



**The following *draft* Minutes of the special public meeting of the Toronto Police Services Board held on June 11, 2010 are subject to adoption at its next regularly scheduled meeting.**

**MINUTES OF THE SPECIAL PUBLIC MEETING** of the Toronto Police Services Board held on **JUNE 11, 2010** at 2:00 PM in the Auditorium, 40 College Street, Toronto, Ontario.

**PRESENT:**

**Dr. Alok Mukherjee**, Chair  
**Ms. Pam McConnell**, Councillor & Vice-Chair  
**Mr. Frank DiGiorgio**, Councillor & Member  
**Mr. Hamlin Grange**, Member  
**Mr. Adam Vaughan**, Councillor & Member  
**Ms. Judi Cohen**, Member

**ALSO PRESENT:**

**Mr. William Blair**, Chief of Police  
**Mr. Albert Cohen**, City of Toronto - Legal Services Division  
**Ms. Deirdre Williams**, Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE SPECIAL PUBLIC MEETING  
OF THE TORONTO POLICE SERVICES BOARD HELD ON JUNE 11, 2010**

**#P161            G20 SUMMIT – PREPARATIONS AND EQUIPMENT ACQUISITION**

The Board held a special meeting to receive a briefing from the Chief of Police on the security arrangements that are being made with respect to the G20 Summit to be held in Toronto and to consider a report from Ms. Judi Cohen, Member, regarding equipment acquisition.

Chief William Blair was in attendance and delivered a presentation to the Board on the security preparations that are being made including:

G20 Business Continuity:

- the TPS's intention is to ensure business continuity during the G20 Summit and that all core services related to primary response will continue in the usual manner. All divisions will operate using two platoons working 12 hour shifts which has been the model employed by the TPS for many years when dealing with other very large special events.

Staffing:

- almost all divisions and units within the TPS have contributed personnel to the G20 Summit assignments. The internal deployment includes 3500 uniform members and 900 civilian members, and the external deployment includes 1600 uniform members from police services in the Greater Toronto Area and across Canada.

Long-Range Acoustic Devices:

- although they have been characterized as weapons or sound cannons and used as a force option in other jurisdictions, the TPS intends to use long-range acoustic devices ("LRADs") as a communications device. The Board was advised that, when it is necessary to issue instructions to protestors in a demonstration that has become violent, loud halers and megaphones are not as effective as LRADs.
- most of the participants in a protest will be law-abiding citizens who have a right to engage in a peaceful demonstration. If a demonstration escalates to a potentially violent situation, the TPS would use the LRAD to communicate a warning to protestors that another force option may be used, such as officers advancing with helmets and shields, and that the protestors should extricate themselves from the violent crowd before the other force option is deployed.

- TPS members have received extensive training on the safe use of the LRAD and, although the manufacturer has said that the high-decibel alert function of the LRAD should not be used within 10 meters of personnel, the TPS Procedure governing the use of LRAD's indicates that it will not be used within 75 meters of personnel and for not more than five seconds.
- the decision to use the LRAD's high-decibel alert function during the G20 Summit lies solely with the TPS-G20 Incident Commander and it would be used only in a most extreme situation.

#### Policies and Procedures:

- the application of existing Board policies and TPS procedures will extend to all aspects of policing the G20 Summit and, with respect to governance, the TPS believes that "it is business as usual".
- the conduct of the uniform members from Ontario will be subject to the Special Investigations Unit and the complaints legislation in the usual manner. The conduct of officers from outside Ontario will be subject to the legislation in their jurisdictions. All the uniform members will be wearing identification. All the officers, internal and external, will be under the operational control of the TPS.

#### G20 Funding:

- none of the G20-related costs will impact the TPS or the City's budgets.
- a budget of \$122M, which includes \$82M for salaries, was approved by Toronto City Council for the G20 Summit and the entire amount will be re-paid by the Federal government.
- any equipment which is retained by the TPS that was acquired for the G20 Summit that may incur subsequent maintenance or long-range costs that may impact future budgets will be reported to the Board.
- the Major Incident Command Centre, which was established at Police Headquarters for the G20 Summit, was originally included the long-range capital planning program, and the new radio infrastructure was part of the planned equipment acquisition program. There is no net impact on the TPS budget with respect to the MICC or the radio infrastructure.

