



**Virtual Public Meeting**

**Tuesday, August 18,  
2020 at 10:30AM**

<https://www.ontario.ca/laws/statute/90m50>

**VIRTUAL PUBLIC MEETING AGENDA**  
**Tuesday, August 18, 2020 at 10:30am**  
**Livestream at:**  
<https://youtu.be/lUG3LdKOs>

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Call to Order

Indigenous Land Acknowledgement

Declarations of Interest under the [\*Municipal Conflict of Interest Act\*](#).

Swearing-in of New Board Member appointed by the Province of Ontario, Ms. Lisa Kostakis

Farewell to former Chief Mark Saunders and former Board Member Uppala Chandrasekera

Welcome to Interim Chief, James Ramer

1. Confirmation of the Minutes from the virtual meeting held on [June 19, 2020](#).

Presentations and Items for Consideration

2. July 23, 2020 from James Ramer, Interim Chief of Police  
**Re: [Special Constable Re-Appointments – August 2020](#)**
3. Policing Reform Initiatives and Accompanying Presentations
  - a. August 10, 2020 from Jim Hart, Chair  
**Re: [Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety](#)**

- b. June 25, 2020 from Uppala Chandrasekera (former Board Member) and Notisha Massaquoi, Co-Chairs of the Anti-Racism Advisory Panel  
**Re: Recommended Monitoring Framework for the Implementation of the Recommendations Arising from the Inquest into the Death of Andrew Loku**
  
- c. July 29, 2020 from Mark Saunders, former Chief of Police  
**Re: Approval of Body Worn Camera (B.W.C.) Contract Award and Project Implementation**

**Note:**

Written submissions received in accordance with the Board's Procedural By-law will be provided to Board Members in advance of the public Board meeting for their review and consideration.

Adjournment

Next Meeting

**Thursday, September 17, 2020**

**Time and location to be announced closer to the date.**

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**Members of the Toronto Police Services Board**

Jim Hart, Chair  
Lisa Kostakis, Member  
Michael Ford, Councillor & Member  
Ainsworth Morgan, Member

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



## Toronto Police Services Board Report

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July 23, 2020

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Interim Chief of Police

**Subject: Special Constable Re-Appointments – August 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.) 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*, 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).

It is the position of the Special Constable Liaison Office that the re-appointment of the individuals listed in this report is of operational urgency as two individuals' special constable status expired as a result of unforeseen operational impacts due to the COVID-19 pandemic and the cancellation of the July Board meeting. As external special constables respond to a significant amount of calls for service that would ordinarily require a police response, ensuring that the complement of special constables can be maintained in each agency is paramount in ensuring public safety and frontline operational continuity for the Toronto Police Service.

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

**Table 1 Name of Agency and Special Constable Applicant**

<b>Agency</b>	<b>Name</b>	<b>Status Request</b>	<b>Expiry</b>
T.C.H.C.	Arnold Cheung	Re - Appointment	October 10, 2020
T.C.H.C.	Giovanni Kinney	Re - Appointment	August 4, 2020

<b>Agency</b>	<b>Name</b>	<b>Status Request</b>	<b>Expiry</b>
T.C.H.C.	Alexander Shefler	Re - Appointment	July 20, 2020
U of T St. George Campus	Susie Lennie	Re - Appointment	November 9, 2020
U of T St. George Campus	George Hall	Re - Appointment	October 6, 2020
U of T St. George Campus	Shawn Phyper	Re - Appointment	November 19, 2020

**Discussion:**

Special constables are appointed to enforce the *Criminal Code* and certain sections of the *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 and 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 re-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**

<b>Agency</b>	<b>Approved Complement</b>	<b>Current Complement</b>
T.C.H.C.	300	163
U of T St. George Campus	50	35

**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.

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

Respectfully submitted,

James Ramer, O.O.M.  
Interim Chief of Police



# Toronto Police Services Board Report

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August 10, 2020

To: Members  
Toronto Police Services Board

From: Jim Hart  
Chair

**Subject: Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety**

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## **Recommendation(s):**

It is recommended that the Board approve the recommendations listed at [Appendix A](#).

## **Financial Implications:**

The financial implications arising out of the recommendations contained in this report are unknown at this time. If the recommendations are approved, financial implications – including for potential costs savings or re-allocations – will be assessed on an ongoing basis.

## **Background / Purpose:**

There is a long history of anti-Black and anti-Indigenous racism, discrimination, and marginalization in our city. Systemic racism occurs within policing, as it does in many other public and private systems. Too many of our fellow residents experience the effects of systemic racism every day. It is an ongoing challenge for the Toronto Police Services Board (the "Board") and the Toronto Police Service (the "Service") to address these issues in a way that engenders public trust. We acknowledge that we must do better. We acknowledge that the status quo is not adequate. We recognize that much work remains to be done and that it must be done in partnership with others, including our city's diverse communities. This report is a beginning; one that proposes immediate action and a commitment to change through ongoing consultation and a reimagining of our current approach to public safety.

As the governing body for the Service, the Board must be a catalyst for reform that addresses systemic racism in the areas of community safety and policing. In 2016 the Board, in partnership with the Service, undertook a wholesale review of its operations and created a roadmap for modernization. However, no plan can be frozen in time. We have and must continue to engage with various stakeholders and the public. We must listen, learn, and continually test our understanding of the challenges facing our communities and public safety in Toronto. We have to work collaboratively to design the best responses to these challenges.

The Board's priority has, and must continue to be, ensuring fair and equitable policing in Toronto. We also must recognize that law enforcement – whether reactive or proactive – is not the only solution to many of the challenges our city faces. Rather, it is a single piece of a multi-dimensional pie. Toronto's community safety is a shared responsibility. It relies on a continuum of governments, organizations, experts and persons with lived experience, who together have the appropriate skills, abilities, and vested interest to create and implement strategies to make our city safer.

This report was developed holistically, incorporating: the referred Board report from the June 2020 Board Meeting as a foundation; the directions from the June City Council decision; the substantive community input received from the recent public town hall meetings; consulting the Toronto Action Plan to Confront Anti-Black Racism; consultations and recommendations from the Board's two advisory panels, namely the



Anti-Racism Advisory Panel (ARAP) and the Mental Health and Addictions Advisory Panel (MHAAP); and relying on the expertise of the professional staff within the Board Office, who ensure that the Board fulfils its governance and oversight duties.

### *Referred Report*

At its meeting of June 19, 2020, the Board received a report from the Chair entitled “Recommendations for the Board Related to Current Events” (Min. No. P89/20 refers). That report is attached as [Appendix B](#). The report was drafted in response to recent events, including the killing of George Floyd at the hands of a Minneapolis police officer, and the tragic death of Regis Korchinski-Paquet in Toronto. These tragedies and lost lives have brought our city to engage once again in a critical conversation about the status quo in policing and the systemic racism that is evident in the current systems that respond to crises and ensure public safety in Toronto.

Following the release of the June 2020 report, we heard from members of the public, as well as members of both ARAP and MHAAP. They felt that further engagement was needed before the Board could consider any meaningful recommendations for reform.

Therefore, at its June 19, 2020, meeting, the Board decided to refer the report to the next Board meeting to allow for broader consultation with the public, and to receive advice from its advisory panels.

### *Toronto City Council Consideration of Changes to Policing*

At its meeting of June 29, 2020, Toronto City Council considered a number of motions by councillors addressing policing in Toronto. Among those motions was agenda item CC22.2, a report by the Mayor entitled “Changes to Policing in Toronto”. The report was adopted with amendments. The decision of City Council comprises 36 items covering a number of areas touching on policing, public safety and crisis response in Toronto. The items are directed to a variety of stakeholders, including the Board. Attached as [Appendix C](#) are the items adopted by City Council.

### *Town Hall Meetings hosted by the Board*

The Board held four full-day town hall meetings on July 9, 10, 15 and 16, 2020. These forums were created in response to the thousands of messages that the Board received in the aftermath of the killing of George Floyd and the death of Regis Korchinski-Paquet, and related protests in Toronto and around the world.

The meetings followed an open format allowing the public to make submissions to the Board and providing the Board an opportunity to hear the voices of our communities and ask questions. The submissions covered a wide range of issues, including police accountability, police reform, and community safety priorities. Members of the public who could not make a live presentation at the town hall meetings were invited to provide a written or recorded statement on the Board’s website. Over one hundred such submissions were made.

The town hall meetings were broadcast via YouTube. Links to the recordings of these sessions and copies of all of the written and recorded submissions provided to the Board are available on the Board's website at <https://tpsb.ca/consultations-and-publications/july-2020-town-halls>.

A comprehensive synthesis of the submissions made at the town hall meetings is being prepared for posting on the Board's website. Those submission informed this report and will inform the Board's continuing engagement with these issues. For the purposes of this report, an interim synthesis is attached at [Appendix D](#), which identifies certain general themes and some of the key recommendations that were highlighted during the town hall meetings. [Appendix D](#) also includes a unique illustrated summary of the Town Hall meetings. This summary provides a visual representation of the key themes heard throughout the Town Hall meetings. Both the textual summary and a "flipbook" version of the visual summary are available on the Board's website.

Most consistently, the Board heard that many people want to see a complete restructuring of how community safety is addressed and delivered in the city. Members of the public and those representing community organizations made powerful and compelling submissions that Toronto should rethink and de-emphasize the current reactive approach to public safety in favour of a proactive approach that addresses the social determinants of crime, such as poverty, housing, food security and social services. It was widely submitted that this alternative approach avoids the criminalization of poverty, mental health and addictions issues. The majority of speakers called to fund this alternative approach to public safety by reducing the funding of police services in Toronto.

Recognizing, however, that an emergency response will always be necessary, another frequent recommendation was the creation of a community crisis response model that does not include police, or has reduced and tiered police involvement. These recommendations were animated by the belief expressed by many deputants that police officers do not have the requisite training, background or expertise to effectively deal with mental health crises. Indeed, many told us that this is not the appropriate role for police, regardless of how well trained they might be in the area.

In short, many speakers said there is a need to "reimagine" how community safety is achieved in Toronto, possibly with a considerably redesigned role for police.

In considering what action to take and how, the Board has and will continue to examine and be informed by the submissions made during the town hall meetings . The Board will also continue to consult with the public on these issues and ensure that the public has opportunities to make its voices heard.

### *The Toronto Action Plan to Confront Anti-Black Racism*

In preparing this report, Board staff has reviewed and considered the recommendations addressing policing that are contained in the Toronto Action Plan to Confront Anti-Black Racism ("CABR Action Plan").

The CABR Action Plan is the culmination of a process started by the City of Toronto in 2016 to acknowledge and confront anti-Black racism in the city, and was approved unanimously by City Council. In partnership with community agencies, young Black leaders and Black Torontonians, the City built on past recommendations to synthesize a list of recommendations and actions meant to address the continued anti-Black racism in Toronto. The Confronting Anti-Black Racism Unit ("CABR Unit") at the City of Toronto is responsible for the implementation of the CABR Action Plan. The CABR Action Plan's recommendations and actions addressing policing are listed at [Appendix E](#).

The recommendations in this report that reference the CABR Action Plan are by no means meant to be a full answer to the recommendations made in that document. Reference to the CABR Action Plan is simply meant to indicate where a recommendation is informed by the Action Plan work.

### *Consultation with MHAAP and ARAP*

The Board's two advisory panels, MHAAP and ARAP, met in July to consider the Board's referred report and provide their advice and recommendations. A summary of the advice and recommendations from MHAAP and ARAP are attached respectively as [Appendix F](#) and [Appendix G](#). These advisory panels will also serve an integral role in guiding the Board and monitoring the implementation of the recommendations in this report.

### *Existing Initiatives*

The Board recognizes that the Service has long engaged in initiatives that are designed to address many of the same issues the Report's recommendations address. The plan laid out in this report builds on and expands these initiatives to continue and improve the Service's response to systemic racism, and enhance public trust in the Service.

Many of the Service's existing initiatives are being led by the Equity, Inclusion and Human Rights Unit (EI&HR). Resulting from the strategic direction of the Board's and Service's modernization plan *The Way Forward*, the EI&HR, the first of its kind in Canadian policing, is a Centre of Excellence led by a team of subject matter experts, utilizing best practices in the embedding of inclusion and human rights through a research and evaluation framework to champion a progressive equity agenda for the Service. Among its many initiatives, EI&HR is currently working with the Service's Governance Unit and is engaged in a comprehensive review of all of TPS procedures from an anti-racism and human rights lens to identify gaps as well as embed equity principles throughout all of its procedures.

Other existing initiatives underway include:

Race-Based Data Collection Strategy: Developed on the basis of the Board's Race-Based Data Collection, Analysis and Public Reporting Policy, and guided by the legal principles of *Ontario Human Rights Code* and Ontario's *Anti-Racism Act 2017*. The Service will collect and, in partnership with external stakeholders and the community, analyze race-based data to identify and address systemic race-based barriers and disparities in the Service's programs, services and procedures. Substantial internal and community consultation identified key considerations, concerns and recommendations for implementation. Starting January 1, 2020, phase one includes the collection of race-based data for Use of Force, development of race-based data collection training, and design of the recruitment and selection process for a Community Advisory Panel informed by the Wellesley Institute.

Workplace Harassment Review: Deloitte has been contracted to conduct an independent and comprehensive review of our workplace culture and processes relating to harassment and discrimination inform an actionable roadmap for tangible culture change. Data analysis will include an anti-Black racism lens.

Talent Sourcing and Marketing Framework: This Framework seeks to increase diversity among applicants and new hires, particularly focusing on mass hiring initiatives. The Service is achieving greater diversity outcomes in its Uniform Cadet recruitment as a result of this approach.

Core Values and Competency Framework: This was developed through a collaborative and inclusive process, including interviews with 100 members of the public, from community advocates to members of Community Police Liaison Committees, as well as interviews with Service members.

#### Ongoing Training and Capacity Building activities

- Race Based Data Collection Technical briefing for all uniform members.
- Police and Community Engagement Review (P.A.C.E.R.) Recommendation 12: In accordance with this recommendation, the T.P.S. will continue to ensure all uniform officers and investigators receive training grounded in an anti-Black racism lens.
- Bias Avoidance Training.
- Ethics and Incivility in the Workplace (Human Rights Leadership): a three hour Diversity training program for recruits, addressing the value of diversity, the Human Rights Code, the Toronto Police Code of Conduct and the need for inclusion, accommodation and professionalism.
- All Leadership Training has a minimum 90 minute Human Rights, Diversity and Inclusivity lecture.
- A redesigned In Service Training-Day 1, including: Indigenous Perspectives, Anti-Black Racism, Race-Based Data Collection, Strip Search, Persons with Disabilities, Vulnerable Persons, Wellness and Resiliency, and Scenario Based Training.

### Ongoing Community Engagement initiatives

- In 2018, after community feedback, the Neighbourhood Community Officer (NCO) Program was enhanced to include:
  - A standardized mandate to focus on building partnerships in the community and working towards long-term solutions to public safety and disorder issues;
  - Community-centric training specific to their role;
  - Assignment to each neighbourhood for at least four years;
  - Identification as NCOs on uniforms and vehicles; and,
  - Access their work environment through a mobile device allowing officers to spend more time in their assigned neighbourhoods
- The Black Community Consultative Committee advises the Chief of Police and identifies opportunities to build bridges between the Service and Black communities.
- Impact Truth Hearing: This event was an opportunity for both the Black youth and Toronto Police Service officers to enter into a dialogue based on true lived experiences to understand the emotional impact and collateral trauma felt by both sides with the goal of building trust and improving youth-police relations.

### *The Board's Responsibility for Oversight*

The Board recognizes the intensive effort that community organizations, City Council and others put into identifying interventions to address the very complex, intersectional issues of race and mental health in policing. The Board welcomes and appreciates all the work and recommendations of our partners across the city, which have been supplemented by the extraordinary flow of recent submissions and recommendations made by community members and organizations. We are committed to reviewing the recommendations and submissions received by the Board, as well as to continue consulting with communities, organizations and individuals across the city, as we build new and deeper relationships with these partners in order to confront and address systemic racism in the provision of public safety in Toronto.

Our task must include creating space for the public to be heard so the Board is better informed while discharging its statutory role in the governance and oversight of the Service. That role also requires that the Board apply its resources and expertise to create change that will achieve the ultimate goal of addressing systemic racism. That means not only leveraging the recommendations and submissions of others, but providing our own direction borne from the Board's own research and expertise in policing and governance. With the invaluable contribution of the community and our partners in public safety, we must commit the Board to designing approaches and interventions that will eradicate the scourge of systemic racism in the provision of public safety.

