



Public Meeting

**Thursday, May 21, 2020 at
9:00AM**



PUBLIC MEETING MINUTES

Thursday, May 21, 2020 at 9:00AM
Livestreamed at: <https://youtu.be/PclKAgglls4>

The following *draft* Minutes of the meeting of the Toronto Police Services Board that was held virtually on May 21, 2020 are subject to adoption at its next regularly scheduled meeting.

Attendance:

The following members were present:

Jim Hart, Chair
Marie Moliner, Vice-Chair
John Tory, Mayor & Member
Frances Nunziata, Councillor & Member
Michael Ford, Councillor & Member
Uppala Chandrasekera, Member
Ainsworth Morgan, Member

The following individuals were also present:

Mark Saunders, Chief of Police, Toronto Police Service
Ryan Teschner, Executive Director, Toronto Police Services Board
Diana Achim, Board Administrator, Toronto Police Services Board
Jane Burton, Solicitor, City of Toronto - Legal Services Division
Scott Nowoselski, Solicitor, City of Toronto – Legal Services Division

Declarations:

There were no declarations of interest under the *Municipal Conflict of Interest Act*.

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P46. [Procedural changes for the May 21, 2020 Regular Public Meeting of the Toronto Police Services Board in response to the COVID-19 Pandemic](#)

The Board received a notice of motion regarding procedural changes for this meeting, in response to the COVID-19 pandemic.

Recommendations:

- 1) Permit, at this Regular Public Board Meeting of May 21, 2020:
 - a) Board Members to participate in the Board meeting virtually;
 - b) Board Members to be deemed present for the purpose of quorum when participating virtually; and,
 - c) Board Members who are participating virtually to vote at this meeting.
- 2) Ensure this Regular Public Board Meeting of May 21, 2020 remains open to the public and media through the use of live webcasting technology and that a complete recording of this Regular Public Board Meeting be posted on the Internet at the meeting's completion.;
- 3) Any deputations are to be heard in accordance with rule 17 of the Procedural By-law; and,
- 4) The waiving, pursuant to section 4.4 of the Procedural By-law, of any rules of procedure necessary to proceed in accordance with items 1, 2 and 3 of this motion.

Each of the Board Members present via teleconference recorded their vote in favour of approving this Motion.

The Board moved the Motion.

Moved by: M. Moliner
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P47. [Moment of Silence for the victims of the mass shooting in Nova Scotia](#)

The Board observed a moment of silence for Constable Heidi Stevenson of the

Enfield RCMP Detachment, who was killed in the line of duty on April 19, 2020, along with the other 21 victims of the tragic attack in Nova Scotia.

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P48. [Statement from Chair on behalf of the Board](#)

Chair Hart read a statement thanking Members of the Toronto Police Service for all their hard work and dedication during this pandemic.

A copy of the statement is attached to this Minute.

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P49. The Board approved the Minutes from the meeting that was held on [February 25, 2020](#) and special tele-meeting on [March 26, 2020](#).

The Board approved the Minutes.

Moved by: M. Moliner

Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P50. Presentation from the Chief regarding the Service's response to the COVID-19 pandemic

Chief Mark Saunders advised the Board that there are some "real significant keys to success to date" and that the Service's response to this pandemic is based on a plan that the Service has worked on and implemented. He further advised that the Service was, and continues to be, in alignment with all stakeholders from the City and other private sector entities. The Chief acknowledged Mayor Tory, the Medical Officer of Health for the City of Toronto, Doctor Eileen de Villa, and Fire Chief Matthew Pegg in "keeping everyone knowledgeable and up to speed," which has helped the first responders.

The Chief advised that, to date, the Service has resources "plugged in" through a multitude of collaborative entities, the Toronto Police Operations Centre, the Major Incident Command Centre, as well as the Emergency Operations Centre, and is working non-stop in constant communication. He said that this helps the Service to predict and make key and critical decisions when it is necessary. He said that the leadership teams are using data and analytics to measure and ensure what is needed gets done.

The Chief said that the numbers of calls for policing services has been reduced and noted that there have been less parking complaints. The Chief said that the front-line officers are attending more calls this year compared to last year; he noted that the front-line demands are still there and the officers attend with the necessary resources to ensure the outcomes are as positive as possible.

The Chief advised that the Service has made available a wellness line for access 24 hours a day to assist and guide the Members who need this resource. He further advised that the Service has implemented continuous information-sharing, ensuring that the health of the Service's Members is looked after.

He thanked the Board, the City and the Service for its cooperation during this time.

The Board received the foregoing presentation.

Moved by: F. Nunziata
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P51. [Policy regarding COVID-19 Status Information Disclosure and Occupational Health and Safety, Infection Prevention and Control related to COVID-19](#)

The Board was in receipt of a report dated May 14, 2020 from Ryan Teschner, Executive Director, with regard to this matter.

Recommendations:

It is recommended that the Board:

- 1) Approve the draft policy appended to this report, entitled "Access, Use, Disclosure and Retention of COVID-19 Status Information by the Service;" and,
- 2) Request the Chief of Police to report to the Board on the workplace health and safety measures, including infection prevention and control, in place, so as to minimize Members' risk of occupational exposure to COVID-19 during the remainder of the pandemic, with the report to include information concerning how compliance with these measures is being monitored, and the results of any compliance monitoring.

Deputations: Derek Moran ([written submission included](#))
Sam Teclé

Board Member, Ms. Uppala Chandrakesera advised that she is supportive of this Policy and of access to this type of health information when this information can be

used effectively to manage occupational health and safety as well as public safety. She further advised that she feels the same way about information-sharing regarding mental health and how it can be used for both officer and public safety with the proper safeguards; she noted her concerns are about disclosure of this highly sensitive information beyond the people who require it for a valid purpose.

The Chief answered questions from the Board advising that this Policy – that is, the Service’s access to the COVID-19 information – clearly states that this process “has not been turned on yet” within the Service. He advised that this Policy speaks to the privacy concerns and once he receives answers to questions he has asked the Ontario Association of Police Chiefs he will provide them; he wants to have “a clear and comprehensive understanding” before he can provide those answers.

The Board received the deputations and approved the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P52. [Request for Special Funds: Ontario Association of Police Services Boards \(OAPSB\) – 2020 Virtual Annual General Meeting \(AGM\)](#)

The Board was in receipt of a report dated April 27, 2020 from Ryan Teschner, Executive Director, with regard to this matter.

Recommendation:

It is recommended that, as an exception to its Special Fund Policy, the Board approve an expenditure in the amount of \$5,000.00 to sponsor the OAPSB 2020 Virtual AGM.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P53. [Toronto Police Service Board’s Race-Based Data Collection, Analysis and Public Reporting Policy – Quarterly Progress Update on Implementation](#)

The Board was in receipt of a report dated March 25, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive and approve the following quarterly report that provides progress updates on Policy implementation.

Deputation: Sam Teclé

Ms. Uppala Chandrasekera asked a question regarding the community consultative focus group – given the restrictions since the beginning of this pandemic, whether virtual consultations have been considered. Deputy Chief Barbara McLean advised that this report was written in March and since then, the Service has been looking at electronic consultations, recognizing that many organizations and community groups are resorting to this type of communications during the pandemic. She further advised that the Service is considering this option as another means by which to consult with the public and is also asking the public how they would like the Service to connect with them. She advised that the Service has been advised not to use this means of communication with the Indigenous community and is currently working on a separate way to consult with Indigenous communities and groups.

The Board received the deputations and approved the foregoing report.

Moved by: U. Chandrasekera
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P54. [Award of Construction Management Services for the New 41 Division Project](#)

The Board was in receipt of a report dated February 27, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- 1) Approve a contract award to Eastern Construction Company Limited (Eastern) for the provision of construction management services for the new 41 Division facility at an estimated amount of \$6.4 Million (M); and
- 2) Authorize the Chair to execute the agreements for construction management services on behalf of the Board, subject to approval as to form by the City Solicitor.

Councillor Michael Ford asked a question regarding the cost value of this project. Mr. Tony Veneziano, Chief Administrative Officer, answered and advised that there

are two ways to build a facility; first is through a general contractor, which is a closed process and once you get the pricing, you do not see a lot of the individual costs that are included. He advised that the Service used the second approach, which is the construction approach. He advised that the total cost of \$6.4 million is costed over a three-year period and includes a representative acting as a Construction Manager throughout the process “who has the Service’s best interests in ensuring that the project is constructed to the requirements and that costs can be reduced where possible”. He said that the Service has to work with the City and other entities for permits. He advised that, for this project, the Service went through a competitive process and this company won the bid.

Mr. Veneziano advised that the Service is building on an existing site and continuing operations during the same time which leads to more costs. Mr. Veneziano said that this approach includes seeing regular invoices of the costs so this will lead to more transparency. He confirmed that the company’s job is to ensure that the Service will get what it asked for at the lowest possible price.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P55. [Lease Renewal Agreement for the Mounted Unit Exhibition Place Horse Palace Located at 15 Nova Scotia Avenue](#)

The Board was in receipt of a report dated March 5, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- 1) Approve the renewal of the agreement between the Board and The Board of Governors of Exhibition Place for a period of five years (January 1, 2020 to December 31, 2024) for a designated space within the Horse Palace building located at 15 Nova Scotia Avenue; and
- 2) Authorize the Chief to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

The Board approved the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P56. [Special Constable Appointments and Re-Appointments – May 2020](#)

The Board was in receipt of a report dated April 20, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Board approve the appointments and re-appointments of the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.) and the University of Toronto (U. of T.), subject to the approval of the Ministry of the Solicitor General.

Deputation: Derek Moran ([written submission included](#))

The Board received the deputation and approved the foregoing report.

Moved by: M. Moliner
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P57. [Ryerson University Special Constable Program](#)

The Board was in receipt of a report dated February 28, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (the Board) consider the new special constable Agreement with Ryerson University contained within this report.

Deputations: Sam Teclé

Josh Lamers ([written submission included](#))
The Black Liberation Collective-Ryerson (Alumni)

Jeremy Bland ([written submission included](#))
Ryerson Canadian Students for Sensible Drug Policy

Chief Saunders advised that the Service has been actively involved with the Ryerson community for numerous years and understands that it is a vibrant and diverse community. He further advised that the relationship between the Service and Ryerson has been very strong and it has formed a strong and successful partnership.

Deputy Chief James Ramer advised that the type of training the Special Constables would undergo includes de-escalation as an alternative to the use of force, procedural fairness, identifying unconscious bias and racial profiling, how to communicate effectively, and particularly around issues of dispute, investigative outcomes and complaints, and how to respond to people affected by mental health illness and distress. He said that they will receive training in these areas in addition to the training they will receive on the federal and provincial statutes, the *Criminal Code*, by-law enforcement and other topics. He said that the training would be conducted by a third party company, with the Toronto Police College overseeing the curriculum. Deputy Ramer further advised that the Service oversees all complaints received regarding Special Constables; the more serious complaints would be investigated by the Special Constables Unit at the Service and the less serious complaints would be investigated by the Special Constable employer agency.

Staff Sergeant Hannah Bartz advised that with respect to all of the Special Constable agencies, the Service receives an initial report from the agency that received the complaint against a Special Constable. That initial complaint package includes the identification of the Special Constable who was involved in the incident and a brief summary of the allegation. That initial package then goes to the investigative body who will categorize that report as a serious or less serious complaint. The more serious complaints will be retained by the Service's Professional Standards Unit for investigation, and the less serious complaints not involving use of force will go back to that agency, which has its own investigative body (trained by the Service on the investigative process). That investigative body will then create a document listing the finding and whether the allegations have been substantiated or unsubstantiated, as well as a recommendation or resolution. That report is then returned to the Service for it to evaluate whether the investigation was complete and whether it agrees with the outcome.

Board Member, Mr. Ainsworth Morgan, acknowledged the perspective of the deputants and asked if there is an opportunity to hear the position of Ryerson in response and have some of these issues addressed, in order to have a better understanding of the consultative process and other issues as well as to validate the concerns brought forward by the deputants.

Chief Saunders advised that the Service will take the opportunity to “be involved in the education and awareness piece” and address some of the concerns brought forth by the deputants regarding how complaints can be laid and reassure the public as to what guarantees “are available to ensure that the public is satisfied.”

The Board received the deputations and approved the foregoing report.

Moved by: M. Moliner
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P58. [COVID-19 Emergency Board Delegates' Decisions Report – Public](#)

The Board was in receipt of a report dated May 6, 2020 from Ryan Teschner, Executive Director, with regard to this matter.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- 1) Receive the reports that were deemed urgent and operationally necessary by the Chief and considered by the Board's Delegates (as per Minute No. P45/20) pursuant to the delegation authority granted by the Board on March 26, 2020; and,
- 2) Confirm that the delegation approved on March 26, 2020 has now expired, as set out in the above referenced Minute.

The Board approved the foregoing report.

Moved by: J. Tory
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P59. [Independent Civilian Review into Missing Persons Investigations – Account for Professional Services](#)

The Board was in receipt of a report dated April 28, 2020 from Ryan Teschner, Executive Director, with regard to this matter.

Recommendation:

It is recommended that the Board receive the following invoices for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP:

- 1) Invoice dated January 31, 2020 in the amount of \$118,119.20;
- 2) Invoice dated February 28, 2020 in the amount of \$121,444.10; and
- 3) Invoice dated March 31, 2020 in the amount of \$127,849.81.

The Board received the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

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P60. [Supply and Delivery of 220 Panasonic Ruggedized Laptops and Associated Equipment and Services](#)

The Board was in receipt of a report dated May 7, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive this report.

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: A. Morgan

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P61. [City of Toronto Council Decision – 2020 Capital and Operating Budgets for the Toronto Police Service](#)

The Board was in receipt of a report dated March 4, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Board refer this report to the Chief of Police for consideration and the compilation of information, and request that the Chief report back to the Board at its July 2020 meeting with the information that is responsive to City Council's decisions.

The Board received the foregoing report.

Moved by: J. Tory
Seconded by: M. Ford

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P62. [Capital Budget Variance Report for the Toronto Police Service - Period Ending December 31, 2019](#)

The Board was in receipt of a report dated April 1, 2020 from Mark Saunders, Chief

of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

The Board received the foregoing report.

Moved by: J. Tory
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P63. [Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Year Ending December 31, 2019](#)

The Board was in receipt of a report dated April 1, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City's) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P64. [Operating Budget Variance for the Toronto Police Service, Year Ending December 31, 2019](#)

The Board was in receipt of a report dated April 1, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City's) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P65. [Operating Budget Variance Report for the Toronto Police Services Board, Year Ending December 31, 2019](#)

The Board was in receipt of a report dated May 4, 2020 Ryan Teschner, Executive Director, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

The Board received the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

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P66. [Annual Report: 2019 Uniform Promotions](#)

The Board was in receipt of a report dated January 10, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Deputation: Kingsley Gilliam ([written submission included](#))
Black Action Defense Committee

Mr. Morgan noted that the data that is included in this report is from 2015 and asked if there is more current information for that demographic breakdown. He also requested the Service to provide a breakdown of those who identify as a visible minority.

Deputy Chief McLean advised that the Service is reporting on the promotions to the rank of Sergeant and that there were two persons on that list who were promoted

within 2019; that list was created in 2015, prior to the Service entering into a hiring and promotion moratorium, and so it spans from 2015 to 2019. She further advised that this is the information the Service has about those Members who participated in the promotional process from 2015. She further advised that some of the work of the Equity, Inclusion and Human Rights Unit, is, in fact, related to getting more up-to-date statistics and demographics on Members of the Service. Deputy Chief McLean said that there could be a more detailed breakdown to the extent that people self-identify and respond to the specific questions on the voluntary demographic survey, and noted that some choose not to respond.

The Board received the deputation and the foregoing report.

Moved by: F. Nunziata
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P67. [Annual Report: 2019 Cooperative, Joint and Consolidated Purchasing](#)

The Board was in receipt of a report dated March 24, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

The Board received the foregoing report.

Moved by: J. Tory
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P68. [Annual Report: 2019 Secondary Activities](#)

The Board was in receipt of a report dated February 17, 2020 from Mark Saunders, Chief of Police with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

The Board received the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P69. [Annual Report: Labour Relations Counsel and Legal Indemnification: Cumulative Legal Costs from January 1 - December 31, 2019](#)

The Board was in receipt of a report dated February 17, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P70. [Annual Report: Write-off of Uncollectible Accounts Receivable Balances January to December 2019](#)

The Board was in receipt of a report dated February 21, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

The Board received the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P71. [Annual Report - 2019 Proof of Claim Documents Filed on Behalf of the Toronto Police Services Board](#)

The Board was in receipt of a report dated February 21, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: M. Ford

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P72. [Annual Report: 2020 Filing of Toronto Police Service Procedures](#)

The Board was in receipt of a report dated February 24, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendations:

It is recommended that the Toronto Police Services Board (Board) receive the following report for information.

Vice-Chair Moliner advised that she wishes to move a Motion in the context of the Nova Scotia shootings as follows:

THAT the Board request the Chief to report back to the Board in September 2020 with respect to the Service's assessment of the critical issues that have been highlighted in the context of the Nova Scotia mass shooting, including whether there are any identified gaps, concerns or vulnerabilities from the Service's perspective and how the procedures filed address such a situation; and,

THAT such report specifically include, but not be limited to a discussion of potential access by members of the public to police equipment, assets or uniforms that are still in use or are no longer in use and have been discarded in some way by the Service; the use of public alerts and other communication tools by the Service during an incident likely to be of significant public interest; procedures which touch on these issues; and, any other matters that the Service has identified in its analysis of this incident.

Chief Saunders requested that the standard procedure apply in terms of time to report back and the Board provide him with 90 days to report back on this item. The

Board agreed and instead of the initial request for the Chief to report back in July 2020, amended the Motion to reflect that the Chief report back in September 2020 with respect to all the items listed in the above Motion.

The Board approved the Motion and received the foregoing report.

Moved by: M. Moliner
Seconded by: U. Chandrasekera

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P73. [Annual Report: 2019 Toronto Police Service's Consulting Expenditures](#)

The Board was in receipt of a report dated March 25, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Board receive this report.

The Board approved the foregoing report.

Moved by: M. Moliner
Seconded by: A. Morgan

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P74. [Annual Report: Toronto Police Services Board's 2019 Consulting Expenditures](#)

The Board was in receipt of a report dated April 14, 2020 from Jim Hart, Chair, with regard to this matter.

Recommendation:

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

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: J. Tory

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P75. [Annual Report 2019: Use of Conducted Energy Weapons](#)

The Board was in receipt of a report dated February 13, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Deputation: Miguel Avila

Ms. Chandrasekera thanked Deputy Chief McLean, Inspector Kim 'O'Toole and the Service for all their work on this report and for actively engaging with the Board's Mental Health and Advisory Panel (MHAAP) to get its feedback and answer its questions on this report.

Ms. Chandrasekera asked about the disproportionate impact on people with mental health issues and addictions; she noted that on page 10 of the report, it stated that out of 557 incidents, only 177 had no apparent incident, which means that 380 incidents involved someone dealing with mental health crisis or substance issues . She said that page 7 of the report lists the variability of the use of C.E.W. by Divisions and that some are in different ranges in the use of this tool. Deputy Chief McLean answered and advised that all Divisions have constables that are trained in the usage of the C.E.W. and confirmed that when the roll-out was approved in 2018, the Service aimed for equal distribution between all Divisions with the goal of having at least five Members on each platoon trained across the City. She advised that the mental health community is a key stakeholder in this program and that calls for persons in crisis have increased since this program began, so the variability has more to do with the nature of the calls than with the number of C.E.W.s deployed across the City.

Ms. Chandrasekera asked some questions on behalf of Jennifer Chambers who is the Executive Director of the Empowerment Council and Co-Chair of MHAAP. Deputy Chief McLean answered and advised that officers react to the situation with which they are presented, and that, ultimately, in situations where they are presented with different dynamics, they look at whether the member of the public has any means, opportunity or motive to carry out assaultive behaviour, leading the officer to have a concern for their own safety or the safety of the person engaged in the threatening behaviour. She further confirmed that the training is to use de-escalation first, when it is safe and practical to do so. She noted that the increase in the use of force can be attributed to the fact that any time the C.E.W. is used, it is required to be reported; some other use of force is not reported in the same way, such as physical use of force not resulting in medical treatment. Deputy Chief McLean advised that the number of injuries to the members of the public are trending down and some of the injuries to the officers in 2019 are trending down as well.

The Board received the deputation and the foregoing report.

Moved by: U. Chandrasekera
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P76. [Quarterly Report for August 15, 2019 to November 14, 2019:
Conducted Energy Weapon Use](#)

The Board was in receipt of a report dated December 26, 2019 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Deputation: Miguel Avila

The Board received the deputation and the foregoing report.

Moved by: U. Chandrasekera
Seconded by: M. Moliner

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P77. [Annual Report: 2019 Parking Enforcement Unit – Parking Ticket Issuance](#)

The Board was in receipt of a report January 10, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) Receive the following report; and
- (2) Forward a copy of this report to the City of Toronto (City) General Government and Licensing Committee, for its meeting in April 2020, to be considered in conjunction with the City of Toronto 2019 Parking Ticket Activity Report.

Deputation: Derek Moran

The Board received the deputation and the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Moliner

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P78. [Traffic Enforcement and Collision Reporting Processes Relating to Cyclists in the City of Toronto](#)

The Board was in receipt of a report dated April 21, 2020 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) Receive this report for information; and
- (2) Forward this report to the City Infrastructure and Environment Committee.

Mayor Tory asked to have the Service confirm that traffic enforcement is the responsibility of all officers. Chief Saunders confirmed that all front-line officers are responsible for traffic enforcement, and traffic and roadway safety.

Superintendent Scott Baptist advised that there are approximately 300 officers in the Traffic Services Unit and about two thirds of those officers are front-line on the road.

Mayor Tory advised that the Board had approved a Vision Zero team in the current (2020) budget. Superintendent Baptist confirmed that the Vision Zero team began its operations on January 6, 2020, with approximately a three-week down-time, due to initial COVID-19 restrictions and some concerns regarding frequent interactions between others and police officers; the Service was able to remedy those concerns and roll out some training for the officers. He further advised that this work continues six days a week, eight assignments per day and, to date, as of May 20, 2020, the team has issued 2704 charges. He advised that the officers are assigned to areas by looking at the data and analysis, in collaboration with the Ministry of Transportation, which lists five high priority enforcement areas.

Deputy Chief Shawna Coxon advised that the Service has looked at filling the Vision Zero team positions permanently; however, it cannot permanently staff it until the next class of recruits has graduated. She noted that the Service has strategically staffed the Traffic Services Unit last year to enforce not just this initiative, but others as well.

Superintendent Baptist advised that the Service is working with the Toronto Police

Association and the Ontario Association of Chiefs of Police (OACP) in doing advocacy work with the Province of Ontario and having discussions with the Ministry of Transportation, including sending a formal letter to the Ministry, requesting that the matter be reviewed. He said that there is a request to implement legislation to address the issue of 'dooring' as a reportable incident.

Superintendent Baptist advised that the Service is working with the City to ensure the new Kiosk is set up and running, and to ensure there is a "24/7" phone support system. He said that the Service is currently working on the glitches of the online reporting system.

Mayor Tory said that this is an important item to him and to a lot of people across the City, and that its importance is reflected in the fact that the Board made clear that it is to become a permanent unit. He said that he is pleased with the answers given on these issues and to see the Service moving forward with this program without waiting to first have permanent officers assigned to this work.

Mayor Tory requested that the Board receive a report from the Service with the statistics for the first nine months of this Unit's operation, to see that it has accomplished what it was intended to do.

Motion

THAT the Chief report at a future Board meeting in the fourth quarter on the facts and figures regarding enforcement resulting from the work of of the Vision Zero team.

Mayor Tory thanked the Service for the work done in getting this project going and all the other aspects such as the online reporting portion.

The Board approved the Motion and received the foregoing report.

Moved by: J. Tory
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P79. [Public Minutes of Meeting No. 69 held on February 6, 2020](#)

The Board was in receipt of the minutes of the Central Joint Health and Safety Committee meeting held on February 6, 2020.

The Board received the foregoing Minutes.

Moved by: M. Moliner
Seconded by: U. Chandrasekera

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

- P80. [Chief's Administrative Investigation into the Custody Injury to Complainant 2018.58](#)

The Board was in receipt of a report dated October 30, 2019 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board receive this report.

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: A. Morgan

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

- P81. [Chief's Administrative Investigation into the Custody Injury to Complainant 2018.64](#)

The Board was in receipt of a report dated November 3, 2019 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board receive this report.

The Board received the foregoing report.

Moved by: F. Nunziata
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

- P82. [Chief's Administrative Investigation into the Custody Injury to Complainant 2019.10](#)

The Board was in receipt of a report dated November 20, 2019 from Mark Saunders, Chief of Police, with regard to this matter.

Recommendation:

It is recommended that the Toronto Police Services Board receive this report.

The Board received the foregoing report.

Moved by: M. Moliner
Seconded by: J. Tory

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P83. [Notice of Potential Changes to Board's Procedural By-law](#)

Mr. Ryan Teschner, Executive Director read a statement regarding upcoming changes to the Board's Procedural By-Law. The statement is attached to this Minute.

This is an Extract from the Minutes of the Virtual Public Meeting of the Toronto Police Services Board that was held on May 21, 2020

P84. Confidential

In addition to the public meeting conducted by the Board today, a confidential meeting was held to consider a number of matters which were exempt from the public agenda in accordance with the criteria for considering confidential matters set out in section 35(4) of the *Police Services Act*.

The following members attended the confidential meeting:

Mr. Jim Hart, Chair
Ms. Uppala Chandrasekera, Acting Vice-Chair & Member
Mr. John Tory, Mayor & Member
Ms. Frances Nunziata, Councillor & Member
Mr. Michael Ford, Councillor & Member
Mr. Ainsworth Morgan, Member

Meeting was adjourned by Councillor Nunziata and Vice-Chair Moliner.

Next Board Meeting

Date: Friday, June 19, 2020

Time and location to be determined and announced publicly prior to that date.

Minutes Approved by:

-original signed-

Jim Hart
Chair

Members of the Toronto Police Services Board

Jim Hart, Chair
Uppala Chandrasekera, Member
Michael Ford, Councillor & Member
Ainsworth Morgan, Member

Marie Moliner, Vice-Chair
Frances Nunziata, Councillor & Member
John Tory, Mayor & Member



NOTICE OF MOTION

Procedural changes for the May 21, 2020 Regular Public Meeting of the Toronto Police Services Board in response to the COVID-19 Pandemic

Moved by: Marie Moliner, Vice-Chair

Seconded by: Frances Nunziata, Councillor and Member

RECOMMENDATIONS:

- 1) Permit, at this Regular Public Board Meeting of May 21, 2020:
 - a) Board Members to participate in the Board meeting virtually;
 - b) Board Members to be deemed present for the purpose of quorum when participating virtually; and,
 - c) Board Members who are participating virtually to vote at this meeting.
- 2) Ensure this Regular Public Board Meeting of May 21, 2020 remains open to the public and media through the use of live webcasting technology and that a complete recording of this Regular Public Board Meeting be posted on the Internet at the meeting's completion.;
- 3) Any deputations are to be heard in accordance with rule 17 of the Procedural By-law; and,
- 4) The waiving, pursuant to section 4.4 of the Procedural By-law, of any rules of procedure necessary to proceed in accordance with items 1, 2 and 3 of this motion.

SUMMARY:

On March 17, 2020, the Premier of Ontario declared a state of emergency under section 7.0.1(1) of the *Emergency Management and Civil Protection Act* in response to the novel coronavirus (COVID-19). The Province initially prohibited organized public

gatherings in excess of 50 people. This limitation was further restricted to no more than 5 people. On May 19, 2020, the provincial declaration of emergency was extended to May 29, 2020, including the prohibition on events and gatherings of more than 5 people.

On March 23, 2020, Mayor Tory declared an emergency under section 4 of the *Emergency Management and Civil Protection Act*, and section 59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management.

As part of the City of Toronto's COVID-19 response, all City buildings, including Police Headquarters, are closed to the public. Encouraging physical distancing has also been a key component of the City's response to help minimize COVID-19 transmission in the community. Physical distancing measures include:

- keeping 2 metres (6 feet) apart from others
- avoiding mass gatherings
- avoiding crowds.

Meeting practices need to be adapted to reflect physical distancing measures and limitations on public gatherings.

The City of Toronto cancelled all regular Council and Committee meetings until April 3, 2020 before holding its first meeting during the emergency electronically on April 30, 2020. The Toronto Police Services Board (Board) cancelled its Regular Public Meetings scheduled March 26 and May 21, 2020, but held a Special Public Meeting on March 26, 2020 by teleconference.

The Board recognizes that we are in the midst of an unprecedented public health emergency at this time and it is critical to ensure the continuity of adequate and effective policing services, as well as to provide reassurance to the community that the Board remains continually engaged in its governance and civilian role.

The Board recognizes the importance of open and public meetings and values the participation of members of the public through their attendance and deputations at those meetings. However, the Board must also take appropriate steps to ensure transparency and openness while respecting Provincial orders and the recommendations of health experts and authorities during the COVID-19 pandemic.

As a result, and to protect public health and safety, I am recommending that the Board approve this motion.

The Board is unable to hold an in-person public meeting at this time because of the prohibition on gatherings and because the locations where meetings are held are currently closed to the public.

This motion, if approved, would permit the Board to proceed with this Regular Public Meeting with Board Members participating virtually. To ensure that members of the public can participate in this meeting, this motion, if approved, would also permit the Board to hear deputations through electronic means. Finally, this motion, if approved, would allow members of the public to virtually listen to and watch the proceedings live by way of the webcast.

I recommend these steps be taken to balance the importance of open, public and transparent Board meetings with the importance of protecting the health and safety of Board members, members of the public and Board, Board Staff and TPS Staff. This approach is in line with a memorandum sent to all Ontario police services boards from the Ontario Ministry of the Solicitor General (Public Safety Division and Public Safety Training Division), which stated that police services board meetings may be held virtually if they are open to the public and boards “take all feasible measures to facilitate public and media participation in open meetings.”¹

The approach proposed in this motion ensures that the recommendations of health experts are followed during the COVID-19 pandemic while also allowing the public and media to observe and participate in the Board meeting in these challenging circumstances.

May 21, 2020

¹ Ontario Ministry of the Solicitor General, Memorandum dated March 23, 2020, “Guidance to Police Services Boards Regarding Meetings” at p. 1.

Moment of Silence for Constable Heidi Stevenson

Before we begin today, I would ask that we observe a moment of silence for Constable Heidi Stevenson of the Enfield RCMP Detachment, who was tragically and senselessly killed in the line of duty on April 19, 2020.

As we all so keenly know, a police officer takes an oath to serve and protect the members of her community, diligently, with dedication, and despite the considerable risks inherent in a profession founded on ensuring the safety of the public. An officer who gives her life in the line of duty, protecting her community with extraordinary bravery and great commitment, as Constable Stevenson has done, has, without a doubt, made the ultimate sacrifice.

By all accounts, Constable Stevenson was an exceptional police officer, an inspiring mentor and a wonderful person.

When we lose a member of the policing family, we all grieve, as one, together. Our hearts are with the family of Constable Stevenson and with police officers across the country, as we mourn her passing and honour her tremendous contribution to her community, and the important legacy that she leaves.

Along with Constable Stevenson, 21 members of the community were killed in this devastating attack. Today, we also pay tribute to their lives and honour their memories, while holding their loved ones in our thoughts.

I would now ask that we all take a moment of silence to honour Constable Heidi Stevenson along with the other 21 victims of the tragic attack in Nova Scotia.

Comments by Chair Jim Hart regarding Toronto Police Service's work during the COVID- 19 Pandemic

May 21, 2020

As we begin this Board meeting, and on behalf of the Board, I would like to first start by speaking about the excellent work the Members of the Toronto Police Service are doing in responding to the COVID-19 pandemic, and all of the related challenges that this brings.

This is, without a doubt, a unique and challenging period in our history, an unprecedented time as we have had to drastically redefine what our lives look like. But for the Members of the Toronto Police Service, the work continues. The job goes on. Policing is as important and essential as it has always been, arguably, even more so. And while our lives have been completely upended, and indeed, our Members and their families, too, may feel the upheaval within their own personal lives, professionally, they are steadfast, diligent, and dedicated, **as always**, to keeping our City safe.

From enforcing physical distancing rules, to creating a greater understanding of the rationale behind these rules, to responding to the calls for service that continue to come in, our Service Members have been working steadily, with great commitment, despite the fear and uncertainty that is part of the new reality for all of us right now.

And each job they do, each duty they take on, is done with sincere compassion, with extraordinary dedication and with a genuine desire to see people remain healthy, to keep residents safe, and to encourage calm and civility. The role of our Service Members is complex and multi-faceted; they are not simply focused on the enforcement of rules and laws, their actions are grounded in care and understanding, and in the notion that **we**

are all in this together and that Service Members, while playing a critical role in the enforcement of the rules, are also partners in seeing our City's residents through this difficult time.

I would like to take this opportunity to highlight some of the extraordinary work we are seeing from our Service Members. One excellent example is the incredible teamwork of the Parking Enforcement Unit as a whole, which has stepped up and gone beyond their usual duties to assist in dealing with one unfortunate repercussion of the COVID-19 pandemic: an increase in commercial break and enters and in robberies of premises deemed essential and remaining open.

Another demonstration of incredible work during this time is that of the resourceful and dedicated members of the Emergency Task Force, who created an innovative and comprehensive self-contained decontamination facility and process within their unit, to provide rapid decontamination of team members, uniforms and equipment, and return to operational status as soon as possible after a potential contamination with COVID-19.

I would also like to recognize our incredible Civilian Members who have also contributed in a variety of critical ways, such as the Members in Fleet and Materials Management, who have worked quickly and diligently to ensure our vehicles on the road are decontaminated and safe, the Members of Facilities Management who promptly coordinated enhanced cleaning for our buildings and our Members in Records Management, who have helped to create PPE for healthcare professionals – another group of frontline workers to whom we all owe a debt of gratitude. Another important group of Civilian Members I would like to recognize are those in our IT Services, who have been working countless overtime hours to facilitate a huge segment of our organization being able to work from home, an absolutely monumental undertaking.

There are also countless examples throughout our organization of our Service Members' extraordinary volunteerism, raising money, donating funds, and selflessly assisting in the community to help those most in need during this time.

These are but some of the many, many examples we are seeing across the City, as our Service Members respond to extraordinary circumstances with their characteristic dedication, compassion and resilience.

On behalf of the residents of this City, on behalf of all of us who are dealing with the effects of this pandemic on a daily basis, I want to say thank you to the Members of the Toronto Police Service for your incredible commitment to keeping Toronto safe. Where the world seems to be so different from just a few short weeks ago, where dynamics shift rapidly every day, we take great comfort in the fact that your role and your commitment remains unwavering and unchanged. We know that we can always depend on the Members of the Toronto Police Service to serve and protect us. And for this, you always have our deepest gratitude.



Toronto Police Services Board Report

May 14, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director

Subject: Policy regarding COVID-19 Status Information Disclosure and Occupational Health and Safety, Infection Prevention and Control related to COVID-19

Recommendation(s):

It is recommended that the Board:

1. Approve the draft policy appended to this report, entitled “Access, Use, Disclosure and Retention of COVID-19 Status Information by the Service;” and,
2. Request the Chief of Police to report to the Board on the workplace health and safety measures, including infection prevention and control, in place, so as to minimize Members’ risk of occupational exposure to COVID-19 during the remainder of the pandemic, with the report to include information concerning how compliance with these measures is being monitored, and the results of any compliance monitoring.

Financial Implications:

There are no financial implications resulting from the recommendation contained in this report.

Background / Purpose:

Creation of the Provincial Portal

As part of the effort to support emergency frontline responders and contain the spread of COVID-19, the provincial government has made an emergency regulation under the *Emergency Management and Civil Protection Act*, R.S.O. c. E.9 (the Order).¹ Under

¹ Ont. Reg. 120/20: Order under Subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*, “Access to Covid-19 Status Information by Specified Persons.”

this Order, police services (as well as fire services and emergency paramedic services) have been enabled to obtain COVID-19 status information via a specialized First Responders COVID-19 Risk Look-Up web portal (the Portal), managed by the province and which was launched by the Ministry of the Solicitor General on April 13, 2020. The Portal includes COVID-19 status information (name, address, date of birth, and whether the individual has ever had a positive COVID-19 test result) of specific individuals. It is accessible only to authorized users identified by police services who must be involved in communication and dispatch centres, who are then able to query COVID-19 status information where appropriate.

The authorized user will then be able to provide notice of COVID-19 status information to first responders in certain specific circumstances, for example, if there is a known risk of COVID-19 for an individual and/or location the first responder may be attending or have attended in the past. At the same time, it is critical that any process ensures confidentiality with respect to this sensitive personal health information so as to protect the privacy of individuals. The information available on the provincial Portal is to be used only by authorized users, and only for authorized purposes.

Occupational health and safety, infection prevention and control to minimize the risk of occupational exposure to COVID-19

Through its Order, the provincial government recognizes that it is critical that first responders have access to COVID-19 status information of individuals with whom they are coming into contact to help protect and reduce the potential spread of the virus to first responders, and those with whom they come into contact in the community.

Consistent with its statutory obligations as an employer, the Board also recognizes that access to information available through the Portal provides one source of additional information that could inform Members of the Service in their interactions with members of the public and potentially minimize the risk of occupational exposure to the COVID-19 virus.

Consultation concerning the Portal and the draft policy

Throughout the COVID-19 pandemic, the Board Chair, Executive Director and Service's Manager of Labour Relations have maintained direct and regular contact with the Toronto Police Association, the Senior Officers' Organization and the Chief of Police so that labour relations matters associated with the pandemic can be discussed and proactively addressed. The Portal has been the subject of some of these discussions in the context of being an additional tool Members can access, recognizing the importance of appropriate caveats with respect to the use to be made of the information obtained through the Portal.

The Board Office also engaged counsel from the City of Toronto Legal Services with respect to the development of the draft policy, and appreciates the assistance they provided.

The need for policy governance regarding COVID-19 status information

The Ministry has recommended that police services boards develop policies related to the disclosure of COVID-19 status information within a police service, stating that the policy should include the circumstances that a chief of police may provide this information to policing personnel and how such information is stored within policing information systems. Further, the Ministry has recommended that police services boards and chiefs of police institute policies and procedures that prohibit access to such information at the conclusion of the provincial emergency and ensure destruction of the information as soon as permitted by law. In addition, it has emphasized that policies and procedures should ensure that information is only disclosed when necessary to support frontline officers in making informed decisions to prevent the spread of COVID-19, when responding to calls for service while the Order is in effect.

Discussion:

The Portal is only one source of information for Members who must always take appropriate precautions

To date, the Portal has not been accessed by Toronto Police Service Members. There remain issues with the accuracy and reliability of the information the Portal currently contains, and the Ministry advises it is working to improve the Portal in this regard. While any issues of reliability of information remain, it is important that access to the Portal, should it be provided, be accompanied by appropriate statements or caveats that remind Members that the information should be used as only one, point-in-time source of information in assessing how to approach an interaction with a member of the public that may have tested positive for COVID-19 at some point. Members must remain informed of all the appropriate measures that must be taken to prevent occupational exposure to COVID-19 regardless of the information obtained through the Portal.

The importance of a governance framework given the personal health information involved

As the Portal contains personal health information of a sensitive nature, it is vital to put into place stringent and appropriate safeguards to limit access to this information to the greatest extent possible, and to ensure that access to the information is for specific and limited defined purposes. It is also imperative to manage this information so as to ensure the minimal inadvertent access and to retain the ability to destroy this data as soon as legally possible.

As yet, the Chief has not developed any procedure(s) with respect to the use of this Portal. However, it is important that if and when the Service uses the Portal, appropriate procedure(s) will be developed pursuant to clear and considered Board governance.

Regardless of the availability of the Portal – and the duration for which it will be made available by the province – the Service and its Members must continue to take all reasonable precautions in all interactions with members of the public, to prevent the spread of COVID-19 and to protect the health of both Service Members and members of the public.

Conclusion:

It is recommended that the Board approve the draft policy appended to this report, entitled “Access, Use, Disclosure and Retention of COVID-19 Status Information by the Service,” and further direct the Chief to implement workplace health and safety measures, including infection prevention and control measures to limit the occupational spread and spread to the public of the COVID-19 virus, consistent with Toronto Public Health’s direction and guidance, and report to the Board with respect to implementation and compliance with these measures, until the Board directs this reporting is no longer required.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. Teschner".

Ryan Teschner
Executive Director

Att.



TORONTO POLICE SERVICES BOARD

ACCESS, USE, DISCLOSURE AND RETENTION OF COVID-19 STATUS INFORMATION BY THE SERVICE

| | | |
|--|---|--------------------|
| APPROVED | Mm/dd/yy (spelled out) | Minute No: Pxxx/00 |
| REVIEWED (R) AND/OR AMENDED (A) | | |
| REPORTING REQUIREMENT | Within 60 days of the conclusion of the Order, as detailed in Section 10 | |
| LEGISLATION | <i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, s. 31(1)(c). <i>Emergency Management and Civil Protection Act</i> , R.S.O. c. E. 9 O. Reg. 120/20: Order under Subsection 7.0.2 (4) of the <i>Emergency Management and Civil Protection Act</i> , "Access to Covid-19 Status Information by Specified Persons." | |
| KEYWORDS | Health and Wellness, Privacy, Emergency, COVID-19 | |

Summary

This Policy provides a governance framework concerning access, use, disclosure and retention of COVID-19 status information obtained through the Provincial First Responders COVID-19 Risk Look-Up Web Portal, as one of the available tools to protect the health and wellness of Members and the public, and prevent occupational exposure to COVID-19. The Policy provides guidance on the restricted circumstances for access and use of the information, and the manner in which it is to be securely stored and ultimately destroyed. The Policy emphasizes the importance of the protection of the privacy and human rights of the individuals whose information is available through the Portal.

Background

As part of the effort to support emergency frontline responders and contain the spread of COVID-19, the provincial government has made an emergency regulation under the *Emergency Management and Civil Protection Act*, R.S.O. c. E.9 (the Order) that would enable police services to obtain COVID-19 status information via a specialized First Responders COVID-19 Risk Look-Up web portal (the Portal).² COVID-19 status information consists of an individual's name, address, date of birth, and whether the individual has had a COVID-19 positive test result at any time in the past. Use of the Portal and access to the COVID-19 status information it contains is limited to authorized communication and dispatch personnel (authorized users).

Through its Order, the provincial government recognizes that it is critical that first responders have access to COVID-19 status information pertaining to individuals with whom they are coming into physical contact or proximity in the course of their duties. The Ministry of the Solicitor General (the Ministry) has explained that this access will help protect and reduce the potential spread of COVID-19 to first responders, and those with whom they come into contact in the community.

The Order allows police services to request an individual's COVID-19 status information through the Portal for as long as the Order is in effect (currently until June 2, 2020). The Order establishes that personal health information about the COVID-19 status of an individual must only be used to prevent, respond to, or alleviate the effects of the COVID-19 emergency, such as ensuring appropriate measures are taken to protect police personnel when responding to a call. The personal health information cannot be used for any other purpose.

Guiding Principles

The Board's duties as the employer to ensure a healthy and safe workplace

The Board recognizes the unique and compelling circumstances of the current COVID-19 emergency. The Board also recognizes that as the employer of the Service's Members, it has a legal duty to provide a safe workplace through the introduction and use of all appropriate health and safety measures. This includes, for example, requiring a Member to use appropriate Personal Protective Equipment (PPE) in an interaction with a member of the public where there is risk of a Member's exposure to COVID-19 should PPE not be used in that interaction. The various health and safety measures the Chief ultimately institutes should be based on the professional guidance of the Service's Wellness Unit, which in turn should continue to monitor the direction and guidance issued by Toronto Public Health and other health authorities with jurisdiction.

Given the nature of the pandemic and the current limitations of the data in the Portal, the Board emphasizes that the Chief should require Members of the Service to take all

² O. Reg. 120/20: Order under Subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act*, "Access to Covid-19 Status Information by Specified Persons."

appropriate precautions in interactions with members of the public regardless of available COVID-19 status information from the Portal. The information from the Portal should be viewed as only one of many tools to be used to prevent the spread of the COVID-19 virus and protect the health of both Service Members and the public.

The importance of protecting the confidentiality of personal health information and complying with human rights obligations

In addition, given that the Order permits access and use of personal health information – that is, that an identified individual has at some point tested positive for COVID-19 – the Board believes it is necessary that appropriate governance controls are in place concerning the access, use, disclosure and retention of information obtained via the Portal, should the Service choose to utilize it.

The confidentiality of the personal health information obtained via the Portal, and an individual's privacy interests associated with that information, must be protected to the greatest extent possible. Requests for Portal information and permitted access to it within the Service must be made consistent with the specific purposes identified in this Policy, and for no other purpose. Such requests must not be based on any stigma, stereotype or discrimination based on Indigenous ancestry, race, ethnic origin, colour, place of origin, citizenship status, age, disability, sex, sexual orientation, gender identity, and social condition. Resources as necessary (for example, personnel, technology) should be assigned to ensure that all protocols, procedures and practices designed and implemented pursuant to this Policy respect privacy and confidentiality and that they do not discriminate, directly or indirectly in a manner that would be contrary to the Ontario *Human Rights Code* (the *Code*).

All efforts must be made to avoid or mitigate any adverse impacts on persons protected by the *Code*. All information and its use must align with the Board's human rights-based approach as detailed in its other Policies, including the Board's Human Rights Policy, and its Race and Ethnocultural Equity Policy. Furthermore, the Board emphasizes, that regardless of the COVID-19 status of the person requiring policing services, the Service must continue to prioritize the response to calls for service in accordance with the Service's statutory obligations under the *Police Services Act* and its existing procedures.

Purpose of Policy

For the duration of the Order, this Policy is intended to provide a governance framework concerning access, use, disclosure and retention of information obtained via the Portal as one source of information to protect the health and wellness of Members of the Service and public by preventing occupational exposure and spread of the COVID-19 virus. In addition, the Policy outlines a process for public reporting on the manner in which this unique and sensitive information is accessed and used by the Service. This Policy is premised on protecting the health and safety of Service Members, as well as the health, safety, and privacy of the members of our community.

It is the policy of the Board that the Chief will review the information made available by the Ministry, including any new information released subsequent to this Policy coming into force and, if access to the Portal is instituted within the Service, develop procedure(s):

Access, use, disclosure and retention of Portal information

- 1) Requiring that access to the Portal be made available for authorized users in communication and dispatch services, and requiring authorized users to access the Portal and provide Members with the information contained in it only for the purposes identified in this Policy, and in a manner consistent with any guidance provided by the Ministry of the Solicitor General, including adequate oversight by supervisors;
- 2) Establishing a protocol for authorized users to access the Portal for law enforcement purposes and in a manner that permits such access only for the purpose of:
 - a. Supporting front-line Service Members in making informed decisions to reduce the risk of occupational exposure to COVID-19 when responding to calls for service while the Order is in effect; or,
 - b. After a Service Member has had an interaction with an individual, to confirm the COVID-19 status information of the individual with whom they have interacted, while the Order is in effect, so as to inform any additional precautions required to prevent the spread of the COVID-19 virus.
- 3) Ensuring that the Portal will not be accessed to obtain information about Members of the Service, or about areas larger than a specific address;
- 4) Ensuring that COVID-19 status information access through the Portal is disclosed only to Service Members that require it for the purposes set out in section 2, and is kept confidential and not shared beyond such Members, and that transmission of such information is made through encrypted channels;
- 5) Specifying how COVID-19 status information, will be stored within the Service's electronic information systems so as to ensure confidentiality, and in a manner in which such information is segregated to the maximum extent possible from other information held by the Service, so that it can be easily and quickly removed or destroyed at a later date;
- 6) Ensuring that any COVID-19 status information in the computer-aided dispatch system should have a default expiry date coinciding with the day the Order ceases to be in effect (subject to any outstanding charges, actual or contemplated legal proceedings, actions or claims or complaints under the Police Services Act);

- 7) Ensuring that COVID-19 status information is not entered into the Canadian Police Information Centre;
- 8) Ensuring that any records of COVID-19 status information created in consequence of the transmission of this information to Members (e.g., notebooks, audio recordings) are redacted as appropriate prior to any disclosure; and
- 9) Ensuring that access to the Portal is prohibited once the provincial emergency has concluded, and that the destruction of such information collected by the Service within its information systems will take place as soon as permitted by law.

Active Screening

It is also the Policy of the Board that, regardless of the institution of access to the Portal, the Chief will develop procedure(s):

- 10) Instituting a COVID-19 active screening protocol for communication and dispatch services, in which call-takers endeavor to obtain the necessary COVID-19 status information directly from callers when applicable, which will be in effect until the termination of the Order;
- 11) Specifying how COVID-19 status information collected through the active screening process will be stored within the Service's electronic information systems so as to ensure confidentiality;
- 12) Ensuring that COVID-19 status information collected through the active screening process is not entered into the Canadian Police Information Centre; and;
- 13) Ensuring that any records of COVID-19 status information created in consequence of the transmission of information collected through the active screening process to Members (e.g., notebooks, audio recordings) are redacted as appropriate prior to any disclosure;

Consistency with applicable legislation

- 14) The Chief will ensure that any procedures developed in relation to this Policy are consistent with: O. Reg. 120/20, the *Police Services Act*, the *Municipal Freedom of Information and the Protection of the Privacy Act*, section 255 of the *Municipal Act, 2001* (regarding retention and destruction of records directly related to any law enforcement activity), the Ontario *Human Rights Code* and the Ontario Human Rights Commission's "Policy Statement On a Human Rights-Based Approach to Managing the Covid-19 pandemic", and, the laws governing

declarations of emergency in Ontario and at the federal level, which expressly recognize the importance of complying with existing human rights protections, even in emergency situations;

In the development of the above-referenced procedures, the Chief is encouraged to consult with the Information and Privacy Commissioner of Ontario, and other relevant stakeholders, about the specific data privacy safeguards that should be instituted to ensure the protection of personal privacy and personal health information, limiting the access to or use of this data, and the creation of accountability and reporting requirements to prevent and address the possible misuse of this data, including data breaches. The Chief is also encouraged to consult with the Ontario Human Rights Commission, and other relevant stakeholders, with respect to ensuring that Service protocols, procedures, practices and operations related to this Policy are consistent with the Human Rights Code and the Commission's "Policy Statement on a Human-rights based approach to the COVID-19 pandemic," released on April 2, 2020.

Reporting Requirements

- 15) Within 60 days of the Order ceasing to have effect:
 - a. The total number of requests for COVID-19 status information handled by the Service's communication and dispatch service over the duration of the Order, by Division;
 - b. The total number of requests in which a COVID-19 positive result was identified and the information was transmitted to the requesting Member during the duration of the Order, by Division; and,
 - c. The steps taken by the Service to ensure access to the information collected is not available to Members of the Service (other than as required by law or to facilitate access that is required by law) and that the information will be destroyed as soon as permitted by law.

Applicability

- 16) This Policy is retroactive to April 3, 2020, the date on which O. Reg. 120/20 came into effect, and where this Policy is inconsistent with O. Reg. 120/20, the Order will apply and any inconsistent provision will be deemed to be modified to render it consistent;
- 17) This Policy will be automatically repealed upon the Board's consideration of the Chief's report, as detailed above, unless the Board specifies otherwise; and,

Service Procedures

- 18) The Chief of Police will file with the Board all Service directives and/or procedures related to this Policy and O. Reg. 120/20.



Toronto Police Services Board Report

April 27, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director

Subject: Request for Special Funds: Ontario Association of Police Services Boards (OAPSB) – 2020 Virtual Annual General Meeting (AGM)

Recommendation(s):

It is recommended that, as an exception to its Special Fund Policy, the Board approve an expenditure in the amount of \$5,000.00 to sponsor the OAPSB 2020 Virtual AGM.

Financial Implications:

If the Board approves the recommendation contained within this report, the Special Fund will be reduced by \$5,000.00. The approximate balance of the Special Fund as at February 25, 2020 was \$616,788.

Background / Purpose:

The OAPSB is the leading voice of police governance in Ontario. The OAPSB serves its members and stakeholders, as well as the general public, by:

- helping local police service boards fulfill their legislated responsibilities, by providing training and networking opportunities, and facilitating the transfer of knowledge; and
- advocating for improvements in public safety laws and regulations, practices and funding mechanisms.

The OAPSB's Annual Spring Conference and AGM was scheduled to take place in Toronto, Ontario, from May 27-30, 2020, but given the challenges surrounding the COVID-19 Pandemic, and in the best interest of the health and safety of its Members, the OAPSB Board has opted to cancel the Spring Conference and host its AGM virtually.

As a result, the OAPSB will fall short of its annual funding goals as well as experience a loss related to conference preparations thus far. In addition, there will be costs associated with setting up the virtual AGM.

The virtual AGM will be an opportunity for professional development for Board members and Board office staff, including the opportunity to discuss common issues with fellow Board colleagues from across Ontario, which is especially important right now considering the challenges that all police services boards are facing in the midst of the COVID-19 Pandemic.

Given that it has been the Toronto Police Service's Board ongoing practice, for many years, to sponsor the OASPB's annual conference, I am recommending that the Board contribute \$5,000.00 that would be used towards supporting the virtual AGM.

Conclusion:

It is, therefore, recommended that, as an exception to its Special Fund Policy, the Board approve an expenditure in the amount of \$5,000.00 to sponsor the OAPSB 2020 Virtual AGM.

Respectfully submitted,

Ryan Teschner
Executive Director



Toronto Police Services Board Report

March 25, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Toronto Police Service Board's Race-Based Data Collection, Analysis and Public Reporting Policy – Quarterly Progress Update on Implementation

Recommendations:

It is recommended that the Toronto Police Services Board (Board) receive and approve the following quarterly report that provides progress updates on Policy implementation.

Financial Implications:

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

Background / Purpose:

Phased Approach to the Implementation of Race-Based Data Collection, Analysis and Public Reporting Policy, Starting with Use of Force

At its meeting of September 19, 2019, the Board approved its Race-Based Data Collection, Analysis and Public Reporting Policy (Policy), with the first phase of its implementation for Use of Force incidents to begin January 1, 2020 (Min. No. P178/19 refers). The Toronto Police Service (Service) went one step further and included Level 3 (strip) searches in phase 1 in response to the Office of Independent Police Review Director's report entitled "Breaking the Golden Rule: A Review of the Police Strip Searches in Ontario."

The focus of phase 1 is collecting Service members' perception of the race of an individual. The Policy also requires developing procedures that incorporate self-identification data by piloting a phased-in approach that emphasizes respect for individual and cultural dignity, and allows for proper evaluation on an ongoing basis.

Since the Policy was approved, the Service has been working diligently with stakeholders, both internally and externally, to develop a comprehensive implementation process that integrates operational and analytical perspectives. This process has brought together internal experts with operational police expertise and expertise in data management systems, along with community stakeholders and subject matter experts on race-based data collection and analysis, to facilitate the development of procedures and systems that positioned the Service to start data collection on January 1, 2020. Aspects of this planned implementation process were reported to the Board on December 16, 2019 (Min. No. P238/19 refers).

At that meeting, the Board also requested the Chief to provide quarterly updates to the Board's public meetings on the progress of Policy implementation. The reporting structure and milestones to be covered by each quarterly report were established through consultations between Board and Service staff. These milestones were informed by the Service's presentation to the Board on December 16, 2019, and to the Board's Anti-Racism Advisory Panel (A.R.A.P.) on February 13, 2020. As of the date of this report, A.R.A.P. has not held another meeting.

Discussion:

This report is the first quarterly report for 2020, and provides updates on a range of race-based data collection and analysis milestones. The Service is fully committed to advance Policy implementation; however, in doing so, would also like to acknowledge that the COVID-19 pandemic poses significant risks that will affect the implementation process, especially training delivery, as well as community and member engagements.

a. Training for Officers – online and in-person components

Training Service members represents a critical step for the successful implementation of the Policy. The training curriculum, which includes online and in-person components, is being delivered in stages. Staging the Race-Based Data Collection (R.B.D.C.) curriculum delivery was done deliberately to meet the January 1, 2020 deadline, and to ensure that learning is reinforced through a multi-modal approach. In addition, the R.B.D.C. trainings reinforce and align with other relevant trainings already available to the Service members, such as the Anti-Black Racism module and the Policing and Indigenous perspectives module, as well as the training being developed by Dr. Gervan Fearon and Dr. Carlyle Farrell. The latter is a collaboration with the Toronto Police College, and stems from the Community Survey and its findings, which were presented to the Board in May 2019, and flowing from work done by the Police and Community Engagement Review (P.A.C.E.R).

This approach enables a more consistent perspective across the Service's training program to support members to make connections and build their knowledge and capacity throughout their training journey. This approach will also facilitate a natural incorporation of subsequent modules to prepare the Service to collect race-based data

in new interactions, as well as self-identification data, which requires unique training needs.

The online training started in December 2019, and as of May 8, 2020, 4,843 members (63 percent of the Service) have completed the training. The deadline for this training was recently extended until the end of May, given the Service's focus on the COVID-19 pandemic.

Three engagement sessions were held with Staff Sergeants and Court Services' Shift Supervisors. 75 members attended and were provided updates on the R.B.D.C. strategy and given an opportunity to provide feedback. At these sessions, the officers raised some important aspects, such as collecting officers' race to support intersectional analysis. A desire to involve officers in the development of the data analysis framework was expressed to ensure the addition of proper operational context to data analysis and interpretation. Previous engagement sessions conducted by unit champions in December 2019 appear to have informed and mitigated any other concerns from the frontline.

Since January 2020, the Service's Equity, Inclusion & Human Rights (E.I.&H.R.) unit has been working with a curriculum designer, Dr. Grace-Edward Galabuzi, and the Toronto Police College to develop the in-person training module and learning objectives. This training is intended to build upon the online module and relevant training provided by the Service. The curriculum is currently being refined to incorporate feedback from the Ontario Human Rights Commission (O.H.R.C.) and community stakeholders with expertise in race data to address systemic racism. This curriculum will lay the foundation for future training for the collection of self-reported identities in a culturally safe and privacy-protected way.

The race-based data (R.B.D.) analyses are only as good as the weakest data point, so this training creates the opportunity to address challenges in the quality of records at the point of collection. E.I.&H.R. is working with Professional Standards Support, Business Change Management, Records Management Systems, Analytics & Innovation, and the Toronto Police College to address common data entry errors within the two systems used to record Use of Force and Level 3 interactions. The training will also include a robust evaluation of the training uptake, as well as enable timely and appropriate course corrections as needed.

The in-person curriculum will be delivered through a train-the-trainer model, with the select officers at the division/unit level delivering sessions to all Service members (civilian and uniform). The Service recognizes the importance of all members understanding the purpose, benefits, and foundational concepts of race-based data collection to promote bias-free policing and enhance community trust.