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#### Civilian Oversight:

- the Board's role to provide civilian oversight for the TPS will continue in the usual manner during the G20 Summit, it does extend to other police services, the OPP or the RCMP.

A paper copy of Chief Blair's presentation is on file in the Board office. Following the presentation, Chief Blair responded to questions by the Board.

Councillor Adam Vaughan, Board Member, advised the Board that the G20 Summit will take place within his ward and he expressed concerns about the possibility of tear gas infiltrating the ventilation systems of residential buildings if tear gas is used during a demonstration. Councillor Vaughan asked Chief Blair whether or not representatives of the TPS could speak with building managers in that area to advise them on precautions that can be taken to ensure that the air quality in those buildings is not jeopardized by the effects of tear gas. Chief Blair agreed and said that the TPS will speak with building managers in that area. Chief Blair also said that he does not believe that tear gas has ever been used by police on the streets of Toronto and that, with respect to the G20 Summit, it would only be used in a most extreme situation. The TPS-G20 Incident Commander is the only person who will be authorized to approve the use of tear gas during the G20 Summit and only if it does not affect people other than those on whom it was intended.

The following persons were in attendance and delivered deputations to the Board:

- John Sewell, Toronto Police Accountability Coalition \*
- Helen Armstrong \*
- John Liss \*
- Dino Sophocleous, President, Hearing Foundation of Canada \*
- Anna Willats \*
- Nathalie Des Rosiers, General Counsel, Canadian Civil Liberties Association
- Johanna MacDonald, Justice for Children and Youth \*
- Mark Calzavara

\* written submission also provided; copy on file in the Board office

The Board was also in receipt of written submissions from the following:

- Nathalie Des Rosiers and Abby Deshman, Canadian Civil Liberties Association
- Denise Moore
- Linda Read
- Cindy Stanleigh
- Peter Rosenthal, Roach, Schwartz and Associates
- Mariana Valverde, Director, Centre of Criminology, University of Toronto

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- Laura, Dave, Morgan and Gwen Renzetti
- Eric Greenspoon, President, NoiseWatch
- Jane Martin

Copies of the foregoing written submissions are on file in the Board office.

Chief Blair responded to questions by the Board in response to some of the issues raised by the deputants.

Mr. Albert Cohen, City of Toronto – Legal Services Division, advised the Board that the Canadian Civil Liberties Association had filed an application in court to determine the legality of some of the security measures related to the G20 Summit, as well as for an interlocutory injunction regarding the possible use of the LRAD during the G20 Summit. Mr. Cohen also said that it is anticipated that the court will hear the application prior to the G20 Summit.

The Board had a discussion about Ms. Cohen's report (dated May 28, 2010) regarding equipment acquisition in preparation for the G20 Summit. A copy of Ms. Cohen's report is appended to this Minute for information.

The Board discussed a suggestion that the Board write to the Prime Minister recommending that the federal government reverse a policy and agree to grant appropriate compensation to residents and business that suffer property damages and economic losses due to the G20 Summit in Toronto. Councillor Vaughan indicated that he had prepared a draft letter with respect to this matter.

The following Motions were presented to the Board:

1. THAT the Board receive the Chief's presentation, the deputations and the written submissions.

The Board voted on the Motion and it was approved.

2. THAT the Board request the TPS, in conjunction with the Integrated Security Unit, draft an information bulletin for multi-residential buildings in the area of the G20 Summit for distribution to property managers and condo boards.

The Board voted on the Motion and it was approved.

3. THAT the Chief provide a report to the Board on a policy with respect to LRADs and their deployment.

Following a discussion, the Motion was withdrawn.

4. THAT Recommendation Nos. 1 and 2 contained in Ms. Cohen's report be approved.

The Board voted on the Motion and it was approved.

5. THAT Recommendation No. 3 in Ms. Cohen's report and a request that Chief Blair provide a report to the Board prior to June 29, if possible, containing his comments about Recommendation No. 3 in Ms. Cohen's report, be referred to the in-camera meeting for consideration.

The Board voted on the Motion and it failed.

6. THAT Recommendation No. 3 in Ms. Cohen's report be approved.

The Board voted on the Motion and it was approved.

7. THAT the Board request the Chief to provide any procedures related to the LRAD to the Board for consideration at a public meeting.

The Motion was ruled out of order on the basis that the Member had been advised that it would not be appropriate for the Board to consider that matter in public due to implications it would have on the application that had been filed in court with regard to the use of LRADs.