The recommendations in this report are not meant to be an end point in this critical work but, rather, an important beginning. Successful reform takes time, collaborative

engagement, and a recognition that change can be substantive and substantial, even where it is not immediate. This report is a beginning. It begins to address some of the important issues we face as a community. The Board commits to continued engagement on these matters and to advancing bold and innovative proposals that will achieve our collective goal of achieving a fair and equitable system of public safety.

The Board also recognizes that while some recommendations will be carried out immediately, others will require more time to develop, in consultation with the Service, subject matter expert, and the public. Implementing these recommendations will impose a substantial amount of work on the Service in terms of time and resources, and the Board is prepared to work with the Chief of Police to ensure this work can be carried out so as not to have a negative impact on the Service's ability to carry out its core duties effectively. This report presents the roadmap that the Board and the Service will follow in the foreseeable future as we work collaboratively to ensure a safer city for all its communities.

## **Discussion:**

This report synthesizes the many recommendations, observations and submissions made by the public, ARAP and MHAAP, and other stakeholders, into proposals for action that the Board and/or Service can implement. These proposals are the inaugural steps of a larger process towards the development of new systems, interventions and a culture that will confront systemic racism and the other challenges that result in disparate outcomes for racialized communities in their interactions with the Service.

It should be noted that the Board heard a number of submissions and received a variety of recommendations addressing body-worn cameras, through a variety of correspondence, submissions, and speakers at our town hall meetings. Those recommendations are not addressed in this report. The Board is considering a separate report addressing a recommended procurement of body-worn cameras that was submitted by the Service, and will consider an additional report in the near future concerning the Board's Policy on body-worn cameras. The Board will consider the submissions and recommendations received in the recent consultative process as part of its review and consideration of those reports. This will include the specific recommendations that were made with respect to how the creation of checks and balances within a policy on body-worn camera use can work to address concerns about how the technology is used, and the potential for improper use.

To assist in organizing and discussing the many recommendations, this report identifies common themes that run through them and reflects the general areas of concern raised by MHAAP, ARAP and the recent town hall meetings. Those themes are:

1. Alternative Community Safety Response Models
2. Police Budget and Budgetary Transparency
3. Independent Auditing and Service Accountability
4. Chief Selection Criteria

5. Data Sharing and Information Transparency
6. Conduct Accountability
7. Police Training
8. Consultation with Experts and Communities
9. Building Public Confidence
10. Ensuring Change

While these actions are spread across a broad spectrum of areas, they represent different facets of a single holistic approach that the Board has taken up to openly acknowledge and directly confront systemic racism in all its manifestations.

As well, where possible, we have identified where the recommendations below are informed, in whole or in part, by motions adopted by City Council, recommendations from the report referred by the Board at its June 19, 2020 meeting, recommendations found in the CABR Action Plan, or recommendations made by MHAAP or ARAP.

### ***Alternative Community Safety Response Models***

(City Council #1, 5, 12 and 18; Board #4; MHAAP #2-10 and 25-26; ARAP #10-11 and 16-26)

A major theme from the recommendations and submissions received by the Board is the need for an alternative to the current community safety response model, specifically one that does not require the presence, intervention or legal powers of police. This would include alternatives to police attendance at mental health crisis calls, wellness checks and low-level disputes between community members (e.g., neighbour disputes). The recommendations and submissions received to date have also highlighted the need to expand the Service's current Mobile Crisis Intervention Team (MCIT) program, which is the only existing alternative to a police-only response to mental health crises and wellness checks in Toronto. Currently, the Service's MCIT program can respond to only 20% of the approximately 30,000 crisis calls received each year.

The Board has long supported the MCIT program, which pairs a specially trained police officer with a mental health nurse to respond to people experiencing mental health crises in our community. Through this innovative and progressive program, we have seen a number of important benefits: the delivery of swift and compassionate support with a focus on de-escalation, the prevention of injury, the ability to more readily link people in crisis to appropriate community services, and reduced pressure on hospitals and the justice system. However, the recommendations and submissions received suggest it is time to consider an even bolder approach, namely redirecting certain calls currently handled by police into the more specialized hands of non-police response teams.

The redirection of calls from police to other alternative responders will require considerable work in partnership with other stakeholders, including the City Manager's Office, City divisions and provincial counterparts. This work will involve identifying the appropriate non-core policing calls currently handled by police that can be directed to an alternative community safety and crisis response. Moreover, it will take time to develop

and implement such an alternative response model, during which time the police and the MCIT will remain the only response option. Given its statutory responsibility to ensure adequate and effective policing services, the Board cannot make a recommendation that will result in any gap in this essential service until an alternative model is available.

However, taking advantage of this important opportunity to conceive a crisis response model that does not depend on police, there are steps the Board can take now. To that end, it is recommended that the Board:

1. Direct the Executive Director to:
  - a. Work with the Service, City Manager and other stakeholders to identify the categories of calls that might be addressed by a non-police response. (City Council #1; Board #4; MHAAP #26; ARAP #11)
  - b. Work with the City Manager, Government of Ontario, community based mental health and addictions service providers, organization representing people with mental health and/or addictions issues and other stakeholders to develop new and enhance existing alternative models of community safety response, including mobile mental health and addictions crisis intervention. (City Council #1 and 18; Board #4, MHAAP #25; ARAP #10)
  - c. Work with the Service, and others including the Auditor General, to identify non-core policing services that can be delivered by alternative service providers, as well as other opportunities for improved service delivery by the Service itself (subject to the requirement that provincial Adequacy Standards for policing continue to be met)
  - d. Work with the Service, and others including the Auditor General, to identify funding or areas of funding currently allocated to policing that can potentially be re-allocated to support alternative community safety models and/or fund other City of Toronto programming and services that contribute to community safety.
  - e. Work with the City of Toronto and the Service to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis. (MHAAP #5; ARAP #19)
  - f. Engage the Service to detail potential reductions to the Toronto Police Service budget that would result from any proposed changes to the current community safety response model, once the details of this alternative model are developed. (City Council #1)
  - g. Engage MHAAP and ARAP in the above efforts. (City Council #1; Board #4; ARAP #11; MHAAP #26 )
  - h. Engage the CABR Unit and other experts to ensure that an anti-Black racism analysis is employed in the development and implementation of any alternative models to public safety response. (CABR #18.2)



- i. Provide an opportunity for broad community and public consultation in the above efforts. (City Council #1; Board #4; ARAP #11; MHAAP #26)
2. Direct the Chief of Police to work with the Executive Director and Board Staff in the above efforts, including providing access to the Service Members, data and other resources necessary to perform this work.
3. Direct the Chief of Police to report to the Board on the outcome of crisis calls made to the Service (e.g., referral to services, apprehensions, etc.) in 2019 and 2020, and going forward on an annual basis, for the city in aggregate and per police division. (MHAAP #5; ARAP #19)
4. Direct the Chief of Police to prioritize and create a plan to implement, as soon as feasible, an immediate expansion of the MCIT program in partnership with existing community-based crisis services, including peer support, to meet current demands for mental health-related service calls, recognizing the need for the Service's partners to secure necessary funding for this expansion, with a view to providing MCIT services 24 hours a day, seven days a week, and across all Divisions. (City Council #5; Board #4; MHAAP #2 and 25; ARAP #10 and 16)
5. Direct the Chief of Police to include in that plan provisions for:
  - a. implementation oversight, including routine monitoring, evaluation and benchmarks for success; (MHAAP #6; ARAP #20)
  - b. follow-up for individuals after an MCIT response, which should be delivered in partnership with community-based mental health and addictions service providers including ethno-racial specific services, provide connection to ongoing supports including case management when needed, and ensure individuals who could benefit are referred to Mental Health and Justice and community-based crisis prevention programs and/or the FOCUS table; (MHAAP #7; ARAP #21)
  - c. quarterly meetings at the Divisional level with community-based mental health and addictions agencies within Divisions to plan for a co-ordinated approach to crisis response and prevention, and to align their strategies with existing community-based planning tables as appropriate; (MHAAP #9; ARAP #23)
  - d. a culturally responsive approach consistent with the commitment to equity and anti-racism outlined in the Service's Mental Health and Addictions Strategy; (MHAAP #10; ARAP #24)
  - e. recruitment criteria for participating police and health care providers, which should include a demonstrated ability for anti-racist and anti-oppressive practice, commitment to human rights, and awareness of lived experience of mental health and/or addictions related issues; (MHAAP #10; ARAP #24)

- f. ongoing quality improvement of program operations through data collection and reporting on MCIT interventions, services provided and outcomes, which should include:
    - i. anonymization and aggregation for public dissemination through regular reports to the Board;
    - ii. mandatory race-based data collection for MCIT service calls, which collection should be prioritized for implementation;
    - iii. gender-based data collection that should include non-binary gender options;
    - iv. public reporting through reports to the Board on MCIT service call outcomes, including apprehensions made under the *Mental Health Act* (MHA);
    - v. public reporting through reports to the Board on service outcome disparities by race, gender identity or other client information;
    - vi. cross-referencing MCIT service call outcomes with emergency department data (through the Institute for Clinical Evaluation Sciences) to understand how MHA apprehensions result in hospital admissions; and
    - vii. provision for any public data reporting to be reviewed by MHAAP and ARAP prior to public release. (MHAAP #11; ARAP #25)
6. Direct the Chief of Police to present his plans for expanding the MCIT to MHAAP for review and feedback. (MHAAP #6; ARAP #20)
7. Direct the Chief of Police to fund the expansion of the MCIT program from within the current 2020 Toronto Police Service Operating Budget, including any appropriate reserves, and to continue to fund the expanded MCIT program without a request for additional funding in the 2021 budget request. (City Council #5; Board #4; MHAAP #2 and 10; ARAP #25)
8. Direct the Chief of Police to expand the existing MCIT Steering Committee to include representatives from MHAAP and ARAP, Executive Directors/CEOs of community-based mental health and addictions agencies, a representative of the CABR unit, delegates of the Board and people with lived experience. (MHAAP #8; ARAP #22)
9. Direct the Chief of Police to have the expanded MCIT Steering Committee meet on a quarterly basis, at minimum. (MHAAP #8; ARAP #22)
10. Direct the Chief of Police to work with the Board to pursue additional contribution from other levels of government to expand the MCIT program, and in particular, the funding of additional mental health nurses or other mental health providers.
11. Advocate with the municipal, provincial and federal governments for additional funding at a level consistent with or greater than the cost of the proposed MCIT expansion, specifically for community-based services to work in collaboration

with police crisis services and Ontario Health Teams and, more specifically, for organizations that provide relevant resources, services and support to assist individuals responding to mental health and addictions related issues. (MHAAP #3; ARAP #17)

12. Direct the Chief of Police, in consultation with MCIT service users, front-line workers and Service Members, to explore and develop a plan to place MCIT police officers in a distinct uniform, specially designed to support de-escalation. (MHAAP #4; ARAP #18)

### ***Police Budget and Budgetary Transparency***

(City Council # 4 and 7; Board #6; MHAAP #14 and 27; ARAP 12 and 18)

The police budget, which surpasses \$1B, has generated significant public interest. A number of the recommendations by City Council and submissions from the public called for changes in police budgets. While there are calls by many to reduce or eliminate the budgets allocated to police services, there is also a call for greater accountability and transparency in the police budgetary process itself.

The Board has heard calls to defund the Toronto Police Service by as much as 50%. The Board is statutorily responsible for the provision of adequate and effective policing in Toronto. The Board is also statutorily prohibited both from making arbitrary cuts to the police budget and reducing the Service's complement of police officers where to do so would affect the ability of the Service to adequately and effectively deliver policing services in the city. The Board, therefore, cannot impose any arbitrary cut in the police budget, or a cut that compromises the Service's ability to deliver the host of policing services required by law.

At the same time, the City of Toronto is not adequately and effectively policed if particular communities within the city are disproportionately affected or stigmatized by policing. Nor is it adequately served if the share of the City's funds committed to policing results in the underfunding of programming and services that eliminate the root causes of crime and proactively achieve community safety without law enforcement. It is, therefore, incumbent on the Board to consider the police budget in the fuller context of the limited resources available for allocation by the City of Toronto. In that respect, the Board should review the Service's budget, budgetary process and service delivery with the perspective that public safety, and, in particular, crime prevention, might be more effectively, efficiently and economically provided by investing in, and through partnership with, social services and community initiatives that are currently underfunded, as well as by funding alternative crisis response models staffed by persons with specialized training and experience. This can be facilitated, in part, by examining previous recommendations made by consultants, the Board, the Auditor General and others, which identified opportunities for moving some areas of service delivery to more appropriate service-providers, and how police funding could be re-allocated to support this change.

In addition to the calls for reducing the police budget, members of the public and others have called for greater transparency in the police budget and budgeting process. Greater transparency is a democratic imperative. Transparency results in greater accountability and, potentially, savings.

To provide greater budget transparency and to identify areas where services could be more effectively and economically provided by alternative service delivery models, it is recommended that the Board:

13. Direct the Chief of Police to work with the Chair and Executive Director to develop and implement a line-by-line approach to reviewing the police budget in order to identify opportunities for service delivery improvement and efficiencies, including the possible redirection of non-core policing functions and their associated funding to alternative non-police community safety providers and/or community safety services or programming.
14. Direct the Chief of Police to work with the Executive Director and the City Manager to identify opportunities for the development of alternative crime prevention and reduction initiatives that could ultimately reduce the demand for reactive police services across Toronto.
15. Direct the Chief of Police to immediately post a line-by-line breakdown of the 2020 Toronto Police Service Budget to the Service's website in a machine readable, open format that would facilitate further analysis of the information. (City Council #4)
16. Direct the Chief of Police to provide an annual line-by-line breakdown of the Toronto Police Service's budget request at the outset of every annual budget process. (Board #6; ARAP #12; MHAAP #27)
17. Direct the Chief of Police to provide a line-by-line breakdown of the Toronto Police Service's approved budget at the end of every annual budget process. (Board #6; ARAP #12; MHAAP #27)
18. Direct the Chief of Police to organize all line-by-line breakdowns by individual program area, function and service delivered, subject to the need to protect investigative techniques and operations, and in such a way as to provide maximum transparency to the public. (Board #6; ARAP #12; MHAAP #27)
19. Direct the Chief of Police to immediately provide the Board with the annual Budget Summaries and Uniform/Civilian Staffing Summaries by command, with Approved, Proposed and Actuals for the last five budgets, and to do so for all future budgets, in a machine readable open dataset format. (City Council #7)
20. Direct the Executive Director to immediately post the annual Budget Summaries and Uniform/Civilian Staffing Summaries per command, with Approved,

Proposed and Actuals for the last five budgets and for all future budgets to the Board website in a machine readable open dataset format, and to make the same available to the City of Toronto to post to its open data portal. (City Council #7)

21. Allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, to include the involvement of community-based partners, and, in the future, to ensure that sufficient funds are allocated annually to support public consultation during the budget process. (Board #6; ARAP #12; MHAAP #27)
22. Direct the Chief of Police to explore options for the Service to pay honoraria and transportation costs to otherwise unpaid community members that contribute their time, skills and experience to police training and service improvement. (MHAAP # 14; ARAP #28)
23. Direct the Executive Director to compile the above directions and any other appropriate policy guidance into a budget transparency policy, for future consideration by the Board.

### ***Independent Auditing and Service Accountability***

(City Council #9, 10, 11, 31 and 33)

The Board heard from members of the public, as well as City Council, that there is a desire and need for independent auditing of the Toronto Police Service. These include requests that the Board invite the Auditor General for the City of Toronto ("Auditor General") to perform audits of the Toronto Police Service and its services, systems, and finances.

The Board recognizes the beneficial relationship that we have had with the Auditor General in the past. The Auditor General has previously conducted audits of a variety of aspects of the Service, including, for example, controls relating to overtime and premium pay, vehicle replacement policy, investigations of sexual assaults, and police training. In 2015, the Board also invited the Auditor General to consider including the Service as part of City-wide audits on long term disability, capital project management, and accounts payable (Min. No. P293/15 refers). More recently, on December 12, 2019, the Board sent a letter to the Auditor General inviting her to conduct an overall risk assessment as well as a cybersecurity audit of the Toronto Police Service. Work on this project is currently on-going. The Board welcomes to opportunity to refresh that relationship and build upon it.

