

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **JANUARY 30, 2003** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Norman Gardner, Chairman
Gloria Lindsay Luby, Councillor and Vice Chair
A. Milliken Heisey, Q.C., Member
Mel Lastman, Mayor and Member
Benson Lau, M.D., Member
Allan Leach, Member
Frances Nunziata, Councillor and Member

ALSO PRESENT:

Julian Fantino, Chief of Police
Albert Cohen, City of Toronto - Legal Services Division
Deirdre Williams, Board Administrator

#P1. The Minutes of the Meeting held on **DECEMBER 11, 2002** were approved.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

#P2. ELECTION OF THE CHAIR AND VICE CHAIR

Election of the Chair, Toronto Police Services Board

In accordance with section 28 of the *Police Services Act*, which provides that the Board is required to elect a Chair at its first meeting in each year, the Board Administrator requested nominations for the position of Chair of the Toronto Police Services Board.

Mayor Mel Lastman nominated Mr. Norman Gardner which was seconded by Dr. Benson Lau. There were no further nominations and Mayor Lastman moved that nominations be closed.

The Board voted and, based upon one nomination for the office of Chair, Toronto Police Services Board, Mr. Norman Gardner was declared elected by acclamation Chair of the Board for the year 2003 and until his successor is appointed.

Election of the Vice-Chair, Toronto Police Services Board

In accordance with section 5 (4) of the Toronto Police Services Board Procedural By-Law No. 107 which provides that the Board is required to elect a Vice-Chair at its first meeting in each year, Chairman Gardner requested nominations for the position of Vice-Chair of the Board.

Mr. Allan Leach nominated Councillor Gloria Lindsay Luby which was seconded by Dr. Benson Lau. There were no further nominations and Mayor Lastman moved that nominations be closed.

The Board voted and, based upon one nomination for the office of Vice-Chair, Toronto Police Services Board, Councillor Gloria Lindsay Luby was declared elected by acclamation Vice-Chair of the Board for the year 2003 and until her successor is appointed.

Review and Evaluation of the Position of Chair, Toronto Police Services Board

The Board also approved the following Motions:

- 1. THAT the Board approve the retention of a consultant to conduct a review and evaluation of the position of Chair, Toronto Police Services Board;**
- 2. THAT the review include recommendations as to whether or not it is a full-time position, the appropriate length of the term and compensation for the position;**
- 3. THAT the Board request the consultant to complete the review and report back to the Board with recommendations for consideration at its March 27, 2003 meeting; and**
- 4. THAT the Board authorize the Director, Human Resources, to “sole-source” in order to retain a consultant for the abovenoted review and evaluation of the position of the Chair, Toronto Police Services Board.**

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#P3. TRAFFIC SERVICES PRESENTATION – “GUARANTEED ARRIVAL”

The Board was in receipt of the following report JANUARY 13, 2003 from Julian Fantino, Chief of Police:

Subject: GUARANTEED ARRIVAL PRESENTATION

Recommendation:

It is recommended that:

- (1) the Board receive the attached report, and
- (2) the Board receive the Guaranteed Arrival Presentation, a safety awareness program for police officers responding to calls for service.

Background:

The Toronto Police Service has adopted a Guaranteed Arrival presentation that reinforces the need for officers to arrive at each radio call safely. This presentation was created to bring a greater awareness to the number of collisions involving police vehicles that have resulted in injuries both to police officers and members of the public.

Members of Traffic Services created the presentation, which includes case studies of serious departmental collisions, as well as an emphasis on the applicable Highway Traffic Act regulations. Information pertaining to vehicle dynamics, vehicle safety systems and, components are also included in this presentation which was presented to Unit Commanders and members of the Command at the Traffic Conference sponsored by Traffic Services on September 25, 2002. Since this time members of the Traffic Services Collision Reconstruction Squad have presented the presentation to approximately 300 members of the Service during training day sessions. It is anticipated that this presentation will reach all primary response Service members by the fall of 2003.

Acting Staff Superintendent Gary Grant of Area Field will deliver the presentation.

Deputy Chief Michael Boyd of Policing Support Command, as well as, Inspector Walter McCourt and Detective John Johnston of Traffic Services will be in attendance to answer any questions the Board may have arising from the presentation.

Inspector Walter McCourt, Traffic Services, was in attendance and delivered the “Guaranteed Arrival” presentation to the Board.

The Board received the foregoing.

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#P4. ESTABLISHMENT OF THE TORONTO POLICE FOUNDATION

The Board was in receipt of the following report NOVEMBER 21, 2002 from Julian Fantino, Chief of Police:

Subject: ESTABLISHMENT OF THE TORONTO POLICE FOUNDATION

Recommendation:

It is recommended that: the Board receive this report as an update to the establishment of the Toronto Police Foundation.

Background:

At its meeting on July 20, 2001, the Board approved the creation of the Toronto Police Foundation: a non-share capital corporation, that would distribute funds received through private and corporate donations to enhance police initiatives within the community (Board Minute No. P200/01 refers).

Pursuant to the above-mentioned report, Deputy Chief Steven Reesor and Inspector George Cowley met with Mr. C. Michael Kray from the law firm of Fraser Milner Casgrain LLP. Mr. Kray generously offered his assistance to establish the Toronto Police Foundation.

Efforts are currently underway to incorporate, organize and register the Foundation as a charity. To this end, samples of bylaws from similar Foundations in Canada and the United States have been examined. Bylaws that will meet the requirements for incorporation in Ontario are presently being formulated.

Consideration is also being given to the selection of the first three Foundation directors. The bylaws will permit the first three directors to select additional directors, probably to a maximum of six, and company officers.

Upon completion of the bylaws and selection of the first three directors, application to the Minister of Consumer and Commercial Relations will be made, requesting a grant of letters patent and to incorporate the foundation as a non-share capital corporation.

It is expected that the application package will be submitted before the end of this year. Once incorporated in Ontario, an application will then be made to the Canada Customs and Revenue Agency for the Foundation to become a registered charity and be permitted to issue income tax receipts for the donations it receives.

Deputy Chief Steven Reesor of Policing Operations Command will be in attendance to answer any questions concerning this report.

The Board deferred the foregoing.

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**#P5. RECOMMENDATION TO AWARD POSTHUMOUSLY A MEDAL OF
HONOUR TO POLICE CONSTABLE WILLIAM HANCOX (6780)**

The Board was in receipt of the following report JANUARY 13, 2003 from Julian Fantino, Chief of Police:

Subject: MEDAL OF HONOUR – POLICE CONSTABLE WILLIAM DAVID HANCOX
(DECEASED)

Recommendation:

It is recommended that the Board grant the Medal of Honour (posthumously) to Police Constable William Hancox (6780), Special Investigation Services.

Background:

Police Constable William Hancox (6780) was a member of the Special Investigative Services (SIS) Break & Enter enforcement section of the Toronto Police Service. On Tuesday, August 4th, 1998, Police Constable Hancox, along with two of his colleagues Police Constables Steven Pattison (1645) and Geoffrey Hesse (5915) were conducting surveillance on a well known break and enter specialist whose residence was situated on Trailridge Crescent in Scarborough. Constable Hancox was situated in the southwest parking lot of Centenary Plaza while Constable Hesse was situated at the north end. Constable Pattison was situated on Trailridge Crescent.

Constable Hancox indicated to his team members, via his assigned mobile radio at approximately 9:50 p.m., that he was going to make a purchase at the Becker's Store located in the plaza. At 9:53 p.m., Constable Hancox returned from the store and advised members of his team that he was back in his vehicle and resuming surveillance within the plaza parking lot.

At approximately 10:03 p.m., Constables Pattison and Hesse both heard what they have described as a "garbled, gurgling and incoherent" message over their mobile radio band. Constable Pattison proceeded to leave his post and travelled southbound on Nielson Road to check on his colleagues. As Constable Pattison approached the intersection of Nielson and Ellesmere Road, he saw that Constable Hancox was standing beside his van with the driver's door open and the radio microphone in his hand and heard Constable Hancox on the radio saying, "I've been stabbed, I've been stabbed".

Constable Pattison immediately proceeded to the parking lot and as he neared his colleague, Constable Hancox collapsed to the ground. It soon became apparent that Constable Hancox had suffered a large single stab wound to the chest. Emergency services personnel arrived on the scene and Constable Hancox was transported to the Sunnybrook Health Science Centre Trauma Unit. Despite valiant efforts to save the officer, Constable Hancox succumbed to his injury.

An intensive investigation commenced surrounding the events that led to the death of Constable Hancox and it was determined that two females, later identified as Mary Barbara Taylor and Elaine Rose Cece, stabbed Constable Hancox while attempting to steal his van.

On August 6th, 1998 Mary Barbara Taylor and Elaine Rose Cece were arrested for the murder of Police Constable Bill Hancox. Both were found guilty of Second Degree Murder on November 10, 1999 and they were later sentenced to 18 and 16 years respectively.

It was during the execution of his duty that Constable Hancox paid the supreme sacrifice and I recommend that Constable Hancox be granted the Medal of Honour (posthumously).

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions the Board members may have.

The Board approved the foregoing.

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#P6. JOB DESCRIPTION – CRIME ANALYST, POLICE LIAISON SERVICES

The Board was in receipt of the following report NOVEMBER 13, 2002 from Julian Fantino, Chief of Police:

Subject: NEW POSITION - CRIME ANALYST, POLICE LIAISON SERVICES
(A8049.3)

Recommendation:

It is recommended that the Board approve the attached job description for the position of Crime Analyst (A8049.3) in the Unit "A" Collective Agreement.

Background:

The Crime Information Unit, which is a sub-unit of Police Liaison Services, is tasked with providing service-wide strategic crime analysis for the Service based on occurrences, arrests and other data sources. The results of this analysis is used by the command and senior management for deployment of personnel, assigning of resources and performance metrics. Critical to this task is the Crime Analyst position which is solely responsible for generating this information through the use of business intelligence tools.

Budget Impact:

The new position has been evaluated by the Compensation and Benefits Unit as a 35-hour Class 8 position (A8049.3) in the Unit "A" Collective Agreement, with a salary range of \$44,547.74 – \$50,397.80 per annum (2002 salary rates).

There will be no increase in the unit's establishment as a result of creating this position as a class 6 (35) position in Police Liaison Services will be deleted to create it. The annualized cost of creating this new position and deleting the class 6 position is approximately \$6,836.00. The Chief Administrative Officer has confirmed the availability of funds in the year 2002 Information Technology Directorate's budget to fund this new position.

It is hereby recommended that the Board approve the creation of the attached job description for the position of a Crime Analyst, Police Liaison (A8049.3). Subject to Board approval, the Toronto Police Association will be notified accordingly.

Frank Chen, Chief Administrative Officer, will be in attendance to respond to any questions the Board may have regarding this matter.

The Board approved the foregoing.

13. Write reports and present the results of analysis or reports, as required.
14. Design, develop and deliver crime analysis training.
15. Perform typical duties inherent to the position.

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.

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**#P7. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION – TERMINATION OF STATUS**

The Board was in receipt of the following report NOVEMBER 15, 2002 from Julian Fantino, Chief of Police:

Subject: TORONTO COMMUNITY HOUSING CORPORATION (TCHC) –
TERMINATION OF SPECIAL CONSTABLE STATUS OF CHRIS WOOD
AND TERRY THIBEAULT

Recommendation:

It is recommended that:

- (1) the Board receive the notice advising that Chris Wood, a special constable with TCHC, no longer requires special constable status; and that Terry Thibeault, formerly a special constable with the TCHC, is no longer an employee of the TCHC; and
- (2) that the Board notify the Ministry of Public Safety and Security (the “Ministry”) of the termination of special constable status for Chris Wood and Terry Thibeault.

Background :

At its meeting on January 29, 1998, the Board requested a report with the appropriate recommendations from the Chief of Police for the Board’s consideration and approval to appoint persons as Special Constables, who are not employed by the Service (Board Minute 41/98, refers).

At its meeting on November 23, 2000, the Board approved a request to appoint Chris Wood and Terry Thibeault as special constables with the TCHC (Board Minute 500/00, refers). Further, at its meeting on May 30, 2002, the Board approved a six-month extension to the TCHC special constable appointments until November 31, 2002 (Board Minute P153/02).

Appended to this report is a letter dated November 15, 2002, from Ms. Terry Skelton, Director of Security, TCHC, advising that the special constable status of two TCHC employees is no longer required. The TCHC has recently reviewed its special constable program and determined that Chris Wood no longer requires special constable status. In addition, Terry Thibeault recently resigned his employment with TCHC, at which time his special constable status automatically terminated.

It is therefore recommended that the Board receive the notice advising that Chris Wood, a special constable with TCHC, no longer requires special constable status; and that Terry Thibeault, formerly a special constable with the TCHC, is no longer an employee of the TCHC. It is also recommended that the Board notify the Ministry of the termination of the special constable status for these two individuals.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to respond to any questions the Board may have.

The Board approved the foregoing.

Toronto Community
Housing Corporation
365 Bloor St E.
8th Floor
Toronto, ON M4W 3L4
Tel: 416-969-6000



Toronto
Community
Housing

November 15, 2002

Staff Sergeant Gordon Barratt
Toronto Police Services
40 College Street
Toronto, Ontario
M5G 2J3

Dear Staff Sergeant Barratt,

Re: Special Constable Program at Toronto Community Housing Corporation

We have recently reviewed our Special Constable Program at the TCHC and have determined that one of our staff members does not require this status in the direct operation of his work duties, as per our agreement with Toronto Police Services. The specific staff member and his position are noted **below**:

Chris Wood Fire and Safety Officer

In addition **Terry Thibeault**, Fire and **Safety Officer** who had Special Constable status recently resigned his employment with TCHC.

It is therefore requested that the Special Constable designation for these two staff members be cancelled, according to the Toronto Police Services and the Ministry of Public Security and Safety established procedures.

The TCHC Security Services will be interested in proceeding in the near future with the selection process for **additional Special Constable designations to qualified staff, up to the agreed maximum fifty-five**. We will liaise closely with your **office** in order to adhere to protocol and guidelines for this activity.

Kindly contact me should additional information be required regarding this request.

