressures and the lack of criminality in our parks, this presence can be accomplished by a coordinated effort of other agencies, including private security and Bylaw Services. The RCMP should take the lead role in creating an annual operational plan and coordinating shifts between all agencies to ensure daily coverage between all three enforcement parties. This plan should cover May 1- October 1 annually and could be updated or re-assessed if earlier or later patrols are required.

**Recommendation:** The RCMP should present to Council a report outlining an operational plan for policing of the downtown and city parks next summer by April 2019.

## The Auxiliary Constable Program

The Auxiliary Constable program was introduced across Canada in 1963 to enhance community policing and crime prevention initiatives. Auxiliary Officers volunteer their time to support programs that help keep communities safe. The RCMP suspended the program over safety concerns in January 2016 following the deadly shootings on Parliament Hill in 2014 and in a St. Albert casino in 2015.

Prior to 2016, the City of Kelowna relied on the Auxiliary Constable program particularly during the summer months, when hundreds of thousands of visitors come to Kelowna and the City hosts 30 special events that require additional police presence. In 2010, Kelowna had 65 volunteers who provided volunteer service of more than 11,000 hours to the City of Kelowna. This program bolstered the RCMP's ability to provide public safety to our community.

Following extensive consultation with former auxiliaries, provincial, territorial and municipal partners and other stakeholders, in January the RCMP announced that Provinces and Territories will be able to implement a new Auxiliary Constable model that includes three tiers of officers – two tiers of which include auxiliaries with Peace Officers status. Provinces and Territories will be able to choose one or a combination of the tiers based on local needs and circumstances.

Peace Officer status means individuals have the authority to enforce (including making arrests when appropriate) all federal and provincial statutes as well as municipal bylaws.

### TIER 1, 2, 3

- **Tier 1:** provides RCMP Auxiliaries an opportunity to participate in community policing services, such as watch programs, public education initiatives, non-enforcement support to operations, community fundraising events and participation in parades and public ceremonies. Tier 1 Auxiliaries will perform

these activities under the general supervisions of an RCMP employee and will not have Peace Officer status.

- **Tier 2:** includes all the activities listed in Tier 1 with the addition community presence via foot and bicycle, access and traffic control, and disaster assistance. Tier 2 does not include general duty activities (operational patrols). These Auxiliaries will be under the close supervision of an RCMP officer, and will have Peace Officer status.
- **Tier 3:** includes all activities from Tier 1 and Tier 2 with the addition a general duty patrol, attending calls, check stops, scene security and searches of persons. Tier 3 Auxiliaries will be under the direct supervision of an RCMP police officer, and will have Peace Officer status.

All three tiers of Auxiliary constables could be used effectively in Kelowna to augment Detachment resources.

**Recommendation:** the City of Kelowna ask the Provincial Government, Ministry of Public Safety, the Solicitor General and the Commanding Officer of "E" division to reinstitute the RCMP Auxiliary Program and to have the volunteers trained prior to May 2019 so that they can be in service for next summer.

## HUB model

Traditional policing and law enforcement strategy models have not proven fully effective in dealing with the issues Kelowna is currently experiencing. A collaborative, proactive response is needed to address the diverse issues that result in calls to the police.

The HUB community safety model is a multiple sector collaboration – a twice weekly conversation – that enables front-line workers in public safety, health, and social service agencies to proactively identify and mitigate risks that are associated with criminal offending, victimization and personal crisis (e.g. overdose). It is designed to improve a much broader set of social outcomes, including reducing crime, violence and victimization. It is a proactive tool to help reduce a life of crime.

The HUB is unique as it stems from its carefully defined and distinct point of entry – it's aimed at connecting those at risk to the services they need most. Initial intervention contacts typically occur within 24-48 hours and research shows that 53 per cent of situations brought to HUB are resolved within one week, and 79 per cent are resolved within two weeks.

Over the last few years, this approach to proactive and preventative policing has been established in communities across Canada, including the *Surrey Mobilization and Resilience Table (SMART)* and *Mission Active Support Table (MAST)* and most recently in Penticton, the *Community Active Support Table (CAST)*.