Given the expenditure of significant public funds on policing in Toronto, the importance of accountability and transparency in how these funds are spent, and the need to continuously strengthen internal systems, there is real value in engaging the services of the Auditor General.

Therefore, it is recommended that the Board address these recommendations by taking the following action:

24. Direct the Chair and Executive Director to work with the Auditor General to enter into a Memorandum of Understanding, and accompanying work plan, with the effect of engaging the Auditor General to perform audits of the Toronto Police Service to improve service delivery, identify specific areas of success and specific areas for improvement within the Service, and to find potential areas for savings and redistribution of funding. (City Council #10 and 11)
25. Direct the Chief of Police to assist the Chair, Executive Director and Auditor General in developing the above Memorandum of Understanding and accompanying work plan and to make available the personnel, information and other resources necessary for that purpose. (City Council #10 and 11)
26. Direct the Chief of Police to grant Board Staff and the Auditor General access to personnel, information, records and any other resources necessary to perform any audits contemplated by the above work plan, subject always to applicable legal requirements that do not permit disclosure (e.g. investigative techniques). (City Council #10 and 11)
27. Direct the Chair to communicate to the Province the Board's support of City Council's request to amend the City of Toronto Act to expand the Auditor General's jurisdiction to include auditing the Service, and reporting the results of any audits by the Auditor General to the Board. (City Council #9)
28. Direct the Executive Director to update the Board's Audit Policy addressing audits of the Service, to include any standing directions and policy guidance for the Chief of Police to ensure the Board, its staff and any third parties contracted by the Board for the purpose of auditing the Service, are provided with the access to information and personnel necessary for a successful audit.
29. Direct the Chair and Executive Director to engage with the City Manager and discuss additional and alternative approaches to ensuring transparent auditing of police practices and policies. (City Council #31)
30. Direct the Chief of Police to present a preliminary report to the Board by November 2020, to be followed by a comprehensive report by February 2021 and thereafter on a frequency as directed by the Board, on outcomes associated with how diversity in human resources is being prioritized and achieved in the Toronto Police Service, including with respect to recruitment, hiring and promotion for both civilian and uniform positions at all ranks and classifications. (City Council #33)

### **Chief Selection Criteria**

(City Council #14 and 16)

The Board takes the selection of and hiring process associated with the next Chief of Police very seriously. The Board values and has prioritized public consultation in the selection process for the Chief of Police in the past and recognizes the importance of further improving its engagement efforts. In particular, it values input from the public and community stakeholders on the values, skills and other criteria deemed integral to the success of the Chief of Police for Toronto. During the town hall meetings, as well as at City Council, the selection process and criteria associated with the Chief of Police was the subject of much discussion.

The Board will soon begin the public procurement process to select firms to assist with the executive search for the next Chief, as well as for the public consultation process which will inform the executive search. The Board will receive Requests for Proposals (RFP) from interested firms, and will then follow the procedural steps of receiving, evaluating, and selecting firms to execute the executive search and public consultation processes. It is anticipated that a Board report recommending the successful firms will be brought before the Board for approval in Q4 2020. The firms will begin their work following the Board's approvals.

Based on this input, it is recommended that the Board:

31. Direct the Executive Director to publish the criteria expected in a successful candidate for Toronto's Chief of Police to the Board's website and communicate those criteria in the recruitment process.
32. Emphasize, in the selection of the Chief of Police, the following qualifications, skills and experience:
  - a. a proven track record and/or demonstrated ability to create deep and successful reform of policing, including:
    - i. a proven ability to ensure that non-violent de-escalation strategies and techniques are properly employed by police officers, particularly in relation to engagement with people from racialized communities and people with mental health issues;
    - ii. demonstrated experience and success in policing modernization initiatives, with an emphasis on building and sustaining strong, collaborative relationships with racialized and marginalized communities, and the willingness to consider other models for first responder calls for non-violent incidents.
    - iii. a demonstrated track record of building and maintaining community safety, as well as the ability to lead through innovation and collaboration. The Chief will, together with an engaged Command Team, be a visible advocate of effective, equitable policing with the public. The Chief will work to ensure the Service is seen as an

- international leader in providing modern, trusted, community-focused policing;
- iv. the ability to motivate members to be innovative, collaborative and inclusive. The Chief will support both the 'front line' and uniform and civilian support staff and will ensure the Service is a sought-after and positive place of employment with talented individuals who reflect the city's diversity at all levels of the organization and who are passionate ambassadors of community engagement and public safety;
  - v. the understanding of how to prioritize, develop and nurture partnerships with a broad spectrum of social service providers, law enforcement agencies, health sector organizations (with a focus on mental health and addictions services), community organizations and leaders, and government, in addition to having demonstrated experience and success in collaborating with these stakeholders. The Chief will leverage these partnerships to collaborate in the development of innovative programs rooted in community policing;
  - vi. having a deep understanding of the myriad and complex challenges facing policing organizations internally and externally, including strengthening member wellness and engagement, and increasing public trust and legitimacy across communities, particularly those that are vulnerable, marginalized, and disaffected;
  - vii. having the ability to effectively manage a significant annual budget that places innovation, alternative service delivery, data and technology at the centre of a strategy to leverage the most out of public dollars, and find ways to do the TPS's work so as to set a new standard in policing;
  - viii. being a recognized and proven senior leader in the policing community who is known for embracing challenge, developing creative solutions and a clear ability to lead cultural change with the support of an engaged Command Team. The Chief will have a demonstrated track record of bridging divides, earning respect through a commitment to excellence and accountability, and empowering people to be their best; and
  - ix. providing the leadership and inspire the confidence necessary to make Toronto the model for the future of urban policing.
- b. understand and value:
- i. the importance of diversity in the City and in the Toronto Police Service itself;
  - ii. acceptance of all people and a recognition that Toronto is home to the most culturally diverse population in the world, which gives our City its strength in times of crisis;
  - iii. the strategies and actions required to ensure that, in the policing context, Toronto remains a place of inclusion, diversity and respect for all; and



- iv. human rights as a core competency and an on-going commitment for themselves and the Toronto Police Service as a whole. (City Council #14)

33. Direct the Executive Director to engage the City Manager, the CABR Unit and the Indigenous Affairs Office of the City of Toronto to provide their advice on the development and implementation of a rigorous community consultation process for the selection of the next Chief of Police. (City Council #16)

34. Ensure that human rights competency and achievements are included as a component of the Chief of Police's annual performance review.

### ***Information-Sharing and Transparency***

(City Council #6, 16 and 30)

Information-sharing and transparency is key to building and maintaining public confidence. Information-sharing and transparency is also fundamental to good police governance and the improvement of service delivery. It is the Board's practice to publicly post all its Policies on its website, and to encourage the open sharing of data.

There are other areas that relate to policing procedures and operations about which less information has traditionally been made available to the public. The Board recognizes that there is some information, such as specific policing techniques, that cannot be shared publicly without compromising the Service's ability to maintain public safety. However, there is likely more information that can be shared with the public than has been to date, and in sharing this information, members of the public will have access to information to better inform themselves about policing in Toronto.

With that in mind, it is recommended that the Board:

35. Direct the Chief of Police to immediately post the Toronto Police Service's Use of Force Procedure on its public website, in a form that will ensure the efficacy of investigative techniques or operations is not endangered and that will not compromise the safety of any person by divulging police practice. (City Council #6)

36. Direct the Chief of Police to post on the Service's public website, as soon as feasible and on an on-going basis, up-to-date copies of those procedures of public interest that govern the interaction of police with the public, in a form that will not endanger the efficacy of investigative techniques and operations.

37. Direct the Chief of Police to share regularly updated datasets from the Toronto Police Service's open data portal with the City of Toronto for display and distribution on the City's open data portal, subject to the need to protect personal privacy and to comply with any privacy legislation. (City Council #16)

38. Direct the Chief of Police to convert the Toronto Police Services Board's annual reports and any files currently provided on the Toronto Police Service's open data portal in PDF format into appropriate digital format for use and distribution on the City's open data portal. (City Council #16)
39. Direct the Chief of Police to post all open data collected pursuant to the Race-Based Data Collection Policy to the Toronto Police Service open data portal and to share that data with the City of Toronto for display and distribution on its open data portal, subject to the need to comply with applicable privacy and other legislation. (City Council #30)
40. Direct the Chief of Police and the Executive Director to work with the City Manager to consolidate and expedite continuous data sharing in order to better inform city-wide approaches to violence prevention and community safety, including with respect to the City's Community Safety and Well-Being Planning efforts. (City Council #30)
41. Direct the Executive Director to develop a policy governing information transparency and data sharing for the Toronto Police Service, which will include the above directions and any other provisions that will contribute to information transparency and data sharing that will improve accountability and service delivery.
42. Direct the Executive Director to identify potential research, policy and academic centres with whom the Board can partner for research and policy development aimed at improving policing in Toronto.

### **Conduct Accountability**

(City Council #20 and 29; CABR #17.2; MHAAP #15; ARAP #29)

The investigations and discipline of police officers is strictly regulated by provincial legislation. Despite being the employer of police officers, the Board has no jurisdiction to direct accountability for misconduct. The means by which police officer conduct is investigated and disciplined is entirely out of the Board's hands under current provincial law. We acknowledge and support Mayor Tory's recent correspondence to Ontario's Solicitor General, the Honourable Sylvia Jones, conveying City Council's request that provincial law regarding police discipline be reformed in line with recommendations that were made to the province in the 2017 *Report of the Independent Police Oversight Review* by The Honourable Justice Michael H. Tulloch.

There are also steps within the Board's current jurisdiction that can be taken to ensure that possible misconduct of Toronto police officers is properly investigated and addressed in a transparent and accountable manner. In this context, it is important to note that many regulated professions (including lawyers, physicians, nurses and teachers) post hearing details and decisions made by their disciplinary tribunals on the websites of their respective colleges or self-regulating bodies. Many of those professions also post disciplinary decisions to the Canadian Legal Information Institute

(CanLII). Applying a principle of openness – both open access to the hearing process and to the outcomes of hearings – serves not only to demystify the police disciplinary process, but also to ensure the process receives the kind of public scrutiny that is integral to achieve transparency, accountability and confidence in the administration of police discipline. Given what the Board has heard over the years, which was again echoed at its recent town hall meetings, members of the public have a justified interest in seeing how police are disciplined and the outcomes of police disciplinary hearings.

To that end, it is recommended that the Board:

43. Direct the Chair to write in support of City Council's requests for changes to the *Police Services Act* and other applicable legislation or regulations that would expand the instances in which suspension without pay and revocation of a police officer's appointment as a police officer are available and to support amendments that would, at a minimum, implement the relevant elements of the *Police Services Act, 2018* that addressed suspension without pay and the relevant elements of the *Policing Oversight Act, 2018* that created the ability to revoke a police officer's appointment as a police officer in Ontario. (City Council #20; CABR #17.2)
44. Direct the Chair and Executive Director to explore and report on the Board's ability to enact a policy directing that all instances of alleged racial profiling and bias be investigated under the *Police Services Act*, and to make recommendations on how the Board can ensure that all alleged instances of racial profiling and bias are investigated and addressed. (City Council #29; CABR #17.2)
45. Direct the Chief to report by November 2020 on the means by which:
  - a. the Toronto Police Service identifies police officers who are repeated subjects of conduct complaints or negative findings by the courts, or those who disproportionately use force, even where no specific instance amounts to allegations of misconduct;
  - b. those identified officers are monitored for compliance with Toronto Police Service policy and procedure and receive additional training where necessary;
  - c. the Toronto Police Service determines what other interventions are appropriate or required for officers that are identified as part of the Service's efforts as per a. and b., above.
46. Direct the Chief of Police to develop and implement a formal annual performance review process for uniformed Service Members, in consultation with any relevant experts, that will assist in identifying the strengths and areas for improvement of each police officer, and which will include an individualized annual performance plan that identifies the education, training and experiences to be completed in the

coming year in order to build on their identified strengths and address their identified areas for improvement.

47. Explore, in consultation with the Chief of Police, mechanisms to make both disciplinary proceedings under the *Police Services Act*, as well as the decisions reached in these proceedings, more transparent and accessible to the public, given the provisions of the current *Act*, and in light of the future coming into force of the new *Police Services Act, 2019*.
48. Direct the Chair and the Executive Director to advocate for and recommend that the Government of Ontario (Ministry of the Solicitor General):
  - a. conduct a review of the current Use of Force Model with input from all relevant stakeholders, including police services boards, community organizations and persons with lived experience;
  - b. ensure any new model focused on de-escalation and minimizes use of force, especially with people in crisis; and
  - c. rename the Use of Force Model the De-Escalation Model. (MHAAP #15; ARAP #29)
49. Direct the Executive Director, in consultation with the Chief of Police, to review the Board's Use of Force Policy, consult with internal and external experts, and propose to the Board by November 2020, amendments to the Policy that will align it with best practices to reduce death and injuries from the use of force by Service Members and with the Ontario Provincial Use of Force Model.
50. Direct the Executive Director, in consultation with the Chief of Police, to review the Board's Uniform Promotions and Appointments Policy, and propose to the Board by November 2020, amendments to the Policy that will improve the transparency of promotions with regards to candidates' disciplinary history.
51. Direct the Executive Director to review and consolidate the Board's Policies on human rights, and develop a revised comprehensive Human Rights Policy that will also include direction on racial profiling, for consideration by the Board.

### ***Police Training***

(Board #2; CABR #16.4 and 16.5; MHAAP #13-14, 23 and 25; ARAP #8, 10 and 27-28)

As we heard clearly in our recent consultations with the public, training itself is not the answer to addressing systemic racism. It is, however, a part of any approach to confronting and disrupting issues that feed the systemic racism and unconscious biases present in organizations. While recognizing the advances in training that the Toronto Police College have implemented, the Board also recognizes that all training can be improved and that a focus on inclusivity, community input, and the incorporation of lived experience at all stages from development to delivery, as well as the development of an effective anti-racism lens, is crucial to disrupting the presence of systemic racism in policing. The Board also recognizes that the Board Members themselves are not

exempt from the need to be continuously educated on human rights and anti-Black racism, and that, as the governing body, continuous knowledge development in this area is crucial.

To that end, it is recommended that the Board:

52. Direct the Chief of Police to:

- a. immediately make permanent the current anti-Black racism training component of the annual re-training (civilians) and In-Service Training Program (uniform); and
- b. consult with experts in the appropriate fields and engage the CABR Unit to:
  - i. explore opportunities to expand this component;
  - ii. audit and review all courses with an anti-racism lens to identify how existing police training can be changed to address systemic racism or bias in training and to identify how anti-racism training can be incorporated into all courses taught at the College; and
  - iii. report to the Board by December 2021 with the findings of these consultations. (Board #2; CABR #16.4 and 16.5)

53. Direct the Chief of Police to:

- a. create a permanent stand-alone training course that contributes to professional practice in policing with a view to supporting an organizational culture committed to the delivery of fair and unbiased police services to Toronto's diverse communities and populations. This training curriculum must include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias and implicit bias avoidance; interactions with racialized communities, LGBTQS2+ communities and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; and principles of human rights accommodation and disabilities, including mental health and addictions issues and ethics in policing;
- b. ensure this training is developed and updated based on best practice and through the active engagement of the CABR Unit, ARAP, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental health and addictions issues and with a focus on utilizing adult-oriented training methods that are proven to lead to high achievement and demonstrated applied practice by those who experience the curriculum;
- c. make this training mandatory for all new Members of the Service, both civilian and uniform;
- d. make a refresher version of this training mandatory for all current Members of the Service, both civilian and uniform, every 2 years; and
- e. present the training curriculum before the Board for information by February 2021. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)

54. Direct the Chief of Police to prepare a plan for integrating the provision of annual in-service and other training and education of Service Members by members of peer run organizations, including organizations representing people with lived experience of mental health and addiction issues, through collaborations with racialized, indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. (MHAAP #13; ARAP #27)
55. Direct the Chief of Police to review all current and future training, including judgment and other scenario based training, and ensure that it:
  - a. prioritizes and emphasizes de-escalation; (MHAAP #14)
  - b. is informed by members of the communities most often affected by police use of force; (MHAAP #14; ARAP #28)
  - c. is relevant to the root causes and consequences of structural violence, systemic and internalized racism, negative stereotyping, intersectionalities, and use of force on people with mental health and/or addiction issues; and (MHAAP #13; ARAP #27)
  - d. is trauma informed. (MHAAP #13; ARAP #27)
56. Direct the Chief of Police to report of the feasibility of all uniformed Service Members receiving MCIT training or other mental health crisis response training, such as mental health first aid or emotional CPR. (ARAP #10; MHAAP 25)
57. Direct the Chief of Police to engage experts in the relevant fields to create and implement a framework to constantly evaluate the efficacy of its mental health and anti-racism training and the competence of training participants, including how it is applied in the field, and serve to identify areas for improvement to training, with reports on the Service's findings and responsive actions provided to the Board semi-annually. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)
58. Direct the Chief of Police to review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of Service funded training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)
59. Direct the Executive Director to coordinate ongoing training sessions for Board Members on anti-Black racism and human rights as it relates to police governance in Ontario.