Planning to roll out the training across the Service is a huge undertaking, as it involves maintaining operations while simultaneously training over 7,500 members. The recent state of emergency related to the COVID-19 pandemic adds further challenges as all training has been suspended indefinitely. Until regular operations and schedules resume, there will be significant delays in the Service's ability to deliver the R.B.D.C.

train-the-trainer and Service-wide member training. The unprecedented nature of the COVID-19 pandemic challenges the development of any contingency plans.

b. Focus Groups with Community Members

Since October 2019, the Service has begun its largest community engagement endeavor to raise awareness about its R.B.D.C. strategy and create venues for the public to express their views and voice their concerns. Details on the multi-pronged approach to community engagement were provided in the report submitted for the December 16, 2019, Board meeting (Min. No. P238/19 refers).

Since last December, E.I.&H.R. continued to work closely with several community agencies to deliver the remaining focus groups. By the end of February 2020, 51 focus groups were delivered by 30 community organizations, engaging over 800 community members from diverse communities across the City of Toronto. Three focus groups are currently being planned to engage members of Indigenous communities in the R.B.D.C. strategy. These sessions were initially planned to be completed by the end of April. However, they will have to be rescheduled, as public meetings continue to be on hold.

The Service is still planning to summarize the key findings of the community engagement sessions and present them at the July Board meeting. The analyses conducted so far revealed a range of overarching themes, including: building trust between police and communities is key to the success of the R.B.D.C strategy; community questions the need for new data as several reports have been already published to document systemic racism in police; public awareness campaigns are critical to communicate clearly and consistently the purpose of the strategy; despite doubts and concerns, community is optimistic in the positive impact of the R.B.D.C strategy.

Should the restrictions on public gatherings prevent the planned July report, the Service will include this in the next quarterly report, as these findings will also inform Phase 2 of the Policy implementation and its associated training. The Service is still committed to report back and engage the community in the findings, which will be summarized into a public report. The COVID-19 pandemic poses significant risks on plans for community engagement. A number of recommendations have been made by Toronto Public Health in response to the COVID-19 pandemic to reduce social interaction, which includes prohibiting and choosing not to engage in large in-person public meetings or gatherings. The Service will sensitively approach any further planning as the situation stabilizes.

c. Preliminary work to inform the development of the Indigenous Engagement Strategy

The Service recognizes the importance of genuine engagement with Indigenous communities, given the historical tensions in their relationships with police. The perspectives of Indigenous communities are particularly necessary and require a special focus and stand-alone strategy to meaningfully engage these perspectives. They are necessary for the R.B.D.C. strategy overall, and its Phase 2 implementation, including the pilot on self-reported identity collection.

The Service is therefore committed to developing a dedicated Indigenous engagement strategy in collaboration with Indigenous communities and stakeholders to enable their involvement in a culturally sensitive manner. As part of an exploratory phase, the Service is seeking advice from Indigenous stakeholders to inform its thinking around a proper Indigenous engagement. These stakeholders include the Aboriginal Community Consultative Committee and the Service's Aboriginal Internal Support Network, among others.

In the context of recent political and pandemic events, the approach and timing for the Indigenous strategy must be carefully considered. The Service will therefore, mindfully approach any further planning as these situations stabilize.

d. Self-identification pilot

The Policy requires that the Service establish procedure(s) for the mandatory data collection, analysis and public reporting of race based-data that also incorporates the collection of self-identification data. The Policy requires a piloted, phased-in approach based on results from Phase 1 that will allow for a proper evaluation on an ongoing basis. The Policy also states that the approach to obtaining self-identification data should build in supports that emphasize respect for individual and cultural dignity.

The Service identified a member to lead the work required of the self-identification pilot. It is essential to have a lead with operational expertise to enable decisions around introducing the pilot, assessing systems needs and capacities to manage and protect self-reported identity data, developing required training and conducting robust evaluations. It was observed that having this expertise leading the discussion with internal stakeholders facilitated greater understanding of the goals of this initiative. As such, this member was transferred to the E.I. & H.R. unit to oversee this aspect of the Policy implementation. Recently, however, this member was temporarily reassigned to the Emergency Management and Public Order unit, which is managing the Service's response to the COVID-19 pandemic. This reassignment will delay the Service's planning for the self-identity pilot.

The Anti-Racism Data Standards require public engagement to inform how the Service implements the collection of self-reported identity in a culturally safe and privacy-protected manner. At this point, it is expected that the mid-term report will include public feedback on how the Service should collect, use, and report self-identified race-based data in a way that would increase public comfort with the Service collecting this information. The Service will also be consulting with key stakeholders on the development of the self-identity pilot, including: justice sector partners, Indigenous communities, the O.H.R.C., Colour of Poverty, Anti-Racism Directorate, The Wellesley Institute, The City Youth Council of Toronto (C.Y.C.T.O.), Black Action Legal Centre, UJA Federation of Greater Toronto, Muslim Association of Canada - Masjid Toronto, the Information and Privacy Commissioner (I.P.C.), and other key relevant stakeholders, as necessary and as identified.

e. Data privacy and quality assurance measures

The Policy requires that the Service develop procedures for data privacy safeguards, in consultation with the I.P.C. to ensure that:

- i) Personal privacy is protected in the collection, analysis and public reporting of the race-based data that is collected,
- ii) Access and use of race-based data is limited to a manner that complies with the Policy, and
- iii) Accountability and reporting requirements are established to prevent and address the possible misuse of race-based data as well as data breaches.

To develop data extraction and management procedures for the purpose of conducting race-based data analyses and reporting under the Policy, E.I.&H.R., Professional Standards Support, Analytics & Innovation, Information Security, Information Technology Services and Legal Services worked together to identify and recommend approaches to extract, anonymize, and securely transfer, store, and limit access to:

1. Arrest and Level 3 information from Versadex (VDX) in the Service Reporting Database, and
2. Information from Use-of-Force Reports in the Professional Standards Information System (P.S.I.S.).

As required under the Policy, E.I.&H.R., Information Security, and Legal Services consulted with the I.P.C. to seek advice and best practices to protect personal privacy, secure data, and minimize the use and access to personal information. The I.P.C. expressed support in principle, appreciation for the Service's early engagement, and offered continued support as the initiative progresses, such as the de-identification of data for public reporting. The Service will continue to update the I.P.C. on its progress and seek its advice throughout the Policy implementation.

Conclusion:

The full impact of the COVID-19 situation on the timelines for implementation of the R.B.D.C. strategy remains unknown at this time. However, given the current state, we foresee significant impacts on plans for community engagements, training schedules, data extraction processes and timelines, and member and stakeholder consultations on the self-identification pilot. The impacts will be updated and further reported in future quarterly reports.

The next quarterly report will be presented to the Board at its July meeting. The Service is prepared to include an updated assessment on the implementation and consultation timelines that have been impacted by the response to the current pandemic at that time. It should be noted that the scope of the update will be determined by clarification from Public Health officials regarding Provincial and Federal guidelines on the continued response to COVID-19.

Notwithstanding the current situation, the progress achieved thus far as detailed in this report enabled the Service to:

- Put proper procedures and systems in place that allowed the Service to begin race data collection on January 1, 2020 for Use of Force and Level 3 Searches;
- Continue the online training for the officers and develop the in-person training component that builds on relevant training provided by the Service and lays the foundation for future training required to properly collect self-reported identities;
- Work closely with a network of community agencies across the city of Toronto to raise awareness and engage diverse community members in the Service's R.B.D.C. strategy;
- Identify a lead with operational expertise for planning a self-identification pilot in a culturally safe and privacy-protected manner; and
- Initiate procedures that enable monitoring data quality and working closely with the I.P.C. and internal relevant units to ensure data privacy.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions the Board members may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police



Toronto Police Services Board Report

February 27, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Award of Construction Management Services for the New 41 Division Project

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- (1) approve a contract award to Eastern Construction Company Limited (Eastern) for the provision of construction management services for the new 41 Division facility at an estimated amount of \$6.4 Million (M); and
- (2) authorize the Chair to execute the agreements for construction management services on behalf of the Board, subject to approval as to form by the City Solicitor.

Financial Implications:

The capital budget for the Toronto Police Service's (Service) 41 Division project was first included in the Service's 2018-2027 Capital Program (Min. No. P58/18 refers). The approved funding of \$38.9M was a preliminary estimate based on construction costs at the time the funding request was submitted. This estimated cost was confirmed in January 2018 when an external architectural consulting firm was contracted to complete a feasibility study outlining options for a phased demolition and construction of the new building. Since that time, construction costs have increased and it is anticipated that the total construction cost will be higher than currently budgeted.

In order to obtain a definitive costing for the new build, the Service must retain the services of a construction manager to explore all variables that will impact the overall project cost from inception to conclusion. This will include the provision of accurate budget estimates for all project components following the completion of detailed design drawings by the project architect.

The construction management services portion of the contract is estimated at \$6.4M, comprised of a fixed management fee of \$810,000 and estimated disbursements of \$5.6M. Disbursements include costs associated with operating the construction site, such as:

- Mobilization and demobilization (construction trailer)
- Preconstruction, security, and site office staff
- Travel and parking expenses
- Computers, phones, internet access
- Printing and courier services
- Photographs and signage
- Insurance (general contractor liability)
- Local pumping, dewatering, and sanitary/hydro (temporary systems)
- Site surveys and underground locates
- Temporary site control (fencing, railings, disposal, street cleaning during excavation)
- Provision of as-built drawings to owner upon completion

Senior members of the Service's Facilities Management unit will be liaising with the architectural consulting firm engaged for this project (W.Z.M.H. Architects) and representatives from Eastern to develop detailed design drawings at various stages of design completion. At each milestone, the scope and budget become more defined and accurate, with the assistance of the construction manager.

The Board will be advised of the construction budget for the project following receipt of the tender submissions from various sub-contractors that will be commissioned by Eastern to complete the construction phase of the project. At that time, Board approval will be sought to proceed with the construction phase. Additional costs, if any, to complete the project beyond the \$38.9M provided in the Service's current capital program would be included in the 2021-2030 Capital Program budget request. However, the Service will take possible steps to contain the project cost.

Background/Purpose:

This project provides funding for a new 41 Division facility. The existing 41 Division is located at 2222 Eglinton Avenue East in Scarborough and is one of the oldest buildings in the Service's facility portfolio. Originally built as the Magistrates Court with Police Headquarters for Scarborough in 1961, it was converted for use exclusively by the Service in 1978. Although various renovations have been done since that time, circulation through the building is difficult as there are multiple changes in level between the front, middle, and rear of the building. The age of the facility (almost 60 years old), and the fact that it has already been modified from its original use, render it challenging and costly to introduce further changes. The building is also functionally outdated and does not meet the needs of the Service as a modern and efficient workplace. The new 41 Division will be built on the existing site, and will be designed to meet the Service's policing, investigative, and administrative needs for the next 50 years. The

facility will have adequate space to hold meetings and train personnel, as well as sufficient locker facilities, a modern detention area (including sally port) with attached interview rooms, a fitness workout room, bicycle storage, and a large community room complete with audio visual capabilities. The facility will be technologically equipped to support future initiatives.

The purpose of this report is to request Board approval for a firm to provide construction management services for a new 41 Division facility.

Discussion:

Architectural Services:

At its June 2018 meeting, the Board approved a roster of pre-qualified vendors to participate in future procurement processes for the provision of architectural services for various renovation and construction projects at Service facilities (Minute No. P118/18 refers). In January 2019, the Service's Purchasing Services unit issued Request for Quote (R.F.Q.) number 1298428-19 to the pre-qualified vendors to secure a firm to provide architectural consulting and design services for the new 41 Division build. Having met all of the mandatory requirements, W.Z.M.H. Architects was the lowest compliant bidder and received the contract award. To date, the consultant has completed investigative and programming work and has commenced schematic design drawings.

Construction Management Services:

In September 2019, the Service's Purchasing Services unit issued Request for Proposal (R.F.P.) number 1326331-19 for the provision of construction management and construction services for the new 41 Division. The R.F.P. was posted on MERX, an electronic tendering service designed to advertise opportunities for the procurement of goods and services. Twenty-nine vendors downloaded the R.F.P. document. A mandatory meeting for vendors was held on October 15, 2019, and four vendors attended the meeting. Responses were received from three proponents by the November 15, 2019 closing date.

The submissions were reviewed and evaluated by members of Facilities Management. Purchasing Services oversaw and facilitated the evaluation process utilizing the following weighted criteria included in the R.F.P. document:

Table 1 Construction Manager Evaluation Criteria

| | Evaluation Criteria | Points |
|---|---|---------------|
| | Stage 1 | |
| 1 | Company profile and organizational capabilities | 25 |
| 2 | Proposed project team experience and qualifications | 25 |

| | Evaluation Criteria | Points |
|---|--|---------------|
| 3 | Project methodology and managing client expectations | 25 |
| | Total maximum technical score | 75 |
| | Stage 2 | |
| 4 | Pricing | 25 |
| | Total maximum overall score | 100 |

As outlined in the R.F.P., a two stage, two envelope process was utilized for evaluation purposes. The technical portion (stage one) was evaluated based on the established criteria within the R.F.P., and marks were further refined to achieve a final total consensus score. The pricing envelope (stage two) was not opened until the evaluation committee had reviewed and finalized a consensus scoring for all submissions against the technical criteria outlined in the R.F.P.

To move forward to stage two of the process (pricing), proponents were required to obtain a minimum score of 56.25 (75%) out of a possible 75 points. The pricing evaluation criteria was weighted at 25 points. Two of the three proponents received sufficient scoring to move to stage two of the evaluation process. The proposal from Eastern achieved the highest combined total score (technical and pricing) and Eastern is, therefore, the recommended proponent.

Actual construction work is scheduled to start in Q1 2021. The estimated construction cost will be based on the final facility design and a more detailed estimate prepared by the construction manager. The construction manager will form part of the design team, providing the necessary expertise with respect to value engineering, pricing and budget verifications, constructability, and market conditions. The construction manager serves as an objective, experienced owner's representative, putting the owners and project's best interest first and foremost. During the preconstruction phase, the construction manager provides input on the constructability cost benefits or impact to the overall project schedule and budget. The construction manager provides value engineering input into the design development and working drawing/specification stages of the project. Once the design is finalized and moves into the construction phase, the construction manager is responsible for tendering all work associated with the project and effectively becomes the constructor, responsible for all sub trades and the construction work, including all risks and liabilities associated with same. The Service has used this process for major capital projects with great success in the past.

Conclusion:

Based on a comprehensive analysis of various options and approval of the project by the Board, the Service has embarked on the design of a new 41 Division. Following the engagement of a design consultant, Service staff began the procurement process to identify a construction management and construction services provider.

The Service utilizes a construction management approach for large capital projects. The selection of a qualified construction manager is critical to the success of the 41 Division project. The construction manager will be part of the project design team and will have input on issues that could impact the actual construction and cost of the facility.

Based on the results of an in-depth evaluation of submissions obtained through an open, fair and transparent procurement process, Eastern Construction Company Limited is the recommended proponent, having achieved the highest overall score and submitting a proposal that optimizes value to the Service. Board approval is therefore being requested to initiate the construction management services phase of the project.

Approval of the construction services component of the project will be provided to the Board once the facility design and tendering to sub-trades are completed by the architect and construction manager, respectively.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

March 5, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Lease Renewal Agreement for the Mounted Unit Exhibition Place Horse Palace Located at 15 Nova Scotia Avenue

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) approve the renewal of the agreement between the Board and The Board of Governors of Exhibition Place for a period of five years (January 1, 2020 to December 31, 2024) for a designated space within the Horse Palace building located at 15 Nova Scotia Avenue; and
- (2) authorize the Chief to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The lease agreement for the Mounted Unit Horse Palace expired on December 31, 2019. City of Toronto Corporate Real Estate Management (C.R.E.M.) has negotiated a renewal agreement for a period of five years commencing January 1, 2020 through to December 31, 2024. The agreement continues with the same terms and conditions that have been in place for several years with a nominal minimum (base) rent, plus operating expenses. The nominal base rent implies that no basic rent is payable.

Historically, the Toronto Police Service (Service) has allocated sufficient funds in its annual operating budget to cover utility expenses, custodial services, pest control, and building related repairs at the Mounted Unit Horse Palace. Funds are included in the Service's 2020 operating budget to cover these anticipated expenses. Operating expenses for this facility will continue to be incorporated into the Service's annual operating budget submission.

Background / Purpose:

The Service's Mounted Unit has occupied space within the Horse Palace building since 1968. The designated square footage (approximately 18,000) includes an administrative office area, horse grooming space, 50 horse stalls, use of the exercise ring, and suitable parking for horse trailers and Service vehicles.

The purpose of this report is to request that the Board approve the renewal of the agreement for the Mounted Unit Horse Palace for a period of five years commencing January 1, 2020 through to December 31, 2024. C.R.E.M. has advised that since the agreement is between two City of Toronto entities, a formal lease agreement will no longer be required. Instead, a Term Sheet outlining the terms and conditions of the agreement will document the arrangement between the Board and The Board of Governors of Exhibition Place. Therefore, the Board is also requested to authorize the Chief to execute all required agreements and related documents on behalf of the Board.

Discussion:

The Service established the Mounted Unit in 1886 when two officers were assigned to full-time mounted duties. The value of police horses was quickly recognized and the unit began to expand with the acquisition of additional horses. The unit currently provides training for mounted officers from other jurisdictions, including the provision of training at the annual Mounted Police Colloquium in Kentucky, United States.

In addition to its role in policing the City, the Service's Mounted Unit continues to exemplify community policing, as the officers and their horses are often approached by community members when they are out on patrol.

Conclusion:

The renewal of the agreement between the Board and The Board of Governors of Exhibition Place will allow the Service's Mounted Unit to continue its uninterrupted daily operations. It is, therefore, recommended that the Board approve the renewal of the agreement for the Mounted Unit to remain at the Horse Palace located at 15 Nova Scotia Avenue and authorize the Chief to execute the required documents.

Mr. Tony Veneziano, Chief Administrative Officer and Deputy Chief James Ramer, Specialized Operations Command will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

April 20, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Special Constable Appointments and Re-Appointments –
May 2020**

Recommendation:

It is recommended that the Board approve the appointments and re-appointments of the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.) and the University of Toronto (U. of T.), subject to the approval of the Ministry of the Solicitor General.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry of the Solicitor General. Pursuant to this authority, the Board has agreements with the University of Toronto (U. of T.), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P289/13 refer).

The Service has received requests from the T.C.H.C, and U. of T. to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

| Agency | Name | Status Request |
|---------------------------|----------------|-----------------------|
| U of T Scarborough Campus | Ivan Ampeuro | Appointment |
| T.C.H.C | Mohammad Malik | Appointment |

Discussion:

The special constables are appointed to enforce the *Criminal Code of Canada*, *Controlled Drugs and Substances Act*, *Trespass to Property Act*, *Liquor Licence Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment or re-appointment as special constables. The Service’s Talent Acquisition Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their agreement with the Board. The approved strength and current complements of the agencies are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

| Agency | Approved Complement | Current Complement |
|-----------------------------|----------------------------|---------------------------|
| T.C.H.C. | 300 | 158 |
| U. of T. Scarborough Campus | 25 | 23 |

Conclusion:

The Service continues to work together in partnership with the agencies to identify individuals who may be appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on T.C.H.C. and U. of T. properties within the City of Toronto.

Deputy Chief of Police James Ramer, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.

Chief of Police



Toronto Police Services Board Report

February 28, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Ryerson University Special Constable Program

Recommendation:

It is recommended that the Toronto Police Services Board (the Board) consider the new special constable Agreement with Ryerson University contained within this report

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

Ryerson University (Ryerson) has submitted a business case and request to enter into an Agreement with the Board, pursuant to section 53 of the *Police Services Act* (Appendix 'A' refers). The business case outlined extensive research conducted by a third party, as a result of concerning student and staff perceptions of safety on campus and how a special constable program would play a role in increasing campus safety.

The Board has authority pursuant to section 53 of the *Police Services Act* to appoint individuals as special constables, for such period, area, and purpose that the Board considers expedient, subject to the approval of the Minister of the Solicitor General or such person designated under the *Police Services Act* to provide such approval.

The purpose of this report is to advise the Board that Ryerson is requesting that the Board grant limited police authorities to persons hired by Ryerson as special constables under the following legislation;

- i) *Criminal Code*: section 495;
- ii) *Mental Health Act*: section 17;

- iii) *Trespass to Property Act*: sections 2(1)(a)(i) and (ii), 2(1)(b), 9(1), 9(2) and 9(3) and 10;
- iv) *Liquor Licence Act*: sections 31(5), 36(1) and 47(1)(1.1); and
- v) *Cannabis Control Act*: sections 6(1) and (2), 7(1), 9, 10(1), 14, 16(1), 17(1), 19 and 21(1)

Discussion:

Ryerson special constables will be directed by an Agreement between Ryerson and the Board to ensure compliance with the applicable sections of the *Police Services Act*, all internal policies and procedures of Ryerson and all Toronto Police Service (TPS) policies, standards, and procedures applicable to their duties, powers, and responsibilities. Ryerson will be expected to comply with provincial reporting and complaint guidelines already in place with other special constable agencies the Board have Agreements with.

It is also recommended this Agreement include a restriction for how the special constable powers can be used. Other special constable Agreements include restrictions that special constables cannot use any power conferred on that officer pursuant to s. 53 of the PSA for enforcement of the Criminal Code for the sole purpose of looking for evidence of a criminal offence under any Act or regulation.

The Ryerson campus is unique as it snakes through the downtown core from Carlton Street to the north, Queen Street to the south, University Avenue to the west and Jarvis Street to the east. The current recommendation is that Ryerson special constables be authorized to use their authorities in any building and property and throughout the entire building, where Ryerson rents, owns or uses space, similar to the jurisdiction authorized to special constables from the University of Toronto. However, Ryerson special constables would not conduct general patrols or respond to calls for security on floors or locations that were not specifically rented, owned or exclusively used by Ryerson.

Ryerson intends to implement the special constable program in phases and is requesting to begin with a compliment of 24 special constables. The institution will formally request approval for more positions as the program expands. Ryerson is familiar with the conditions of other special constable Agreements and has sourced third party training providers and will ensure training complies with TPS and Ministry of the Solicitor General's standards.

The Agreement for Ryerson will include controls to ensure training meets the Toronto Police College expectations and standards, supervision, reporting to the TPS, oversight and accountability.

Ryerson is requesting their special constables be authorized to carry OC spray, an expandable baton, handcuffs, Naloxone; and wear ballistic protection vests. Ryerson has suggested a uniform of blue shirts and pants that comply with the Ministry's 'Special Constable Practitioners Handbook' and will not resemble the TPS uniform. It would be requested that the ballistic protection vest display the words "special constable" on the front and back and that it be specifically noted in the Agreement that the special constables shall be in uniform when acting as a special constable and or exercising their authorities as special constable.

Special constables support the community safety efforts of the TPS. The additional powers and authorities allow the special constables to address a significant number of calls for service that would otherwise be directed to police. In addition, the presence of a special constable acts as a deterrence to criminals, something not seen to the same degree with security guards. During the COVID-19 pandemic, there has been increased concern by business owners about their closed businesses being broken into, challenges with drug use and trafficking and mischief to their properties. Given that the Ryerson University campus properties abut and overlap these private spaces, an increased uniform presence around the downtown core can assist with the response to these concerns. While it will take some time to develop this Agreement, it is likely that once it is completed, Ryerson special constables would play a significant security role on their properties in the downtown core and assist with public safety during any subsequent COVID-19 phases.

Ryerson conducted extensive research on the most effective ways to keep their students and staff feeling safe while on campus. Developing an Agreement for a Special Constable Program and partnership with the Board was just one step in the safety program that resulted from this research. However, commitment from the Board to engage in this partnership is a key element in all of the other safety efforts for the school. Any delay in Board review and decision slows or stops progress in other areas of the safety program. In addition, Ryerson has committed a great amount of resources to the development, implementation and monitoring of the safety program. Ryerson has the following processes in place while waiting for a response from the Board:

1. **Legal Services:** Ryerson has assigned 2 in-house lawyers to this file to review the *COPS Act* and Agreements from other institutions that have special constable programs in order to prepare for the drafting phase;
2. **Human Resources:** Ryerson Human Resources Department has developed recruitment strategies, a job description and the overarching framework for incorporating the Special Constable Program into the already existing security model;

3. **Training:** Ryerson has begun researching and sourcing third party training providers for the Ministry of the Solicitor General's mandated training as well as training internal staff to provide the Ryerson specific training;
4. **Government Relations:** Ryerson is building relationships with the City of Toronto, business associations, Toronto Public Health, and other external stakeholders who would be impacted by the Special Constable Program; and
5. **Equity, Community, and Inclusion:** Ryerson University is making efforts to recruit members of minority communities to be appointed as special constables. It is difficult to attract suitable candidates when there is no timeline to when the positions may become available.

Conclusion:

The special constables employed by Ryerson would assist the TPS with their commitment to work with our communities. The special constables would also expand the reach of the TPS to be where the community needs us the most. This agreement with Ryerson would allow these special constables the ability to contribute to the TPS efforts to keep Toronto the best and safest place to be.

Deputy Chief of Police, James Ramer, Specialized Operations Command and a representative from Ryerson will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police



Toronto Police Services Board Report

May 6, 2020

To: Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director

Subject: **COVID-19 Emergency Board Delegates' Decisions Report
March 26 to May 21, 2020**

Recommendation(s):

It is recommended that:

- 1) The Board receive the reports that were deemed urgent and operationally necessary by the Chief and considered by the Board's Delegates (as per Minute No. P45/20) pursuant to the delegation authority granted by the Board on March 26, 2020; and,
- 2) The Board confirm that the delegation approved on March 26, 2020 has now expired, as set out in the above referenced Minute.

Background/Purpose:

The delegation of authority and its expiry

At its Special Meeting of March 26, 2020, the Board, pursuant to section 34 of the *Police Services Act*, delegated some of its authority to the Board's Chair and Vice-Chair (Minute No. 45/20). This delegation of authority was for the authorization, approval, awarding, execution of agreements, or actions that otherwise would permit requests from the Chief of Police, where those requests are **urgent** and **operationally necessary** to the ongoing operation of the Toronto Police Service.

This delegation was recommended as a result of the unprecedented health emergency arising from the COVID-19 pandemic, and the need to ensure decisions vital to ensuring adequate and effective policing in Toronto could be made in the absence of regular Board meetings. The terms of the delegation recommended and approved by the Board explicitly stated that the Board's delegation of authority will automatically expire with the resumption of this regular meeting of the Board. The terms of the delegation also

required that once the Board resumes its regular meetings, the decisions made by the Board's delegates will be brought back to the whole Board for information.

The decisions of the Board's Delegates

This report summarizes all of the reports brought before the Board's Delegates between March 26, 2020 and the present regular Board meeting, as well as the decisions made by the Board's delegates with regard to each report. The reports summarized below are attached as Appendix "A" to this report. A record of the Delegates' Decisions was also posted to the Board's public website, after the decisions were made, at the following link:

<https://www.tpsb.ca/meetings/delegates-decisions>.

Reports on personnel matters involving intimate financial and/or personal matters of a named individual will be brought before the Board in full in a separate, in-camera report, in accordance with subsection 35(4) of the *Police Services Act*.

The following table summarizes the reports that were considered by the Delegates from March 26, 2020 to present, as well as the decision made by the Delegates:

| Date of Approval | Report | Approved Recommendations |
|------------------|---|---|
| April 2, 2020 | TPS ESRI GIS Enterprise License Agreement - 2020-2023 | <p><u>Approved</u> the following recommendations:</p> <p>(1) Approve an increase to the value of the contract with Michael Cizmar and Associates (MC+A) of \$1,807,100 and an extension of the contract term from April 1, 2020 to December 31, 2020, with three one-year extension options;</p> <p>(2) Authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and</p> <p>(3) Authorize the Chief of Police, at his discretion, to extend the contract for an additional three one-year terms, subject to satisfactory performance by the vendor.</p> |

| | | |
|-----------------------|---|--|
| <p>April 2, 2020</p> | <p>Global Search Solution Project Board Report for March</p> | <p><u>Approved</u> the following recommendations:</p> <p>(1) Approved a three year extension of the E.L.A. for Geographic Information Systems' (G.I.S.) technology with Esri commencing April 1, 2020 and ending March 31, 2023, and an increase in the contract value to \$810,000 over the three year period;</p> <p>(2) An extension of the M.S.A. for G.I.S. technology with Esri commencing May 12, 2020 and ending March 31, 2023, at a cost not to exceed \$200,000 per year;</p> <p>(3) Authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City solicitor as to form.</p> |
| <p>April 2, 2020</p> | <p>Special Constable Appointments for March and April 2020</p> | <p><u>Approved</u> the re-appointments of the individuals listed in these two separate reports for March and April 2020 as special constables for the Toronto Community Housing Corporation (T.C.H.C.), Toronto Transit Commission (T.T.C.) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General.</p> |
| <p>April 2, 2020</p> | <p>One Year Contract Extension request for Towing and Storage Services – Mar 31, 2020</p> | <p><u>Approved</u> the following recommendations:</p> <p>(1) Approve extending the existing towing and pound services contracts for a period of one year from June 1, 2020 up to and including May 31, 2021;</p> <p>(2) Authorize the Chief to execute any extension agreements on behalf of the Board, subject to approval as to form by the City Solicitor.</p> |
| <p>April 28, 2020</p> | <p>Automated Fingerprint Identification System, Live Scan, and Disaster Recovery – Contract Award</p> | <p><u>Approved</u> the following recommendations:</p> <p>(1) Approve a contract award to IDEMIA Identity and Security Canada for the purchase and installation of a new Automated Fingerprint Identification System (A.F.I.S.) and Disaster Recovery at a cost of \$1,553,497 and fingerprint capture equipment (Live Scan) at a cost of \$401,423, for a total amount of \$1,954,920 (excluding taxes);</p> |

| | | |
|----------------|---|---|
| | | <p>(2) Approve a contract award to IDEMIA Identity and Security Canada for the maintenance and support for the new A.F.I.S. for a five-year period commencing after successful system implementation and the one-year warranty period, at a total cost of \$929,096. (excluding taxes); and</p> <p>(3) Authorize the Chair to execute the agreement and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.</p> |
| April 28, 2020 | Special Constable Appointments and Re Appointments – April 2020 | <u>Approved</u> the appointments and re-appointments of the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General. |

Conclusion:

Based on the foregoing, it is recommended that the Board receive these reports, and confirm that the delegation has expired.

Respectfully submitted,

Ryan Teschner
Executive Director

APPENDIX “A”

**REPORTS CONSIDERED
BY THE BOARD’S DELEGATES
ON
APRIL 2 and 28, 2020**

Extensions to Enterprise Licence Agreement (E.L.A.) and Master Services Agreement (M.S.A.) with Esri Canada Ltd. (Esri)

Request

Request to extend the Service's Enterprise Licensing Agreement (E.L.A.) with Esri Canada Ltd. for Geographic Information Systems (GIS) from 2020-2023, and to extend the Master Services Agreement (M.S.A.) for Esri for that time period, with the Chair being authorized to execute the required agreements.

Operational Necessity

Geographic Information Systems is the foundational platform for managing the Service's operational mapping technology and supports internal operations with respect to public crime information. This technology is also critical for the Service's Incident Command during the COVID-19 response, as well as in other areas.

Urgency

The licence expired March 31, 2020 and it is important to extend the licensing agreement as soon as possible to avoid any potential operating issues.



Toronto Police Services Board Report

March 3, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Extensions to Enterprise Licence Agreement (E.L.A.) and Master Services Agreement (M.S.A.) with Esri Canada Ltd. (Esri)

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

1. approve a three year extension of the E.L.A. for Geographic Information Systems' (G.I.S.) technology with Esri commencing April 1, 2020 and ending March 31, 2023, and an increase in the contract value to \$810,000 over the three year period;
2. approve an extension of the M.S.A. for G.I.S. technology with Esri commencing May 12, 2020 and ending March 31, 2023, at a cost not to exceed \$200,000 per year;
3. authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City solicitor as to form;

Financial Implications:

The total value of the three year E.L.A. extension with Esri is \$810,000, plus applicable taxes. The 2020 cost for the use of this technology is approximately \$270,000, plus applicable taxes, and these funds are provided for in the Toronto Police Service's (Service) 2020 operating budget. The estimated costs for the second and third year agreement will be included in the budget request for each respective year.

Professional services from Esri may also be required from time to time for any required configuration, verification, integration, and regular reviews to ensure the optimal use of the G.I.S. technology. The cost of these services are in addition to the license cost. The amount that would be expended on professional services cannot be estimated at this

time, but are not expected to exceed \$200,000 in any given year. Funds required in 2020, if any, would be subject to the availability of funds through the reallocation of funds within the Service's existing budget. Amounts required for these professional services in future will be requested through future operating budget requests.

Background / Purpose:

In November 2013, the Service entered into a three year E.L.A. with Esri, for the use of the G.I.S. suite of tools which includes: online Public Safety Data Portal, web maps, operations dashboards, desktop mapping, server applications and extensions for analysis. The agreement was subsequently extended to March 2017, and further extended to March 2020.

Esri is the sole Canadian provider of licences for this suite of products, which is the industry leading solution for use in law enforcement and is also used by the City of Toronto (City).

Since entering into the agreement with Esri, the Service has delivered extensive training to members of the Service, allowing us to fully utilize the product. Esri's G.I.S. suite of technology has been integral to support the recommendations made in The Way Forward report, specifically #2: Enhanced use of Data, Analytics, Information Management; and #17: Accessible & Transparent Information. The Esri suite of tools has provided the foundation to provide access to real-time data, analysis and geographic based information that support operational and strategic planning.

The Service has received a number of recent awards because of its G.I.S. development such as the 2019 Esri Special Achievement in G.I.S., the 2019 BeSpatial Silver Medal for Public Sector G.I.S., and the 2019 GeoSpatial Maturity Index Silver Medal.

In May 2017, the Service also entered into a three year M.S.A. with Esri for professional services for any required configuration, verification, integration, and regular reviews to ensure the optimal use of the G.I.S. technology.

Discussion:

The Service understands the strategic value of information and evidence-based insight for all members of the organization and the public. The G.I.S. technology provided by Esri is foundational for public safety operations and management support, and the Service now has dedicated members whose main focus is the development and enhancement of the service wide G.I.S. which includes applications such as Pushpin, the Bail Compliance Dashboard, and Calls for Service. Continued use of this technology will allow the organization to support front-line policing, and to be smarter by making informed decisions based on real-time data and analysis. Geographic representation of data supports the development of operational and strategic planning based on neighbourhoods, wards and divisional boundaries within the City of Toronto.

Members of the public and partners of the Service increasingly rely on map-based Esri tools for accessing information about their communities and the Service is committed to enhancing the delivery of this service. The G.I.S. is a critical system and is leveraged throughout the entire Service.

Esri G.I.S. technology has been integral to the support of the Service's modernization goals and the recommendations pertaining to transparency and the strategic use of information for operational decision making processes. Specifically, this technology is required to enable the implementation of recommendations that involve data analytics, evidence-based decision making, connected and neighbourhood officers, business intelligence, and open data. Esri G.I.S. technology is the mapping foundation for Versadex, the Service's records management system and has also been essential to the development of the demand and workload modelling that will allow the Service to optimize resources, a key component in the modernization of the Service.

The Service's partners at the City also use Esri G.I.S. technology for delivering internal and external access to map-based information and decision support. The Service will continue to work closely with its City partners to ensure alignment and identify opportunities for mutual benefits and efficiencies.

The current E.L.A. ends on March 31, 2020, and the current M.S.A. ends on May 11, 2020. The purpose of this report is to request Board approval for a three year extension of both agreements. Continued use of this technology will support the availability of timely and accurate information to front-line members, Command and members of the public. The technology and services provided to date by Esri have been aligned with current and anticipated needs for modernization and continued provision of their services for configuration, verification and review are imperative to fulfilling the Service's goals.

Conclusion:

The Service has made a strategic investment in G.I.S. technology and related training in order to fully leverage its data and utilize geographic analysis to support operational decision making, inform the public and support modernization initiatives. The Service is therefore recommending the approval of a three year extension of the E.L.A. and the M.S.A. with Esri Canada Ltd.

Ian Williams, Manager, Innovation & Analytics and Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions that the Board members may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Global Search Solution Project - Contract Extension

Request

Request to approve an increase in the value of a Global Search solution contract, an extension of the contract term, an authorization for the Chair to execute required agreements, and for the Chief to further extend the contract, subject to satisfactory performance by the vendor

Operational Necessity

This is a single search platform which will provide operational and analytical information to all Service Members. The value of making available timely and accurate information for the purposes of public safety investigations and primary response is vital for officers. With the production and implementation of this platform, Service Members will be able to conduct searches of internal systems more quickly and comprehensively than is currently possible, saving valuable time and increasing connectivity to key information across systems.

Urgency

The project is scheduled to move into production to enable selected operational units to leverage the capabilities. It has the capacity to move the Service forward in a strategically beneficial way, particularly in a modernized environment that is premised on more efficiently and effectively managing, accessing and linking information for the purposes of yielding investigative leads. The project cannot move forward without the requested approvals for software licencing and professional services.



Toronto Police Services Board Report

March 3, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Global Search Solution Project - Contract Extension

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) approve an increase to the value of the contract with Michael Cizmar and Associates (MC+A) of \$1,807,100 and an extension of the contract term from April 1, 2020 to December 31, 2020, with three one-year extension options;
- (2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and
- (3) authorize the Chief of Police, at his discretion, to extend the contract for an additional three one-year terms, subject to satisfactory performance by the vendor.

Financial Implications:

The tables below summarize the cost of both past and future professional services, software license fees, maintenance and support, for this project.

Previously Approved Expenditures under the Current Contract:

| Timing | Professional Services | Software License Fees | Maintenance and Support Fees | Total |
|----------------------|-----------------------|-----------------------|------------------------------|-----------|
| Expenditures to Date | \$455,000 | \$217,000 | | \$672,000 |

Contract extension request:

| Timing | Professional Services | Software License Fees | Maintenance and Support Fees | Total |
|--|------------------------------|------------------------------|-------------------------------------|--------------------|
| April 01, 2020 – December 31, 2020 | \$100,000 | \$211,000 | \$46,400 | \$357,400 |
| Jan 1, 2021 - December 31, 2021 | \$140,000 | \$281,300 | \$61,900 | \$483,200 |
| Jan 1, 2022 - December 31, 2022 | \$140,000 | \$281,300 | \$61,900 | \$483,200 |
| Jan 1, 2023 - December 31, 2023 | \$140,000 | \$281,400 | \$61,900 | \$483,300 |
| Total contract extension amount | \$520,000 | \$1,055,000 | \$232,100 | \$1,807,100 |
| Total contract amount | \$975,000 | \$1,272,000 | \$232,100 | \$2,479,100 |

Expenditures to date for this initiative have been funded by the 2017/18 and 2018/19 Policing Effectiveness and Modernization (P.E.M.) Grants, and the Toronto Police Service's (Service) 2020-2029 Capital Program.

Funding for future expenditures for this initiative have been included in the Service's 2020-2029 Capital Program (Min. No. P237/19 refers).

Background / Purpose:

The Service's Records Management System (R.M.S.) was changed on November 5, 2013 from eCOPS to Versadex. Since that time, users have not been able to concurrently perform an integrated search of the current Versadex R.M.S. and the legacy databases through a single interface.

The value of timely and accurate information for the purposes of public safety investigations and primary response has always been vital for officers. Searching for such information currently involves searching multiple data repositories through separate interfaces, each returning results in differing formats. The Service requires the ability to search information through a single common interface, with the goal of searching and retrieving all relevant content from file system repositories as well as document and content management systems through a Global Search solution.

With the production implementation of this platform, members of the Service will be able to conduct searches of internal systems more quickly and comprehensively than is currently possible. This will save valuable time in support of investigations and increase officers view to the connectivity of key information across systems, which will be a notable improvement from current state.

In January 2018, the Service conducted a Request for Proposal process for a Global Search solution. This resulted in the selection of Attivio software as the Service's

standard for Global Search software and the selection of Michael Cizmar and Associates (MC+A) for the provision of required professional services including installation, configuration, testing and training.

The Global Search project is being run in an innovative manner using an agile approach, which began with a phased Proof of Concept (P.O.C.). The P.O.C. has involved implementing the technology, identifying long-term applications of the technology through lessons learned, and creating a foundation based on core R.M.S's. The Service examined the capabilities, limitations and scalabilities of the solution and began development of appropriate governance and security measures. A detailed examination of maintaining and supporting the application was also evaluated.

In 2019, the Board approved an initial one-year production license, related professional services and future year maintenance and upgrade for a total contract value of \$687,000 (Min. No. P74/19 refers).

The next phase was a limited initial production license rollout into two units (Homicide and the Toronto Police Operations Centre), which were active participants during the P.O.C., and in addition to strategically add new units and data repositories.

Discussion:

The benefits of the Global Search solution include enhanced situational awareness, improved public and officer safety and increased officer efficiency conducting searches.

The next phase will be to continue the pilot production rollout in operational and investigative units which have been active participants during the P.O.C. to date, and in addition to strategically add new units and data repositories. This phase of the project will enable investigative and operational units to search across internal systems simultaneously. Further, officers will be able to search and visualize the requisite connectivity of critical investigative information in support of investigations.

MC+A is the exclusive reseller and professional service provider of the Attivio software in Canada, and as such the Service recommends extending the agreement with MC+A to continue with next phase of the project.

Conclusion:

The Service is seeking approval for an increase in the value of the contract with Michael Cizmar and Associates (MC+A) of \$1,807,100 and an extension of the contract term from April 1, 2020 to December 31, 2020, with three one-year extension options at the discretion of the Chief of Police.

Deputy Chief Shawna Coxon, Communities and Neighbourhoods Command and Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Special Constable Appointments

Request

Request to approve the appointments and re-appointments of the listed individuals as special constables for the Toronto Transit Commission (TTC), the Toronto Community Housing Corporation (TCHC) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General.

Operational Necessity

It is critical that the Board continue to consider and approve the appointments and re-appointments of special constables as part of its role in ensuring community safety resources are available to entities that require them.

Urgency

Special constables play an integral role in keeping our community safe, and now have the added responsibility of assisting the City with educating the public on the restrictions enacted under the Emergency Management and Civil Protection Act and related municipal by-law(s). This assistance will become increasingly important as the impacts of COVID-19 potentially become more severe.



Toronto Police Services Board Report

February 17, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Special Constable Re Appointments – March 2020

Recommendation:

It is recommended that the Board approve the re-appointments of the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.), Toronto Transit Commission (T.T.C.) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re - appoint special constables, subject to the approval of the Ministry of the Solicitor General. Pursuant to this authority, the Board now has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P154/14 refer).

The Service has received requests from the T.C.H.C, and T.T.C. to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

| Agency | Name | Status Request |
|---------------------------|--------------------|-----------------------|
| T.T.C. | Donnavan BELLE | Re - Appointment |
| T.T.C. | James BINGHAM | Re - Appointment |
| T.T.C. | Jose COSTA | Re - Appointment |
| T.T.C. | Jerison LAWRENCE | Re - Appointment |
| T.T.C. | Mitchell McFARLANE | Re - Appointment |
| T.T.C. | Nicholas MILHOMENS | Re - Appointment |
| T.T.C. | Chad MINTER | Re - Appointment |
| T.T.C. | Tom TSOMIS | Re - Appointment |
| T.C.H.C. | Jared COLE | Re - Appointment |
| U of T St. George Campus | Ryan DOW | New Appointment |
| U of T St. George Campus | Matthew KERR | New Appointment |
| U of T St. George Campus | Michael MUNROE | Re - Appointment |
| U of T Scarborough Campus | Natalie SMITH | Re - Appointment |
| U of T St. George Campus | Lauren WEIDMARK | Re - Appointment |
| T.T.C. | David NORTH | Re - Appointment |
| T.T.C. | Giacomo CIRINNA | Re-Appointment |

Discussion:

The special constables are appointed to enforce the *Criminal Code of Canada*, *Controlled Drugs and Substances Act*, *Trespass to Property Act*, *Liquor Licence Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment or re - appointment as special constables. The Service’s Talent Acquisition Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The agencies have advised the Service that the above individuals satisfies all of the appointment criteria as set out in their agreement with the Board. The agencies’ approved strength and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

| Agency | Approved Complement | Current Complement |
|---------------------------|---------------------|--------------------|
| T.C.H.C. | 300 | 154 |
| T.T.C. | N/A * | 85 |
| U of T Scarborough Campus | 16 | 25 |
| U of T St. George Campus | 23 | 50 |

*TTC currently does not have an approved complement in their M.OU with the Toronto Police Services Board, however, they have had a complement which totalled 91 as previously reported.

Conclusion:

The Service continues to work together in partnership with the agencies to identify individuals who may be appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on T.C.H.C. and T.T.C. properties within the City of Toronto.

Deputy Chief of Police James Ramer, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.

Chief of Police

*original with signature on file at Board Office



Toronto Police Services Board Report

March 31, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Special Constable Re Appointments – April 2020

Recommendation:

It is recommended that the Board approve the re-appointments of the individuals listed in this report as special constables for the Toronto Transit Commission (T.T.C.) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re - appoint special constables, subject to the approval of the Ministry of the Solicitor General. Pursuant to this authority, the Board now has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P154/14 refer).

The Service has received requests from the T.C.H.C, and T.T.C. to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

| Agency | Name | Status Request |
|---------------------------|-------------------|-----------------------|
| T.T.C. | Edward Winger | Re - Appointment |
| T.T.C | Tennyson Ramsay | Re - Appointment |
| U of T Scarborough Campus | Stephen Callaghan | Re - Appointment |

Discussion:

Special constables are appointed to enforce the *Criminal Code of Canada*, *Controlled Drugs and Substances Act*, and certain sections *Trespass to Property Act*, *Liquor Licence Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The Agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment or re - appointment as special constables. The Service's Talent Acquisition Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their Agreement with the Board. The agencies' approved strength and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

| Agency | Approved Complement | Current Complement |
|---------------------------|---------------------|--------------------|
| T.T.C. | N/A | 85 |
| U of T Scarborough Campus | 16 | 25 |

*TTC currently does not have an approved complement in their M.OU with the Toronto Police Services Board, however, they have had a complement which totalled 91 as previously reported.

Conclusion:

The Service continues to work together in partnership with the agencies to identify individuals who may be appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on T.T.C. and U of T properties within the City of Toronto.

Deputy Chief of Police James Ramer, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.

Chief of Police

*original with signature on file at Board Office

One Year Contract Extension request for Towing and Storage Services.

Request

Request to approve an extension for the existing towing and pound services contracts for one year and to authorize the Chief to execute further extension agreements.

Operational Necessity

These towing services are integral to the Service's ability to ensure the safe and efficient flow of traffic. An additional one-year extension is now being sought to bring the term of the contracts to an end on May 31, 2021. This would allow for the continuation of towing and pound services while a replacement property is being secured downtown for an existing rapid release pound. A one-year extension will give the Service time to explore the option of creating a new operating model (with different terms of service and different areas of responsibility), and to improve the response times for police-ordered tows.

Urgency

The urgency of this request is due to the fact that the current contract will expire on May 31, 2020. Without a contract, the Service will not have the capacity to impound and hold vehicles as required under legislation, remove vehicles from private property on behalf of property owners, or enforce bylaws.



Toronto Police Services Board Report

March 31, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: One Year Contract Extension request for Towing and Storage Services.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) approve extending the existing towing and pound services contracts for a period of one year from June 1, 2020 up to and including May 31, 2021;
- (2) authorize the Chief to execute any extension agreements on behalf of the Board, subject to approval as to form by the City Solicitor.

Financial Implications:

Staffing costs incurred by Traffic Services associated with the vehicle towing and storage services program, and revenues generated from the towing/storage contracts are included in the Toronto Police Parking Enforcement Unit's (P.E.U.) 2020 operating budget. Should the contract be extended as recommended, the P.E.U. is projected to recover approximately \$935,000 in 2020 for costs associated with administering the contracts through the cost recovery fee charged to the towing operators.

Background / Purpose:

To meet its commitment of ensuring the safe and orderly movement of traffic across the City, while addressing and regulating parking concerns, the Toronto Police Service (Service) requires the services of towing and pound services operators.

On May 31, 2016, in response to a Request for Quotation (RFQ-1167690-16 Supply and Delivery of Vehicle Towing & Storage of Services) and the Board awarded towing and pound services contracts to the following towing companies:

1. Towing District No. 1 – JP Towing and Storage Ltd.
2. Towing District No. 2 – 1105729 Ontario Inc.
3. Towing District No. 3 – 1512081 Ontario Ltd.
4. Towing District No 4 – Williams Towing Service Ltd.
5. Towing District No 5 – A Towing Services Ltd.

On June 1, 2017, amending agreements were entered into with Williams Towing Service and A Towing Service to reallocate tows in 54 Division into District Number 5 instead of Towing District Number 4.

The current towing and pound services contracts had a default term, which ran until May 31, 2019. The contracts contain a condition whereby each contract can be extended for a maximum period of 2 years from the end of that default term at the sole option of the Board. This option was exercised to extend the term by one year, extending the term of the contracts until May 31, 2020.

Discussion:

An additional one-year extension is now being sought to bring the term of the contracts to an end on May 31, 2021. This would allow for the continuation of towing and pound services while a replacement property is being secured downtown for an existing rapid release pound at 105 Villiers Street.

Under their existing contract, the Service Provider for District 5 – A Towing Services Ltd. – is required to operate a pound at 105 Villiers St. to facilitate a Rush Hour Route – Rapid Release Pound. The lease for 105 Villiers St. was extended in 2019, but will not be renewed in 2020, as the site is to undergo a waterfront rehabilitation.

The extension until 2021 would allow the Service the opportunity to locate a city or privately owned property to enable the use of a rapid release pound located in the downtown core to replace 105 Villiers St.

All Service Providers have agreed to the additional 1-year extension. Should the Board choose to extend the contracts, all contractual terms and conditions, including the fees charges for towing, storage, administration, or other allowable expenses, will remain unchanged.

In District 5, the towing provider - A Towing Services Ltd. - has submitted a pound location change request to the Unit Commander of Traffic Services. This is for the location of their primary pound, at 185 Bartley Dr. Toronto, and an expected move on September 1, 2020. Their secondary location, the Rapid Release Pound at 105 Villiers St. Toronto will no longer be in use after May 31, 2020 and a suitable replacement location has not been identified.

The Service requires prompt and efficient towing and pound services on a 24-hours-a-day, 7-days-a-week basis. The need for this service arises from police contact with vehicles such as those recovered after being stolen, impounded for

by-law infractions or impounded following the arrest of the driver. At the same time, the Service also has an obligation to ensure that the towing and pound services provided to the public through the police are fair, equitable and in adherence to the terms and conditions of the contract between the Service and the contract towing agencies.

A one-year extension will give the Service time to explore the option of creating a new operating model (with different terms of service and different areas of responsibility), and to improve the response times for police-ordered tows. This model could include the use of a new rapid release pound located in the downtown area. The Service and the City of Toronto are currently looking for a property, which could be used for this purpose.

Urgent and Operationally Necessary:

The urgency of this request is due to the fact that the current contract will expire on May 31, 2020. Without a contract the Toronto Police Service will not have the capacity to impound and hold vehicles as required under legislation. In addition the TPS will not be able to remove vehicles from private property on behalf of property owners or enforce bylaws, allowing for the removal of vehicles to ensure the safe and efficient flow of traffic.

Conclusion:

In summary, the granting of the one-year extension will ensure that the provisions of towing and pound services contracts will continue until May 31, 2021.

In addition, the one-year extension will also allow the Service to fully explore operational changes for a more effective response to police-ordered tows.

Deputy Chief Shawna Coxon, Communities and Neighbourhoods Command will attend to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Automated Fingerprint Identification System, Live Scan, and Disaster Recovery – Contract Award

Request

The Service needs to replace its fingerprint identification system and technology. This technology is what enables the Service to collect, store and process all fingerprints and palm prints, whether they are collected in the course of an investigation, vulnerable sector check, or otherwise. There are various requirements that impact the technological specifications that must be met with any system of this nature.

Reason for the urgency and operational necessity

It is urgent that this contract be awarded as soon as possible, as the current system has been classified by the manufacturer as “End of Life” effective December 31, 2020. This means that hardware replacements and software fixes will no longer be available after this date.

It is expected that the implementation of the new A.F.I.S. will take over 8 months, consequently a timely award of the contract is critical and imperative.

The report specifies the reasons for the urgency within the report itself.



Toronto Police Services Board Report

May 7, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Automated Fingerprint Identification System, Live Scan, and Disaster Recovery – Contract Award

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) approve a contract award to IDEMIA Identity and Security Canada for the purchase and installation of a new Automated Fingerprint Identification System (A.F.I.S.) and Disaster Recovery at a cost of \$1,553,497 and fingerprint capture equipment (Live Scan) at a cost of \$401,423, for a total amount of \$1,954,920 (excluding taxes);
- (2) Approve a contract award to IDEMIA Identity and Security Canada for the maintenance and support for the new A.F.I.S. for a five-year period commencing after successful system implementation and the one-year warranty period, at a total cost of \$929,096. (excluding taxes); and
- (3) Authorize the Chair to execute the agreement and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

Funding for the replacement of the current A.F.I.S. Live Scan and Disaster Recovery is included in the Service's approved 2020 - 2029 Capital Budget Program (Min. No. P237/2019). It is anticipated that system implementation will take place over an eight-month period. The one-year warranty period begins after full implementation and final acceptance. The future maintenance and support costs as shown below will be included in the Service's annual operating budget requests.

| Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Total |
|-----------|-----------|-----------|-----------|-----------|-----------|
| \$175,000 | \$180,250 | \$185,656 | \$191,226 | \$196,964 | \$929,096 |

Background / Purpose:

A.F.I.S. is the system by which Forensic Identification Services (F.I.S.) processes, stores and manages all of the Service's fingerprint records.

Integrated with Intellibook, the Toronto Police Service's (Service) prisoner booking system, booking stations located across the city capture prisoner fingerprints using electronic fingerprint capture devices known as Live Scan. Once captured, the fingerprints are transmitted to A.F.I.S. for storage and search against a database of known offenders, with the search results returning to the originating booking station. If the offender is unknown to the Service, a further search of the Royal Canadian Mounted Police (R.C.M.P.) and the Federal Bureau of Investigation (F.B.I.) databases is performed to confirm the identity of the arrestee and to see if the offender is wanted in Canada or the United States. Civil fingerprints are also captured using Live Scan workstations located at the Service's Headquarters for applicants with respect to employment, visas and vulnerable sector checks. Additionally, latent fingerprints found at crime scenes are searched against the Service's database of known offenders.

The current A.F.I.S. is a 2011 model first deployed in January 2013, and will reach end of life as of December 31, 2020. This system is aging, outdated, and needs to be replaced with new and more technically advanced equipment. Processing speed and fingerprint matching algorithms are greatly improved and enhanced to offer more accurate search results for confirming the identity of arrested persons and identifying latent fingerprints collected from crime scenes. The acquisition of a new A.F.I.S. will include replacing the Live Scan equipment, which are also 2011 models and technically outdated. Live Scan technology has also improved greatly with increased fingerprint capture speed and image quality.

The purpose of this report is to provide the Board with the results of the Request for Proposal (R.F.P.) process for the new A.F.I.S. and Live Scan equipment and recommend a contract award in this regard.

Discussion:

In early 2019, the Service commenced a process to procure a new A.F.I.S. and Live Scan equipment to replace the existing outdated system and equipment. Utilizing the Service's project management framework, a project charter was developed, and a committee established to oversee the project.

Urgent and Operationally Necessary:

It is urgent that this contract be awarded as soon as possible, as the current A.F.I.S. has been classified by the manufacturer as "End of Life" effective December 31, 2020. This means that hardware replacements and software fixes will no longer be available after this date.

It is expected that the implementation of the new A.F.I.S. will take over 8 months, consequently a timely award of the contract is critical and imperative.

Awarding this contract will provide the Service with the best system that meets all of our requirements at a significant cost avoidance from the budgeted amount which would benefit the Service and the City.

A.F.I.S. is the most accurate and dependable method of providing real-time identity confirmation of prisoners in custody, and identifying the fingerprints and palm prints of known offenders found at crime scenes. It is of paramount importance, for the safety of the community we serve, and for our officers, that the Service maintain a reliable and fully functional A.F.I.S. to efficiently, and in a timely manner, meet the storage, examination, and comparison of the large volume of criminal and civil fingerprint records we collect on an annual basis. This must be done without interruption or delay.

Procurement Process:

On August 30, 2019, Service's Purchasing Services published R.F.P. #1307112-19 for Automated Fingerprint Identification System, Live Scan and Disaster Recovery. The R.F.P. closed on October 25th, 2019 and two proposals were received.

The evaluation team was comprised of Service subject matter experts from the F.I.S. and Information Technology Services units.

A multi-stage evaluation approach was taken that included, in addition to pricing, scoring against technical and functional requirements, business continuity related criteria and a demonstration.

One of the two proponents was not able to comply with the requirements as stated in the R.F.P.

The other proponent, IDEMIA Identity and Security Canada (IDEMIA), met the requirements and based on the evaluation of their proposal, achieved the highest overall score. It is therefore recommended that the contract to supply the Service with a new Automated Fingerprint Identification System and fingerprint capture equipment be awarded to IDEMIA.

IDEMIA is the vendor of our current A.F.I.S., and the recommended system will exist within F.I.S.'s current processes and workflows. The replacement will offer improved functionality, accuracy, speed and efficiency for fingerprint capture and processing in the Service, R.C.M.P. and F.B.I. databases and will provide the following key features:

- Improved 'hit' rate as a result of improved matching algorithms
- A user-friendly interface already familiar to F.I.S. who are A.F.I.S. users

- Continuation of the electronic capture and submission of criminal and civil fingerprint records to the Service, R.C.M.P. and F.B.I. A.F.I.S. systems
- Continuation of real-time identification of charged individuals
- Supports the identification of fingerprints recovered at crime scenes
- Interfaces with the Service's arrestee booking system (Intellibook)
- Replacement of all obsolete hardware and software
- Allows for the conversion and migration of all existing fingerprint data
- Complies with the current American National Standard for Information Systems/National Institute of Standards and Technology (A.N.S.I./N.I.S.T.) specifications for Real Time Identification (R.T.I.D.) as required by R.C.M.P. for fingerprint capture, search and submission

Conclusion:

Based on the evaluation and scoring of their proposal, IDEMIA Identity and Security Canada is being recommended as the provider for the purchase and installation of a new Automated Fingerprint Identification System, Live Scan, Disaster Recovery and annual maintenance and support services.

The new A.F.I.S. will deliver better performance with regards to functionality, accuracy, speed and efficiency. It offers significant improvement over the existing 2011 system, allowing F.I.S. to continue providing the efficient capture, storage, search and identification of fingerprint records in the interest of public safety, and supporting officers in the course of law enforcement.

Deputy Chief James Ramer, Specialized Operations Command, will be in attendance to answer any questions the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

Special Constable Appointments and Re Appointments – April 2020

Brief summary

The Board has been asked to approve the appointments or re-appointments of special constables, employed by other employer agencies (TCHC and U of T).

Reason for the urgency and operational necessity

Due to self-isolations, quarantines and child care necessities, the external agencies have advised that they are currently experiencing a decrease in platoon strengths and have had to adjust their deployment strategies in order to compensate to ensure there are sufficient resources on duty. The appointment and re-appointment of these individuals will assist in operational continuity which greatly assists TPS on a daily basis in reducing the number of non-priority calls for service. Failure to make these appointments would risk placing increased burden on front line police officers.