The HUB model would seek to reduce the incidence of emergencies to persons, groups or places in Kelowna. The primary focus of HUB is situations where circumstances, as reviewed by multiple human service perspectives, indicate that a person or group is of an elevated risk of harm.

Acutely elevated risk as occurs when four conditions are present:

- A significant community interest is at stake;
- Clear possibility of harm occurring;
- Severe intensity of harm is predicted; and
- There is a multi-disciplinary nature to the elevated risk factors.

Examples of risks include addictions and mental health issues, criminality and victimization, poor physical health or self-care, lack of social and family support, poor parenting, frequent truancy, inadequate housing, poverty, negative peer and family associations, unemployment and/or anti-social behaviour.

The HUB itself operates entirely within existing staff resources of all participating agencies. Agencies using the model report a positive return on the investment they make in staff time and significant improvements in collaboration in general, more efficient information flows, and more cooperative working relationships. Most agencies report gaining important new insights into the realities and challenges facing their counterparts, and new opportunities for shared effectiveness and efficiency.

Kelowna Detachment has done extensive work researching the HUB model and is ready to implement this model. Funding is also available from the Province to build community situation tables like the HUB.

**Recommendation:**

1. That the Kelowna RCMP Detachment implement the HUB model and engage with key partners in its development: Interior Health, City of Kelowna, Ministry of Children & Family Development, Westbank First Nation, School District 23, Downtown Kelowna Association, Prosecution Service of BC, BC Probation Services, BC Corrections, and BC Housing.
2. Apply for grant funding through the Province.

## PACT - Police & Crisis Team

The Police and Crisis Team, which pairs an RCMP member and a Mental Health Nurse, has been very successful in diverting people from hospital emergency visits and directly connecting them to appropriate services in a timely manner. Over the past year, 53 clients were connected with services specific to their health needs and avoided a trip to the emergency room. All those referred for emergency treatment by PACT were admitted to hospital for further care, which attests to the success of PACT assessments.

**Recommendation:**

1. that City Council dedicate additional RCMP officers (requested in an earlier recommendation above) to further enhance the PACT teams.
2. that City Council lobby Interior Health to provide matching nurse resources.

## Bike Patrol – RCMP / Bylaw Services

In 2018, City Council approved the addition of four bylaw officers with the intent to have teams of police and bylaw officers patrolling city parks and downtown Kelowna on bikes.

This collaborative/joint initiative is a good idea in theory, however, there are number of systemic issues that limited the success of this program over the summer.

1. **Authority** - Bylaw Officers are appointed by the municipality, under the authority of section 36 of the BC Police Act, to deliver enforcement of Kelowna's bylaws through the provision of the BC Community Charter. Historically, it's been an effective authority in addressing non-compliance to municipal bylaws relative to parking, zoning, business licencing, property nuisance and the like, but falls short of the appropriate authority and training required to address public safety issues. Bylaw Officers in Kelowna have no authority under provincial legislation or the criminal code and thus,

beyond enforcement of civic bylaws, they have no more authority than a common citizen under section 494 of the Criminal Code.

This creates significant safety issues to both the public and the officers themselves when dealing with public safety issues. The public have an expectation when they see a uniformed presence that these individuals have the authority and training to deal with public behavioural issues. Bylaw officers themselves are highly frustrated that they are not able to deal with blatant anti-social behaviours and offences they encounter.

Additionally, the following challenges also surfaced for members of the bike patrol:

2. **Communications** – RCMP and Bylaw Officers use different radio frequencies, teams were unable to communicate when split up.
3. **Privacy & shared information** – RCMP unable to store information about person stopped or checked due to privacy act rules.
4. **RCMP resources** - RCMP members were frequently unable to fill shifts due to court, training, court briefing preparations, holidays, secondment to fires evacuation and security efforts, and ERT training.
5. **Training** – Bylaw Officers have limited training and experience in the use of force. RCMP members are concerned for their own safety as members of a combined unit and expect that their partners know what to do when confronted with a resistant individual and have training in the use of force continuum.

#### **Recommendation:**

**Option 1:** the RCMP form a dedicated bike patrol consisting of four members working May 1 – October 15 each year and an additional four officers during July 1- September 1. If for any reason a member is absent for duty, an Auxiliary Constable (tier 3) or another RCMP member would fill this void.