### ***Consultation with Experts and Communities***

(Board #1 and 3; CABR #17.4; MHAAP #16 and 18-20; ARAP #1 and 3-5)

The Board acknowledges that its Members do not have all the expertise and experience necessary to unpack the complex and intersecting issues of race and mental health in policing. The Board also acknowledges that its Members do not have, on their own, all the knowledge necessary to design interventions and identify the changes needed to address those complex issues. The Board has recognized the need for input from experts in various fields and from persons with lived experience. To that end, it has created two advisory panels, MHAAP and ARAP, to advise the Board in these critical areas.

MHAAP, ARAP and their individual members have worked tirelessly to fulfil their respective mandates and have been an indispensable source of advice for the Board. It is clear from recent events that the input and guidance from these advisory panels remains essential to the effective governance and oversight of the Service, as is expanded consultation with communities and, as needed, experts in relevant fields.

To that end, it is recommended that the Board:

60. Make ARAP permanent and require ARAP to:
  - a. review its terms of reference in consultation with the Board at least every 3 years or when otherwise required; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
  - b. review its membership at least every 3 years or when otherwise required; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
  - c. meet on a quarterly basis, at a minimum; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
  - d. meet with MHAAP annually; (Board #1; CABR #17.4; ARAP #5; MHAAP #20) and
  - e. share its minutes with MHAAP and convene a joint meeting when there are issues of mutual interest and significance. (Board #1; CABR #17.4; ARAP #5; MHAAP #20)
  
61. Confirm ARAP's mandate to advise and support the Board in relation to policing and racism, anti-Black racism and anti-Indigenous racism, including:
  - a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for approval by the Board;
  - b. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism;
  - c. Monitoring the implementation of the Board's Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis and any interventions developed by the Service to address racial disparities for feedback and recommendations for enhancement;

- d. Monitoring the implementation of the recommendations from the Andrew Loku Inquest through the monitoring framework previously developed by ARAP;
  - e. Reviewing Service reports on Conducted Energy Weapon (CEW) use and making recommendations for enhancement;
  - f. Monitoring the implementation of inquest recommendations as appropriate;
  - g. Reviewing the development and implementation of all Service training and offering recommendations for enhancement, including training on anti-racism;
  - h. Monitoring the implementation of the recommendations in the present report and providing advice to the Board on necessary enhancements and improvements; and
  - i. Participating in the community consultation process on the Toronto Police Service's annual budget. (ARAP #3; MHAAP #18)
62. Appoint Ainsworth Morgan as ARAP's next Board Co-Chair for a 3 year term and direct the Chair and Executive Director to explore the appointment of Anthony Morgan, the Manager of the CABR Unit, or another agreed delegate of the CABR Unit, as community Co-Chair for a 3 year term. (ARAP #4; MHAAP #19)
63. Make MHAAP permanent and require MHAAP to:
- a. review its terms of reference in consultation with the Board at least every 3 years or when otherwise required; (Board #3; ARAP #1; MHAAP #16)
  - b. review its membership at least every 3 years or when otherwise required; (Board #3; ARAP #1; MHAAP #16)
  - c. meet on a quarterly basis, at a minimum; (Board #3; ARAP #1; MHAAP #16)
  - d. meet with ARAP annually; and (Board #3; ARAP #5; MHAAP #20)
  - e. share its minutes with ARAP and convene a joint meeting when there are issues of mutual interest and significance. (Board #3; ARAP #5; MHAAP #20).
64. Request MHAAP to monitor and advise the Board on the implementation of the recommendations in the present report, inasmuch as they are included within MHAAP's mandate.
65. Direct the Executive Director to develop plans for an annual policy forum or other process that will provide a regular opportunity for the Board and its advisory panels to consult the public, community organizations and other stakeholders both at length and in depth in order to review the efficacy of existing Board policies, identify existing and emerging issues in policing, and develop effective policy interventions to address those issues. (CABR #17.4)



### ***Building Public Confidence***

(CABR #16.2, 16.3 and 18.1; MHAAP #12; ARAP #26)

A repeated theme in the recommendations and submissions to the Board is the need to build public confidence in the Toronto Police Service, especially among communities that have been the subject of systemic racism and bias. There is no single path to rebuilding the trust of those communities in police. It will take a concerted and sustained effort and significant consultation to identify the paths forward. It will also require an understanding of steps taken to date by the Service to create and repair relations with marginalized, vulnerable, and racialized communities in Toronto, and how those steps can be improved upon in partnership with the Board.

To these ends, it is recommended that the Board:

66. Direct the Chief of Police to develop, in consultation with the CABR Unit and other experts in the field, an anti-racism lens to be applied in auditing existing Toronto Police Service procedures and the development of future procedures. (CABR #16.3)
67. Direct the Chief of Police to implement new communications strategies, with input from ARAP and on the basis of community consultation, especially with members of Toronto's Black and Indigenous communities, about the steps taken to eliminate carding as a policing practice and regulate street checks in Toronto (CABR #16.1)
68. Direct the Executive Director to, in consultation with the Chief of Police and other stakeholders, develop a new policy for the provision of apologies, expressions of regret and recognitions of loss, mindful of legal and other considerations.
69. Direct the Executive Director to explore, in consultation with relevant stakeholders, ARAP, community organizations and representatives of Toronto's Black and Indigenous communities, the development of a Board-sponsored voluntary restorative alternative dispute resolution process aimed at both resolving complaints and claims against police, and achieving reconciliation between police and both complainants and their respective communities.
70. Direct the Chief of Police to develop and execute a multi-faceted "know your rights" campaign before the end of 2020, on the basis of consultation and collaboration with various stakeholders, including representatives from the Board-funded Collective Impact initiative, representatives of Toronto's Black and Indigenous communities, youth groups, and community-based organizations that serve vulnerable and marginalized populations. (CABR #18.1)
71. Direct the Executive Director and the Chief of Police to work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to

increase awareness about the different types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, individuals' rights related to the *Mental Health Act* and success stories should be showcased as part of this campaign. (MHAAP #12; ARAP #26)

### ***Ensuring Change***

(City Council # 24, 25 and 27; Board #2; MHAAP #1, 21-22 and 29; ARAP #6-7 and 14-15)

A recurring theme voiced by members of the public was a belief that change would be promised, but not delivered. There was an understandable frustration stemming from the failure to implement past recommendations made to improve policing in Toronto.

Indeed, there are a number of past reviews, reports, inquests and other processes that have resulted in recommendations for changes to policing in Toronto and more broadly. These include the recommendations to the Board by the Ontario Human Rights Commission on the collection, analysis and public reporting of race-based data, those of Justice Iacobucci in his *Independent Review into Police Encounters with People in Crisis*, the jury recommendations from the Inquest into the Death of Andrew Loku, recommendations from the Service's Police and Community Engagement Review (PACER), and the recommendations of the Toronto Police Service's Transformational Task Force that are detailed in the *Action Plan: The Way Forward*.

In some cases, the Board and the Service have developed specific monitoring frameworks to oversee the implementation of recommendations directed at the Toronto Police Service. For example, ARAP has worked diligently to create a monitoring framework for the implementation of the Loku inquest recommendations and to measure the efficacy of the changes once implemented. That framework is the subject of a Board report on this meeting's agenda, and will set a new standard for how the Board can engage in monitoring the implementation of recommendations that are adopted by the Board and/or the Service.

That said, at this time, when the Board is contemplating fundamental change, it is important to return to past recommendations to understand the current state of previously proposed reforms and to inform ourselves of recommendations that remain relevant but unimplemented. This will help continue to set the course for further efforts to bring about change.

Moreover, it is important for the Board to create a structure to ensure the implementation of the recommendations in this report that are approved by the Board, and to provide the public with information about how implementation is progressing.

To these ends, it is recommended that the Board:

72. Direct the Executive Director to develop, in consultation with the City Manager, an on-line tool to assist the public in tracking and monitoring the progress of the implementation of the recommendations in this report, which will be available on the Board's website by October 2020.
73. Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the Board's Race-Based Data Collection Policy, and where the Policy deviates from or fails to implement the recommendations of the Ontario Human Rights Commission in its written deputation to the Board, to identify the reason for that deviation or failure to implement. (City Council #24; ARAP #6; MHAAP #21)
74. Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the recommendations made in the PACER Report and, where recommendations remain unimplemented in part or in full, to present a timetable for their implementation or the rationale for not implementing particular recommendations and suitable alternatives. (ARAP #7; MHAAP #22)
75. Direct the Chief to report by November 2020 on the status of implementation of the recommendations made in the *Independent Review of Police Encounters with People in Crisis* and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #25)
76. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Auditor General in all previous reports and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.
77. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Inquest into the Death of Andrew Loku and, where the Service has deviated from or failed to implement an inquest recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #27)
78. Direct the Chief of Police to report by November 2020 on the status of the implementation of the Service's Mental Health and Addictions Strategy and further direct that the strategy be fully implemented by September 30, 2021. (MHAAP #1; ARAP #15)
79. Direct the Chief of Police to report by November 2020 on the status of recommendations made in *Action Plan: The Way Forward*, including what has been implemented, what remains to be implemented, and what additional

recommendations for modernization can lead to more effective and efficient police service delivery. This ‘refresh’ of *Action Plan: The Way Forward* should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility. (Board #2; ARAP #14; MHAAP #29)

80. Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:
  - a. Concerns;
  - b. Status;
  - c. Impact (weighting);
  - d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);
  - e. Timelines; and
  - f. Service Lead (Deputy Chief)
  
81. Direct the Executive Director to develop, in consultation with the Auditor General, a work plan for the auditing of the implementation of the approved recommendations made in this report.

## **Conclusion:**

The issues addressed in this report are the product of a much larger conversation – across populations and around the world. It is a conversation drawing on the expertise and experience of people from different fields and different communities, but who all have a singular purpose in mind – eliminating the systemic racism that threatens the lives and wellbeing of Toronto’s Black, Indigenous and other racialized community members. For any change to be meaningful and effective, this conversation must be sustained. The Board recognizes that the effort put into the consultation that culminated in this report is only the beginning of a dialogue that the Board has to maintain in order to achieve change. Moreover, the steps taken by the Board in these early stages of reform must demonstrate the Board's commitment to fundamental change and reflect its pledge to be a leader in change. The onus is on the Board to regain the trust of Torontonians as a body that exercises its important governance function with a real and visible commitment to equity and collective community safety.

The implementation of some of the recommendations made in this report has already begun. For example, the Service will post a copy of the Service’s 2020 line-by-line budget to its website by the Board meeting date, and the Service has already begun posting its open data datasets in a machine readable format. The Service has also already moved ahead with posting its Use of Force Procedure on its own website, and is examining the possibility of posting other procedures of public interest. Furthermore, Board Staff has already started working in collaboration with the City Manager on the development of alternative public safety response models. As more work is undertaken, the Board will continue to provide the public with updates on the progress made along

this transformative plan of action, and the impacts it is having on policing in Toronto and on the diverse communities of our city.

I recommend the Board approve the recommendations made in this report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jim Hart", with a long horizontal flourish extending to the right.

Jim Hart  
Chair

## Appendix A

### List of Recommendations

It is recommended that the Board:

1. Direct the Executive Director to:
  - a. Work with the Service, City Manager and other stakeholders to identify the categories of calls that might be addressed by a non-police response. (City Council #1; Board #4; MHAAP #26; ARAP #11)
  - b. Work with the City Manager, Government of Ontario, community based mental health and addictions service providers, organization representing people with mental health and/or addictions issues and other stakeholders to develop new and enhance existing alternative models of community safety response, including mobile mental health and addictions crisis intervention. (City Council #1 and 18; Board #4, MHAAP #25; ARAP #10)
  - c. Work with the Service, and others including the Auditor General, to identify non-core policing services that can be delivered by alternative service providers, as well as other opportunities for improved service delivery by the Service itself (subject to the requirement that provincial Adequacy Standards for policing continue to be met)
  - d. Work with the Service, and others including the Auditor General, to identify funding or areas of funding currently allocated to policing that can potentially be re-allocated to support alternative community safety models and/or fund other City of Toronto programming and services that contribute to community safety.
  - e. Work with the City of Toronto and the Service to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis. (MHAAP #5; ARAP #19)
  - f. Engage the Service to detail potential reductions to the Toronto Police Service budget that would result from any proposed changes to the current community safety response model, once the details of this alternative model are developed. (City Council #1)
  - g. Engage MHAAP and ARAP in the above efforts. (City Council #1; Board #4; ARAP #11; MHAAP #26 )
  - h. Engage the CABR Unit and other experts to ensure that an anti-Black racism analysis is employed in the development and implementation of any alternative models to public safety response. (CABR #18.2)
  - i. Provide an opportunity for broad community and public consultation in the above efforts. (City Council #1; Board #4; ARAP #11; MHAAP #26)
2. Direct the Chief of Police to work with the Executive Director and Board Staff in the above efforts, including providing access to the Service Members, data and other resources necessary to perform this work.

3. Direct the Chief of Police to report to the Board on the outcome of crisis calls made to the Service (e.g., referral to services, apprehensions, etc.) in 2019 and 2020, and going forward on an annual basis, for the city in aggregate and per police division. (MHAAP #5; ARAP #19)
4. Direct the Chief of Police to prioritize and create a plan to implement, as soon as feasible, an immediate expansion of the MCIT program in partnership with existing community-based crisis services, including peer support, to meet current demands for mental health-related service calls, recognizing the need for the Service's partners to secure necessary funding for this expansion, with a view to providing MCIT services 24 hours a day, seven days a week, and across all Divisions. (City Council #5; Board #4; MHAAP #2 and 25; ARAP #10 and 16)
5. Direct the Chief of Police to include in that plan provisions for:
  - a. implementation oversight, including routine monitoring, evaluation and benchmarks for success; (MHAAP #6; ARAP #20)
  - b. follow-up for individuals after an MCIT response, which should be delivered in partnership with community-based mental health and addictions service providers including ethno-racial specific services, provide connection to ongoing supports including case management when needed, and ensure individuals who could benefit are referred to Mental Health and Justice and community-based crisis prevention programs and/or the FOCUS table; (MHAAP #7; ARAP #21)
  - c. quarterly meetings at the Divisional level with community-based mental health and addictions agencies within Divisions to plan for a co-ordinated approach to crisis response and prevention, and to align their strategies with existing community-based planning tables as appropriate; (MHAAP #9; ARAP #23)
  - d. a culturally responsive approach consistent with the commitment to equity and anti-racism outlined in the Service's Mental Health and Addictions Strategy; (MHAAP #10; ARAP #24)
  - e. recruitment criteria for participating police and health care providers, which should include a demonstrated ability for anti-racist and anti-oppressive practice, commitment to human rights, and awareness of lived experience of mental health and/or addictions related issues; (MHAAP #10; ARAP #24)
  - f. ongoing quality improvement of program operations through data collection and reporting on MCIT interventions, services provided and outcomes, which should include:
    - i. anonymization and aggregation for public dissemination through regular reports to the Board;
    - ii. mandatory race-based data collection for MCIT service calls, which collection should be prioritized for implementation;