Yours truly,

Terry Skelton
Director, Security Services

416 96943035



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**#P8. AUDIT OF THE TORONTO POLICE SERVICE'S PUBLIC
COMPLAINTS PROCESS – RESPONSE TO RECOMMENDATION NO. 3
REGARDING THE PROVINCIAL COMPLAINT FORM**

The Board was in receipt of the following report JANUARY 02, 2003 from Julian Fantino, Chief of Police:

Subject: AUDIT OF THE TORONTO POLICE SERVICE'S PUBLIC COMPLAINTS
PROCESS - RESPONSE TO RECOMMENDATION No. 3

Recommendation:

It is recommended that:

1. the Board receive this report for information; and
2. the Board forego placing the provincial complaints form on its website, and rely upon the hyperlink currently in place, which would direct the public to the Service's website with all of the associated material. (Board Minute P293/02 refers)

Background :

At its meeting on October 24, 2002, the Board requested that Chief Fantino provide a report to the Board in response to recommendation no. 3 in the City Auditor's report and that it be submitted for the November 21, 2002 meeting. (Board Minute P265/02 refers)

The Board received the response at the November meeting and made a subsequent request. Professional Standards was to investigate whether the provincial complaint form could be placed onto the Board and Service's website. (Board Minute P294/02 refers)

On December 11th, 2002, the Professional Standards portion of the Toronto Police Service web page was modified to include the provincial complaint form. The form is only available in English at this time, although a French version should be available by the end of January 2003.

The second portion of the Board's request was to look at the feasibility of placing the provincial form on the Board's website. Although this request is essentially a simple task, the complaints process involves more than the form itself. It is incumbent upon the Service to provide a detailed explanation of the rights, process and obligations inherent in the complaints process, in order that a member of the public is fully apprised. The Service currently provides several comprehensive pages on its website and duplicating this information would appear redundant. It is therefore recommended that the Board receive the following report and that the Board forego placing the provincial complaints form on its website, and rely upon the hyperlink currently in place, which

would direct the public to the Service's website with all of the associated material. (Board Minute P293/02 refers)

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions that the Board members may have.

The Board received the foregoing report noting that recommendation no. 2 was not approved and requested that the Board's website be modified to include a copy of the provincial complaint form in order to provide members of the public direct access to the form rather than through a hyperlink as recommended above.

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**#P9. COMMUNITY DONATION – AUTODIALLER SOFTWARE FOR No. 33
DIV. COMMUNITY POLICING AND CRIME PREVENTION
INITIATIVES**

The Board was in receipt of the following report NOVEMBER 25, 2002 from Julian Fantino, Chief of Police:

Subject: DONATION OF AUTODIALLER SOFTWARE

Recommendation:

It is recommended that: The Board accept a donation of the *Towne Crier* and *The Neighbourhood Database* software system (Patronix Solutions Ltd) valued at \$6,612.50 (taxes included) from the Community Investment Group of Enbridge Commercial Services to be used by members of the Toronto Police Service for community policing and crime prevention initiatives in 33 Division.

Background:

The Toronto Police Service, 33 Division, is actively involved in community based policing with all the components of our community. Further, 33 Division is committed to improving the delivery of personal safety information, home security information, business security information and crime alerts to our communities. The efficient delivery of this information and knowledge will assist our communities in making themselves less vulnerable to being victimized.

The *Towne Crier* and *The Neighbourhood Database* software system, or autodialler program, is the foundation of systems presently utilized in several divisions within the Toronto Police Service. This program is in operation in a number of divisions and has been an unqualified success in every case. These divisions have demonstrated the effectiveness of this program and it is clearly the most effective way to disseminate information of all types to the largest number of residents, businesses and community organizations in 33 Division.

The autodialler program is supported by the Service and monthly budget allocations for the required phone lines are currently in place. The software is to be operated on a stand-a-lone computer at 33 Division. This computer is not connected to the Service mainframe computers and will not have any effect on them.

Training is provided by Patronix Solutions Ltd. as part of the package and additional training would be given to the appropriate personnel within 33 Division.

Operational Uses

The Toronto Police Service Priority, 'Community Safety and Satisfaction' speaks of increasing the communities awareness of crime prevention and effective policing orientated to the needs of the community. The autodialler program is an effective tool to deliver safety related information to those within our communities that police consider most vulnerable. Targeting those that are considered at risk is of great importance to the members of 33 Division. Effectively delivering tailored messages meeting the needs of our different communities can be accomplished via the autodialler program. The following sections describe how this may be accomplished and contains examples of which communities can be targeted for delivery:

Seniors

Seniors are often vulnerable to being victimized and as a result they are often targeted by pick-pockets while shopping, or, by unethical home repair contractors at their front doors, or, by telemarketers over the telephone. Educating and alerting senior members of our community is a high priority for members of 33 Division. The challenge for members of 33 division to achieve this goal is to reach as many seniors as possible. Reaching seniors is far different than delivering safety programs to other elements in our society. When dealing with children for instance, police are able to reach a large number of children via schools. In contrast, however, seniors do not tend to congregate in such definable places such as schools. There is a substantial population of seniors that reside outside of seniors residences, either in homes or apartments, within the boundaries of 33 division.

The autodialler service will assist 33 Division in reaching a large number of these seniors. An aggressive enrolment program will be commenced using Service Volunteers, Auxillary officers and outside agencies that we currently deal with to sign-up as many seniors as possible. Once the autodialler service has been commenced, messages will be recorded specifically for those seniors that have enrolled in our autodialler service and sent directly to their telephones.

Recent Immigrants

According to the Toronto Police '2002 Environmental Scan', the City of Toronto is the chosen home of a great number of new immigrants. Further, the scan advises that approximately 46.8% of new comers to Toronto do not speak English.

No. 33 Division is home to a large immigrant population. We have found that many of the newcomers speak Farsi or one of the many Chinese dialects. Experience has shown that many of the newcomers have not been exposed to the types of proactive community policing that the Toronto Police Service performs on a regular basis. They have never received information regarding home safety and personal safety. Further, we have found that newcomers may not be cognizant of Provincially mandated safety related laws, such as those regarding the use of seatbelts and child restraint seats in motor vehicles.

Members of 33 Division will be launching an aggressive enrolment program, targeting people that are not fluent in English, using members of 33 Division Community Police Liaison Committee and exterior community based agencies that we have ties with. Once the autodialler system has commenced operation, messages will be recorded in the applicable languages and sent to the telephones of those that have enrolled in the system.

Other Planned Uses

This autodialler program can assist 33 Division in delivering many different types of information to the community quickly and efficiently. The following are just a few examples:

- The notifying of residents of a break and enter trend in their neighbourhood
- The notification of residents that someone has been seen following their children to a particular school
- The notifying of businesses that there has been a rise in the number of employees purses or laptops being stolen by intruders
- The notifying of security companies to be on the watch for people breaking into buildings in the neighbourhood
- The notifying of security companies that female employees have been harrassed or followed after leaving work at late hours.

Conclusion

Acceptance of this donation would enable every sub-unit within 33 Division to improve their response to Service goals and objectives. It would open a channel of communication to all the communities of 33 Division, demonstrating our commitment to the historic ideals of the Toronto Police Service.

This donation meets all of the Service guidelines. It is in accordance with the Service Policy (18-08) addressing "Donations" and is consistent with the overall goals and objectives of the Service, and with Service Priorities: "Community Safety and Satisfaction".

It does not compromise the integrity, objectivity or impartiality of the Service.

It is beneficial to the community as a whole and without condition as to its use or preference to the donor.

The Community Investment Group of Enbridge Commercial Services has requested a tax receipt.

Deputy Chief Steven Reesor of Policing Operations Command will be in attendance to answer any questions if required.

The Board approved the foregoing and requested that a letter of appreciation be sent to Enbridge Commercial Services.

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**#P10. SPECIAL FUND – REQUEST FOR FUNDING FOR THE TORONTO
POLICE SERVICE BLACK HISTORY MONTH CELEBRATIONS**

The Board was in receipt of the following report JANUARY 03, 2003 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR FUNDING FOR THE TORONTO POLICE BLACK HISTORY
MONTH CELEBRATIONS

Recommendation:

It is recommended: that the Board approve an expenditure of an amount not to exceed \$2000.00 from the Board's Special Fund to offset expenses incurred for 2003 Black History Month celebrations.

Background:

The Toronto Police Service, recognising the need to enhance its relationship with the Black Community, began celebrating Black History Month in 1994. The celebrations in 1994 and 1995 focussed on contributions made by African-Canadians since the 1800s. In 1996, Parliament officially declared February as Black History Month. The Toronto Police Service's participation in Black History Month serves to increase awareness of contributions made by members of the Black Community to Canadian culture. Additionally, it educates members of the Service, and the general community about the diversity that exists within the Black Community. This event also expands partnerships between community leaders, members of the public, organizations, and the Service resulting in positive and lasting relationships.

Members of the Service in particular Community Policing Support–Community Relations Section will be co-ordinating a ceremony and reception for the commemoration of Black History Month to be held on January 28, 2003 at 6:30pm in the lobby of Police Headquarters. For this ceremony and other outreach activities that will be taking place within the community during the month of February, the Service will be working in partnership with various community organizations such as; Ontario Black History Society, Community Unity Alliance, and other individual community members.

Black History Month Budget 2003

Honorariums	\$ 800.00
Black History Month Poster Framing	\$ 200.00
Food/Refreshments for Reception	<u>\$1000.00</u>
TOTAL	\$2000.00

Therefore, it is recommended: that the Board approve an expenditure of an amount not to exceed \$2,000.00 from the Board's Special Fund to offset expenses incurred for 2003 Black History Month celebrations.

Deputy Chief Michael Boyd of Policing Support Command will be in attendance to answer any questions that may arise.

The Board approved the foregoing.

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#P11. AIR SUPPORT UNIT – FINANCIAL ISSUES

The Board was in receipt of the following report NOVEMBER 19, 2002 from Julian Fantino, Chief of Police:

Subject: AIR SUPPORT UNIT PILOT PROJECT

Recommendation:

It is recommended that: the Board receives this report for information.

Background:

At its meeting on September 26, 2002 the Board requested that the Chief prepare a report detailing the financial plan, the financial impacts, and all agreements with regards to the Air Support Project (Board Minute P240/02 refers).

It is premature at this time to present the financial plan, the financial impacts, and agreements to the Board.

The Air Support Unit is still in the planning stages. Many factors will impact the financial plan such as the unit mission, the flying schedule/hours, the type of helicopter selected, and the equipment the helicopter is outfitted with.

Because these factors have yet to be finalized, any financial figures provided now may give the Board an unfair picture as to the financial implications of the Air Support Unit. As the development of the Air Support Unit progresses the financial implications and costs will become more concrete.

The financial plan, the financial implications of the project and all agreements will most assuredly be submitted to the Board at that time.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to respond to any questions the Board may have.

The Board noted that the foregoing report indicated that the financial plan was not available at this time and asked Chief Fantino when he expected the financial plan to be submitted to the Board. Chief Fantino advised the Board that a complete financial plan will be submitted to the Board for its July 17, 2003 meeting.

The Board received the foregoing.

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**#P12. RESPONSE TO RECOMMENDATION REGARDING COORDINATED
AIR SUPPORT**

The Board was in receipt of the attached correspondence NOVEMBER 29, 2002 from David Barrow, Chair, Regional Municipality of York Police Services Board, in response to the development of a co-ordinated air support unit.

The Board received the foregoing.



Regional Municipality of York Police Services Board

17250 Yonge Street, Newmarket, Ontario, Canada L3Y 4W5
(905) 830-0303 or Toronto line. (905) 773-1222 (Ext. 7906)
Fax: (905) 895-5249 E-mail: psb@police.york.on.ca

The Benchmark of Excellence in Policing

November 29, 2002

Chair
David Barrow
Regional Councillor

Vice-Chair
Robert B. Callow
Provincial Appointee

Members
Ricky Chan
Provincial Appointee

Mario Cortellucci
Provincial Appointee

Bill Fisch
Regional Chair

Danny Wheeler
Regional Councillor
and Deputy Mayor

Vic Wilson
Regional Appointee

Executive Director
Connie Mahaffy

Mr. Norman Gardner
Chair, Toronto Police Services Board
40 College Street
Toronto, Ontario
M5G 2J3

Dear Mr. Gardner:

At its meeting on November 27, 2002, the Regional Municipality of York Police Services Board considered your air support proposal for the Greater Toronto Area.

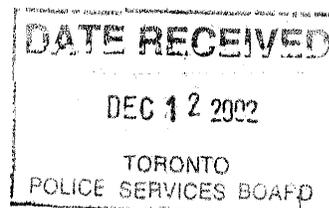
The Board also received November 6, 2002 correspondence from Robert G. Boychyn, Chair, Durham Regional Police Services Board, in which he outlines provisions of the existing Shared Services Agreement that governs the coordination and sharing of air support services involving York, Durham and Simcoe Police Services along with other resources that may be required to be shared.

Consistent with the Durham Board's position, our Board plans to continue our independent Air Support Unit. In the interest of advancing public safety, we are also interested in establishing a Shared Services Agreement with the Toronto Police Service much the same as outlined above to address your request, with the understanding that our Air Support Unit would continue to provide priority services to the citizens of York Region.

Your truly,

David Barrow
Regional Councillor and
Chair, Police Services Board

c. Chair Robert G. Boychyn
Chief Robert Middaugh
Chief Designate Armand La Barge



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**#P13. EVALUATION OF THE AMALGAMATION OF No. 21 DIVISION WITH
No. 22 DIVISION**

The Board was in receipt of the following report DECEMBER 03, 2002 from Julian Fantino, Chief of Police:

Subject: EVALUATION OF THE AMALGAMATION OF 21 DIVISION WITH 22
DIVISION

Recommendation:

It is recommended that: the Board receive this report.

Background:

In 2000, Chief Fantino directed that a "90 Day Review" (review) of the operational efficiencies of the Toronto Police Service be conducted. It was recommended in the review that No. 21 Division and No. 22 Division be amalgamated to form one division to service both central and south Etobicoke. On July 20, 2001 the Board approved the amalgamation of No. 21 Division with No. 22 Division (Board Minute #P186 refers). At that time, Councillor Gloria Lindsay Luby, Vice Chair of the Police Services Board, requested that the Chief of Police report on the effectiveness of the amalgamation for the June 2002 Board meeting, including input from the affected community.

Due to the complexity of the amalgamation, at its July 31, 2002 Board meeting, the Board approved an extension to the report detailing the amalgamation of No. 21 Division with No. 22 Division to the January 2003 Police Services Board meeting (Board Minute #P212 refers).

The Amalgamation Process:

The process commenced with the movement of personnel. In September 2001, No. 21 Division detective operations moved to No. 22 Division. In October 2001, all community response and traffic operations in No. 21 Division and No. 22 Division were consolidated in the No. 22 Division Sub-station, which is in the No. 21 Division facility, located at 791 Islington Avenue. In November 2001, the movement of personnel was complete with the transfer of primary response personnel from No. 21 Division to No. 22 Division.