**Option 2:** explore the viability of enhancing Bylaw Officers' authorities in a tiered policing approach (Special Provincial Constable status) and which would give Bylaw Officer's Peace Officer status. This would give them the ability and authority to enforce provincial and criminal behaviours. The upgrade would require significant training for Bylaw Officers and increased liability for the City of Kelowna. Bylaw officers could then partner with RCMP on a combined Bike patrol or form their own bike squad to patrol the parks and downtown Kelowna.

## Private Security

The City spends \$1.4 million annually on private security and another \$1.6 million for security at the Airport. Private security plays an important role in community safety, reducing, deterring and reporting incidents. Traditionally, private security was used for the protection of public assets – checking parks, buildings, gates etc. at night, but in the past couple years, the city has increased services to include daytime patrols and security presence in specific areas.

A number of gaps exist in the current system and considering the large amount of funding going towards the hiring of private security, much more accountability is needed. For example, a private security firm hired by the City was unable to staff crucial positions this summer, resulting in a gap in service during the City's busiest time. Also, last minute request for additional security personnel/hours is difficult as demand for these service is high throughout the city.

The City of Kelowna also has a number of security-related activities that are currently unmet. A need exists for someone to:

- investigate incidents
- Liaise to RCMP and others
- Security contract administrator
- CPTED Resource
- Threat assessment and violence prevention
- Bullying and harassment lead
- RCMP video requests
- Theft from the City Works Yard.

**Recommendation:** that the City of Kelowna hire a full time Security Manager to oversee private security needs for the community as well as the organization.

## COMMUNITY COURT

Individuals experiencing homelessness, addiction or living with mental illness appear before the Provincial Court every day in Kelowna. Frequently their offences (such as petty theft, open drug use) are not as serious or as complicated as the issues that underlie the offence (substance use, mental illness, etc.).

The current sentencing model typically deals with the criminal issue at hand and does not necessarily mitigate underlying issues that might help avoid future issues for a variety of reasons.

1. Individuals living homeless or with mental illness live in unstable circumstances that can change quickly and often.
2. Further, the court's motivation to address these underlying issues depends on the willingness of the individual being sentenced (i.e. you can sentence someone to rehabilitation, but can't force them to go). In many cases, the best the court can do is manage the underlying issues through some form of community supervision.
3. Effective management of these underlying issues requires a detailed understanding of the individual and their unique needs and, just as importantly, which resources may not be appropriate for that person. As it stands, the court is often left to deal with these individuals without the benefit of anything other than relatively superficial information. Typically, these offences do not warrant the preparation of a pre-sentence report.

For example, in Kelowna, one individual has been charged 83 times for possession of open liquor and 10 times for obstruction of a sidewalk/smoking since 2012: total fines equaling \$23,015. This individual's behavioral issues stem from underlying substance use. In this case, these fines and all the court costs and time will never be recovered and this person is no better off today, either. This set of circumstances causes great frustration for RCMP and City Bylaw officers who frankly don't know what to do next.

Alternatively, a Community Court offers a different approach. To be sentenced through Community Court, sentencing is deferred when offenders pre-agree to attend tailored solutions that meet the individual's needs and support community needs.

A community court brings together the resources and necessary background information from the justice, health and social services sectors in a coordinated manner to comprehensively address underlying issues. This allows the court to impose responsive, timely, and focused bail and sentencing orders for these offenders experiencing homelessness, and/or suffering from mental health and addiction issues.

A community court only works if the individual is placed in housing after successful completion of treatment.

Kelowna had a community court from 2010-2012, but its operation relies on the availability of Provincial Judges to participate in this system. In Kelowna, a great deal of work was conducted earlier this year by the Kelowna integrated Court Steering Committee to re-introduce and resource a functioning Community Court. A business case was forwarded in June 2018 to the BC Ministry of Justice. To date a response has not been received.

**Recommendation:** that a Community Court be re-instated in Kelowna, and that the City of Kelowna lobby local MLA's and the Ministry of Justice to support and provide the appropriate provincial resources for a Community Court in Kelowna as soon as possible.