- iii. gender-based data collection that should include non-binary gender options;
  - iv. public reporting through reports to the Board on MCIT service call outcomes, including apprehensions made under the *Mental Health Act* (MHA);
  - v. public reporting through reports to the Board on service outcome disparities by race, gender identity or other client information;
  - vi. cross-referencing MCIT service call outcomes with emergency department data (through the Institute for Clinical Evaluation Sciences) to understand how MHA apprehensions result in hospital admissions; and
  - vii. provision for any public data reporting to be reviewed by MHAAP and ARAP prior to public release. (MHAAP #11; ARAP #25)
6. Direct the Chief of Police to present his plans for expanding the MCIT to MHAAP for review and feedback. (MHAAP #6; ARAP #20)
  7. Direct the Chief of Police to fund the expansion of the MCIT program from within the current 2020 Toronto Police Service Operating Budget, including any appropriate reserves, and to continue to fund the expanded MCIT program without a request for additional funding in the 2021 budget request. (City Council #5; Board #4; MHAAP #2 and 10; ARAP #25)
  8. Direct the Chief of Police to expand the existing MCIT Steering Committee to include representatives from MHAAP and ARAP, Executive Directors/CEOs of community-based mental health and addictions agencies, a representative of the CABR unit, delegates of the Board and people with lived experience. (MHAAP #8; ARAP #22)
  9. Direct the Chief of Police to have the expanded MCIT Steering Committee meet on a quarterly basis, at minimum. (MHAAP #8; ARAP #22)
  10. Direct the Chief of Police to work with the Board to pursue additional contribution from other levels of government to expand the MCIT program, and in particular, the funding of additional mental health nurses or other mental health providers.
  11. Advocate with the municipal, provincial and federal governments for additional funding at a level consistent with or greater than the cost of the proposed MCIT expansion, specifically for community-based services to work in collaboration with police crisis services and Ontario Health Teams and, more specifically, for organizations that provide relevant resources, services and support to assist individuals responding to mental health and addictions related issues. (MHAAP #3; ARAP #17)
  12. Direct the Chief of Police, in consultation with MCIT service users, front-line workers and Service Members, to explore and develop a plan to place MCIT



- police officers in a distinct uniform, specially designed to support de-escalation. (MHAAP #4; ARAP #18)
13. Direct the Chief of Police to work with the Chair and Executive Director to develop and implement a line-by-line approach to reviewing the police budget in order to identify opportunities for service delivery improvement and efficiencies, including the possible redirection of non-core policing functions and their associated funding to alternative non-police community safety providers and/or community safety services or programming.
  14. Direct the Chief of Police to work with the Executive Director and the City Manager to identify opportunities for the development of alternative crime prevention and reduction initiatives that could ultimately reduce the demand for reactive police services across Toronto.
  15. Direct the Chief of Police to immediately post a line-by-line breakdown of the 2020 Toronto Police Service Budget to the Service's website in a machine readable, open format that would facilitate further analysis of the information. (City Council #4)
  16. Direct the Chief of Police to provide an annual line-by-line breakdown of the Toronto Police Service's budget request at the outset of every annual budget process. (Board #6; ARAP #12; MHAAP #27)
  17. Direct the Chief of Police to provide a line-by-line breakdown of the Toronto Police Service's approved budget at the end of every annual budget process. (Board #6; ARAP #12; MHAAP #27)
  18. Direct the Chief of Police to organize all line-by-line breakdowns by individual program area, function and service delivered, subject to the need to protect investigative techniques and operations, and in such a way as to provide maximum transparency to the public. (Board #6; ARAP #12; MHAAP #27)
  19. Direct the Chief of Police to immediately provide the Board with the annual Budget Summaries and Uniform/Civilian Staffing Summaries by command, with Approved, Proposed and Actuals for the last five budgets, and to do so for all future budgets, in a machine readable open dataset format. (City Council #7)
  20. Direct the Executive Director to immediately post the annual Budget Summaries and Uniform/Civilian Staffing Summaries per command, with Approved, Proposed and Actuals for the last five budgets and for all future budgets to the Board website in a machine readable open dataset format, and to make the same available to the City of Toronto to post to its open data portal. (City Council #7)
  21. Allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service

budget, to include the involvement of community-based partners, and, in the future, to ensure that sufficient funds are allocated annually to support public consultation during the budget process. (Board #6; ARAP #12; MHAAP #27)

22. Direct the Chief of Police to explore options for the Service to pay honoraria and transportation costs to otherwise unpaid community members that contribute their time, skills and experience to police training and service improvement. (MHAAP # 14; ARAP #28)
23. Direct the Executive Director to compile the above directions and any other appropriate policy guidance into a budget transparency policy, for future consideration by the Board.
24. Direct the Chair and Executive Director to work with the Auditor General to enter into a Memorandum of Understanding, and accompanying work plan, with the effect of engaging the Auditor General to perform audits of the Toronto Police Service to improve service delivery, identify specific areas of success and specific areas for improvement within the Service, and to find potential areas for savings and redistribution of funding. (City Council #10 and 11)
25. Direct the Chief of Police to assist the Chair, Executive Director and Auditor General in developing the above Memorandum of Understanding and accompanying work plan and to make available the personnel, information and other resources necessary for that purpose. (City Council #10 and 11)
26. Direct the Chief of Police to grant Board Staff and the Auditor General access to personnel, information, records and any other resources necessary to perform any audits contemplated by the above work plan, subject always to applicable legal requirements that do not permit disclosure (e.g. investigative techniques). (City Council #10 and 11)
27. Direct the Chair to communicate to the Province the Board's support of City Council's request to amend the City of Toronto Act to expand the Auditor General's jurisdiction to include auditing the Service, and reporting the results of any audits by the Auditor General to the Board. (City Council #9)
28. Direct the Executive Director to update the Board's Audit Policy addressing audits of the Service, to include any standing directions and policy guidance for the Chief of Police to ensure the Board, its staff and any third parties contracted by the Board for the purpose of auditing the Service, are provided with the access to information and personnel necessary for a successful audit.
29. Direct the Chair and Executive Director to engage with the City Manager and discuss additional and alternative approaches to ensuring transparent auditing of police practices and policies. (City Council #31)

30. Direct the Chief of Police to present a preliminary report to the Board by November 2020, to be followed by a comprehensive report by February 2021 and thereafter on a frequency as directed by the Board, on outcomes associated with how diversity in human resources is being prioritized and achieved in the Toronto Police Service, including with respect to recruitment, hiring and promotion for both civilian and uniform positions at all ranks and classifications. (City Council #33)
  
31. Direct the Executive Director to publish the criteria expected in a successful candidate for Toronto's Chief of Police to the Board's website and communicate those criteria in the recruitment process.
  
32. Emphasize, in the selection of the Chief of Police, the following qualifications, skills and experience:
  - c. a proven track record and/or demonstrated ability to create deep and successful reform of policing, including:
    - i. a proven ability to ensure that non-violent de-escalation strategies and techniques are properly employed by police officers, particularly in relation to engagement with people from racialized communities and people with mental health issues;
    - ii. demonstrated experience and success in policing modernization initiatives, with an emphasis on building and sustaining strong, collaborative relationships with racialized and marginalized communities, and the willingness to consider other models for first responder calls for non-violent incidents.
    - iii. a demonstrated track record of building and maintaining community safety, as well as the ability to lead through innovation and collaboration. The Chief will, together with an engaged Command Team, be a visible advocate of effective, equitable policing with the public. The Chief will work to ensure the Service is seen as an international leader in providing modern, trusted, community-focused policing;
    - iv. the ability to motivate members to be innovative, collaborative and inclusive. The Chief will support both the 'front line' and uniform and civilian support staff and will ensure the Service is a sought-after and positive place of employment with talented individuals who reflect the city's diversity at all levels of the organization and who are passionate ambassadors of community engagement and public safety;
    - v. the understanding of how to prioritize, develop and nurture partnerships with a broad spectrum of social service providers, law enforcement agencies, health sector organizations (with a focus on mental health and addictions services), community organizations and leaders, and government, in addition to having demonstrated experience and success in collaborating with these stakeholders.

- The Chief will leverage these partnerships to collaborate in the development of innovative programs rooted in community policing;
- vi. having a deep understanding of the myriad and complex challenges facing policing organizations internally and externally, including strengthening member wellness and engagement, and increasing public trust and legitimacy across communities, particularly those that are vulnerable, marginalized, and disaffected;
  - vii. having the ability to effectively manage a significant annual budget that places innovation, alternative service delivery, data and technology at the centre of a strategy to leverage the most out of public dollars, and find ways to do the TPS's work so as to set a new standard in policing;
  - viii. being a recognized and proven senior leader in the policing community who is known for embracing challenge, developing creative solutions and a clear ability to lead cultural change with the support of an engaged Command Team. The Chief will have a demonstrated track record of bridging divides, earning respect through a commitment to excellence and accountability, and empowering people to be their best; and
  - ix. providing the leadership and inspire the confidence necessary to make Toronto the model for the future of urban policing.

d. understand and value:

- i. the importance of diversity in the City and in the Toronto Police Service itself;
- ii. acceptance of all people and a recognition that Toronto is home to the most culturally diverse population in the world, which gives our City its strength in times of crisis;
- iii. the strategies and actions required to ensure that, in the policing context, Toronto remains a place of inclusion, diversity and respect for all; and
- iv. human rights as a core competency and an on-going commitment for themselves and the Toronto Police Service as a whole. (City Council #14)

33. Direct the Executive Director to engage the City Manager, the CABR Unit and the Indigenous Affairs Office of the City of Toronto to provide their advice on the development and implementation of a rigorous community consultation process for the selection of the next Chief of Police. (City Council #16)

34. Ensure that human rights competency and achievements are included as a component of the Chief of Police's annual performance review.

35. Direct the Chief of Police to immediately post the Toronto Police Service's Use of Force Procedure on its public website, in a form that will ensure the efficacy of investigative techniques or operations is not endangered and that will not

compromise the safety of any person by divulging police practice. (City Council #6)

36. Direct the Chief of Police to post on the Service's public website, as soon as feasible and on an on-going basis, up-to-date copies of those procedures of public interest that govern the interaction of police with the public, in a form that will not endanger the efficacy of investigative techniques and operations.
37. Direct the Chief of Police to share regularly updated datasets from the Toronto Police Service's open data portal with the City of Toronto for display and distribution on the City's open data portal, subject to the need to protect personal privacy and to comply with any privacy legislation. (City Council #16)
38. Direct the Chief of Police to convert the Toronto Police Services Board's annual reports and any files currently provided on the Toronto Police Service's open data portal in PDF format into appropriate digital format for use and distribution on the City's open data portal. (City Council #16)
39. Direct the Chief of Police to post all open data collected pursuant to the Race-Based Data Collection Policy to the Toronto Police Service open data portal and to share that data with the City of Toronto for display and distribution on its open data portal, subject to the need to comply with applicable privacy and other legislation. (City Council #30)
40. Direct the Chief of Police and the Executive Director to work with the City Manager to consolidate and expedite continuous data sharing in order to better inform city-wide approaches to violence prevention and community safety, including with respect to the City's Community Safety and Well-Being Planning efforts. (City Council #30)
41. Direct the Executive Director to develop a policy governing information transparency and data sharing for the Toronto Police Service, which will include the above directions and any other provisions that will contribute to information transparency and data sharing that will improve accountability and service delivery.
42. Direct the Executive Director to identify potential research, policy and academic centres with whom the Board can partner for research and policy development aimed at improving policing in Toronto.
43. Direct the Chair to write in support of City Council's requests for changes to the *Police Services Act* and other applicable legislation or regulations that would expand the instances in which suspension without pay and revocation of a police officer's appointment as a police officer are available and to support amendments that would, at a minimum, implement the relevant elements of the *Police Services Act, 2018* that addressed suspension without pay and the relevant

elements of the *Policing Oversight Act, 2018* that created the ability to revoke a police officer's appointment as a police officer in Ontario. (City Council #20; CABR #17.2)

44. Direct the Chair and Executive Director to explore and report on the Board's ability to enact a policy directing that all instances of alleged racial profiling and bias be investigated under the *Police Services Act*, and to make recommendations on how the Board can ensure that all alleged instances of racial profiling and bias are investigated and addressed. (City Council #29; CABR #17.2)
45. Direct the Chief to report by November 2020 on the means by which:
  - d. the Toronto Police Service identifies police officers who are repeated subjects of conduct complaints or negative findings by the courts, or those who disproportionately use force, even where no specific instance amounts to allegations of misconduct;
  - e. those identified officers are monitored for compliance with Toronto Police Service policy and procedure and receive additional training where necessary;
  - f. the Toronto Police Service determines what other interventions are appropriate or required for officers that are identified as part of the Service's efforts as per a. and b., above.
46. Direct the Chief of Police to develop and implement a formal annual performance review process for uniformed Service Members, in consultation with any relevant experts, that will assist in identifying the strengths and areas for improvement of each police officer, and which will include an individualized annual performance plan that identifies the education, training and experiences to be completed in the coming year in order to build on their identified strengths and address their identified areas for improvement.
47. Explore, in consultation with the Chief of Police, mechanisms to make both disciplinary proceedings under the *Police Services Act*, as well as the decisions reached in these proceedings, more transparent and accessible to the public, given the provisions of the current *Act*, and in light of the future coming into force of the new *Police Services Act, 2019*.
48. Direct the Chair and the Executive Director to advocate for and recommend that the Government of Ontario (Ministry of the Solicitor General):
  - a. conduct a review of the current Use of Force Model with input from all relevant stakeholders, including police services boards, community organizations and persons with lived experience;
  - b. ensure any new model focused on de-escalation and minimizes use of force, especially with people in crisis; and

- c. rename the Use of Force Model the De-Escalation Model. (MHAAP #15; ARAP #29)
49. Direct the Executive Director, in consultation with the Chief of Police, to review the Board's Use of Force Policy, consult with internal and external experts, and propose to the Board by November 2020, amendments to the Policy that will align it with best practices to reduce death and injuries from the use of force by Service Members and with the Ontario Provincial Use of Force Model.
50. Direct the Executive Director, in consultation with the Chief of Police, to review the Board's Uniform Promotions and Appointments Policy, and propose to the Board by November 2020, amendments to the Policy that will improve the transparency of promotions with regards to candidates' disciplinary history.
51. Direct the Executive Director to review and consolidate the Board's Policies on human rights, and develop a revised comprehensive Human Rights Policy that will also include direction on racial profiling, for consideration by the Board.
52. Direct the Chief of Police to:
- a. immediately make permanent the current anti-Black racism training component of the annual re-training (civilians) and In-Service Training Program (uniform); and
  - b. consult with experts in the appropriate fields and engage the CABR Unit to:
    - i. explore opportunities to expand this component;
    - ii. audit and review all courses with an anti-racism lens to identify how existing police training can be changed to address systemic racism or bias in training and to identify how anti-racism training can be incorporated into all courses taught at the College; and
    - iii. report to the Board by December 2021 with the findings of these consultations. (Board #2; CABR #16.4 and 16.5)
53. Direct the Chief of Police to:
- a. create a permanent stand-alone training course that contributes to professional practice in policing with a view to supporting an organizational culture committed to the delivery of fair and unbiased police services to Toronto's diverse communities and populations. This training curriculum must include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias and implicit bias avoidance; interactions with racialized communities, LGBTQS2+ communities and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; and principles of human rights accommodation and disabilities, including mental health and addictions issues and ethics in policing;
  - b. ensure this training is developed and updated based on best practice and through the active engagement of the CABR Unit, ARAP, subject matter experts in anti-racist curriculum design and community representatives

- with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental health and addictions issues and with a focus on utilizing adult-oriented training methods that are proven to lead to high achievement and demonstrated applied practice by those who experience the curriculum;
  - c. make this training mandatory for all new Members of the Service, both civilian and uniform;
  - d. make a refresher version of this training mandatory for all current Members of the Service, both civilian and uniform, every 2 years; and
  - e. present the training curriculum before the Board for information by February 2021. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)
54. Direct the Chief of Police to prepare a plan for integrating the provision of annual in-service and other training and education of Service Members by members of peer run organizations, including organizations representing people with lived experience of mental health and addiction issues, through collaborations with racialized, indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. (MHAAP #13; ARAP #27)
55. Direct the Chief of Police to review all current and future training, including judgment and other scenario based training, and ensure that it:
- a. prioritizes and emphasizes de-escalation; (MHAAP #14)
  - b. is informed by members of the communities most often affected by police use of force; (MHAAP #14; ARAP #28)
  - c. is relevant to the root causes and consequences of structural violence, systemic and internalized racism, negative stereotyping, intersectionalities, and use of force on people with mental health and/or addictions issues; and (MHAAP #13; ARAP #27)
  - d. is trauma informed. (MHAAP #13; ARAP #27)
56. Direct the Chief of Police to report of the feasibility of all uniformed Service Members receiving MCIT training or other mental health crisis response training, such as mental health first aid or emotional CPR. (ARAP #10; MHAAP 25)
57. Direct the Chief of Police to engage experts in the relevant fields to create and implement a framework to constantly evaluate the efficacy of its mental health and anti-racism training and the competence of training participants, including how it is applied in the field, and serve to identify areas for improvement to training, with reports on the Service's findings and responsive actions provided to the Board semi-annually. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)
58. Direct the Chief of Police to review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of Service funded training co-developed and led by members of the community, outside the Toronto



Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options. (Board #2; CABR #16.4 and 16.5; MHAAP #23; ARAP #8)

59. Direct the Executive Director to coordinate ongoing training sessions for Board Members on anti-Black racism and human rights as it relates to police governance in Ontario.
60. Make ARAP permanent and require ARAP to:
  - a. review its terms of reference in consultation with the Board at least every 3 years or when otherwise required; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
  - b. review its membership at least every 3 years or when otherwise required; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
  - c. meet on a quarterly basis, at a minimum; (Board #1; CABR #17.4; ARAP #1; MHAAP #16)
  - d. meet with MHAAP annually; (Board #1; CABR #17.4; ARAP #5; MHAAP #20) and
  - e. share its minutes with MHAAP and convene a joint meeting when there are issues of mutual interest and significance. (Board #1; CABR #17.4; ARAP #5; MHAAP #20)
61. Confirm ARAP's mandate to advise and support the Board in relation to policing and racism, anti-Black racism and anti-Indigenous racism, including:
  - a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for approval by the Board;
  - b. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism;
  - c. Monitoring the implementation of the Board's Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis and any interventions developed by the Service to address racial disparities for feedback and recommendations for enhancement;
  - d. Monitoring the implementation of the recommendations from the Andrew Loku Inquest through the monitoring framework previously developed by ARAP;
  - e. Reviewing Service reports on Conducted Energy Weapon (CEW) use and making recommendations for enhancement;
  - f. Monitoring the implementation of inquest recommendations as appropriate;
  - g. Reviewing the development and implementation of all Service training and offering recommendations for enhancement, including training on anti-racism;

- h. Monitoring the implementation of the recommendations in the present report and providing advice to the Board on necessary enhancements and improvements; and
  - i. Participating in the community consultation process on the Toronto Police Service's annual budget. (ARAP #3; MHAAP #18)
62. Appoint Ainsworth Morgan as ARAP's next Board Co-Chair for a 3 year term and direct the Chair and Executive Director to explore the appointment of Anthony Morgan, the Manager of the CABR Unit, or another agreed delegate of the CABR Unit, as community Co-Chair for a 3 year term. (ARAP #4; MHAAP #19)
63. Make MHAAP permanent and require MHAAP to:
- a. review its terms of reference in consultation with the Board at least every 3 years or when otherwise required; (Board #3; ARAP #1; MHAAP #16)
  - b. review its membership at least every 3 years or when otherwise required; (Board #3; ARAP #1; MHAAP #16)
  - c. meet on a quarterly basis, at a minimum; (Board #3; ARAP #1; MHAAP #16)
  - d. meet with ARAP annually; and (Board #3; ARAP #5; MHAAP #20)
  - e. share its minutes with ARAP and convene a joint meeting when there are issues of mutual interest and significance. (Board #3; ARAP #5; MHAAP #20).
64. Request MHAAP to monitor and advise the Board on the implementation of the recommendations in the present report, inasmuch as they are included within MHAAP's mandate.
65. Direct the Executive Director to develop plans for an annual policy forum or other process that will provide a regular opportunity for the Board and its advisory panels to consult the public, community organizations and other stakeholders both at length and in depth in order to review the efficacy of existing Board policies, identify existing and emerging issues in policing, and develop effective policy interventions to address those issues. (CABR #17.4)
66. Direct the Chief of Police to develop, in consultation with the CABR Unit and other experts in the field, an anti-racism lens to be applied in auditing existing Toronto Police Service procedures and the development of future procedures. (CABR #16.3)
67. Direct the Chief of Police to implement new communications strategies, with input from ARAP and on the basis of community consultation, especially with members of Toronto's Black and Indigenous communities, about the steps taken to eliminate carding as a policing practice and regulate street checks in Toronto (CABR #16.1)

68. Direct the Executive Director to, in consultation with the Chief of Police and other stakeholders, develop a new policy for the provision of apologies, expressions of regret and recognitions of loss, mindful of legal and other considerations.
69. Direct the Executive Director to explore, in consultation with relevant stakeholders, ARAP, community organizations and representatives of Toronto's Black and Indigenous communities, the development of a Board-sponsored voluntary restorative alternative dispute resolution process aimed at both resolving complaints and claims against police, and achieving reconciliation between police and both complainants and their respective communities.
70. Direct the Chief of Police to develop and execute a multi-faceted "know your rights" campaign before the end of 2020, on the basis of consultation and collaboration with various stakeholders, including representatives from the Board-funded Collective Impact initiative, representatives of Toronto's Black and Indigenous communities, youth groups, and community-based organizations that serve vulnerable and marginalized populations. (CABR #18.1)
71. Direct the Executive Director and the Chief of Police to work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to increase awareness about the different types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, individuals' rights related to the *Mental Health Act* and success stories should be showcased as part of this campaign. (MHAAP #12; ARAP #26)
72. Direct the Executive Director to develop, in consultation with the City Manager, an on-line tool to assist the public in tracking and monitoring the progress of the implementation of the recommendations in this report, which will be available on the Board's website by October 2020.
73. Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the Board's Race-Based Data Collection Policy, and where the Policy deviates from or fails to implement the recommendations of the Ontario Human Rights Commission in its written deputation to the Board, to identify the reason for that deviation or failure to implement. (City Council #24; ARAP #6; MHAAP #21)
74. Direct the Chief of Police to report to the Board by November 2020 on the status of implementation of the recommendations made in the PACER Report and, where recommendations remain unimplemented in part or in full, to present a timetable for their implementation or the rationale for not implementing particular recommendations and suitable alternatives. (ARAP #7; MHAAP #22)

75. Direct the Chief to report by November 2020 on the status of implementation of the recommendations made in the *Independent Review of Police Encounters with People in Crisis* and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #25)
76. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Auditor General in all previous reports and, where the Service has deviated from or failed to implement a recommendation, to identify in detail the reason for that deviation or failure to implement.
77. Direct the Chief of Police to report by November 2020 on the status of the implementation of the recommendations made by the Inquest into the Death of Andrew Loku and, where the Service has deviated from or failed to implement an inquest recommendation, to identify in detail the reason for that deviation or failure to implement. (City Council #27)
78. Direct the Chief of Police to report by November 2020 on the status of the implementation of the Service's Mental Health and Addictions Strategy and further direct that the strategy be fully implemented by September 30, 2021. (MHAAP #1; ARAP #15)
79. Direct the Chief of Police to report by November 2020 on the status of recommendations made in *Action Plan: The Way Forward*, including what has been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of *Action Plan: The Way Forward* should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility. (Board #2; ARAP #14; MHAAP #29)
80. Direct the Chief of Police that the reports required in above sections 73–79 should include an assessment of each recommendation, including:
  - a. Concerns;
  - b. Status;
  - c. Impact (weighting);
  - d. Ease of Implementation (weighting of resource capabilities/ budgetary implications, etc);
  - e. Timelines; and
  - f. Service Lead (Deputy Chief)
81. Direct the Executive Director to develop, in consultation with the Auditor General, a work plan for the auditing of the implementation of the approved recommendations made in this report.

**Appendix B**  
**Referred Report**

June 17, 2020

To: Members  
Toronto Police Services Board

From: Jim Hart, Chair

**Subject: RECOMMENDATIONS FOR THE BOARD RELATED TO  
CURRENT EVENTS**

**Recommendation(s):**

It is recommended that:

1. The Board's Anti-Racism Advisory Panel should be made permanent, and its mandate expanded;
2. The Board direct the Chief to:
  - a. create a permanent, standalone Ethics, Inclusivity and Human Rights training course that contributes to professional practice in policing in the context of providing policing services to Toronto's diverse communities and populations. This training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias avoidance; interactions with racialized and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; the LGBTQ2S+ community; and, ethics in policing. This standalone course will be taken every 2 years by all Members of the Service, civilian and uniform;
  - b. ensure this training is developed and updated based on best practice and through the active engagement of the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, and that the City's CABR Unit be requested to provide an independent assessment of the new course curriculum to the Board by October 2020;
  - c. make this training mandatory for both new and current Members of the Service, both uniform and civilian;

- d. create and implement a framework to constantly evaluate the efficacy of this training and serve to identify areas for improvement to the training, with reports on the Service's findings and responsive actions provided to the Board semi annually;
  - e. make permanent the current anti-Black racism training component of the annual re-training (civilians) and In Service Training Program (uniform) and report back to the Board on opportunities to expand this component;
  - f. audit and review all courses to determine how anti-racism training can be incorporated throughout all courses taught at the College, and report to the Board by December 2020 with the findings of this audit and review; and
  - g. review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options.
3. The Board's Mental Health and Addictions Advisory Panel should be made permanent, and its mandate expanded;
4. The Board, in consultation with its Mental Health and Addictions Advisory Panel and the Toronto Police Service, should:
- a. expand the Mobile Crisis Intervention Team Program on an urgent basis to meet current service demands, and that any expansion be funded from within the current 2020 Toronto Police Service Operating Budget, and given that no allocation was made for this purpose within the current budget, any expenses that cannot be absorbed be allocated to appropriate reserves;
  - b. work with the City of Toronto and other partners to develop new community based models to mobile mental health crisis intervention service delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) and may not necessarily involve police officers unless there are significant safety issues present; and,
  - c. if an alternative mobile crisis intervention model is identified and all partners agree, and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's Mobile Crisis Intervention Team Program for re-allocation to this alternative model;

5. The Board will consult with its Anti-Racism Advisory Panel and its Mental Health and Addictions Advisory Panel on Recommendations 1 – 4 and consider any input provided on an ongoing basis;
6. The Board direct the Chief to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available. This line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations). The Board should also direct the Chief to provide and make publicly available the same line-by-line breakdown of any new budget requests that are recommended to the Board during the Board's annual budget process;
7. The Board allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, including the involvement of community-based consultation partners and should commence the public consultation process in September 2020; and,
8. The Board direct the Chief to provide a status update regarding the recommendations in *The Way Forward*, based on what has already been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of *The Way Forward* should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.

### **Financial Implications:**

There are no immediate financial implications arising from the recommendations contained in this report. However, future reports with respect to certain recommendations will identify the specific financial implications, once ascertained.

### **Background / Purpose:**

Throughout our city, and around the world, there is pain right now. There is too long a history of anti-Black and anti-Indigenous racism, discrimination, and marginalization in our city. These issues continue to face us, including in the context of policing. We hear about it, see it, and recognize that too many of our fellow residents experience it every day. It has been an ongoing challenge for the Board and Service to address these issues in a way that engenders public trust, and we acknowledge that we must always try, and will, do better.

Despite our best efforts, we recognize that much work remains to be done. This reality has been brought into sharper focus by the shocking and senseless killing of George

Floyd, which serves as a tragic reminder that discrimination suffered by members of Black communities remains harmfully present. Mr. Floyd's death has also served as a catalyst to reflect deeply on the state of police and community relations locally, and globally. We must use this moment to figure out how we all move forward, collectively. We join in the calls that justice in that case be done.

The Board also continues to acknowledge the tragic loss of life of Ms. Regis Korchinski-Paquet, and the many questions and concerns that surround her death. Everyone wants, and deserves, answers in this case. The Board has publicly requested that province's Special Investigations Unit work as expeditiously as possible, so that its investigation can conclude and the public can be informed of its findings.

Although the peaceful marches and protests that have taken place in Toronto over these last few weeks will not, themselves, solve the hard problems society must continue to confront, they are a clear reminder that we can and must work together to improve the social fabric that holds us together. No institution or organization, including the Toronto Police Service, is immune from overt and implicit bias. Racism – including anti-Black and anti-Indigenous racism – exists within our public and other institutions. The only way to dismantle it is to confront it, call it out in all its form, and dedicate ourselves to action that puts us clearly on the path to change.

As the governing body for the Toronto Police Service, the Board must be a catalyst, along with others, for the examination of reforms and changes that are in the city's best interests – particularly in the areas of community safety and policing. While the Board, in partnership with the Toronto Police Service, has previously undertaken a wholesale review of its operations and created a roadmap for modernization, no plan can be frozen in time. The Board's priority has, and must continue to be, ensuring fair and equitable policing in Toronto. There also must be recognition that law enforcement – whether reactive or proactive – is not the solution to many of the challenges our city faces, but rather, is only one piece of a multi-dimensional pie. Toronto's community safety is a shared responsibility, and relies on a continuum of municipal, provincial, and federal services, community-based organizations, experts and everyday citizens who have the appropriate skills, abilities, and vested interest to implement strategies to make our city safer.

In the current context, then, it is important for the Board to outline how it intends, in the immediate, to prioritize the concerns it has heard from the communities it serves and integrate the public interest that animates those concerns into its future actions. This report highlights some key themes that have emerged from the recent public discourse regarding policing and community safety, and suggests specific actions the Board can undertake or direct right now. These actions are by no means a panacea, but they are some concrete steps that can be taken in the immediate while additional work is undertaken to examine these issues thoughtfully with a view to continuing to make progress. The Board will continue to engage with the public, and its community partners and stakeholders to determine longer-term and impactful actions and solutions.



## **Discussion:**

### ***Commitment to anti-racism and addressing systemic bias***

- a. Recent efforts by the Board

#### *Anti-Racism Advisory Panel*

The Board has acknowledged and remains cognizant of perennial and pervasive issues of systemic and implicit bias, which affect policing work throughout Canada, including in the Toronto Police Service. That is why the Board has made issues of equity and diversity an explicit focus in its work in recent years. The Board's Anti-Racism Advisory Panel (ARAP) was created by the Board in April 2018 as part of its decision to implement a recommendation from the Coroner's Inquest into the Death of Andrew Loku. It comprises leading voices on anti-racism work in Toronto, including members of the community with lived experience and subject-matter expertise in anti-racism, anti-Black racism, and mental health and addictions. ARAP also includes membership from the Toronto Police Service, which provides important operational perspectives on the issues being studied. The focus of ARAP's work has been the development of a monitoring framework of the recommendations arising from the Loku Inquest, although it also played a major role in the development of the Board's Race-Based Data Collection, Analysis and Public Reporting Policy.

#### *Race-Based Data Collection Policy and related work*

At its meeting of September 19, 2019, the Board approved its new Race-Based Data Collection, Analysis and Public Reporting Policy. This Policy cements the Board's commitment to ensuring there is real, public data to guide our collective work in eliminating racial bias and promoting equity, fairness and non-discriminatory police service delivery in Toronto. The Service has implemented aspects of the Board's Policy in part, and is continuing to work towards full implementation.

#### *Equity, Inclusion & Human Rights*

Additionally, at its May 2019 meeting, the Board approved of the re-structuring and rebranding of the Equity, Inclusion & Human Rights Unit (E.I. & H.R.), including approving the hiring of eight subject matter experts in the areas of equity, anti-racism, and human rights. The Board recognized that a modernized E.I. & H.R. unit was imperative to developing anti-racism initiatives, managing diversity issues, championing equity, promoting human rights, and developing tools to measure diversity in all ranks

and positions, all within a progressive equity and human rights agenda. The Service has staffed this Unit, which is undertaking work daily across the Service.

b. Recommendations and rationale

*Recommendation 1: The Board's Anti-Racism Advisory Panel should be made permanent, and its mandate expanded.*

The ARAP was intended to respond directly to the recommendations from the Coroner's Inquest into the Death of Andrew Loku. However, it has become clear through its work, including in relation to the Board's Race-Based Data Collection, Analysis and Public Reporting Policy that its expertise and thought leadership will benefit the Board as it continues to apply an anti-racism lens to its police governance function.

Given the complex and significant issues that must be addressed on a constant basis insofar as anti-racism work in policing goes, having an expert body to regularly advise the Board is vital. The Board would be well-served – and, therefore, better serve the public – by making the Board's ARAP a permanent entity, expanding its mandate such that it becomes the Board's advisory body with respect to all matters involving anti-racism in the context of policing, and allowing its membership to change as required over time.