The report specifies the reasons for the urgency within the report itself.



Toronto Police Services Board Report

April 20, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Special Constable Appointments and Re Appointments – April 2020

Recommendation:

It is recommended that the Board approve the appointments and re-appointments of the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry of the Solicitor General. Pursuant to this authority, the Board has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (T.C.H.C.) and Toronto Transit Commission (T.T.C.) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P289/13 refer).

The Service has received requests from the T.C.H.C, and U of T to appoint the following individuals as special constables:

Table 1 Name of Agency and Special Constable Applicant

| Agency | Name | Status Request |
|--------------------------|--------------------|-----------------------|
| T.C.H.C. | Anthony Ali | Appointment |
| T.C.H.C. | Joshua Mordaski | Appointment |
| T.C.H.C. | Lorand Peres | Appointment |
| T.C.H.C. | Malik Mohammad | Appointment |
| T.C.H.C. | Trevor Osborne | Appointment |
| T.C.H.C. | Nicole Jobes | Appointment |
| T.C.H.C. | Mohammad Arash | Appointment |
| T.C.H.C. | Justin Ricciotti | Appointment |
| T.C.H.C. | Erik Ingerman | Appointment |
| T.C.H.C. | Amanda Ward | Appointment |
| T.C.H.C | Kimberly Bertucca | Appointment |
| T.C.H.C | Yarko Fanok | Re - Appointment |
| T.C.H.C | Douglas Campbell | Re - Appointment |
| T.C.H.C | Richard York | Re - Appointment |
| T.C.H.C | Mariusz Swiatek | Re - Appointment |
| U of T St. George Campus | Yoonchul Um | Appointment |
| U of T St. George Campus | Maria Cunha | Appointment |
| U of T St. George Campus | Jake Laird | Appointment |
| U of T St. George Campus | Robin MacMillan | Appointment |
| U of T St. George Campus | Thomas Ritchie | Appointment |
| U of T St. George Campus | Julie Hale | Appointment |
| U of T St. George Campus | Mark Prance | Re - Appointment |
| U of T St. George Campus | Michael Caskenette | Re - Appointment |
| U of T St. George Campus | Monique Altmann | Re - Appointment |
| U of T St. George Campus | Alan Truong | Re - Appointment |

Discussion:

The special constables are appointed to enforce the *Criminal Code of Canada*, *Controlled Drugs and Substances Act*, *Trespass to Property Act*, *Liquor Licence Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment or re-appointment as special constables. The Service's Talent Acquisition Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their agreement with the Board. The agencies' approved strength and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

| Agency | Approved Complement | Current Complement |
|--------------------------|---------------------|--------------------|
| T.C.H.C. | 300 | 154 |
| U of T St. George Campus | 50 | 23 |

Urgent and Operationally Necessary:

The purpose of this report is to request that the Board approve the appointments and re-appointments of the individuals listed in order to maintain operational continuity.

As a result of the Covid-19 pandemic (pandemic) and the necessity for operational continuity, the Special Constable Liaison Office (S.C.L.O.) have been in discussions with our external special constable partners and the Ministry of the Solicitor General (Ministry) regarding special constable status expiries. The Ministry maintains that the authority to appoint, re-appoint and extend appointments beyond the usual five year term remains at the discretion of the Board.

Due to self isolations, quarantines and child care necessities, the external agencies have advised that they are currently experiencing a decrease in platoon strengths and have had to adjust their deployment strategies in order to compensate to ensure there are sufficient resources on duty. The appointment and re-appointment of these individuals will assist in operational continuity which greatly assists TPS on a daily basis in reducing the number of non-priority calls for service. Failure to make these appointments would risk placing increased burden on front line police officers.

This is consistent with our community policing model and aligns with the Way Forward Goals of the Service to;

- Be where the public needs the Service most;
- Embrace partnerships to create safe communities; and
- Focus on the complex needs of a large city

Conclusion:

The Service continues to work together in partnership with the agencies to identify individuals who may be appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on T.C.H.C. and U of T properties within the City of Toronto.

Deputy Chief of Police James Ramer, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

Mark Saunders, O.O.M.

Chief of Police



Toronto Police Services Board Report

April 28, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director

Subject: Independent Civilian Review into Missing Persons Investigations – Account for Professional Services

Recommendation(s):

It is recommended that the Board receive the following invoices for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP:

1. Invoice dated January 31, 2020 in the amount of \$118,119.20;
2. Invoice dated February 28, 2020 in the amount of \$121,444.10; and
3. Invoice dated March 31, 2020 in the amount of \$127,849.81.

Financial Implications:

The total invoiced to date, including the above invoices, is \$2,299,818.03.

Background / Purpose:

The Board established the Independent Civilian Review into Missing Persons Investigations and appointed the Honourable Gloria Epstein as the Reviewer ("the Independent Reviewer"). Ms. Epstein has appointed Cooper, Sandler, Shim and Bergman LLP as Counsel to the Review.

The City has agreed to provide funding to the Board to pay for the cost of the Review (Min.P112/18 refers). In addition, the City approved the increase of additional funding for \$1.0 million as recommended by the Board at its January 22, 2020 Board meeting (Min. P7/20).

At its meeting on September 19, 2019 (Min. P189/19 refers), the Board delegated to the Chair the authority to approve payment of all future invoices from the Honourable Gloria

Epstein and Cooper, Sandler, Shime and Bergman LLP, not to exceed an amount of \$4.0M (including the additional funding from the City, as stated above).

Discussion:

The Chair has approved the accounts referenced in these reports, pursuant to the delegated authority the Board has provided him.

I have attached a copy of the Review's account approved for services rendered, up to and including January 31, 2020 in the amount of \$118,119.20, February 28, 2020 in the amount of \$121,444.10, and March 31, 2020 in the amount of \$127,849.81. Detailed statements are included on the in-camera agenda for information.

Conclusion:

It is, therefore, recommended that the Board receive the following invoices for professional services rendered by Honourable Gloria Epstein and Cooper, Sandler, Shime and Bergman LLP:

1. Invoice dated January 31, 2020 in the amount of \$118,119.20;
2. Invoice dated February 28, 2020 in the amount of \$121,444.10; and
3. Invoice dated March 31, 2020 in the amount of \$127,849.81.

Respectfully submitted,



Ryan Teschner
Executive Director

ATT.



Toronto Police Services Board Report

May 7, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Supply and Delivery of 220 Panasonic Ruggedized Laptops and Associated Equipment and Services

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

To ensure that the Toronto Police Service (Service) has the necessary tools, resources and capabilities to meet Service needs for social distancing along with maintaining critical services during the COVID-19 pandemic, 220 Panasonic CF33 rugged mobile workstations/laptops and associated accessories (e.g. keyboards) have been purchased on two separate orders under the emergency authority of the Chief of Police. The initial order was for 90 laptops and accessories for \$509,572. Additional needs were subsequently identified as part of the Service's COVID-19 response and a second order was placed for and additional 130 laptops and accessories for \$736,047. Both individual orders were above the Chief's emergency authority of \$500,000. However, considering the limited supply of laptops available in the marketplace and the state of the COVID -19 emergency, these purchases were critical for operational continuity. The Chief discussed the need for the purchases with the Board Chair prior to placing the orders. The total cost for the two purchases is \$1,245,619 (excluding taxes).

A portion of this purchase, \$1,081,278 representing the 220 CF33 ruggedized laptops, was made through existing funds allocated to the Mobile Workstation Lifecycle capital project. The purchase was planned for in 2020 and was expedited (purchased earlier) in order to increase the mobility/work from home requirements of the Service as a result of the COVID-19 pandemic. These devices will be redeployed as in-car workstations and utilized for the lifecycle replacement project once the Service returns to normal operations.

The purchase of the keyboards in the amount of \$164,341, was also made to ensure the CF33 rugged laptops had the necessary functionality to be repurposed for office/corporate use to support social distancing requirements. The keyboards will be used to augment and support frontline operations once the Service returns to normal operations. This purchase was not part of the original scope of Mobile Workstation Lifecycle Project. The keyboards are not in the Service's 2020 operating budget as they are part of various expenses the Service has incurred to deal with the pandemic emergency.

The mobile workstations and keyboards have been purchased through the Service's endpoint product and service vendor of record, Softchoice Canada Inc.

Background / Purpose:

The purpose of this report is to advise the Board of the sole source procurement of 220 Panasonic CF33 ruggedized mobile workstations/laptops, on an emergent basis.

Discussion:

As part of the Service's response to the COVID-19 pandemic, there was an urgent need to enable a greater degree of member mobility to support social distancing measures and ensure critical services are maintained while members work remotely away from Service facilities.

Sourcing laptops and getting delivery expeditiously is increasingly difficult due to the strain on supply and competing demands from many organizations working to increase their mobility capabilities. Accordingly, the Service purchased Panasonic CF33 mobile workstations that convert into laptops. These devices were readily available and in a quantity that could be shipped immediately. This purchase enabled the Service to leverage the Service's existing Mobile Workstation Lifecycle capital project to meet COVID related needs, and ensure the equipment would be operationally deployable for installation in Service patrol vehicles when the Service returns to normal operations. The purchase of the mobile workstations allowed the Service to meet its COVID related requirements without incurring additional costs, as the mobile workstations that would be deployed in Service vehicles were already included in the Service's capital budget.

Considering the Service was in the midst of a pandemic and a Provincial Emergency declaration was made, the purchase was made under the Chief's Emergency Authority, outlined in section 16.1 and 16.2 of the Purchasing By-law 163:

16 Non-competitive exceptions– emergency

16.1 Where, in the opinion of the Chief, an Emergency exists, the Chief may acquire Goods and Services as he or she, acting reasonably, considers necessary to deal with the Emergency, without the necessity for compliance with the requirements of this by-law.

16.2 If the Chief exercises his or her authority under subsection 16.1:

- a) The Chief may only do so provided the amount is in accordance with section 20.3(a) and section 15; and*
- b) he or she shall report such action to the Chair at the earliest possible opportunity and shall report on such action to the Board as soon as practical and not later than the second regular meeting of the Board following such action.*

This report fulfils that the above mentioned requirement of the Purchasing By-law.

Conclusion:

As a result of the COVID-19 pandemic and the need to enable greater mobility for social distancing, the Service procured 220 Panasonic CF33 ruggedized mobile workstations/laptops and associated equipment. These devices will be redeployed to the Mobile Workstation Lifecycle project once the COVID-19 situation permits. Due to this being an emergency purchase it is being reported to the Board as required under the Purchasing By-law.

Mr. Colin Stairs, Chief Information Officer, Information Technology Command and Mr. Tony Veneziano, Chief Administrative Officer will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file at Board Office



Toronto Police Services Board Report

March 4, 2020

To: Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director

Subject: City of Toronto Council Decision – 2020 Capital and Operating Budgets for the Toronto Police Service

Recommendations:

It is recommended that the Board refer this report to the Chief of Police for consideration and the compilation of information, and request that the Chief report back to the Board at its July 2020 meeting with the information that is responsive to City Council's decisions.

Financial Implications:

There are no financial implications arising from the Board's consideration of this report.

Background/Purpose:

City Council, at its meeting on February 19, 2020, considered the 2020 Capital and Operating Budget requests for the Toronto Police Service. The meeting information, including Minutes of this meeting relevant to City Council's consideration of these items are available at this link:

<http://app.toronto.ca/tmmis/decisionBodyProfile.do?function=doPrepare&meetingId=17180#Meeting-2020.CC15>

Discussion:

In considering the budget requests, City Council adopted the following Motions with respect to traffic safety, enforcement and data:

**6b - Motion to Amend Item moved
by Councillor James Pasternak (Carried)**

Toronto Police Service - Operating Budget

That City Council request the Toronto Police Services Board to allocate some of the extra officers approved under the 2020 Operating Budget for the Toronto Police Service to traffic safety and enforcement.

**9a - Motion to Amend Item (Additional) moved
by Councillor Paula Fletcher (Carried)
Toronto Police Service - Operating Budget**

That City Council request the City Manager in consultation with the Toronto Police Services Board to report to the Budget Committee meeting on March 30, 2020 with statistics on the number of tickets issued for traffic enforcement by Police Division for the years 2010 to 2019 and the corresponding revenues in order to inform the 2021 budget process.

Conclusion:

We have confirmed with the Service that the information responsive to Motion 9a will need to be compiled, and that the work that needs to be undertaken cannot be completed in time for a report back to the City by March 30, 2020. However, in discussions with the City, we have confirmed that this information can be provided at a later date and on the basis that the Board will receive a report back from the Chief by the Board's July 2020 meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. Teschner".

Ryan Teschner
Executive Director



Toronto Police Services Board Report

April 01, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Capital Budget Variance Report for the Toronto Police Service -
Period Ending December 31, 2019**

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

Toronto City Council (Council), at its meeting of March 7, 2019, approved the Toronto Police Service's (Service) 2019-2028 capital program at a net amount of \$29.6 Million (M) and gross amount of \$65.8M for 2019 (excluding carry forwards), and a 10-year total of \$218M net and \$575.1M gross. Please see to Attachment A for more details.

The following table summarizes 2019 expenditures:

| Category | 2019 Gross (M's) | 2019 Net (M's) |
|---|------------------|----------------|
| 2019 approved program excluding carry forward | \$65.8 | \$29.6 |
| 2018 carry forwards | \$18.6 | \$6.0 |
| Total 2019 available funding | \$84.4 | \$35.6 |
| 2019 Actuals as of December 31, 2019 | \$36.2 | \$14.1 |
| Variance to available funding | \$48.2 | \$21.5 |
| Carry forward to 2020 | \$29.3 | \$14.1 |
| Spending rate | 43% | 40% |

From the total gross under-expenditure of \$48.2M, \$29.3M will be carried forward to 2020 and \$13.2M will be carried forward to 2021. From the remaining balance of \$5.7M, \$0.7M was debt funded which will be returned to the City and \$5M was Development Charges (D.C.) and will be returned to the D.C. Reserve for future use.

The following table summarizes the 2019 funding that will be returned to the City:

| Project name | Amount (000's) | Source of Funding | Reason |
|------------------------------|-----------------------|--|--|
| Peer to Peer Site | \$275.1 | Debt funding; will be returned to the City | Project Completed |
| 54/55 Divisions Amalgamation | \$5,019.2 | D.C. funding; will be returned to the D.C. Reserve | Project is two years behind schedule; funding will be requested in 2021. |
| 12 Division Renovation | \$375.0 | Debt funding; will be returned to the City | Project is canceled until location decisions are made for Traffic Services and Parking Enforcement |
| In-car Camera | \$47.0 | Vehicle and Equipment Reserve; will be returned to the Reserve | Lifecycle replacement is complete and remaining funds are not required. |
| Various projects | \$0.7 | Vehicle and Equipment Reserve; will be returned to the Reserve | Minor carry forwards in various projects that are not required. |
| Total | \$5,717.0 | | |

Background / Purpose:

The purpose of this report is to provide the Board with the status of the Service's capital projects as at December 31, 2019.

Discussion:

Attachment A provides the Service's approved 2019-2028 capital program.

Attachment B provides the Service's year-end variance report for the 2019-2028 capital program, and a status summary of the ongoing projects from 2018 as well as projects that started in 2019.

Key Highlights / Issues:

As part of its project management framework, the Service tracks the project risk and issues to determine the status and health (i.e. Green, Yellow, and Red) of capital projects. The overall health of each capital project is based on budget, schedule and scope considerations. The colour codes are defined as follows:

- Green - on target to meet project goals (scope/functionalities), on budget and schedule and no corrective action is required;

- Yellow - at risk of not meeting certain goals, some scope, budget and/or schedule issues, and minimal corrective action is required; and
- Red - high risk of not meeting goals, significant scope, budget and/or schedule issues, and extensive corrective action is required.

The subsequent section summarizes key 2019-2028 capital project updates, which include an assessment of the project health. Summary information includes status updates at the time this report was written.

54/55 Divisions Amalgamation

Status – Delayed

Overall Project Health – Red

Project Description:

The goal of this project is to reduce the long-term operating costs and support the Service’s recommendations for a modernized, economical and more efficient public safety delivery model. The current plan is to return the 54 and 55 Division properties to the City and build one facility for both 54/55 divisions. However, the Service continues to review its operational requirements as part of its modernization initiatives, which may result in the 54 and/or 55 divisional sites being retained. The Board will be advised accordingly as part of future capital variance reports.

Work to Date:

- The new site selected for the consolidated district facility is the Toronto Transit Commission’s (T.T.C.) Danforth garage located at 1627 Danforth Avenue.
- The final report and recommendations for the Danforth Garage Master Plan were passed by the City’s Executive Committee on June 6, 2019, and received final approval by City Council on June 19, 2019.
- An architectural consulting firm was engaged in January 2020.

Future Planned Activities:

- The process of rezoning, environmental assessment, and procurement has started and is expected to be completed by the third quarter of 2020.
- The architectural firm is proceeding to prepare the building design documentation from the first quarter of 2020 to the third quarter of 2021.
- A Request for Proposal (R.F.P.) is being finalized to secure construction management services with an anticipated closing date in third quarter of 2020, followed by the start of construction by the third/fourth quarter of 2021.

The status of the project remains Red. There were significant delays in this project due to the lengthy public consultation, planning and approval processes.

From the available 2019 funding of \$6M, \$12 thousand (K) was utilized. Based on the current construction schedule, \$1M will be carried forward to 2020 and the remaining

\$5M will be returned to the City. This amount was requested as part of the 2020-2029 capital program for year 2021 (Min. No. P237/19 refers).

41 Division

Status – Delayed

Overall Project Health – Red

Project Description:

Due to its aging infrastructure, 41 Division was identified as a priority in the Service's Long Term Facility Replacement Program several years ago.

The phased construction and demolition approach for a new building on the existing site will provide the Service with a new district facility at the corner of Birchmount and Eglinton Avenues. This is an optimal site that is easily accessible with ample area for future expansion. During construction, Service personnel will continue to occupy a portion of the existing building and portable offices, when required, to allow for uninterrupted business continuity.

Work to Date:

- A feasibility study was completed in 2018 with options for a phased demolition and construction of a new building on the existing site.
- An architectural consulting firm was engaged in April 2019.
- The R.F.P. for Construction Management services has closed. The Service will seek Board approval to proceed with the recommended proponent.

Future Planned Activities:

- The building design documentation commenced from the second quarter of 2019 and will be completed by the end of 2020, allowing construction to commence shortly thereafter.

The overall status of the project is Red as project timelines are behind schedule and the total construction cost will very likely be higher than currently budgeted.

It should be noted that the approved funding of \$38.9M was a preliminary estimate based on construction costs at the time the funding request was submitted as part of the 2018-2027 capital program (Min No. P58/18 refers). This estimated cost was confirmed in January 2018 when an external architectural consulting firm was contracted to complete a feasibility study outlining options for a phased demolition and construction of the new building.

In order to obtain a definitive costing for the new build, the Service must retain the services of a construction manager to explore all variables that will impact the overall project cost from inception to conclusion. This will include the provision of accurate budget estimates for all project components following the completion of detailed design drawings by the project architect. The Board will be advised of the construction budget

for the project following receipt of the tender submissions from various sub-contractors that will be commissioned by the construction manager to complete the construction phase of the project.

From the available 2019 funding of \$4.8M, \$427K was utilized. Based on the current construction schedule, \$2.4M and \$2M will be carried forward to 2020 and 2021 respectively.

32 Division Renovation

Status – Delayed

Overall Project Health – Red

Project Description:

The Service's long-term facilities plan included the renovation of 32 Division. Subsequently, as a result of recommendations in *The Way Forward* report, the Service also explored the feasibility of amalgamating 32 and 33 divisional operations into a new 32/33 District Headquarters facility to be located on the existing 32 Division site. However, part of the planning for the amalgamated facilities included a parking feasibility study at the existing site to identify options that would accommodate the increased number of personnel who will be assigned to this location, maximize parking efficiency, and provide improved access to Service members and the general public. Based on the results of the study and the significant additional funding required for a parking structure, the Command has approved moving forward with the 32 Division interior renovations and retaining 33 Division in the Service's facilities portfolio.

This project encompasses a major interior retrofit to the existing building, as well as upgrades to the base building.

Work to Date:

- An interior design consulting firm was engaged to design the building interior to improve the operations and movement of both personnel and persons in custody.
- The schematic design has been approved and the consultant is moving forward with developing construction tender documents.
- A Request for Pre-Qualification (R.F.P.Q.) was issued for construction services for interior renovations. Eleven responses were received and evaluated. A shortlist of seven contractors was provided to the Board at its November 2019 meeting (Min. No. P221/19 refers).
- In order to confirm the number of cells required, a further review of the number of prisoners processed at 32 Division was completed. Based on these analytics, a recommendation was provided to the Command for approval.

Future Planned Activities:

- Based on current prisoner cell requirements, the current design will be reviewed and adjusted accordingly and the tender documents will be revised as necessary.

- Tender documents will be finalized, a general contractor selected, and construction will commence late 2020.

The status of this project is Red due to delays for a parking feasibility study and a review of the required number of cells prior to tendering for construction services.

From the available 2019 funding of \$4.9M, \$286K was utilized. Based on the current construction schedule, \$1.5M and \$3.1M will be carried forward to 2020 and 2021 respectively.

District Policing Program – District Model

Status – Delayed

Overall Project Health – Yellow

Project Description:

The Service's plan is to design the new District Boundaries to align with Toronto's neighbourhoods. The planning and transformation design from 17 Divisions to 10 Districts is now underway. It will address technology, people, processes and infrastructure requirements.

This project also focuses on preparing the Service for changes in the external landscape, such as the Ministry of Attorney General's (M.A.G.) initiative to consolidate operations in two primary locations, the Toronto Regional Bail Centre and the New Toronto Courthouse.

A detailed review of prisoner transportation was conducted in order to determine the impact of this initiative on the Service. This will enable the Service to redesign internal prisoner management and movement processes, while supporting the processes in the districts. It also reviews the impact of the video bail to reduce the congestion and delays at the Toronto Regional Bail Centre.

Work to Date:

- Current state analysis for divisional processes was completed.
- City Manager's Office was engaged in order to raise awareness of the new district boundaries and involve any other City agencies or units that might be impacted as a result of this implementation.
- The evaluation of a possible court wagon location based on the new transportation needs was completed.
- A detailed review of prisoner transportation was conducted in order to determine the impact of this initiative on the Service. This will enable the Service to redesign internal prisoner management and movement processes, while supporting the processes in the districts.

Future Planned Activities:

- A high-level plan is being developed to merge divisions to form interim divisions within the existing boundaries, and then adjusting boundaries to form Districts.
- Launch a pilot project for the video bail from two police stations in collaboration with M.A.G. and other external agencies to reduce the congestion and delays at the Toronto Regional Bail Centre.
- Work on operational dispatching models for the Communication Centre will continue to determine the process and systems, as well as infrastructure and technology changes to support the District Policing Program.
- Work on non-emergency events processes such as standardise workflows at every Community Investigative Support Unit (C.I.S.U.) and align their work and Primary Report Intake, Management and Entry (P.R.I.M.E.) through the coordinated sharing of calls. This allows the front line officers to more efficiently respond to higher priority emergency calls as well as proactively engage the community and support policing initiatives.

The status of this project is Yellow until internal alignment on the boundary implementation approach and subsequent timelines are approved.

From the available 2019 funding of \$2.9M, \$695K was utilized. Based on the current schedule, \$1M and \$1.2M will be carried forward to 2020 and 2021 respectively.

Transforming Corporate Support - Human Resource Management System (H.R.M.S.), Time Resource Management System (T.R.M.S.)

Status – Delayed

Overall Project Health – Red

Project Description:

Closely aligned with the ongoing restructuring of the Service's human resource function, this project involves upgrading and enhancing the Service's H.R.M.S. and its capabilities to better support the Service's needs. This project provides for an investment that will consolidate the current H.R.M.S. and T.R.M.S., with the objective of developing a new overall solution, with enhanced and value added processes that will be cost-effective and efficient.

Work to Date:

Phase I – core system reconfiguration is complete. Phase II – functionality and enhancements are near complete. Phase III – Time and Labour implementation planning/scoping and design work is underway.

Phase II results in 2019 included:

- Service-wide roll-out of workforce analytics (to over 200 members), providing various reports and metrics to Unit Commanders.

- Development and roll-out of payroll related reports and processes to streamline audits, controls and administrative efficiencies.
- Configuration and testing of net-pay off-cycle payroll testing which will enable greater ability for payroll to facilitate more frequent and timely payments to members upon separation.
- Completion of detailed gap analysis related to secondments, leaves processing and other core member administration/record-keeping.

Phase III Time and Labour implementation and replacement of T.R.M.S., planning and scoping results included:

- Developing a prototype of the core system solution, involving the system design, configuration and automation of time and attendance rules for a number of different bargaining units.
- A number of stakeholder workshops and focus groups have been held to review H.R.M.S. prototypes and gain feedback. This includes identification of system integration and customization requirements related to unique Service processes for court kiosks, parade sheets and operational scheduling.

Future Planned Activities:

- Stabilization and continuous improvements to the H.R.M.S. functionality, reports and processes will continue into 2020 to increase system adoption, address gaps and increase process maturity.
- Implementation of the Time and Labour application is expected to take the balance of 2020.

The project continues to face delays in order to prioritize completing critical operational support activities related to the implementation of the new Toronto Police Association (T.P.A.) and the Senior Officer Organization (S.O.O.) Collective Agreement as well as implementation of new shift schedules for the Service. Key resources assigned to this project are required to support these other critical operational support priorities. The lack of internal resources required to implement Phase III of the project continues to be an issue.

This project is currently Red. Due to ongoing resource challenges and project delays, the team is reviewing the Phase III Time and Labour implementation scope, plan and solution options in order to determine the best, least risky and most cost efficient way to move forward. The Board will be advised accordingly as part of future capital variance reports.

From the available funding of \$2.8M, \$1.6M was utilized. \$1.2M will be carried forward to 2020.

Enterprise Business Intelligence (E.B.I.) and Global Search – Part of Analytics Center of Excellence (A.N.C.O.E.) program

Status – Delayed

Overall Project Health – Yellow

The E.B.I. project is being managed within the Service's A.N.C.O.E. program. A.N.C.O.E. is a business-led, analytics and innovation program, which will oversee and drive analytics and information management activities for the Service, including the E.B.I. project. The A.N.C.O.E. program will deliver global search, enhanced data modelling, reporting, visualization and analytics products for the Service and members of the public. These products include dashboards, applications, maps, and reports from the Versadex, Computer Aided dispatch (C.A.D.), Enterprise Case and Occurrence Processing System (e.C.O.P.S.) and Criminal Information Processing System (C.I.P.S.) applications.

All work to date and remaining activities have been transferred to the Service's Analytics and Innovation Unit (A.&I.) for subsequent deployment and implementation.

Work to Date:

- An updated plan has been developed to leverage Service members from the A.&I. and Information Technology Services (I.T.S.) units to continue implementation including data visualization and reporting for the Service. It is estimated that E.B.I. project will be completed by the end of 2020.
- The project team has delivered new tables, and views for access to support critical work across the Service including the new shift schedule pilot, mental health, race-based data collection and gun violence analysis.
- For the race-based data collection policy implementation, the team created auditing functionality to allow for increased data quality.
- A series of investigative support analytics tools and dashboards have been developed for various areas of the Service.
- An innovative Divisional Crime, Traffic and Order Management data mart was produced to support analytics at all Divisions across the city.

Future Planned Activities:

The following E.B.I. deliverables are underway and will be delivered by the end of the project:

- Streamlined Service processes that will make data and analytics products available to front-line members, management, and the public.
- Development of an enhanced reporting database and data marts for existing Service requirements from Human Resources (H.R.), Records Management Services (R.M.S.) and operational data sources.
- Establishment of analytical reporting environments for internal members using new PowerBI reporting technology.
- Professional service providers will be engaged to support the implementation of robust agile methods, data governance, and enhanced situational awareness applications. Technology procurement will be required to support data visualization and management.

From the available funding of \$1.7M, \$536K was utilized and \$1.2M will be carried forward to 2020.

Global Search

Status – On Schedule

Overall Project Health – Green

The Service's Records Management System (R.M.S.) was changed on November 5, 2013 from e.C.O.P.S. to Versadex. Since that time, users have not been able to concurrently perform an integrated search of the current Versadex R.M.S. and the legacy databases through a single interface.

The value of timely and accurate information for the purposes of public safety investigations and primary response has always been vital for officers. Searching for such information currently involves searching multiple data repositories through separate interfaces, each returning results in differing formats. The Service requires the ability to search information through a single common interface, with the goal of searching and retrieving all relevant content from file system repositories as well as document and content management systems through a Global Search solution.

With the production implementation of this platform, members of the Service will be able to conduct searches of internal systems more quickly and comprehensively that is possible currently. This will save valuable time in support of investigations and increase officers view to the connectivity of key information across systems, which will be a notable improvement from current state.

The A.N.C.O.E. program will also deliver the production pilot phase of Global Search – an enterprise search application for members to access all information through a single search tool. The pilot phase will include the establishment of global search capabilities in several units across the Service, enabling enhanced capacity to search across previously disparate systems and retrieve critical operational information.

Work to Date:

- The Global Search project is being run in an innovative manner using an agile approach which began with a phased Proof of Concept (P.O.C.). The P.O.C. has involved implementing the technology, identifying long-term applications of the technology through lessons learned, and creating a foundation based on core records management systems.
- The Service examined the capabilities, limitations and scalabilities of the solution and began development of appropriate governance and security measures. A detailed examination of maintaining and supporting the application was also evaluated.

Future Planned Activities:

- In the next phase, the pilot will be a limited initial production license rollout into operational units who were participants during the P.O.C., and in addition to strategically add new units and data repositories.

- The pilot phase will include the establishment of global search capabilities in several units across the Service, enabling enhanced capacity to search across previously disparate systems and retrieve critical operational information. This phase will conclude in the first half of 2020 and \$125K is assigned to it.
- Subsequent to the completion of the pilot phase, full implementation will commence in late 2020 and will be completed in 2023.
- The project will deliver ongoing enhancements to the search platform based on member feedback and user experience best-practices.

The entire 2019 available funding of \$125K will be carried forward to 2020.

Body Worn Cameras (B.W.C.)

Status – Delayed

Overall Project Health – Yellow

Project Description:

This project involves exploring the benefits, challenges, and issues surrounding the use of body worn cameras, in keeping with the Service's commitment to maintaining public trust, increase accountability and provide professional and unbiased policing.

The original project considered both on premise and off premise/cloud solutions. However, based on Request for Information (R.F.I.) results, as well as new technology and costing, a decision was made to move to a cloud solution for B.W.C. As a result, the majority of the program cost will be in the operating budget. The Service is planning to start implementing this program starting in the 3rd quarter of 2020 and the funding required is included in the Service's approved 2020 operating budget. There will also be some capital budget requirements in 2020 and 2021 for infrastructure, cameras and other requirements depending on the solution selected. The cost of these requirements is provided for in the Service's approved 2020-2029 capital program.

Work to Date:

- A fairness commissioner and specialized procurement/legal experts have been engaged to provide advice and guidance on the procurement process to ensure it is fair and open, as well as assist with other requirements and negotiations.
- A R.F.I. was released on June 6, 2018, and vendor presentations were completed at the end of September 2018.
- A non-binding R.F.P. was issued in April 2019, for an off-premise (cloud) solution. Selection of the final vendor is delayed. The revised date is now the 2nd quarter of 2020.

Future Planned Activities:

- Selection of the final vendor and contract negotiations will be in 2020.
- In parallel, the project team will be engaging with the necessary stakeholders such as City Legal and internal and external partners.

The status of this project is changed from Red to Yellow as funds required to purchase and implement the body worn camera project are included in the Service's approved 2020 operating budget and approved 2020-2029 capital budget.

From the available 2019 funding of \$1M, \$632K was utilized. Based on the current schedule \$368K will be carried forward to 2021.

Next Generation (N.G.) 9-1-1

Status – Delayed

Overall Project Health – Yellow

As per the Canadian Radio-television and Telecommunications Commission (C.R.T.C.) mandate, Canadian telecommunications service providers will be upgrading their infrastructure to N.G. 9-1-1 Voice Capable Networks by June 30, 2020 and Text Capable Networks by December 31, 2020. The existing, soon to be legacy, 9-1-1 network is slated to be decommissioned by June 30, 2023.

Work to date:

- R.F.P. has been posted on M.E.R.X. as of December 13, 2019 and closed on February 14, 2020.
- Submissions are currently being analysed.

Future Planned Activities:

- Demonstrations of the top three solutions are scheduled for end of March 2020.
- Recommendation of award is estimated for early April 2020.
- It is anticipated that the solution will be implemented by June 2021 and will go live in September of 2021.

From the available 2019 funding of \$500K, \$222K was utilized. Based on current schedule, \$278K will be carried forward to 2020. It should be noted that in order to be more efficient the project manager and technical lead are being shared between N.G. 9-1-1 and the Robotic Process Automation (R.P.A.) project which is being funded from Community Safety and Policing (C.S.P.) grant.

Automated Fingerprint Identification System (A.F.I.S.) Replacement

Status – Delayed

Overall Project Health – Yellow

Project Description:

The A.F.I.S. system is a biometric identification (I.D.) methodology that uses digital imaging technology to obtain, store, and analyze fingerprint data. It also allows the Service to be compatible with external systems in other agencies such as the Royal Canadian Mounted Police (R.C.M.P.) and communicate electronically for fingerprint submissions, searches and criminal record updates. This system is integrated with IntelliBook prisoner booking system that provides real-time confirmation of prisoner identity to Booking Officers.

The current A.F.I.S. system was purchased and implemented in late 2012 (2011 model). The lifecycle of this system is five years. The maintenance and support contract with current vendor expires in February 2020, and the Disaster Recovery maintenance and support contract expired in December 2019.

Since it was anticipated that more advanced image enhancement tools, image quality and speed of capture of fingerprint and palm print records would become available by the end of 2019, the procurement of this system was delayed to year 2020.

Work to date:

- The procurement process is complete and it is anticipated that a vendor will be selected and reported to the Board for approval in the second quarter of 2020.

Future Planned Activities:

- Subsequent work such as build and test, implementation and quality assurance will be finalized by end of year 2020.

The overall status of the project is Yellow as project timelines are behind schedule.

The entire available 2019 balance of \$3M will be carried forward to 2020.

Vehicle and Equipment Lifecycle Replacements

| Project Name | Carry Forward from 2018 | 2019 Budget | Available to Spend | Year End Actuals | YE Variance (Over)/ Under | Carry Forward to 2020 | Total Project Cost | | Status |
|---------------------------------|-------------------------|---------------|--------------------|------------------|---------------------------|-----------------------|--------------------|--------------|----------|
| | | | | | | | Budget | Life to Date | |
| Vehicle Replacement | 279.3 | 6,961 | 7,240.3 | 6,811.8 | 428.4 | 428.4 | On-going | On-going | On-going |
| IT- Related Replacements | 945.7 | 17,835 | 18,780.7 | 12,180.1 | 6,600.6 | 3,563.9 | On-going | On-going | On-going |
| Other Equipment | 5,319.6 | 10,082 | 15,401.6 | 2,032.9 | 13,368.7 | 9,868.7 | On-going | On-going | On-going |
| Total Lifecycle Projects | 6,544.5 | 34,878 | 41,422.5 | 21,024.8 | 20,397.7 | 13,861.1 | | | |

Numbers may slightly vary due to rounding

Project Description:

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement operating budgets. The Reserve has no impact on the capital program at this time, as it does not require debt funding. Items funded through this reserve include the regular replacement of vehicles and information technology equipment, based on the deemed lifecycle for the various vehicles and equipment.

It is important to note that as the Service modernizes, new systems that have been implemented over the years (e.g. In-Car Camera program, data and analytics initiatives) and increasing storage requirements (e.g. to accommodate video), have put significant pressure on this Reserve, as the amount of equipment with maintenance and replacement requirements continues to increase year over year. This in turn puts pressure on the operating budget, as increased annual contributions are required to ensure the Reserve can adequately meet the Service's vehicle and equipment requirements.

Work to Date:

Significant variances resulting in carry forwards of funding are:

- \$1.8M – Furniture Lifecycle Replacement – In some locations, a renovation is required before furniture replacement; also \$600K for 52 Division furniture will be delivered in early 2020. Based on the current work schedule, \$1.5M and \$250K will be carried forward to 2020 and 2021 respectively.

- \$1.2M – Workstation, Laptop, and Printer Lifecycle – Information Technology (I.T.) is qualifying the models for various lifecycle replacement equipment. Based on the current schedule, \$1.2M will be carried forward to 2021.
- \$8.9M – Mobile Workstation – delays in procurement process for workstations, modems and car mounting solutions – Based on the current work schedule, \$5.9M and \$3M will be carried forward to 2020 and 2021 respectively.
- \$3.3M – Servers Lifecycle Replacement – R.F.Q. will be issued in early 2020 and majority of the servers will be purchased. Based on the current work schedule, \$1.8M and \$1.5M will be carried forward to 2020 and 2021 respectively.
- \$1.9M – I.T. Business Resumption Lifecycle Replacement – R.F.P.s will be issued early 2020, servers and storage will be purchased in 2020. Based on the current work schedule, \$1.7M and \$250K will be carried forward to 2020 and 2021 respectively.
- \$0.4M – Locker Replacement – Delays in procurement process for a Vendor of Record. Based on the current work schedule, \$168K and \$250K will be carried forward to 2020 and 2021 respectively.
- \$0.5M – Wireless Parking System - This project was mostly completed in 2019. The remaining amount will be carried forward to 2020 to address some minor deficiencies.
- \$1.1M Electronic Surveillance – The entire 2019 available funding will be carried forward to 2020 to acquire servers and hardware.

Future Planned Activities:

- Various lifecycle projects such as vehicles, workstations, furniture and locker, mobile workstation replacement projects will continue their regular lifecycle in 2020 and beyond.

While the Service has taken steps to create efficiencies, the amount of equipment that must be replaced continues to increase. The Service will continue to review all projects' planned expenditures to address the future pressures, including additional contributions that may be required.

From the available 2019 funding of \$41.4M, \$21M was utilized and \$13.9M and \$6.5M will be carried forward to 2020 and 2021 respectively.

Conclusion:

As at December 31, 2019, from the available gross funding of \$84.4M, \$36.2M was utilized. From the total gross under-expenditure of \$48.2M, \$29.3M will be carried forward to 2020 and \$13.2M will be carried forward to 2021. From the remaining balance of \$5.7M, \$0.7M was debt funded which will be returned to the City and \$5M

was Development Charges (D.C.) and will be returned to the D.C. Reserve for future usage.

Resourcing constraints that still exist from the hiring moratorium, competing operational priorities and the impact of the current COVID-19 pandemic situation will have an ongoing impact on planned future activities. Projects will continue to be monitored on an ongoing basis and known issues are being actively addressed. The Board will be kept apprised of any major issues as projects progress.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Approved 2019-2028 Capital Program Request (\$000s)

| Project Name | Plan to end of 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Total 2019-2023 Request | 2024 | 2025 | 2026 | 2027 | 2028 | Total 2024-2028 Forecast | Total 2019-2028 Program | Total Project Cost |
|--|---------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------------------|-------------------------|--------------------|
| Projects In Progress | | | | | | | | | | | | | | | |
| State-of-Good-Repair - Police | | 4,400 | 4,400 | 4,400 | 4,400 | 4,400 | 22,000 | 4,400 | 4,400 | 4,400 | 4,400 | 4,400 | 22,000 | 44,000 | 44,000 |
| Transforming Corporate Support (HRMS, TRMS) | 5,735 | 1,700 | 1,000 | | | | 2,700 | | 0 | 0 | 0 | 0 | 0 | 2,700 | 8,435 |
| 54/55 Amalgamation | 6,203 | 0 | 6,252 | 11,625 | 7,000 | 4,697 | 29,574 | 3,448 | 0 | 0 | 0 | 0 | 3,448 | 33,022 | 39,225 |
| 32/33 Amalgamation | 200 | 4,790 | 5,950 | 1,000 | 0 | 0 | 11,740 | 0 | 0 | 0 | 0 | 0 | 0 | 11,740 | 11,940 |
| 41 Division | 395 | 4,561 | 16,622 | 14,850 | 2,500 | 0 | 38,533 | 0 | 0 | 0 | 0 | 0 | 0 | 38,533 | 38,928 |
| Enterprise Business Intelligence | 9,417 | 1,300 | 0 | 0 | 0 | 0 | 1,300 | 0 | 0 | 0 | 0 | 0 | 0 | 1,300 | 10,717 |
| Radio Replacement | 19,626 | 4,114 | 5,949 | 5,074 | 3,292 | | 18,429 | | | 0 | 14,141 | 4,250 | 18,391 | 36,820 | 56,446 |
| Total, Projects In Progress | 41,575 | 20,865 | 40,173 | 36,949 | 17,192 | 9,097 | 124,276 | 7,848 | 4,400 | 4,400 | 18,541 | 8,650 | 43,839 | 168,115 | 209,690 |
| Upcoming Projects | | | | | | | | | | | | | | | |
| Automated Fingerprint Identification System (A.F.I.S.) Replacement | 0 | 3,053 | 0 | 0 | 0 | 0 | 3,053 | 3,053 | 0 | 0 | 0 | 0 | 3,053 | 6,106 | 6,106 |
| Next Generation (N.G.) 9-1-1 | | 500 | 4,000 | 500 | 0 | 0 | 5,000 | 0 | 0 | 0 | 0 | 0 | 0 | 5,000 | 5,000 |
| Body Worn Camera - Phase II | 500 | 1,000 | 2,000 | 0 | 0 | 0 | 3,000 | 0 | 0 | 0 | 0 | 0 | 0 | 3,000 | 3,500 |
| Connected Officer | | 800 | 0 | 0 | 0 | 0 | 800 | 0 | 0 | 0 | 0 | 0 | 0 | 800 | 800 |
| 12 Division Renovation | | 1,800 | 5,200 | 2,000 | 0 | 0 | 9,000 | 0 | 0 | 0 | 0 | 0 | 0 | 9,000 | 9,000 |
| 13 Division New Build | | 0 | 0 | 372 | 6,500 | 17,330 | 24,202 | 14,170 | 2000 | | 0 | 0 | 16,170 | 40,372 | 40,372 |
| 22 Division New Build | | 0 | 0 | 0 | 0 | 400 | 400 | 6,500 | 18500 | 13,000 | 2,000 | 0 | 40,000 | 40,400 | 40,400 |
| 51 Division Major Expansion | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1,500 | 3,000 | 2,530 | 7,030 | 7,030 | 7,030 | |
| District Policing Program - District Model | | 2,900 | 1,687 | 1,535 | 1,071 | 0 | 7,193 | 0 | 0 | 0 | 0 | 0 | 0 | 7,193 | 7,193 |
| 43 Division Major Interior Renovation | | | 300 | 2,100 | 1,600 | 0 | 4,000 | 0 | 0 | 0 | 0 | 0 | 0 | 4,000 | 4,000 |
| Property & Evidence Warehouse Racking | 0 | 0 | 40 | 0 | 0 | 1,000 | 1,040 | 0 | 0 | 0 | 0 | 0 | 0 | 1,040 | 1,040 |
| Total, Upcoming Capital Projects: | 500 | 10,053 | 13,227 | 6,507 | 9,171 | 18,730 | 57,688 | 23,723 | 20,500 | 14,500 | 5,000 | 2,530 | 66,253 | 123,941 | 124,441 |
| Total Reserve Projects: | 254,542 | 34,878 | 28,759 | 24,110 | 27,254 | 25,330 | 140,332 | 37,866 | 23,825 | 28,603 | 30,065 | 22,395 | 142,755 | 283,088 | 283,088 |
| Total Gross Projects | 296,618 | 65,796 | 82,159 | 67,566 | 53,617 | 53,157 | 322,296 | 69,437 | 48,725 | 47,503 | 53,606 | 33,575 | 252,847 | 575,144 | 617,219 |
| Funding Sources: | | | | | | | | | | | | | | | |
| Vehicle and Equipment Reserve | (254,542) | (34,878) | (28,759) | (24,110) | (27,254) | (25,330) | (140,332) | (37,866) | (23,825) | (28,603) | (30,065) | (22,395) | (142,755) | (283,088) | (537,630) |
| Grant Funding- Connected Officer | (2,632) | | | | | | 0 | | | | | | 0 | 0 | (2,632) |
| Funding from Development Charges | (30,610) | (1,342) | (16,214) | (16,110) | (8,612) | (6,776) | (49,054) | (6,776) | (6,789) | (6,367) | (4,000) | (1,077) | (25,009) | (74,063) | (104,673) |
| Total Funding Sources: | (287,784) | (36,220) | (44,973) | (40,220) | (35,866) | (32,106) | (189,386) | (44,642) | (30,614) | (34,970) | (34,065) | (23,472) | (167,764) | (357,151) | (644,935) |
| Total Net Debt-Funding Request: | | 29,576 | 37,186 | 27,346 | 17,751 | 21,051 | 132,910 | 24,795 | 18,111 | 12,533 | 19,541 | 10,103 | 85,083 | 217,993 | (27,716) |
| 5-year Average: | | | | | | | 26,582 | | | | | | 17,017 | 21,799 | |
| City Target: | | 40,137 | 33,125 | 28,740 | 20,768 | 10,140 | 132,910 | 14,229 | 16,507 | 17,306 | 18,541 | 18,500 | 85,083 | 217,993 | |
| City Target - 5-year Average: | | | | | | | 26,582 | | | | | | 17,017 | 21,799 | |
| Variance to Target: | | 10,561 | (4,061) | 1,394 | 3,017 | (10,911) | 0 | (10,566) | (1,604) | 4,773 | (1,000) | 8,397 | 0 | 0 | |
| Cumulative Variance to Target | | | 6,500 | 7,894 | 10,911 | 0 | 0 | (10,566) | (12,170) | (7,397) | (8,397) | 0 | | | |
| Variance to Target - 5-year Average: | | | | | | | 0 | | | | | | 0 | 0 | |

2019 Capital Budget Variance Report as at December 31, 2019 (\$000s)

| Project Name | Carry Forward from 2018 | 2019 Cash Flow | | | YE Variance (Over)/ Under | Lost Funding/ Return to Reserve | Carry Forward to 2020 | Total Project Cost | | Overall Project Health | Comments |
|--|-------------------------|-------------------|--------------------|-------------------|---------------------------|---------------------------------|-----------------------|--------------------|---------------|------------------------|---|
| | | Budget | Available to Spend | Year End Actuals | | | | Budget | Life to Date | | |
| Debt - Funded Projects | | | | | | | | | | | |
| Facility Projects: | | | | | | | | | | | |
| 54/55 Divisions Amalgamation | 6,031.4 | 0.0 | 6,031.4 | 12.2 | 6,019.2 | 5,019.2 | 1,000.0 | 39,225.0 | 183.8 | Red | Please refer to the body of the report |
| TPS Archiving | 121.2 | 0.0 | 121.2 | 97.8 | 23.4 | 0.0 | 23.4 | 650.0 | 486.6 | Green | Remaining sprinkler work to be completed in 2020 |
| 41 Division | 269.6 | 4,561.0 | 4,830.6 | 426.6 | 4,404.0 | 0.0 | 2,404.0 | 38,928.0 | 552.0 | Red | Please refer to the body of the report |
| 32 Division Renovation | 136.2 | 4,790.0 | 4,926.2 | 286.5 | 4,639.8 | 0.0 | 1,500.0 | 11,940.0 | 350.2 | Red | Please refer to the body of the report |
| 12 Division Renovation | 0.0 | 375.0 | 375.0 | 0.0 | 375.0 | 375.0 | 0.0 | 9,000.0 | 0.0 | Cancelled | This project is cancelled and is no longer required. Funding will be returned to the City |
| District Policing Program - District Model | 0.0 | 2,900.0 | 2,900.0 | 695.4 | 2,204.6 | 0.0 | 1,004.6 | 15,900.0 | 695.4 | Yellow | Please refer to the body of the report |
| Information Technology Projects: | | | | | | | | | | | |
| Peer to Peer Site | 1,741.6 | 0.0 | 1,741.6 | 1,456.5 | 285.1 | 275.1 | 10.0 | 19,921.3 | 19,636.2 | Green | Construction has concluded with minor deficiencies to be addressed in 2020. |
| Transforming Corporate Support | 1,102.2 | 1,700.0 | 2,802.2 | 1,584.5 | 1,217.6 | 0.0 | 1,217.6 | 8,434.6 | 6,217.0 | Red | Please refer to the body of the report |
| Enterprise Business Intelligence | 387.4 | 1,425.0 | 1,812.4 | 535.7 | 1,276.7 | 0.0 | 1,276.7 | 10,841.6 | 9,564.9 | Yellow | Please refer to the body of the report |
| Radio Replacement | 504.6 | 5,414.0 | 5,918.6 | 5,787.5 | 131.2 | 0.0 | 131.2 | 38,050.5 | 25,044.3 | Green | Project is on budget and on time |
| Connected Officer | 0.0 | 800.0 | 800.0 | 511.6 | 288.4 | 0.0 | 288.4 | 10,689.8 | 2,692.4 | Green | Project is slightly delayed and on budget |
| Body Worn Camera - Phase II | 0.0 | 1,000.0 | 1,000.0 | 631.8 | 368.2 | 0.0 | 0.0 | 11,211.0 | 663.8 | Yellow | Please refer to the body of the report |
| Next Generation (N.G.) 9-1-1 | 0.0 | 500.0 | 500.0 | 221.9 | 278.1 | 0.0 | 278.1 | 5,000.0 | 221.9 | Yellow | Please refer to the body of the report |
| Replacements/ Maintenance/ Equipment Projects: | | | | | | | | | | | |
| State-of-Good-Repair | 1,733.2 | 4,400.0 | 6,133.2 | 2,917.6 | 3,215.6 | 0.0 | 3,215.6 | on-going | on-going | Yellow | This is to maintain the safety, condition and customer requirements of existing buildings as well as technology upgrade. The Service has developed a work-plan to use these funds to optimize service delivery and enhance efficiencies for both buildings and technology improvements. The Service continues to work on SOGR priority projects and programs. |
| Automated Fingerprint Identification System (A.F.I.S.) Replacement | 0.0 | 3,053.0 | 3,053.0 | 0.0 | 3,053.0 | 0.0 | 3,053.0 | 6,106.0 | 2,308.8 | Yellow | Please refer to the body of the report |
| Total Debt - Funded Projects | 12,027 | 30,918 | 42,945 | 15,166 | 27,780 | 5,669 | 15,403 | 225,898 | 68,617 | | |
| Lifecycle Projects (Vehicle & Equipment Reserve) | | | | | | | | | | | |
| Vehicle Replacement | 279.3 | 6,961.0 | 7,240.3 | 6,811.8 | 428.4 | 0.0 | 428.4 | On-going | On-going | | |
| IT- Related Replacements | 945.7 | 17,835.0 | 18,780.7 | 12,180.1 | 6,600.6 | 47.7 | 3,563.9 | On-going | On-going | | |
| Other Equipment | 5,319.6 | 10,082.0 | 15,401.6 | 2,032.9 | 13,368.7 | 0.0 | 9,868.7 | On-going | On-going | | |
| Total Lifecycle Projects | 6,544.5 | 34,878.0 | 41,422.5 | 21,024.8 | 20,397.7 | 47.7 | 13,861.1 | | | | |
| Total Gross Expenditures | 18,572.0 | 65,796.0 | 84,368.0 | 36,190.4 | 48,177.6 | 5,717.0 | 29,263.7 | | | | |
| Less other-than-debt Funding | | | | | | | | | | | |
| Funding from Developmental Charges | (6,031.4) | (1,342.0) | (7,373.4) | (1,065.8) | (6,307.6) | -5,019.2 | (1,288.4) | | | | |
| Vehicle & Equipment Reserve | (6,544.5) | (34,878.0) | (41,422.5) | (21,024.8) | (20,397.7) | (47.7) | (13,861.1) | | | | |
| Total Other-than-debt Funding | (12,575.9) | (36,220.0) | (48,795.9) | (22,090.5) | (26,705.4) | (5,066.9) | (15,149.5) | | | | |
| Total Net Expenditures | 5,996.0 | 29,576.0 | 35,572.0 | 14,099.8 | 21,472.2 | 650.1 | 14,114.2 | | | | |



Toronto Police Services Board Report

April 1, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Year Ending December 31, 2019

Recommendations:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City's) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its January 24, 2019 meeting, the Board approved the Toronto Police Service (Service) Parking Enforcement Unit (P.E.U.) budget request at \$46.7M (Min. No. P7/19 refers), a 0% increase over the 2018 approved operating budget.

Subsequently, City Council, at its March 7, 2019 meeting, approved the P.E.U.'s 2019 operating budget at the same amount. At the time the P.E.U.'s budget was approved, the impact from the collective agreement negotiations between the Toronto Police Association (T.P.A.) and the Board was not known, and was therefore not included in the budget request.

The Board, at its May 30, 2019 meeting, requested the approval of a transfer of \$0.9M to the P.E.U.'s 2019 net operating budget from the City's Non-Program operating budget, with no incremental cost to the City, to reflect the salary and benefits impact of the now-ratified contract with the T.P.A. (Min. No. P111/19 refers). As a result of this agreement, City Council, at its July 16, 2019 meeting, approved a transfer from the City's non-program budget to the P.E.U. 2019 approved operating budget, bringing the total net P.E.U. budget to \$47.6M.

The P.E.U. achieved a 2019 year-end favourable variance of \$3.4M. This surplus represents 7.1% of the P.E.U.'s approved net operating budget, and will be returned to the City.

Background / Purpose:

The P.E.U. operating budget is not part of the Service's operating budget. While the P.E.U. is managed by the Service, the P.E.U.'s budget is maintained separately in the City's non-program budget. In addition, revenues from the collection of parking tags issued accrue to the City, not the Service.

The purpose of this report is to provide information on the P.E.U.'s final year-end variance.

Discussion:

The following chart summarizes the variance by category of expenditure, followed by information on the variance for both salary and non-salary related expenses.

| Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav/(Unfav) (\$Ms) |
|---------------------------------------|--------------------|------------------------|--------------------|
| Salaries | \$31.4 | \$29.3 | \$2.1 |
| Premium Pay | \$2.4 | \$2.1 | \$0.3 |
| Benefits | \$7.8 | \$7.6 | \$0.2 |
| Total Salaries & Benefits | \$41.6 | \$39.0 | \$2.6 |
| Materials & Equipment | \$1.5 | \$1.4 | \$0.1 |
| Services | \$6.0 | \$5.8 | \$0.2 |
| Total Non-Salary | \$7.5 | \$7.2 | \$0.3 |
| Revenue (e.g. TTC, towing recoveries) | (\$1.5) | (\$2.0) | \$0.5 |
| Total Net | \$47.6 | \$44.2 | \$3.4 |

Salaries, Benefits and Premium Pay:

The final favourable variance for salaries is \$2.1M. The P.E.U. budget assumed hiring would take place at a sufficient pace to fully staff parking enforcement and support staff positions. Three recruit classes were scheduled for 2019. However, in addition to regular parking enforcement attrition, several parking enforcement staff were successful in obtaining other positions within the Service (e.g. police officers and special constables). As a result, the P.E.U. was below its funded strength of 357 parking enforcement officers, on average, during the year.

Nearly all premium pay at the P.E.U. is related to enforcement activities, attendance at court and the backfilling of members attending court. With respect to enforcement activities, premium pay is utilized to staff special events or directed enforcement activities. The opportunity to redeploy on-duty staff for special events is minimal, as this results in decreased enforcement in the areas from which they are being deployed. Directed enforcement activities are instituted to address specific problems. All premium

pay expenditures are approved by supervisory staff and carefully controlled. A favourable variance of \$0.3M was achieved in premium pay.

The favourable variance in benefits of \$0.2M was a result of lower staffing levels than budgeted during the year.

Non-salary Expenditures:

The favourable variance in Materials & Equipment was mainly a result of gas prices being lower than budgeted.

The favourable variance in Services was mainly attributable to reduced maintenance costs for handheld parking devices.

Revenue:

Revenues include towing recoveries, contribution from reserves and recoveries from the Toronto Transit Commission (T.T.C.). The recoveries from the T.T.C. are for premium pay expenditures that are incurred to enforce parking by-laws on T.T.C. right of ways, which are necessitated by the continuing weekend subway closures for signal replacements maintenance. A favourable variance of \$0.3M was achieved for these recoveries and had a net zero impact, as they were a direct reimbursement of billed premium pay expenditures.

Conclusion:

The P.E.U.'s 2019 year-end surplus is \$3.4M. This amount will be returned to the City.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

April 1, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Operating Budget Variance for the Toronto Police Service,
Year Ending December 31, 2019**

Recommendations:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City's) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its January 24, 2019 meeting, the Board approved the Toronto Police Service (Service's) budget request at \$1,026.8M (Min. No. P5/19 refers), a 3% increase over the 2018 approved operating budget.

Subsequently, City Council, at its March 7, 2019 meeting, approved the Service's 2019 operating budget at the same amount.

Following approval of the budget, there have been a number of adjustments that impact the Service's budget approved by City Council. These adjustments are outlined below.

New Collective Agreement Impact Toronto Police Association (T.P.A.):

At the time the Service's budget was approved, the impact from the collective agreement negotiations between the T.P.A. and the Board was not known, and was therefore not included in the 2019 budget request. At its meeting on March 26, 2019, the Board approved the ratification of a five year collective agreement (2019-2023) with the T.P.A. (Min. No. P59/19 refers). As a result of this agreement, City Council, at its July 16, 2019 meeting, approved a transfer from the City's non-program budget to the Service's 2019 approved operating budget, increasing the Service's budget by \$24.3M.

New Collective Agreement Impact Toronto Police Senior Officers Organization (S.O.O.):

At its meeting on October 22, 2019, the Board approved the ratification of a five year collective agreement (2019-2023) with the S.O.O. As a result of this agreement, City Council, at its December 17, 2019 meeting, approved a transfer from the City's non-

program budget to the Service's 2019 approved operating budget, increasing the Service's budget by \$0.855M.

Gun Buy Back Program:

In an effort to reduce the number of firearms in the City, the Service and the City moved forward with a gun buy back program. At its meeting on May 1, 2019, the City's Executive Committee approved a one-time gross and net increase to the Service's 2019 operating budget of \$750,000 to fund this program. The amount was funded from the City's 2019 non-program expenditure budget, and the adjustment was subsequently approved by City Council at its meeting on May 14, 2019.

Contribution to City Insurance Reserve Fund:

Following approval of the budget by City Council, the Service was notified by City Finance staff of a reduction of \$943,200 in the Service's required contribution to the Insurance Reserve Fund. This was due to changes in the insurance allocation algorithm. As a result of this reallocation, the Service budget has been restated downwards by \$943,200. However, this change did not result in a reduction of available funds to the Service, as there was a corresponding reduced charge from the City related to the Service's contribution to the insurance reserve.