## HEALTH: MENTAL HEALTH & SUBSTANCE USE

### Treatment

The treatment of those individual with addictions is extremely complex. It's an oversimplification to say, there are not enough detox or treatment beds, as substance use rehabilitation requires different strategies. No two individuals are the same in terms of use, type of substance, time they have been using the substance, daily intake. Other factors to consider are psychological characteristics if each individual and elements of their lifestyle.

However, even during the crisis, there is need to support individuals with addictions move into increased harm reduction and then into treatment services. Looking at the numbers for the mobile safe consumption service, this facility is well attended and is delivering a service that is valued by the clients. However, referrals from the mobile to other services have been low, potentially due to the lack of space and time available to engage clients in confidential discussions about treatment options and harm reduction.

Additionally, the spectrum of mental health and substance use services in Kelowna is not optimized. There are gaps in service, sometimes wait times, and other areas of opportunity that need improvement. Additional funding would assist Interior Health to develop and expand the programs and range of services to improve outcomes for patients and service recipients. This is the key to the overall issue: unless you deal with the roots of the problem, increasing health, housing and safety costs will continue to burden all levels of government.

#### **Recommendation:**

1. That the City of Kelowna continue to lobby both the federal and provincial government for new and additional funding for substance use treatment within our community.
2. That the City work, through the committee, with Interior Health to find a location for a permanent safe consumption site. This would allow services from the mobile unit to be maximized as a secondary location.

### Education & stigma

Stigma exists around those suffering in our community with medical issues around mental health and addictions and this can translate into negative perceptions around public safety. Substance use isn't a "choice," and for many it isn't easy to access local services and find success in overcoming addictions.

The systemic challenges surrounding substance use are complex, compounding and constantly changing. Council and Senior Management at City Hall can increase their understanding of the continuum of substance use services, mental health supports and the latest methodology in addiction recovery to support some of the most vulnerable in our community and make informed community decisions.

**Recommendation:** that City Council and appropriate city staff further build their understanding and awareness of Mental Health and Addictions best practices and continue to support those in our community struggling with these medical issues through the use of non-stigmatizing language.

## BASIC NEEDS

### Shelters

Kelowna currently has three shelters: The Gospel Mission, Inn from the Cold and Cornerstone.

Shelters are on the housing continuum, but unique from supportive housing. Shelters are always going to be needed in Kelowna. The Journey Home Strategy should reduce the number of individuals requiring shelters when the 300 supportive housing units are completed. The strategy also calls for 500 new support program spaces to provide community treatment, case management, rapid rehousing and housing-loss prevention.

In November 2017, the Cornerstone shelter opened at 425 Leon Avenue and will remain open until March 31, 2019. Cornerstone is a temporary, low-barrier shelter that opened quickly to respond to a critical bed shortage as the temperatures dropped well below freezing and both the Gospel Mission and Inn from the Cold were filled to capacity. Cornerstone is funded by BC Housing and operated by the John Howard Society. The site shelters 80 people. Without this shelter, people would have frozen to death.

From my review, the placement of a low-barrier shelter (Cornerstone) at this location was less than ideal for the following reasons:

1. The population of residents in this shelter is too large for a low-barrier facility
2. The site was not purpose-built to safely house 80 individuals who have addiction issues, mental illness or brain injury.
3. The proximity to another shelter. The Gospel Mission, located within three blocks of Cornerstone, houses 90 persons.
4. The immediate proximity to Interior Health's outreach centre and the mobile safe consumption service. These additional services & the shelter nearby bring additional people into the area creating a high density of people within the first three blocks of Leon. The lack of other basic services (public washrooms) for all these people also led to an increase in loitering in the area and public urination/defecation in the surrounding area.
5. Certainly not all, but many of the residents have serious addictions that result in criminal behaviours to support these addictions.

**Recommendation:** Low barrier shelters should be strategically located in the City of Kelowna: close to services, but separated from other shelters. Through the proposed committee, the City of Kelowna needs to engage with BC Housing, Interior Health, RCMP, Bylaw Services, Chamber of Commerce and the community to identify appropriate locations for emergency shelters in the city. Ultimately, the location of supportive housing and shelters need to be part of the long-term planning process in collaboration with all stakeholders.