Following the movement of personnel, several administrative and support functions had to be changed to facilitate amalgamation. The Community Police Liaison Committees (CPLC) for both divisions were dissolved in December 2001 and a new CPLC was constituted in April 2002. Patrol areas were renumbered to allow statistical systems to appropriately capture statistical information. System changes to the Dispatch Mapping System (MAP), Computer Assisted Dispatch (CAD) and Intergraph-Computer Assisted Dispatch (I-CAD) systems were all completed in April 2002. At the same time, with the exception of Scout 2180, which is a traffic stealth car and 2182, which is a traffic car, all No. 21 Division uniform police vehicles were renumbered as No. 22 Division. These two remaining vehicles were renumbered as No. 22 Division vehicles in December 2002.

The main concerns in regard to the amalgamation were expressed during a community meeting on July 18, 2001, which was facilitated by Councillor Lindsay Luby. These concerns were response time, continuity of service, traffic and drug enforcement, maintenance of primary and community response and overall visibility. This report will deal with each of these concerns.

Evaluation Methodology:

Members of No. 22 Division along with members of Area Field and Corporate Planning assisted with the evaluation.

Since the amalgamation of No. 21 Division with No. 22 Division commenced in September 2001, the review of comparative Toronto Police Service statistics prior to amalgamation was limited to the timeframe between January to September 2001. The review of post amalgamation statistics mirrored the same timeframe in 2002.

A variety of statistical systems were used in the course of the evaluation. Statistical systems included, CAD Reports, Criminal Information Processing System (CIPS), the Toronto Drug Squad West Statistical database, the Traffic Services tracking system and the Human Resource Management System. CAD report data was not reconfigured until April 2002, which meant all 2002 CAD data had to be verified through three separate reports (No. 21 Division, No. 22 Division and the amalgamated 22 Division).

Service publications such as the 2002 Environmental Scan, the 2001 Annual Report and the 2001 Service Performance Year-End Report were reviewed.

A community survey was developed by members of Area Field and vetted through a member at Corporate Planning. Notices were posted in twenty-three locations throughout the amalgamated No. 22 Division (10 locations in No. 21 Division and 13 locations in No. 22 Division) advising community members of the amalgamation and the survey. The notices advised members that they could attend No. 22 Division, 3699 Bloor St. W. (just east of Kipling Ave.) or at No. 22 Division Sub-Station, 791 Islington Ave. (just south of Evans Ave.) to fill in a survey. They also advised that students from the Humber College Police Foundations Program would conduct a random survey throughout the amalgamated Division. Nine locations were identified for the random survey (4 locations in No. 21 Division and 5 locations in No. 22 Division) and these surveys were completed over a two-week period. In addition, on November 3, 2002 the

Etobicoke Guardian ran a front-page feature story advising readers that input was being sought on the amalgamation and where they could obtain a copy.

An officer survey was prepared by a member of No. 22 Division and vetted through members at Area Field. These surveys were made available to all members at the amalgamated No. 22 Division.

Findings:

Community Satisfaction

Surveys were available to community members at both No. 21 Division and at No. 22 Division. Random surveys were also conducted at nine different locations throughout the amalgamated division. In total, there were 437 random surveys completed in the No. 21 Division area, 308 random surveys completed in the No. 22 Division area, along with 34 surveys filled out at the No. 22 Division sub-station and 41 surveys filled out at the No. 22 Division main station. In total, there were 820 surveys completed. These results reflect favourably on the members of the amalgamated No. 22 Division in that 68% of the respondents did not notice any change in service and of those that did indicate that they noticed a change, 58% responded that the change was for the better. In addition, 78% advised that officer presence either remained the same or increased and 87% advised that they were somewhat to very satisfied with the police. The following are the results of this community survey:

1. In the past 12 months, have you noticed any change in service by police to your neighbourhood? Yes [32%], No [68%]

If yes, what has changed?

Better Response [18%], *Poorer Response* [21%], *Better Visibility* [40%], *Poorer Visibility* [27%]

2. In the past 12 months, have you seen any increases or decreases in police officer presence in your neighbourhood, or has it remained about the same?

Increased [25%], *Decreased* [13%], *Remained about the same* [53%], *Never see any police* [9%]

3. In the past 12 months, have you seen any increases or decreases in traffic enforcement in your neighbourhood, or has it remained about the same?

Increased [32%], *Decreased* [11%], *Remained about the same* [49%], *Never see any police* [8%]

4. In the past 12 months, have you seen any increases or decreases in drug enforcement in your neighbourhood, or has it remained about the same?

Increased [6%], *Decreased* [10%], *Remained about the same* [47%], *Never see any police* [35%]

5. Have you required the services of a police officer in the last year? Yes [22%], No [77%]

If yes, specify the type of call:

Violent [18%], *Property Crime* [31%], *Lost Property* [21%], *Medical* [13%]

6. How satisfied are you with police service to your neighbourhood

Very satisfied [34%], *Somewhat satisfied* [53%], *Not very satisfied* [10%], *Not at all* [3%]

7. Has this level of satisfaction changed since last year?

More Positive [15%], *More Negative* [15%], *Unchanged* [70%]

8. Did you know that No. 21 Division and No. 22 Division amalgamated on November 12/2001? Yes [49%], No [51%]

In addition to these surveys, letters were received from Bishop Allen Academy and Michael Power/St. Joseph High School complimenting street crime officers in the amalgamated division. These letters were from the Vice-Principals, and stated that the officers were professional, responsive, helpful and effective.

Officer satisfaction

Officer surveys were distributed to all units within the amalgamated No. 22 Division. There were 71 responses, 30 of which were from former No. 21 Division officers and 41 were from former No. 22 Division officers. For the most part, officers were of the opinion that their workloads had increased significantly, that their ability to do pro-active policing had decreased significantly and that the quality of the service they were able to provide was affected. Despite this feedback, 63% of these officers indicated that they are adjusting.

Response time

Priority one calls for service include those calls where there is usually a danger to life, and they include medical complaints. According to ICAD statistics from January to September in 2001 and 2002, officers in the amalgamated No. 22 Division took an average 1.3 minutes longer to respond to these calls in 2002 than they did in 2001. This finding cannot necessarily be attributed only to amalgamation. Several other factors have to be included into the analysis. Forty-two police officers retired from the amalgamated division since January 2001 and two others are currently on pre-retirement leave. The amalgamated No. 22 Division has only just received 17 new recruits (October 2002) and with this influx of new recruits the division is still below the current staffing level that is recommended by the Service's 60/40 staffing model.

Maintenance of Primary and Community Response

In total, uniform staffing numbers were down in the amalgamated division in September 2002 over September 2001. Considering the number of positions that were considered redundant (primary and community response staff sergeants and sergeants along with investigative support staff) there were still 18 fewer people in front line duties in the amalgamated division in 2002. These numbers represented 10 fewer officers in primary response, 6 fewer officers in community response and 2 fewer officers in detective operations. This, in part, was due to the unexpected number of retirements, which included officers who elected to take pre-retirement leaves of absence.

Continuity of service

Despite the reduction in personnel dedicated to front line duties, a review of the Service crime indicators showed an overall reduction in crime by one percent. This review was for the evaluation period of January to September of 2001, and January to September of 2002. In total, sexual assault was down 15%, assault was down 3%, auto theft was down 5% and murder was unchanged. Robbery was up 4% (5 occurrences), break and enter was up 5% (30 occurrences) and theft over was up 4% (4 occurrences). The division is considering new crime strategies for 2003 to address increases in these areas. Also, on January 6, 2003, one detective and two detective constables will be added to the major crime unit to assist with the investigation of major crimes.

Traffic Enforcement:

Traffic Services was able to provide the total number of Highway Traffic Act provincial offences and traffic bylaw tickets for the period of January to August 2001, along with the comparison statistics for 2002. These reports indicate a sixteen percent increase in the number of provincial offence tickets issued from January to September 2001 (14,394) to the same period in 2002 (16,626).

Drug Enforcement

A review of the Toronto Drug Squad statistics showed that drug enforcement by that unit was down throughout Area Field in 2002. Although the number of drug related charges laid by Toronto Drug Squad members was down, these members executed the same number of search warrants in the No. 21 Division area in 2002 as they did in 2001. Also, even though there were fewer arrests, there was no change in the percentage of arrests made by members of the Toronto Drug Squad in the No. 21 Division area for 2002, as compared to 2001.

Officers assigned to the amalgamated division were also responsible for street level enforcement related to drug offences. In 2001, there were a total of 72 arrests and 79 drug charges laid in the area of both No. 21 Division and No. 22 Division. In 2002, there were 113 arrests and 129 drug charges laid in the same area. The increase in the number of charges can be attributed to the work done by officers in the amalgamated division. One of the amalgamated division's crime initiatives is titled "Project Red Rocket". This crime initiative involves the enforcement of drug and prostitution offences on Lakeshore Blvd. West.

Visibility

"Project Red Rocket" is a No. 22 Division crime initiative that resulted from numerous citizen complaints on Lakeshore Blvd. West, between First Street and Tenth Street. As a result of these complaints, the amalgamated No. 22 Division Crime Management Team initiated this ongoing enforcement strategy in October of 2001 and throughout 2002. Although the initiative includes action from all members of No. 22 Division, along with members of the Toronto Drug Squad, uniform members of the community response and plain-clothes members of the major crime units have taken a lead role. In 2002, there were 141 arrests, which led to 250 charges. These included charges for break and enter, sexual assault, drugs, fail to comply with release conditions, theft, possession, robbery and prostitution.

Uniformed community response officers patrol the amalgamated area in a marked police vehicle, on bicycle and on foot. Community response statistics for No. 21 Division were not available for 2001, but statistics were kept for 2002. In 2002, officers assigned to community response were responsible for more than 330 arrests and more than 700 charges. Mounted Unit officers were also called in to assist with high visibility patrol and provided 432 hours of patrol in the Lakeshore Blvd. West area up to September 2002. Due to other demands for service, this was all that the Mounted Unit could provide. Further requests will be made in 2003 and their assistance is anticipated.

In response to community concern along Lakeshore Blvd. West, members of the amalgamated No. 22 Division submitted a 'Front Line Policing Strategy' (FLPS) request for funding in the spring of 2002. Lakeshore Blvd. West is a main east/west artery in the south end of the amalgamated No. 22 Division. It is a busy area with a high concentration of vehicular and pedestrian traffic. Further, there are a number of licensed premises located in this area. As a result, there are recurring problems with prostitutes loitering on street corners, drunks fighting and disorderly youth breaching the public order and causing damage by defacing area buildings with gang related graffiti. The area business associations complain that this is driving away business and the residents are afraid to use the streets because of safety concerns. This initiative was approved and during the months of July and August there were 229 persons investigated, 30 charges laid under various provincial statutes and 28 people arrested.

Also, in response to community complaints, there were three major prostitution sweeps conducted on Lakeshore Blvd. West since December 2001. These sweeps involved members of the major crime office, community response and primary response. In total there were 35 people arrested and charged for prostitution related offences.

Conclusion:

This evaluation revealed that the amalgamation of No. 21 Division with No. 22 Division has had little impact on members of the community. Of the 32% that commented that they noticed a change in police service:

- 18% responded that response was better; and,
- 40% responded that there was better visibility.

Of the community members surveyed:

- 87% stated that they were somewhat to very satisfied with police services,
- 81% stated that traffic enforcement was the same or better, and
- 53% stated that drug enforcement was the same or better.

A review of divisional statistics supports these beliefs.

Officers expressed concern in regards to response to calls for service and their concerns were shown to be valid. Response time has increased, but the effects cannot be solely attributed to amalgamation. During the two-year period from the beginning of 2001 to the end of 2002, 44 members either retired or were on pre-retirement leave. During this time, staffing levels suffered and officers' ability to respond to calls for service was affected.

Although members in the Lakeshore Blvd. West area expressed a concern over amalgamation and the potential for fewer officers on the Lakeshore Blvd. West strip, this concern did not materialise. Members of the amalgamated division dedicated a considerable amount of time to this area, which resulted in a heightened police presence.

The amalgamation of No. 21 Division with No. 22 Division has met the needs of all communities. Therefore, I recommend that the Board receive this report.

Deputy Chief Steven Reesor, Policing Operations Command, will be in attendance to respond to any questions the Board may have.

The Board received the foregoing and extended its appreciation to all the Service members who were involved with the amalgamation and, particularly, the follow-up evaluations that were conducted.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P14. REVIEW OF THE TORONTO POLICE SERVICE POLICIES
FOLLOWING THE OCTOBER 16, 2001 DEMONSTRATION BY THE
ONTARIO COALITION AGAINST POVERTY (OCAP)**

The Board was in receipt of the following report JANUARY 15, 2003 from Julian Fantino, Chief of Police:

Subject: REQUEST FROM THE ONTARIO CIVILIAN COMMISSION ON POLICE SERVICES (OCCPS) TO REVIEW THE POLICIES OF THE TORONTO POLICE SERVICE INVOKED DURING THE PLANNING OF THE ONTARIO COALITION AGAINST POVERTY (OCAP) DEMONSTRATION OF OCTOBER 16, 2001

Recommendation:

It is recommended that: 1) the Board receive the following report; and
2) the Board Administrator forward a copy of this report to OCCPS.

Background:

On October 16, 2001, the complainants were arrested for "Breach of the Peace" just prior to the Ontario Coalition Against Poverty (OCAP) demonstration. As a result of these arrests, police seized goggles, bandanas soaked in vinegar, scarves and a carpenter's mask. The three complainants were eventually released with no charges laid.

On April 18th, 2002, a letter of complaint was received from A. Alan Borovoy, General Counsel for the Canadian Civil Liberties Association. In his correspondence, he gives details of the allegations made by the three complainants as follows: they allege they were detained in a police van for five to six hours without adequate ventilation or an opportunity to go to the bathroom; and that upon being processed at the police station they were "strip-searched" and held for more than fifteen hours without being offered food or an opportunity to speak with legal counsel. Complainant #1 further alleges that he suffered particular discomfort from the tightness of the handcuffs and the fact that they were behind his back, and Complainant #2 claims he was not allowed to speak with his parents, despite the fact that his mother attended the station in person.

This matter was referred to the Public Complaints Investigation Bureau for investigation. Subsequently, counsel for the complainants appealed to OCCPS to review the classification of the complaint.