Interdepartmental Charge for Utilities:

The Service was previously notified by City Finance staff of a pending reduction to the Service's interdepartmental charge budget for utilities of \$300,000. The City of Toronto had a City-wide 2019 budget reduction target of \$10.0M and has been allocating the reduction based on expected savings, of which \$300,000 was identified in utilities savings. Similar to the reduced contribution to the Insurance Reserve Fund, this change did not result in a reduction of available funds the Service, as the utilities expense was expected to decrease by the same amount. This adjustment was subsequently approved by City Council at its meeting on October 2, 2019.

Project Community Space:

To tackle the recent increase in gun and gang violence, the Federal, Provincial and Municipal governments are jointly providing \$4.5M in funding to the Service in support of Project Community Space to address the current violence. The Federal and Provincial governments provided \$1.5M each in funding, while the Mayor had requested the Budget Committee & Executive Committee to approve a \$1.5M contribution to the Service budget from the City's Tax Stabilization Reserve. This adjustment was subsequently approved by City Council at its meeting on October 2, 2019.

As a result of the above adjustments, the Service's 2019 net operating budget has been revised to \$1,051.5M (gross \$1,201.9M) as outlined below.

| | 2019 Gross Budget (\$Ms) | 2019 Net Budget (\$Ms) |
|--------------------------------------|-------------------------------------|-----------------------------------|
| Board Approved Budget | \$1,172.8 | \$1,026.8 |
| T.P.A. Salary Settlement | \$24.3 | \$24.3 |
| Gun Buyback Program | \$0.7 | \$0.7 |
| Insurance – Allocation Algorithm | (\$0.9) | (\$0.9) |
| Utilities | (\$0.3) | (\$0.3) |
| Project Community Space | \$4.5 | \$0.0 |
| S.O.O Salary Settlement | \$0.9M | \$0.9M |
| 2019 Revised Operating Budget | \$1,201.9 | \$1,051.5 |

Final 2019 Year-end Surplus:

The Service achieved a 2019 favourable year end operating budget variance of \$9.7M, representing 0.9% of the Service’s approved net operating budget, and will be returned to the City.

As part of the 2020 operating budget process, the Service had originally intended to increase its reserve contribution budgets for some of its reserves in order to provide a sustainable funding source to meet current and future obligations and requirements. However, due to significant fiscal pressures, the Service was not able to increase these budgets as originally planned.

As a result, the Service’s plan was to request the City’s Chief Financial Officer and Treasurer to utilize a portion of the Service’s surplus to make one time contributions to those Reserves that are in need. However, given the current COVID-19 pandemic, these needs are subject to the City’s overall budget pressures and priorities.

Background / Purpose:

The purpose of this report is to provide information on the Service’s 2019 final year end operating budget variance.

Discussion:

The following chart summarizes the variance by expenditure and revenue category. Details regarding these categories are discussed in the section that follows.

| Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|--|---------------------------|-------------------------------|-----------------------------|
| Salaries | \$774.5 | \$764.3 | \$10.2 |
| Premium Pay | \$58.1 | \$72.2 | (\$14.1) |
| Benefits | \$213.0 | \$209.1 | \$3.9 |
| Non Salary | \$106.1 | \$99.9 | \$6.2 |
| Contributions to / (Draws from) Reserves | \$19.0 | \$34.6 | (\$15.6) |
| Revenue | (\$119.2) | (\$138.3) | \$19.1 |
| Total Net | \$1,051.5 | \$1,041.8 | \$9.7 |

Salaries:

Salaries were underspent by \$10.2M.

| Expenditure Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|-----------------------------|---------------------------|-------------------------------|-----------------------------|
| Uniform | \$570.7 | \$574.8 | (\$4.1) |
| Civilian | \$203.8 | \$189.5 | \$14.3 |
| Total Salaries | \$774.5 | \$764.3 | \$10.2 |

Uniform Officers - The 2019 approved budget included funding for 321 uniform hires and assumed that there would be 250 uniform officer separations during the year. Total hires were 432 and the final year-end separations totaled 223, resulting in an unfavourable variance in uniform officer salaries.

Civilians - Funding was included for the addition of Part-Time Retirees who will be deployed to the Primary Report Intake, Management and Entry (P.R.I.M.E.) unit and Community Investigative Support Units (C.I.S.U.) to supplement existing resources as a stop-gap to current staffing shortages. This would allow frontline officers to focus on higher priority and emergency situations. Setting up and staffing the C.I.S.U. program took longer than originally anticipated. The 2019 approved budget assumed that there would be 186 members by the end of 2019. Total C.I.S.U. hires by the end of the year were 24. The program will be evaluated over the coming months and into 2020. The 2019 approved budget also included funding to hire additional District Special Constables, Communications Operators, Bookers and Crime Analysts. In addition, funding was included to backfill critical civilian vacancies such as Court Officers and information technology staff and to continue hiring positions that support the Service's transformation initiatives and ensure day to day work gets done. While the Service has been aggressively hiring to fill positions, many of the positions were filled through internal promotions thereby creating other vacancies. In addition, some of the positions have changed due to transformation initiatives and as a result, new job descriptions had to be created and approved. As a result, it took longer than anticipated to fully staff some positions and to backfill current year separations, and therefore the Service

incurred \$14.3M savings in civilian salaries. The 2019 approved budget also assumed that there would be 90 civilian separations during the year. Final separations were 121. Reduced staffing levels, along with the longer than anticipated hiring timelines have, however, resulted in civilian premium pay pressures as summarized below.

Premium Pay:

Premium pay was overspent by \$14.1M.

| Expenditure Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|-----------------------------|---------------------------|-------------------------------|-----------------------------|
| Uniform | \$53.0 | \$62.3 | (\$9.3) |
| Civilian | \$5.1 | \$9.9 | (\$4.8) |
| Total Premium Pay | \$58.1 | \$72.2 | (\$14.1) |

Uniform:

Premium pay is incurred when staff are required to work beyond their normal assigned hours for extended tours of duty (e.g., when officers are involved in an arrest at the time their shift ends), court attendance scheduled for when the officer is off duty, or call-backs (e.g. when an officer is required to work additional shifts to ensure appropriate staffing levels are maintained or for specific initiatives). The Service’s ability to deal with and absorb the impact of major unplanned events (e.g. demonstrations, emergency events, and homicide / missing persons) relies on the utilization of off-duty officers which results in premium pay costs. For example, \$1.5M in premium pay was required to provide security during the Raptors playoff run and championship parade.

The average number of deployed uniform officers was less in 2019 compared to 2018, (4,754 versus 4,797) causing an ongoing need to supplement resources through premium pay to help meet policing demands on the frontline, as well as support and investigative units of the Service. Premium pay was overspent by \$24.5M in 2018. The 2019 budget included an \$8.5M increase to the premium pay budget. However, this increase was insufficient compared to the demands on premium pay that were experienced in 2018 and continued to be experienced in 2019. While the over-expenditure in 2018 should have prompted a larger increase in 2019 operating budget request, a higher request was not made to keep the Service’s overall budget increase as low as possible. During the first six months of 2019 there was an average of 4,705 deployed officers, which was 139 less than the same time in 2018. Due to these decreased uniform staffing levels and increased calls for service, the Service continued to incur significant pressures in uniform premium pay and spending was unfavourable by \$9.3M in this category. The June deployment of the December recruit class (134 recruits), the deployment of the April class (141 recruits) in October and civilianization hires designed to directly support the front line (e.g. District Special Constables and Booking Officers) helped in alleviating premium pay pressures in the second half of the year. In addition, funding for Project Community Space provided resources to address gun and gang violence that would have had to have been otherwise addressed through

Service initiated premium pay initiatives.

Civilian:

Additional premium pay was also incurred as units addressed critical workload issues resulting from a significant number of civilian staff vacancies across the Service. Civilian overtime and call-backs are authorized when required to ensure deadlines are met, key service levels maintained, projects and initiatives are properly supported and tasks completed in order to ensure risks are mitigated and additional hard dollar costs are avoided. The unfavourable civilian premium pay variance was \$4.8M. Reductions in civilian premium pay spending were expected to occur as vacant civilian positions are filled. However, the large backlog of civilian vacancies that existed from the hiring moratorium delayed the filling of vacancies. In addition, many of the civilian positions require weeks or months of ongoing training before the staff can be utilized to their full potential.

The higher than budgeted civilian premium pay expenditures were fully offset by savings in civilian salaries.

Benefits:

Benefits were underspent by \$3.9M.

| Expenditure Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|--|---------------------------|-------------------------------|-----------------------------|
| Medical / Dental | \$43.7 | \$42.7 | \$1.0 |
| O.M.E.R.S. / C.P.P. / E.I. / E.H.T. | \$130.9 | \$130.0 | \$0.9 |
| Sick Pay Gratuity /C.S.B./L.T.D. | \$21.5 | \$18.5 | \$3.0 |
| Other (e.g., W.S.I.B., life insurance) | \$16.9 | \$17.9 | (\$1.0) |
| Total Benefits | \$213.0 | \$209.1 | \$3.9 |

Medical and dental spending is impacted by many factors such as staffing levels, age of staff, age of family dependents, evolving legislation, changes in drug costs and changes in dental fee schedules. Medical and dental expenditure levels were \$1.0M favourable. The Service incurred a \$1.0M unfavourable variance in W.S.I.B. costs, primarily due to impacts of Bill 163, Supporting Ontario's First Responders Act regarding Post Traumatic Stress Disorder. As the Service will be undertaking a comprehensive review of W.S.I.B. claims, it's anticipated that greater oversight and controls will help mitigate some of the increase in future years. Favourable variances in the O.M.E.R.S. /C.P.P. /E.I. /E.H.T. category were a result of reduced civilian staffing levels.

Non-Salary Expenditures:

Non-salary expenditures were underspent by \$6.2M.

| Non Salary | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|------------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| Vehicles (e.g. gas, parts) | \$13.1 | \$12.0 | \$1.1 |
| Information Technology | \$26.5 | \$30.8 | (\$4.3) |
| Caretaking / maintenance utilities | \$20.3 | \$18.8 | \$1.5 |
| Contracted Services | \$13.6 | \$12.5 | \$1.1 |
| Uniforms and outfitting | \$9.3 | \$10.0 | (\$0.7) |
| Other | \$23.3 | \$15.8 | \$7.5 |
| Total Non Salary | \$106.1 | \$99.9 | \$6.2 |

The favourable variance in vehicles was a result of less than anticipated expenses for automotive parts. In addition, gas prices for the year were lower than estimated, resulting in additional savings.

The unfavourable variance in the information technology and uniforms categories was mainly a result of expenditures from unspent grant funding carried forward from 2018 (funds can be spent until March 31st on provincial grants). These grant expenditures were fully offset by revenue received for the grants. Further information on the grant-funded programs can be found in the Revenue section of this report.

Favourable variances in contracted services were a result of spending on modernization efforts being less than planned. However, this resulted in a net zero variance as spending on modernization is funded from the modernization reserve.

The favourable variance in the Other category was mainly a result of liability reversals for Harmonized Sales Tax (H.S.T.) expenses that the Service no longer expects to incur.

Contributions to / (Draws from) Reserves:

The final variance in this category is \$15.6M unfavourable.

| Reserves Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|--|-----------------------------------|---------------------------------------|-------------------------------------|
| Contribution to Reserves: | | | |
| Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health | \$17.1 | \$17.1 | \$0.0 |
| Legal | \$0.9 | \$0.9 | \$0.0 |

| | | | |
|--|-----------------|-----------------|-----------------|
| Insurance | \$10.0 | \$10.2 | (\$0.2) |
| Vehicle & Equipment | \$22.3 | \$22.3 | \$0.0 |
| Contribution to Reserves | \$50.3 | \$50.5 | (\$0.2) |
| | | | |
| Draws from Reserves: | | | |
| Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health | (\$22.7) | (\$15.9) | (\$6.8) |
| Legal & Modernization | (\$7.1) | \$0.0 | (\$7.1) |
| Tax Stabilization Reserve | (\$1.5) | \$0.0 | (\$1.5) |
| Draws from Reserves | (\$31.3) | (\$15.9) | (\$15.4) |
| Contributions to / (Draws from) Reserves | \$19.0 | \$34.6 | (\$15.6) |

As part of the annual operating budget process, the Board and Council approve contributions to and expenditures from reserves. The various reserves are established to provide funding for anticipated expenditures to be incurred by the Service, and to avoid large swings in costs from year to year. The Service contributes to and/or draws from the following reserves: City Sick Pay Gratuity; City Insurance; Vehicle and Equipment; Central Sick; Post-Retirement Health; and Legal. The budgeted draw from the Tax Stabilization Reserve was to fund the City's portion of expenditures related to Project Community Space.

The adequacy of reserves is reviewed annually, based on the Service's estimated spending and asset replacement strategies. Contributions are made and expensed to the operating budget accordingly.

In 2019, the Service made all required contributions to its reserves. However, there was a \$15.6M unfavourable variance in draws from reserves. This unfavourable variance consisted of two separate components. The first unfavourable component was offset by reduced spending associated with the draw. For example, sick pay gratuity was less than planned, therefore the draw was less than planned, resulting in a net zero variance. The second unfavourable component was a result of not fully drawing from the reserve funding sources, taking into account the need to balance funding for the current year with the need to help sustain the future health of the reserves. Outlined below, are the actions taken regarding the Post-Retirement Health, Legal and Modernization reserves.

The cost of the Post-Retirement Health Reserve benefit is projected to increase significantly in the coming years. As a result, the Service did not make any draws from this reserve during 2019, resulting in an unfavourable revenue variance of \$1.5M. This allows the Service to continue to enhance the adequacy of funds in this reserve.

In order to limit the 2020 Service-wide budget increase, the 2020 budgeted contribution to the Legal reserve was kept at 2019 levels. As legal costs can vary significantly from year to year, the Service did not make any of the \$3.2M in eligible draws from the Legal

reserve during 2019, thereby maintaining an adequate balance going into 2020.

The Modernization reserve was established in 2017 to provide a source of funding to help enable modernization and transformation initiatives so that the Service can achieve a more effective, efficient and value added police service. In Council's approval of this reserve, the purpose statement allowed contributions to be made only through any year-end surplus funds of the Service. As modernization initiatives are expected to be ongoing, the Service withdrew zero of the eligible \$0.4M in order keep sufficient funding in 2020.

The Service developed a framework for measuring and tracking the impact of cannabis legalization on the Service which includes, but is not limited to the following:

- targeting illegal dispensaries;
- training;
- impact on front-line demands; and
- processing and destruction of seized cannabis.

For 2019, \$1.3M was spent on cannabis related enforcement, closure of illegal dispensaries, training and destruction of seized cannabis. The Ministry of Finance has provided funds to the City from the Ontario Cannabis Legislation Implementation Fund (O.C.L.I.F.), which the City has placed in reserve. Municipalities must use their O.C.L.I.F. funding to address the implementation costs that directly relate to the legalization of recreational cannabis. The Service is currently working with the City to determine the amount of draws that can be made for Service-related cannabis costs in future years.

Revenue:

Revenues were \$19.1M favourable.

| Revenue Category | 2019 Budget (\$Ms) | Year-End Actual (\$Ms) | Fav / (Unfav) (\$Ms) |
|---|---------------------------|-------------------------------|-----------------------------|
| Government grants | (\$60.6) | (\$72.6) | \$12.0 |
| Fees and Recoveries (e.g., paid duty, secondments, and reference checks.) | (\$32.9) | (\$37.3) | \$4.4 |
| Paid Duty - Officer Portion | (\$24.7) | (\$27.0) | \$2.3 |
| Miscellaneous Revenue | (\$1.0) | (\$1.4) | \$0.4 |
| Total Revenues | (\$119.2) | (\$138.3) | \$19.1 |

During 2018, the Service was in receipt of Policing Effectiveness and Modernization (P.E.M.) grant funding and Guns and Gangs grant funding from the Province of Ontario.

The grants are to assist the Service in funding incremental spending on modernization and anti-gang crime initiatives, respectively. As the provincial fiscal year ends on March 31st, versus December 31st for the Service, unspent provincial grant funding from 2018 was carried forward into the first quarter of 2019. The favourable variance in grants was mainly a result of these carry forwards. As this grant funding is meant to offset specific expenditures, the Service incurred unfavourable variances in Non-Salary accounts.

The Service was eligible to apply for \$17.4M in Community Safety and Policing (C.S.P.) grant funds from the Ministry of the Solicitor General for fiscal year 2019-2020. This grant replaced the P.E.M. grant. Applications for the C.S.P. grants were approved by the Ministry in September 2019. The Service budget assumed that \$10.0M would be provided through this grant to cover the cost of the Public Safety Response Team. The remaining amount was not included in the Service operating budget as the amounts were not guaranteed at the time of budget preparation and the remaining \$7.4M was to cover new expenditures, and therefore would not have an impact on the net operating budget submission. While the net variance for grants will generally be zero, the gross variance is difficult to project with certainty because of the Province's different fiscal year end.

Fees and recoveries were favourable as the Service experienced favourable variances in paid duty administrative fees and reference checks.

Conclusion:

The Service's 2019 year-end surplus is \$9.7M. This amount will be returned to the City.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

May 4, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director

Subject: Operating Budget Variance Report for the Toronto Police Services Board, Year Ending December 31, 2019

Recommendations:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

The Board's year-end variance is \$163,100.

Background / Purpose:

The Board, at its January 24, 2019 meeting, approved the Toronto Police Services Board's 2019 operating budget at a net amount of \$2,458,300 (Min. No. P8/19 refers), a 3% increase over the 2018 approved operating budget. Subsequently, City Council, at its March 7, 2019 meeting, approved the Board's 2019 operating budget at \$2,461,000.

In October 2019, The Board's Excluded staff were awarded a salary increase, consistent with what the Board negotiated and ratified with the Senior Officers Organization. As a result of this agreement, City Council, at its December 17, 2019 meeting, approved a transfer from the City's non-program budget to the Service's 2019 approved operating budget, increasing the Board's budget by \$23,400. This results in a revised net operating budget for the Board of \$2,484,400.

The purpose of this report is to provide information on the Board's 2019 projected year-end variance.

Discussion:

The final year-end variance is a surplus of \$163,100. Details are discussed below.

| Expenditure Category | 2019 Budget (\$000s) | Year-End Actual (\$000s) | Fav/(Unfav) (\$000s) |
|-----------------------------|-----------------------------|---------------------------------|-----------------------------|
| Salaries & Benefits | \$1,199.4 | \$1,133.1 | \$66.3 |
| Non-Salary Expenditures | \$1,285.0 | \$1,188.2 | \$96.8 |
| Total | \$2,484.4 | \$2,321.3 | \$163.1 |

Salaries & Benefits:

The favourable variance was due to a new staff member being hired later than originally planned.

Non-salary Expenditures:

The majority of the costs in this category are for arbitrations/grievances and City charge backs for legal services. Favourable variances were achieved in city charge backs and consulting costs.

The Toronto Police Services Board cannot predict or control the number of grievances filed or referred to arbitration as filings are at the discretion of bargaining units. In order to deal with this uncertainty, the 2019 budget includes a \$529,000 contribution to the Legal Reserve for costs related to independent legal advice required. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board has funds available in the Reserve for these variable expenditures.

Missing Persons Investigations Review:

The Board, at its June 21, 2018 meeting, approved the Missing Persons Investigation Review Working Group – Review's Terms of Reference and Budget Report (Min. No. P112/18 refers). The Board approved terms of reference for an independent review of the policies, practices and actions of the Board and the Toronto Police Service in relation to missing person reports and investigations. The Board also approved a request to the City of Toronto's Executive Committee to allocate and transfer to the Board funding for the review in an amount not to exceed \$3.0M and that such funds be made available to the Board beginning in 2018 and until the conclusion of the Review. Subsequently, Toronto City Council, at its July 23, 2018 meeting, approved up to \$3.0M for the Missing Persons Investigations Review. The Review is expected to require funding over the 2018, 2019 and 2020 budget years. The Council approved 2019 Board operating budget includes an allocation of \$1.8M for the costs projected to occur during 2019. This allocation is being funded from the Tax Rate Stabilization Reserve. This has the effect of increasing the Board's gross budget by \$1.8M, offset by the \$1.8M transfer from the City to cover this cost, which results in a zero net operating impact on

the Board's budget. The Board will only draw on the reserve to the extent needed to fund the expenditure associated with the review. For 2019, the expenditure and offsetting reserve draw was \$1,325,300.

During 2019 it became evident that the interests of the community would best be serviced if the scope of the review were to be expanded. The cost of expanding the scope of the review, estimated at \$1.0M, was approved by City Council at its meeting of February 19 2020, to be funded from a \$1.0 million draw from the Tax Rate Stabilization reserve, bringing the total estimated cost of the review to \$4.0M. This represents a onetime increase to the 2020 Staff Recommended Operating Budget for the Toronto Police Services Board of \$1.0 million gross and \$0.0 net.

The expanded scope of Independent Civilian Review into Missing Persons Investigations will have a high positive equity impact for many equity-seeking groups. With this expansion, this Review will now include an examination of the specific circumstances involving the investigations into the disappearances of victims associated with Bruce McArthur, which were previously excluded due to criminal proceedings being active at the time the Terms of Reference were established for this Review. The expanded scope will mean that additional significant and valuable experiences and perspectives of individuals, including members of the City's LGBTQ2S+ community, and some of Toronto's most marginalized and vulnerable communities, will be included in this Review, and will directly impact the recommendations that will be made. The expanded scope will ensure that the Review's ultimate conclusions and recommendations, which will be presented to the Toronto Police Service Board by January of 2021, are developed having regard to the specific and unique context of the Review, and informed by the people most impacted by the circumstances that gave rise to it, leading to recommendations aimed to promote efficient, effective and bias-free policing and improved trust between the Toronto Police Service and members of the affected communities.

Conclusion:

The 2019 year-end favourable variance for the Board is \$163,100.

Respectfully submitted,



Ryan Teschner
Executive Director



Toronto Police Services Board Report

January 10, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2019 Uniform Promotions

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

At its meeting on May 29, 2003, the Board approved giving standing authority to the Chair, Vice Chair, or their designates, to sign, authorize and approve all uniform promotions to the ranks of Sergeant and Staff/Detective Sergeant. The Board further approved receiving a summary report at its February meeting each year on the promotions made to these ranks in the previous year (Min. No. P136/03 refers). Also at its meeting on March 22, 2007, the Board requested that future diversity statistics provide an analysis of the success rate of officers with varying racial backgrounds and female officers in the promotional process by comparing the number of such officers at all stages of the process with the number of those who were promoted (Min. No. P124/07 refers).

Discussion:

In 2019, the Toronto Police Service (Service) proceeded with the promotion of members who were on eligibility lists. Twelve (12) Sergeants/Detectives were promoted from the 2018 Staff Sergeant/ Detective Sergeant Eligibility List and Two (2) Constables were promoted from the 2015 Sergeant Eligibility List.

The 12 Sergeant/Detective promotions to the rank of Staff Sergeant/Detective Sergeant has left 78 members remaining on the 2018 eligibility list.

The 2 Constable promotions to the rank of Sergeant has exhausted the 2015 Sergeant Eligibility List.

Appendix 'A' lists the number of members promoted to the rank of Staff Sergeant/Detective Sergeant during 2019.

Appendix 'B' lists the number of members promoted to the rank of Sergeant during 2019.

At the Board meeting on February 24, 2016, a diversity analysis was submitted for the 2015 Sergeant promotional process indicating the breakdown of gender and of visible minorities (Min. No. P27/16 refers). The diversity analysis for the 2015 Sergeant promotional process is attached (see Appendix C):

- One hundred and fifty-one (151) members were placed on an eligibility list for promotion to the rank of Sergeant/Detective in 2015.
- Two of those members were promoted in 2019:
 - female members made up 50%.

Ninety members were placed on an eligibility list for promotion to the rank of Staff Sergeant/Detective Sergeant in 2018.

- Twelve of those members were promoted in 2019:
 - female members made up 33%.

All members have been promoted in accordance with Service Procedure 14-10 entitled "Uniform Promotional Process – Up To and Including the Rank of Inspector" which was approved by the Board (Min. No. P49/01 refers). In addition, the members have been the subject of an extensive vetting process that included background checks conducted through Professional Standards, Equity, Inclusion & Human Rights (formerly Diversity & Inclusion), Legal Services and Labour Relations.

Conclusion:

This report lists the number of members of the Service who were promoted to the rank of Staff Sergeant/Detective Sergeant and the rank of Sergeant during the year 2019.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to respond to any questions that the Board may have in regards to this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original with signature on file at Board office

Appendix A

Promotions to the Rank of Staff Sergeant/ Detective Sergeant in 2019

| Number Promoted | Effective Date |
|-----------------|----------------|
| 12 | 2019.07.01 |
| Total: 12 | |

78 members remain on the 2018 Staff Sergeant/Detective Sergeant eligibility list.

Appendix B

Promotions to the Rank of Sergeant in 2019

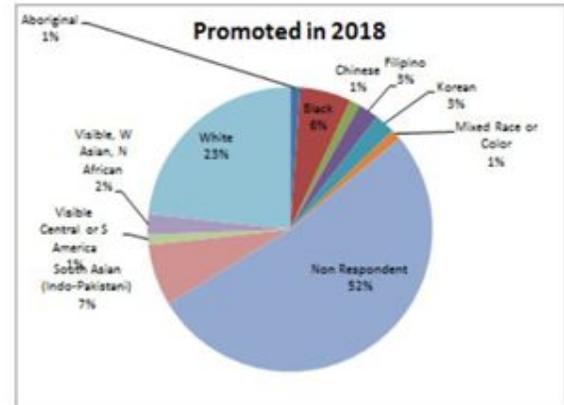
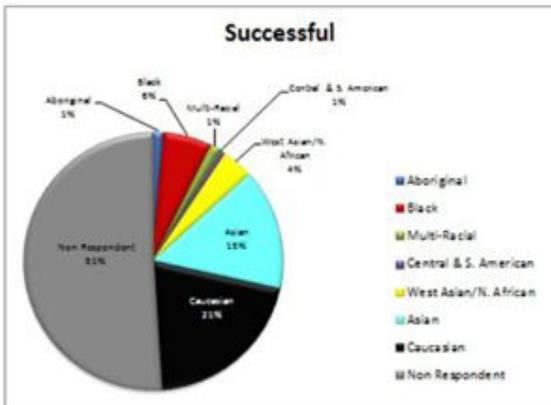
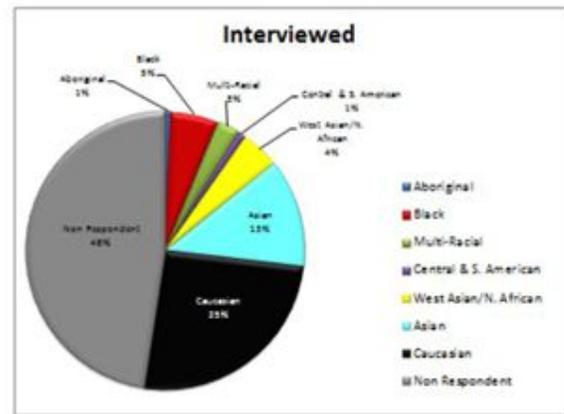
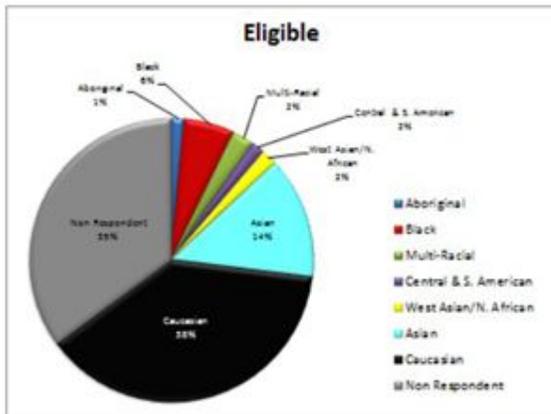
| Number Promoted | Effective Date |
|-----------------|----------------|
| 1 | 2019.01.08 |
| 1 | 2019.07.01 |
| Total: 2 | |

0 members remain on the 2015 Sergeant eligibility list.

Appendix C

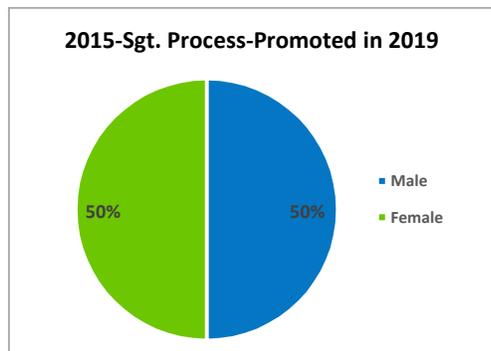
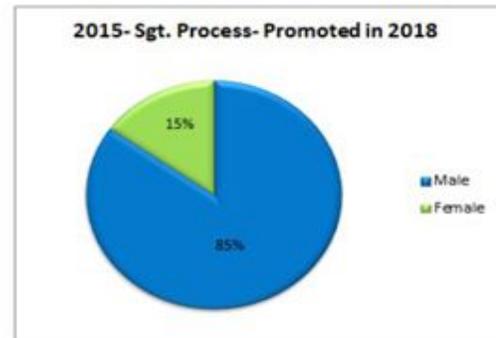
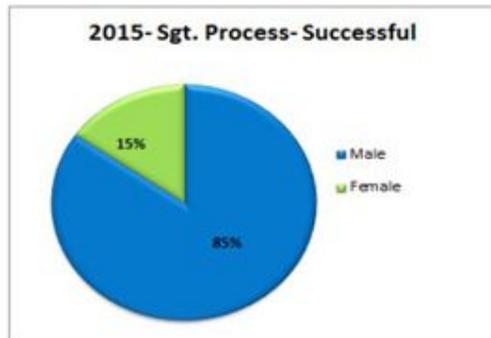
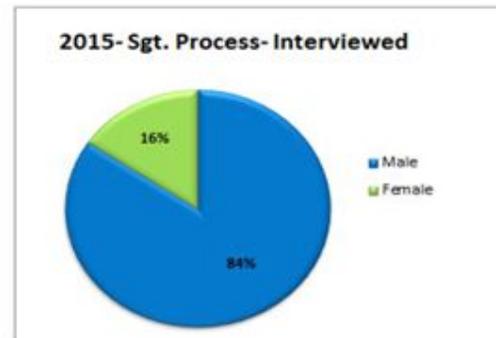
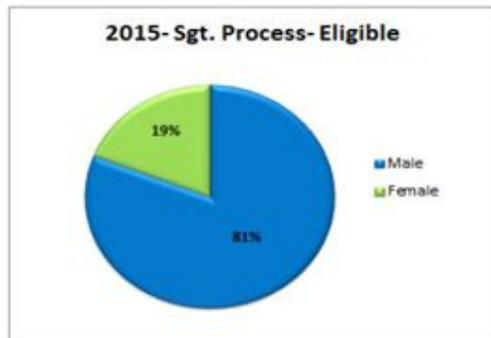
Diversity Analysis Results

| 2015 Sgt. Promotional Process- Diversity | | | | | | | | | |
|--|-------------|------------|------------|-------------|------------|---------------|---------------|---------------|---------------|
| | Eligible | Applied | Wrote Exam | Interviewed | Successful | Promoted 2016 | Promoted 2017 | Promoted 2018 | Promoted 2019 |
| Aboriginal | 54 | 6 | 3 | 2 | 2 | 1 | 0 | 1 | 0 |
| Black | 213 | 49 | 43 | 17 | 9 | 2 | 1 | 5 | 0 |
| Multi-Racial | 92 | 14 | 13 | 8 | 2 | 0 | 1 | 1 | 0 |
| Central & S. American | 55 | 6 | 6 | 3 | 1 | 0 | 0 | 1 | 0 |
| West Asian/N. African | 67 | 22 | 18 | 14 | 6 | 3 | 0 | 2 | 0 |
| Asian | 517 | 89 | 80 | 39 | 23 | 4 | 4 | 11 | 0 |
| Caucasian | 1408 | 151 | 128 | 79 | 31 | 5 | 2 | 20 | 0 |
| Non Respondent | 1299 | 280 | 254 | 147 | 77 | 10 | 6 | 45 | 2 |
| Total Members | 3705 | 617 | 545 | 309 | 151 | 25 | 14 | 86 | 2 |



NOTE: D&I changed the diversity categories since the initial stats were collected in 2015.

| 2015 Sgt. Promotional Process - Gender | | | | | | | | |
|--|----------|------------|-------------|------------|---------------|---------------|---------------|---------------|
| | Eligible | Wrote Exam | Interviewed | Successful | Promoted 2016 | Promoted 2017 | Promoted 2018 | Promoted 2019 |
| Male | 3002 | 466 | 261 | 128 | 23 | 11 | 73 | 1 |
| Female | 703 | 79 | 48 | 23 | 2 | 3 | 13 | 1 |





Toronto Police Services Board Report

March 24, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2019 Cooperative, Joint and Consolidated Purchasing

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

There are no financial implications in this report.

Background / Purpose:

The Board's Purchasing By-Law 163, requires the Chief of Police to report annually to the Board on any awards greater than \$1,000,000 for co-operative, joint and consolidated procurements that occurred in the preceding year. In response to this requirement, the following information is provided.

Discussion:

Benefits to the Service of co-operative, joint and consolidated procurement include cost savings through volume buying, standardization of equipment and administrative efficiency by having one lead agency conduct the procurement process on behalf of multiple agencies.

The Toronto Police Service (Service) has been and continues to be a member of the Police Co-operative Purchasing Group (P.C.P.G.) since its inception in 1996. The Service also continues to leverage existing contracts, where possible, through other government entities such as the City of Toronto (City) and the Province of Ontario Vendor of Records.

Currently, the Service participates in 31 active P.C.P.G. contracts, 38 City contracts and one Toronto Transit Commission contract. Examples of the type of goods and services that are purchased through these contracts are marked and unmarked police cars, tires,

ammunitions, pepper spray, body armour, uniform clothing, footwear, signs, envelopes, paper, stationery, footwear and fuel.

In 2019, no co-operative, joint or consolidated procurements over \$1,000,000 were awarded.

Conclusion:

Participating in cooperative, joint and consolidated procurements where possible continues to be a leading procurement practice. Sharing the responsibility of the procurement process for various goods and services has benefitted the Service from a pricing and efficiency perspective.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

February 17, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2019 Secondary Activities

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

At its meeting on February 11, 1993, the Board requested that the Chief of Police submit a semi-annual report on Secondary Activities (Min. No. C45/93 refers). At the March 21, 1996 meeting, the Board requested that all further semi-annual reports on secondary activities include the number of new applications for secondary activities, how many were approved or denied on a year-to-date basis, as well as the total number of members engaged in secondary activities at the time of the report (Min. No. P106/96 refers).

At its meeting on October 26, 2000, the Board passed a motion that future reports regarding secondary activities be provided to the Board on an annual basis rather than semi-annually (Min. No. P450/00 refers). At its meeting on February 22, 2001, the Board requested that future annual reports regarding secondary activities include a preamble that describes the Toronto Police Service's (Service) policy governing secondary activities (Min. No. P55/01 refers).

Service Procedure 14-25 – Secondary Activities:

Service Procedure 14-25 was reviewed, revised, and published on January 3, 2020. Members are required to submit an Application for Secondary Activity on Form TPS 778 for approval by the Chief of Police if the member believes the activity may place him or her in a conflict with Section 49(1) of the *Police Services Act (P.S.A.)*. Service Procedure 14-25 does not outline an exhaustive list of activities that may contravene Section 49(1) of the *P.S.A.* Approval to engage in a secondary activity may be granted provided that the secondary activity does not contravene the restrictions set out in Section 49(1) of the *P.S.A.*

Police Services Act Provisions – Secondary Activity:

Section 49(1) states:

49(1) A member of a police force shall not engage in any activity:

- (a) that interferes with or influences adversely the performance of his or her duties as a member of the police service, or is likely to do so; or
- (b) that places him or her in a position of conflict of interest, or is likely to do so; or
- (c) that would otherwise constitute full-time employment for another person; or
- (d) in which he or she has an advantage derived from employment as a member of a police force.

The Chief of Police exercises his discretion, on a case-by-case basis, to determine whether an application is likely to contravene the restrictions set out in Section 49(1) of the *P.S.A.* Members whose applications are approved are required to sign an agreement which outlines the terms and conditions of the approval.

A “member”, as defined in the *P.S.A.*, means a police officer, and in the case of a municipal police force includes an employee who is not a police officer. Therefore, both uniform and civilian employees are considered members covered under Section 49(1) of the *P.S.A.*

The purpose of this report is to provide a summary of the applications for secondary activities received in 2019.

Discussion:

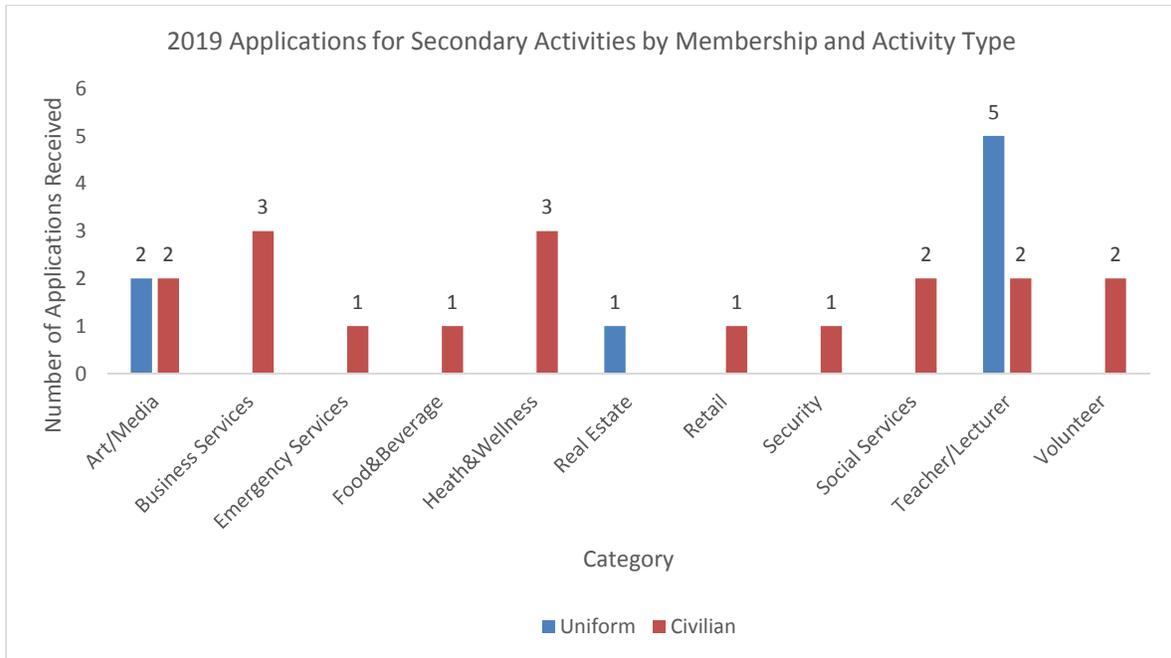
The chart below outlines the number of secondary activity applications received for uniform and civilian members for the past five years. These members may or may not be continuing to engage in these activities.

| Received Secondary Activity Applications from 2009 to 2019 | | | | | | |
|--|---------|----------|-------|----------|--------|-----------|
| Year | Uniform | Civilian | Total | Approved | Denied | Withdrawn |
| 2015 | 18 | 30 | 48* | 35 | 0 | 6 |
| 2016 | 18 | 14 | 32* | 30 | 1 | n/a |
| 2017 | 13 | 12 | 25 | 23 | 1 | n/a |
| 2018 | 13 | 5 | 18 | 17 | 1 | n/a |
| 2019 | 8 | 18 | 26 | 25 | 1 | n/a |

*remainder of submitted applications returned for more information by applicant and not returned for processing within reporting period

During 2019, there were 26 new applications received from members requesting approval to engage in secondary activities. Of these 26 applications, 25 were approved and considered to not be in conflict with Section 49(1) of the *P.S.A.*, while one was denied.

The bar chart below summarizes the number of applications received in 2019 and details the type of secondary activities requested, broken down by the number of applications received from uniform and civilian members.



Given that members are only required to seek approval to engage in secondary activities when they believe the activity may place them in a conflict with Section 49(1) of the *P.S.A.*, it is not possible to report the total number of members currently engaged in secondary activities.

Conclusion:

Members are required to request the approval of the Chief of Police to engage in secondary activities if the member believes the activity may place him or her in a conflict with Section 49(1) of the *P.S.A.* This report outlines the Service's procedure regarding secondary activities, and provides a summary of applications received in 2019.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

February 17, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: Labour Relations Counsel and Legal Indemnification: Cumulative Legal Costs from January 1 - December 31, 2019

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report. Labour relations counsel, legal indemnification, arbitration and inquest costs are funded from the Toronto Police Service's (Service) Legal Reserve.

Background / Purpose:

At its meeting on January 25, 2001, the Board approved a policy governing payment of legal accounts, which required the Chief to file a semi-annual report with the Board relating to payment of all accounts for labour relations counsel, arbitration fees, legal indemnification claims, and accounts relating to inquests which were approved by the Director, People & Culture, and the Manager of Labour Relations (Min. No. P5/01 refers).

At its meeting on April 16, 2015, the Board approved a motion to amend the Legal Indemnification policy to indicate that future reports will be submitted annually, as opposed to semi-annually, to coincide with the reporting of labour relations matters. (Min. No. P102/15 refers).

Discussion:

During the period of January 1 to December 31, 2019, 441 invoices for external labour relations counsel totalling \$369,363 were received and approved for payment by the Manager of Labour Relations. One invoice totalling \$2,250 was received and approved for payment to arbitrators presiding over grievances.

During the same period, 120 accounts from external counsel relating to legal indemnification were paid totalling \$1,144,021. Six accounts from external counsel in relation to inquests were paid totalling \$669,364, and no accounts were submitted for civil actions.

Cumulative Summary for 2019

For the period January 1 to December 31, 2019, legal costs incurred for Labour Relations and Legal Indemnification totalled \$2,184,998 as follows:

| Number | Type of Account Paid | 2019 Costs Incurred |
|---------------|---|----------------------------|
| 441 | Payments for labour relations counsel: 79 payments for labour relations counsel \$128,903 9 payments for bargaining (TPA & SOO) \$49,742 353 payments for WSIB case management \$190,718 | \$369,363 |
| 1 | Arbitration Costs related to Grievances: 1 payment for grievance activity \$2,250 | \$2,250 |
| 120 | Legal Indemnification | \$1,144,021 |
| 6 | Inquests | \$669,364 |
| 0 | Civil Actions | \$0 |
| | Total Costs for 2019 | \$2,184,998 |

Three Year Trend

Total legal costs increased in 2019 over 2018 due to an increase in legal indemnification claim amounts, which are variable from year to year. The 2019 total is comparable to the total from 2017. The following chart illustrates the total legal costs incurred for labour relations and legal indemnification for the years 2017, 2018, and 2019:



Conclusion:

In summary, this report provides the Board with an annual update for the period January 1 to December 31, 2019 of the total cumulative legal costs for labour relations counsel, legal indemnification claims, and claims relating to inquests.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

February 21, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: Write-off of Uncollectible Accounts Receivable Balances January to December 2019

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no accounts receivable write-offs to report for 2019. The Toronto Police Service (Service) performed very well in the area of billings and collections with zero write-offs for the entire year.

In 2019, the year-end accounts receivable balance was \$3.9 Million (M) and the total invoiced revenues for the year were \$72M, excluding grants.

With zero write-offs for 2019, the Service performed better than the industry standard at 0.065% of total sales.

Background / Purpose:

At its meeting of May 30, 2019, the Board approved the new Financial Management and Control By-law. Section 16 in Part VI - Write-offs, delegates the authority to write-off uncollectible accounts of \$50,000 or less to the Chief of Police and requires that an annual report be provided to the Board, identifying all individual amounts in excess of \$1,000 written off in the previous calendar year and the reasons for such write-offs (Min. No. P105/19 refers).

The purpose of this report is to provide the Board with information on the amounts written off during the period of January 1 to December 31, 2019.

Discussion:

External customers receiving goods and/or services from Service units are invoiced for the value of such goods or services. The Service's Accounting Services (Accounting) Unit works closely with divisions, units and customers to ensure that some form of

written authority is in place with the receiving party prior to work commencing and an invoice being sent. Accounting also ensures that accurate and complete invoices are sent to the proper location, on a timely basis.

Conclusion:

The Service has instituted a very rigorous process to mitigate the risk of accounts becoming uncollectible and therefore written off. No write-offs of uncollectible accounts were required in 2019.

In accordance with Section 16 – Authority for Write-offs, of the Financial Management and Control By-Law, it is recommended that the Board receive this report.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

February 21, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report - 2019 Proof of Claim Documents Filed on Behalf of the Toronto Police Services Board

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

At its meeting of December 15, 2011, the Board delegated authority to the Chief of Police, or his designate, to act on its behalf in all situations where a Proof of Claim must be signed and returned to the Trustee in Bankruptcy within a specified period of time, in order to allow the Toronto Police Service's (Service) claim against customers or vendors to be considered as part of any consumer proposal or bankruptcy proceedings (Min. No. P334/11 refers).

At that meeting, the Board requested the Chief of Police to report annually in the years in which this delegated authority was exercised.

Discussion:

Annual report - Proof of Claim:

During 2019, there was no Proof of Claim document submitted by the Service on behalf of the Board in relation to a bankruptcy notice.

Conclusion:

This report provides information to the Board on any matters relating to the Proof of Claim documents submitted by the Service on behalf of the Board in relation to a bankruptcy notice.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

February 24, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2020 Filing of Toronto Police Service Procedures

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report for information.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

At its meeting of January 16, 2014, the Board approved the policy entitled "Filing of Toronto Police Service Procedures" (Min. No. P05/14 refers). This Board policy directs, in part, that:

5. *On an annual basis, the Chief of Police will file with the Board for its information, the complete index of Service procedures, noting those procedures which arise from Board policies; and*
6. *Such filing will take place as part of a report submitted to the Board and included on a regular public meeting agenda.*

Discussion:

Professional Standards Support – Governance has recently completed a review of all Toronto Police Service (Service) procedures. In addition to completing an annual review for the purpose of updating the index of Service procedures, all procedures have been converted over to an updated procedural template, to ensure *Accessibility for*

Ontarians with Disabilities Act compliance. Procedures were also reviewed and amended to reflect the current Service Organizational Chart. A Routine Order was published to advise members of these procedural amendments on January 3, 2020.

The attached Appendix A contains the complete index and notes those procedures which arise from Board policies. Additionally, the attached Appendix B contains an index of procedures that make reference to Board by-laws. These indices are current as of January 27, 2020.

Conclusion:

The attached Appendix A contains the complete index of Service procedures, noting those which arise from Board policies, and the attached Appendix B contains an index of procedures that make reference to Board by-laws.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Appendix A – Complete Index of Service Procedures