8. THAT, given that several weddings have been cancelled due to the G20 Summit, the Board approve an exception to its policy governing expenditures from the Special Fund, and approve funds from the Special Fund to purchase and deliver flowers to the affected parties.

The Board voted on the Motion and it failed.

9. THAT the Board authorize the Chair to write to media organizations that use helicopters and request that they consider reducing the frequency of the use of their helicopters in the area of the G20 Summit and, since the helicopters emit a high-decibel noise, that they also reduce the duration that the helicopters hover over the affected area.

Following a discussion, the Motion was withdrawn.

10. THAT the Board re-open Motion No. 6 for further consideration.

The Board voted on the Motion and it was approved.

11. THAT Recommendation No. 3 in Ms. Cohen's report be approved.

The Board voted on the Motion and it failed.

**Report dated May 28, 2010 from Ms. Judi Cohen, Member:**

Subject: EQUIPMENT ACQUISITION IN PREPARATION FOR G8/G20 SUMMITS

Recommendation:

It is recommended that:

1. The Chief of Police report to the Board on the process and criteria which were used to determine whether equipment required specifically for the G8/G20 Summits would be retained permanently by the Toronto Police Service,
2. As part of the 2011 operating and capital budget process, the Chief of Police provide the Board with a 5 year projection of the costs and savings related to equipment maintenance, training of members, equipment upgrading, and equipment replacement associated with the equipment acquired permanently or through a leasing arrangement as part of G8/G20 preparations; and,
3. The Board request that the Ministry of Community Safety and Correctional Services include, as part of its review of Use of Force, a review of new and emerging tactical devices which have been acquired by Ontario police services, including Long Range Acoustic Devices, to determine whether the scope of Ministry guidelines should be expanded to apply to such devices and whether regulatory change should be recommended.

Financial Implications:

There are no financial implications arising from approval of the recommendations contained in this report.

Background/Purpose:

On May 27, 2010 the Board and the community learned that the Toronto Police Service acquired long range acoustic devices in preparation for the G8/G20 Summits. Reports indicated that this equipment is intended to become part of the array of equipment that the Service will use in day to day policing, as may be operationally necessary, following the Summits.

Discussion:

It is my understanding that all equipment required by the Toronto Police Service for the G8/G20 is being acquired under the provisions of the Board's Financial Control by-law and/or under the special procurement authority approved by the Board at its meeting on March 8, 2010 (Board Minute P55/10). Some equipment may be acquired on a temporary basis while other equipment may become a part of the Service inventory.



This raises 2 broad issues which, in my view, require the Board's attention. The issues are related to governance, namely, the Board's legislated responsibility for budget, and the Board's responsibility to ensure the provision of adequate and effective policing.

With respect to budget, if equipment is being acquired on a permanent basis, to what extent does that decision impose future budget pressures or, conversely, alleviate future pressures, on the Toronto Police Services Board? I am recommending that the Chief of Police report to the Board on the process and criteria which were used to determine whether equipment required specifically for the G8/G20 Summits would be retained permanently by the Toronto Police Service,

As part of the 2011 operating and capital budget process, the Board should be provided with a 5 year projection of the costs and savings related to equipment maintenance, training of members, equipment upgrading, and equipment replacement associated with the equipment acquired permanently or through a leasing arrangement as part of G8/G20 preparations.

With respect to adequate and effective policing and to the Board's responsibilities to the community, what, if any issues, with respect to use of force arise? To what extent have these issues been addressed? Given that some equipment acquired for the G8/G20 Summits may have crowd dispersal capabilities, to what extent would deployment of these devices be considered "use of force"? To what extent has risk and liability been factored into the decision to acquire equipment? I am recommending that the Board request that the Ministry of Community Safety and Correctional Services include, as part of its review of Use of Force, a review of new and emerging tactical devices which have been acquired by Ontario police services, including Long Range Acoustic Devices, to determine whether the scope of Ministry guidelines should be expanded to apply to such devices and whether regulatory change should be recommended.

#### Conclusion:

I believe that it is incumbent upon the Board to ensure that it works proactively to ensure that there is appropriate and ongoing civilian oversight of the Toronto Police Service-initiated G8/G20 expenditures.

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OF THE TORONTO POLICE SERVICES BOARD HELD ON JUNE 11, 2010**

**#C163. ADJOURNMENT**

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Alok Mukherjee  
Chair