

Community Engagement Policy – Chair’s Statement
Friday, March 27, 2015

The Toronto Police Services Board and the Toronto Police Service have spent the past few months working on a question of great importance to any modern city that models itself as a leader in policing: How to ensure that officers can obtain and collect pertinent information from citizens without violating their human rights or engaging in conscious or unintentional discrimination. As everyone knows the issue of community engagements is challenging law enforcement and the communities they serve throughout the free world.

In Toronto, the process has been ongoing for several years, and it led last spring to the creation of a Community Contacts policy model as an important step in the process. This was followed by exhaustive study and debate about the Policy.

Since then, we have been involved in productive discussions with the Chief about how to implement our vision. As one stage in the process, we agreed to bring in former Ontario Chief Justice Warren Winkler to help the parties strategize about solutions. As you all know, he is renowned for his experience bringing people together, eliminating differences and strengthening common goals. We were very pleased to have had his assistance.

The collaborative process the Board and the Service have been engaged in has resulted in a Policy that the Service can and will implement in a formal Procedure and training. We have reviewed the Chief's draft Procedure and it is consistent with the Board's core values on this issue.

The Policy we will present to the Board for approval at our special Board meeting on April 2 refines the Community Contacts Policy passed in April 2014, while preserving all of its core principles. The Board re-stated its commitment to these core principles in December 2014 at its monthly public meeting. The refined Policy we will present strikes the right balance between the twin imperatives of treating all members of the community fairly and keeping neighbourhoods safe.

Community engagement is a complex dynamic. Nobody expects this Policy and the Service's procedure to be a final, perfect solution to Community Engagements. As we acquire on-the-ground experience and feedback from all sides about this Policy, and as data is collected and carefully tabulated, modifications may well be required. Progress in this area is a goal that does not end with one policy or procedure.

The centerpiece of the Policy is a joint statement of principles agreed to between the Board and the Service concerning what are known as Community Engagements – in other words, contacts between an officer and a civilian that goes beyond a simple greeting and may result in some cataloguing of information in police files.

It is important to note that the statement, which I believe you have already seen, describes principles shared equally by the Toronto Police Service and the Toronto Police Services Board.

The joint statement recognizes that a police officer in the performance of his or her duties must exercise discretion in a way that is based on and reflects the values of fairness, respect, individual dignity and equality.

It states explicitly that in exercising the discretion to engage with a member of the community not under arrest or detention, Service members will not consider race, place of origin, age, colour, ethnic origin, gender identity or gender expression in deciding whether to initiate a community engagement unless one or more of these factors form part of a specific suspect, victim or witness description. As well, in exercising their discretion, Service members are asked to consider psychological detention. **Psychological detention is a legal term and it refers to situations where a reasonable person would conclude by virtue of the officer's conduct he or she has no choice but to comply with the demand for information or other form of compliance.**

Another matter of note is that the statement acknowledges that collecting pertinent data is not quota-driven. It's a quality based exercise. This eliminates one of the core complaints of the community and the rank and file: namely, that there was too much information kept on people just

going about their business for no valuable reason.

And, finally, under this Policy, the Service will initiate and maintain a strong training program for Service members, and it will make this training program available to the Board for its review. One of the purposes of the training program will be to advance the values, principles and guidelines I have just described.

There are many times in life when our institutions work poorly or at cross-purposes with one another. But there are also encouraging moments when they mesh together and move society forward.

On this critically important issue of Community Engagement, community leaders and the media spoke with force. The police, key politicians and our Board reacted and recognized that change was needed to bring about fairness in the streets and to enhance vital human rights. I strongly believe that together, all of these dynamics have resulted in a progressive and forward-looking policy that will provide the fairness our community needs and deserves.

Before closing, I wish to thank former Ontario Chief Justice Warren Winkler for his invaluable assistance as our mediator. I also would like to express my appreciation of the hard work put in on this file by my fellow Board members, and, in particular, Vice Chair Andy Pringle, Ms. Marie Moliner and Mayor John Tory, as well as our legal counsel, Frank Addario. The

Board was confident about the commitment of the Service, and especially Chief Blair, to our shared goals, and I am pleased, on behalf of the Board, that with the cooperation of Chief Blair we are in a position to go ahead with the important work that lies in front of us.

Thank you.