| Procedure Number | Procedure Name | Arising from Board Policy |
|------------------|---|---------------------------|
| 01-01 | Arrest | Yes |
| 01-02 | Search of Persons | Yes |
| 01-02 Appendix B | Risk Assessment – Level of Search | Yes |
| 01-02 Appendix C | Trans Persons | No |
| 01-02 Appendix D | Handling Items of Religious Significance | No |
| 01-03 | Persons in Custody | Yes |
| 01-03 Appendix A | Medical Advisory Notes | Yes |
| 01-03 Appendix B | Cell and Prisoner Condition Checks | Yes |
| 01-03 Appendix C | Designated Lock-ups | Yes |
| 01-03 Appendix D | Booking Hall/Detention Area Monitoring | Yes |
| 01-03 Appendix E | Lodging of Trans Persons | Yes |
| 01-03 Appendix F | Privacy Shields | Yes |
| 01-03 Appendix G | Spit Shields | Yes |
| 01-05 | Escape from Police Custody | Yes |
| 01-07 | Identification of Criminals | Yes |
| 01-08 | Criminal Code Release | No |
| 01-08 Appendix A | Appearance Notice (Form 9) | No |
| 01-08 Appendix B | Promise To Appear (Form 10) | No |
| 01-08 Appendix C | Recognizance Entered Into Before an Officer in Charge (Form 11) | No |
| 01-08 Appendix D | Undertaking Given to an Officer in Charge (Form 11.1) | No |
| 01-09 | Criminal Summons | No |
| 01-10 | Provincial Offences Act Releases | No |
| 01-15 | Bail Hearings and Detention Orders | Yes |
| 01-15 Appendix A | Show Cause Brief | No |
| 01-15 Appendix B | Guidelines for Bail Conditions | No |
| 01-15 Appendix C | Guidelines for the Commencement of Revocation of Bail Process | No |
| 01-17 | Detention Order (Provincial Offences Act) | No |
| 02-01 | Arrest Warrants | Yes |
| 02-01 Appendix A | List of Arrest Warrant Forms | No |
| 02-01 Appendix B | Arrest Warrant Forms | No |
| 02-01 Appendix C | Forms to Obtain Bodily Substances, Prints or Impressions | No |
| 02-02 | Warrants of Committal | No |
| 02-10 | National Parole Warrants | Yes |
| 02-11 | Provincial Parole Warrants | Yes |
| 02-12 | Ontario Review Board Warrants and Dispositions | Yes |
| 02-13 | Child Apprehension Warrants | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|--|----------------------------------|
| 02-14 | Civil Warrants | No |
| 02-14 Appendix A | Civil Warrant – Response | No |
| 02-15 | Returning Prisoners on Warrants Held by Toronto Police Service | No |
| 02-15 Appendix A | Approval to Return Person in Canada on Criminal Code Warrants Held by Toronto Police Service | No |
| 02-15 Appendix B | Approval to Return Person on Warrants Held by Toronto Police Service | No |
| 02-17 | Obtaining a Search Warrant | Yes |
| 02-18 | Executing a Search Warrant | Yes |
| 02-19 | Report to a Justice/Orders for Continued Detention | No |
| 02-19 Appendix A | Report to a Justice (Form 5.2) – Distribution Chart | No |
| 03-03 | Correctional Facilities | Yes |
| 03-03 Appendix A | Correctional Facilities Admitting & Visiting Hours | No |
| 03-04 | Outstanding Charges/Warrants of Committal for Incarcerated Persons | No |
| 03-05 | Withdrawal Management Centres | No |
| 03-06 | Guarding Persons in Hospital | Yes |
| 03-07 | Meal Provision for Persons in Custody | Yes |
| 03-08 | Community Correctional Centres & Community Residential Facilities | No |
| 03-09 | Bail Reporting | No |
| 04-01 | Investigations at Hospitals | No |
| 04-02 | Death Investigations | Yes |
| 04-03 | Use of Photo Line-Ups for Eyewitness Identification | No |
| 04-04 | Facial Recognition System | No |
| 04-05 | Missing Persons | Yes |
| 04-05 Appendix A | National Missing Persons DNA Program (Samples/Submissions) | No |
| 04-06 | Building Checks and Searches | Yes |
| 04-07 | Alarm Response | No |
| 04-08 | Vulnerable Person Registry | Yes |
| 04-09 | American Sign Language and Language Interpreters | Yes |
| 04-10 | Passports | No |
| 04-11 | Persons Seeking Asylum | No |
| 04-12 | Diplomatic and Consular Immunity | No |
| 04-12 Appendix A | Identity Cards | No |
| 04-12 Appendix B | Summary of Law Enforcement Measures | No |
| 04-13 | Foreign Nationals | No |
| 04-14 | Regulated Interactions | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|---|----------------------------------|
| 04-15 | Obtaining Video/Electronic Recordings from the Toronto Transit Commission | Yes |
| 04-16 | Death in Police Custody | Yes |
| 04-17 | Rewards | No |
| 04-18 | Crime and Disorder Management | Yes |
| 04-18 Appendix A | Guidelines for Divisional Crime Management | Yes |
| 04-18 Appendix B | Guidelines: Problem Solving | Yes |
| 04-18 Appendix C | Community Partnerships | Yes |
| 04-18 Appendix D | Divisional Deployment | Yes |
| 04-18 Appendix E | Crime Analysis | Yes |
| 04-18 Appendix F | Strategy Management – Analytics & Innovation | Yes |
| 04-18 Appendix G | Duties of a Police Officer – Subsection 42(1) <i>Police Services Act</i> | No |
| 04-19 | Surveillance | Yes |
| 04-20 | Electronic Surveillance | Yes |
| 04-21 | Gathering/Preserving Evidence | Yes |
| 04-22 | Polygraph Examinations | No |
| 04-23 | Marine Response | Yes |
| 04-24 | Victim Impact Statements | Yes |
| 04-25 | Foreign Inquiries/Investigations/Extradition Requests | Yes |
| 04-26 | Security Offences Act | Yes |
| 04-27 | Use of Police Dog Services | Yes |
| 04-28 | Crime Stoppers | No |
| 04-29 | Parolees | Yes |
| 04-30 | Scenes of Crime Officer (S.O.C.O.) | Yes |
| 04-31 | Victim Services Toronto | Yes |
| 04-32 | Electronically Recorded Statements | Yes |
| 04-32 Appendix A | Guidelines for the Sworn Statement Caution (K.G.B. Caution) | No |
| 04-33 | Lawful Justification | No |
| 04-34 | Attendance at Social Agencies | No |
| 04-35 | Source Management – Confidential Source | Yes |
| 04-35 Appendix A | Source Management – Payment Requests | No |
| 04-35 Appendix B | Source Management – Crown Letters | Yes |
| 04-36 | Agents | Yes |
| 04-36 Appendix A | Agents – Crown Letters | Yes |
| 04-37 | Witness Assistance & Relocation Program (W.A.R.P.) | Yes |
| 04-38 | Intelligence Services | Yes |
| 04-39 | Joint Forces Operations | Yes |
| 04-40 | Major Incident Rapid Response Team | No |
| 04-41 | Youth Crime Investigations | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|--|----------------------------------|
| 04-41 Appendix A | Class of Offences and Recommended Dispositions | No |
| 04-41 Appendix B | Under 12 – Centralized Services Protocol | No |
| 04-42 | Non-Emergency Primary Report Intake | No |
| 04-43 | Burial Permits | No |
| 04-44 | Undercover Operations | Yes |
| 04-45 | Internet Facilitated Investigations | No |
| 04-46 | Closed Circuit Television (C.C.T.V.) | Yes |
| 04-46 Appendix A | Site Selection Process – C.C.T.V./R.D.C.C.T.V. | No |
| Ch. 5 Appendix A | Excerpt from Guideline LE-029 – Preventing or Responding to Occurrences Involving Firearms | No |
| 05-01 | Preliminary Homicide Investigation | Yes |
| 05-01 Appendix A | Investigation Questionnaire: Pediatric Injury | No |
| 05-01 Appendix B | Investigation Questionnaire for Sudden Unexpected Deaths in Infants | No |
| 05-02 | Robberies/Hold-ups | Yes |
| 05-03 | Break and Enter | Yes |
| 05-04 | Domestic Violence | Yes |
| 05-04 Appendix A | Domestic Violence Risk Management – Ontario Domestic Assault Risk Assessment (DVRM/ODARA) | Yes |
| 05-05 | Sexual Assault | Yes |
| 05-05 Appendix A | Third Party Records | Yes |
| 05-06 | Child Abuse | Yes |
| 05-06 Appendix A | Subsections 72(1)(1.1)(2)(3) of the <i>Child, Youth and Family Services Act</i> | No |
| 05-06 Appendix B | Centre for Forensic Sciences - Police Submission Guidelines | No |
| 05-06 Appendix C | Protection Services for 16 and 17 Year Olds | Yes |
| 05-07 | Fire Investigations | No |
| 05-08 | Criminal Writings | Yes |
| 05-09 | Tampering or Sabotage of Food, Drugs, Cosmetics or Medical Devices | No |
| 05-10 | Threatening/Harassing Telephone Calls | Yes |
| 05-11 | Fail to Comply/Fail to Appear | No |
| 05-12 | Counterfeit Money | No |
| 05-13 | Breach of Conditional Sentence | No |
| 05-14 | Immigration Violations | No |
| 05-15 | Asset Forfeiture Investigations | Yes |
| 05-16 | Hate/Bias Crime | Yes |
| 05-17 | Gambling Investigations | Yes |
| 05-18 | Fraudulent Payment Cards | Yes |
| 05-19 | Violent Crime Linkage Analysis System | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|---|----------------------------------|
| 05-20 | Virtual Currency | Yes |
| 05-21 | Firearms | Yes |
| 05-22 | Elder and Vulnerable Adult Abuse | Yes |
| 05-22 Appendix A | Elder and Vulnerable Adult Abuse Investigations – Contact Information | Yes |
| 05-23 | Financial Crime Investigations | Yes |
| 05-24 | Child Exploitation | Yes |
| 05-25 | Pawnbrokers and Second Hand Dealers | Yes |
| 05-26 | Child Abductions | Yes |
| 05-27 | Criminal Harassment | Yes |
| 05-27 Appendix A | Detective Operations – Sex Crimes – Behavioural Assessment Section | No |
| 05-27 Appendix B | Excerpt from L.E.-028 – Criminal Harassment | No |
| 05-28 | Gang Related Investigations | No |
| 05-29 | Sex Offender Registries | Yes |
| 05-30 | Major Drug Investigations | Yes |
| 05-31 | Human Trafficking | Yes |
| 05-32 | Kidnapping | Yes |
| 06-01 | Commencing P.O.A. Proceedings | Yes |
| 06-02 | Withdrawal of a Provincial Offences Act Charge | No |
| 06-03 | Prosecuting Business Establishments | No |
| 06-04 | Emotionally Disturbed Persons | Yes |
| 06-04 Appendix A | Quick Reference Guide for Police Officers – Emotionally Disturbed Persons | No |
| 06-04 Appendix B | Designated Psychiatric Facilities | No |
| 06-05 | Elopees and Community Treatment Orders | Yes |
| 06-06 | Apprehension Orders | Yes |
| 06-07 | Restraining Orders | Yes |
| 06-08 | Orders for Exclusive Possession of a Matrimonial Home | No |
| 06-09 | Animal Control | No |
| 06-10 | Landlord and Tenant Disputes | No |
| 06-11 | Licensed Premises | Yes |
| 06-12 | Municipal Licensing & Standards/Toronto Licensing Tribunal | No |
| 07-01 | Transportation Collisions | Yes |
| 07-02 | Fail to Remain Collisions | Yes |
| 07-03 | Life Threatening Injury/Fatal Collisions | Yes |
| 07-04 | Railway Collisions | Yes |
| 07-04 Appendix A | Rail Accident Protocol | No |
| 07-04 Appendix B | Canadian Rail Incident Investigation Guideline | No |
| 07-05 | Service Vehicle Collisions | Yes |
| 07-06 | Ability Impaired/Over 80 – Investigation | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|---|----------------------------------|
| 07-06 Appendix A | Ability Impaired/Over 80 Summary Chart | No |
| 07-06 Appendix B | Quick Chart – Administrative Suspensions & Impoundments under the H.T.A. | No |
| 07-07 | Ability Impaired/Over 80 – Hospital Investigation | Yes |
| 07-08 | Approved Screening Device | Yes |
| 07-08 Appendix A | Approved Screening Device Summary Chart – First Breath Analysis | No |
| 07-08 Appendix B | Second Breath Analysis Instructions | No |
| 07-09 | Breath Interview | No |
| 07-10 | Speed Enforcement | Yes |
| 07-11 | Impounding/Relocating Vehicles | Yes |
| 07-11 Appendix A | Divisional Chart for Forensic Exam Vehicle Impound | No |
| 07-12 | Theft of Vehicles | Yes |
| 07-12 Appendix A | Letter of Direction | No |
| 07-13 | Unsafe Vehicles | Yes |
| 07-14 | Parking Infraction Notice | No |
| 07-15 | Drug Recognition Expert Evaluations and Standardized Field Sobriety Testing | Yes |
| 07-18 | R.I.D.E. Program | Yes |
| 07-19 | Suspended/Disqualified Driving | No |
| 07-19 Appendix A | Administrative Suspensions & Impoundments Under the H.T.A. | No |
| 07-20 | Licence Plates/Accessible Parking Permits | No |
| 08-01 | Employee and Family Assistance Program (E.F.A.P.) | Yes |
| 08-02 | Sickness Reporting | No |
| 08-03 | Injured on Duty Reporting | No |
| 08-04 | Members Involved in a Traumatic Critical Incident | No |
| 08-04 Appendix A | Critical Incident Stress Handout | No |
| 08-04 Appendix B | Guidelines for the Support and Assistance of Affected Members | No |
| 08-04 Appendix C | Critical Incident Response Team / Peer Support Volunteers Flow Chart | No |
| 08-05 | Substance Abuse | No |
| 08-06 | Hazardous Materials, Decontamination and De-infestation | Yes |
| 08-07 | Communicable Diseases | Yes |
| 08-08 | Central Sick Leave Bank | No |
| 08-09 | Workplace Safety | Yes |
| 08-10 | External Threats Against Service Members | No |
| 08-11 | Workplace Violence | Yes |
| 08-12 | Workplace Harassment | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|--|----------------------------------|
| 08-13 | Workplace Accommodation - Medical | Yes |
| 08-14 | Psychological Health & Wellness | No |
| 08-15 | Naloxone | No |
| 08-16 | Fitness For Duty | No |
| 09-01 | Property – General | Yes |
| 09-02 | Property – Vehicles | Yes |
| 09-03 | Property – Firearms | Yes |
| 09-04 | Controlled Drugs & Substances | Yes |
| 09-05 | Property – Liquor | Yes |
| 09-06 | Property of Persons in Custody | Yes |
| Ch. 10 Appendix A | Incident Management System Organizational Chart | Yes |
| Ch. 10 Appendix B | Containment & Perimeter Control | Yes |
| Ch. 10 Appendix C | MICC Activation and Event Categorization Process | Yes |
| 10-01 | Emergency Incident Response | Yes |
| 10-02 | Incidents Involving Hazardous Materials | No |
| 10-03 | Bomb Threats, Suspicious Packages/Devices and Explosions | Yes |
| 10-03 Appendix A | Explosive Device Safe Standoff Distance Chart | No |
| 10-04 | Nuclear Facility Emergencies | No |
| 10-04 Appendix A | Notification Protocols | No |
| 10-04 Appendix B | Nuclear Safety Status Zones | No |
| 10-05 | Incidents Requiring the Emergency Task Force | Yes |
| 10-06 | Medical Emergencies | No |
| 10-07 | Industrial Accidents | No |
| 10-08 | Chemical / Biological / Radiological / Nuclear Agents Events | Yes |
| 10-09 | Evacuations | No |
| 10-10 | Emergencies and Pursuits on T.T.C. Property | Yes |
| 10-11 | Clandestine Laboratories and Marihuana Grow Operations | No |
| 10-12 | Counter–Terrorism | Yes |
| 10-13 | Threats to School Safety | No |
| 10-14 | Public Health Emergencies/Pandemic Response | Yes |
| 11-01 | Emergency Management & Public Order Response | Yes |
| 11-03 | Police Response at Labour Disputes | Yes |
| 11-04 | Protests and Demonstrations | Yes |
| 11-05 | Major Disturbances at Detention Centres | No |
| 11-06 | Labour Disputes at Detention Centres | Yes |
| 11-07 | Special Events | Yes |
| 11-08 | Use of Mounted Section | No |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|---|----------------------------------|
| 12-01 | Confidential Crown Envelope | No |
| 12-02 | Court Attendance | No |
| 12-03 | Use of Affidavits | No |
| 12-04 | Unserved Criminal Summons | No |
| 12-05 | Request to Withdraw Criminal Charge | No |
| 12-06 | Coroner's Inquest | No |
| 12-08 | Disclosure, Duplication and Transcription | No |
| 12-08 Appendix A | Memorandum Books | No |
| 12-09 | Request for Adjournment | No |
| 12-10 | Re-laying Charges and Appeal Notices | No |
| 12-11 | High Risk Security Court Appearances | Yes |
| Ch. 13 Appendix A | Unit Level Criteria / Conduct Penalties | Yes |
| Ch. 13 Appendix B | Chief's Advisory Committee | No |
| Ch. 13 Appendix C | Progressive Discipline | No |
| Ch. 13 Appendix F | Notification for Legal Indemnification Time Limit | Yes |
| Ch. 13 Appendix G | Expunge Police Services Act Conviction | Yes |
| 13-01 | Awards | Yes |
| 13-02 | Uniform External Complaint Intake/Management | Yes |
| 13-03 | Uniform Internal Complaint Intake/Management | No |
| 13-04 | Uniform Unit Level Discipline | Yes |
| 13-05 | Police Services Act Hearings | Yes |
| 13-06 | Uniform Complaint Withdrawal | No |
| 13-07 | Policy/Services Provided Complaints | Yes |
| 13-08 | Uniform Suspension from Duty | No |
| 13-09 | Civilian Complaint and Discipline Process | Yes |
| 13-10 | Civilian Suspension from Duty | No |
| 13-11 | Unsatisfactory Work Performance | No |
| 13-12 | Legal Indemnification | Yes |
| 13-13 | Civil Documents | Yes |
| 13-14 | Human Rights | Yes |
| 13-16 | Special Investigations Unit | No |
| 13-17 | Notes and Reports | Yes |
| 13-18 | Anonymous Reporting of Discreditable Conduct | Yes |
| 13-19 | Breath Test for Service Members | No |
| 13-20 | Accessibility for Persons with Disabilities | Yes |
| 14-01 | Skills Development and Learning Plan - Uniform | Yes |
| 14-02 | Evaluations, Reclassifications and Appraisals | Yes |
| 14-02 Appendix A | Appraisal Process – Uniform | Yes |
| 14-02 Appendix B | Evaluation Process - Civilian | Yes |
| 14-03 | Probationary Constable / Field Training | Yes |
| 14-04 | Acting Assignments | No |
| 14-06 | School Crossing Guards | No |
| 14-07 | Changes to Uniform and Civilian Establishment | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|---|----------------------------------|
| 14-08 | Request to Fill Established Positions and Hire Part-Time or Temporary Staff | No |
| 14-09 | Civilian Transfer, Reclassification and Promotion | Yes |
| 14-10 | Uniform Promotion Process – up to & Including the Rank of Inspector | Yes |
| 14-11 | Uniform Promotion Process to Staff Inspector, Superintendent & Staff Superintendent | Yes |
| 14-12 | Voluntary Lieu Time Donations | No |
| 14-13 | Contract Persons & Consultants | Yes |
| 14-14 | Termination of Employment | No |
| 14-15 | Secondments | Yes |
| 14-17 | Detective Classification and Plainclothes Assignment | No |
| 14-18 | Internal Support Networks (I.S.N.) | Yes |
| 14-19 | Workplace Accommodation – Non Medical | Yes |
| 14-20 | Auxiliary Members | Yes |
| 14-21 | W.P.P.D. – Senior Officers | No |
| 14-22 | Conflict of Interest Involving Related Members | No |
| 14-23 | Attendance at Special Activities | No |
| 14-24 | Police Officers Reclassified to Civilian Senior Officer Positions | No |
| 14-25 | Secondary Activities | Yes |
| 14-26 | Leaves of Absence | Yes |
| 14-27 | Bereavement Leave & Funeral Entitlements | No |
| 14-28 | Attendance at Competitions or Events | Yes |
| 14-29 | Change in Personal Information | No |
| 14-30 | Re-Employment of Former Members and Lateral Entries | Yes |
| 14-30 Appendix A | Criteria: Hiring Levels and Training Requirements | Yes |
| 14-31 | Members Serving on Boards/Committees | Yes |
| 14-32 | Crime Prevention | Yes |
| 14-33 | Social Functions & Community Events | Yes |
| 14-34 | Transfer – Police Officer | No |
| 14-35 | Special Constables | No |
| 14-36 | Participation in a Learning Opportunity | No |
| 15-01 | Use of Force | Yes |
| 15-01 Appendix A | Provincial Use of Force Model | No |
| 15-01 Appendix B | Provincial Use of Force Model Background Information | No |
| 15-02 | Injury/Illness Reporting | Yes |
| 15-03 | Service Firearms | Yes |
| 15-04 | C-8 Rifle | Yes |
| 15-05 | Shotgun | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|--|----------------------------------|
| 15-06 | Less Lethal Shotguns | Yes |
| 15-07 | Use of Authorized Range | No |
| 15-08 | M.P.5 Submachine Gun | Yes |
| 15-09 | Conducted Energy Weapon | Yes |
| 15-10 | Suspect Apprehension Pursuits | Yes |
| 15-11 | Use of Service Vehicles | Yes |
| 15-12 | Inspection of Service Vehicles and Equipment | Yes |
| 15-13 | Requests for Loan Vehicles | No |
| 15-14 | Fuel and Oil | Yes |
| 15-15 | Shared Equipment | Yes |
| 15-16 | Uniform, Equipment and Appearance Standards | Yes |
| 15-16 Appendix A | Uniformed Command Officers & Senior Officers | No |
| 15-16 Appendix B | Police Constable to Staff Sergeant | No |
| 15-16 Appendix C | Uniformed Civilian Members | No |
| 15-16 Appendix D | Auxiliary Members and Volunteers | Yes |
| 15-16 Appendix E | Officers – Specialized Functions | No |
| 15-16 Appendix F | Appearance Standards – Officers and Civilian Uniformed Members | No |
| 15-16 Appendix G | Wearing of Decorations and Medals | No |
| 15-16 Appendix H | Wearing of Name Badges | Yes |
| 15-17 | In-Car Camera System | No |
| 15-18 | Secure Laptop | No |
| 15-19 | Soft Body Armour | No |
| 16-01 | Service and Legislative Governance and Legal Agreements | Yes |
| 16-01 Appendix A | Routine Order Approval and Publication Process | No |
| 16-03 | Forms Management | No |
| 16-06 | Audit and Quality Assurance Process | Yes |
| 16-06 Appendix A | Process for Ministry of the Solicitor General Inspections of the Toronto Police Service | Yes |
| 16-06 Appendix B | City of Toronto Auditor General Report and Follow-up Recommendation Process | Yes |
| 16-06 Appendix C | City of Toronto Internal Audit Division Report and Follow-up Recommendation Process | Yes |
| 16-07 | Collection, Analysis and Reporting of Race-Based Data | Yes |
| 17-01 | News Media | Yes |
| 17-01 Appendix A | Sample News Release | No |
| 17-02 | Information Breaches | No |
| 17-03 | Requests for Information Made Under the Municipal Freedom of Information and Protection of Privacy Act | No |
| 17-04 | Community/Public Safety Notifications | Yes |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|---|----------------------------------|
| 17-04 Appendix A | Disclosure of Personal Information | Yes |
| 17-04 Appendix B | Occurrences where Public Warning/Notification and Consultation with BAS be Considered | Yes |
| 17-04 Appendix C | Protocol for Public Notification | Yes |
| 17-05 | Correspondence and File Management | Yes |
| 17-05 Appendix A | Unit Commander File Index | Yes |
| 17-06 | C.P.I.C. Purge List | Yes |
| 17-07 | B.O.L.O.'s and F.Y.I.'s | Yes |
| 17-08 | Use of Special Address System | Yes |
| 17-09 | Use of the Service Image | Yes |
| 17-10 | Internet | No |
| 17-11 | Toronto Police Service Intranet (T.P.S.net) | No |
| 17-12 | Service Communication Systems | Yes |
| 17-13 | Social Media | No |
| 18-01 | Covert Credit Cards | No |
| 18-02 | Transfer of Funds | No |
| 18-03 | Requests for Goods and/or Services | No |
| 18-04 | Third Party Claims for Damage to or Loss of Private Property | No |
| 18-05 | Reimbursement for the Repair or Replacement of Damaged Personal Items | No |
| 18-06 | Flashroll | No |
| 18-07 | 329 Fund | Yes |
| 18-08 | Donations | Yes |
| 18-09 | Service Seminars | No |
| 18-10 | Collection of Overpayments | No |
| 18-11 | Lieu Time – Negative Balance | No |
| 18-12 | Membership in Professional and Occupational Associations | No |
| 18-13 | Authorization and Expense Reimbursement for Service Business Travel | No |
| 18-13 Appendix A | Authorization Limits and Required Signatures | No |
| 18-13 Appendix B | Expense Allowances | No |
| 18-14 | Authorization and Expense Reimbursement for Service Training | No |
| 18-14 Appendix A | Authorization Limits and Required Signatures | No |
| 18-14 Appendix B | Expense Allowances | No |
| 18-15 | Shared Resources | No |
| 18-16 | Use of Revenue | No |
| 18-17 | Corporate Credit Cards | No |
| 18-17 Appendix A | Expenditures Authorized for Payment with a Corporate Credit Card | No |
| 18-18 | Business Expenses | No |

| Procedure Number | Procedure Name | Arising from Board Policy |
|-------------------------|--|----------------------------------|
| 18-18 Appendix A | Examples of Appropriate Business Expenses | No |
| 18-19 | Paid Duties | No |
| 18-20 | Paid Duties at Commercial Filming Locations | No |
| 18-21 | Premium Pay | |
| 19-01 | Fire Safety Plans | No |
| 19-02 | Service Facilities | Yes |
| 19-02 Appendix A | Notice | No |
| 19-02 Appendix B | Parking Access - Personal Vehicles | No |
| 19-03 | Police Headquarters and Toronto Police Operations Centre | Yes |
| 19-03 Appendix A | Parking at Police Headquarters | No |
| 19-09 | Off Site Police Facilities | No |
| 19-10 | Unit Operational Continuity Plan | Yes |

Appendix B – Index of Service Procedures Referencing Board By-Laws

| Procedure Number | Procedure Name |
|-------------------------|--|
| 18-04 | Third Party Claims for Damage to or Loss of Private Property |
| 18-12 | Membership in Professional and Occupational Associations |
| 18-16 | Use of Revenue |
| 18-17 | Corporate Credit Cards |
| 18-18 | Business Expenses |



Toronto Police Services Board Report

March 25, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2019 Toronto Police Service's Consulting Expenditures

Recommendation(s):

It is recommended that the Board receive this report.

Financial Implications:

The 2019 actual consulting expenditures totalled \$2.32 Million (M) (\$1.77M for operating and \$0.55M for capital).

Funding for the expenditures detailed in this report were paid for out of the 2019 Toronto Police Service (Service) operating budget or capital budget. The expenditures referenced in this report are net of the harmonized sales tax (H.S.T.) rebate.

Background / Purpose:

At its meeting of February 20, 2003 (Min. No. P45/03 refers), the Board requested that the Service report all consulting expenditures on an annual basis. In addition, at its meeting of March 23, 2006 (Min. No. P103/06 refers), the Board requested that future annual reports be revised so that capital consulting expenditures are linked to the specific capital project for which the consulting services were required. City Finance also requires the annual reporting of consulting expenditures in their prescribed format, so that the City's Chief Financial Officer and Treasurer can provide a consolidated report to City Council.

This report provides details of the 2019 consulting expenditures for the Service's operating and capital budgets, in the City's prescribed format and based on the definition of consulting services provided by the City. The City's definition of consulting services is as follows:

“any firm or individual providing expert advice/opinion on a non-recurring basis to support/assist management decision making in the areas of technical, information technology, management/research and development (R.&D.), external lawyers and planners, and creative communications.”

The information contained in this report has already been forwarded to the City, as the completion of the Service’s year-end accounting process and the timing of the Board meetings did not allow this report to be forwarded to the Board in advance of the City’s February 28, 2020 deadline.

Discussion:

The operating budget for consulting services is developed using zero-based budgeting. As such, 2019 expenditures for consulting services are mainly based on requirements identified during the 2019 budget process.

The Service has taken steps to manage the use of consultants and only contract for these services when:

- The skills/expertise are not available in-house;
- There is not a permanent requirement for the expertise/skill set; or
- There is a need to obtain independent/third party advice on an issue or initiative.

The 2019 operating consulting actual expenditures totalled \$1.77M net of rebate. This represents an 18% decrease in consulting expenditures from 2018 (\$2.18M). The following table summarizes the nature of the expenditures with the 2019 details reflected in Attachment A.

| Nature of Expense / Initiative | 2019 Amount | 2018 Amount |
|--|--------------------|--------------------|
| Legal Services | \$50,209 | \$26,853 |
| General Information Technology (I.T.) Services | \$504,152 | \$586,106 |
| Human Resources (H.R.) Transformation Services | \$678,354 | \$645,682 |
| Transformational Task Force Initiatives | \$413,692 | \$500,574 |

| Nature of Expense / Initiative | 2019 Amount | 2018 Amount |
|---|-------------|-------------|
| Communications and Board related services | \$119,613 | \$418,308 |
| Total | \$1,766,020 | \$2,177,523 |

The 2019 capital consulting actual expenditures (as reflected in Attachment B) were \$0.55M net of rebate. This amount represents technical, operational, and legal procurement advice required the following projects:

- technical, operational and legal advice for Body Worn Camera;
- technical advice for Next Generation 9-1-1;
- recommendations to improve 911 Call Centre operations, in relation to NG911 project;
- review for the potential realignment of Headquarters space; and
- continued technical planning for the use of Public Safety Broadband.

Capital projects generally involve multi-year cash flow requirements, and the 2019 expenditures may therefore represent only a portion of the total contract value.

Conclusion:

Consulting expenditures are funded from the Service’s operating and capital budgets are reported annually to the Board and the City. The Service ensures that consulting services are used only where necessary and beneficial.

Details of the 2019 consulting for the Service’s operating and capital budgets are provided in Attachments A and B, respectively.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Attachment A

2019 Consulting Services Expenditure - Operating
Divisions, Agencies and Corporations

| Expense Category | Program | Contract / P.O. / D.P.O. Date mm-dd-yr | Contract / P.O. / D.P.O. No.(s) | Consultant's Name | Description of Work (Notes 1 & 2 & 7) | Expected Completion Date | Recoveries by Source (Note 3) | Contract / P.O. Balance December 31/19 (Note 4) | 2019 Budget (Notes 5 & 6) | 2019 Expenditure (Note 4 & 5) | 2018 Expenditure (Note 4 & 5) |
|----------------------------------|--|--|---------------------------------|--------------------------------------|--|--------------------------|--------------------------------------|--|----------------------------------|--------------------------------------|--------------------------------------|
| | | | | | | | \$ | \$ | \$ | \$ | \$ |
| Technical - CE 4078 | Information Technology Strategic and Business Plan | 11/21/2017 | 6046615 | Teramach Technologies | Translate business systems requirements into a physical systems design to guide master data management. The work was fully funded by the Policing Effectiveness and Modernization (P.E.M.) Grant. Completed | 03/31/2018 | P.E.M. Grant 100% | 0 | 0 | 0 | 42,839 |
| Technical - CE 4078 | Information Technology Strategic and Business Plan | 03/29/2018 | 6046700 | Envronics Analytics Group Limited | Develop new models and tools to utilize in workload modelling, demographic forecasting, and data planning activities. Completed | 04/03/2018 | P.E.M. Grant 100% | 0 | 0 | 0 | 67,467 |
| Technical - CE 4078 | Information Technology Strategic and Business Plan | 03/19/2018 | 6046628 | Michael Cizmar & Associates | Provide guidance and recommend solutions for architecture and systems planning activities. Establish proof of concept for Global Search Project. Completed | 03/31/2019 | P.E.M. Grant 100% | 0 | 230,000 | 234,048 | 122,112 |
| Technical - CE 4078 | Transformational Task Force (T.T.F.) Modernization Initiatives | 03/29/2018 | 6046699 | ESRI Canada Limited | Conduct analysis and provide high level conceptual design for the development of a Pushpin / Intel Led Policing Portal. Completed | 03/31/2018 | P.E.M. Grant 100% | 0 | 0 | 0 | 112,517 |
| Sub-total | | | | | | | | - | 230,000 | 234,048 | 344,935 |
| Information Technology - CE 4079 | Information Technology Strategic and Business Plan | 06/13/2017 | 47020734; 9077813, 9206262 | Gartner Canada J. McGrath | Facilitate the development of the 2017 - 2019 Information Technology Strategic and Business Plan by providing guidance and expertise to the Director of Information Technology Services. Completed | 03/31/2019 | P.E.M. Grant 54% | 0 | 225,000 | 228,960 | 239,136 |
| Information Technology - CE 4079 | Audio & Data Systems (A.D.S.) process improvement | 05/07/2018 | 6046856 | Andy Hunter Consultants Incorporated | Create a report to assist in streamlining the Audio and Data (A.D.S.) 911 Disclosure process. Completed | 06/30/2018 | 0 | 0 | 0 | 0 | 2,035 |
| Information Technology - CE 4079 | Next Generation 9-1-1 Project | 06/24/2019 | 47022226; 9237411 | Teramach Technologies Incorporated | Senior Telecommunications Technician to provide technical advice and research for solutions related to the Next Generation 9-1-1 (N.G. 9-1-1) Project. Primarily charged to capital project with 50% reallocated to Community Safety and Policing (C.S.P.) Grant funding. | 06/20/2021 | C.S.P. Grant 50% | 159,503 | 40,432 | 41,144 | 0 |
| Sub-total | | | | | | | | 159,503 | 265,432 | 270,104 | 241,171 |

Attachment A

2019 Consulting Services Expenditure - Operating Divisions, Agencies and Corporations

| | | | | | Develop a Human Resources (H.R.) Professional Services Delivery Model, Organizational Chart for H.R. and H.R. strategy for the next 3 - 5 years. Completed | | 0 | 0 | 0 | 0 | 269664 | | |
|--|---|------------|---|---|---|------------|---|---------|---------|-----------|-----------|-----------|--|
| Management /Research & Development - CE 4089 | Process Innovation (Payroll and Benefits Administration) | 06/07/2016 | 47019970; 9119446, 9224609 | Mercer (Canada) Limited | Develop employee benefits strategies and recommendations on the employee health program. | 12/31/2020 | 0 | 77,433 | 30,000 | 23,437 | 9,305 | | |
| Management /Research & Development - CE 4089 | T.T.F. Modernization Initiatives | 05/09/2018 | 6046868 | Edelman P.R. Worldwide Canada Incorporated. | Conduct a review of existing communication strategy and propose a new strategy, organizational structure and reporting relationships in line with the principles of the Toronto Police Service Modernization initiatives. Completed | 07/16/2018 | 0 | 0 | 0 | 0 | 87,778 | | |
| Management /Research & Development - CE 4089 | Human Resources Modernization | 02/16/2017 | 47020475; 3568807, 9097418, 9132218, 9190060, 9190081, 9216265, 9216261, 9216323 9266256, 9268885 | Korn Ferry Hay Group Limited | Develop a competency framework required to support Human Resources modernization project. Services for Performance Management and 360 Assessment were added to compliment the competency framework model being developed. The work is funded by Policing Effectiveness and Modernization (P.E.M.) Grant. Contract extended to September 30, 2020. | 09/30/2020 | P.E.M. Grant 48% | 9,606 | 384,889 | 391,663 | 285,104 | | |
| Management /Research & Development - CE 4089 | Centralized Unit Process Innovation (Labour Relations Unit) | 09/11/2015 | 47021192; 9125642, 9216325, 9208084 | Mercer (Canada) Limited | Extension to the Job Evaluation consultation contract for the review of existing Job Evaluation Process and reporting of recommendations for efficiencies. Completed | 03/31/2019 | 15% Toronto Police Association; 40% P.E.M. Grant for Senior Officer evaluation | 0 | 89,500 | 69,813 | 41,766 | | |
| Management /Research & Development - CE 4089 | T.T.F. Modernization Initiatives | 11/09/2017 | 6045940 | MNP L.L.P. | Conduct a comprehensive Organizational Culture Assessment to provide in - depth understanding of the current organizational culture to assist the leaders and key stakeholders groups in creating action plans to strengthen the culture, improve organizational performance and achieve a modernized model of policing for the City of Toronto. Completed | 11/21/2018 | P.E.M. Grant 100% | 0 | 0 | 0 | 334,282 | | |
| Management /Research & Development - CE 4089 | T.T.F. Modernization Initiatives | 11/01/2017 | 6045886 | Lansdowne Technologies Incorporated. | Assist the Toronto Police Service in developing, recommending and preparing crime prevention materials. Completed | 03/31/2018 | P.E.M. Grant 100% | 0 | 0 | 0 | 78,514 | | |
| Management /Research & Development - CE 4089 | Organizational Culture Project | 08/02/2018 | 6047358 | Goodwin Consulting Service Incorporated. | Develop culture change plan and build the road map for the future. Extended to March 31, 2019. Completed | 03/31/2019 | P.E.M. Grant 100% | 0 | 49,263 | 50,832 | 39,843 | | |
| Management /Research & Development - CE 4089 | Shared Services Project | 07/22/2019 | 47022301; 9251472 | Diabsolut Incorporated. | Assess and analyze strategies used in the development of Change Management Plans, and integrate them into various project plans. | 07/21/2020 | 0 | 139,145 | 108,780 | 110,167 | 0 | | |
| Management /Research & Development - CE 4089 | T.T.F. Modernization Initiatives | 10/18/2019 | 6049690 | Galabuzi, Grace-Edward | Assist the Toronto Police Service in developing curriculum for the delivery of race-based data collection training, and conduct an assessment and evaluation of Anti-Black Racism training. Funded by the Community Safety and Police (C.S.P.) Grant. | 03/31/2020 | C.S.P. Grant 100% | 1,059 | 13,700 | 13,941 | 0 | | |
| Management /Research & Development - CE 4089 | T.T.F. Modernization Initiatives | 05/01/2019 | 47022245; 9239406, 9265248, 9281078, 9281300, 9281896 | Edelman PR Worldwide Canada Incorporated. | Change Management Advisor to develop and deliver strategic communication plans for the Culture Change Program. | 04/30/2020 | 0 | 109,049 | 392,837 | 399,751 | 0 | | |
| Management /Research & Development - CE 4089 | Centralized Unit Process Innovation (Labour Relations Unit) | 06/06/2019 | 47022202; 9234891 | Gallagher McDowall Associates | Review and evaluate submissions for new and existing civilian positions; make recommendations for any modifications to job evaluation, salary structure design practices, and placement of roles within the organization. | 12/31/2020 | 50% Toronto Police Association | 15,910 | 28,000 | 12,090 | 0 | | |
| Management /Research & Development - CE 4089 | Organizational Culture Project | 08/02/2019 | 6049279 | Deloitte L.L.P. | Review and assessment of policies, procedures, and programs in relation to harassment and discrimination, as well as wellness needs, with recommendations and roadmap to improvement. Completed | 12/31/2019 | 0 | 0 | 20,000 | 20,352 | 0 | | |
| Sub-Total | | | | | | | | | 352,201 | 1,116,969 | 1,092,046 | 1,146,256 | |

Attachment A

2019 Consulting Services Expenditure - Operating Divisions, Agencies and Corporations

| Expense Category | Program | Contract / P.O. / D.P.O. Date mm-dd-year | Contract / P.O. / D.P.O. No.(s) | Consultant's Name (Note 1) | Description of Work (Notes 1 & 2 & 7) | Expected Completion Date | Recoveries by Source (Note 3) | Contract / P.O. Balance December 31/19 (Note 4) | 2019 Budget (Notes 5 & 6) | 2019 Expenditure (Note 4 & 5) | 2018 Expenditure (Note 4 & 5) | |
|---|----------------------------------|--|---|---|---|--------------------------|----------------------------------|--|------------------------------|----------------------------------|----------------------------------|-----------|
| | | | | | | | \$ | \$ | \$ | \$ | \$ | |
| Legal (External Lawyers & Planners) - CE 4091 | | 07/10/2018 | 3570589 3573014 | Henein, Hutchison L.L.P. | Consultation for a high profile homicide case. Completed | 12/31/2018 | 0 | 0 | 0 | 0 | 7,742 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 03/21/2018 | 3566678 3566851 | McLaren, James A, L.L.B. | Consultation for Intelligence Unit seeking legal advice for confidential informants. Completed | 04/30/2018 | 0 | 0 | 0 | 0 | 2,102 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 03/27/2018 | 3566865 | Fenton, Smith Barristers | Consultation for legal matters related to solicitor-client privileged materials. Completed | 04/30/2018 | 0 | 0 | 0 | 0 | 987 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 08/03/2018 | 3571446 3571539 | McLaren, James A, L.L.B. | Consultation for legal matters related to solicitor-client privileged materials. Completed | 08/31/2018 | 0 | 0 | 0 | 0 | 1,521 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 09/10/2018 | 3573941 6047483 | Johnstone & Cowling L.L.P. | Consultation for Intelligence Unit seeking legal advice for confidential informants. Completed | 10/31/2018 | 0 | 0 | 0 | 0 | 4,325 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 04/10/2018 | 6046733 6048723 | Ceyssens & Bauchman | Consultation with T.P.S. members regarding Police Services Act issues. Completed | 04/23/2019 | 0 | 0 | 4,000 | 4,070 | 10,176 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 04/09/2019 | 3579787; 3585769; 3581921; 3587155; 3588732 | Henein, Hutchison L.L.P. | Consultation for a high profile homicide case. Completed | 09/30/2019 | 0 | 0 | 5,520 | 5,617 | 0 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 04/09/2019 | 3579793; 3581921; 3586442; 6049723; 6049950 | Henein, Hutchison L.L.P. | Consultation for a high profile ongoing Ontario Human Rights Commission inquiry. Completed | 12/31/2019 | 0 | 0 | 19,003 | 19,338 | 0 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 04/16/2019 | 6048724 | Miller Thomson L.L.P. | Consultation for legal matter involving members and use of memorial wall. Completed | 04/24/2019 | 0 | 0 | 3,097 | 3,152 | 0 | |
| Legal (External Lawyers & Planners) - CE 4091 | | 09/27/2019 | 6049568 | Lesage, Patrick | Fact finding, conclusions, and recommendations regarding Conflict of Interest arising from Toronto Police Service Board (T.P.S.B.) Questionnaire. Completed | 12/31/2019 | 0 | 0 | 18,032 | 18,032 | 0 | |
| Sub-total | | | | | | | | 0 | 49,653 | 50,209 | 26,853 | |
| Creative Communications - CE 4093 | Strategy Management | 11/21/2016 | 47020296; 9118749, 9146249, 9151529 | Sandra Buckler | The Strategic Communications advice regarding both internal and public communications, media interactions and strategies related to police modernization process. Contract value has been increased; completion date extended up to November 20, 2018. Completed | 11/20/2018 | 0 | 0 | 0 | 0 | 219,846 | |
| Creative Communications - CE 4093 | Human Resources Modernization | 10/01/2018 | 6047554 | Deloitte L.L.P. | Develop and design customized individual talent sourcing strategies, marketing strategies, and branding for recruitment initiatives. Additional development of a communication, branding, and marketing strategy to support the Neighbourhood Officer Program, funded by Public Safety Canada's Policy Development Contribution (P.D.C.) Grant. Completed | 03/31/2019 | PDC Grant 41% | 0 | 117,544 | 119,613 | 171,974 | |
| Creative Communications - CE 4093 | T.T.F. Modernization Initiatives | 10/01/2018 | 6048023 | Edelman P.R. Worldwide Canada Incorporated. | Develop strategic communication plan for the internal and external release of the Organizational Culture Report. Completed | 12/31/2018 | P.E.M. Grant 100% | 0 | 0 | 0 | 26,488 | |
| Sub-total | | | | | | | | - | 117,544 | 119,613 | 418,308 | |
| Division Total | | | | | | | | | 511,704 | 1,779,598 | 1,766,020 | 2,177,523 |

Attachment B

2019 Consulting Services Expenditure - Capital
Divisions, Agencies and Corporations

| Expense Category | Program | Contract / P.O. / D.P.O. Date mm-dd-yr | Contract / P.O. / D.P.O. No(s). | Consultant's Name (Note 1) | Description of Work (Notes 1 & 2 & 7) | Expected Completion Date | WBS Element | Recoveries by Source (Note 3) | Contract / P.O. Balance Dec 31/19 (Note 4) | 2019 Expenditure (Note 4 & 5) | 2018 Expenditure (Note 4 & 5) |
|--|---------|--|--|--|---|--------------------------|----------------------------|--------------------------------------|---|--------------------------------------|--------------------------------------|
| | | | | | | | | | \$ | \$ | \$ |
| Technical - CE 4078 | | 07/21/2017 | 6045348 | Dutra Architect Incorporated | Conduct a full electrical assessment and feasibility study to provide recommendations for back - up generator power. Complete | 12/31/2018 | PL-100010-02 | | - | - | 15,518 |
| Technical - CE 4078 | | 03/12/2018 | 6046593 | 400525 Ontario Limited | Develop and propose a preferred long - term plan regarding the use of the 700 Megahertz (M.H.z.) broadband spectrum for Public Safety Broadband. | 12/31/2020 | PL-100107-01 | | 24,473 | 91,080 | 106,192 |
| Technical - CE 4078 | | 04/08/2019 | 47022143; 9235498; 9237267; 9245717; 9250448; 9255967; 9259873; 9266959; 9272102; 9288442 | Teramach Technologies Incorporated | Analysis of technical user requirements, business process, training and implementation strategies for the Body Worn Camera Project. | 04/07/2020 | PL-100121-02 | | 71,054 | 117,426 | 0 |
| Sub-Total | | | | | | | | | 95,527 | 208,506 | 121,710 |
| Information Technology - CE 4079 | | 06/24/2019 | 47022226; 9237411 | Teramach Technologies Incorporated | Senior Telecommunications Technician to provide technical advice and research for solutions related to the Next Generation 9-1-1 (N.G. 9-1-1) Project. Primarily charged to capital project with 50% reallocated to Community Safety and Policing (C.S.P.) Grant funding. | 06/20/2021 | PL-100124-01 PLRPAZD | C.S.P. Grant 50% | 159,503 | 41,144 | 0 |
| Sub-Total | | | | | | | | | 159,503 | 41,144 | 0 |
| Management /Research & Development - CE 4089 | | 09/12/2017 | 6045611 | H.K.A. Global Canada Incorporated. | Independent oversight and evaluation of the competitive procurement of Body Worn Camera. Completed | 12/31/2019 | PL-100121-01; PL-100121-02 | | - | 40,881 | 8,650 |
| Management /Research & Development - CE 4089 | | 04/24/2017 | 6044890 | J.D. Campbell & Associates | Independent evaluation of the competitive procurement of Radio Equipment and Parts. The Fairness Commissioner acted in an advisory capacity during planning, issue, post close and post award stages of the procurement process. The additional expense was for invoice not paid / reported in 2017. Completed | 12/31/2017 | PL-100107-01 | | - | - | 1,730 |
| Management /Research & Development - CE 4089 | | 08/19/2019 | 6049357 | Bell Canada | Contact Centre operational review, including a Completed process mapping and traffic analysis to provide recommendations to improve delivery of Contact Centre services. Completed | 10/04/2019 | PL-100124-01 | | - | 45,792 | 0 |
| Management /Research & Development - CE 4089 | | 07/01/2019 | 47022255; 9243355 | Kasian Architecture Ontario Incorporated | Interior Design Consultants to undertake an internal organizational review to provide recommendations for realignment. Involves review of floor plans and functional needs of units within Headquarters, recommending efficiencies to reduce overcrowding and maximize use of space. | 03/31/2021 | PL-100010-02 | | 601,910 | 11,295 | 0 |
| Management /Research & Development - CE 4089 | | 08/27/2019 | 6049411 | Ian Martin Information Technology | Privacy Specialist to conduct a Privacy Impact Assessment for the Body Worn Camera Project, providing recommendations to mitigate risks. Completed | 12/02/2019 | PL-100121-02 | | 7,408 | 48,021 | 0 |
| Sub-Total | | | | | | | | | 609,319 | 145,989 | 10,380 |
| Legal (External Lawyers & Planners) - CE4091 | | 02/05/2019 | 6048331 | Procurement Law Office Professional | Professional procurement and legal advice in regards to the Body Worn Camera Project. Completed | 10/04/2019 | PL-100121-02 | | - | 157,512 | 0 |
| Sub-Total | | | | | | | | | - | 157,512 | - |
| Division Total | | | | | | | | | 864,348 | 553,151 | 132,090 |



Toronto Police Services Board Report

April 14, 2020

To: Members
Toronto Police Services Board

From: Jim Hart
Chair

Subject: Annual Report: Toronto Police Services Board's 2019 Consulting Expenditures

Recommendation(s):

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

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

At its meeting on February 20, 2003 the Board approved a motion requiring the reporting of all consulting expenditures on an annual basis (Min. No. P45/03 refers).

This report provides details of the 2019 consulting expenditures for the Toronto Police Services Board, in the City's prescribed format and based on the definition of consulting services provided by the City. The City's definition of consulting services is as follows:

any firm or individual providing expert advice/opinion on a nonrecurring basis to support/assist management decision making in the areas of technical, information technology, management/research and development (R&D), external lawyers and planners, and creative communications.

Discussion:

The information contained in this report has already been forwarded to the City, as the completion of the Service's year-end accounting process and the timing of the Board meetings did not allow this report to be forwarded to the Board in advance of the City's February 28, 2020 deadline.

Conclusion:

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

Respectfully submitted,

Jim Hart
Chair

| 2019 Consulting Services Expenditure - Operating Divisions, Agencies and Corporations | | | | | | | | | | | |
|--|--------------------------------|--|--|-------------------------------------|----------------------------------|--|--------------------------|---|------------------------------|-----------------------------------|-----------------------------------|
| Operating or Capital | Cluster / Agency / Corporation | Expense Category | Contract / PO / DPO Date mm-dd-yr | Contract / PO / DPO No(s) | Consultant's Name (Note 1) | Description of Work (Notes 2 & 7) | Expected Completion Date | Contract / PO Balance Dec 31/19 (Note 4) | 2019 Budget (Notes 5 & 6) | 2019 Expenditure (Notes 4 & 5) | 2018 Expenditure (Notes 4 & 5) |
| Operating | | Management /Research & Development - CE 4089 | 01/01/2018 | 47021249 CRO 9205749 | Jen Finan | Second subject matter expert to assist in the development of Transgender inclusive policies, procedures, orders and forms, pursuant to Minutes of Settlement between the Board, the Chief and the OHRC (BM P145 - Board Meeting date June 15, 2017) - COMPLETE | 12/31/2019 | 0 | 1,000 | 1,018 | 4,383 |
| Operating | | Management /Research & Development - CE 4089 | 08/12/2019 | 47022282 and CRO 9250503 | Ty Smith | Subject matter expert to assist in the development and evaluation of transgender inclusive policies, procedures, orders and forms and training for use by the Board and the Toronto Police Service - Board Minute P95/19 - April 25, 2019. Contract is still open to the end of 2020. The amount remaining of the contract for 2020 is \$55,000 including taxes. | 12/31/2020 | 76,500 | 15,000 | 15,000 | 0 |
| | | Management /Research & Development - CE 4089 | 02/10/2017 | Contract 47021170 CRO 9166090 | Ryan Dyck | Subject matter expert to assist in the development of Transgender inclusive policies, procedures, orders and forms, pursuant to Minutes of Settlement between the Board, the Chief and the OHRC (BM P286/16 - Board Meeting date December 19, 2016) COMPLETE . Contract was terminated on August 4, 2018 | 12/31/2019 | 0 | 0 | 0 | 3,500 |
| | | Management /Research & Development - CE 4089 | 02/10/2017 | 3574471 | Scott Reid | Communications expert to assist with developing corporate messaging. (BM C31/18 - Board meeting date March 22, 2018) - COMPLETE | 05/08/2018 | 0 | 0 | 0 | 1,526 |
| Sub-Total | | | In this space provide explanation of significant changes from prior year | | | | | \$ 76,500 | \$ 16,000 | \$ 16,018 | \$ 9,409 |
| Operating | | Legal (External Lawyers & Planners) - CE4091 | 01/01/2017 | Contract 47020535 CRO 9208076 | Hicks Morley Hamilton Stewart | Provide expert advice/legal opinion on general employment and labour relations issues(BMP240/2016 - October 20, 2016) The total value of the contract is 1.5M over 3 years. This money is allocated over 3 accounts 4010, 4030, 4091. The Board will validate the value at the end of the contract. | 12/31/2020 | 0 | 65,000 | 65,387 | 40,897 |
| Sub-Total | | | In this space provide explanation of significant changes from prior year | | | | | \$ - | \$ 65,000 | \$ 65,387 | \$ 40,897 |
| Division Total | | | | | | | | \$ 76,500 | \$ 81,000 | \$ 81,405 | \$ 50,306 |



Toronto Police Services Board Report

February 13, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report 2019: Use of Conducted Energy Weapons

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

On March 27, 2008, the Board directed the Chief of Police to provide a report that outlined revised content for future annual reports on conducted energy weapon (C.E.W.) usage (Min. No. P60/08 refers). A response was provided at the September 18, 2008 Board meeting which also outlined the content required for future reporting (Min. No. P253/08 refers):

- Type of Use
- Division of C.E.W. Use
- C.E.W. Users
- Type of Incident
- Subject's Condition at Time of C.E.W. Use
- Subject's Behaviour/Threat Level
- Subject Description
- Subject's Age
- Cycles
- C.E.W. Effectiveness
- Other Force Option Used Prior to C.E.W. Use

- Injuries/Deaths
- Civil Action
- Officer Training

The 2019 annual report continues to include all of the aforementioned categories as well as the following additional categories that were requested by the Board in 2009:

- Subject Apprehended Under the *Mental Health Act* (M.H.A.)
- Subject Believed Armed
- Subject Confirmed Armed

In 2015, Corporate Risk Management began tracking and reporting on the effectiveness of C.E.W. use on persons in crisis (P.I.C.). This information is included for this reporting period. In addition, the types of C.E.W. use on persons who were perceived to be suffering from the combined effects of being in a state of crisis and alcohol and / or drug usage is also included in this report.

To identify any trends in C.E.W. usage, previous annual reports included statistical data from prior years (Min. No. P56/11 refers). It is important to note that the expansion of C.E.W.s to frontline P.C.s in 2018 has resulted in approximately four times the number of C.E.W. operators and this number will continue to increase until all frontline P.C.s are trained. Therefore, comparing current C.E.W. usage data to previous years does not provide an accurate baseline for comparison at this time. For this reason, the Toronto Police Service (T.P.S.) will defer year to year comparisons until the 2020 reporting period at which time 2019 will be deemed the baseline year and 2020 the first comparison year.

At its February 22, 2018 meeting, the Board directed the Chief “to conduct, by engaging an external body, an international review of best practices regarding use of force options, including possible alternatives to C.E.W.s, and tactical approaches, and to provide a public report with recommendations, where appropriate, at the culmination of this review” (Min. No. P19/18 refers). As a result of this motion, in 2019 the T.P.S. Armament Officer prepared a Request for Proposal that was put out to tender. At the time of this report, there have been no respondents to this proposal. It is anticipated that in 2020, the Armament section of the Toronto Police College will restructure and refine the Request for Proposal with the objective of generating renewed interest for this international review.

In 2018, the Board requested that an appendix be added to all future annual reports containing the Board motion from February 22, 2018 (Min. No. P19/03 refers) which outlines T.P.S. requirements for future quarterly C.E.W. reports. This information is contained within Appendix A with page numbers referencing the various items that are contained within the body of this report.

During its meeting of February 22, 2018, the Board approved expansion of the C.E.W.s to frontline police constables (P.C.s) and, in doing so, the Chief agreed to provide the

Board with quarterly reports as well as an annual report of C.E.W. usage (Min. No. P19/18 refers). To compare C.E.W. usage between rank and function, “types of use” and “C.E.W. user” chart data will be broken down into the following three categories: P.C.s, supervisors and the Emergency Task Force (E.T.F.).

At its December 16, 2019 meeting, the Board received a report dated November 24, 2019 from Chief Mark Saunders entitled “Request to Restructure Conducted Energy Weapon (C.E.W.) Reporting” (Min. No. P246/19 refers). The report contained the following recommendations:

It is recommended that the Toronto Police Services Board (Board):

- 1. Approve one of the reporting schedules outlined within this report, and*
- 2. Approve a request to forego resubmitting the “September 2018 Quarterly Report: Conducted Energy Weapon Use” as requested at the October 2018 meeting.*

As a result of the Board approving the aforementioned recommendations, the reporting structure for annual and quarterly C.E.W. reports has changed. For 2020, the Chief is required to submit two interim reports and one annual report on C.E.W. use (refer to Min. No. P246/19 for a detailed four-year reporting schedule).

Also at its December 16, 2019 meeting, the Board approved the following motion:

That the Chief share each C.E.W. annual report with the Mental Health and Addictions Advisory Panel (M.H.A.A.P.) for review and feedback prior to presenting to the Board.

This report provides a review of C.E.W. use by T.P.S. officers for the period of January 1, 2019 to December 31, 2019, formatted into the applicable categories. It consists of two components: an explanation of terminology and information regarding the classification of data, and charts containing the aggregate data.

Discussion:

As of December 31, 2019, a total of 4,053 T.P.S. officers received the three-day In-Service Training Program and 1,867 officers were qualified to use either the Taser X-26 or X-2 model. Qualified C.E.W. users include members of the E.T.F., uniform frontline supervisors and P.C.s, as well as officers assigned to high-risk units such as Emergency Management and Public Order (E.M.P.O.), Intelligence Services, Organized Crime Enforcement (including Hold-Up, Drug Squad and Integrated Gun and Gang Task Force) and the Provincial Repeat Offender and Parole Enforcement (R.O.P.E.) and Fugitive Squad.

To provide context for this report and a greater understanding of the environment in which officers are working, as of December 31, 2019, T.P.S. officers attended 416,787 calls for service, of which 50,543 were calls involving violence. In 2019, officers

arrested 26,865 persons for *Criminal Code* and / or *Controlled Drugs and Substances Act* offences, representing an increase of 2% over 2018 arrests. Of the total calls for service attended, 30,689 involved persons in crisis, an increase of 41%, which resulted in 11,784 apprehensions under the *Mental Health Act* (M.H.A.), representing an increase of 5% over 2018 levels. It is important to note, that calls for service involving persons in crisis continue to show an increasing trend year over year. In 2017, officers attended 27,346 calls for service involving persons in crisis, and in 2018, there were 29,076 calls of this type.

In 2019, the C.E.W. was used 631 times during 557 incidents involving as many as 604 subjects. The data includes 11 incidents where demonstrated force presence was used against groups of two or more subjects. Unintentional discharges of C.E.W.s are excluded from the data contained within the charts, but are reported upon within the body of the report on page 24.

In accordance with the Ministry of the Solicitor General (Ministry) standards and T.P.S. procedures, the C.E.W. is only used in full deployment or drive stun mode (direct application) when the subject is assaultive as defined by the *Criminal Code*. This includes threatening behaviour if the officer believes the subject intends and has the ability to carry out the threat, or where the subject presents an imminent threat of serious bodily harm or death, which includes suicide threats or attempts. Therefore, direct application of the device is only utilized to gain control of a subject who is at risk of causing harm, not to secure compliance of a subject who is merely resistant.

Types of Use

There are three ways to use the C.E.W.:

(1) Demonstrated Force Presence

The C.E.W. is un-holstered and/or pointed in the presence of the subject, and/or a spark is demonstrated, and/or the laser sighting system is activated. This mode is justified for gaining compliance of a subject who is displaying passive or active resistance and under certain conditions, may be effective in situations where a subject is assaultive or presents the threat of serious bodily harm or death.

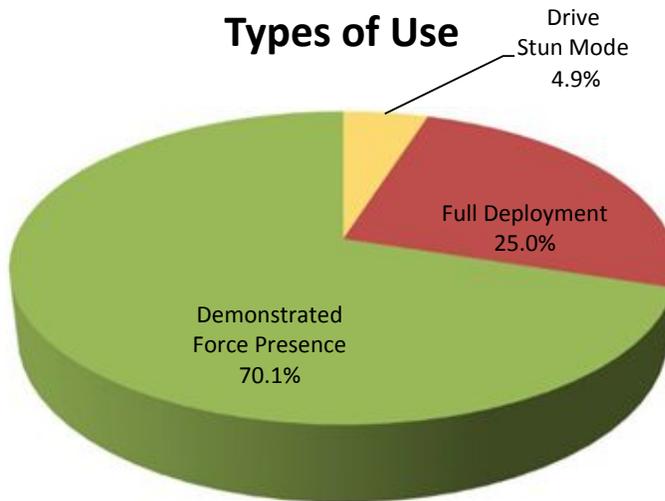
(2) Drive Stun Mode

This term, coined by the manufacturer, describes when the device is placed in direct contact with the subject and the current applied; the probes are not fired. Due to the minimal distance between the contact points on the C.E.W., drive stun is primarily a pain compliance mode. This mode is only justified to gain control of a subject who is assaultive or where the subject presents an imminent threat of serious bodily harm or death.

(3) Full Deployment

Probes are fired at a subject and the electrical pulse applied. In this mode, the device is designed to override the subject's nervous system and affect both the sensory and motor functions causing incapacitation. As with drive stun, this mode is only justified to gain control of a subject who is assaultive or where the subject presents an imminent threat of serious bodily harm or death.

Subjects under the influence of drugs and persons in crisis often have a higher pain tolerance. Most intermediate force options such as the baton, Oleoresin Capsicum (O.C.) spray and empty hand strikes rely on the infliction of pain to gain control of the subject; however, C.E.W.s are designed to incapacitate for a brief period of time until the subject is secured. Under these circumstances, C.E.W.s are often more effective than other intermediate force options. The chart below illustrates the type of C.E.W. use as both a number and a percentage (demonstrated force presence, in drive stun mode, and as a full deployment).

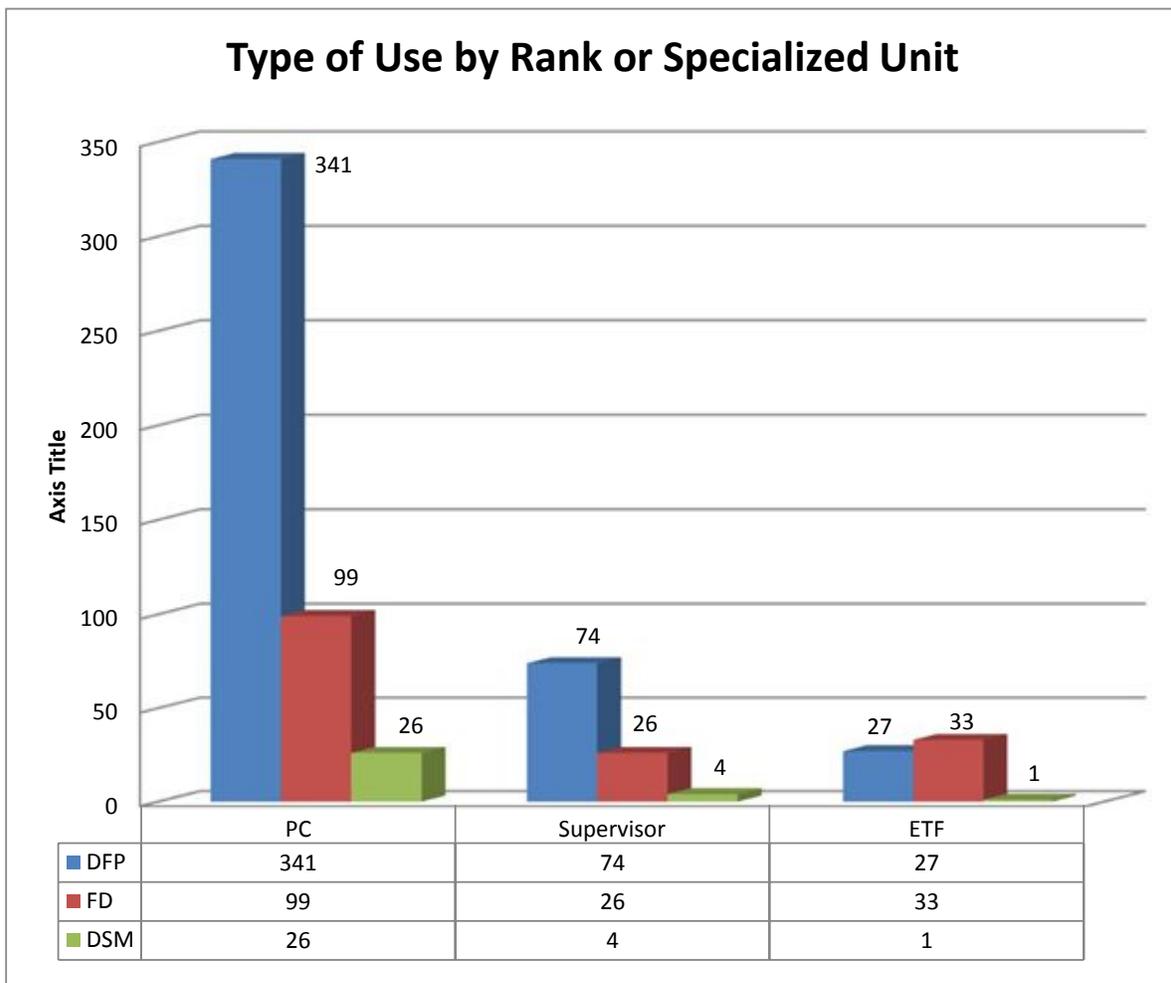


| Type of Use | # | % |
|-----------------------------------|------------|------------|
| Demonstrated Force Presence (DFP) | 442 | 70.1 |
| Full Deployment (FD) | 158 | 25.0 |
| Drive Stun Mode (DSM) | 31 | 4.9 |
| Total Uses | 631 | 100 |

Demonstrated force presence was used 70.1% of the time. Full deployment was the next highest method used at 25.0%. Full deployments are considered to be more effective than drive stun mode because this type of use promotes neuromuscular incapacitation and gives officers the opportunity to secure the subject with handcuffs.

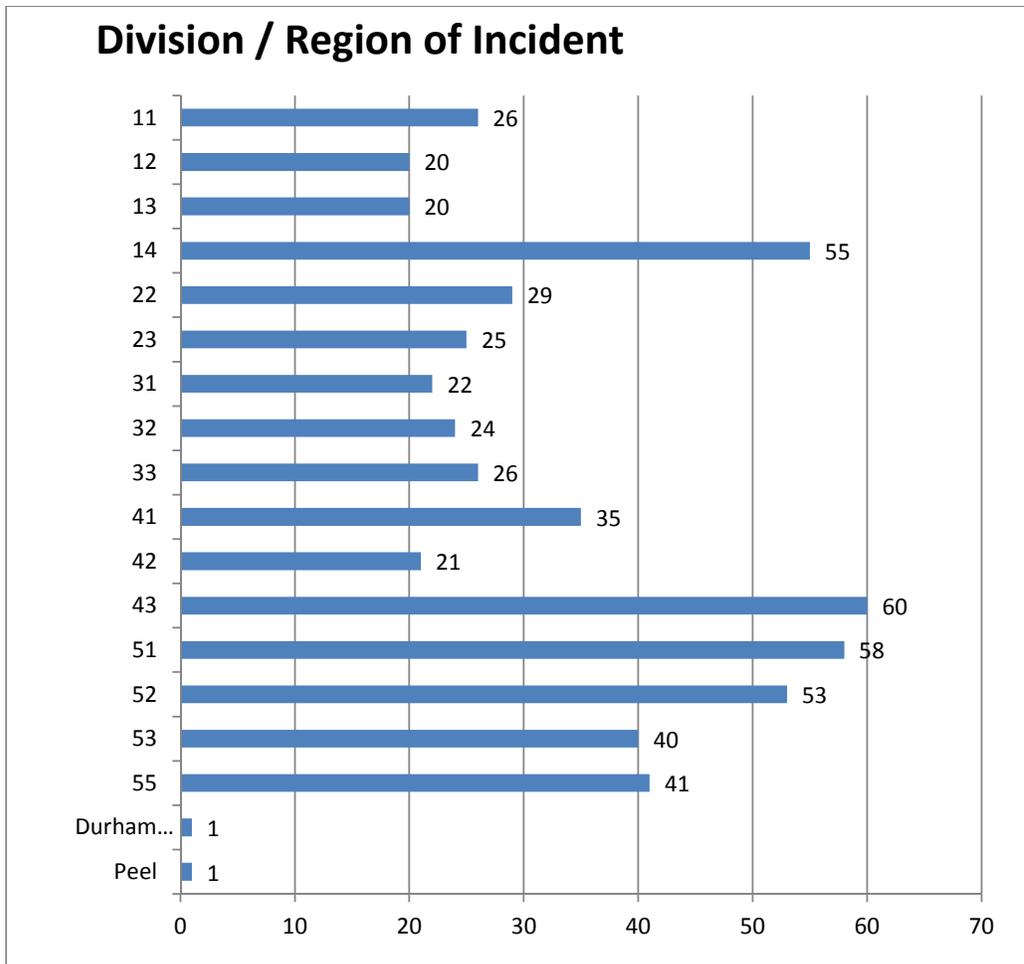
Although considered more effective than drive stun mode, the conducting wires are fragile providing the potential for contact during full deployment to be broken which would allow the subject to break free. If this occurs, officers may have to resort to drive stun mode to maintain control of the subject. In cases where full deployment and drive stun were used in combination, the number was recorded as a full deployment.

Since expansion of C.E.W.s to frontline P.C.s in 2018, the annual report includes separate reporting of type of use for E.T.F., supervisors and P.C.s. Members assigned to high risk units and members of E.M.P.O. are included in either the supervisor or P.C. category, depending on their T.P.S. rank. Due to the high risk nature of their calls, members of the E.T.F. are the only users who reported a higher number of full deployments than demonstrated force presence. The E.T.F. often responds to calls for service where officers have been unable to resolve a dangerous situation and require specialized resources or where the execution of a search warrant is required. The following chart refers.



Division

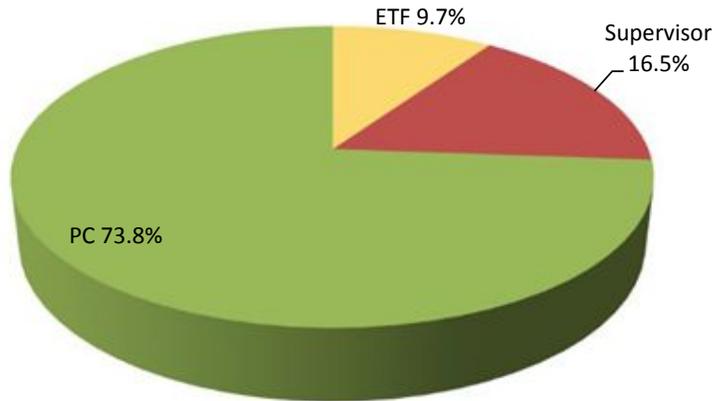
The following chart refers to the division within the city of Toronto, or to the location outside of Toronto, where T.P.S. members used a C.E.W. Due to the amalgamation of 54 Division and 55 Division, 2019 C.E.W. deployments that occurred within these geographical boundaries are now reported within the 55 Division category.