In a letter dated June 14, 2002, OCCPS informed the Toronto Police Service and Mr. Borovoy that the focus of the complaint would be on the conduct of the officers, not on any identified policy or practice. However, the panel agreed that the complaint arose during a large-scale police operation that would require careful planning, in part based on policy. For that reason, OCCPS remitted a portion of this complaint back to the Service to be treated as a “policy complaint”. The Commission determined that the Toronto Police Service should examine those policies and procedures invoked during the planning stages of the demonstration.

As directed by OCCPS, and pursuant to Section 61(2) of the Police Service Act, I submit the foregoing as it relates to our policies and procedures that were invoked during the planning stages of the demonstration.

The policy investigation was assigned to the Corporate Planning Unit. The following procedures and associated Toronto Police Service Board policies were reviewed:

Procedure 01-01	Arrest	LE-005
Procedure 01-02	Search of Persons	LE-012
Procedure 01-03	Transportation of Persons in Custody	LE-033
Procedure 01-04	Persons Brought into Custody	LE-016
Procedure 01-06	Criminal Code Release – General	
Procedure 03-01	Persons Detained in Custody	LE-016
Procedure 03-02	Booking Hall/Central Lock Ups	LE-016
Procedure 03-07	Meal Provision for Persons in Custody	LE-016
Procedure 04-33	Critical Incident Management	ER-004
Procedure 10-01	Emergency Incident Management	ER-008
Procedure 11-01	Public Safety Unit Response	LE-003
Procedure 11-04	Protests and Demonstrations	PO-001
Procedure 11-08	Use of Mounted Unit	
Procedure 15-01	Use of Force and Use of Force Reporting	

As a result of this review, it was concluded that Service policies and procedures are compliant with Ontario Regulation 3/99 under the PSA (Adequacy and Effectiveness of Police Services Regulation), and that they adequately deal with the various situations that may arise in demonstrations of this size. As a result, no further action will be taken with respect to this complaint.

Therefore I recommend;

- 1) that the Board receive this report; and
- 2) that the Board Administrator forward a copy of this report to OCCPS.

Mr. Frank Chen, Chief Administrative Officer, will be in attendance to respond to any questions the Board may have with respect to this matter.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P15. 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE AS AT NOVEMBER 30, 2002**

The Board was in receipt of the following report DECEMBER 09, 2002 from Julian Fantino, Chief of Police:

Subject: 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE AS AT NOVEMBER 30, 2002

Recommendation:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward this report to the City Chief Financial Officer and Treasurer, and to the City Policy and Finance (P&F) Committee.

Background:

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$587.2 Million (M), an increase of 1.5% over the 2001 Net Operating Budget. The Council-approved budget provides sufficient funding to maintain current services. The budget also provides additional funding for the creation of an Anti-Gang Unit in the amount of \$0.7M as well as funding for costs related to the City taking over Provincial Offences Act courts. In addition to the approved budget, City Council also approved one-time funding for World Youth Days at a net amount of \$2.7M bringing the Service's total operating budget to \$589.9M.

At its August 20, 2002 meeting, the Board approved a request to increase the TPS budget by \$18.8M, to reflect the Association salary settlement, bringing the total 2002 net budget to \$608.7M.

2002 Operating Budget Variance

As at November 30, 2002, the Service is projecting a year-end surplus of \$1.8M. This surplus is \$0.6M more than that reported in the October 31, 2002 variance report.

STAFFING

Net savings of \$0.7M are projected for staffing costs to year-end, which is the same as reported last month.

Net salary savings are estimated at \$0.5M. These salary savings are based in large part on the numbers of separations experienced to date, and projected to year end, as compared to the budgeted number of separations, offset by in-year strategies implemented to address the Service's overall staffing shortfall as compared to target. Projected uniform separations for 2002 are currently estimated at 325. As at November 30, 2002, there were 311 separations, compared to 439 at the same point in time last year.

Premium pay savings are estimated at \$0.2M. In-year events such as the PC Convention and the OPSEU strike created pressures on the premium pay budget in the amount of \$0.6M. However, premium pay expenditures related to World Youth Day events resulted in savings of \$0.8M, resulting in net savings of \$0.2M.

BENEFITS

A net savings of \$0.3M is projected in the benefits category to year-end, which is unchanged from last month.

NON SALARIES

A net savings of \$0.8M is projected for non salary accounts, which is \$0.6M more than last month. This increase is a result of an increase in revenues in various categories, including paid duty administration fees, alarm fees and salary recoveries for Monitors. The net impact of the above is a favourable year-end variance of \$1.8M. The Service will continue to scrutinize all accounts, and any possible deferrals.

SALARY SETTLEMENT IMPACT

As discussed in previous variance reports, the City set aside \$14.6M to cover any TPS salary increases. The cost of the Toronto Police Association salary settlement is \$18.8M, leaving a \$4.2M shortfall compared to the funding set aside by the City. The \$4.2M variance does not include outstanding 2002 potential salary settlements for Senior Officers, Command Officers and Excluded staff. These could amount to an additional variance of \$0.6M.

The Service has already responded to the City's declaration that any variances must be absorbed within the Service budget. Details were provided at the September Board meeting (minute P246/02 refers) and again at the November Board meeting (minute P318/02 refers). The City's Budget Advisory Committee (BAC) has directed that any savings related to World Youth Day should be treated as corporate savings. Therefore, although the Service is projecting a year-end variance of \$1.8M at this time, only \$1.0M can be applied to offset the \$4.2M variance for the salary settlement (as \$0.8M is related to World Youth Day).

SUMMARY

As at November 30, 2002, the total Service favourable variance is \$1.8M. This variance consists of \$0.8M World Youth Day savings and \$1.0M in other savings. Given BAC's decision to return any World Youth Day savings to the City, only \$1.0M can be applied to the \$4.2M funding shortfall. The Service will continue to control costs where possible and return any year-end surplus funds to the City to help offset the above variance.

The above variances can be summarized as follows:

	<u>Savings</u>
• Staffing	\$0.7M
• Benefits	\$0.3M
• Non Salary	<u>\$0.8M</u>
• Total Favourable Variance	\$1.8M
• Less WYD to be returned to City	<u>(\$0.8M)</u>
• Contribution to Salary Settlement	<u>\$1.0M</u>

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions the Board may have.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P16. RESPONSE TO CITY OF TORONTO PLANNING &
TRANSPORTATION COMMITTEE – GRAFFITI ERADICATION
PROGRAM**

The Board was in receipt of the following report NOVEMBER 07, 2002 from Julian Fantino, Chief of Police:

Subject: PLANNING AND TRANSPORTATION COMMITTEE REQUEST RE:
GRAFFITI ERADICATION PROGRAM

Recommendation:

It is recommended that: The Board receive this report.

Background :

At its meeting held on October 1, 2, and 3, 2002, Council of the City of Toronto adopted Report #10, Clause 4, of The Planning and Transportation Committee, headed "Graffiti Removal: Proposed Partnership With Business Improvement Areas. The Planning and Transportation Committee requested that the Board respond on the following two points:

- (2) the Police Service Board be requested to report to the Planning and Transportation Committee on any initiatives taken by the Toronto Police Service to ensure the complete eradication of graffiti in the City, such report to also include proposed changes to legislation which would allow for more effective means to deal with the graffiti epidemic which is taking place: and
- (3) (c) the Commissioner of Urban Development Services, in conjunction with the Toronto Police Services Board, be requested to submit a report to the Planning and Transportation Committee, as soon as possible, on a strategy to address graffiti removal of Business Improvement Areas.

Response addressing (2):

The Graffiti Eradication Program is a Toronto Police Service initiative focusing on the reduction of crime, fear and physical disorder as it relates to graffiti. the mission of the program involves efforts towards galvanizing Service and community personnel to work cooperatively, and to share a vision that looks towards offender interdiction, graffiti counter-culture erosion and urban beautification.

Graffiti, as embodied within the program context, is specific to the unlawful defacing of both private and public property through the use of; satanic cult graffiti, political activism graffiti, hate crime graffiti, gang graffiti, folk epigraphy, latrinalia, and as well, graffiti commonly referred to as Hip Hop, involving "tagging", "throw ups" and "pieces".

The Graffiti Eradication Program was developed during the summer of 2000, after Police Service members and community stakeholders identified graffiti vandalism in Toronto as a growing concern. Focus groups (involving members of the community, Police Service and various agencies, as well as telephone surveys) were conducted to gather information on causes, concerns and possible solutions. Academic works, social/cultural research papers, as well as programs of other law enforcement agencies were reviewed.

Analysis involved a seven part continuous improvement process; 1) defining the issues, opportunities and problems, 2) establish the end results, 3) selecting alternative actions, 4) selecting breakthrough actions, 5) developing the schedule, 6) implementing the schedule and 7) reviewing the progress.

The program solution consists of an operational equation known as the "5/5/5". The first "five" involve requisite program activity made up of five components: (Eradication, Education, Empowerment, Enforcement, and Economic Development). The second "five" components involve requisite program partners/stakeholders: (Police, Community, Media, City Agencies, and Politicians). The third and final requisite "five" involves the action to be taken to influence the preceding activity and partners, that of: (Motivation, Articulation, Speed/Simplicity, Triggering and Recording Actions.)

Since its inception (October 2000) the program's primary and secondary objectives have not only been realized but also surpassed. A guiding coalition of 16 Service members (one from each Toronto Police Service Division) were selected to spearhead the program into their respective divisions. In addition, a vibrant partnership with community stakeholders, media persons, agency members, and local politicians was developed.

Over 175,000 square feet of heavily graffitied wall space/lane way and bridge abutment has been reclaimed during the past two years. Clean ups utilized volunteers as diverse as the Chief of Police and Toronto Mayor, to schoolchildren and prisoner work program personnel. A total of 122 arrests were made and 312 charges laid. Thousands of information letters were mailed, community meetings were conducted, and an information session delivered to City Council in Chambers.

In all, this program led to perceptions of safer communities, recognition from all three levels of Canadian Government, and its being selected as the 2002 winner of the Ontario Association of Chiefs of Police Community Policing Award.

Results

The Graffiti Eradication Program continues today. Since its inception, the following are the results of the program:

Eradication and Empowerment

- ✓ 175,000 square feet of heavily graffitied wall, laneway and bridge abutment cleaned or painted city-wide.
- ✓ Memorandum of Understanding achieved from the Ministry of Corrections, to utilize Provincial Prisoner Work Program personnel as a source of human resource. Prisoners donning classical orange work uniforms were called out on a number of occasions to clean and paint graffitied locations, a first for the Toronto Police Service, and well covered by Toronto media.
- ✓ Memorandum of Understanding achieved from Canada Post (Federal Mail Service), they supply non-hazardous, bio-degradable wet wipes, as well as a waiver of liability, in allowing our volunteers to clean the over 10,000 mail and relay boxes throughout Toronto.
- ✓ Schools and business associations and Community Police Liaison Committees were also utilized as a source of human resource in clean ups.
- ✓ A professional relationship was established with PARA Paints, a national paint manufacturer. PARA offered paint at no cost to communities planning graffiti clean ups. (Over 400 gallons issued to date.)
- ✓ All Toronto City Ward Councillors, Provincial MPPs and Federal MPs received correspondence describing the program and asking for their assistance. During several divisional initiatives, local councillors turned out to support the effort.
- ✓ Over the past year, the program has also been the recipient of a number of certificates of achievement and recognition. The first was issued by Mayor Mel Lastman, the second by Premier Mike Harris, and most recently, a letter and audience with the Prime Minister of Canada, Jean Chretien.

Education & Enforcement

- ✓ Presentation of program, and articulation of the exigency of establishing a guiding coalition of 16 Divisional coordinators, delivered to all 16 Unit Commanders, or their designates.
- ✓ Presentation of the program delivered to 7 members of the Toronto District School Board - Safe School Advisors, as well as Toronto School Board Principals and Teachers in a special Safe Schools forum (275 attendees).

- ✓ 1200 letters were sent to all Toronto public, senior, private, and catholic schools advising them of the program and seeking their assistance.
- ✓ Each of our 16 Divisions are assigned target dates to execute activities in their Division. Most involve community education and eradication initiatives.
- ✓ Toronto Media was utilized to portray program elements as well. EZ-Rock Radio 97.3 ran an anti-graffiti Public Service Announcement that ran five weeks to a listenership of 589,000 people throughout southern Ontario, CFRB and MOJO radio both hosted interactive graffiti talk shows. Each has a listenership of over 500,000. All television stations covered events throughout the year from prisoner paint outs to town hall meetings. From local newspapers to syndicated press, the media ran a variety of stories covering Service activity.
- ✓ Through the above media marketing campaign, over 1.5 million GTA residents were informed of this particular initiative.
- ✓ During the period between October 27, 2000 to October 27, 2001, 122 offenders were arrested for graffiti vandalism, with 312 charges laid.
- ✓ Safety Perceptions Survey: Auto-Dialer (a recorded outgoing telephone message system) graffiti survey sent out (April/March 2001) using this system to over 7,500 receivers.
 - ◆ 377 (or 5%) of receivers responded to the survey which focused on perceptions of enhanced safety because of graffiti eradication.
 - ◆ 359 (or 95%) responded YES, that the program made their respective neighbourhoods cleaner and "felt" safer.
 - ◆ 15 (or 4%) were undecided.
 - ◆ 3 (or 1%) did not notice difference.
- ✓ Undercover Operation (53 Division) involving police operative purporting himself to be a *clinical psychologist* introducing his clients to "art therapy". This allowed the operative into a black market graffiti outlet, where items such as speciality spray paint, markers and varieties of "fat" caps and "skinny" caps imported from Europe were purchased, and intelligence information gathered. Intelligence included graffiti sub-culture vernacular, techniques used in "tagging" and "bubble lettering". Investigations are continuing.
- ✓ Both the January 2001 and January 2002 publications in Blue Line Magazine, featured articles highlighting our program, national exposure 10,000 copies.
- ✓ www.TorontoPolice.on.ca is our Services' website which features an area dedicated to the Graffiti Eradication Program.
- ✓ **The Stop Graffiti Crime Info Line** continues to operate and advises callers of options, 24 hours per day. (416 - 733-8686).

- ✓ Toronto **Crime Stoppers** has added a Graffiti Eradication magnet and Poster Program to their arsenal of public awareness items. The first run of small anti-graffiti magnets and posters totalled 10,000 and 1,000 respectively, with a second print of posters March 2001 of 3,000.
- ✓ At this time 50,000 anti-graffiti brochures have been printed and disseminated to all Divisions.

Economic Development

- ✓ Partnership with the City of Toronto Graffiti Transformation Project. Designed and developed by the City, this program results in full and part time jobs or honoraria for youth in a variety of age and cultural groups. Communities are given contacts of the Transformation Program as an alternative to eradication paint-overs, as the program applies tasteful murals over graffitied areas.