### Washrooms

In July, business owners along Leon Avenue were burdened with reoccurring public urination and defecation in alcoves and alleys, on the street and from the tops of buildings. As a temporary measure, Porta Potties were placed in the alley behind the Cornerstone shelter, reducing the issue somewhat in that area.

After meeting with members of the Journey Home Lived Experience Circle on Homelessness, access to convenient public washrooms and showers, transportation to access services and drinking water were identified as basic needs for those living on the streets.

The only public washrooms are in the parks five blocks away and only registered occupants of both shelters are entitled to access their facilities. Most businesses in the downtown core will not allow the general public to use private washrooms.

The bathroom in Stuart Park, Kerry Park and Hot Sands beach appear to be able to meet the needs of citizens and tourists that use the parks daily. Public washrooms/showers are needed in the downtown core and could even be operated by a peer support model.

**Recommendation:** the City of Kelowna needs to have additional public washrooms in high traffic areas, that are accessible year-round, in other areas of the downtown core. Possible examples include the Portland Loo and the Winnipeg pop-up public toilet.

## Transportation

Kelowna is fortunate to have a variety of services for those experiencing homelessness, addictions or mental health issue. However, lack of transportation is often a barrier to accessing to these services. One of the main reasons for loitering in parks or sidewalks is the fact that many have no way to transport themselves from one area of the city to another. For instance, access is provided to public recreation facilities and laundry services, but there is no way to get there and get back downtown to access shelters and other critical services.

**Recommendation:** the City of Kelowna explore supplying transportation options to people experiencing homelessness in order to provide the means to deal with normal necessities of life.

## Water

Another basic necessity is access to fresh, potable water. When temperatures are very hot, our most vulnerable people are much more likely to suffer from heat exhaustion and heat stroke. Further warming, as we are expecting to see with the impacts of climate change, will bring higher health risks. Other than those outside of the public washrooms in city parks, there is little or no public access to clean drinking water near to services – especially during hot summer months. Consequently, many service providers in the downtown, including Interior Health, provide bottled water.

**Recommendation:** the City of Kelowna explore the installation of drinking water fountains in additional areas of downtown Kelowna.

## Peer empowerment & employment

Peer support is an important contributor to recovery for individuals that have experienced homelessness, or mental health or addiction challenges. Peer support provides a supportive relationship between people who have a lived experience in common including emotional and social support. Evidence demonstrates this benefits both individuals and families, as well as the overall community.

There is no "one-size-fits-all" approach to peer support. It can take many different forms and be offered wherever people need it, whether in peer-run organizations, workplaces, schools, or healthcare settings. Peer support is intended to complement traditional programs. However, despite effectiveness, peer support programs receive very little funding.

The Journey Home Strategy highlighted the need to introduce peer support models as a strategy that is critical to generating impact and helping to break down stigma. As such, they are working in collaboration

with the Community Action Team to develop a Peer Empowerment and Employment approach by creating a Peer Support Network. This initiative includes creating a sustainable program by:

- designing and implementing training for peer support workers;
- providing a focus on ongoing community education to combat stigma and discrimination;
- forming partnerships to ensure sustainability of the initiative;
- forming community partnerships to contribute to the overall health and safety of the community.

**Recommendations:**

1. City to support and contribute to the development of the Peer Empowerment and Employment program;
2. Through the HUB table, at-risk individuals interacting with businesses and community, would be supported through connection with trained peer support workers.
3. Support and contribute to Journey Home Society's work in developing peer employment opportunities including developing social enterprises to contribute to: addressing stigma, community beautification (including sharps clean-up); and public facility attendance (i.e. downtown public washroom/shower facilities).