*Recommendation 2: The Board direct the Chief to:*

- a. *create a permanent, standalone Ethics, Inclusivity and Human Rights training course that contributes to professional practice in policing in the context of providing policing services to Toronto's diverse communities and populations. This training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias avoidance; interactions with racialized and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; the LGBTQ2S+ community; and, ethics in policing. This standalone course will be taken every 2 years by all Members of the Service, civilian and uniform;*
- b. *ensure this training is developed and updated based on best practice and through the active engagement of the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, and that the City's CABR Unit be requested to provide an independent assessment of the new course curriculum to the Board by October 2020;*

- c. *make this training mandatory for both new and current Members of the Service, both uniform and civilian;*
- d. *create and implement a framework to constantly evaluate the efficacy of this training and serve to identify areas for improvement to the training, with reports on the Service's findings and responsive actions provided to the Board semi annually;*
- e. *make permanent the current anti-Black racism training component of the annual re-training (civilians) and In Service Training Program (uniform) and report back to the Board on opportunities to expand this component;*
- f. *audit and review all courses taught at the College to determine how anti-racism training can be incorporated in all courses, and report to the Board by December 2020 with the findings of this audit and review; and,*
- g. *review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of training co-developed and led by members of the community, including outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options.*

As the employer, the Board has a mandate to create and support a culture of anti-racism within the Service. While the Service currently provides anti-racism training, there is important work that can be done to enhance the focus on anti-racism during various training cycles for both uniform and civilian members of the organization. This includes: creating dedicated courses on this subject as well as identifying how anti-racism teaching can be woven into other courses; making permanent course offerings on the subject of anti-racism; creating a more explicit and constant community connection to inform this training; and, ongoing monitoring and evaluation of training to ensure 'uptake.' These are all important steps the Board and Service can take to enhance our Members' understanding of, and ability to relate to the diverse communities in Toronto that they serve. Anti-racism work must begin with an individual's own learning journey, and the Board, as employer, should make this an organizational priority. While training alone is not sufficient to create systemic and cultural change, it is a vital component of any organization's equity, inclusion and human rights strategy.

### ***Commitment to an effective response to persons in crisis***

- a. Recent efforts by the Board

Police interactions with people experiencing mental health crisis has been a priority area of the Board for many years. To this end, in February 2019, the Board approved the establishment of a new Mental Health and Addictions Advisory Panel (MHAAP); the

Board previously had a Mental Health Sub-Committee, created to enable the Board to address the approach mental health issues in an informed and effective manner. The main objective of MHAAP is to review the implementation of the Service's Mental Health and Addictions Strategy and to provide ongoing advice to the Board with respect to this important work. Ensuring membership from marginalized and racialized groups was also an explicit focus during the establishment of MHAAP, as was bringing in the voices and perspectives of the community, including consumers/survivors and representatives from a wide array of mental health providers. MHAAP also includes membership from the Toronto Police Service, which, again, provides important operational perspectives on the issues being studied.

The Board is also very supportive of the Service's Mobile Crisis Intervention Team (MCIT) program, which pairs a specially trained police officer and a mental health nurse to respond to individuals in crisis across the city. The Board has engaged MHAAP with respect to how to most effectively expand the MCIT program, which currently is able to respond to only one-quarter of the "person in crisis" calls that the Toronto Police Service receives each day.

b. Recommendations and rationale

*Recommendation 3: The Board's Mental Health and Addictions Advisory Panel should be made permanent, and its mandate expanded.*

Like ARAP, the Board would be well served by a permanent advisory body that provides perspective and recommendations on matters related to mental health and addictions issues in the policing context. This includes issues related to the public health crisis presented by opioid overdoses, as well as other mental health matters that arise in the context of community safety and policing. MHAAP will also provide invaluable monitoring and guidance with respect to the ongoing implementation of the Toronto Police Service's Mental Health and Addictions Strategy. MHAAP's membership should be allowed to change over time.

*Recommendation 4: The Board, in consultation with its Mental Health and Addictions Advisory Panel and the Toronto Police Service, should:*

- a. expand the Mobile Crisis Intervention Team Program on an urgent basis to meet current service demands, and that any expansion be funded from within the current 2020 Toronto Police Service Operating Budget, and given that no allocation was made for this purpose within the current budget, any expenses that cannot be absorbed be allocated to appropriate reserves;*

- b. work with the City of Toronto and other partners to develop new community based models to mental health crisis intervention service delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) and may not necessarily involve police officers unless there are significant safety issues present; and,*
  
- c. if an alternative mobile crisis intervention model is identified and all partners agree, and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's Mobile Crisis Intervention Team Program for re-allocation to this alternative model.*

Currently, the MCIT Program is unable to meet the real-time demand for mobile crisis intervention that exists daily in Toronto. An urgent expansion of the MCIT Program will assist in responding to more of these calls in the immediate. The MCIT Program has proven itself as an effective method of bringing care to the community while also minimizing the number of emergency room visits. The program also limits reliance on the criminal justice system, and instead, connects persons in crisis with community resources that will more effectively address their mental health needs.

The recent public discourse regarding police budgets is motivated, at least in part, by a desire to ensure that community services are adequately resourced to do their important work. This is an important societal goal. At the same time, budgets for the delivery of police services must recognize that police are called upon 24 hours a day, seven days a week, to answer a full spectrum of community safety calls – including those that relate to persons in crisis – when other services are not available in the city. Given that the MCIT Program has proven effective, is being delivered so as to minimize reliance on the justice system, and the need for expansion exists now, the Board – as the body charged with ensuring the adequate and effective policing in Toronto – should seek opportunities for immediate expansion from within the existing Service budget, or, if those costs cannot be absorbed, and allocation to the appropriate reserve.

However, to the extent other models of delivering community-based mental health crisis intervention services exist that do not require a police presence (other than in circumstances of significant safety risk) and have proven successful, the Board, in consultation with MHAAP and other partners, including the City of Toronto, should work to identify existing and develop new community based models to mobile mental health crisis intervention services delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) that may not necessarily involve police officers, unless there are significant safety issues present. The Service currently works with many social agencies to reduce police involvement in mental health crisis calls and such programs are most effective when they are not police-led. If an

alternative model is agreed to, the relevant service providers are able to deliver the services and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's Mobile Crisis Intervention Team Program for re-allocation to this alternative model.

***Recommendation 5:** The Board will consult with its Anti-Racism Advisory Panel and its Mental Health and Addictions Advisory Panel on Recommendations 1 – 4, above, and consider any input provided on an ongoing basis.*

### **Commitment to transparent and consultative budgeting**

#### a. Recent efforts by the Board

Generally, the Board strikes a Budget Subcommittee each year, studies the Service's budget proposals, creates a forum to hear from the public through deputations, and then recommends a budget to Toronto City Council. For at least the last three years (2018, 2019 and 2020) the budget has also included some line-by-line details with respect to the components of the budget. There are opportunities to enhance the amount of information and detail provided with respect to the police budget, as well as to enhance the approach to public consultation on the budget.

In addition, the Board's and Service's modernization strategy, *The Way Forward*, remains a priority. This strategy was premised on ensuring that the Toronto Police Service can serve the city's population effectively and efficiently, and prioritizes community-based policing. This strategy is also premised on recognizing that while certain functions and services have historically been delivered by the Toronto Police Service (e.g. crossing guard services, life guard services, answering non-emergency calls), there are more effective and efficient ways to deliver those services. Some of these services, identified in *The Way Forward*, are now being delivered by other city partners and have been permanently removed from the police budget and operations.

#### b. Recommendations and rationale

***Recommendation 6:** The Board should direct the Chief to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available. This line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations). The Board should also direct the Chief to provide and make publicly available the same line-by-line breakdown of any new budget requests that are recommended to the Board during the Board's annual budget process.*

While line-by-line details have been provided and available publicly for the last three years, the information provided to date has been somewhat limited. It is clear that the details of the budget can be further enhanced. Providing a breakdown by each Toronto Police Service program area, service and function will provide members of the public with more information to understand how public dollars are allocated and prioritized within the annual budget. This information will enhance public discussion of the Service's budget.

*Recommendation 7: The Board should allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, including the involvement of community-based consultation partners and should commence the public consultation process in September 2020.*

While the Board engages in public consultation with respect to the budget each year, the approach to consultation has not been consistent and there is always room for enhancing public participation. The Board should direct an amount from its Special Fund to support a more robust annual public consultation process with respect to the budget.

***Commitment to ongoing modernization and engaging the community in community safety priority-setting and modernization***

*a. The Way Forward status update*

The Board continues to support the implementation of *The Way Forward*, the Toronto Police Service's modernization strategy. This strategy was premised on ensuring that the Toronto Police Service can serve the city's population effectively and efficiently. As a result of this work, the Board was able to realize some financial savings in previous years' budgets, and some of these modernized approaches have resulted in permanent cost savings. At the same time, given the critical issues associated with gun violence and other community safety issues, the Board is required to ensure that adequate and effective policing is provided throughout the city. Beyond traditional law enforcement approaches, an important component of this strategy is the enhancement of community neighbourhood policing. The direct, daily contact between a police officer and the community they serve is crucial to build mutual trust and tear down the walls that enable fear, suspicion, and bias.

*b. Recommendations and rationale*

*Recommendation 8: The Board should direct the Chief to provide a status update regarding the recommendations in *The Way Forward*, based on what has already been*

*implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.*

No plan or strategy should remain frozen in time. As new issues and developments arise, there should be a constant 'feedback loop' that keeps the strategy current and responsive to relevant trends. There has been some success in implementing the recommendations in *The Way Forward*, and other recommendations remain in progress. With direction from the Board, the Service can update the strategy and look for additional opportunities for modernization. Given that community safety is a shared societal responsibility, stakeholders and members of the public should be engaged in consultation with respect to this 'refresh.' This consultation will ensure that any updates to *The Way Forward* that emerge will be more responsive to current and anticipated community safety needs.

**Conclusion:**

It is recommended that the Board consider and approve the recommendations in this report. These recommendations are focused on the Board taking some immediate steps and providing some immediate direction to the Chief to address important current events, recognizing that additional work will be required to determine longer-term and impactful actions and solutions. The Board will continue to engage with the public, and its community partners and stakeholders, in this important work.

Respectfully submitted,



Jim Hart  
Chair



## Appendix C

### Changes to Policing in Toronto

#### City Council Decision

City Council on June 29 and 30, 2020 adopted the following:

1. City Council direct the City Manager, in consultation with the Toronto Police Services Board, community-based organizations, social services agencies and mental health support organizations to develop alternative models of community safety response that would:

- a. Involve the creation of non-police led response to calls involving individuals in crisis, and others as deemed appropriate through consultation;
- b. reflect the City's commitment to reconciliation;
- c. involve extensive community consultation on a proposed response model; and
- d. detail the likely reductions to the Toronto Police Services budget that would result from these changes,

for Report to the Executive Committee by January 2021.

2. City Council commit that its first funding priority for future budgets is centered on a robust system of social supports and services, including ongoing investments in Indigenous, Black and marginalized communities, with rigorous accountability mechanisms to measure performance.

3. City Council request the Toronto Police Services Board to direct the Chief of Police to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available; this line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations).

4. City Council request the Toronto Police Services Board to direct the Chief of Police to immediately provide the line-by-line breakdown of the Toronto Police Service's 2020 Budget and to make the breakdown publicly available by July 2020.

5. City Council request the Toronto Police Services Board to implement a 24-hour/7-days-a-week program across Toronto for its Mobile Crisis Intervention Team Program.

6. City Council request the Toronto Police Services Board to post its Use of Force Policy on its public website.

7. City Council request the Toronto Police Services Board to post its annual Budget Summary and Uniform/Civilian Staffing Summary per Command with Approved, Proposed and Actuals/ similar to the Excel information provided during the 2018 budget cycle, as the example they should follow starting retroactively for the last 5 years of machine-readable Open datasets to both theirs, and the City of Toronto Open Data Portal.

8. To assist in identifying areas of financial and operational improvement within the Toronto Police Service, City Council request the City Manager to seek an amendment to the City of Toronto Act to expand the City of Toronto's Auditor General's jurisdiction to include auditing the Toronto Police Service.

9. City Council request the Toronto Police Service Board to consider a motion supporting City Council's request in Part 8 above and to communicate its position to the Province.

10. Until the legislative change to the City of Toronto Act requested in Part 8 above is in place, City Council request the Toronto Police Services Board to invite the City's Auditor General to independently develop a work plan and conduct audits, which would include an examination of systemic issues, and to provide the Auditor General with the same level of co-operation and access to information as if this was required by the City of Toronto Act.

11. City Council request the Auditor General to report to City Council in the fourth quarter of 2020 on the status of the work plan set out in Part 10 above and the level of co-operation the Auditor General is receiving from the Toronto Police Services Board.

12. City Council direct the City Manager to develop plans to invest in critical community and social services that better address the root causes of safety and security, and ensure any savings identified from policing reforms are allocated to the following areas:

a. investment in initiatives identified from the Combatting Anti-Black Racism Strategy, and those in Appendix A to the report (June 23, 2020) from Mayor John Tory;

b. investment in the Immediate Steps to Address Gun Violence Plan to fulfil the City's outstanding requests to Public Safety Canada for the enhancement of violence prevention and intervention programs;

c. investment in the City's Poverty Reduction Strategy and Indigenous-led Poverty Reduction Strategy;

d. investment in Indigenous-led initiatives related to community safety and wellbeing;  
and

e. investment in initiatives to support people experiencing mental health crisis.

13. City Council direct the City Manager to work with the Toronto Police Services Board in the development of a rigorous community consultation process to inform the criteria for the selection of the next Chief of Police.

14. City Council request the Toronto Police Services Board in the recruitment for Toronto's new Chief of Police, to ensure that the successful candidate:

a. has a proven track record of deep and successful reform of policing including:

1. proven ability to ensure that non-violent de-escalation strategies and techniques are employed at all times by police officers, particularly in relation to engagement with people from racialized communities and with residents with mental health issues; and

2. demonstrated experience in "modern policing" including building strong, lasting and sustainable bridges and relationships with racialized and marginalized communities and willingness to consider other models for first responder calls for non-violent incidents.

b. understands and values:

1. the importance of diversity in the City and in the Toronto Police Service itself;

2. acceptance and tolerance of all people and a recognition that Toronto is home to the most culturally diverse population in the world which gives our City its strength in times of crisis all around the world; and

3. the strategies and actions required to ensure that Toronto remains a place of tolerance, diversity and respect for all.

15. City Council request the Toronto Police Services Board to work in consultation with the City Manager to engage the City of Toronto's Anti-Black Racism Unit and Indigenous Affairs Office to assist in the community consultations about the new Chief of Police.

16. That City Council request the Toronto Police Services Board to share regularly updated datasets from their Open Data Portal to the City of Toronto Open Data Portal, taking into consideration for any issues around personal data privacy; data sets to also include:

a. Toronto Police Services Board annual reports in the proper digital format; and

b. converting files currently provided in a .pdf format on the Toronto Police Service Open Data Portal to the proper digital format.

17. City Council request the Toronto Police Services Board to post all relevant open data with regards to its Races Based Data Strategy following all the provincially mandated guidelines to protect personal privacy, to both the Toronto Police Service Open Data Portal and the City of Toronto Open Data Portal.

18. City Council request the City Manager to report on the implementation of a City of Toronto Mobile Crisis Assistance Intervention Service that would deploy unarmed, medically trained crisis intervention assistance personnel, based on the "CAHOOTS" model from Eugene, Oregon. Such report should include:

a. description of how these specially trained first responders would deal with a range of community challenges including: homelessness, intoxication, substance abuse, mental illness, dispute resolution, and basic medical emergency care; and

b. a process whereby when Crisis Assistance Intervention Service is established, that the City would subtract the cost of this new service from future Police budgets.

19. City Council request the Province immediately review and overhaul the Equipment and Use of Force Regulation, R.R.O. 1990, Reg. 926, so as to:

a. emphasize de-escalation; and

b. incorporate further modifications based on alternative models and best practices in peer jurisdictions, which address the use of deadly force.

20. City Council request the Province of Ontario to amend the Police Services Act and the Community Safety and Policing Act, 2019 (which received Royal Assent but has not yet come into force) to significantly expand the instances in which suspension without pay and revocation of a police officer's appointment as a police officer is available where serious misconduct is alleged or ultimately established; these amendments should, at a minimum, implement the relevant elements of the Police Services Act, 2018 that addressed suspension without pay and the relevant elements of the Policing Oversight Act, 2018 that created the ability to revoke a police officer's appointment as a police officer in Ontario.