C.E.W. Users

The following chart specifies the type of assignment and / or rank for each C.E.W. user as a percentage and as a number and percentage respectively. Of 631 C.E.W. uses in 2019, P.C.s accounted for 466 or 73.8% of use. Supervisors accounted for the second highest number of uses at 104 or 16.5%.

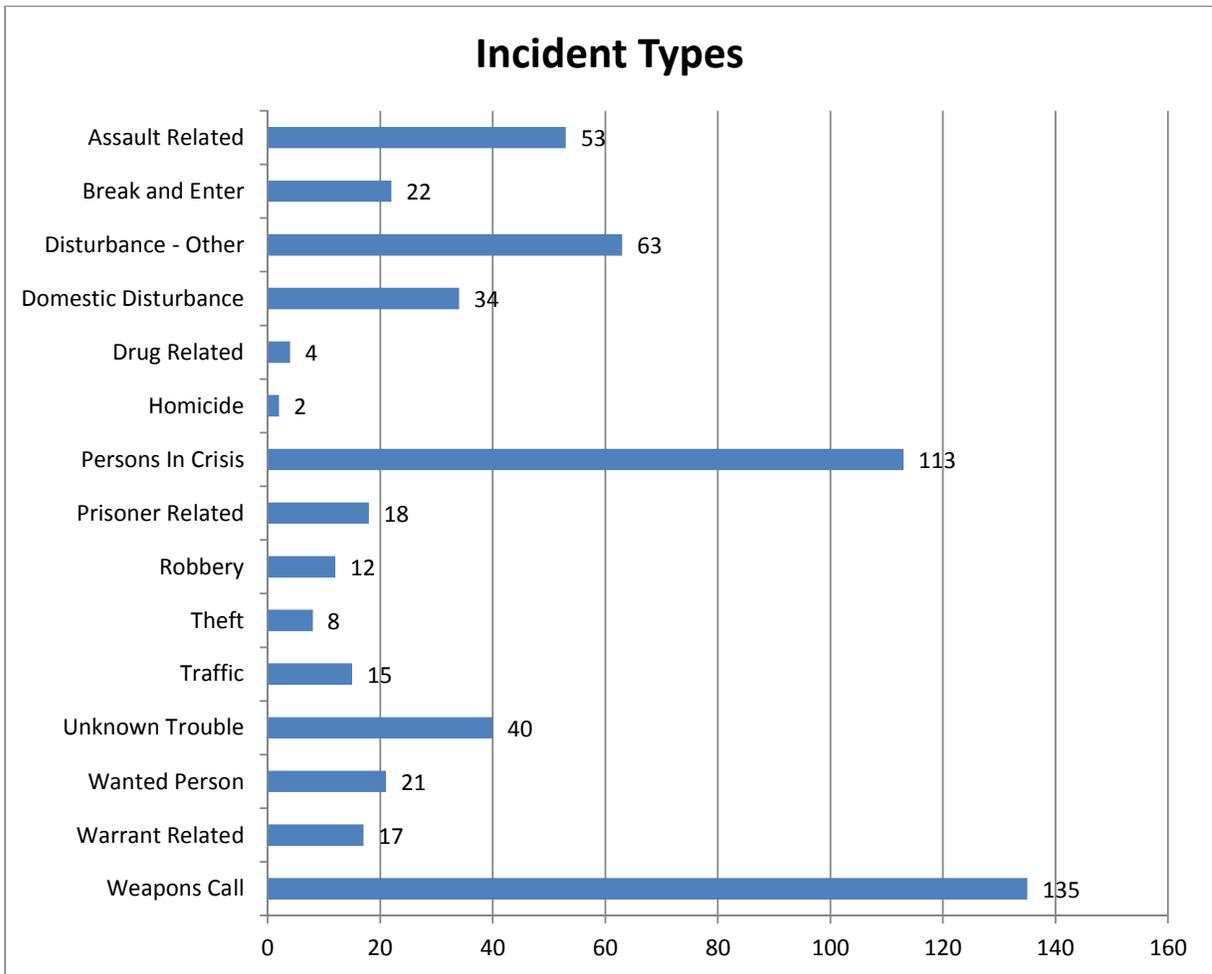
C.E.W. User



| Type of User | # | % |
|----------------------|------------|------------|
| P.C.s | 466 | 73.8 |
| Supervisors | 104 | 16.5 |
| Emergency Task Force | 61 | 9.7 |
| Total Uses | 631 | 100 |

Type of Incident

The following chart indicates the type of incident that officers were responding to when the C.E.W. was used. A description of the incident is based on the initial call for service received by the attending officers. This information is collected from the Use of Force Report (U.F.R. Form 1) that must be completed subsequent to each C.E.W. use, as mandated by T.P.S. Procedures 15-01, "Use of Force" and 15-09, "Conducted Energy Weapon". In cases where the original call type did not correspond with one of the denoted categories, the incident was placed into a category that best reflected the nature of the call.



Subject Condition at Time of C.E.W. Use

Officers often interact with subjects who are in crisis, under the influence of drugs and / or alcohol, or experiencing a variety of mental health issues, as well as any combination thereof. Officers are requested to categorize their perception of the condition of the subject at the time of C.E.W. use on the applicable sections of the Conducted Energy Weapon Use Report (T.P.S. Form 584). An officer's perception is based on experience, knowledge and training. For the purpose of C.E.W. reporting, a person in crisis also includes any person who has mental health issues. Below are the definitions of the various subject conditions.

- Person in Crisis (P.I.C.)

This refers to a person who suffers a temporary breakdown of coping skills but remains in touch with reality.

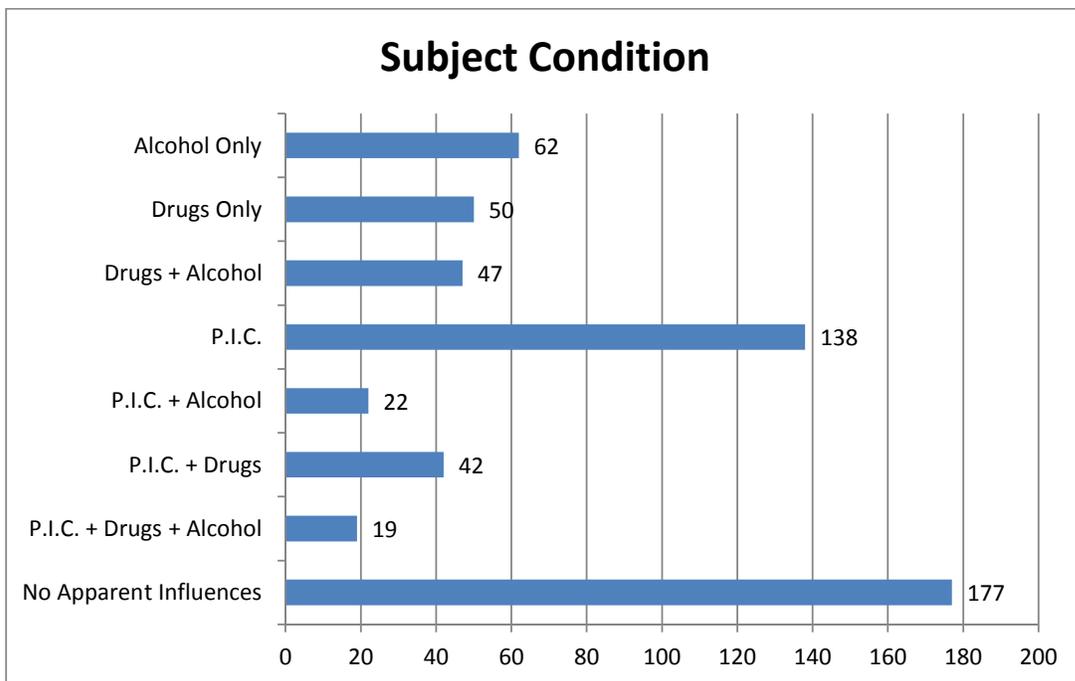
- Alcohol

A person believed to be under the influence of alcohol.

- Drugs

A person believed to be under the influence of drugs.

The chart below indicates a subject's condition as identified by the reporting officer on a T.P.S. Form 584. The "No Apparent Influences" category refers to situations where an officer did not believe that there were any external factors affecting the subject's behaviour, eight group incidents and two dog incidents. Two other group incidents involved subject behaviour that was consistent with alcohol use and one group incident involved subjects that appeared under the influence of drugs. Of the 557 incidents of C.E.W. use, 138 or 24.8% involved subjects whom officers believed were in crisis. The figure increases to 221 or 39.7%, when persons in crisis were also believed to be under the influence of alcohol and / or drugs.

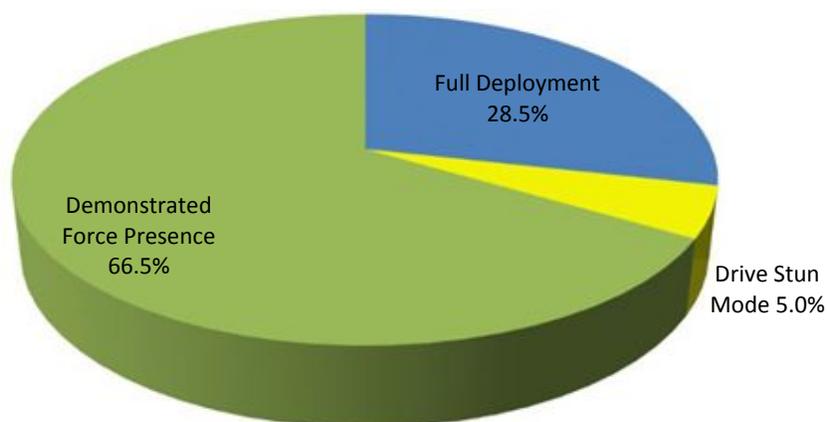


Type of Use on P.I.C.

The chart below indicates the type of C.E.W. use on P.I.C. who may or may not have also been perceived to be suffering from the combined effects of alcohol and / or drugs. In 66.5% of cases, the type of use was reported as a demonstrated force presence. It should also be noted that of the 221 incidents of C.E.W. use on P.I.C.s, only four minor

subject injuries resulted. These consisted of minor cuts and bumps to the subject's head.

Type of Use on P.I.C.



| Type of Use on P.I.C. | # | % |
|------------------------------------|------------|------------|
| Demonstrated Force Presence | 147 | 66.5 |
| Drive Stun Mode | 11 | 5.0 |
| Full Deployment | 63 | 28.5 |
| Total # of P.I.C. Incidents | 221 | 100 |

As discussed earlier in this report, officers attended 30,689 calls for service involving persons in crisis, an increase of 4,1% over 2018 levels. The use of the C.E.W. in 221 incidents represents a ratio of 1:138 or 0.7% of calls of this type. As stated, the T.P.S. continues to see a year over year increase in calls involving persons in crisis.

Mental Health Act Apprehensions

These incidents describe situations where the subject was apprehended under the M.H.A. and transported to a psychiatric facility for assessment. Out of 557 incidents, 153 or 27.5% resulted in apprehensions under the M.H.A. The data does not capture the results of the assessment and so further caution is warranted against concluding that those apprehended were, in fact, suffering from a mental health condition at the time.

Not all P.I.C. that come into contact with police result in apprehensions under the M.H.A. An apprehension may not occur if a P.I.C. voluntarily attends a hospital for

assessment or if, during their interaction with police, they are no longer displaying behaviour consistent with the grounds required for a mental health apprehension. Finally, it must be remembered that the C.E.W. was only used in response to the subject's behaviour and not because of the subject's condition.

The chart below specifies C.E.W. uses where subjects were apprehended under the M.H.A. The "Not Applicable" category refers to 11 group incidents and two uses on dogs.

Subject Apprehended Under the *M.H.A.*

| Apprehension | # | % |
|---------------------|------------|------------|
| Yes | 153 | 27.5 |
| No | 391 | 70.2 |
| Not Applicable | 13 | 2.3 |
| Total | 557 | 100 |

As discussed earlier in this report, there were 11,784 M.H.A. apprehensions, an increase of 5% over 2018 levels. The use of the C.E.W. in 153 apprehensions represents a ratio of 1:77 or 1.3% of these types of incidents.

Subject's Behaviour/Threat Level

Subject behaviour during a C.E.W. incident is described within the context of the Ontario Use of Force Model (2004) under the following categories:

- **Passive Resistant**

The subject refuses, with little or no physical action, to cooperate with an officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity.

- **Active Resistant**

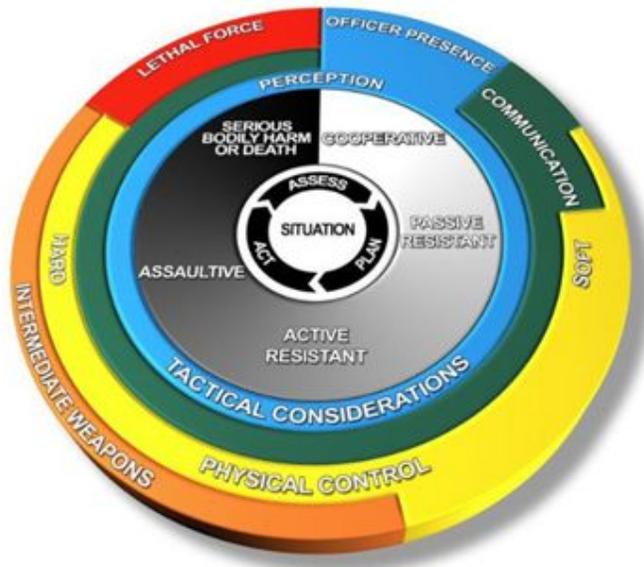
The subject uses non-assaultive physical action to resist an officer's lawful direction. Examples would include pulling away to prevent or escape control, or overt movements such as walking or running away from an officer.

- **Assaultive**

The subject attempts to apply, or applies force to any person, or attempts or threatens by an act or gesture to apply force to another person, if they have, or causes that other person to believe upon reasonable grounds that they have, the present ability to carry-out their purpose. Examples include kicking and punching, but may also include aggressive body language that signals the intent to assault.

- Serious Bodily Harm or Death

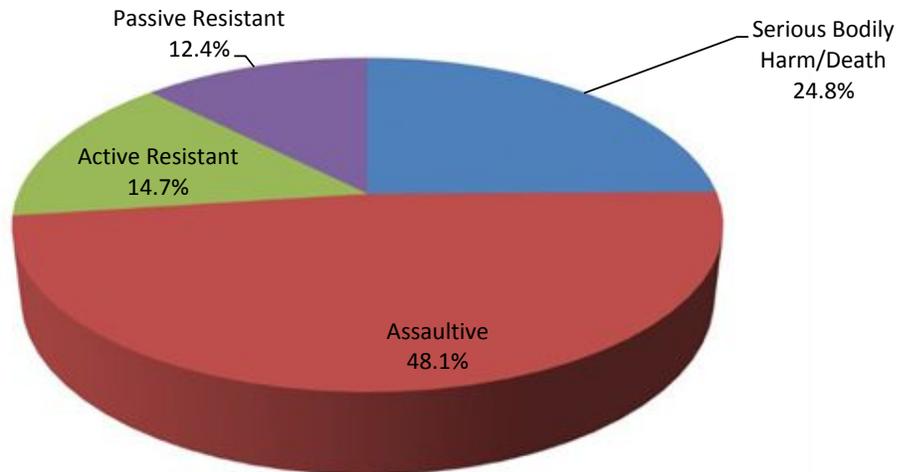
The subject exhibits actions that the officer reasonably believes are intended to, or likely to, cause serious bodily harm or death to any person, including the subject. Examples include assaults with a weapon or actions that would result in serious injury to an officer or member of the public, and include suicide threats or attempts by the subject.



The 2004 Ontario Use of Force Model is used to assist officers in determining appropriate levels of force and articulation. It represents the process by which an officer assesses, plans, and responds to situations that threaten public and officer safety. The assessment process begins in the centre of the model with the situation confronting the officer. From there, the assessment process moves outward and addresses the subject's behaviour and the officer's perception and tactical considerations. Based on the officer's assessment of the conditions represented by these inner circles, the officer selects from the use of force options contained within the model's outer circle. After the officer chooses a response option the officer must continually reassess the situation to determine if his or her actions are appropriate and / or effective or if a new strategy should be selected. The whole process should be seen as dynamic and constantly evolving until the situation is brought under control.

The following chart refers to subject behaviour as perceived by the C.E.W. user in the 557 situations where a C.E.W. was used.

Subject Behaviour



| Subject Behaviour | # | % |
|---------------------------|------------|------------|
| Passive Resistant | 69 | 12.4 |
| Active Resistant | 82 | 14.7 |
| Assaultive | 268 | 48.1 |
| Serious Bodily Harm/Death | 138 | 24.8 |
| Total Incident # | 557 | 100 |

In situations where a subject is displaying passive or active resistance, T.P.S. procedure prohibits officers from using a C.E.W. in any manner other than a demonstrated force presence.

In 48.1% of incidents officers perceived the subject's behaviour as assaultive and in 24.8% of the incidents officers believed the behaviour was likely to cause serious bodily harm or death.

As discussed earlier in this report, officers attended 416,787 calls for service, of which 50,543 involved violence in 2019. This represents a decrease of 0.1% and 0.2% respectively over 2018 levels. The use of the C.E.W. in 557 incidents represents a ratio of 1:748 or 0.13% of calls for service attended. Similarly, this use represents a ratio of 1:91 or 1.1% of violent calls for service attended.

Upon further review, some of the incidents officers faced involved life-saving interventions such as suicide attempts and others that invariably prevented subject and officer injury. The following paragraphs describe two such examples.

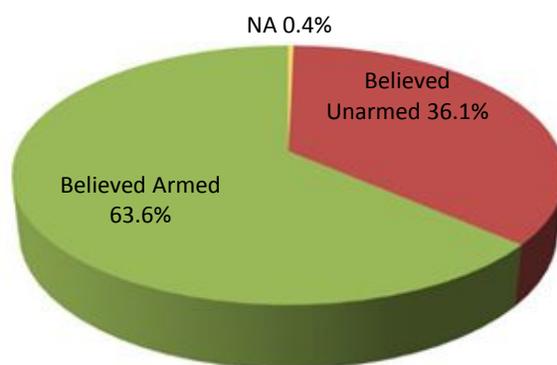
Example One: Officers attended an attempt suicide radio call where a male who was in crisis was threatening to jump off a bridge over the King’s Highway 401. Officers attempted to reason with the male but he would not listen and attempted to jump over the bridge railing. A P.C. fully deployed a C.E.W. to preserve life and gain control of the male who was safely apprehended under the M.H.A.

Example Two: Officers responded to a person with a knife radio call where a victim had been stabbed in the neck and a male suspect was last seen fleeing the area on foot. An arriving officer observed the male suspect running from the address armed with one knife in his right hand and several other knives in his left hand. The male entered a barbershop where he attempted to stab two males standing at the rear of the shop. A P.C. entered the barber shop and immediately deployed his C.E.W. to prevent the male from causing serious bodily harm or death to the two males. The C.E.W. deployment was successful and the male fell to the ground, dropping the large kitchen knife. The male was subsequently arrested without further incident.

Subject Believed Armed

Of the situations where the C.E.W. was used, officers believed that the subject was armed in 354 or 63.5% of incidents. An officer may believe that a subject is armed based on a number of factors, including visual confirmation; subjects’ verbal cues / behaviour; information from witnesses or dispatchers; or other indirect sources. The chart below indicates whether an officer believed the subject was armed. The “Not Applicable” category refers to two uses on dogs.

Subject Believed Armed



| Subject Believed Armed | # | % |
|------------------------|-----|------|
| Believed Armed | 354 | 63.5 |
| Believed Unarmed | 201 | 36.1 |

| Subject Believed Armed | # | % |
|-------------------------------|------------|------------|
| N/A | 2 | 0.4 |
| Total | 557 | 100 |

P.I.C. Believed Armed

When comparing P.I.C. who were believed to be armed with all subjects, the percentage increases from 63.5 percent to 68.8 percent.

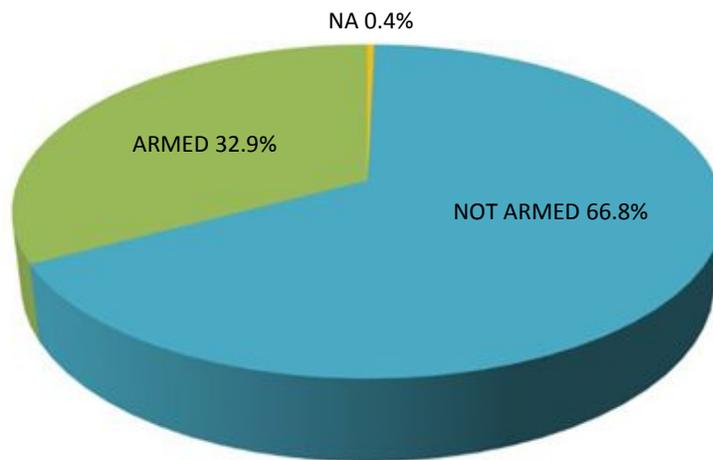
| P.I.C. Believed Armed | # | % |
|------------------------------|------------|------------|
| Believed Armed | 152 | 68.8 |
| Believed Unarmed | 49 | 22.2 |
| Total | 221 | 100 |
| Total | 557 | 100 |

Subject Confirmed Armed

Of 557 incidents, officers confirmed the presence of a weapon 183 or 32.9% of the time.

Officers are trained to continually assess, plan and act based on a number of factors, including the potential that subjects may be armed. The belief that a subject is armed or a weapon is present, however, does not, by itself, justify the direct application of a C.E.W. However, when this is combined with the belief that the subject is assaultive or likely to cause serious bodily harm or death, the officer is justified in directly applying the C.E.W. The chart below indicates, as both a percentage and a number, the subjects that were confirmed to be armed. The “Not Applicable” category refers to two uses on dogs.

Subject Confirmed Armed



| Subject Confirmed Armed | # | % |
|--------------------------------|------------|------------|
| Armed | 183 | 32.9 |
| Not Armed | 372 | 66.8 |
| N/A | 2 | 0.4 |
| Total | 557 | 100 |

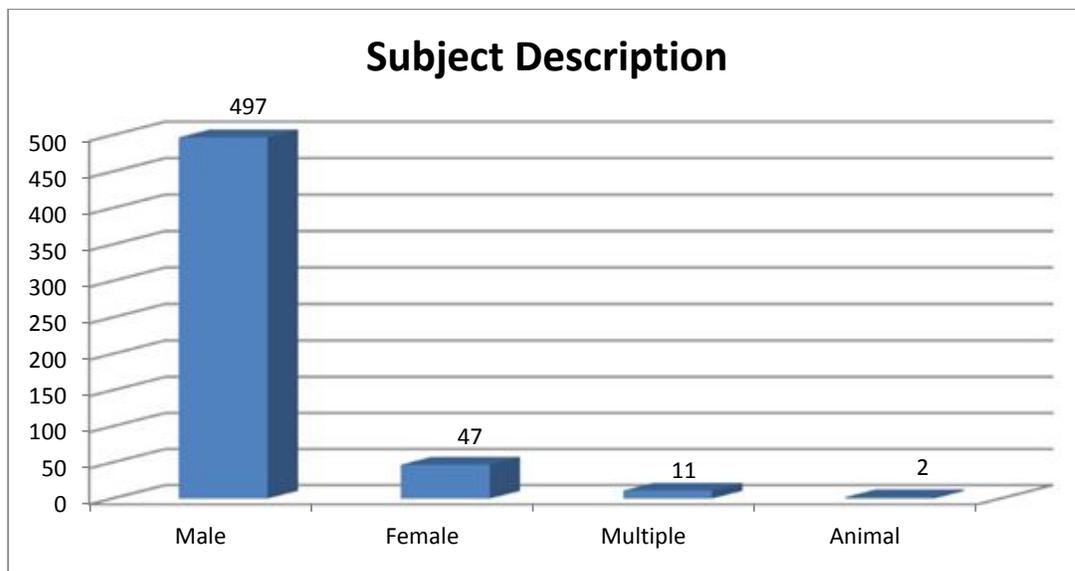
P.I.C. Confirmed Armed

When comparing P.I.C. who were confirmed to be armed with all subjects, the percentage increases from 32.9 percent to 44.3 percent.

| P.I.C. Confirmed Armed | # | % |
|-------------------------------|----------|----------|
| Armed | 98 | 44.3 |
| Not Armed | 123 | 55.7 |
| N/A | 221 | 100 |

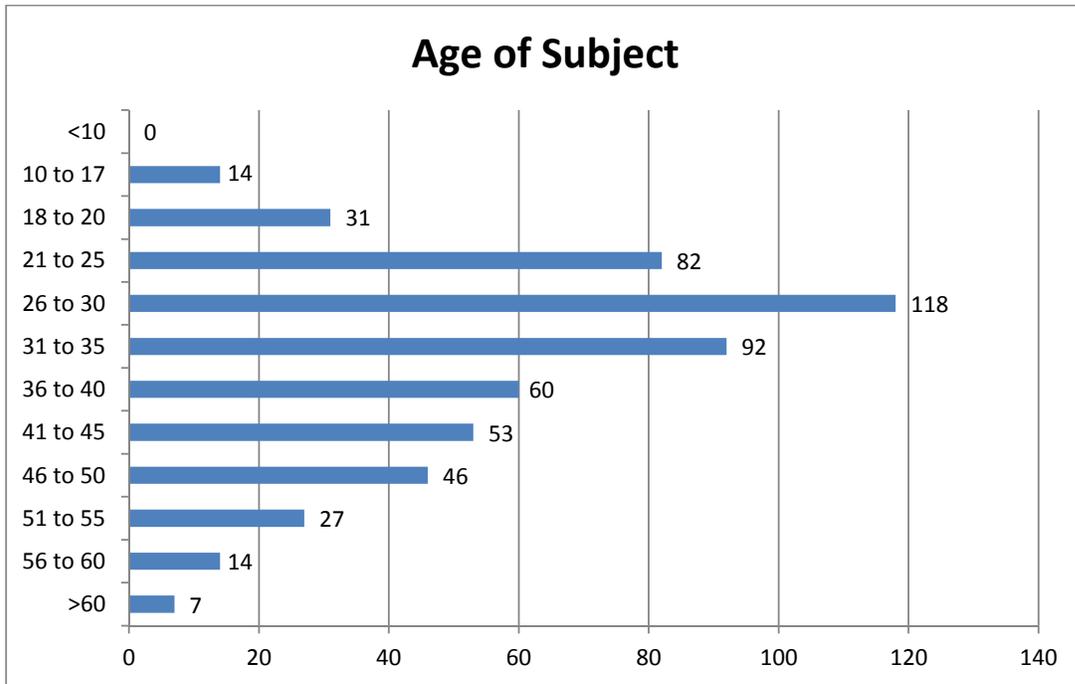
Subject Description

This chart categorizes subjects by their perceived gender. Of the 557 incidents involving C.E.W. use, 497 subjects or 89.2% were perceived to be male. Also recorded is C.E.W. use on animals and use on multiple subjects. In 2019, there were 11 group incidents and two incidents involving dogs. In each situation, an officer used the C.E.W. as a demonstrated force presence except in one instance where a subject was being attacked by a large dog. In this case, a full deployment was required for the safety of the subject and the officers involved.



Age of Subject

The C.E.W. has been used on a variety of age groups. The chart below categorizes C.E.W. use on various age groups. The highest percentage of subjects was between 21 and 35 years of age and equates to 53.7% of C.E.W. use. Excluded from this chart are 11 group incidents and two uses on dogs.



Use on Subjects 17 and Under

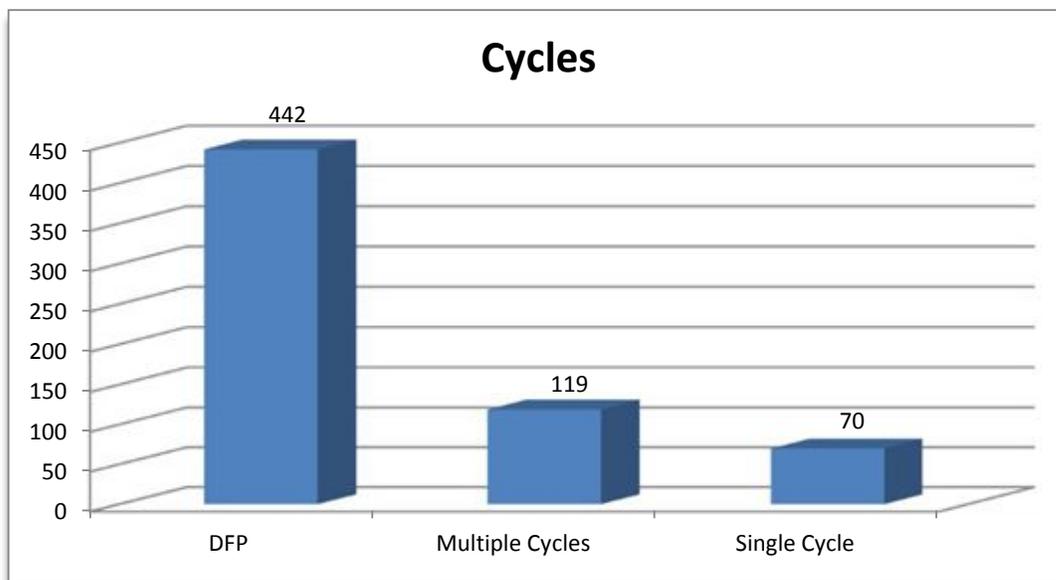
The following chart indicates the number and type of C.E.W. use on subjects aged 17 and under.

| AGE | DFP | DSM | FD | TOTAL |
|--------------|-----------|----------|----------|-----------|
| 11 | 1 | 0 | 0 | 1 |
| 12 | 1 | 0 | 0 | 1 |
| 14 | 1 | 0 | 0 | 1 |
| 15 | 2 | 0 | 0 | 2 |
| 16 | 6 | 1 | 0 | 7 |
| 17 | 1 | 0 | 1 | 2 |
| TOTAL | 12 | 1 | 1 | 14 |

There were 14 incidents in 2019 where a C.E.W. was used to control potentially harmful situations involving young people aged 17 and under. Of the 14 situations, 12 involved the use of the C.E.W. as a demonstrated force presence. Of the remaining two incidents, one involved a full deployment on a 17 year old intoxicated male who had assaulted a senior citizen and punched an officer in the face. The second incident involved a drive stun to a 16 year old subject who was threatening suicide with a knife and had kicked an officer in the rib cage. In 2019, only one injury was sustained by subjects 17 and under. This injury consisted of probe marks and occurred in the one instance where the full deployment of a C.E.W. was required.

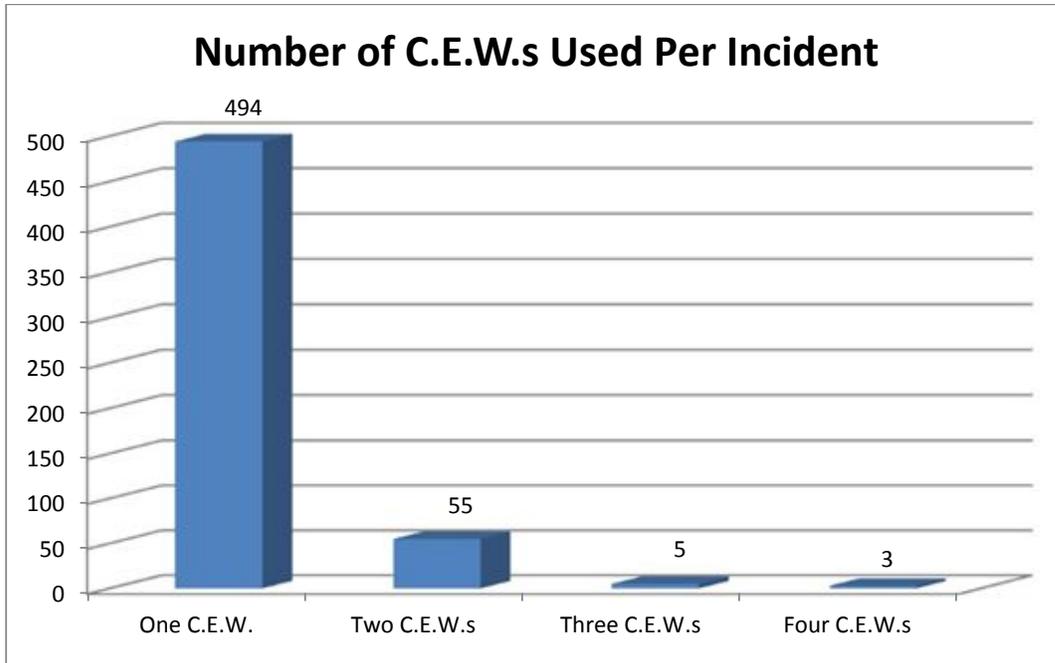
Number of Cycles

During training and recertification, officers are instructed to apply the current only as long as it takes to gain control of the subject. Control is achieved when the subject is placed in restraints, such as handcuffs, and is no longer considered a threat. After the initial application of a single cycle, an officer is asked to re-assess the subject's behaviour before continued or renewed application of the current is used. The following chart reports whether single or multiple cycles were used. A complete cycle is five seconds in duration. A partial cycle of less than five seconds can occur when the C.E.W. is manually disengaged or the power is shut off. For the purpose of this report, partial cycles are recorded as a single cycle.



Number of C.E.W.s Used per Incident

If it has been determined to be reasonably necessary, officers may use more than one C.E.W. at an event if the first one is ineffective. In 2019, there were 63 events where more than one C.E.W. was used. In over half of these incidents (34 of 63), the involved officers used only a demonstrated force presence of the C.E.W. The chart below summarizes the number of C.E.W.s used during each incident.



Number of C.E.W.s Used and Mode of Use

The following chart separates the number of C.E.W.s used at incidents by their mode of use. Included in the direct use category are full deployments, drive stun uses and / or a combination of both. For incidents where two or more C.E.W.s were used as a demonstrated force presence and a direct use, the event is captured within the direct use category.

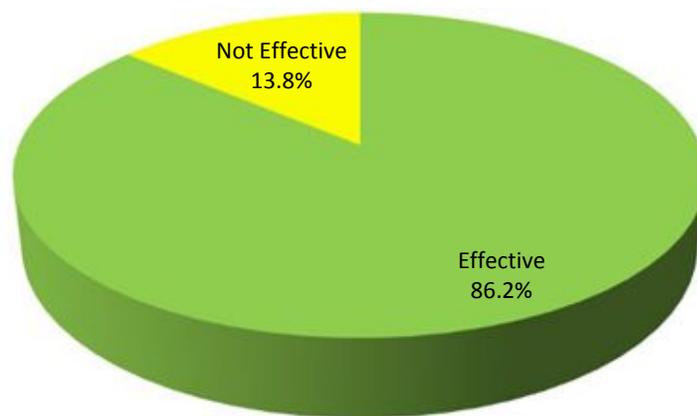
| Number of C.E.W.s Used per Incident | DFP | Direct Use |
|-------------------------------------|------------|------------|
| One | 352 | 142 |
| Two | 31 | 24 |
| Three | 3 | 2 |
| Four | 0 | 3 |
| Total | 386 | 171 |

C.E.W. Effectiveness

Effectiveness is measured by the ability of officers to gain control of a subject while utilizing a C.E.W. in compliance with Ministry and T.P.S. standards and training. Of the 557 incidents of C.E.W. use in 2019, its effectiveness has been shown to be 86.2%. Ineffectiveness has been associated with shot placement, poor conduction (e.g. the subject was wearing heavy clothing), or situations where the subject failed to respond to the demonstrated force presence of the C.E.W.

C.E.W. effectiveness is outlined in the following chart.

Overall C.E.W. Effectiveness

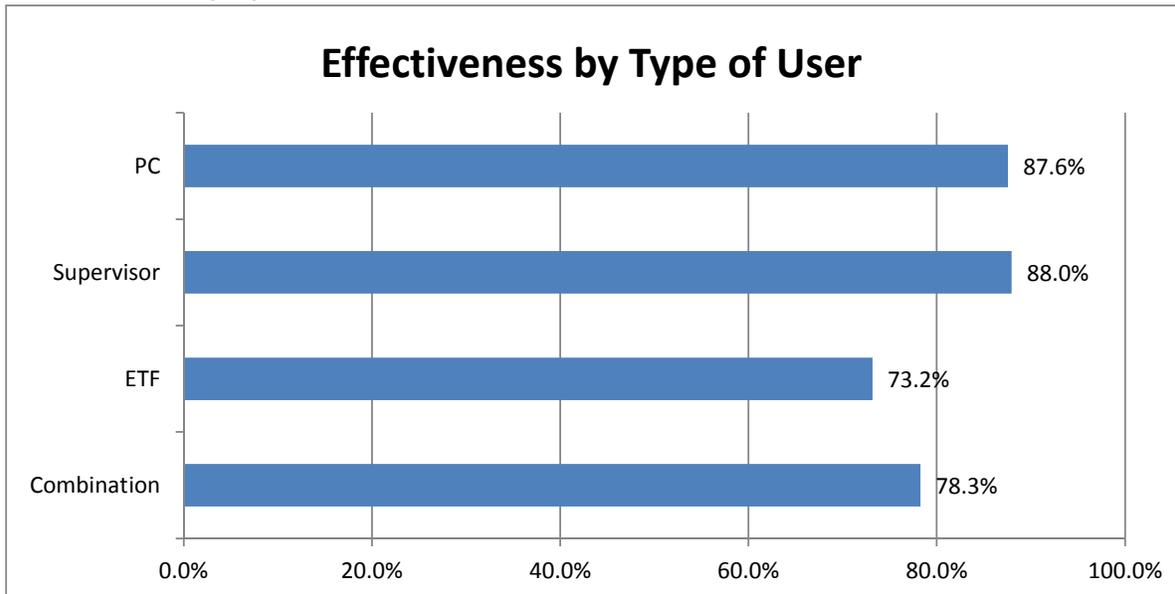


| Overall C.E.W. Effectiveness | # | % |
|-------------------------------------|------------|--------------|
| Effective | 480 | 86.2 |
| Not Effective | 77 | 13.8 |
| Total | 557 | 100.0 |

Effectiveness by Type of User

As a result of expansion to frontline P.C.s in 2018, effectiveness of C.E.W. use has also been divided into categories based on type of user. The following chart shows the effectiveness for members of the E.T.F., supervisors and P.C.s. There is also a separate category for instances where any combination of a supervisor and / or a P.C. and / or a member of the E.T.F. have used a C.E.W. in conjunction at an incident.

Effectiveness by Type of User

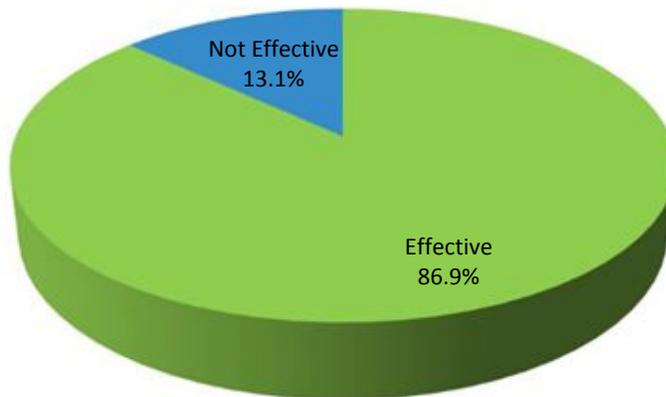


C.E.W. Effectiveness on Persons in Crisis

In 2015, Corporate Risk Management began tracking and reporting on the effectiveness of C.E.W. use on persons in crisis. The chart below includes the 221 incidents where the involved subjects were described as being in crisis or being in crisis and under the influence of drugs and / or alcohol.

Of these incidents, 86.9% were deemed to be effective. It should be noted that 147 or 66.5% of the incidents involved the use of C.E.W.s as a demonstrated force presence only.

Effectiveness on Persons in Crisis



| Effectiveness on Persons in Crisis | # | % |
|---|------------|------------|
| Effective | 192 | 86.9 |
| Not Effective | 29 | 13.1 |
| Total | 221 | 100 |

Other Use of Force Option Used (Prior to C.E.W. Use)

C.E.W.s are one of several force options that a police officer can employ. Officer presence and tactical communications, while not strictly considered force options, are typically used at C.E.W. incidents. Other force options include impact weapons, physical control, O.C. spray and firearms used as a display of lethal force.

It is important to note that force options are not necessarily used or intended to be used incrementally or sequentially. Events that officers are trained to deal with can unfold rapidly and are often very dynamic. Officers are trained to use a variety of strategies to successfully de-escalate volatile situations; however, there is no single communication method, tool, device, or weapon that will resolve every scenario. Therefore, the use of a C.E.W. or any other force option is the result of careful deliberation by the officers involved. The data shows that C.E.W. users chose other force options first in 12.4% of encounters. The below chart indicates what, if any, other force option was utilized by the C.E.W. equipped officer prior to their use of a C.E.W.

| Other Force Option Used Prior to C.E.W. Use | # | % |
|--|------------|------------|
| Firearm Display | 13 | 2.3 |
| Firearm Display + Physical Control | 2 | 0.4 |
| Impact Weapon | 2 | 0.4 |
| None | 488 | 87.6 |
| Physical Control | 52 | 9.3 |
| Total | 557 | 100 |

Unintentional Discharges

Unintentional discharges occur when the probes are fired from the C.E.W. cartridge due to officer error or device malfunction. In 2019, there were 48 unintentional discharges as a result of officer error. Forty of the incidents involved P.C.s, while eight incidents involved frontline supervisors. In all cases, officers inadvertently discharged the probes while spark testing the C.E.W.

Spark testing is required at the start of each tour of duty for the following reasons:

- To verify that the C.E.W. is working
- To verify that the batteries are performing and are adequately charged
- To condition the C.E.W. because the devices are more reliable when energized on a regular basis

Each unintentional discharge during spark testing results in a Service or Conduct Report being initiated with a subsequent loss of four hours of lieu time; in each case, the officer attended the Toronto Police College (T.P.C.) for re-training on safe handling practices.

In 2019, there were no device malfunctions to report.

Subject Injuries

When deployed in drive stun mode, the C.E.W. may leave minor burn marks on the skin where the device makes contact. When the C.E.W. is fully deployed, the subject may receive minor skin punctures from the darts. As each of these injuries is anticipated when the C.E.W. is used, they are not included in the classification of “injury” for the purposes of this report. The more notable risk is a secondary injury from a fall. Subjects will often immediately collapse to the ground upon direct deployment and, since the major muscles are locked, they will not be able to break the fall. Officers are trained to consider the best location and environment when using the C.E.W. and to use caution as part of their decision-making process.

In 2019, there were seven minor injuries directly related to C.E.W. use. Six of these injuries consisted of bumps or minor cuts. The remaining injury consisted of a strained finger due to a fall after a full deployment.

In the last five years, the T.P.S. has averaged 6.6 injuries per year that were directly attributed to C.E.W. use. The negligible number of injuries each year indicates that officers are taking environmental factors and probe placement into consideration prior to use.

Officer Injuries (Frontline constables) and Special Investigation Unit (S.I.U.) Cases

In 2015, assaultive subjects caused injuries to 99 frontline P.C.s. This number rose to 151 for 2016 and climbed even higher to 173 for 2017. This represents a 74.7% increase in P.C. injuries during a three-year period. Since expansion of C.E.W.s to frontline P.C.s in 2018, there is an early indication that there may be a trend reversal in relation to P.C. injuries. In 2018, there was a 20.2% decrease in P.C. injuries (138 cases), and in 2019, injuries to P.C.s dropped another 5.8% to a four-year low of 130 incidents.

Similarly, there has been a decrease in the number of S.I.U. cases. This decrease started in 2018 where there were 16 fewer cases than in 2017 (76 cases down from 92). In 2019, there were 30 fewer cases, which amounted to a 39% reduction over 2018 levels.

While these optimistic figures may be attributed to other factors that are unrelated to C.E.W. expansion, it is acknowledged that many injuries to P.C.s (and subjects) have been caused by officers having to utilize empty hand techniques to control assaultive subjects. In many instances, the use of a C.E.W. in display mode is all the force that is required to safely resolve some volatile situations that once required the use of empty hand techniques when attempts to de-escalate were unsuccessful. Empty hand techniques is a use of force option that also appears to be declining since expansion of C.E.W.s to frontline P.C.s. Injury trends to both officers and subjects will continue to be monitored going forward.

Deaths

There were no deaths directly associated with C.E.W. use by officers of the T.P.S. in 2019.

Civil Action

There were three civil actions initiated in 2019 against the T.P.S. as a result of C.E.W. use. In the last five years, the T.P.S. has had an average of 2.4 C.E.W. related law suits initiated per year. Since expansion of C.E.W.s to frontline P.C.s, this number has remained relatively stable indicating that P.C.s are using C.E.W.s as responsibly as supervisors historically have.

Training

All C.E.W. training is conducted by a Ministry-certified use of force instructor on the specific weapon used and approved by the T.P.S. For initial training, authorized T.P.S. officers received 20 hours of training, which is eight hours longer than the provincial standard. This training includes theory, practical scenarios, and a practical and written examination. The additional eight hours includes in-class training that emphasizes judgement training, decision making and de-escalation, which is conducted in accordance with the guidelines established by the Ministry. Officers are also required to complete a one hour on-line tutorial prior to attending C.E.W. training at the T.P.C. Recertification training takes place at least once every 12 months, in accordance with Ministry guidelines and Ontario Regulation 926 of the P.S.A..

T.P.S. training emphasizes that before a C.E.W. is used against any subject, officers should consider de-escalation as a first priority whenever it is safe and practical to do so. Note: De-escalation begins with the T.P.S. communications. The call taker is trained to reduce the person's anxiety while eliciting information about the situation for responding officers. In 2019, de-escalation was utilized by officers during 97.3% of incidents requiring the use of a C.E.W.

Other operational considerations include disengagement, distance, time, cover, concealment and the use of other force options, when appropriate. While there were no significant training issues in 2019, five officers were directed to attend the T.P.C. for refresher training by Armament Section staff.

Misconduct

In 2019, less than 1.0% of C.E.W. use resulted in allegations of misconduct unrelated to unintentional discharges. Misconduct was identified in six cases and involved one supervisor and five P.C.s. Two of these cases were resolved at the unit level. Two other misconduct cases are currently before the Tribunal and another incident resulted in a P.C. being demoted from a first class constable to a second class constable for a period of six months. The final incident is still under investigation by Corporate Risk Management.

Governance

As a result of expansion, and with the overall objective of reducing deaths without increasing overall use of force, T.P.S. Procedure 15 – 09 Conducted Energy Weapon has had numerous amendments and additions. One of the additions included the reporting responsibilities of P.C.s who are assigned a C.E.W. for daily patrol. These responsibilities include the need to notify both the communications dispatcher and a supervisor of all uses of C.E.W.s, including demonstrated force presence. Also added into the procedure were the responsibilities of a communications dispatcher and supervisor upon being advised of a C.E.W. deployment. These responsibilities now include the mandatory notification of the Toronto Police Operations Centre and Officer in Charge of the division where a C.E.W. was used.

The T.P.S. Form 584 required by all officers who deploy a C.E.W. has also been updated since expansion to frontline P.C.s. The form now records de-escalation techniques attempted prior to deploying a C.E.W. Also new to the form, is the inability for officers to print a hard copy report until they have emailed the form to the Use of Force Analyst.

Community Consultation

In March 2020, just as the restrictions required by the COVID-19 pandemic response were being implemented, consultation was sought from members of the Board's Mental Health and Addictions Advisory Panel on the format for the Annual C.E.W. Report, in keeping with the Board's December 2019 motion. The T.P.S. implemented some of the input that was provided by panel members, and will endeavour to include recommendations for future Annual C.E.W. reports, where feasible.

It should be noted that input from the Board's former Mental Health Sub-Committee was included in a previous quarterly report (Min. No. P142/19).

Similar feedback on the Annual Report will be sought from the Board's Anti-Racism Advisory Panel (A.R.A.P.).

Race-Based Data Collection for Use of Force Incidents

At its meeting on September 19, 2019, the Board approved the Race-Based Data Collection, Analysis and Public Reporting Policy (Policy), with the first phase of its implementation for Use of Force incidents to begin January 1, 2020 (Min. No. P178/19). Guided by the legal principles in the *Ontario Human Rights Code* and Ontario's *Anti-Racism Act*, and grounded in a very comprehensive process of consultations, the Policy is the expression of the collective expertise and wisdom of the Anti-Racism Advisory Panel, internal members, subject matter experts, and community members with lived experiences.

The T.P.S. went one step further and committed to adding Level 3 (strip) searches in phase 1 in response to the Office of Independent Police Review Director's report entitled "Breaking the Golden Rule: A Review of Police Strip Searches in Ontario." As such, the T.P.S. began collecting race-based data for Use of Force and Level 3 searches on January 1, 2020.

The T.P.S. expects to conduct substantial internal and external consultations for its race-based data framework, one that once sufficient data are collected and analysed will facilitate relevant action plans. Prior to the COVID-19 pandemic, it was reasonably estimated that the development of action plans would occur during or after Q4 in 2021. The full impact of the COVID-19 situation on the timelines for implementation of the race-based data collection strategy remains unknown at this time. However, given the current state, the T.P.S. foresees significant impacts on plans for community engagements, training schedules, data extraction processes and timelines, and member and stakeholder consultations on the self-identification pilot. The impacts will be updated and further reported in future race-based data quarterly reports.

International Review of C.E.W. Reporting

The T.P.S. conducted a review of C.E.W. reporting practices for 13 domestic and international police services for which the number of sworn officers ranged from 878 (Durham Regional Police) to over 31,000 (The Metropolitan Police, United Kingdom). The police services reviewed included the Chicago Police Department, Durham Regional Police Service, Edmonton Police Service, Houston Police Department, Los Angeles Police Department, Service de Police de la Ville de Montréal, New York Police Department, Peel Regional Police Service, Royal Canadian Mounted Police (British Columbia only), the Metropolitan Police (The Met), Vancouver Police Department, York Regional Police, and the Calgary Police Service.

For this review, both frequency of reporting and complexity of data collection / reporting were analysed. Of the 13 police services that were surveyed, not one service produces stand-alone statistical reports in relation to C.E.W. use. For each of the services, C.E.W. use is contained within a small section of a greater report that includes all use of force statistics.

In relation to reporting frequency, eight of the identified services report use of force annually; two report semi-annually and two other services report quarterly as well as annually. The final police service, the Houston Police Department which was chosen for comparison due to its similarity to the T.P.S. in relation to the number of officers and the city's population base, does not appear to have any structured public reporting of C.E.W. statistics.

The type of data that is publically reported for C.E.W. use was examined for each police service. For many services, C.E.W. statistics are limited to basic information such as the number and type of use. For one service (The Met), a dashboard is utilized to report on all uses of force, but this dashboard does not appear to be current. The most

robust C.E.W. reporting is being conducted by the Royal Canadian Mounted Police (in British Columbia only) and the Vancouver Police Service. Their annual use of force reports contain the number and type of use, as well as information on subject behaviour, effectiveness of use and injuries. Upon review, it is apparent that while the extent of statistical analysis varies greatly from service to service, none of the reviewed services have C.E.W. data reporting practices that are as extensive as that of the T.P.S.

Conclusion

This report summarizes the frequency and nature of C.E.W. use by the T.P.S. While the number of reportable use of force incidents has increased, this is attributed to P.C.s having the option of displaying a C.E.W. in lieu of resorting to empty-hand techniques to control a non-compliant or assaultive subject. There is no requirement to report the use of empty-hand techniques unless a subject is injured and requires medical attention. There is, however, a requirement to report the display of a C.E.W. which has resulted in an increase in the number of reportable use of force incidents. Since each C.E.W. use undergoes a rigid examination to ensure compliance with training and Procedures, increased reporting has resulted in greater oversight in relation to use of force incidents. The data, particularly the high percentage of demonstrated force presence, indicates that officers are using good judgement under difficult circumstances. They are making appropriate decisions to use only the force necessary to resolve tense and dangerous situations.

The T.P.S. is confident that the C.E.W. is an effective tool that has helped avoid injuries to both the public and police officers. Consequently, the T.P.S. believes that through proper policy, procedures, training, and accountability, the C.E.W. is an appropriate use of force option that can help maintain public and officer safety.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Appendix A

3. THAT as part of the next applicable quarterly report with respect to C.E.W.s the Board direct the Chief to include information on the following:

a. Input from MCIT members with respect to any proposed changes to the MCIT program, especially in light of the expansion of C.E.W.s. [\[This was included in the first quarterly report and is no longer required.\]](#)

b. Input from consumer survivor groups and experts in human rights and mental health including the Board's recently established anti-Black racism committee with respect to the impact of the expansion of C.E.W.s, on the lives of people with lived experience with mental health issues. [\[This will be included in all future quarterly and annual reports when feasible. Page 27 refers.\]](#)

c. A discussion of any possible reliance upon or misuse of C.E.W.s and the steps taken to remedy any overreliance or misuse, including additional training, and discipline where appropriate. [\[pages 24, 25 and 26\]](#)

d. Analysis so that data from the phased expansion of C.E.W.s is analyzed in consideration of such factors as per The Honourable Frank Iacobucci:

i. whether C.E.W.s are used more frequently by primary response units, as compared to baseline information on current use of C.E.W.s by supervisors; [\[page 6, 7 and 8\]](#)

ii. whether C.E.W.s are misused more frequently by primary response units, as compared to baseline information on current use of C.E.W.s by supervisors; [\[pages 24 and 26\]](#)

iii. the disciplinary and training responses to misuses of C.E.W.s by officers and supervisors; [\[page 24 and 26\]](#)

iv. whether TPS procedures, training or disciplinary processes need to be adjusted to emphasize the objective of reducing deaths without increasing the overall use of force or infringing on civil liberties; [\[pages 25, 26 and 27\]](#) and

v. whether use of force overall increases with expanded availability of C.E.W.s. [\[page 28\]](#)

e. Number of officers who have received the three-day de-escalation training in the last 12 months, and that this be reported annually hereafter. [\[page 3\]](#)



Toronto Police Services Board Report

December 26, 2019

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Quarterly Report for August 15, 2019 to November 14, 2019: Conducted Energy Weapon Use

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

The purpose of this report is to provide the Board with a quarterly status update on frontline use of conducted energy weapons (C.E.W.s).

At its meeting on February 22, 2018, the Board approved expansion of C.E.W.s to frontline constables (P.C.s). In doing so, the Chief agreed to provide the Board with quarterly reports as well as an annual report of C.E.W. use (Min. No. P19/18 refers).

Discussion:

In addition to supervisors and officers of specialized units, C.E.W.s are now available as a use of force option to frontline P.C.s who are often first on scene at emergency calls for service. As of November 14, 2019, there were 1285 P.C.s and 444 supervisors trained and qualified to use a C.E.W. These numbers do not include members of the Emergency Task Force or training constables currently assigned to the Toronto Police College (T.P.C.). This report provides a summary of C.E.W. use for frontline P.C.s and supervisors for the period from August 15, 2019 to November 14, 2019. This

information is based on C.E.W. reports that have been received and reviewed by the Use of Force Analyst. The data is provided in the form of graphs and charts and includes the following items:

- Types of use
- C.E.W. user comparisons
- C.E.W. effectiveness
- C.E.W. effectiveness by user
- Types of use on persons in crisis (P.I.C.) by user
- Effectiveness of use on P.I.C. by user
- Subject behaviour
- Subject description
- Subject age
- Types of use on persons 20 and under
- 20 years and under summary chart

Unintentional discharges of C.E.W.s that occur during spark testing at proving stations are not included within the graphs and charts, but are discussed on page 14.

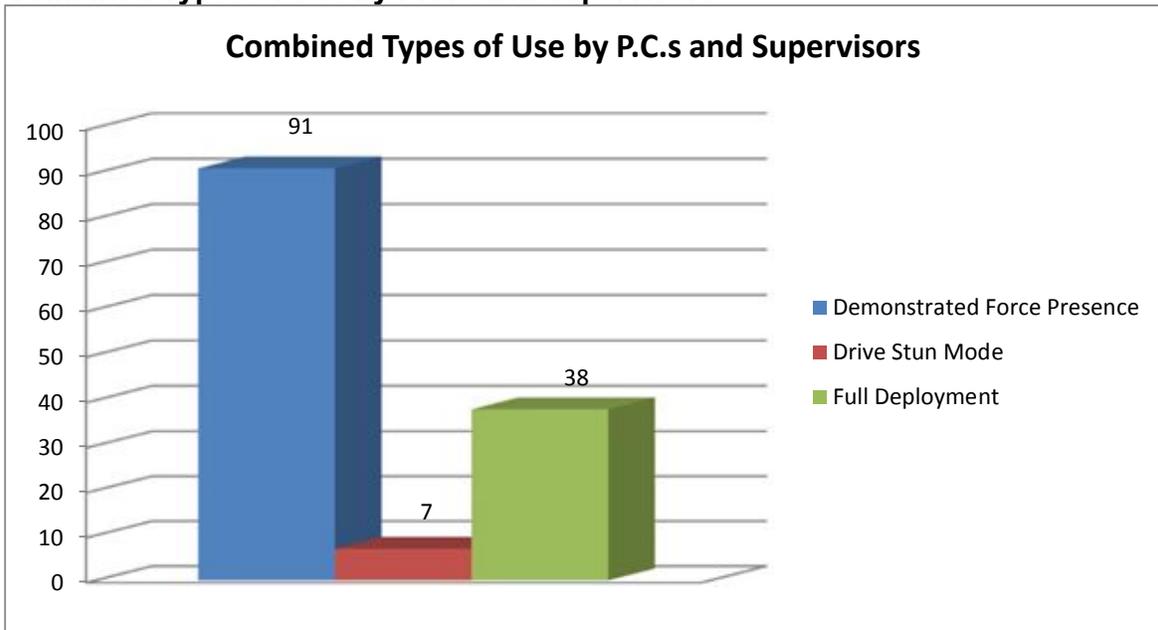
Also addressed in this report are the following items:

- Over-reliance or misuse of C.E.W.s and the steps taken to remedy such use including discipline and / or re-training
- Whether use of force overall increases with expanded availability of C.E.W.s
- The number of officers trained in the three-day de-escalation training [In-Service Training Program] in the last 12 months

Types of Use:

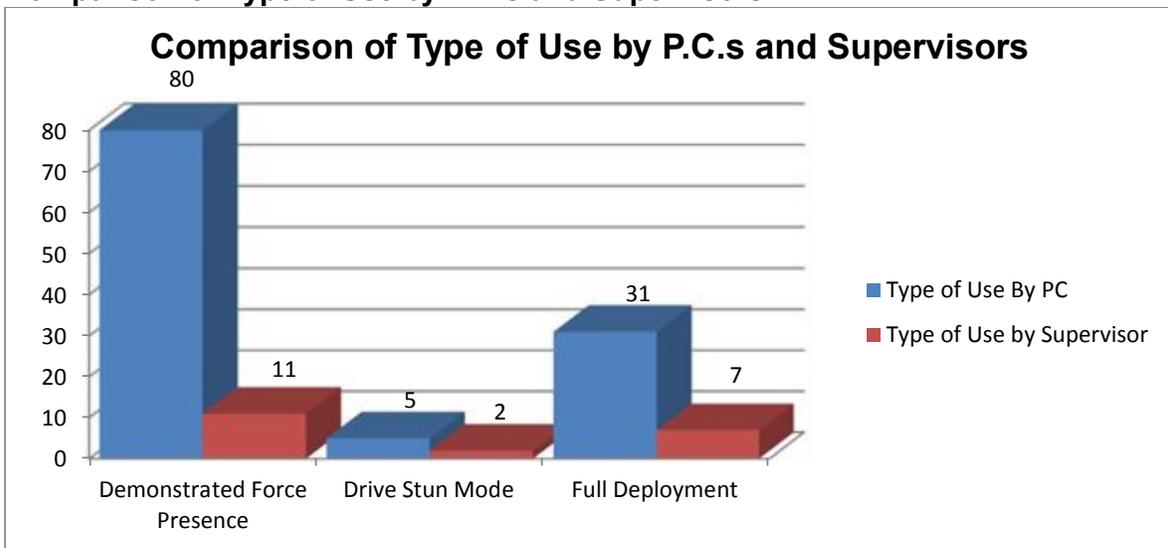
When analyzing C.E.W. use by frontline officers, it is important to do so within the context of the specific types of use. The following chart indicates the number of times a C.E.W. was used as a demonstrated force presence, in drive stun mode and as a full deployment. In accordance with the Ministry of the Solicitor General (Ministry) and Toronto Police Service (T.P.S.) procedure, the C.E.W. is only used in full deployment or drive stun mode (direct application) when the subject is assaultive as defined by the *Criminal Code*. Direct application of the device is only utilized to gain control of a subject who is at risk of causing harm, not to secure compliance of a subject who is merely resistant. During this reporting period, C.E.W.s were used 136 times during 123 incidents involving as many as 126 subjects. Of 136 total uses, 91 or 66.9% of uses were a demonstrated force presence. Throughout this report, in cases where full deployment and drive stun were used in combination, the number is recorded as a full deployment. The following chart depicts the types of C.E.W. use by P.C.s and supervisors combined.