Legislative Changes Sought

Federal

- Criminal Code of Canada Mischief to Property 430(1)(a)
 - Seeking increased sentencing for repeat offenders through consultation with Crown Attorney.
 - Seeking community service in the form of community graffiti clean ups for all first time offenders.

Provincial

- Provincial Offences
 - Safe Streets Act, R.S.O.
 - Add offence: Possession of graffiti paraphernalia (spray paint/markers) in circumstances that give rise to potential pre or post vandalism offence.

Municipal

- By Law
 - Expeditious clean up of property vandalised by graffiti (ten day compliance to act - city ordinance, involving enforcement provisions against property owner)
 - Owner/Merchant keep all spray paint in locked display case.
 - Owner/Merchant no sale of spray paint to persons under 18 years of age.

Response addressing (3)

The Office of the Commissioner of Urban Development Services is in receipt of a complete copy of the Toronto Police Services five-part program known as the Graffiti Eradication Program.

Mr. Larry King of Urban Development Services and Staff Sergeant Heinz Kuck of the Toronto Police Service have communicated on an ongoing basis and have collectively collated Police and City information. The information involves the continuation of The Toronto Police Services Graffiti Eradication Program and the application of its five constituent parts; Eradication, Education, Empowerment, Enforcement and Economic Development.

The recommendations from The Commissioner of Urban Development Services involves the following:

- (1) The commissioner of Urban Development Services be authorized to include a request for \$10,200 in the 2003 Consolidated Grants Budget for the purpose of establishing a pilot partnership program between the City and three Business Improvement Areas for the removal of graffiti in those retail strips contingent on their financial participation;
- (2) The Commissioner of Urban Development Services be authorized to consult with the Business Improvement Areas and the BIA Office of Economic Development, Culture and Tourism as described in this report with regard to program details and design, and recommend to Council an operational plan for the proposed program in 2003;
- (3) The Commissioner of Urban Development Services and the Toronto Police Service assess the available information regarding approaches to graffiti suppression, eradication and diversion, review those materials with appropriate City Officials and external partners and that the Commissioner of Urban Development and Economic Development, Culture and Tourism report to their respective standing committees on a comprehensive strategy including any desirable legislative changes as well as financial implications early in 2003;
- (4) This report be forwarded to the Policy and Finance Committee for consideration and that recommendation (1) be referred to the Economic Development and Parks Committee for information and the Grants Sub-Committee for its consideration in the 2003 budget process; and
- (5) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Commissioner of Urban Development Services further recommends that:

- (a) The Chief Administrative Officer be requested to submit a report to the Planning and Transportation Committee on a protocol for the identification and removal of graffiti on public buildings;
- (b) The City Solicitor be requested to submit a report to the Planning and Transportation Committee on the ability of Municipal Law Enforcement Officers to enforce anti-littering policies and graffiti legislation;
- (c) The Commissioner of Urban Development Services, in conjunction with the Toronto Police Services Board, be requested to submit a report to the Planning and Transportation Committee, as soon as possible, on a strategy to address graffiti removal outside of Business Improvement Areas; and
- (d) The Commissioner of Urban Development Services be requested to submit a report to the planning and Transportation Committee on:
 - (i) the legislation that deals with graffiti, including fines;
 - (ii) how other municipalities are dealing with or combating graffiti; and
 - (iii) what materials are used to produce graffiti and the possibility of banning the use of such materials.

It is therefore recommended that the Board receive the information contained in this report.

Deputy Chief Reesor will be in attendance to answer any questions the Board may have.

Staff Sergeant Heinz Kuck, Lead Coordinator of the Toronto Police Service Graffiti Eradication Program, was in attendance and responded to questions by the Board about this program.

The Board commended S/Sgt. Kuck for all his efforts and the outstanding success of this program. The Board also received the foregoing report and approved the following Motions:

- 1. THAT the Service send letters of appreciation to all the students and volunteers who participated in the Graffiti Eradication Program; and**
- 2. THAT a copy of the foregoing report be provided to the City of Toronto – Planning and Transportation Committee for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

#P17. ANNUAL REPORT – 2003 REVIEW OF BOARD REPORTS - PUBLIC

The Board was in receipt of the following report JANUARY 13, 2003 from Gloria Lindsay Luby, Acting Chair:

Subject: 2003 ANNUAL REVIEW OF BOARD REPORTS - PUBLIC

Recommendation:

It is recommended that: the Board receive this report for information.

Background:

It is the policy of the Board that the Board review, on an annual basis and at its first meeting in January, the annual, semi-annual and quarterly reports it requires (BM156/00 refers).

The Board currently receives:

- 3 reports on a quarterly basis (CIPS Enhancements; Special Fund and Enhanced Emergency Management Plan).
- 8 reports on a semi-annual basis (Professional Standards; Parking Enforcement Absenteeism, Legal Indemnification, Implementation Status of Board Directions; Audit - Sexual Assault Investigations; Grant Applications & Contracts; Professional & Consulting Expenditures and “60/40 Staffing Model).
- 25 reports on an annual basis (Annual Review of Reports, CPLC Committees and Divisional Activity, Community and Corporate Donations, Use of Police Image and Crest, Victim Services, Hate Crimes, Race Relations Plan, Secondary Activities, Environmental Scan, Rule Changes, Secondments, Training Programs, CIS Program Review, Special Constables Report (TTC, TCHC and U of T), Operating and Capital Budgets, Police Services Board Budget, Human Resources Strategy, Police Cooperative Purchasing Group, Parking Tag Issuance, Annual Audit Workplan, Audited Financial Statements of the Board’s Special Fund and Trust Fund, Parking Enforcement Unit Budget, and the Annual Report).
- 2 reports received every two years (Complaints – Board Policy Directive, and Complaints against the Chief/Deputy Chiefs).

- 2 reports received every three years (Business Plan and the Environmental Scan).

A list of all the current reports is appended as well as rationale for changes, if recommended, to the reporting requirements.

The Board received the foregoing.

QUARTERLY REPORTS

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Special Fund</i>	The Board has asked for quarterly budget forecast of potential revenues and expenses.	Staff of the Service and the Board agreed that the reports will be submitted to the Board in May, August, November and April. The Board requested that outstanding commitments or obligations that would impact the balance of the Fund be included in future reports. (BM P99/01)	
<i>CIPS</i>	As a result of the searches of persons data collection discussions, the Board asked for quarterly reports on the implementation of CIPS enhancements.	The Chief requested the quarterly reports be suspended and that a final report be submitted to the Board in December 2003. (BM P338/02)	The Chief continue to provide quarterly reports to the Board. (BM P338/02)
<i>Enhanced Emergency Management Plan</i>	A report to the Board with respect to the Service's role in the City's enhanced emergency management plan.	The Chief will provide quarterly reports, commencing April 2002, on the progress of the plan. (BM 356/01)	

SEMI ANNUAL REPORTS

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Professional Standards</i>	The Board is required by legislation to review the Chief's administration of the complaints process. The Board receives statistical reports in May and November as well as monthly reports regarding allegations of serious misconduct.	Included in the report will be information regarding lethal and less lethal weapons. The evaluation of the M26 Advanced TASER and Bean Bag and Sock Round Kinetic Energy Impact Projectiles was requested by the Board to be included in the Professional Standards report. (BM P54/01)	
<i>Parking Enforcement Unit – Absenteeism</i>	Semi-annual statistics on absenteeism requested by the City of Toronto's Policy & Finance Committee.	The Board requested that the reports should include actual numbers in addition to percentages and absenteeism data providing comparison with other Service units and City outside workers. (BM P229/01) The Board requested that the semi-annual absenteeism report include data on the average number of sick days per officer. (BM P334/01) Absenteeism reports will be submitted in February and August of each year. (BM P209/02)	
<i>Legal Indemnification</i>	A report relating to the payment of accounts for labour relations counsel, legal indemnification claims and accounts relating to inquests that are approved by HR and Labour Relations.		
<i>Audit - Sexual Assault Investigations</i>	The Chief is required to report on the implementation of the City Auditor's recommendations in his report – Review of the Investigation of Sexual Assaults.	The Review of the Investigation of Sexual Assaults in one of the four audit projects that form the 2002 Audit Workplan. (BM P270/02)	

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Grant Applications & Contracts</i>	Grant applications and grant contracts require the signature of the TPSB Chairman through Board approvals. Many applications have short due date for submission and, at times; contractual deadlines do not afford the opportunity for Board approval.	The Board authorized the Chairman to sign all grant and funding applications and contracts (as required) and that a semi-annual report be provided to the Board summarizing all applications and contracts signed by the Chairman. (BM P66/02)	
<i>Implementation Status of Board Directions</i>	The Board requested this as a result of the OCCPS fact-finding mission. The Chief is required to report on the implementation status of the Board's directions.		
<i>Professional & Consulting Services</i>	The City of Toronto Council requested all Agencies, Boards and Commissions (ABC's) review current policies and procedures to ensure they match the newly adopted City of Toronto policy. (BM P80/02)	The Board requested that future semi-annual reports on all consulting expenditures be provided to the Board for review and forwarded to the City's CFO and Treasurer (BM P80/02). The Board also requested that all future reports identify each consultant contract individually, the specific project, the total dollar amount, the particular company or individual hired for the consulting contract and any over expenditures for individual contracts. (BM P249/02)	
<i>"60/40" Staffing Model</i>	The Chief will provide semi annual reports to the Board on the deployment figures for the period January – June 2002 in a format that is appropriate for a public report.	The Board requested the Chief to provide semi annual public reports on the implementation of the "60/40" staffing model in police divisions and that they be submitted in conjunction with the confidential reports that are provided to the Board. (BM P342/02)	

ANNUAL REPORTS

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Annual Review of Reports to be submitted</i>	The Board has directed the Chairman to review all of the annual, semi annual and quarterly reports the Board has requested.		
<i>CPLC Committees & Divisional Activity</i>	The Board has requested the Chief to provide an annual report on the activities that were funded by the police divisions using Board grants.	The Board requested the Chief to bring forward all future funding requests for the CPLC annual conference. (BM P51/01)	
<i>Community & Corporate Donations</i>	The report identifies all donations that were provided to the Service based upon approvals by the Board and Chief.	Report to be submitted annually. (BM P27/01)	
<i>Use of Police Image and Crest</i>	The report is a summary of the requests for use of the Toronto Police image that were approved and denied during the year.		
<i>Victim Services Program</i>	The Board's (adequacy) policy on victim services requires annual reporting.		
<i>Hate Crimes</i>	The Board's (adequacy) policy on hate crimes requires annual reporting.		
<i>Race Relations Plan</i>	To report annually on the status of the Service's multi-year race relations plan and adjustments where necessary.	The Chief submitted his third and final report on the status of the Race Relations Plan. The Board recommended that the Chief continue to submit annual reports on the results of initiatives developed by the Service to address race relations issues. (BM P83/02)	
<i>Secondary Activities</i>	The <u>Police Service Act</u> requires the Board to receive reports from the Chief regarding secondary activities.	The report to include a preamble describing policy, reporting requirements and criteria. (BM P55/01)	

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Environmental Scan</i>	The Scan has been incorporated into the business planning process. The business planning process is based on a three-year cycle.	The full Environmental Scan is completed every 3 years effective 2002, with updates received annually. (BM27/01)	
<i>'Rule' Changes</i>	The Board has established rules for the effective management of the police service. The purpose of the report is to ensure that the rules are being regularly updated. Changes can be submitted on an as-needed basis if necessary.	The Board requested the Chairman review all Board rules to identify those that fall within the Board's purview and each such rule be re-written in the form of Board policy. (BM P183/02)	
<i>Training Programs</i>	Annual reports that evaluate the effectiveness of internal Service training programs.	The report to include results of the review on the Advanced Patrol Training course. (BM P97/01)	
<i>Police Services Board Budget</i>	To review and approve the estimates for the Board's operations.		
<i>Secondments</i>	A report of all secondments approved by the Chief and submitted in February each year.	The details regarding the number of Services members on secondments to RCMP-UN Peacekeeping Missions be included in the annual public report on secondments provided by the Chief. (BM C31/01)	
<i>Program Review - CIS</i>	The Board requested updates regarding the status of staffing changes and financial statement with savings-to-date.		
<i>Special Constables Annual Report -TTC, TCHC & UofT</i>	The Board is the appointing body and has entered into legal agreements regarding special constables. The legal agreements require reporting.	A standardized format for Special Constable annual reports has been included as part of an overall special constable review process. (BM P334/02)	

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Operating and Capital Budgets</i>	Annual operating and capital budgets are submitted for approval.	The City's Policy & Finance Committee requested that the operating budget be submitted in alignment with the business plan and include performance indicators. Operating budget to include opportunities for the Board to request funding support from the Provincial and federal governments and also at any time during the year as issues arise. (BM P46/01 & P74/01)	
<i>Human Resources Strategy</i>	Annual strategy coinciding with annual operating budget to be submitted to the Board for approval.		
<i>Police Cooperative Purchasing Group (PCPG)</i>	The report is a summary of specifications for police-related goods and services, what has been purchased and any savings identified.		
<i>Parking Tag Issuance</i>	Annual parking tag issuance statistics.		
<i>Annual Audit Workplan</i>	It is the policy of the Board to develop an annual audit workplan in conjunction with the City Auditor.	In the absence of a separate report identifying new audits, the continuation of the following four audit projects be considered the basis for the 2002 Audit Workplan; the review of the public complaints process, opportunities for civilianization, the review of the HRMS and PSIS, and the follow-up of the Review of the Investigation of Sexual Assaults. (BM P270/02)	
<i>Audited Financial Statements – Board's Special & Trust Funds</i>	Audited financial statements of the Board's Special Fund and Trust Fund by Ernst & Young.		

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Parking Enforcement Unit Budget</i>	Annual budget for the Parking Enforcement Unit is submitted to the Board for approval.		
<i>Annual Report</i>	An annual report to the Board is required under the adequacy standards regulation.		

REQUIRED EVERY 2 YEARS

REPORT	BACKGROUND	CHANGES	RECOMMENDATION
<i>Complaints - Board Policy Directive</i>	Review policy directive every two years. The policy was approved in December 1999. (BM P534/99)		
<i>Complaints Against Chief/Deputy Chiefs</i>	Review Board policy directive every two years.		