## APPENDIX 1 – ENGAGEMENT

<b>BC Housing</b>	Matthew Camirand, Coordinated Access & Assessment Manager Ann Howard, Regional Director
<b>Canadian Mental Health Association</b>	Shelagh Turner, Executive Director Mike Gawliuk, Director of Service Delivery & Program Innovation
<b>Chamber of Commerce</b>	Dan Rogers, Executive Director Tom Dyas, Past President
<b>City of Kelowna</b>	Stephen Bryans, Roadways Operations Supervisor Glenda Cooper, Community Development Coordinator Kevin England, Bylaw Enforcement Officer Stephen Fleming, City Clerk David Gazley, Bylaw Services Manager Morgan Heighes, Bylaw Enforcement Officer Ken Hunter, Bylaw Services Supervisor Lance Kayfish, Risk Manager Kurt Szalla, Bylaw Enforcement Officer Sue Wheeler, Social Development Manager
<b>Downtown Kelowna Association</b>	Nikki Csek, Vice-President Layla Miller, Operations Manager Ron Beahun, On-street Services Manager
<b>Inn from the Cold</b>	Jan Schulz, Executive Director
<b>Interior Health</b>	Dr. Silvina Mema, Medical Health Officer Deborah Preston, Community Health Services Administrator – Central Okanagan Heather Deegan, Director, Healthy Communities Nadine Rigby, Social Program Officer Lorena Hiscoe, Corporate Director - Clinical Operations, Population Health Danielle Cameron, Mental Health and Substance Use (MHSU) Health Services Administrator Tannis Andersen, Promotion, Prevention and Primary Care Services Manager Lesley Coates, Regional Harm Reduction Coordinator
<b>John Howard Society</b>	Gaelene Askeland, Executive Director Andrea Sage, Manager of Employment Services
<b>Journey Home</b>	Martin Bell, Co-chair Erin Welk, Community Action Team

<b>Kelowna’s Gospel Mission</b>	Randy Benson, Executive Director
<b>Ki-Low-Na Friendship Centre</b>	Tina Larouche, Program Director
<b>Metro Church</b>	Jeff Simla, Executive Pastor
<b>Now Canada</b>	Liz Talbot, Executive Director
<b>Paladin Security</b>	Jason Davis, BC Interior Operations Manager
<b>Provincial Court of British Columbia</b>	Marguerite (Meg) Shaw, Regional Administrative Judge
<b>RCMP</b>	Brent Mundle, Superintendent - Officer in Charge Rob Thorarinson, Inspector – Operations Officer Carrie Seale
<b>Resident &amp; former John Howard Society CEO</b>	Shelley Cook
<b>Resident &amp; former Mayor</b>	Walter Gray
<b>The Bridge</b>	Celine Thompson, Executive Director Gerard Joyal, Residence Supervisor John Yarschenko, Director of Recovery & Addiction Services
<b>Uptown Rutland Business Association</b>	Laurel D’Andrea, Executive Director
<b>Westbank First Nations</b>	Diane Roy, Life Skills Coordinator

In addition, the Public Safety Liaison met with numerous business owners, stratas and members of the Lived Experience Circle.

## APPENDIX 2 – REFERENCES

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- <sup>i</sup> *Citizen Survey*. City of Kelowna, 29 Oct. 2018, [www.kelowna.ca/our-community/about/citizen-survey](http://www.kelowna.ca/our-community/about/citizen-survey).
- <sup>ii</sup> City of Kelowna Service request system: Jan.-Sept. 2018, Jan.-Dec. 2017 & Jan.-Dec. 2016
- <sup>iii</sup> *Kelowna's Journey Home Strategy*. City of Kelowna, 2018. [kelowna.ca/journeyhome](http://kelowna.ca/journeyhome).
- <sup>iv</sup> "Provincial Health Officer Declares Public Health Emergency." *BC Gov News*, Province of British Columbia. 14 Apr. 2016, [news.gov.bc.ca/releases/2016HLTH0026-000568](http://news.gov.bc.ca/releases/2016HLTH0026-000568).
- <sup>v</sup> "Illicit Drug Overdose Deaths in BC January 1, 2008 – August 31, 2018." *BC Coroners Service*. <https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/statistical/illicit-drug.pdf>
- <sup>vi</sup> "Harm reduction innovation during and overdose emergency." Mark Lysyshyn & Jane Buxton, UBCMJ 2018.
- <sup>vii</sup> *Kelowna's Journey Home Strategy*. City of Kelowna, 2018. [kelowna.ca/journeyhome](http://kelowna.ca/journeyhome).