Combined Types of Use by P.C.s and Supervisors



The chart below differentiates between types of use by P.C.s and supervisors. It is anticipated that as more P.C.s have C.E.W.s as part of their issued equipment, the variance between P.C. and supervisor use will increase with P.C.s making up the majority of C.E.W. use. At the end of this reporting period, a total of 1285 P.C.s were trained and qualified on C.E.W. use as compared to 444 supervisors. For this reporting period, P.C.s accounted for 116 of 136 uses or 85.3% of use.

Comparison of Type of Use by P.C.s and Supervisors



The next table indicates the types of C.E.W. use by P.C.s as a number and a percentage. Police constables utilized the C.E.W. as a demonstrated force presence in 80 of 116 instances or 69.0% of the time. This can be attributed to P.C.s choosing to display a C.E.W. in lieu of resorting to empty-hand techniques or other intermediate force options to resolve potentially volatile situations. Given that C.E.W.s are more effective and less injurious than other intermediate force options, it is anticipated that there will be an increase in usage as more P.C.s become equipped with C.E.W.s.

Types of Use by P.C.s

| Use | # | % |
|-----------------------------|----------|----------|
| Demonstrated Force Presence | 80 | 69.0 |
| Drive Stun Mode | 5 | 4.3 |
| Full Deployment | 31 | 26.7 |
| Total | 116 | 100 |

The table below indicates the types of C.E.W. use by supervisors as a number and a percentage. Of the 136 uses of the C.E.W. during this reporting period, supervisors accounted for only 20 or 14.7% of total use with 55.0% of use being a demonstrated force presence.

Types of Use by Supervisors

| Use | # | % |
|-----------------------------|----------|----------|
| Demonstrated Force Presence | 11 | 55.0 |
| Drive Stun Mode | 2 | 10.0 |
| Full Deployment | 7 | 35.0 |
| Total | 20 | 100 |

C.E.W. Effectiveness:

Effectiveness is measured by the ability of officers to gain control of a subject while utilizing a C.E.W. For P.C.s, C.E.W. use has been shown to be 81.0% effective. Conducted energy weapon effectiveness for P.C.s is outlined in the following table.

C.E.W. Effectiveness for P.C.s

| Effectiveness | # | % |
|----------------------|----------|----------|
| Effective | 94 | 81.0 |
| Not Effective | 22 | 19.0 |
| Total | 116 | 100 |

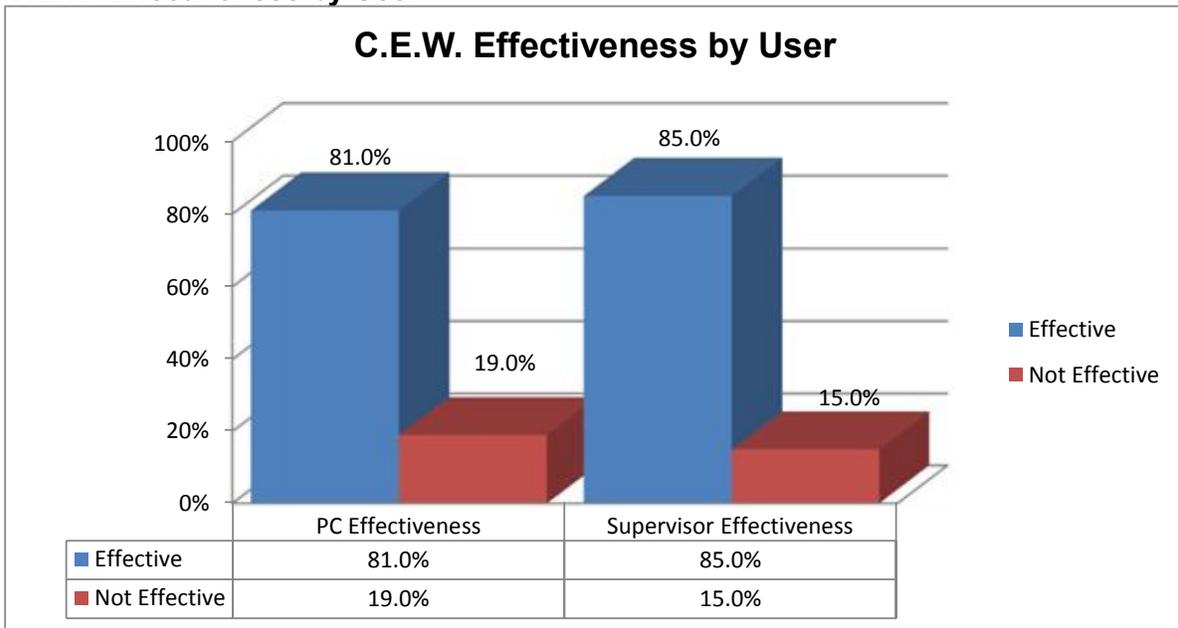
The following table indicates the effectiveness of C.E.W. use for supervisors. For supervisors issued with a C.E.W., its use has been shown to be 85.0% effective.

C.E.W. Effectiveness for Supervisors

| Effectiveness | # | % |
|---------------|----|------|
| Effective | 17 | 85.0 |
| Not Effective | 3 | 15.0 |
| Total | 20 | 100 |

The chart below provides a comparison of the effectiveness of the C.E.W. based on the user in percentage. For this reporting period, C.E.W. use has shown to be 85.0% effective for supervisors and 81.0% effective for P.C.s. Ineffectiveness may be caused by such variables as subjects wearing heavy clothing, C.E.W. probes missing their intended target or subjects ignoring a display of the device.

C.E.W. Effectiveness by User



Types of Use on Persons in Crisis (P.I.C.):

The next table indicates the types of C.E.W. use by P.C.s involving persons who were perceived to be in crisis and may or may not include the combined effects of alcohol and / or drugs. Of the 116 C.E.W. uses by P.C.s, 45 or 38.8% of use involved persons in crisis, with the majority of the incidents (68.9%) being a demonstrated force presence.

Types of Use on P.I.C. by P.C.s

| Use | # | % |
|-----------------------------|----|------|
| Demonstrated Force Presence | 31 | 68.9 |
| Drive Stun Mode | 1 | 2.2 |
| Full Deployment | 13 | 28.9 |
| Total | 45 | 100 |

The table below indicates the types of C.E.W. use by supervisors involving persons who were perceived to be in crisis and may or may not include the combined effects of alcohol and / or drugs. Of the 20 C.E.W. uses by supervisors, eight or 40.0% involved persons in crisis, with 62.5% of the uses being a demonstrated force presence.

Types of Use on P.I.C. by Supervisors

| Use | # | % |
|-----------------------------|---|------|
| Demonstrated Force Presence | 5 | 62.5 |
| Drive Stun Mode | 0 | 0.0 |
| Full Deployment | 3 | 37.5 |
| Total | 8 | 100 |

Of 136 C.E.W. uses involving front line P.C.s and supervisors, the number of uses of a C.E.W. involving persons in crisis was 53 or 39.0% of the total C.E.W. use. Of the 53 uses on P.I.C., 36 or 67.9% were a demonstrated force presence.

Effectiveness on P.I.C.:

The table below shows C.E.W. effectiveness involving persons in crisis by P.C.s. Of the incidents where the subjects were perceived to be P.I.C. and / or under the influence of drugs and / or alcohol, C.E.W. use by P.C.s was effective 84.4% of the time.

C.E.W. Effectiveness on P.I.C. by P.C.s

| Effectiveness | # | % |
|---------------|----|------|
| Effective | 38 | 84.4 |
| Not Effective | 7 | 15.6 |
| Total | 45 | 100 |

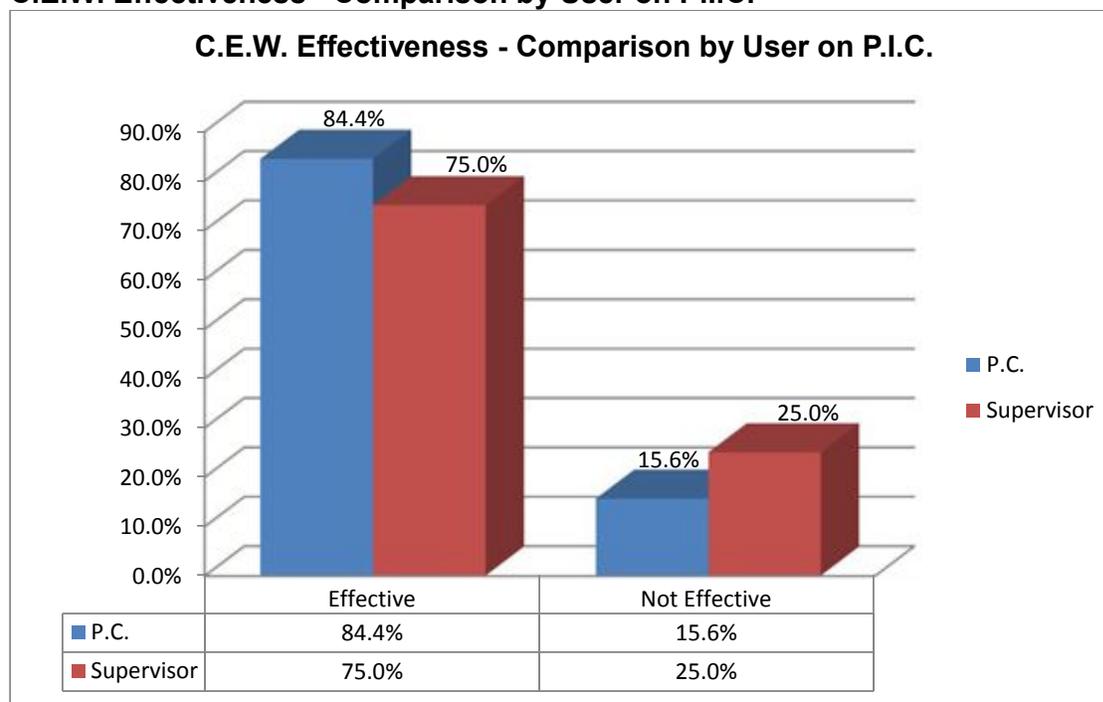
The table below shows the effectiveness of C.E.W. use involving persons in crisis by supervisors. Of the incidents where the subjects were perceived to be P.I.C. and / or under the influence of drugs and / or alcohol, C.E.W. use by supervisors was effective 75.0% of the time.

C.E.W. Effectiveness on P.I.C. by Supervisors

| Effectiveness | # | % |
|---------------|---|------|
| Effective | 6 | 75.0 |
| Not Effective | 2 | 25.0 |
| Total | 8 | 100 |

The next chart provides a comparison of C.E.W. effectiveness involving persons in crisis based on the user as a percentage. Although supervisors are often requested to attend the most serious of P.I.C. incidents where attempts by P.C.s to resolve situations peaceably have failed, they have maintained a relatively high level of effectiveness.

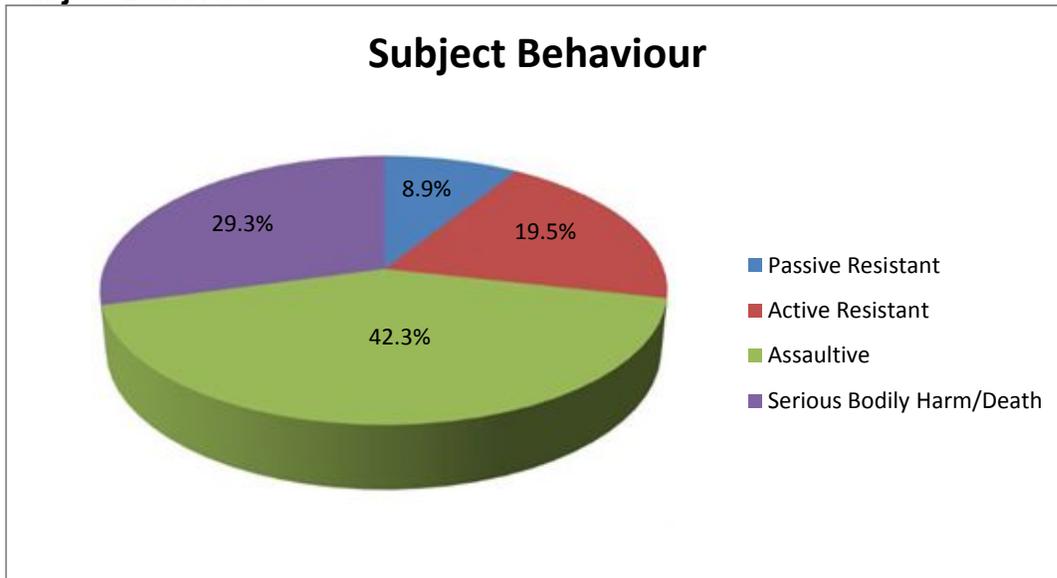
C.E.W. Effectiveness - Comparison by User on P.I.C.



Subject's Behaviour:

Subject Behavior during a C.E.W. incident is described in the context of the Ontario Use of Force Model (2004) under the categories listed in the following chart. This chart illustrates the types of behavior demonstrated by the subject, which resulted in the decision to utilize the C.E.W. and is represented as a percentage.

Subject Behaviour

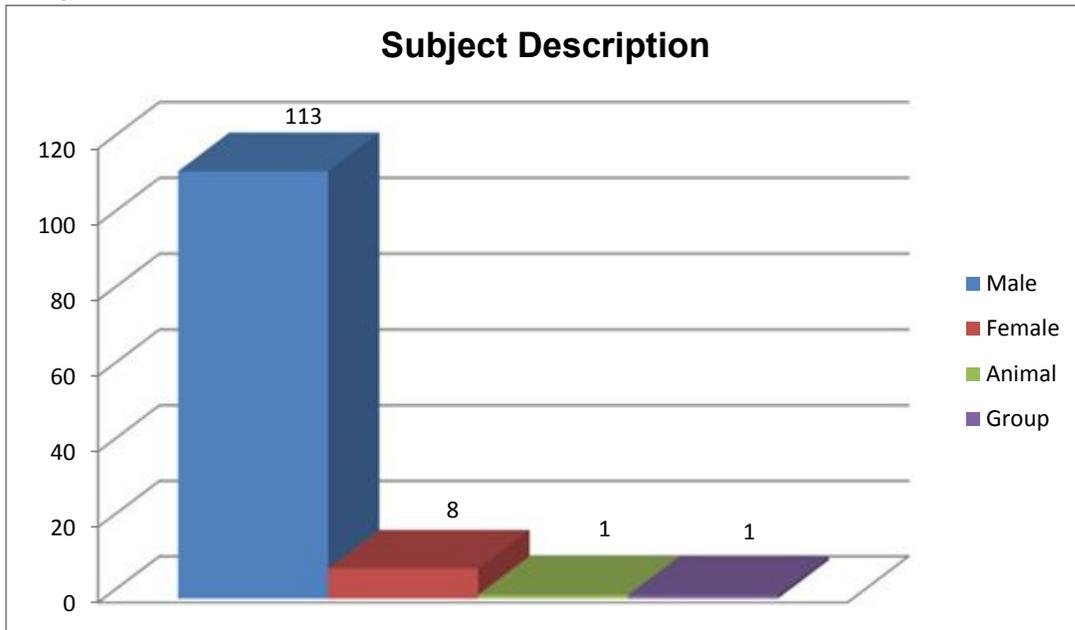


In 42.3% of all incidents where the C.E.W. was utilized, the subject displayed behaviour that the officer perceived to be assaultive. In 29.3% of the incidents, the subject exhibited actions that the officer reasonably perceived was intended to, or likely to cause serious bodily harm or death to any person, including the subject. In the previous quarterly period, subjects exhibited actions that officers perceived was intended to, or likely to cause serious bodily harm or death in 19.6% of incidents. This equates to almost a 10.0% increase this reporting period in situations where a C.E.W. was utilized and officers feared serious bodily harm or death to themselves, the subject or other members of the public.

Subject Description:

The chart found on the following page categorizes subjects by their perceived gender as a number. Of the 123 incidents involving C.E.W. use, 113 or 91.9% of incidents involved a subject who appeared to be male. As group incidents often involve multiple genders, it is given a category independent of any gender.

Subject Description



The table below categorizes subjects by their perceived gender as both a number and a percentage.

Subject Description

| Description | # | % |
|------------------|-----|------|
| Male | 113 | 91.9 |
| Female | 8 | 6.5 |
| Animal | 1 | 0.8 |
| Groups | 1 | 0.8 |
| Total Incident # | 123 | 100 |

Subject Age:

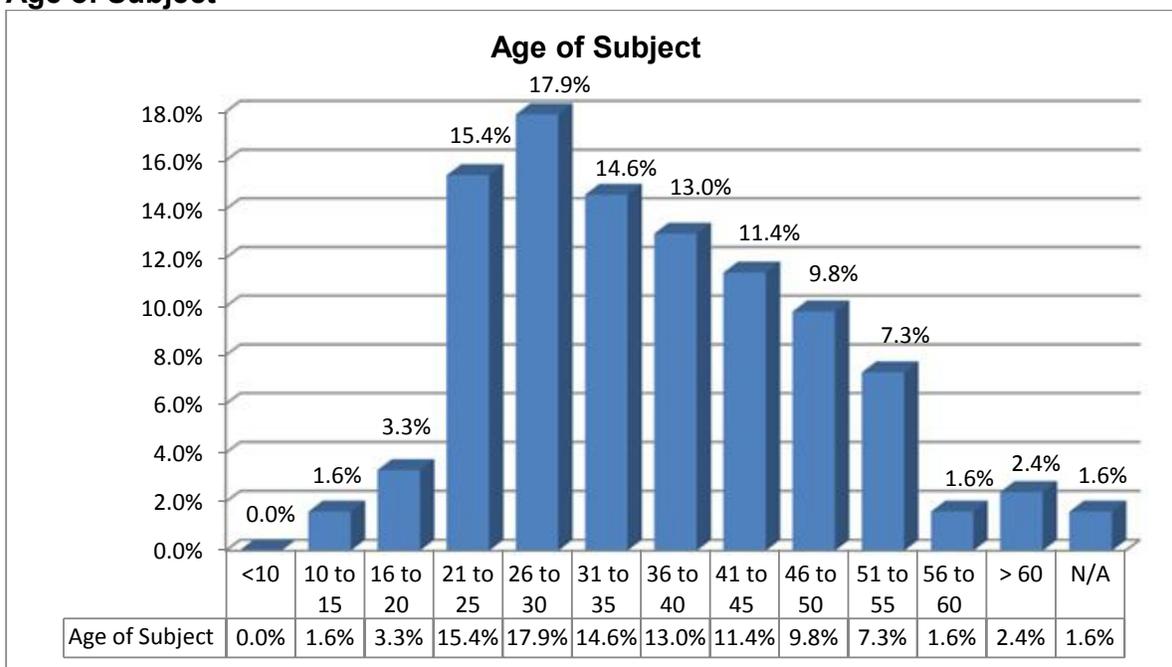
During this reporting period, the C.E.W. was used on a number of subjects who varied in age. The table found on the following page provides a summary of C.E.W. use based on subject age groups. Similar to the previous quarter, the highest use of the C.E.W. involved subjects in the 26 to 30 age group and equated to 17.9% of use. The 'not applicable' category includes one group and one animal incident.

Age of Subject

| Age of Subject | # | % |
|-------------------------|------------|------------|
| <10 | 0 | 0.0 |
| 10 to 15 | 2 | 1.6 |
| 16 to 20 | 4 | 3.3 |
| 21 to 25 | 19 | 15.4 |
| 26 to 30 | 22 | 17.9 |
| 31 to 35 | 18 | 14.6 |
| 36 to 40 | 16 | 13.0 |
| 41 to 45 | 14 | 11.4 |
| 46 to 50 | 12 | 9.8 |
| 51 to 55 | 9 | 7.3 |
| 56 to 60 | 2 | 1.6 |
| >60 | 3 | 2.4 |
| N/A | 2 | 1.6 |
| Total Incident # | 123 | 100 |

The below chart illustrates C.E.W. usage based on various age categories as a percentage. Almost half (47.9%) of C.E.W. use is within the 21 to 35 age range.

Age of Subject



Types of Use on Persons Age 20 and Under:

The next table indicates the types of C.E.W. use by P.C.s involving persons who were age 20 and under. Of the 116 C.E.W. uses by P.C.s, three or 2.6% of use involved persons age 20 and under, with 100.0% of the incidents being a demonstrated force presence.

Types of Use on Persons Age 20 and Under by P.C.s

| Use | # | % |
|-----------------------------|---|-------|
| Demonstrated Force Presence | 3 | 100.0 |
| Drive Stun Mode | 0 | 0.0 |
| Full Deployment | 0 | 0.0 |
| Total | 3 | 100 |

The table below indicates the types of C.E.W. use by supervisors involving persons who were age 20 and under. Of the 20 C.E.W. uses by supervisors, three or 15.0% involved persons aged 20 and under with each of the three categories having one use.

Types of Use on Persons Age 20 and Under by Supervisors

| Use | # | % |
|-----------------------------|---|------|
| Demonstrated Force Presence | 1 | 33.3 |
| Drive Stun Mode | 1 | 33.3 |
| Full Deployment | 1 | 33.3 |
| Total | 3 | 100 |

Of 136 C.E.W. uses involving front line P.C.s and supervisors, the number of uses of a C.E.W. involving persons age 20 and under was six or 4.4% of the total C.E.W. use. Of the six uses on persons age 20 and under, four or 66.7% were a demonstrated force presence. There were no injuries sustained as a result of C.E.W. use to any of the subjects age 20 and under.

20 Years and Under Summary

| Age | C.E.W. Use | Injured | Description |
|-----|------------|---------|---|
| 12 | DFP | No | Subject was holding a large knife to her own throat |
| 15 | DFP | No | Foot pursuit involving a subject with a knife |
| 16 | DSM | No | Subject being treated by paramedics became assaultive by kicking |
| 18 | DFP | No | Assaultive subject challenging solo officer to a fight |
| 20 | FD | No | Assaultive subject had rammed a police cruiser with their motorbike. |
| 20 | DFP | No | Subject with a knife in-hand was threatening the victim of a sexual assault |

Input from the Mental Health Community:

During a previous quarterly reporting period, members of the Board's Mental Health Sub-Committee, as well as other members of the community were solicited to provide their opinions and express their concerns with regard to C.E.W. expansion and the impact that it has had on people who are experiencing a mental health and / or addiction issues. Members of the T.P.S. Armament and Incident Response Training sections posed the following three questions during the March 22, 2019 community consultation day:

1. Have you noticed a difference from when only supervisors were issued C.E.W.s?
2. What are your concerns with regards to C.E.W. expansion?
3. How can the T.P.S. alleviate your concerns?

This community input was included in a previous quarterly report (Min. No. P142/19).

With the formation of the Board's Mental Health and Addictions Advisory Panel (M.H.A.A.P.), consultation with this panel on the format of the Annual C.E.W. report will take place at the next meeting, scheduled in March 2020. As such, the annual report will be submitted at the April 2020 Board meeting.

Input from the Anti-Racism Advisory Panel:

Input from the Anti-Racism Advisory Panel has yet to be solicited. The consultation format with the M.H.A.A.P. will be used for discussions with the Anti-Racism Action Program (A.R.A.P.)

Over-Reliance / Misuse of C.E.W.s:

Each use of a C.E.W. is reviewed by divisional supervisors, the Use of Force Analyst and the C.E.W. Review Team. Of the 136 uses during this period, two P.C.s were directed to attend the T.P.C. for remedial training. There were also three incidents involving the use of C.E.W.s by two P.C.s and one supervisor that instigated investigations of misconduct. Two of these incidents are still under investigation and one resulted in *Police Services Act* and criminal charges being laid against a P.C.

Toronto Police Service Procedures and Training:

As a result of expansion and with the overall objective of reducing deaths without increasing overall use of force, T.P.S. Procedure 15 – 09 Conducted Energy Weapon has had numerous amendments and additions which were discussed in the September 2018 Quarterly Report: Conducted Energy Weapons Use. There was a further update to this procedure during the May 2019 Quarterly Report: Conducted Energy Weapons Use reporting period, that being the prohibition of the deployment of a C.E.W. on an individual in handcuffs. While procedures are continually reviewed and modified to reflect current training and best practices, there were no updates during this reporting period.

The initial C.E.W. training for P.C.s is equivalent to that of supervisors, consisting of two 10-hour days of instruction by certified Ministry use of force instructors at the T.P.C. This training exceeds the provincial standard by eight hours. To augment training, the T.P.C. also added a one-hour on-line course that P.C.s are required to complete prior to attending the T.P.C. to ensure a general understanding of the function and application of C.E.W.s.

Spark test training has been augmented to address the increased number of unintentional discharges of C.E.W.s that occurred during previous reporting periods. Officers who have had an unintentional discharge are required to attend the T.P.C. for re-training and are now taught to use their thumb to conduct spark tests instead of their finger; a practice that was contributing to inadvertent trigger pulls resulting in cartridges being discharged into proving stations. This new method of spark testing is also being taught to all C.E.W. operators during the In-Service Training Program and has resulted in a significant reduction of unintentional discharges during this reporting period as compared to the previous two quarterly reporting periods. (see page 14)

Training that officers receive during the C.E.W. User Course and the In-Service Training Program emphasizes that de-escalation is to be attempted prior to utilizing any force option whenever feasible. De-escalation may include such techniques as verbal communication, containment, repositioning, teamwork, cover, time and distance. During this reporting period, officers indicated that they used one or more of these de-escalation techniques during 99.2% of incidents involving the use of a C.E.W. This indicates that officers are using good judgement to assess often volatile situations and are attempting to resolve their interactions with members of the public in a peaceable manner.

Increased Use of Force Reporting:

Police constables can now display a C.E.W. in lieu of resorting to empty-hand techniques to control a non-compliant or assaultive subject. There is no requirement to report the use of empty-hand techniques unless a subject is injured and requires medical attention. There is, however, a requirement to report the display of a C.E.W., which has resulted in an increase in the number of reportable use of force incidents.

When comparing the C.E.W. statistics for the current reporting period with the previous period, the number of C.E.W. uses has remained relatively stable. This is likely due to the fact that less P.C.s are being trained on C.E.W. use per quarter in 2019 as compared to 2018, when expansion to frontline P.C.s began. At the end of the previous reporting period, there were 1099 P.C.s trained and qualified to use the C.E.W. compared to 1285 P.C.s trained at the end of the current reporting period.

Unintentional Discharges:

Unintentional discharges occur when probes are fired from the C.E.W. cartridge due to officer error. During this reporting period there were seven unintentional discharges.

During these incidents, officers accidentally discharged the probes into proving stations while conducting their daily spark test at the commencement of their duties. All seven of these incidents were properly reported and the involved officers were directed to attend the T.P.C. for remedial training with a qualified C.E.W. instructor to review safe handling practices. Unintentional discharges can also occur due to a device malfunction. When applicable, this information will be reported on within the annual C.E.W. Board report.

In-Service Training Program:

The Board requested that the number of officers trained in the three-day de-escalation training (In-Service Training Program) in the last 12 months be included in this report. From August 15, 2018, to August 14, 2019, there were 3855 T.P.S. officers who received this training. This number does not include members who were trained but have since retired or resigned from the T.P.S.

Additional Discussion and Context:

T.P.S. members are dedicated to delivering policing services in partnership with our communities to keep Toronto the best and safest place to be. During each interaction with members of the public, officers strive to achieve the safest outcome for all parties involved. Expansion of C.E.W.s to frontline P.C.s has proven to be an extremely effective tool that has assisted in preventing injuries to subjects, police officers and members of the public.

Officers are trained to conduct a proper threat assessment to determine the amount of reasonable force necessary to resolve a given situation. Within this reporting period, there were 176,604 calls for service attended by the T.P.S. Conducted energy weapons were only used during 123 of these incidents, or 1 in 1,435 calls for service or 0.07 percent, for which only 38 required a full deployment.

During this quarter, there were 248,806 documented contacts with members of the public. These contacts were generated by the actions of T.P.S. members, as well as calls for service by citizens who work, visit or live in the City of Toronto, who felt that their safety was, or may have been, compromised.

There were a further 2,670 *Mental Health Act* (M.H.A.) apprehensions that took place during this quarter, 34 of which involved the use of a C.E.W. (1 in 79 or 1.2 percent). It is important to note that the C.E.W. is only utilized during a small fraction of all T.P.S. public contacts.

Furthermore, during this period there were 168 young persons under the age of 16 years who were arrested for *Criminal Code* and *Controlled Drugs and Substances Act* (C.D.S.A.) offences and 93 persons within this age group were apprehended under the

M.H.A. The C.E.W. was used twice as a demonstrated force presence during this period upon persons within this age group.

Also during this period, 652 young persons between the ages of 16 - 20 years were arrested for *Criminal Code* and C.D.S.A. offences and 282 persons within this age group were apprehended under the M.H.A. The C.E.W. was used four times during this period involving four persons between the ages of 16 - 20 years.

Conclusion:

This report provides a quarterly summary of C.E.W. use for frontline P.C.s and supervisors and covers the period of August 15th, 2019 to November 14th, 2019. While this quarterly report shows that P.C.s use of C.E.W.s is more frequent than that of supervisors, this continues to be an expected outcome of expansion. Frontline constables are typically the first responders to emergency (9-1-1) calls for service that often involve higher risk, where officers need to seek a balance between using minimal force required for the circumstances and using sufficient force to prevent unjustified harm by subjects. This balance requires the exercise of judgement often under great stress.

Police constables used demonstrated force presence in 69.0% of incidents where they felt that the use of a C.E.W. was the most viable and least injurious force option. This illustrates that they are making sound decisions and using only as much force as is necessary to resolve unpredictable and often perilous situations.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

January 10, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Annual Report: 2019 Parking Enforcement Unit – Parking Ticket Issuance

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- (1) receive the following report; and
- (2) forward a copy of this report to the City of Toronto (City) General Government and Licensing Committee, for its meeting in April 2020, to be considered in conjunction with the City of Toronto 2019 Parking Ticket Activity Report.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report.

Background / Purpose:

This report provides information on the Parking Enforcement Unit (P.E.U.) achievements, activities and annual parking ticket issuance during the year 2019 (Appendix A).

Discussion:

The P.E.U. reports annually on parking ticket issuance by Parking Enforcement Officers (P.E.O.), Municipal Law Enforcement Officers (M.L.E.O.) and Police Officers. The City of Toronto requests this information for use during the annual budget process.

Since 2014, the City has continued to make a number of administrative and operational changes that impact service delivery of parking enforcement services in the City of Toronto. P.E.U. has worked diligently, in partnership with City staff, to align its operations in support of these significant program changes which in many cases have expanded the activities of P.E.U. These initiatives included:

- Implementation of a 10 minute bylaw exemption for pay and display parking;
- Implementation of an enhanced rush hour parking enforcement initiative with increased hours of operation;
- Increases in various parking fines, including rush hour route specific parking offences;
- Implementation of a habitual offender towing program;
- Implementation of dedicated zones for delivery vehicle parking;
- Continuation of bicycle lane and cycle track expansion;
- Implementation of on street Mobile Payments for pay and display parking by the Toronto Parking Authority; and
- Implementation of the King Street pilot project program in which traffic and parking regulations were redefined.

Mobile payments for on-street paid parking has been in continuous operation since its launch in October 2016. The initiative offers the public a convenient option to pay for parking using a mobile device, and as such, is achieving increased motorist compliance to on-street parking areas. The T.P.S. worked together with the Toronto Parking Authority to successfully launch this project. This option continues to make payment for parking more convenient to the public, with ticket issuance showing higher public compliance.

Rush hour enforcement initiatives, bylaw changes and fine increases continues to have an impact on public behaviour and appears to be achieving increased motorist compliance with some of the municipal parking bylaws. These issues, in combination with deployment strategies aimed at supporting City anti-congestion initiatives, also have a related impact to enforcement numbers and the types of tickets issued. It is important to note that many of these initiatives are more time consuming which detracts from general routine patrol time. Continuing this achievement of increased compliance to parking regulations, in support of safety, traffic flow and congestion related initiatives, is dependent on maintaining a high visibility of uniformed P.E.O.s in the field.

In spite of the program expansion, the P.E.U. delivered on key accomplishments through the provision of operational support to the Toronto Police Service (Service) (Appendix A) and interoperability with some very successful City initiatives which are discussed in this report.

Annual Parking Ticket Issuance:

Preliminary information indicates total parking ticket issuance is estimated to be 2,219,544 in 2019, which is an increase of 174,046 over 2018 issuance numbers. Total

parking ticket issuance includes tags issued by P.E.O.'s, M.L.E.O.'s, and police officers. The final parking ticket issuance numbers will be presented by the City Parking Ticket Operations in its 2019 Annual Parking Ticket Activity Report, once all data is captured and reconciled.

The following is a breakdown of the parking ticket issuance estimates by group:

Table 1: Parking Tag Issuance Summary 2019

| Group | Tags Issued |
|------------------------------------|------------------------|
| Parking Enforcement Unit | 1,938,902 |
| Municipal Law Enforcement Officers | 272,442 |
| Police Officers | 8,200 |
| Total Parking Tag Issuance | 2,219,544 ¹ |

Calls for Service:

The P.E.U. responded to 181,851 calls for parking related service from members of the public which is up by 14.2% over the previous year. The attendance to these calls by civilian P.E.O.'s alleviates pressure on the Service as a whole and allows police officers to focus on core policing duties. The Unit's M.L.E.O. program has successfully serviced a large volume of customized enforcement on private property, which would otherwise detract P.E.O.s from focusing upon on-street enforcement activities.

Rush Hour Offences and Bicycle Lanes:

In 2019, the P.E.U. issued 71,932 rush hour offence tickets for the rush hour peak period bylaw in support of the congestion and traffic flow initiatives and a total of 13,820 vehicles were towed from rush hour routes. The P.E.U. issued 6,734 bike lane offence tags in support of safe cycling in the City in an effort to increase public compliance and improve road safety.

Habitual Offender Towing:

The City defines a habitual offender as a vehicle that has three or more parking tickets that have been outstanding, with no action taken, in excess of 120 days. P.E.O.'s towed a total of 1,262 vehicles under this initiative, including 1,150 Ontario plates and 112 out-of-province plates. The City reports that this enforcement initiative has continued to positively affect their collection rates for parking tickets.

Towing, Vehicle Relocations and Stolen Vehicle Recovery:

¹ Preliminary numbers – final numbers to be reported by the City after complete data capture and reconciliation.

Members of the P.E.U. were responsible for towing a total of 23,107 vehicles, including 592 that were without properly registered plates. A total of 3,113 vehicles were relocated to assist with Queen Street relocation project, Toronto Transit Commission (T.T.C.) subway closures, snow removal, forestry operations, the clearing of parade routes and special events management. P.E.O.'s also recovered 860 stolen vehicles, in support of the Services crime management initiatives.

Accessible Parking:

The P.E.U. retained 544 Accessible Parking Permits for investigation of possible misuse. The P.E.U. laid 479 *Highway Traffic Act (H.T.A.)* charges in this regard. These efforts are in support of maintaining the integrity of the Accessible Parking Program and ensuring parking spaces are available for use by members of the public who have valid Accessible Parking Permits.

Training of M.L.E.O.:

The P.E.U. trained and certified 656 M.L.E.O.'s, pursuant to the Toronto Municipal Code. The M.L.E.O.'s work for agencies providing parking enforcement on private property. All ticket revenue derived from the issuance of these parking tickets goes directly to the City. The training and oversight of these M.L.E.O.'s has allowed P.E.O.'s to focus their efforts on public streets as opposed to responding to additional private property calls for service.

Staffing Levels:

In 2018, the P.E.U. was understaffed for the entire year due to a moratorium on hiring throughout 2016 and 2017. The P.E.U. commenced P.E.O. hiring in May 2018 and met hiring goals in December 2018, which positioned the P.E.U. at or near strength, although still below the historic position of established strength plus 25 P.E.O.'s. Historically, the P.E.U. has adopted the strategy, in consultation with the Services Budgeting and Financial Analysis, to operate at approximately 25 P.E.O.'s over strength at the beginning of the year in order to mitigate staff attrition and separation impact on enforcement and service delivery. In 2019, the P.E.U. continued the hiring process to return to its historic staffing strategy since the Services recent hiring initiatives have accelerated P.E.O. separations. The Service's hiring initiatives have led the P.E.U. to remain as one of the recruiting grounds for other areas of the Service including Constable, Special Constable, Court Officer, Communications, and civilian support. The P.E.U. anticipates hiring another P.E.O. class in the first quarter of 2020. A new P.E.O. recruit requires approximately eight weeks of in-class and practical training before assuming full enforcement duties.

Parking Pilot Downtown:

In 2018, the P.E.U. implemented a downtown pilot project. This project was designed to utilize the current resources within the P.E.U. and to create a central sub unit situated within the downtown core at Traffic Services, located at 9 Hanna Avenue. The new sub unit, Parking Enforcement Central (P.K.C.), moved P.E.O.'s closer to the areas where they are needed to address the majority of parking concerns, reducing travel time to deployment locations and increasing available enforcement time. P.K.C.'s primary mandate focuses on clearing the rush hour routes within 14 Division, 51 Division and 52 Division.

The P.K.C. pilot project began on September 24th, 2018, and further increased with more personnel added in 2019. The P.K.C. is comprised of a total of three (3) teams, each consisting of two (2) Patrol Supervisors and twenty to twenty-five (20-25) P.E.O.'s. The future goal of the P.E.U. is to station more officers closer to the downtown core, which is the area where the majority of traffic enforcement is conducted.

Conclusion:

The P.E.U. continues to contribute positively to the achievement of the goals and priorities of the Service by:

- ensuring the safe and orderly flow of traffic;
- ensuring enforcement is fair and equitable to all;
- providing a visible uniform presence on the streets;
- ensuring positive outreach to the community through public awareness campaigns and education programs; and
- ensuring interoperability with other Units throughout the Service and City departments.

The parking ticket issuance for 2019 is estimated to be 2,219,544, which is an increase of 174,046 over 2018 issuance numbers. The City will report the final parking ticket issuance numbers in its 2019 Annual Parking Ticket Activity Report once all data is captured and reconciled.

Rush hour enforcement initiatives, by-law changes and fine increases have an impact on public behaviour and appear to be achieving increased motorist compliance with some of the Municipal parking bylaws. This, in combination with deployment strategies aimed at supporting City anti-congestion initiatives, also has a related impact to enforcement numbers and the types of parking tickets issued.

The P.E.U. continues to work with City staff and other Units throughout the Service in order to ensure a successful overall parking program, including effective service delivery to the many communities throughout the City. The P.E.U. is focused on the continued compliance to the parking regulations in support of safety, traffic flow and

congestion related initiatives. Continued compliance, however, is dependent on the deployment of highly visible P.E.O.s in the field and in our neighbourhoods.

Deputy Chief Peter Yuen, Communities and Neighbourhoods Command, will be in attendance to answer any questions the Board may have concerning this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

Appendix “A”

| Parking Enforcement Unit | 2017 | 2018 | 2019 |
|---|-------------|-------------|-------------|
| Parking Ticket Issuance – P.E.O.s | 1,926,330 | 1,823,550 | 1,938,902 |
| Parking Ticket Issuance – P.E.O.s, M.L.E.O.s, P.C.s | 2,146,868 | 2,045,498 | 2,219,544* |
| Processable Ticket Rate P.E.O.s | 99.9% | 99.9% | 99.9% |
| Absenteeism (Short-term sick) | 4.3% | 4.6% | 3.8% |
| Calls for service received | 159,175 | 159,255 | 181,851 |
| Stolen Vehicles Recovered | 871 | 901 | 860 |
| Stolen Autos Recovered - Street Sweeper | 623 | 557 | 364 |
| Stolen Autos Recovered – P.E.O.s | 248 | 344 | 496 |
| Hours Spent on Stolen Vehicles Recovered | 1,304 | 1,531 | 1,494 |
| Stolen Plates Recovered | 115 | 119 | 83 |
| Hours Spent on Stolen Plates Recovered | 133 | 183 | 123 |
| Vehicles Scanned by Street Sweeper | 3,411,019 | 3,335,513 | 2,293,399 |
| Vehicles Towed | 32,387 | 27,766 | 23,107 |
| Habitual Offenders Towed | 6,162 | 4,377 | 1,262 |
| Assistance to T.P.S. Units | | | |
| Unplated Vehicles Towed | 720 | 602 | 592 |
| Directed Patrol Requests from Other Police Units | 75 | 119 | 172 |
| Arrest Assists | 26 | 14 | 28 |
| Assaults | 45 | 20 | 21 |
| Language Interpretations | 29 | 31 | 37 |
| Hours Spent on Language Interpretations | 55 | 66 | 63 |
| Disabled Permits Retained | 927 | 818 | 544 |
| Disabled Permits Cautioned | 13 | 54 | 47 |
| H.T.A Charges (Disabled Permits) | 767 | 764 | 479 |
| Special Events | 256 | 338 | 260 |
| Hours Spent On Special Events | 9,340 | 6,735 | 8,607 |
| Vehicle Relocations | 2,301 | 1,932 | 3,113 |

*Preliminary numbers – final numbers to be reported by City of Toronto after complete data capture and reconciliation.



Toronto Police Services Board Report

April 21, 2020

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

**Subject: Traffic Enforcement and Collision Reporting Processes
Relating to Cyclists in the City of Toronto**

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- 1) receive this report for information; and
- 2) forward this report to the City Infrastructure and Environment Committee.

Financial Implications:

There are no financial implications relating to the recommendations in this report.

Background / Purpose:

This report responds to the Board motion from its October 22, 2019 meeting which directed the Chief of Police to:

- 1) review enforcement processes for traffic collisions involving cyclists;
- 2) clarify reporting procedures for traffic collisions involving motor vehicles and cyclists; and
- 3) to forward any recommended actions or findings to the Board for its consideration to support the implementation of Vision Zero 2.0.

Discussion:

Traffic Enforcement Targeting Driving Behaviours Impacting Cyclist Safety

The Toronto Police Service (Service) made a commitment to support the five-year (2017-2021) City of Toronto Vision Zero Road Safety Plan (Vision Zero) in January 2017. The main focus of Vision Zero is to reduce collisions that result in loss of life or serious injuries on our streets. The Service has supported all initiatives related to Vision Zero since its inception. The role of the police in Vision Zero is primarily enforcement and education focused. Incorporated in this road safety plan is a focus on police enforcement targeting motorists behaviours that impact cyclist safety such as improper use of bicycle lanes, 'dooring', aggressive driving, speeding, and distracted driving.

Traffic enforcement is a responsibility of all frontline uniform police officers working in the various Toronto Police Service divisions and the specialized Traffic Services unit. Enforcement activity is directed to specific neighbourhood complaints through local divisional crime, traffic, and disorder management processes and more broadly across the city through corporately directed programs coordinated by Traffic Services. The Service's efforts in support of Vision Zero are corporately coordinated through Traffic Services and these include intelligence-led enforcement initiatives intended to address Vision Zero specific concerns relating to what are commonly known as "The Big 4" offences; speeding, aggressive driving, distracted driving, and impaired driving. "The Big 4" offences address those behaviours that are most frequently the underlying causes of collisions, particularly the most serious collisions.

At its November 21, 2019 meeting, the Board adopted a motion to create a Vision Zero-specific enforcement team. This permanent team will directly support the Service's commitment to Vision Zero 2.0 and will provide dedicated, intelligence-led traffic enforcement services addressing "Big 4" offences across the City of Toronto. The team will be comprised of experienced traffic police officers assigned to Traffic Services. The team will be fully funded by the Vision Zero 2.0 program from which the City has allocated \$1.0M to this project for January to December 2020.

This initiative was commenced on January 6, 2020 utilizing Traffic Services officers on a callback (overtime) basis. As frontline staffing goals across the Service are realized, Traffic Services uniform staffing will be increased to allow the permanent formation of this team. It is planned that the team will be fully staffed and permanently in place by Q4/2020.

The team will be highly visible, proactive and engaged in high collision corridors, community safety zones, and high speed areas focussing on offences such as speeding, distracted driving, and aggressive driving because such behaviours put vulnerable road users like cyclists and pedestrians at elevated risk. The team will be strategically

deployed throughout the city using enforcement and communications to effect positive change and improve driver behaviour. Messaging will focus on road safety issues such as the “1 meter rule” for passing cyclists, unsafe turns and other maneuvers, prevention of “dooring” incidents, and proper use of designated bike lanes. This initiative will complement the existing data-driven traffic enforcement methodology, community traffic complaint investigation, educational work, planned traffic safety campaigns (listed in the chart below) and partnership efforts with Toronto Transportation and external road safety partners.

| 2020 Traffic Safety Campaigns | Focus |
|--|------------------------|
| Pedestrian Safety Campaign | “Big 4” / Pedestrians |
| Distracted Driving Campaign | Distracted Driving |
| Are you FOCUSED | Vulnerable Road Users |
| March Break - March Safe | “Big 4” |
| Slow Down Toronto | Speed |
| Bicycle Safety Week | “Big 4” / Safe cycling |
| Canada Road Safety Week | “Big 4” |
| S.P.A.C.E. to Cycle Campaign | ”Big 4” / Safe cycling |
| BIG 4 Traffic Services Initiative | “Big 4” |
| Your Streets Your Safety Summer Campaign | “Big 4” |
| Back to School Campaign | “Big 4” |
| Operation Impact | “Big 4” |
| Holiday RIDE Program | Impaired Driving |

All Service traffic campaigns are accompanied by a comprehensive communications strategy that supports enforcement efforts by raising awareness through media opportunities, social media processes and targeted community engagement. Key messages are created and strategically utilized throughout each initiative to maintain traction and momentum. The Safety, Prevention, Awareness, Courtesy, and Education (S.P.A.C.E.) to Cycle initiative is an excellent example of how enforcement and effective communications strategies are brought together to effect positive change in driver behaviour and raise awareness regarding cyclist-specific safety concerns.

Further to the staffing discussion above, it is also important to note that the Service continues to move in a positive direction towards a 70:30 staffing model (70% reactive/ 30% proactive) that will positively impact traffic enforcement performance. Traffic enforcement activities are fundamental uniform policing responsibilities that take time. As progress is made towards the 70:30 model, officers in frontline divisions will be provided the necessary time in their work day to more effectively engage in proactive, directed traffic enforcement responsibilities in line with corporate and local priorities. It is anticipated that this approach will result in safer roads and enhanced public satisfaction.

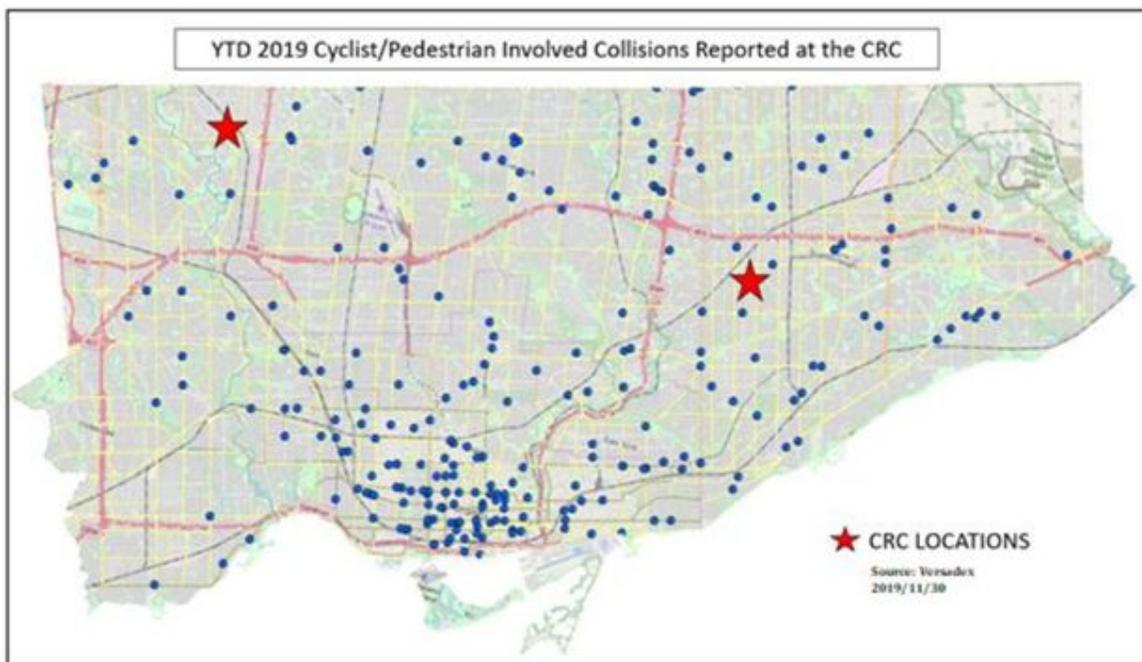
Reporting Procedures for Traffic Collisions involving Motor Vehicles and Cyclists

Concerns have been raised recently by members of Toronto's cycling community regarding two specific issues relating to the reporting of bicycle-involved collisions. The first involves the reporting of "doorings" incidents (collisions involving cyclists being struck by the opening of the door of a parked motor vehicle). The second involves accessibility. Cyclists have expressed concerns that existing Collision Reporting Center (C.R.C.) locations in Toronto are located away from the city's downtown core, the area of the city with the highest geographic density of bicycle collisions. Both of these concerns will be addressed in the following paragraphs.

In recent years, "doorings" have been the subject of some debate, due to the manner in which the Service records them and shares the pertinent information with those involved. Doorings are not in fact motor vehicle collisions under provincial legislation and because of this, parties involved in such incidents are not compelled by law to provide their particulars or insurance information to one another. While the Service officers do attend and take reports in these incidents, they are incident reports and not motor vehicle collision reports. A collision report cannot be used to record dooring incidents nor can a party involved in such an incident be compelled to provide their personal identifiers or insurance information to one another. The Service cannot supply such information to the involved parties because of the lack of a legal requirement on the involved parties to do so with each other. When these reports are requested from the Service by those involved or others representing them, they are redacted to protect personal identifiers in line with direction provided by the Information and Privacy Commissioner. The redacted portions include all of the information required and being sought by the involved party in order to make an insurance or legal claim. The Service has undertaken to address this legislative gap with the provincial Ministry of Transportation however it is anticipated that such legislative change could take many months if not years to complete. The Service is also planning to bring this matter to the attention of the Information and Privacy Commissioner in order to seek an exemption.

The existing Toronto C.R.C.s are located at 113 Toryork Road in North York and 39 Howden Road in Scarborough. The concerns expressed are valid. These locations are owned by Accident Support Services International Limited (A.S.S.I.) and are operated in partnership with the Service through a contracted service arrangement. While the locations are easily accessible by motorists, they are not easily accessed by a pedestrian or cyclist. They are accessible by public transit however some may argue that from the downtown core such a trip via transit would be time consuming.

There were 421 collisions involving pedestrians and cyclists reported at the C.R.C. sites in 2019. As of April 17, 2020, 68 pedestrian and cyclist-involved collisions had been reported at the C.R.C. sites. The map below shows the geographic coordinates of these collisions throughout the City of Toronto. As the map indicates, the downtown core represents a more dense distribution of C.R.C. reported pedestrian and cyclist-involved collisions. As the C.R.C. facilities are located in the northeast and northwest areas of the city, physical attendance by involved pedestrians and cyclists may present legitimate challenges for them in accessing these services.



The majority of collisions reported by pedestrians and cyclists in the City of Toronto are investigated by police officers at the scene of the collision, subject to defined criteria that govern the manner of police response.

Toronto Police Service Policy and Procedure 07-01:Transportation Collisions directs officers to attend the scene and conduct an investigation, complete all reports, and lay charges for all collisions where the following criteria exist:

- when an injured involved party requires transportation by Toronto Paramedic Services (Paramedics) immediately following the investigation;
- death;
- suspected or reported criminal activity;
- suspected or known consumption of alcohol/drugs by involved drivers;
- a vehicle transporting a load of dangerous goods where the load has been compromised;
- a person who is found to be suspended, unlicensed, or not within the class of motor vehicle being operated;
- a motor vehicle found to be without insurance through admission or verification that no insurance exists (excludes simply not having valid insurance card at the scene);
- collisions that are reported and/or have occurred between 00:00 and 06:00 hours where the vehicle is not driveable;
- pedestrian, cyclist and wheeled devices, however, when not reported at the scene of the collision, may be referred to the C.R.C. for the report to be taken;
- any collision originally sent to the C.R.C. where the injured driver requires hospitalization prior to the completion of the C.R.C. investigation.

Any collision not meeting the above criteria can be referred to the C.R.C. For example, collisions where there are either no injuries or injured parties are not transported by paramedics to hospital immediately following the investigation, or where a cyclist/pedestrian leaves the scene of the collision and reports it to police from elsewhere at a later time. These exceptions are important to note in the context of this report. If the parties involved are not transported to hospital, the collision has resulted in either no injury or minor injury, and it is felt that the parties involved would have the ability to attend a C.R.C. location and report the matter. Further, if the parties have left the scene of the collision prior to police arrival and are attempting to report the matter from elsewhere at a later time, there is no or virtually no investigative benefit to be derived from police attendance at the reporting location. Due to these factors, cyclist and pedestrian-involved collisions not meeting the criteria above have historically been required to attend local C.R.C.s for the filing of the report.

In 2019, 684 cyclists were involved in reported traffic collisions in the City of Toronto. The Service attended and conducted an investigation at the scene of 516 of these collisions, laying charges in 263 investigations. While officers are mandated to attend the scene and conduct an investigation of cyclist-involved collisions, some of these collisions are reported to a C.R.C. (253 such collisions reported in 2019) because the involved

parties had left the scene of the collision before reporting it to an officer. As of April 17, 2020, 77 cyclist-involved collisions had been reported to the Service with 70 of those investigations being conducted at the scene.

Reporting statistics for pedestrian and cyclist-related collisions have remained relatively unchanged over the past three years. Between 75% and 86% of all pedestrian and cyclist-involved collisions receive an at-scene investigation by a police officer. The remaining collisions are referred to the C.R.C. because the matter was not reported to police from the scene.

| | 2017 | | 2018 | | 2019 | | 2020** | |
|-------------------------------|-------------|------------|-------------|------------|-------------|------------|------------|-----------|
| | Pedestrian | Cyclist | Pedestrian | Cyclist | Pedestrian | Cyclist | Pedestrian | Cyclist |
| At Scene Investigation | 1655 | 724 | 1548 | 584 | 1330 | 516 | 314 | 70 |
| C.R.C. Investigation | 276 | 195 | 245 | 151 | 253 | 168 | 61 | 7 |
| Total Collisions | 1931 | 919 | 1793 | 735 | 1583 | 684 | 375 | 77 |

| | | | | | | | | |
|--------------------|-----|-----|-----|-----|-----|-----|-----|-----|
| % at Scene | 86% | 79% | 86% | 79% | 84% | 75% | 84% | 91% |
| % at C.R.C. | 14% | 21% | 14% | 21% | 16% | 25% | 16% | 9% |

2020 YTD: 2020/04/17

A.S.S.I. is the company contracted to provide C.R.C. services for the Service. For the past several months A.S.S.I. has been working in partnership with Service members to implement an online remote entry option/application intended to better serve pedestrians and cyclists involved in collisions that have not remained on the scene for police attendance but still wish to make a report. The online collision form will be accessible via any mobile device. It will be available in multiple languages and is designed to follow web content accessibility guidelines and principles. Citizens encountering difficulty completing the form online would have access to live support via a toll free phone number provided by A.S.S.I. between 0600 hrs and 0000 hrs, 365 days a year. This remote entry option is still under development but is anticipated to rollout in mid- 2020 on a pilot basis.

While an online reporting option will provide a convenient reporting method for pedestrians and cyclists involved in collisions, it may also provide an opportunity for exaggerated or fraudulent reporting. Efforts have been undertaken by A.S.S.I. and the Service in collaboration with the insurance industry to ensure that controls are in place to limit the potential for inaccurate reporting, however it is recommended that this process be implemented as a pilot project only until such time that it can be fully evaluated to ensure accuracy and impact. The Service is interested in exploring the potential of online collision reporting in a broader sense however this must be done in a cautious manner due to the concerns stated. A limited pilot such as this is an excellent opportunity to provide improved service to the people of Toronto while learning more about online reporting and managing the downside risk.

To support the implementation of mobile device reporting, an A.S.S.I. collision reporting kiosk will also be installed in the publicly accessible front foyer of Traffic Services at 9 Hanna Avenue in Liberty Village. It is anticipated that this reporting option would support those that may not feel comfortable with an online reporting option and may wish to make their report in a police facility. Liberty Village is easily accessed by public transit, pedestrians, and cyclists and is located within the City's downtown core. It is proposed that a support staff member from A.S.S.I. would be on site at the kiosk location to provide user assistance in the reporting process and to make the kiosk independent and self-sufficient. The installation and operation of this reporting kiosk, the supplemental A.S.S.I. staffing, and the A.S.S.I. support phone line will be provided by A.S.S.I. at no expense to the Service but subject to a Memorandum of Understanding Agreement (M.O.U.) beyond the scope of the existing contract between A.S.S.I. and the Board. This M.O.U. agreement is currently being reviewed.