REQUIRED EVERY THREE YEARS

REPORT	BACKGROUND	CHANGES	RECOMENDATION
<i>Business Plan</i>	The Board is required to approve a business plan every three years.		
<i>Environmental Scan</i>	A full Environmental Scan is completed every three years. (BM P27/01)		

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P18. SEMI-ANNUAL REPORT: JUNE – DECEMBER 2002: STATUS OF
BOARD'S INSTRUCTIONS**

The Board was in receipt of the following report JANUARY 03, 2003 from Julian Fantino, Chief of Police:

Subject: SEMI-ANNUAL REPORT - STATUS OF BOARD'S INSTRUCTIONS

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

To comply with Recommendation #18, from the Ontario Civilian Commission on Police Services (OCCPS) report dated July 1999, a semi-annual report is required from the Chief of Police to update the Board on the status of the Board's directions that otherwise would not require a report to the Board. (Board Minute #56/00 refers).

A review of the Board's public and confidential minutes for the period of June 1, 2002 to December 31, 2002, has identified a total of two (2) items to which this recommendation applies.

Item #1

At the November 21, 2002, meeting Chief Fantino agreed to investigate whether the complaint form, which is produced by the Province, can be placed directly onto the Board and Service's website and report back to the Board. (Board Minute P294/02 refers).

Response to Item #1

The Service's web page has now been modified to include the provincial complaint form, which is only available in English at this time. However, the Service is currently in the process of implementing a French version and it is anticipated that this version will be available to the public by the end of January 2003. Following consultation with the Board Office, the Service is recommending that the Board forego placing the provincial complaints form on its website, and rely upon the hyperlink currently in place, which would direct the public to the Service's website.

Item #2

At its confidential meeting of December 11, 2002, Chief Fantino undertook to provide the Board with a presentation on 'Guaranteed Arrival'. This presentation was created by Traffic Services and it outlines the Service's strategy for officers safe arrival when responding to radio calls.

Response to Item #2:

Arrangements have been made for Staff Superintendent Gary Grant and members of Traffic Services Unit to provide the Board with a detailed presentation at its meeting scheduled for Thursday, January 30, 2003.

With respect to Item #1 in the foregoing report, the Board requested that the Board's website be modified to include a copy of the provincial complaint form in order to provide members of the public direct access to the form rather than through a hyperlink as recommended above (Min. No. P8/03 refers).

The Board received the foregoing.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P19. QUARTERLY REPORT: OCTOBER – DECEMBER 2002: ENHANCED
EMERGENCY MANAGEMENT PLAN**

The Board was in receipt of the following report JANUARY 06, 2003 from Julian Fantino, Chief of Police:

Subject: QUARTERLY REPORT - ENHANCED EMERGENCY MANAGEMENT
PLAN

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

At its meeting of December 13, 2001 (Board Minute 356/01 refers), I was directed by the Board to report quarterly on the progress of the Enhanced Emergency Management Plan. This report is in response to that direction.

The Board was last updated at the Sept 26, 2002 Board meeting (Board Minute P251/02 refers).

The Joint Operations Steering Group consists of representatives from the Toronto Police Service (TPS), Toronto Fire Service (TFS), Emergency Medical Services (EMS), City of Toronto Office of Emergency Management (OEM) and Toronto Public Health. This group continues to meet, to co-ordinate plans, operations, training and education.

Heavy Urban Search and Rescue (HUSAR) is a Toronto Fire Service lead initiative with a Toronto Police component. Joint Training in HUSAR continues with a total of fourteen members of the Toronto Police Service having now received Basic Technical Search training from the Vancouver and Texas HUSAR Teams. In September two TPS members attended a Structural Collapse Technician Course in Vancouver. Costs for the Vancouver training have been covered by a grant to Toronto Fire from the Provincial Government.

The Chemical, Biological, Radiological and Nuclear (CBRN) team has completed its' first six-month business plan cycle and all training and upgrades are on schedule. CBRN training has been provided by *NBC Team Ltd.* To date, a total of 131 tri-emergency services personnel have been trained. This figure includes 31 TPS personnel. The Joint Toronto team is working with the Department of National Defence (Office of Critical Infrastructure and Protection Emergency Preparedness) to develop common CBRN training standards. TPS has received 850 protective suits from the provincial government and is evaluating them as to their suitability for issue to TPS members.

A tabletop exercise, designed to test communications links and response capabilities of the Toronto Police Service and the Ontario Provincial Police to a terrorist incident involving the use of a chemical weapon was conducted on November 13, 2002. The exercise proved to be a valuable learning tool and building block to allow inter – police cooperation between the OPP and the TPS component of the joint Toronto CBRN team. Issues and concerns raised during the exercise are being followed up.

More joint emergency exercises are being planned for 2003 involving potential sites/situations in Toronto and the surrounding area. These exercises test, explore and assist in building functional joint emergency service operations.

TPS has also been involved with health response and preparedness at a general level. This component of the Emergency Preparedness Initiative involves improvement in the capability of Toronto Public Health to protect the population during a range of possible health emergencies. Operational protocols (under the Incident Management System) are being created between Health officials and all elements of emergency services including TPS personnel.

Bill 148 (The Emergency Management Act) has passed the Provincial legislature and will be proclaimed in 2003. This new Act identifies emergency plans, operations and exercises that Ontario municipalities must comply with. We are anticipating the release of the Regulations that will give effect to the standards required by this new Bill. Because of the activities that have already been undertaken within the Enhanced Emergency Management Initiative, we believe that the collaboration and integration efforts to this point will assist us greatly toward achieving compliance with this Act.

The City of Toronto Joint Office of Emergency Management has completed a draft of the new City of Toronto Emergency Plan. At this time the plan has been sent to Committee. Once Committee has approved the plan it will be sent to City Council for final approval and disseminated to all agencies. The Toronto Police Service plays an important role as an emergency response agency within the new plan.

A detailed report outlining training, personnel and equipment needs is currently being prepared.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions.

The Board received the foregoing.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P20. ENHANCED EMERGENCY MANAGEMENT: FUNDS FOR
COORDINATED RESPONSE**

The Board was in receipt of the following report JANUARY 06, 2003 from Julian Fantino, Chief of Police:

Subject: SPECIFIC FUNDS FROM OPERATING BUDGET ALLOCATED TO
ADDRESS EMERGENCY PREPAREDNESS

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

At its meeting on September 26, 2002, the Board received the quarterly report on the progress of Enhanced Emergency Management (Board Minute P251/02 refers). At that time I expressed my concern on the lack of response by the provincial and federal governments to requests for a funded co-ordinated approach to deal with emergency response to terrorist incidents in Toronto.

As a result the Board directed that we extract, from the proposed 2003 operating budget, any specific funds which have been allocated to deal with issues related to emergency preparedness.

There are no specific funds allocated to deal with issues related to emergency preparedness in the proposed 2003 operating budget.

The reason for this is that in 2002, in the proposed 2002 operating budget, our Service requested funds for numerous initiatives to address our needs relating to emergency preparedness. At that time City Council weren't willing to fund these initiatives stating that we should explore funding from the provincial and federal governments. These initiatives were not put back into the proposed 2003 operating budget because Council's direction has not changed; we should explore funding from the provincial and federal governments.

The Toronto Police Service is presently working with Toronto Fire, Emergency Medical Services, Public Health and the City to begin developing a comprehensive, integrated plan in the context of Bill 148, the Emergency Management Act, which was passed by the Province of Ontario in the fall of 2002. Bill 148 changes the municipality's requirements for emergency planning. We are anticipating the release of the Regulations that will give effect to the standards required by this new Bill. This changing environment will almost certainly affect our emergency planning response and funding needs. This plan will address these needs.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions.

The Board received the foregoing.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P21. “CONTRACTING-OUT” TORONTO POLICE SERVICE CUSTODIAL
AND MAINTENANCE SERVICES**

The Board was in receipt of the attached correspondence JANUARY 06, 2003 from Shirley Hoy, Chief Administrative Officer, City of Toronto, with regard to “contracting-out” custodial and maintenance services.

Mr. Frank Chen, Chief Administrative Officer, was also in attendance and advised the Board that the Toronto Police Service has decided to “contract-out” custodial and maintenance services, on a pilot project basis, during the period between October and December 2003. The pilot project will be based at the following three locations: No. 14 Division, No. 52 Division and Police Headquarters. Mr. Chen further advised that the projected savings during the three month pilot project will be approximately \$130,000 and that annualized savings of approximately \$500,000 is projected.

The Board received the correspondence from Ms. Hoy and approved the following Motion:

THAT the Board request the Chief Administrative Officer, City of Toronto, to provide a further report to the Board in the future on the progress of contracting-out custodial and maintenance services.



Shirley Hoy, Chief Administrative Officer

100 Queen Street West
1st Floor East Tower
Toronto, Ontario
M5H 2N2

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Fax: (416) 392-1 827
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January 6, 2003

Norman Gardner, Chair
Toronto Police Services Board
40 College Street
Toronto ON M5G 2J3



Dear Chair Gardner:

Re: Contracting Out of Toronto Police Services Custodial and Maintenance Services

Thank you for your letter dated November 20, 2002, forwarding the October 24, 2002 Motion of the Toronto Police Services Board:

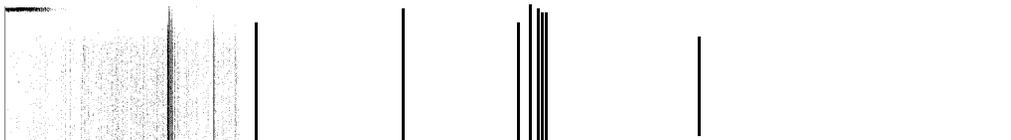
“THAT the Board request the City’s Chief Administrative Officer to provide a report to the Board on the status of the outstanding report that was to be forwarded to the police and Finance Committee regarding the contracting out of custodial and maintenance services.”

City Council Direction:

As you are aware, in June 2002, City Council endorsed an Alternative Service Delivery (ASD) program for the City, which included a review of all building cleaning services currently provided by City staff. City Council further directed that any budget request for undertaking the necessary work be considered during the 2003 budget process. Currently, a funding request is included in the 2003 budget proposal to undertake the necessary business case analysis and determine gross and net cost savings and any required implementation costs. The study will begin in April 2003, subject to funding approval by City Council. The Council adopted ASD program includes the requirement that all services under review will be reported to Council with recommendations on the appropriate delivery model and Council approval is required when a proposed service change, among other conditions, involves employee issues or displacement. Therefore, any decision on contracting out services currently provided by the City staff, including custodial services provided to the Toronto Police Service, will require City Council approval.

Current Service Facts:

- The majority of cleaning provided by Corporate Services, Facilities & Real Estate is provided by in-house custodial services in 36 Toronto Police Service buildings with a total area of 1,450,174 square feet. Contracted services are also administered and managed for the Forensics Examination Centre totalling 28,400 square feet. In



March 2003, the new Detective Support Command facility will also be contracted out to an external cleaning company adding an additional 24,000 square feet.

- In addition, Facilities & Real Estate manages several other contracted services for the Toronto Police Services including the cleaning of seven firing ranges in six different buildings, hazardous waste removal, window washing, garbage and recycling collection, and power washing of underground parking lots.
- The in-house custodial staff are comprised of 105 employees (33 casual, 71 permanent, and 1 temporary).
- Sixty-four employees have 10 or more years seniority with the City as of 2003.
- Forty-six employees will be 50 years of age or older as of 2003.
- The 2003 budget for cleaning Toronto Police Service buildings has been estimated at \$5.1 million (2002 = \$4.6 million).

The October 3, 2002 Police Services Report from Chief Fantino:

The Toronto Police Service report notes that discussions on contracting out these services have been ongoing since 1995, and that in 1998 the Board requested the Toronto Police Service to enter discussions with the City on contracting out these services. Subsequently, in 1999 the City's Corporate Services Committee referred this matter to the CAO's Office to explore the feasibility and short and long term savings. The Toronto Police Service report indicates that such report has not yet come forward. Please note that my report to Committee and City Council in June 2002 on ASD addressed this request, by encompassing this matter within the corporate ASD program.

Corporate Services will be providing approximately \$12.5 million worth of service to the TPS in 2003. This includes approximately \$5.1 million for custodial services, \$3.3 M for building operations and maintenance (almost all through contracted services) and \$4.1 M in energy and utilities management. The proposed 2003 service represents an increase of approximately \$0.400 million over 2002 service costs, attributable to the addition of two new buildings (Bail and Parole and Detective Command Unit), wage increase settlements, garbage and recycling removal costs (tipping fees), increase in window washings at HQ, and general inflation for materials, contacts and supplies. Overall, Corporate Services has been doing an effective job containing costs while providing quality custodial services.

The Toronto Police Service has conducted studies in the past, using external consultants, to review ASD options for building cleaning services. In 1997, the Toronto Police Service hired Daniels & Associates to review custodial operations in Toronto Police Service buildings. This study suggested there were substantial savings (up to \$2.5 M annually) to be gained by the Toronto Police Service through contracting out such services directly. There were a number of issues related to the findings which would impact the suggested savings, and do not seem to have been considered, such as:



- of the \$2.5 M in proposed savings, only \$1.4 M was attributed to savings from contracted out services (based on a 1997 custodial budget of \$3.5 M). The remaining \$1.1 M was attributed to staff reductions due to service level changes, reducing building operators at HQ, reduced mechanics and other unaccountable amounts.
- the report attributed some savings by decreasing staffing 17.5 FTEs through reduced service levels (service hours and removal of grounds keeping). This is not a savings attributable to contracting out, but to service changes. If requested, Corporate Services could reduce service levels to achieve savings, but such service changes should be considered carefully as these are public buildings.
- the assumption that a private contractor could obtain cleaning supplies at a better rate than the City. There is no evidence to support this fact; Corporate Services has significant bulk buying power as a result of consolidating a number of contracts, which is achieved through a proper tendering exercise.
- the assumption that external contractors would be more efficient than their public sector counterparts. This contradicts a number of cost-saving initiatives that have been successful within City departments. The consultant report does not factor in costs to manage and administer contracted custodial services. Corporate Services has a number of buildings that are contracted out where there is the same if not more supervision required.
- the savings in wages between in-house and contracted custodial workers. The wage gap has decreased significantly since the original report. This is especially true given the City's current Fair Wage Policy, which identifies contract cleaners at an hourly wage of approximately \$9.50/hour (plus \$0.40/hour fringe benefits and 4% vacation pay) for light duty cleaning and \$11.00/hour (plus \$0.40/hour fringe benefits and 4% vacation pay) for heavy duty cleaning versus \$8.50/hour quoted in the 1997 report. It is also expected that the City's Fair Wage schedules will be updated in 2003.
- the separation of custodial and operational functions. There are currently 23 caretakers working in Toronto Police Service buildings that perform a combination of maintenance and cleaning function for cost effective reasons. Approximately 25% of their time is spent monitoring and making adjustments to the building heating and cooling systems, and performing minor repairs in addition to being the on-site building services contact. The consultant report does not indicate who would perform these functions. Contract cleaners normally do not perform such jobs.