It is proposed that the use of the reporting kiosk and mobile reporting options would be restricted to the following conditions:

- reports will only be accepted from a pedestrian or cyclist involved in a collision in the City of Toronto where the collision was not reported to the police from the scene (pedestrians and cyclists are encouraged first and foremost to report the collision from the scene and wait at the site for a police officer to attend and conduct an investigation);
- drivers of motor vehicles will not be permitted to use the mobile reporting or kiosk reporting options;
- only pedestrians or cyclists with minor or no physical injury will be entitled to report their collision in this manner (injury status as defined by the Ministry of Transportation Ontario as "none, minimal or minor"); and
- only bicycles without licence plates will be entitled to report their collision in this manner (collisions involving motorized bicycles cannot be reported through a kiosk or via the mobile reporting application).

Conclusion:

This report is intended to clarify enforcement and reporting processes related to collisions involving cyclists. As suggested above, it is felt that the development of an online reporting tool supported by a downtown reporting kiosk location would provide improved access to collision reporting services for pedestrians and cyclists involved in collisions in the City of Toronto under certain circumstances. Particularly in collisions where such vulnerable road users receive injuries beyond those that would be considered none, minimal, or minor, it is felt that existing police response and reporting protocols should be maintained.

Deputy Chief Shawna Coxon, Communities and Neighbourhoods Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original with signature on file at Board office



Central Joint Health and Safety Committee

PUBLIC MINUTES

**Toronto Police Association
200-2075 Kennedy Road, Board Room
Thursday, February 6, 2020
1:00 PM**

Meeting No. 69

Members Present:

Jim Hart, Chair TPSB & Co-Chair, CJHSC
Jon Reid, Director, TPA & Co-Chair, CJHSC
Deputy Chief Barbara McLean, TPS, Command Representative

Absent:

Brian Callanan, TPA & Executive Representative

Also Present:

Rob Duncan, Safety Planner & Program Coordinator, Wellness Unit
Ivy Nanayakkara, Manager, Wellness Unit
Claire Wagar, Executive Assistant, TPA

Chair for this Meeting: Jon Reid, Director, Toronto Police Association, and
Co-Chair, Central Joint Health and Safety Committee

Opening of the Meeting:

1. Co-Chair, Jon Reid, welcomed the group to the meeting and called the meeting to order.
2. The Committee approved the public and confidential Minutes from the meeting that was held on December 18, 2019.

The Committee considered the following matters:

3. REVIEW OF TERMS OF REFERENCE – 2019 REVIEW

Co-Chair, Jim Hart, recommended that the Committee review the Terms of Reference relative to its oversight responsibilities to the local joint health and committees. Mr. Hart further suggested that the Committee continue to schedule tours of newly opened TPS facilities as well as host some of its meetings at various TPS Units and Divisions. Mr. Hart said that this would allow members of local committees an opportunity to observe the work of the CJHSC and would provide valuable insight as well as an educational experience.

| | |
|---------------|--|
| Status | Resolved |
| Action | The Committee agreed that this item has been resolved and there is no action required at this time. |

4. REVIEW OF OCCUPATIONAL HEALTH AND SAFETY POLICY – 2019 REVIEW

Mr. Duncan advised the Board's Occupational Health and Safety Policy was last reviewed and endorsed by the Committee last year. The only recommendation for the current review was that, as recommended in the audit, a signature line at the corporate level should be added. This recommendation was accepted and will be actioned.

| | |
|---------------|---|
| Status | Resolved - This will require the production of a new version of the policy with a signature line, to be signed by the Chief and the Chair. |
| Action | The Committee agreed that this item has been resolved and there is no action required at this time. |

5. FULL BODY SCANNERS

Mr. Duncan advised the Committee that the Board is expecting a report from the Chief with respect to this matter and that there is no new update to report to the Committee at this time.

| | |
|---------------|--|
| Status | Ongoing |
| Action | Deputy Chief McLean to provide update at the next meeting |

6. RESPIRATORY PROTECTION MASKS

Mr. Duncan said the call for pricing submissions closed on February 5, 2020 and a successful vendor will be identified once all submissions have been reviewed

The COVID-19 issue has increased the degree of urgency associated with the fit testing program. Mr. Duncan met with the Executive Officers from each Command on February 5th to discuss the implementation plan and next steps.

| | |
|---------------|--|
| Status | Ongoing |
| Action | Mr. Duncan to provide an update at the next meeting |

7. BOOTLEG PROTECTORS

Mr. Duncan advised the Committee that he met with representatives from 54/55 Division and identified the preferred model for testing. The boot protector selected was found to be the easiest to put on and allowed for more traction under the boot.

Mr. Duncan said that the pilot plan was defined and an order has been placed for the inventory required to facilitate the implementation. Mr. Duncan further explained that boot protectors in a range of sizes will be supplied for each scout car, with an additional supply at each location and that the Divisional Planner will track usage.

Mr. Duncan said that the length of the pilot is scheduled for 3 months during which time initial feedback and usage data will be collected and reviewed.

| | |
|---------------|---|
| Status | Ongoing |
| Action | Robert Duncan to provide an update at the next meeting |

Next Meeting:

Date: Monday, May 4, 2020

Time: 1:00PM

Location: Teleconference

Members of the Central Joint Health and Safety Committee:

| | |
|---|--|
| Jim Hart, Co-Chair Toronto Police Services Board | Jon Reid, Co-Chair Toronto Police Association |
| Barbara McLean, Command Representative, Toronto Police Service | Brian Callanan, Executive Member Toronto Police Association |



Toronto Police Services Board Report

October 30, 2019

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2018.58

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) is notified of an incident involving serious injury or death, provincial legislation directs that a chief of police shall conduct an administrative investigation.

Ontario Regulation 267/10, Section 11(1) states:

“The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the S.I.U. has been notified, subject to the S.I.U.’s lead role in investigating the incident.”

Section 11(2) of the Regulation states:

“The purpose of the chief of police’s investigation is to review the policies of or services provided by the police force and the conduct of its police officers.”

Section 11(4) of the Regulation states:

“The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the S.I.U. director advises the chief of police that he or she has reported the results of the S.I.U.’s investigation to the Attorney General, and the board may make the chief of police’s report available to the public.”

Upon conclusion of its investigation, the S.I.U. provides the Toronto Police Service (T.P.S.) with a letter. The S.I.U. does not provide the T.P.S. with a copy of the report that was provided to the Attorney General.

Discussion:

On October 25, 2018, at approximately 1619 hours, two uniformed Police Constables from 53 Division, responded to a “*Holding One with Trouble*” call at the Canadian Tire store located at 839 Yonge Street.

As they arrived, they saw a male, later identified as Complainant 2018.58 (2018.58), fleeing the store, waving a large pair of bolt cutters above his head trying to evade security who had arrested him earlier for theft. The officers engaged 2018.58, placed him under arrest and took him to the ground in order to control him. He was handcuffed to the rear, and placed into the back of their police vehicle before being transported to 53 Division for further investigation.

During the trip from the Canadian Tire store to 53 Division, 2018.58, while still sitting handcuffed in the rear of the police vehicle, was able to slip his handcuffs from the rear to the front of his body. Once he had the handcuffs to the front, he lay across the rear seat and began to kick at the right rear window and door assembly of the vehicle.

The officers cautioned him to cease his actions, but he continued to kick at the door and window. The officer who was driving the police vehicle, stopped on Yonge Street south of Davisville Avenue. He opened the left rear door with the intention of removing 2018.58, securing the handcuffs to the rear and applying leg restraints.

2018.58 was in a crouched position atop the seat, and immediately jumped out of the car as the officer opened the door. He attempted to push his way past the officer and the other officer assisted in the struggle to restrain 2018.58. After a brief struggle, and with the assistance of a passing motorist, 2018.58 was subdued, handcuffed and leg restraints applied.

2018.58 immediately complained of a sore shoulder when placed back into the police vehicle. Toronto Paramedic Services (Paramedics) were called to attend the station and conduct their medical assessment in a more secure location.

Paramedics attended the station, conducted an assessment and transported 2018.58 to Sunnybrook Health Sciences Centre where he was diagnosed and treated for a fractured clavicle bone.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; five other officers were designated as witness officers.

In a letter to the T.P.S., dated October 1, 2019, Interim Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Interim Director Martino excluded the subject officer from any criminality by saying in part;

“In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer.”

The S.I.U. published a media release on October 1, 2019. The media release is available at:

https://www.siu.on.ca/en/news_template.php?nrid=5176

The Director’s Report of Investigation is published on the link;

https://www.siu.on.ca/en/directors_report_details.php?drid=457

Summary of the Toronto Police Service’s Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were found to be lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

November 3, 2019

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2018.64

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) is notified of an incident involving serious injury or death, provincial legislation directs that a chief of police shall conduct an administrative investigation.

Ontario Regulation 267/10, Section 11(1) states:

"The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the S.I.U. has been notified, subject to the S.I.U.'s lead role in investigating the incident."

Section 11(2) of the Regulation states:

"The purpose of the chief of police's investigation is to review the policies of or services provided by the police force and the conduct of its police officers."

Section 11(4) of the Regulation states:

“The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the S.I.U. director advises the chief of police that he or she has reported the results of the S.I.U.’s investigation to the Attorney General, and the board may make the chief of police’s report available to the public.”

Upon conclusion of its investigation, the S.I.U. provides the Toronto Police Service (T.P.S.) with a letter. The S.I.U. does not provide the T.P.S. with a copy of the report that was provided to the Attorney General.

Discussion:

On November 13, 2018, members of the T.P.S. Gun and Gang Task Force (G.G.T.F.) were granted a *Criminal Code* search warrant for an apartment near Oakwood Avenue and Vaughan Avenue. The search warrant was sought in order to locate and seize an illegal firearm. Officers from the Emergency Task Force (E.T.F.) were contacted and attended in order to execute the search warrant.

As the E.T.F. began to execute the search warrant, Complainant 2018.64 (2018.64) was observed by members of the E.T.F. team in a second floor window attempting to escape. Members of the E.T.F. announced their presence and intention, calling for 2018.64 to surrender. 2018.64 disappeared into the premises and refused to surrender.

The E.T.F. team entered the premises and began to secure the location. E.T.F. Police Constable A entered the second floor bathroom and observed a bathtub with the shower curtain drawn closed. Constable A drew back the curtain and observed 2018.64 standing in the bathtub. Just as the curtain was drawn open, 2018.64 kicked Constable A in the chest. E.T.F. Police Constable B followed Constable A into the bathroom and observed 2018.64’s assault of Constable A. As a result, Constable B fully deployed his Conducted Energy Weapon (C.E.W.) at 2018.64. This deployment was only initially effective and 2018.64 fell in the tub. Officers then attempted to gain control of 2018.64 as he continued to struggle. Constable B then attempted to drive stun 2018.64 in the leg with his C.E.W., which was also ineffective.

Due to the confined space, 2018.64 was removed from the bathroom, with the assistance of other officers, and into the hallway, in order to be controlled and handcuffed.

2018.64 suffered facial injuries and was transported to Sunnybrook Health Sciences Centre by Paramedics. 2018.64 was diagnosed and treated at hospital. The hospital did not communicate 2018.64’s injuries to the officers except to say he suffered a facial fracture.

The S.I.U. was contacted and invoked its mandate.

The SIU designated two officers, as subject officers; eight other officers were designated as witness officers.

In a letter to the T.P.S. dated October 15, 2019, Interim Director Joseph Martino of the S.I.U. advised that their investigation has been closed and no further action is to be contemplated.

The S.I.U. public Report of Investigation can be found at the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=509

On October 18, 2019, the S.I.U. issued a news release exonerating the subject officer. The news release can be found at the following link:

https://www.siu.on.ca/en/news_template.php?nrid=5258

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the custody injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 02-18 (Executing a Search Warrant)
- Procedure 10-05 (Incidents Requiring the Emergency Task Force)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 s.14(3) (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were found to be lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the involved officers complied with applicable provincial legislation and applicable T.P.S. procedures.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

November 20, 2019

To: Chair and Members
Toronto Police Services Board

From: Mark Saunders
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.10

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are no financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) is notified of an incident involving serious injury or death, provincial legislation directs that a chief of police shall conduct an administrative investigation.

Ontario Regulation 267/10, Section 11(1) states:

“The chief of police shall also cause an investigation to be conducted forthwith into any incident with respect to which the S.I.U. has been notified, subject to the S.I.U.’s lead role in investigating the incident.”

Section 11(2) of the Regulation states:

“The purpose of the chief of police’s investigation is to review the policies of or services provided by the police force and the conduct of its police officers.”

Section 11(4) of the Regulation states:

“The chief of police of a municipal police force shall report his or her findings and any action taken or recommended to be taken to the board within 30 days after the S.I.U. director advises the chief of police that he or she has reported the results of the S.I.U.’s investigation to the Attorney General, and the board may make the chief of police’s report available to the public.”

Upon conclusion of its investigation, the S.I.U. provides the Toronto Police Service (T.P.S.) with a letter. The S.I.U. does not provide the T.P.S. with a copy of the report that was provided to the Attorney General.

Discussion:

On March 30, 2019, at 0203 hours, a Sergeant was in the intersection of King Street West and Brant Street directing traffic as part of the Entertainment District Plan. At this time, he observed two fights in progress near the intersection. The Sergeant walked towards the closest fight and before arriving, the combatants had separated and begun to walk away.

The Sergeant then turned his attention to the second fight and immediately noticed that a male, later identified as Complainant 2019.10 (2019.10), was assaulting another man. As the Sergeant approached, 2019.10 walked aggressively towards the Sergeant and attempted to walk past him. The Sergeant took physical control of 2019.10’s arm and told him that he was under arrest for Assault. 2019.10 drove his shoulder into the Sergeant’s chest knocking him down. 2019.10 ran eastbound on King Street West in an attempt to escape custody. Two officers, who were on bicycle patrol in the area, had observed the assault on the Sergeant and saw 2019.10 running away. The officers rode past the Sergeant, caught up to 2019.10, and tackled him to the ground near 478 King Street West.

The Sergeant joined the two officers who were struggling to gain control of 2019.10. After a brief struggle, 2019.10 was placed under arrest and handcuffed.

Subsequent to his arrest, 2019.10 complained of a sore left ankle and was transported to Toronto Western Hospital by Toronto Paramedic Services. 2019.10 was examined, diagnosed, and treated for a dislocated fracture to his left ankle.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated two officers, as subject officers; 13 other officers were designated as witness officers.

In a letter to the T.P.S. dated October 25, 2019, Interim Director Joseph Martino of the S.I.U. advised that its investigation had been closed and no further action was to be contemplated.

The S.I.U. public Report of Investigation concluded, through medical evidence, that 2019.10's injury was caused by him rolling his ankle and was not caused by any use of force applied by the arresting officers.

The S.I.U. public Report of Investigation can be found at the following link:

https://www.siu.on.ca/en/directors_report_details.php?drid=545

On November 1, 2019, the S.I.U. issued a news release exonerating the subject officer. The news release can be found at the following link:

https://www.siu.on.ca/en/news_template.php?nrid=5304

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the custody injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 s.14(3) (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were found to be lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the involved officers complied with applicable provincial legislation and T.P.S. procedures.

Deputy Chief Barbara McLean, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Mark Saunders, O.O.M.
Chief of Police

*original copy with signature on file in Board office

Potential Changes to the Board's Procedural By-law

May 21, 2020

- As the Board is contemplating potential changes to the Board's Procedural By-law, I wanted to notify the public, as required by the By-law.

26.2

The Board will only consider amendments or repeal of this By-law at a Board meeting if a previous regular Board meeting received notice of the proposed amendment or repeal.

- At this time, we are intending to bring forward a report for the Board's next meeting, scheduled for June 19, 2020 but subject to change. This report will recommend some modifications to the current By-law.
- The modifications relate to the duties of the Chair and who they may be delegated to, the allowance for varying locations for the regular meetings of the Board, the use of translators by deputants and clarification of the rules of debate at the Board.

**Toronto Police Services Board
Virtual Public Meeting
May 21, 2020**

**** Speakers' List ****

Opening of the Meeting

Call to Order

Indigenous Land Acknowledgement

Declarations of Interest under the [Municipal Conflict of Interest Act](#).

Moment of Silence for the victims of the mass shooting in Nova Scotia

3. May 14, 2020 from Ryan Teschner, Executive Director
Re: Policy regarding COVID-19 Status Information Disclosure and Occupational Health and Safety, Infection Prevention and Control related to COVID-19

Deputations: Derek Moran ([written submission included](#))
Sam Teclé

5. March 25, 2020 from Mark Saunders, Chief of Police
Re: Toronto Police Service Board's Race-Based Data Collection, Analysis and Public Reporting Policy – Quarterly Progress Update on Implementation

Deputation: Sam Teclé

8. April 20, 2020 from Mark Saunders, Chief of Police
Re: Special Constable Appointments and Re-Appointments – May 2020

Deputation: Derek Moran ([written submission included](#))

9. February 28, 2020 from Mark Saunders, Chief of Police
Re: Ryerson University Special Constable Program

Deputations: Sam Teclé

Josh Lamers ([written submission included](#))
The Black Liberation Collective-Ryerson (Alumni)

Jeremy Bland ([written submission included](#))
Ryerson Canadian Students for Sensible Drug Policy

18. January 10, 2020 from Mark Saunders, Chief of Police
Re: Annual Report: 2019 Uniform Promotions

Deputation: Kingsley Gilliam
Black Action Defense Committee

27. February 13, 2020 from Mark Saunders, Chief of Police
Re: Annual Report 2019: Use of Conducted Energy Weapons

Deputation: Miguel Avila

28. December 26, 2019 from Mark Saunders, Chief of Police
**Re: Quarterly Report for August 15, 2019 to November 14, 2019:
Conducted Energy Weapon Use**

Deputation: Miguel Avila

29. January 10, 2020 from Mark Saunders, Chief of Police
**Re: Annual Report: 2019 Parking Enforcement Unit – Parking Ticket
Issuance**

Deputation: Derek Moran ([written submission included](#))

- I just wanna say by me speaking at this meeting this shall not be deemed to be in any way my consent express or implied and doing so is fraud God Bless Her Majesty the Queen and long live Her Majesty the Queen, and let the record show as "PERSON" is defined as a CORPORATION in the Legislation Act of Ontario if I have ever led the Toronto Police Services and/or the Board to believe in any way that i am the PERSON then that would be a mistake and that i ask all of you to please FORGIVE ME?

- So in this report it says - "Conclusion: ...further direct the Chief to implement workplace health and safety measures including infection PREVENTION and CONTROL measures to LIMIT the occupational spread and spread to the PUBLIC of the COVID-19 virus consistent with Toronto Public Health's direction and guidance and report to the Board with respect to implementation and COMPLIANCE with these measures until the Board directs this reporting is no longer required."

- So on April 8 Matt Bingley from Global News points out to Mary-Anne Bedard that homeless advocates had told him – "in the shelter system screening is lax at the doors...people are still sleeping two-and-a-half feet apart from one another... and, that we've been at this for weeks now." He then goes on to say, that Cathy Crowe doesn't understand why Dr. DeVilla hasn't yet made an Order using her powers to ensure there is physical distancing inside the shelter system including the two-and-a-half feet with people sleeping apart from one another. At the end of a long and wordy response to Matt, Dr. DeVilla says to him – "...at this stage, there doesn't *appear* to be any merit, or need, for an Order to be given." On that day April 8, Mary-Anne Bedard told Matt Bingley there were 8 cases in the shelter system. Know how many there were as of Sunday, the last time they updated it? 306 cases. This leads me to believe that Cathy Crowe is more qualified to be the Medical Officer of Health, than Dr. Eileen DeVilla.

<https://youtu.be/DmCC6ld5sKI?t=2050>

- Congratulations to Sweden, for ignoring the advice from the front-group for the government of China known as the World Health Organization, as a 'model' for countries going forward in not destroying their economies by ignoring the lockdown-advice from the leftists who have infiltrated institutions such as Toronto City Hall as Premier Ford pointed out at a press conference during the much-to-do-about nothing 'council-cut-crisis,' considering Queen Victoria repealed the enacting clause of the British North America Act 1867 as I pointed out to Attorney General lawyer Robin Basu during the last break of the day from the Justice Belobaba "crickets" case.

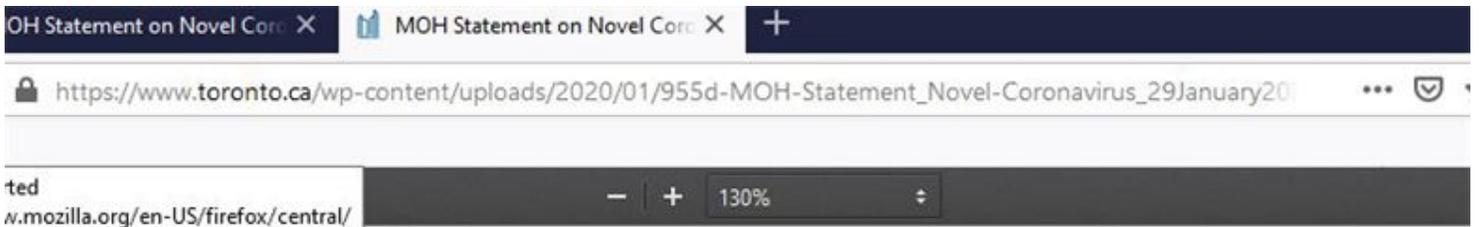
<https://nypost.com/2020/04/29/who-lauds-sweden-as-model-for-resisting-coronavirus-lockdown/>

- Reasons why Chief Saunders should IGNORE what Toronto Public Health has to say, and to seek out direction from an actual scientist, instead of some 'academic doctor':

- On January 14 the World Health Organization says on twitter:



- On January 29 Dr. DeVilla below states - "...we have a very mobile population, with a lot travel back and forth between Canada and China. I am reminding residents that at this time, the risk to our community, remains, low."



TORONTO Public Health

January 29, 2020

Statement from **Dr. Eileen de Villa**, Medical Officer of Health, Toronto Public Health:

Yesterday, we received lab confirmation of the second of two confirmed cases of the novel coronavirus (2019-nCoV) in Toronto. We also learned that there is a presumptive positive case in British Columbia. **This news is not unexpected as we have a very mobile population, with a lot of travel back and forth between Canada and China.** I am reminding residents that at this time, **the risk to our community remains low.**

- On February 3 Councillor Wong-Tam says on twitter:



Kristyn Wong-Tam ✓ @kristynwongtam · Feb 3

Across the globe, 1 billion people are infected w **influenza** each year, including millions in Canada. Our chances of getting influenza including an annual 3500 Canadians dying from it are **significantly higher than the low rate** of **#Coronavirus** transmission. **#StopTheSpreadofRacism**

- On January 30 Councillor Wong-Tam said on twitter:



Kristyn Wong-Tam ✓ @kristynwongtam · Jan 30

This story of racial harassment is sadly being more commonplace, but it remains unacceptable. The growing spread of anti-Chinese, anti-Asian racism **is going to do more harm than the low rate of transmission of the #Coronavirus.** Together we will do better.

- On February 24 Dr. DeVilla says on twitter:



Dr. Eileen de Villa  @epdevilla · Feb 24

Read my latest statement on #COVID19, why **the risk to our community remains low** and how you can stay informed:

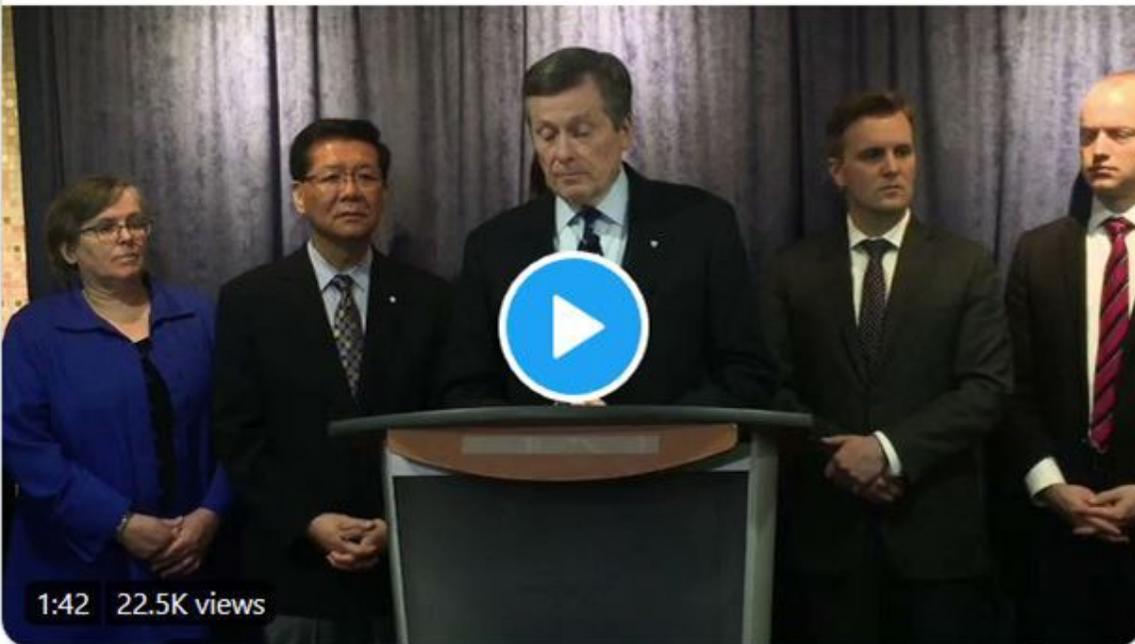


News Releases & Media Advisories
A list of news releases and media advisories issued by the City of Toronto.
toronto.ca

- On January 29 Mayor Tory says on twitter:

John Tory  @JohnTory · Jan 29

Standing with our Chinese community against stigmatization & discrimination, and reminding residents that, as our health care professionals have informed us, the risk of Coronavirus to our community **remains low**. We **must not** allow fear to triumph over our values as a city.



- “As part of the effort to support emergency frontline responders and contain the spread of COVID-19 the provincial government has made an emergency regulation under the Emergency Management and Civil Protection Act...(the Order)”

THIS IS NOTICE TO THESE SPECIAL CONSTABLES SO THEY CAN DO THEIR JOBS PROPERLY WITHOUT DEFRAUDING THE PUBLIC THROUGH LEGAL FICTIONS AND ACTING UNDER THE COLOUR OF LAW

1. So in this report it says - "Special constables play an integral role in keeping our community safe and now have the added responsibility of assisting the City with EDUCATING THE PUBLIC on the restrictions ENACTED under the Emergency Management and Civil Protection Act and, related MUNICIPAL by-law(s)."

2. **TAKE NOTICE** this is what the Alberta Court of Appeal had to say in regards to all persons being legally bound to take notice of the laws of the country where they are:

[Neilson v. Underwood](#), 1933 CanLII 476 (AB CA)

Court of Appeal — Alberta

1933-07-24 | 39 pages | cited by 3 documents

solemnization of marriage — ceremony — marriage — marriage of minors — contract

[...] **All persons are legally bound to take notice of the laws of the country where they are domiciled.**

3. **TAKE NOTICE** the Supreme Court of Canada ("SCC") in the case below said that, the Statute Law Revision Act 1893 repealed some obsolete provisions of the British North America Act 1867 ("BNA"):

[Re: Resolution to amend the Constitution](#), [1981] 1 SCR 753, 1981 CanLII 25 (SCC) -

Supreme Court of Canada — Canada (Federal)

provinces — constitutional — amendment — federal — powers

[...] (5) The **Statute Law Revision Act, 1893 repealed** some obsolete provisions of the British North America Act of 1867. [...] *(5) The **Statute Law Revision Act, 1893 repealed** some obsolete provisions of the British North America Act of 1867. [...]

4. **TAKE NOTICE** this footnote from the Government of Canada's Justice Laws Website, concerning the enacting clause of the BNA being repealed by the Statute Law Revision Act, 1893:

<https://laws-lois.justice.gc.ca/eng/const/page-18.html#h-60>

Constitution Acts, 1867 to 1982

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NOTES

(1) The enacting clause **was repealed** by the *Statute Law Revision Act, 1893*, 56-57 Vict., c. 14 (U.K.). It read as follows:

Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5. **TAKE NOTICE** what the SCC had to say in this case below, in regards to government's sole claim to exercise lawful authority:

Reference re Secession of Quebec, 1998 CanLII 793 (SCC), [1998] 2 SCR 217

1998-08-20 | 93 pages | cited by 609 documents

constitutional — political — unilateral secession — self-determination — peoples

[...] The Constitution binds all governments, both federal and provincial, including the executive branch (Operation Dismantle Inc. v. The Queen, 1985 CanLII 74 (SCC), [1985] 1 S.C.R. 441, at p. 455). [...] They may not transgress its provisions: indeed, their sole claim to exercise lawful authority rests in the powers allocated to them under the Constitution, and can come from no other source. [...]

6. **TAKE NOTICE** the Proclamation of the Constitution Act, 1982 ("constitution") signed by "Elizabeth R," said that the constitution shall come into force subject to section 59:



And Whereas section 58 of the Constitution Act, 1982, set out in Schedule B to the Canada Act, provides that the Constitution Act, 1982 shall, subject to section 59 thereof, come into force on a day to be fixed by proclamation issued under the Great Seal of Canada.

Now Know You that We, by and with the advice Our Privy Council for Canada, do by this Our Proclamation, declare that the Constitution Act, 1982 shall, subject to section 59 thereof, come into force on the seventeenth day of April in the Year of Our Lord One Thousand Nine Hundred and Eighty-two.

Of All Which Our Loving Subjects and all other whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

7. **TAKE NOTICE** Psalms 98:9 in the King James Bible 1611 says that, the people shall be judged with equity:

PSALMS 98:9

"Before the LORD; for he cometh to judge the earth: with righteousness shall he judge the world, and the people with equity."

KING JAMES VERSION (KJV)

8. **TAKE NOTICE** that in this email below, head clerk Ulli Watkiss implies the definition the City of Toronto ("City") uses for by-law is the "usual definition":

RE: the definition for "BY-LAW," as it pertains to Mayor Tory's controversial new by-law

Yahoo/Inbox



<http://app.toronto.ca/nm/api/individual/notice/1625.do> is where you will find copies of the order and the link to the by-law, which has its usual definition.



Tue, Apr 7 at 6:56 AM

Find copies of By-laws 322 and 323 – 2020 at:

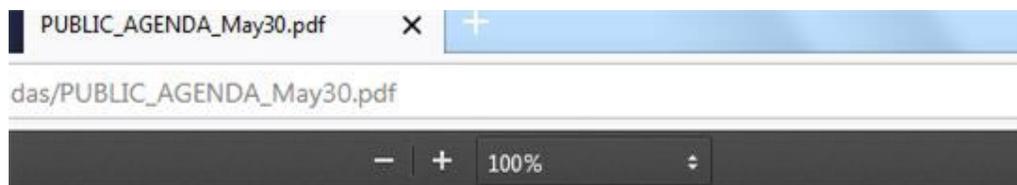
<https://www.toronto.ca/legdocs/bylaws/lawlists.htm>

The Mayor has signed the Order and I have delegated signing authority for the by-law.

The **definition** of **by-law** can be looked up in a **dictionary**. It is a piece of legislation made under another piece of legislation, to which it is subordinate, in this case the Emergency Management and Civil Protection Act.

I cannot spend any more time answering your questions about this matter. All procedure was **properly** followed. If you wish to question that or challenge it I suggest you **consult with** a municipal lawyer. Thank you.

14. TAKE NOTICE this explanation below regarding the applicability of a by-law, as explained by Toronto Police Services Chief Mark Saunders from the agenda of the Toronto Police Services Board meeting on May, 2019:



2. Applicability

The provisions of this by-law **shall** apply to all **members** and **employees** of the Service and the Board.

15. TAKE NOTICE what the Ontario Court of Appeal had to say in the case below, in regards to the City being a corporation:

The Toronto Party v. Toronto (City), 2013 ONCA 327

2013-05-21 | 16 pages | cited by 5 documents

councillors — fiduciary — ultra vires — misfeasance — by-law

[...] [32] The City of Toronto is a municipal **corporation**, a **body corporate** according to s. 125(1) of COTA. As a **creature of statute**, the City has **only** the authority conferred upon it by the provincial legislature through its enabling statute. [...]

16. TAKE NOTICE it is my will that I wish for the definition of “by-law” found in Bouvier’s Law Dictionary 1856, to be the definition the City of Toronto uses for “by-law”:



BY-LAWS. Rules and ordinances made by a corporation for its **own** government.

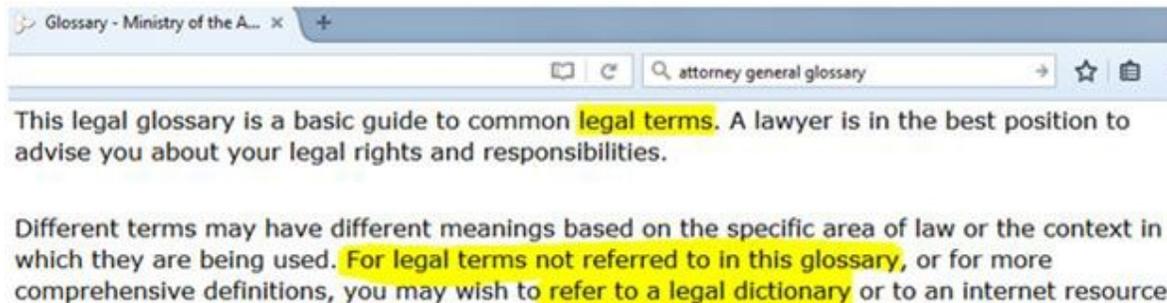
17. **TAKE NOTICE** of this maxim-of-law (“maxim”), regarding words of the law being defined from the legal sense by statute:

Verba legis non ex vulgari sensu sed ex legis sensu, neque laxam et precariam sed certam et legibus praefinitam interpretationem requirunt. The words of the law require interpretation **not** from **popular meaning** but from the **legal sense**, and **not** a lax and precarious interpretation but one that is fixed and positive (**defined by statute**).

18. **TAKE NOTICE** of the definition for “term of art” below, from The Dictionary of Canadian Law 4th edition:

TERM OF ART. “Some expressions in common use in documents dealing with legal rights or obligations acquire in a legal context a special meaning different from, or more precise than, their meaning in common speech — they become ‘terms of art’.” *Prestcold (Central) Ltd. v. Minister of Labour*, [1969] 1 All E.R. 69 at 75, [1969] 1 W.L.R. 89 (U.K. C.A.), Lord Diplock.

19. **TAKE NOTICE** what the Ontario Attorney General’s ‘Glossary’ on their website has to say, in regards to referring to legal dictionaries:



20. **TAKE NOTICE** of this maxim below, in regards to every definition in the law being dangerous:

In jure omnis definitio periculosa est. In law every definition is **dangerous**.

21. **TAKE NOTICE** of this maxim below, in regards to every definition in the **civil law** being dangerous:

Omnis definitio in jure civili periculosa est, parum est enim ut non subverti possit. Every definition in the **civil law** is **dangerous**, for there is very little that cannot be overthrown.

22. **TAKE NOTICE** the Ontario Attorney General’s office in the email below tells the office of former MPP Mike Colle, that Ontario is a common law jurisdiction that doesn’t rely on a code:

Luckhurst, Josh

Jun 22, 2012

To 'Derek Moran'

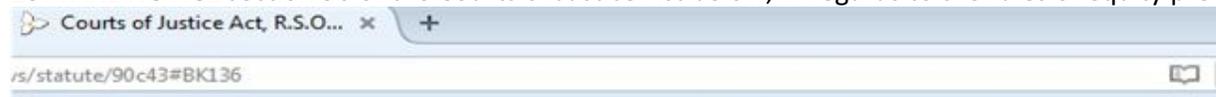
Hello Derek,

I've been in touch with the Attorney General's office with regards to your question. The answer is that Ontario does not have a Civil Code like Quebec. We have Rules of Civil Procedure, but they deal with procedural matters only, not the substantive law. Ontario is a common law jurisdiction and we rely on the common law, not a code. Please feel free to contact us if you have more questions in the future.

Regards,

Joshua Luckhurst
Legislative Assistant
Office of MPP Mike Colle
T: (416) 314-6467
F: (416) 314-6470

23. TAKE NOTICE section 96 of the Courts of Justice Act below, in regards to the rules of equity prevailing:



COMMON LAW AND EQUITY

Rules of law and equity

96 (1) Courts shall administer concurrently all rules of equity and the common law. R.S.O. 1

Rules of equity to prevail

(2) Where a rule of equity conflicts with a rule of the common law, the rule of equity prevails.

24. TAKE NOTICE Article 42 of the Lieber Code below, says that slavery exists according to municipal or local law only:

Instructions for the Government of Armies of the United States in the Field (Lieber Code). 24 April 1863.

SECTION II : PUBLIC AND PRIVATE PROPERTY OF THE ENEMY -- PROTECTION OF PERSONS, AND ESPECIALLY OF WOMEN, OF RELIGION, THE ARTS AND SCIENCES -- PUNISHMENT OF CRIMES AGAINST THE INHABITANTS OF HOSTILE COUNTRIES - ART. 42.

Art. 42. **Slavery**, complicating and confounding the ideas of property, (that is of a ' thing ',) and of personality, (that is of ' humanity ',) exists according to **municipal** or local law **only**. The law of nature and nations has never acknowledged it. The digest of the Roman law enacts the early dictum of the pagan jurist, that "so far as the law of nature is concerned, all men are equal." Fugitives escaping from a country in which they were **slaves**, villains, or serfs, into another country, have, for centuries past, been held free and acknowledged free by judicial decisions of European countries, even though the **municipal** law of the country in which the **slave** had taken refuge acknowledged **slavery** within its own dominions.

25. **TAKE NOTICE** the U.S Supreme Court in Dred Scott v. Sandford below, said that slavery is created only by municipal law:



ed Scott v. Sandford, (ful... × J Dred Scott v. Sandford, (ful... × +
https://supreme.justia.com/cases/federal/us/60/393/case.html
USTIA US Supreme Court Search

Slavery, being contrary to natural right, **is created only by municipal law**. This is not only plain in itself, and agreed by all writers on the subject, but is inferable from the Constitution and has been explicitly declared by this court. The Constitution refers to slaves as "persons held to service in one State, under the laws thereof." Nothing can more clearly describe a status created **by municipal law**. In *Prigg v. Pennsylvania*, 10 Pet. 611, this court said: "The state of slavery is deemed to be a **mere municipal regulation**, founded on and limited to the range of territorial laws." In *Rankin v. Lydia*, 2 Marsh. 12, 470, the Supreme Court of Appeals of Kentucky said:

"Slavery is sanctioned by the laws of this State, and the right to hold them under our **municipal regulations** is unquestionable. But we view this as a right existing by positive law of a **municipal character**, without foundation in **the law of nature** or the **unwritten common law**."

I want to begin with saying that I have a feeling it does not matter what I say here, to institutions like Ryerson University and the Toronto Police Services. I have a feeling that it does not matter that for 5 years on that campus, as a Black undergraduate and graduate student, organizer and activist, and now alumni—what words I have to say will be relegated to administrators from both sides chuckling on the side lines once the cameras go down. So, I speak, knowing the impending mockery that has little to do with me as that's not my anti-Blackness to deal with. But know that I speak as a signal for you folks of the impending organizing that will be done to once again, shut down the ways in which Ryerson University and Toronto Police Services love to get in bed with one another.

I also speak from space of profound, but not surprised, disappointment in Ryerson University. A campus that touts social justice, and has hosted several events with Black organizers, activists, scholars, students, and community members in rigorous discussions on dismantling a policing state and its extremities. President Lachemi and Vice-President of the Office of Equity, Community and Inclusion Denise O'Neil Green are quite familiar with smiling in front of Black crowds, applauding us for our work, and yet here we are.

Therefore, I speak for and to that Black audience whose hope and dreams are that our lives globally and in Canada, in this city, and in spaces like Ryerson University are free from carceral conditions that include policing, and policing practices and devices. For those of us who imagine different tactics of safety that keep the most marginalized safe, rather than mere property and myths of who is considered vulnerable.

I say all this to provide you folks with an opportunity, which is to say no to the partnership—however unlikely it is you will follow this direction. But, if I were you—would this

partnership not strike you as odd when back in 2018 Black students organized to have your partnership ended with respect to your supposed “bias avoidance and diversity” training happening on our campus? Were we not clear when we said we do not wish to have you so intimate to our already precarious Black lives? Did you forget when we reminded you, we do not trust police, or campus security for that matter, based on the close relationship you all have with the carceral apparatus that destroys us? When security personnel call immigration to deport Black folks like Wendy Maxwell—why should we trust you? When security personnel reflect the mentality of Toronto Police, travelling in packs and harassing and carding Black students/people—why should we trust you? When in January 2017 Toronto Police on Ryerson campus threatened to arrest a man for video tapping a violent arrest of a Black man already restrained? In this instance they tasered him while he was already on the ground, and the video showed the police officer still yelling at the unconscious Black man to not move while “applying pressure with his foot”—and to the man filming, the police officer warned the Black man will give the person filming AIDS from being spat on. Why should we trust you? When Toronto Police Services outside of our campus is such a threat to our lives and livelihood—why should we trust you? When Toronto Police Services is under review from the Privacy Commissioner for the uses of facial recognition technology—which frankly we knew you were using back in 2018—why should we trust you?

My questions are rhetorical. I’m telling you; we do not trust you, and Ryerson University knows this. Just last year, Ryerson University conducted an extensive anti-Black racism climate review that was completed almost a year ago. Yet we, the students, staff, faculty, and public have not seen the results. I wonder why.

We know that batons can still break our flesh and bones. We know handcuffs can still bruise our wrists. We know that one moment of “who are you”—a question now justified through ideas of “private property” lead to deep dives into our personal lives into depths that we are never allowed to know. We know these dives result in our deportation, detainment, unjustified arrest, humiliation, and documentation of those we may or may not know. We already know that these campuses do not see Black people as legitimate on these spaces, with graduate students and faculty often policed by security when we try to access our offices. The presence of Black people in administration do not signal to us that things will get better, just like Black people as constables do not provide safety.

You are not welcomed on our campus. You can listen to this and understand that we—the ones the institution will not listen to or let the public hear—do not consent. Or we can do this the only way we know how, which is to defend our Black lives and remind both Ryerson and Toronto Police Services, just exactly whose campus this is.

Ryerson Security intends to employ up to four full-time Special Constables at the University beginning in the fall of 2020. While the university purports this measure will increase safety, bringing police onto campus will adversely impact our diverse student body, faculty, and community at large.

The introduction of police on campus will increase the risk of punitive and criminal sanctions, as opposed to social supports, for students and community members. Special Constables will be equipped with handcuffs, pepper spray, and batons, and have the power to detain, search, ticket, and arrest people. Our most marginalized students—those who are Black, Indigenous, racialized, undocumented, transgender, and disabled—will be forced to learn while under the surveillance of the very people who target them with violence and harassment in their communities.

There is overwhelming evidence that police presence at places of learning (i.e. schools, colleges, and universities) leads to a number of negative impacts for marginalized peoples. Research conducted in secondary schools, for example, concludes that the presence of police does not increase safety or academic engagement, but instead erodes trust, creates an atmosphere that alienates students, and exacerbates the criminalization of marginalized groups[5][6][7].

As students, staff, faculty, individuals, and organizations concerned with the wellbeing of our most marginalized community members, we urge Ryerson to adopt a holistic approach to safety *for all* on campus.

We demand: (1) the immediate termination of positions for Special Constables at Ryerson; (2) the hiring of trained Social Workers and Nurses to assist Ryerson Security in supporting community safety; (3) oversight and transparency regarding complaints made against Ryerson Security; (4) thorough crisis intervention, de-escalation, mental health first-aid, harm reduction, anti-oppression, and anti-racism training for existing Ryerson security; (5) a transition strategy for alternatives to uniformed security on campus; and (6) forums where Ryerson members and members of the public can discuss the transition strategy and its implementation, ask questions, and provide feedback.

We believe that the decision to hire Special Constables at Ryerson contradicts the University's stated goals of advancing equity, community, and inclusion. Marginalized groups are disproportionately targeted in all areas of the criminal injustice system, and Toronto Police have a long history of racially-targeted carding, violence, and arrests[1]. Special Constables, regardless of their racialized background, are situated within an enduring system of structural racism and cannot be separated from it.

The decision to hire police at Ryerson is antithetical to the University's commitment to truth and reconciliation with Indigenous peoples. Police forces and the RCMP have a longstanding legacy of colonial violence and are largely responsible for the widespread harassment, surveillance, neglect, apprehension, mass incarceration, abuse, and murder of Indigenous peoples across Turtle Island[2].

The presence of police on campus will negatively impact the wellbeing of Black and Brown students, staff, faculty, and community members, who are disproportionately targeted by

police surveillance, carding, violence, and immigration detention and deportation, and face discrimination in all areas of the criminal justice system[3]. In addition, Ryerson is home to international students who have experienced violence, genocide, and discrimination by state authorities in their home countries. For many, the police are a symbol of fear and oppression, and should not be employed by a University where all should be free to work, study, teach, and play in comfort and security.

The introduction of police on campus will also contribute to the criminalization of poverty, homelessness, substance use, drug dealing, sex work, and mental health in our community. We can't police our way out of the homelessness and overdose crises. Issues of substance use, drug dealing, loitering, petty theft, and minor crimes on campus are symptoms of deep social inequality and should be treated as such. By treating social problems as criminal ones, we vilify external community members and put the protection of property ahead of the protection of people.

Importantly, the targeting of people who use and sell drugs may contribute to fatal opioid overdoses in our community. Policing does little to stop the flow and poisoning of drugs, and instead contributes to stigma, creates harms related to fines and incarceration, and deters people who use drugs from seeking harm reduction supports[4]. This is particularly concerning considering the The Works Supervised Injection Site is next door to Ryerson University.

In order to address issues on campus, we need to employ full-time Social Workers to compliment, and take the place of, Ryerson Security. Police and Ryerson Security are not adequately trained to deal with complex social and mental health issues affecting vulnerable populations. While Ryerson Security intends to enlist two unpaid Masters of Social Work placement students in the fall, we assert that short-term placement students will be unable to build rapport and provide the level of care that qualified, full-time, paid Social Workers can provide. We urgently need adequate training for existing Security, full-time Social Workers, and a strategy to transition away from the use of uniformed Security.

Ryerson University can be a leader in social justice and community-informed practice. Rather than policing and surveillance, a safe and welcoming campus can be built on principles of trust, compassion, equity, and community, which is sustained by well-informed and appropriately-trained staff. As students, staff, faculty, and community members, we urge Ryerson to adopt a holistic approach to safety for all on campus, that takes into consideration the lived experiences of marginalized people who are most affected.

[1] A Collective Impact: Interim report on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service. (2020). From <http://www.ohrc.on.ca/en/public-interest-inquiry-racial-profiling-and-discrimination-toronto-police-service/collective-impact-interim-report-inquiry-racial-profiling-and-racial-discrimination-black#Executive%20summary>

[2] Monchalin, L. (2016). *The colonial problem: An Indigenous perspective on crime and injustice in Canada*. Toronto: University of Toronto Press.

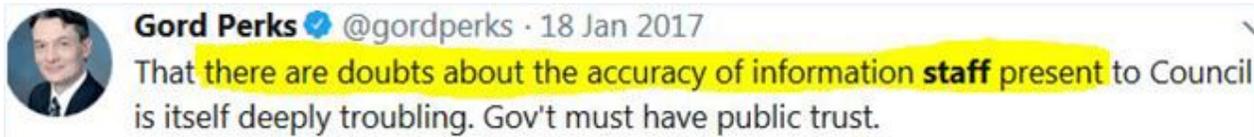
[3] Maynard, R. (2017). *Policing black lives: State violence in Canada from slavery to the present* Fernwood Publishing. Halifax: Fernwood Publishing.

- [4] Bardwell, G., Strike, C., Altenberg, J., Barnaby, L., & Kerr, T. (2019). Implementation contexts and the impact of policing on access to supervised consumption services in Toronto, Canada: A qualitative comparative analysis. England: BioMed Central Ltd.
- [5] Salole, A. T., & Abdulle, Z. (2015). Quick to punish: An examination of the school to prison pipeline for marginalized youth. *Canadian Review of Social Policy*, (72-73), 124.
- [6] MacKinnon, P., Falconer, J. N., Edwards, P., School Community Safety Advisory Panel, & Toronto Board of Education. (2008). *The road to health: A final report on school safety School Community Safety Advisory Panel*.
- [7] McMurtry, R., & Curling, A. (2008). *The review of the roots of violence (Volume 1)*, Toronto, Canada: *Queens Printer for Ontario*. Retrieved from:
<http://www.children.gov.on.ca/htdocs/English/documents/youthandthelaw/rootsofyouthviolence-vol1.pdf>

THIS IS A NOTICE REGARDING THE QUESTIONS COUNCILLOR GORD PERKS HAD REGARDING PARKING AND/OR TRAFFIC TICKETS AT BUDGET COMMITTEE EARLIER THIS YEAR

1. When the Toronto Police Services was summoned to Toronto City Hall at the beginning of the year for the annual begging-for-money each department has to go through at Budget Committee, Councillor Gord Perks had questions regarding parking and/or traffic tickets.

2. **TAKE NOTICE** that Councillor Perks has commented before on the accuracy of information that staff presents to council:



3. **TAKE NOTICE** when Councillor Perks questioned regarding enhanced security measures at Toronto City Hall, City Solicitor Wendy Walberg responded partly with – “...*in our view*, it would be prescribed by law”:

<https://youtu.be/E7wE5yIOX7g?t=5h29m25s>



City Council - June 28, 2018 - Afternoon & Evening Session

4. **TAKE NOTICE** when Councillor Perks asked at Budget Committee – “To the city solicitor, is there anything in law that says that it must be the Toronto Police Service that issues parking and/or traffic tickets?”

City Solicitor Wendy Walberg responded: “Parking tickets are enforcement of City by-laws, so, while I don’t **believe in theory**, that enforcement *has* to be done by the police, there may be *practical* reasons for it being done by the police...”

Councillor Perks: “I’m just asking ‘*in law*.’ “

Wendy Walberg: “And uh, with respect to Highway Traffic Act enforcement, I’m not prepared at this point to answer that question.”

<https://youtu.be/oDzIX7I7wMw?t=3585>



5. TAKE NOTICE in the Ontario Superior Court case below, former City Solicitor Anna Kinastowski admitted that the City solicitor's advice has been proven wrong before by the courts:

[Toronto Party for a Better City v. Toronto \(City\)](#), 2011 ONSC 3233

2011-07-05 | 13 pages

voted in favour — breached their fiduciary duties — ultra vires — taxpayers — expenses

[...] the City Councillors' decision to vote in favour of the By-law in the face of the City Solicitor's legal opinions supports a finding that they breached their fiduciary duties, **Mr. Lenczner points out that the legal opinions provided by the City Solicitor to City Council are not as unequivocal as the Applicant suggests.** [...] He also points to Ms. Kinastowski's evidence in which she testified: **Q: And has the City solicitor's advice always been upheld by the court? [...] A: I wish I could say that it was, but we provide - by professional obligation is to provide advice and that advice from time to time is tested by the courts, and we have been proven wrong before.** [...]

6. TAKE NOTICE this is what the Alberta Court of Appeal had to say in regards to all persons being legally bound to take notice of the laws of the country where they are:

[Neilson v. Underwood](#), 1933 CanLII 476 (AB CA)

Court of Appeal — Alberta

1933-07-24 | 39 pages | cited by 3 documents

solemnization of marriage — ceremony — marriage — marriage of minors — contract

[...] **All persons are legally bound to take notice of the laws of the country where they are domiciled.**

7. TAKE NOTICE the Ontario Court of Appeal in the case below mentioned, “the requirement that state conduct be “prescribed by law””:

[Langenfeld v. Toronto Police Services Board](#), 2019 ONCA 716 (CanLII)

2019-09-12 | 29 pages | cited by 5 documents

freedom of expression — security protocol — occupier — common law powers — screening

[...] [18] The application judge, at paras. 47-68, carefully and thoroughly analyzed the application of s. 2(b) in accordance with the controlling case **law**: see *Irwin Toy Ltd. v. Quebec (A.G.)*, 1989 CanLII 87 (SCC) , [1989] 1 S.C.R. 927, at pp. 967-71; *Montréal (City) v. 2952-1366 Québec Inc.*, 2005 SCC 62 , [2005] 3 S.C.R. 141, [...] [22] The application judge was satisfied that the security protocol was not put in place for the purpose of limiting freedom of expression: para. 62. [...] With respect, this analysis confuses **the requirement that state conduct be “prescribed by law”** with the further requirement that the state conduct, even if “**prescribed by law**”, impose only reasonable and demonstrably justifiable limits on constitutional rights. [...]

8. TAKE NOTICE the Supreme Court of Canada (“SCC”) in the case below mentioned, that “all exercises of public authority must find their source in law”:

[Dunsmuir v. New Brunswick](#), 2008 SCC 9, [2008] 1 SCR 190

2008-03-07 | 97 pages | cited by 17,348 documents

adjudicator — review — reasonableness — administrative — procedural fairness

[...] [28] By virtue of the rule of law principle, **all exercises of public authority must find their source in law**. [...] By acting in the **absence** of legal authority, the decision maker **transgresses** the principle of the rule of law. [...]

9. TAKE NOTICE the SCC in the case below mentioned, that government’s “sole claim to exercise lawful authority rests in the powers allocated to them under the Constitution and can come from no other source”:

[Reference re Secession of Quebec](#), 1998 CanLII 793 (SCC), [1998] 2 SCR 217

1998-08-20 | 93 pages | cited by 609 documents

constitutional — political — unilateral secession — self-determination — peoples

[...] **The Constitution binds all governments, both federal and provincial, including the executive branch** (*Operation Dismantle Inc. v. The Queen* , 1985 CanLII 74 (SCC) , [1985] 1 S.C.R. 441, at p. 455). [...] **They may not transgress its provisions: indeed, their sole claim to exercise lawful authority rests in the powers allocated to them under the Constitution, and can come from no other source**. [...]



BLACK ACTION DEFENSE COMMITTEE INC.
Comite' d'action pour la de'fense des Noirs Inc.

508 Oakwood Ave. Toronto Ontario M6E 2X1 Tel: (416) 656-2232 Fax: (416) 656-2252

Black Action Defense Committee BADDC Deputation To Toronto Police Services Board

May 21 2020

Re; Annual Report of the Chief on 2019 Uniformed Promotions

Mr. Chairman, members of the Toronto Police Services Board, Police Chief Mark Saunders, good morning.

On behalf of the Black Action Defense Committee, I address you this morning on the subject of staff promotions for Black officers.

It has been a very long time since I last addressed this board back when we were dealing with issue of street checks commonly known as carding which left a bitter taste in our mouths, so we took our fight to the Province, and the rest is history.

The issue of promotions for Black officers has a long and sordid history with the Metropolitan Toronto Police , the predecessor organization of this august body.

As a member of the community I have been meeting with the Board and the Police High Command from the early 70s when Harold Adamson was chief of the service. Back in those days, there were numerous challenges including the hiring and promotion of Black officers which was very high on the list of issues along with some of the issues that we still face today the over policing and brutality etc.

In those days few Black Officers were rarely hired, they were often treated very poorly and were never promoted. Back in 1971 or 72, there was a crisis in the Regent Park area with overt racism towards members of the Black community, the Black community newspaper of the day Contrast, published an issue with the front page made up of prior headlines of about police misconduct in the black

community, superimposed all over the front page and pointing to the emergent issue in Regent Park. The Toronto Star sent reporters into Regent Park, to find out what was going on and they published their findings in an investigative report which showed that there was tremendous tension between the police and the 51 Division and the residents of Regent Park. They described situations reported to them from the Black community and interviews that they had with police officers. One of the officers was quoted as saying “ I am a bigot and I am going to get those f---ing niggers. You can quote me but don’t name me.”

When that was published Chief Adamson went into damage control and appointed four Black officers as the “Ethnic Squad”. They were assigned to patrol the Black business community in the Bloor and Bathurst Streets area and along Eglinton Ave. West etc. They all retired from the Police Service with over thirty years of service each, as constables, without a single promotion in their careers.

This was common for Black officers until the founding of the Black Action Defense Committee and the advocacy of Dudley Laws one of its founders on behalf of the Brothers and sisters in the service. Former Deputy Chief Keith Forde, publicly acknowledges Dudley Laws and BADC for his promotions.

Until BADC’s advocacy and the inclusion of the Employment Equity provisions of the Police Services Act RSO 1990, which I consulted on; there were no promotions of Black officers. Since then we have seen several Black officers promoted to the senior ranks including three Deputy Chiefs and our current Chief.

This is progress, however this progress is being reversed by the lack of a consistent strategy and Concrete goals and Plan for strategically mentoring, training and promoting Black officers through the ranks to gain a level of representation commensurate with the representation of Blacks in the population

. History has shown that without deliberate effort to recruit, train and promote Black officers, it will not happen by chance. Judge , now Justice Rosalie Abella, who was appointed Royal Commissioner to inquire into equality of opportunity by Prime Minister Brian Mulroney, stated in her final report and I quote”

“It is not that individuals in the designated groups are inherently unable to achieve equality on their own, it is that the obstacles in their way are so formidable and self-perpetuating that they cannot be overcome without intervention. It is both intolerable and insensitive if we simply wait and hope that the barriers will disappear with time. Equal-ity in employment will not happen unless we make it happen.”

She arrived at that conclusion after extensive consultation with employers throughout Canada. She saw that there was neither the appetite or will, for hiring and promoting racial minorities, aboriginal peoples women and persons with disability. Therefore she recommended legislated employment equity.

With the inclusion of the Employment Eprovisions of the Police Services Act RSO 1990, and special measures taken by the then Ministry of Solicitor General to recruit and train officers and make them available to police services throughout the Province; the number of Black and other racial minority officers increased somewhat but with the repeal of the Employment Equity Act and the Employment Equity provisions of the Police Services Act by the Mike Harris Government most of the gains that were made quickly disappeared .

That being said, for the Toronto Police Service to gain the trust and respect of the people of Toronto, Torontonians must see themselves reflected in the make-up of the service from the frontlines to the directing minds of the organization.

As Sir Robert Peel noted in 1829 the Police are the people and the people are the police.

1. The basic mission for which the police exist is to prevent crime and disorder.
2. The ability of the police to perform their duties is dependent upon public approval of police actions.
3. Police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.

4. The degree of cooperation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.
5. Police seek and preserve public favor not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law.
6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient.
7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

Mr. Chairman, Members of the Board, and Chief Mark Saunders, on behalf BADC, I urge you to adopt special measures to develop Black and other racial minority members of the Service until their representation equals their representation in the census metropolitan data for the City of Toronto.

When that milestone is achieved, you will be pleasantly surprised at the increase in trust and respect for the Toronto Police Service.

Thank you very much for the opportunity to address you today and I hope that the Board and High Command will find these recommendations useful and that they will be implemented.

KPGilliam

Kingsley P. Gilliam M.A. Director Communications and Social Services.