While it is true that the wage differential between internal and external cleaning staff suggests potential cost savings from contracting out custodial services, there are a number of factors which need to be considered, analysed, and costed before any informed decision can be made on a service delivery change, as demonstrated in the issues identified above. Namely, true and comprehensive cost comparisons for internal



and external service delivery are necessary, as well as full and complete consideration of implementation and staff transition costs. For example, under the current CUPE Local 79 and Local 416 Collective Agreements, permanent City cleaning staff with 10 or more years service would remain in the employ of the City in the event of contracting out and these costs need to be factored into any analysis of net cost savings. Any affected City employees need to be managed according to the respective Collective Agreements, and the proposed study will determine the costs of such actions to the City.

If contracting out is determined to be in the best interest for the City, contract administration would need to be factored into any proposal. It is not clear if any external service provider would be managed by the City (i.e., Facilities and Real Estate Division) or directly, by the Toronto Police Service.

I am concerned that the Board is suggesting costs savings attributable in 2003, when the studies have not yet been started. Given the anticipated study start date of April 2003, coupled with the upcoming municipal election in 2003, I do not anticipate the study findings coming forward to City Council for a decision on any service delivery change until early 2004.

In conclusion, the current direction I have received from City Council is to undertake a study to determine the full costs, savings and implementation options for proceeding with contracting out building cleaning services currently provided by City staff. Subject to funding approval through the 2003 budget process, this study will be undertaken in 2003 and I anticipate a City Council decision in early 2004. The Toronto Police Service budget reduction proposal, through contracted building cleaning is premature at this time, pending the completion of the study, unless City Council decides otherwise.

I hope these comments clarify the directions from Council. If you have any additional questions, please do not hesitate to call me.

Sincerely,



Shirley Hoy
Chief Administrative Officer

cc. Chief Julian Fantino, Toronto Police Service
Joan Anderton, Commissioner, Corporate Services
Joe Pennachetti, Chief Financial Officer and Treasurer
Bruce Bowes, Executive Director, Facilities and Real Estate
Bob Mavin, Director, Budget Services
Frank Chen, Chief Administrative Officer, Corporate Support Command,
Toronto Police Service



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P22. RESPONSE TO RECOMMENDATION TO AMEND THE *POLICE
SERVICES ACT* WITH REGARD TO SUSPENSIONS**

The Board was in receipt of the attached correspondence NOVEMBER 27, 2002 from Chris Moran, President, Ontario Association of Police Services Boards, with regard to amendments to the *Police Services Act* involving suspensions of police officers.

The Board received the foregoing.



DATE RECEIVED

DEC 09 2002

TORONTO
POLICE SERVICES BOARD

Ontario Association of POLICE SERVICES BOARDS

November 27, 2002

Chair and Members,
Toronto Police Services
40 College Street, 7th Floor
Toronto, ON M5G 2J3

Dear Mr. Gardner,

As part of the follow up to the OAPSB's AGM members of the Association's Board met with the Minister to discuss a range of issues. One of those issues was amendments to Section 67 of the Police Services Board Act. Your Board raised this issue with the OAPSB and I would like to follow up on with regard to your resolution.

The matter of an amendment to Section 67 of the Police Services Act was part of our discussion with the Minister at our recent meeting. I am pleased to report that the Minister was well aware of the issue and fully understood our concerns. Attached to this letter you will find the issues note we used to brief the Minister. This information was left with him to consider.

Since our meeting, I have received the attached letter from the Minister that I would like to share with your Board. The letter is self explanatory.

The OAPSB will continue to advocate for this change into the future. I would like to thank you for raising the issue with the Association. Should you wish to learn more about the other issues raised with the Minister, please visit the OAPSB's web site for the full issues briefing package.

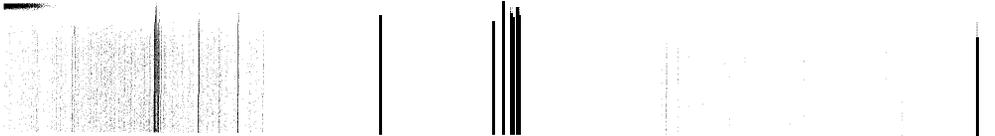
Yours truly,

A handwritten signature in black ink, appearing to be 'Chris Moran'.

Chris Moran,
President

attach (2)

10 Peel Centre Drive, Brampton, ON L6T 4B9
Tel: (905) 458-1488 1 (800) 831-7727 Fax: (905) 458-2260 Email: admin@oapsb.ca





Proposed Amendment to Section 67 of the Police Services Act

(A resolution on this matter was approved at the 2002 AGM and the Association also has resolutions of support or similar resolutions from Ottawa, London, Toronto and Pembroke)

Background

Section 67(1) of the Ontario Police Services Act allows an officer, other than a chief of police or deputy, who has been charged with an offence under a law of Canada or has committed misconduct under the Police Services Act, and has been found guilty and been dismissed from the police service, to continue to receive pay until completion of his/her appeal.

Section 67(6) of the PSA states that if a chief or deputy or other officer is convicted of an offence and sentenced to a term of imprisonment, the Chief or Board, as the case may be, may suspend him/her without pay, even if the conviction or sentence is under appeal.

The Act clearly allows a chief or board to withhold pay during an appeal if the officer has been sentenced to a term of imprisonment, however it does not provide for suspension of pay when an officer has been dismissed or suspended and not incarcerated.

Issue

Dismissed Officers

The unintended effect of this provision of the Act is to induce dismissed officers to file an appeal, even on the weakest basis, where the chances of success are extremely remote.

This represents an injustice to taxpayers, other members of the police service and to the police services board.

For example, an officer can continue to receive full pay and benefits, as a right, after being charged with disreputable conduct, been found guilty as part of the disciplinary hearing process under the PSA and been assessed the penalty of 'dismissal' as the appropriate disciplinary response. All that is necessary for the officer to continue to receive pay is for him/her to appeal the penalty. The appeal has the effect of suspending the dismissal. Full pay and benefits continue for the considerable time that it typically takes an appeal to be heard. The cost of the appeal, in most cases, will be borne by the police officer's Association or the Police Services Board. The appellant is actually rewarded for maintaining as long an appeal as possible, at no cost to him/herself.

Suspended Officers

The PSA does not allow discretionary decision-making by Chiefs of Police with respect to whether suspensions are with or without pay. All suspensions are with pay. It is possible that an officer could be arrested but not be incarcerated for murder, aggravated assault, sexual assault, robbery, perjury or breach of trust. If suspended while the

October 2002





matter is under consideration the officer will continue to receive his/her pay. Appeals, procedural wrangling, and scheduling problems could potentially draw out the matter for a number of years. It is in these extreme instances where it would be appropriate for the Chief of Police to have the ability, only after a reasonable period of time to resolve the matter has passed, have the discretion to lift a suspension with pay and suspend the officer without pay.

In both the instance of dismissal or suspension without pay, officers eventually cleared of any wrongdoing would be reimbursed for all funds withdrawn during the suspension or the dismissal, at the earliest opportunity.

Recommendations

That the Minister of Public Safety and Security amend the Ontario Police Services Act to state that an officer who has been dismissed but who is awaiting the outcome of an appeal is not entitled to receive pay. However, if the officer is successful in his/her appeal and is reinstated, he/she will receive the forfeited pay retroactively.

Specifically the OAPSB would recommend amending Section 67(1) to allow the Chief of Police to dismiss a police officer without pay and to allow the officer to appeal this decision to OCCPS. A new section should also be added to Section 67 that states if a police officer who is dismissed without pay is subsequently found not guilty of the offence, he/she will be reimbursed for all monies not paid during the dismissal period.

Consideration should also be given to having this apply in extreme cases of serious misconduct, with suspension without pay, after a reasonable period of time has passed to resolve the matter, at the discretion of the Chief of Police. This too would be appealable to OCCPS.

Conclusion

This action would reduce frivolous appeals and encourage officers with legitimate appeals to proceed without financial penalty. It would reduce the unfair burden on the taxpayer who end up supporting officers through the long process of frivolous appeals.



Ministry of Public Safety
and Security

Office of the Minister

25 Grosvenor Street
1st Floor
Toronto ON M7A 1Y6
Tel: 416-325-0408
Fax: 416-325-6067

Ministère de la Sécurité
et de la Sécurité publique

Bureau du ministre

25, rue Grosvenor
18^e étage
Toronto ON M7A 1Y6
Té.: 416-325-0408
Télé.: 416-325-6067

NOV 25 2002



CM02-04970

NOV 21 2002

Mr. Chris Moran
President
Ontario Association of Police Services Boards
10 Peel Centre Drive
Brampton ON L6T 4B9

Dear Mr. Moran:

It was a pleasure meeting with you and your colleagues to discuss issues of concern to the Ontario Association of Police Services Boards. One of those issues, which was formalized as a resolution at your Annual General Meeting, proposes amending Section 67 of the *Police Services Act*.

The practice of continuing to pay an officer who decides to appeal his or her conviction is a complex issue, especially in the context of "due process", which provides an accused before the court the right to seek all legal remedies possible in establishing their innocence.

At this time, the ministry does not intend to re-open the act or consider amending any regulations that would allow a chief of police to suspend an officer without pay *during an appeal period, and to reimburse the officer's pay retroactively if the appeal is successful*. Any changes to this part of the act would require consultations with affected stakeholders in the policing community, as well as careful analysis of all available options.

I have taken the liberty of forwarding a copy of your proposal to Mr. Roger Hollingworth, Assistant Deputy Minister of our Policing Services Division, for his information and consideration, should a suitable opportunity to amend the *Police Services Act* arise in the future.

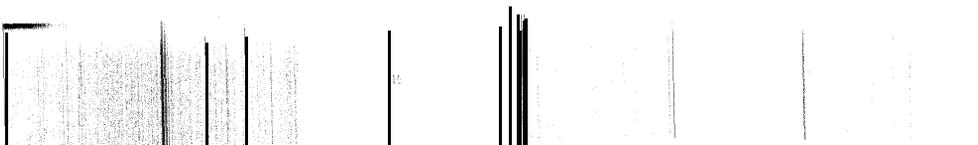
Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to be "R. W. Runciman".

Robert W. Runciman, MPP
Leeds-Grenville
Minister

c: Mr. Roger Hollingworth, Assistant Deputy Minister
Policing Services Division



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P23. UPDATE ON OMERS AUTONOMY & RELATIONSHIP WITH
STAKEHOLDER GROUPS**

The Board was in receipt of the attached correspondence DECEMBER 24, 2002 from Rick Miller, Board Chair, Ontario Municipal Employees Retirement System (OMERS), containing an update on OMERS autonomy and relationships with stakeholder groups.

The Board received the foregoing.



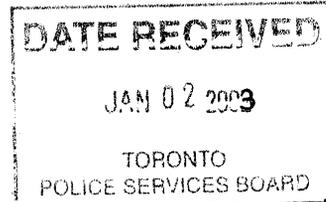
One University Avenue,
Suite 1000,
Toronto, Ontario M5J 2P1

Tel: (416) 369-2400
Fax: (416) 360-0217
Toll-free: 1-800-387-0813

E-mail: client@omers.com
Internet: www.omers.com

December 24, 2002

Mr. Norman Gardner
Chair
Toronto Police Services Board
40 College Street
Toronto ON M5G 2J3



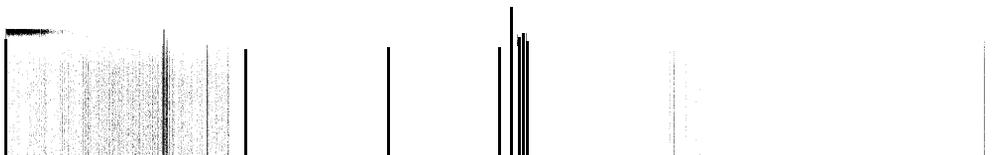
Dear Mr. Gardner,

As 2002 nears an end, I wanted to thank you for your ongoing support and commitment to OMERS and for helping to make my year as Chair of the OMERS Board such a memorable experience. I know we share the same commitment to ensuring OMERS remains one of Canada's leading pension plans and that our members' pensions remain fully funded and secure.

When I wrote to you at the beginning of the year, I highlighted my two key initiatives for the year: resolving the autonomy issue and strengthening the Board's relationship with our stakeholder groups. These two initiatives went hand-in-hand, as the autonomy issue required a serious commitment of time and resources from all stakeholder groups. I am most appreciative of your ongoing efforts and I know that my Board colleagues and I feel that we have made a great deal of progress in developing lasting relationships with all of our stakeholder groups.

Although we are still awaiting the government's decision with regards to the autonomy issue, I want to congratulate and thank all of you for your important contributions this year. They have helped us to move significantly forward in our awareness and debate on this critical issue. The Board has a much more thorough understanding of the positions of all our stakeholder groups and your insights and comments on the Boards Report on *Governance March 2002* were greatly appreciated. I have attached copies of the Minister's most recent correspondence on this issue.

As I turn the Board leadership over to my colleague, Mr. Bill Rayburn, I am confident that he will continue the Board's commitment to ongoing and open dialogue with your organization. This commitment includes an annual meeting with the Plan's actuary, sharing of Minister's and stakeholder correspondence, direct receipt of all OMERS news releases and stakeholder information sessions as required.



I wish you all the best for the holiday season and a healthy and prosperous New Year.

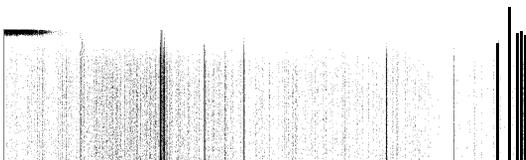
Yours truly,

A handwritten signature in black ink, appearing to read "Rick Miller". The signature is fluid and cursive, with the first name "Rick" and last name "Miller" clearly distinguishable.

Rick Miller
Board Chair
OMERS

Cc. OMERS Board

Attachments



1

1

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street
Toronto ON M5G 2E5
Tel: (416) 585-7000
www.mah.gov.on.ca

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777 rue Bay
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www.mah.gov.on.ca



December 16, 2002

Mr. Rick Miller, Chair
Ontario Municipal Employees Retirement System
One University Avenue
Suite 1000
Toronto ON M5J 2P1

Dear Mr. Miller:

Thank you for your letter of November 18, 2002, and for sharing with me the Ontario Municipal Employees Retirement System (OMERS) Board's concerns about the timing and direction of the government's decision on a new governance structure for OMERS.

The government remains committed to devolving sponsor functions to stakeholders, provided that consensus can be reached on outstanding issues and that a **new model** represents the interests of the full range of stakeholders, including taxpayers. For **that** reason, the timing of the consensus will influence the timing of government action.

I would like to reiterate how much I appreciate the Board's efforts in this process, and I encourage you to continue to provide feedback to the province on matters of interest to OMERS.

Sincerely,

A handwritten signature in cursive script that reads "Chris Hodgson".

Hon. Chris Hodgson⁴
Minister



**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street
Toronto ON M5G 2E5
Tel: (416) 585-7000
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**Ministère des
Affaires municipales
et du Logement**

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www.mah.gov.on.ca



December 18, 2002

Mr. Rick Miller
Chair
Board of Directors
Ontario Municipal Employees Retirement System
One University Avenue
Suite 1000
Toronto ON M5J 2P1

Dear Mr. Miller:

Thank you for your letter of September 23, 2002 and for bringing to my attention the concerns of the Ontario Municipal Employees Retirement System (OMERS) Board about the future of the OMERS governance review.

As you will know, consensus has yet to be reached on key issues. At the request of the government, the OMERS Board convened a meeting of stakeholders on July 30, 2002, to provide a status update and to share the results of research. I appreciate your sharing with the government all stakeholder comments, including the Boards. However, I must stress that the government's direction remains unchanged, in that consensus is required before we can move forward. The timing of the consensus will influence the timing of government action.

The government remains committed to devolving sponsor functions to stakeholders and expects that the Board will continue to work to the betterment of the Plan on behalf of taxpayers, regardless of the status of autonomy.

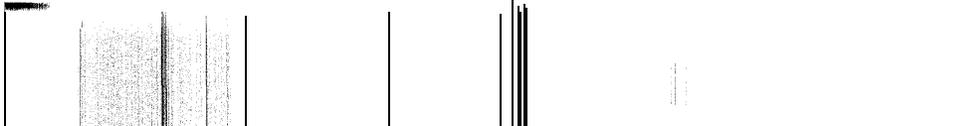
I would encourage you to continue to work with my Policy Assistant, Michelle Mason; on the items for which stakeholder consensus has yet to be reached, and to report any progress towards an autonomous governance structure.

Thank you, again, for your letter.

Sincerely,

A handwritten signature in cursive script that reads "Chris Hodgson".

Hon. Chris Hodgson
Minister



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P24. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: POLICY
PROHIBITING THE KEEPING OF RACE-BASED STATISTICS**

The Board was in receipt of the following report JANUARY 08, 2003 from Norman Gardner, Chair:

Subject: REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: BOARD
POLICY PROHIBITING THE KEEPING OF RACE-BASED STATISTICS

Recommendation:

It is recommended that: the Board approve the request for a one-month extension to submit a report on the Board policy prohibiting the keeping of race-based statistics.

Background:

At its meeting on October 24, 2002, the Board approved a number of motions in response to articles that were printed in the Toronto Star on October 19, 20, and 21, 2002 which allege that, following a Toronto Star investigation into race and crime based upon police crime data obtained through a Freedom of Information request, the Toronto Police Service treats black people more harshly than white people (Board Minute P283/02 refers). One of the approved motions requested that Board staff re-examine the Board policy prohibiting the keeping of race-based statistics and determine what the reasons were for the policy and whether the reasons are still valid today.

In light of the foregoing, there are a number of reports that are expected to be submitted to the Board regarding race relations. In discussion with the Chief, it was agreed that all race relations reports recently requested be submitted to the February 20, 2003 Board meeting.

Chairman Gardner advised that Board Members, Board Staff and Service Personnel met with the Toronto Star on December 10, 2002 and received a presentation by the Toronto Star on the results of their analysis of Toronto Police Service statistical data received through a request under the Freedom of Information.

The current Board policy does not allow the Board or the Service to do a similar exercise unless the Board approves an exception to the policy (Min. No. 132/89 refers).

cont...d

The Board approved the foregoing report and the following Motions:

- 1. THAT the Board approve an exception to the policy for the purposes of providing the Chief the authority to prepare a report in response to the newspaper articles published by the Toronto Star regarding racial profiling for its meeting on February 20, 2003, and**
- 2. THAT the Board send correspondence to all Members of Council and the TPA and invite them to attend the February 20, 2003 Board meeting and to make deputations if they desire.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P25. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: RACE
RELATIONS INITIATIVES SINCE 1989**

The Board was in receipt of the following report JANUARY 06, 2003 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR TIME EXTENSION

Recommendation:

It is recommended that: the Board approve the request for a one-month extension to submit the report on all race relations initiatives since 1989.

Background:

At the Board meeting of October 24, 2002, the Board requested that the Chief provide a report on all race relations initiatives the Service has developed since 1989 in the areas of community outreach, recruiting, diversity training and anti-racism training, current policies and procedures, bias in policing and minority recruitment and hiring. (Board Minute P283/02 refers)

A one-month extension is requested due to the importance, enormity and complexity of this undertaking. This will allow for further dialogue with members of the Police Services Board on this issue, which proved difficult during the recent holiday period.

Therefore, it is recommended that the Board approve the request for a one-month extension to submit the report on all race relations initiatives since 1989.

Inspector Robin Breen and Mr. Jerome Wiley, Legal Counsel to the Chief of Police, will be in attendance to respond to any questions that may arise.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

#P26. AMENDMENTS TO THE *CRIMINAL CODE OF CANADA* WITH REGARD TO STRONGER PENALTIES FOR GUN-RELATED CRIMES AND IMPROVEMENTS TO THE ADMINISTRATION OF THE LEGISLATION RELATING TO FIREARMS

The Board was in receipt of the following report JANUARY 28, 2003 from Mayor Mel Lastman, Member:

Subject: AMENDMENTS TO THE *CRIMINAL CODE OF CANADA* WITH REGARD TO STRONGER PENALTIES FOR GUN-RELATED CRIMES AND IMPROVEMENTS TO THE ADMINISTRATION OF THE LEGISLATION RELATING TO FIREARMS.

Recommendations :

It is recommended that:

- (1) the Board request the Chief of Police to submit a report for the March 27, 2003 meeting containing specific recommendations for the Board to approve and forward to the Minister of Justice of Canada with regard to amending the *Criminal Code* to provide for stronger penalties for gun-related crimes; and
- (2) that the report, noted in recommendation no. 1, also include recommendations to be forwarded by the Board to the Attorney General of Ontario to improve the administration of the legislation relating to firearms.

Background :

I am submitting this report to the Board as a follow-up to the concerns I raised at the November 4, 2002 meeting regarding gun-related crimes (Min. No. C211/02 refers). I believe that tough legislation for indictable offences involving firearms in Canada is long over-due and now is the time for this Board to strongly recommend to the federal government that there is an urgent need to establish new legislation to deal with gun-related crimes. The senseless violence on the streets of Toronto; including homicides, retail and vehicle robberies, home-invasions, and violent physical assaults involving the use of firearms must stop. The heartache and devastation experienced by the victims and their families of gun-related crime must end.

In an effort to decrease the amount of violent crime, in particular, the rampant shootings and gun-related homicides occurring in the City of Toronto, I believe that, in some circumstances, substantial minimum sentences for crimes involving guns should be introduced. There were 60 homicides in the City of Toronto in 2002 and a shocking 28 (47%) of those involved the use of firearms.

I am requesting that Chief of Police Julian Fantino review the *Criminal Code* and identify for the Board specific recommendations that can be forwarded to the Minister of Justice recommending stronger penalties for gun-related crimes. Some of the issues I would like Chief Fantino to consider are:

Stronger Sentences

- the feasibility of establishing a new graduated sentence structure for any offence involving a firearm for persons who have previously been convicted of a criminal offence and increasing the length of the sentence imposed based upon whether the firearm is discharged and if a discharged firearm injures or kills another person.

State of Florida Legislation

- a good example, in my opinion, of tough gun control laws can be found in the State of Florida. The Florida legislation, which is commonly referred to as “10-20-Life” includes an automatic additional 10 year minimum sentence if a person convicted of committing a serious crime used a firearm while committing that crime. The length of the additional sentence increases to a minimum 20 years if the person discharges a firearm, and an additional sentence of not less than 25 years and not more than “life” is imposed when a person discharges a firearm while committing a serious crime and subsequently injures or kills another person.

Illegal Possession of Firearms

- increasing the sentence for the illegal possession of a firearm for persons who have previously been convicted of a criminal offence. It is also important to specifically address the issue of “possession” by these individuals and to develop deterrents which, ultimately, will help get the guns off the streets and prevent crimes.

Administration of the Legislation:

- I am concerned that, in some cases, Provincial Crown Attorneys appear to be withdrawing criminal charges relating to firearms in order to facilitate a guilty plea on the substantive offence(s). These charges, such as Using Firearm in Commission of an Offence, contrary to section 85 of the *Criminal Code*, carry minimum sentences due to the use of a firearm and should not be dealt away as part of the plea-bargaining process. The Attorney General of Ontario should develop guidelines to prohibit the withdrawing of these types of charges to ensure offenders who use firearms receive the full sanctions contained in law.

Conclusions:

I am therefore recommending that the Board request a report from Chief Fantino addressing the points I have noted above and request that it be submitted no later than the March 27, 2003 Board meeting so that this Board can send specific recommendations to provide for stronger penalties for gun-related crimes and to improve the administration of the legislation relating to firearms as quickly as possible.

Mayor Lastman discussed this report with the Board and reiterated his concerns about gun-related crimes in the City of Toronto and the importance of amendments to the *Criminal Code* to address penalties for gun-related crimes.

The Board approved the foregoing.

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TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

**#P27. ATTENDANCE AT A COURSE: CERTIFIED ELECTRONIC EVIDENCE
COLLECTION SPECIALIST CERTIFICATION TRAINING COURSE**

The Board was in receipt of the following report JANUARY 21, 2003 from Julian Fantino, Chief of Police:

Subject: CERTIFICATION TRAINING FOR INTELLIGENCE COMPUTER CRIME

Recommendation:

It is recommended that: the Board approve the attendance of two members of Intelligence Services at the Certified Electronic Evidence Collection Specialist Certification (CEECS) training course offered by the International Association of Computer Investigative Specialists at a cost not to exceed \$10,224.93.

Background:

Members: Detective Allan COWAN (6007) of Intelligence Services
Detective Constable Richard PERRY (4582) of Intelligence Services

Course: Certified Electronic Evidence Collection Specialist Certification (CEECS)
Training Course, Altamonte Springs, Florida, U.S.A.

Date: April 28, 2003 to May 9, 2003

Cost: \$10,224.93 (including taxes)

The Toronto Police Service has received funding from the Province of Ontario, Ministry of the Attorney General, Victim's of Crime Office, to enhance the Service's response to Child Sexual Exploitation investigation. Sixty thousand dollars (\$60,000.00) in each of the two years of funding, has been allocated for Computer Forensic Examination certification and training.

Detective COWAN and Detective Constable PERRY of Intelligence Services provide computer investigative expertise and support to Service investigators. Approximately half of all requests for support, are generated by the Sex Crimes Unit's, Child Sexual Exploitation Section. These two officers provide direct support by attending on search warrants, seizing computers and digital media, forensically examining data, extracting child pornographic images, text and other evidence for court presentation as well as Internet investigative support.

Society has witnessed a phenomenal growth of the computer industry in the recent past. The same exponential growth has been witnessed on the Internet. There is presently an estimated 400 million users worldwide. The Internet has dramatically increased the access of sex offenders to the population they seek to victimise.

In 2001, the Child Exploitation Section of the Sex Crimes Unit arrested 10 paedophiles, seized 25 computer hard drives and recovered 200,000 pictures and movies of child pornography.

Investigating child exploitation on the Internet poses a number of challenges to investigators. Sex Crime Unit investigators know that adults producing and distributing child pornography on the Internet are very cunning at hiding their true identity. They exploit the anonymity offered by the Internet using various techniques to frustrate investigators, which include disguising their personal identity and their Internet identity, utilizing computer software designed to defeat the forensic retrieval of evidence, and using the processes of encryption.

Highly trained technicians are required to:

1. Forensically examine and retrieve evidence from seized computers,
2. Assist investigators in all aspects of computer related crime, ranging from the drafting of search warrants through to the complete seizure and analysis of computer systems, and
3. Present evidence as expert witnesses during judicial proceedings.

It is imperative that our computer examiners are trained in the latest techniques and methods available.

Accreditation and current training are essential to credibly present computer forensic examination evidence. The International Association of Computer Investigative Specialists (IACIS) certification is considered the benchmark accreditation in this field. The Certified Electronic Evidence Collection Specialist Certification (CEECS) training course is offered once a year to less than two hundred sworn police investigators.

Detective Cowan and Detective Constable Perry were chosen because they are currently the only two members conducting forensic computer investigations for the Service.

Alternative Training

The Board should be aware that other certification programs exist. These require a number of individual courses for a single certification, requiring unnecessary travel and expense for the Service. IACIS offers two certifications from the one course. The CEECS is awarded after completing the training and the advanced Computer Forensic Certified Examiner (CFCE) is earned after, through a rigorous correspondence course. No other accreditation is more readily accepted in North American courts.

IACIS, CEECS training begins with the basics and quickly move into highly technical theories, terms, and techniques. The course is held at the Hilton Altamonte Springs in Altamonte Springs, Florida, U.S.A. Candidates are responsible for their own accommodation and living expenses. An itemized list of anticipated costs are detailed below.

<u>Item</u>	<u>Costs</u>
IACIS - Course Registration Fee (\$1,395.00 USD @ 1.55 X 2)	\$4,324.50 CAN
Transportation - Altamonte Springs, FL., U.S.A. and return (X 2)	\$1,427.52 CAN
Accommodation (including taxes)	\$1,651.91 CAN
Meals (14 days X \$65.00 USD per diem X 2)	\$2,821.00 CAN
Total	\$10,224.93 CAN

The funds will come from a Provincial grant in support of computer crime investigations of child pornography (victims of crime fund) and not the Toronto Police Service budget.

Deputy Chief Michael Boyd, Policing Support Command, will be present to answer any questions.

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JANUARY 30, 2003**

#P28. CORRESPONDENCE

The Board was in receipt of a summary of the public correspondence received in the Board office between November 29, 2002 and January 9, 2003. A copy of the summary is on file in the Board office.

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#P29. ADJOURNMENT

Norman Gardner
Chairman