21. City Council request the Province of Ontario to amend the Police Services Act and the Community Safety and Policing Act, 2019 (which received Royal Assent but has not yet come into force) to require that complaints made about a police officer's public conduct that alleges serious misconduct be investigated by the Province's independent police complaints agency (currently, the Office of the Independent Police Review Director) and not any police service's professional standards unit.

22. City Council request the Government of Ontario to eliminate any and all appeal powers for the Toronto Police Services Board as set out in the Police Services Act, 1990 for the Ontario Civilian Police Commission to overturn Toronto City Council

decisions pertaining to Police Budget matters including requests for reduction, abolition, creation or amalgamation of police services.

23. City Council request the Province of Ontario to amend the Police Services Act to allow the City of Toronto to have direct oversight over the Toronto Police Services Budget and exempt Toronto City Council from the provisions of subsection 39(4) of the Act by removing the word “not” from the provisions of the subsection, as it pertains to the City of Toronto, as follows:

In establishing an overall budget for the board, the Toronto City council does not have the authority to approve or disapprove specific items in the estimates.

24. City Council commit to eradicating racial profiling in policing and request the Toronto Police Services Board to direct the Toronto Police Service to immediately adopt the recommendations from the Ontario Human Rights Commission on race-based data and report back on the implementation status by January 1, 2021.

25. City Council request the Toronto Police Services Board to direct the Toronto Police Service to adopt all recommendations in Justice Iacobucci's report entitled Police Encounters with People in Crisis (2014), with a particular emphasis on Recommendation 3, which requires the Toronto Police Service to notify crisis intervention units for every call involving a person experiencing a mental health crisis and Recommendations 43 thru 54 pertaining to Mobile Crisis Intervention Team response.

26. City Council request, in the strongest possible terms, the Province immediately reinstate the Police Services Act reforms recommended by Justice Tulloch, particularly those reforms focused on enhancing the independence and notifications requirements of the Special Investigations Unit (Recommendation 5.7).

27. City Council request the Chief of Police adopt all of the recommendations directed to the Toronto Police Service from the 2017 Andrew Loku Inquest.

28. City Council request the Toronto Police Services Board to ensure policies are enacted requiring all instances of alleged racial profiling and bias to be investigated under the Police Services Act.

29. City Council request the Toronto Police Services Board to direct the Toronto Police Service to implement a plan to equip all police officers with Body-Worn Cameras by January 1, 2021 and enact policies that ensure consequences for unauthorized de-activation or covering of the cameras.

30. City Council direct the City Manager and request the Toronto Police Services Board and City Divisions to consolidate and expedite data sharing to advise on violence prevention approaches.

31. City Council direct the City Manager to work with the Toronto Police Services Board to establish an accountability office and agency, independent of government and the Toronto Police, empowered through ongoing access to police personnel, facilities and records to conduct self-generated audits of police practices and policies, and report annually to the Toronto Police Services Board and City Council with its audited findings and recommendations.

32. City Council direct the City Manager to establish and resource an Accountability Table with annual reporting, similar to that established for the Toronto Seniors Strategy, by September 2020, composed of representatives of Black, Indigenous, and People of Colour, mental health and addictions experts, homeless advocates, and other equity-seeking groups to monitor the implementation including budgetary impacts of all recommendations pertaining to City Council's decision.

33. City Council request the Toronto Police Services Board to report on outcomes associated with how diversity in human resources is being prioritized and achieved by the Toronto Police Service, including with respect to recruitment, hiring and promotion for both civilian and uniform positions, at all ranks and classifications.

34. City Council, building on the mandate and membership of the Partnership and Accountability Circle, establish a Confronting Anti-Black Racism Council Advisory Body, and direct the City Manager to report to the Executive Committee on recommended Terms of Reference for the Advisory Body to be approved by City Council in September 2020.

35. City Council direct the City Manager to determine and fill the necessary staffing requirements within the Confronting Anti-Black Racism Unit and the Indigenous Affairs Office to deliver on a mandate focused solely on advancing the implementation of the above recommendations and those Recommendations and Actions concerning Policing and the Justice System, as outlined in the Toronto Action Plan to Confront Anti-Black Racism.

36. City Council direct the City Manager to provide an update by January 1, 2021 on the implementation status of City Council's decision.

## Appendix D

### Town Hall Summary

August 7, 2020

### **“I Don’t Want to Live In Fear”: Voices from the Toronto Police Services Board Town Hall Meetings – Interim Summary**

#### **Background**

Following the killing of George Floyd, a Black man, at the hands of a Minneapolis police officer in May 2020, and the tragic death of Regis Korchinski-Paquet during a wellness check in Toronto, protests erupted in Toronto and around the world calling for radical reform in the way communities are policed in order to address the systemic racism that has resulted in the disproportionate use of force by police against Black, Indigenous, and other racialized groups. Thousands of messages were received by the Toronto Police Services Board (Board) demanding change. In response, the Board announced it would hold a virtual Town Hall meeting to hear the voices of members from communities across Toronto. The response was overwhelming, with over 350 individuals signing up. As a result, the originally planned single day Town Hall meeting was extended to four full-day meetings, which took place on July 9, 10, 15 and 16, 2020.

The meetings followed an open format, creating space to allow the public to make submissions to the Board, providing the Board an opportunity to hear the voices of our communities and to ask questions. The submissions covered a wide range of issues, including police accountability, police reform, and community safety priorities. Members of the public who could not make a live presentation at the Town Hall meetings were invited to provide a written or recorded statement on the Board’s website. In total, over 200 individuals and representatives of community organizations spoke at the Town Hall meetings, or made a written statement or recording.

This interim summary focuses on the main themes raised by the participants at the Town Hall meetings. In total, more than a hundred different recommendations were made by the wide variety of participants, and numerous stories and experiences were relayed. Not all can be summarized in this report, but all are valuable, and all will continue to inform the Board as it develops its approach to eliminate systemic racism, explore alternative community safety approaches, and build trust with communities across Toronto.

This interim report attempts to condense the many experiences and ideas brought before the Board, and, therefore, we have reduced them into broad themes. The intent of this interim report is *not* to analyze what was said, but to summarize what was actually said or submitted to the Board. This interim report will be followed by a

comprehensive report that will give due place to the actual words and individual experiences the Board heard. These submissions also remain available to the public on the Board's website at: <https://tpsb.ca/consultations-and-publications/july-2020-town-halls>.

Finally, some of the participants offered particular and unique expertise and knowledge that can inform the Board's actions in specific areas. While many of these matters were not able to be integrated into this interim report, the Board has committed to follow up with those individuals who offered to assist the Board, and benefit from their generosity.

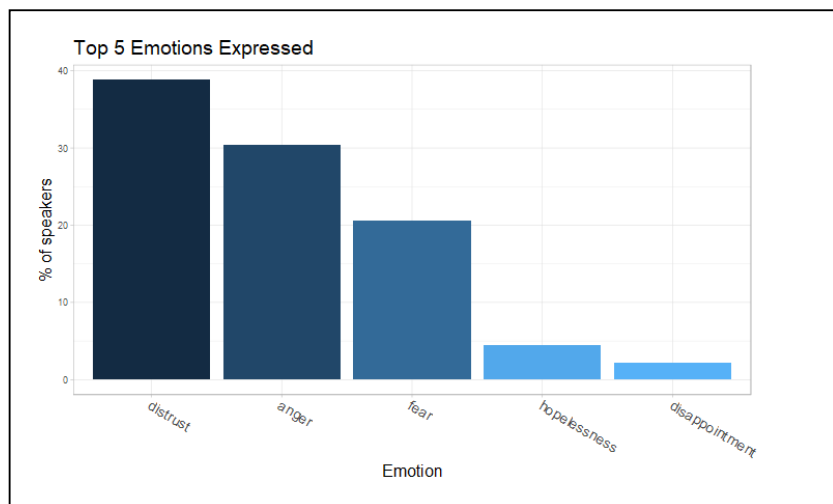
## Discussion

The Town Hall meeting participants relayed stories from their lived experience, expressed their feelings about the Service and the Board, explained their perspectives regarding the problems faced by Toronto's communities with regards to policing, and suggested or demanded concrete actions that could be taken to address them.

### *Understanding the Problems*

Overall, most of the participants in the Town Hall meetings told the Board that policing in Toronto suffers from systemic racism. Many said that for too many residents, especially those on the intersection of racialization and mental health and addictions, the Toronto Police Service is a threat to their safety, rather than a reassuring presence, and many of the speakers were uncertain as to whether there is any way to fix the current system.

A thread of distrust and suspicion could be found throughout many of statements heard by the Board. This distrust, fuelled by disappointment and frustration with past experiences, and a sense of hopelessness for the future, was aimed at both the Service and the Board. With regard to the Service, participants told the Board they do not



believe Service Members can or want to change, that too many police officers refuse to admit there is a problem of systemic racism within the Service, and that the Service has engendered an "us vs. them" mentality that makes it impervious to criticism.

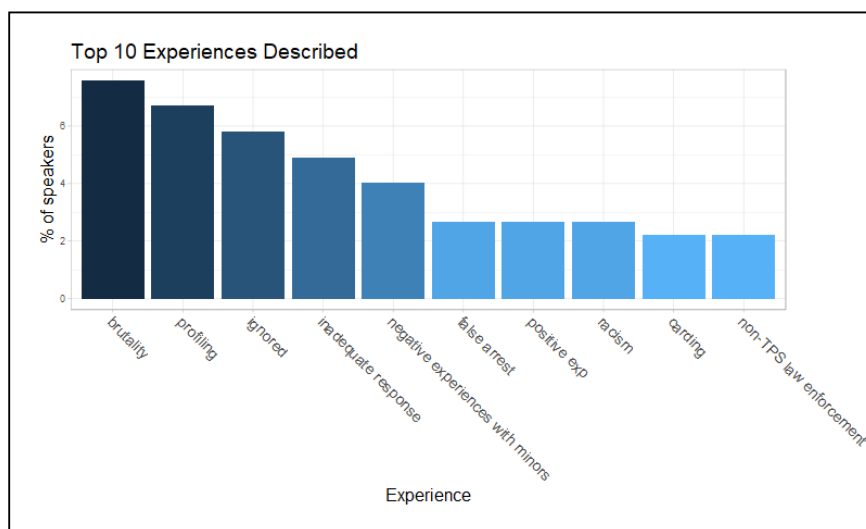


The Board, itself, was also the target of much distrust. While many participants expressed gratitude for the creation of the Town Hall forum, and viewed it as a positive step, they also expressed their views that past reports and recommendations have had no effect on policing in this city, and expressed their lack of belief that the Board has the will or the courage to enact sweeping changes that will bring it into conflict with the Service or the Toronto Police Association. Participants have said that the onus is on the Board to prove that it is serious in its commitment to eliminate systemic racism and earn the trust of the public.

Many of the participants viewed the Board as one and the same as the Service, and suggested that the Board was failing in its role as an independent civilian oversight body. As a result, they felt there is a need for new and alternative independent oversight bodies. Distrust also extended to the Province’s Special Investigations Unit (SIU). Many of the participants who spoke of the SIU described it as composed mainly of police officers, whose main concern is to protect their colleagues.

Approximately one in three the participants expressed anger with the Service and the Board. Anger at the Service focused on concerns about its mistreatment of vulnerable and racialized communities, including accusations of harassment, over-policing, discriminatory practices, and excessive use of force. Many cited findings by the Ontario Human Rights Commission of the gross over-representation of Black men among the victims of police lethal use of force. Another issue identified was the size of the Service budget, at over \$1 billion dollars and the single largest item in the City of Toronto’s overall budget. Participants indicated that the size of the Service’s budget prevented the City from investing in much needed social services, including housing, mental health and addictions services, and transit, among others. Many suggested that, especially at a time when the City faces a shortfall as a result of the pandemic, part of the Service’s budget must be allocated to other priorities. Moreover, many participants pointed out that the budgetary focus on policing undermines the very goal of increasing safety in Toronto, as it results in the neglect of important crime prevention measures that would prevent crime before it happens, rather than just responding to it.

Fear was also expressed by many participants, fuelled to a large degree by the experiences that participants or their families, friends and neighbours have had when interacting with the police. Participants described experiencing or witnessing brutality,



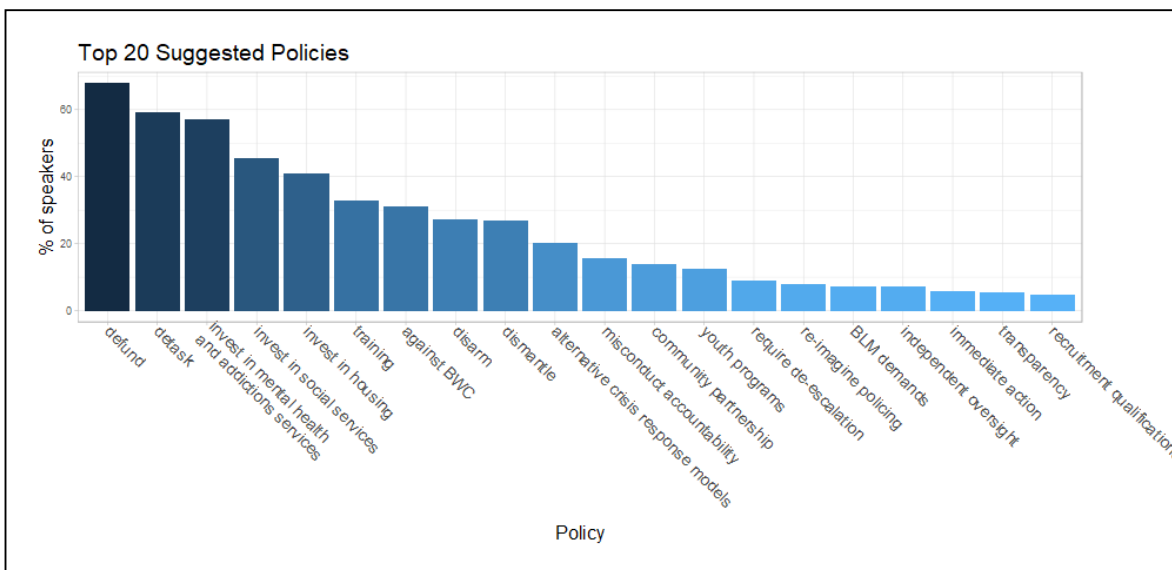
profiling, and false arrests, as well as other incidents of apparent misconduct. Some have told the Board that they were ignored by Service Members when they or others needed help. A substantial number described incidents where Service Members were simply unable to provide an adequate response, in particular when interacting with people in crisis, possibly due to lack of appropriate training. A number of participants related incidents where police officers reacted unprofessionally when faced with criticism from passers-by during an interaction with a vulnerable individual, or even when they just stopped to observe such an interaction.

Combined, it is clear that these experiences lead many to fear the police: fear that they will be the subject of biased policing because they are members of racialized or vulnerable groups, and fear that friends, neighbours or clients in crisis will be hurt if the police are called to respond. Several participants told the Board that they refrain from calling the police in an emergency, and expressed the need for alternative response options with non-police professionals that are better trained to respond to crisis situations.

This fear is compounded by a sense that police lack accountability for their actions. Participants related accounts of police misconduct that have been brushed aside with minor disciplinary action. Many pointed to the practice of suspension with pay for officers under investigation, the small number of charges brought forward by SIU following investigations of alleged misconduct, and the fact that few, if any, Service Members have faced significant discipline, or even lost their job as a police officer following complaints of misconduct.

### **Suggested Solutions**

As noted by many participants, it is the Board’s role to engage with experts and identify the best solutions to the problems facing policing in Toronto. It is not the public’s duty to conduct the research necessary to develop appropriate solutions. Nevertheless, the Board is grateful to the many participants who brought forward their ideas, suggestions and demands for concrete changes in the way policing services are provided to the City of Toronto, and the way the Board carries out its oversight role.



Over one hundred specific recommendations across a broad variety of areas were heard at the Town Hall meetings. Many of these derived from the specific lived experience of participants, and illuminated to the Board issues that would, otherwise, have been difficult to identify. This further demonstrates the power and importance of continued consultations with the public. This interim report will focus on the main themes that were raised repeatedly throughout the Town Hall meetings.

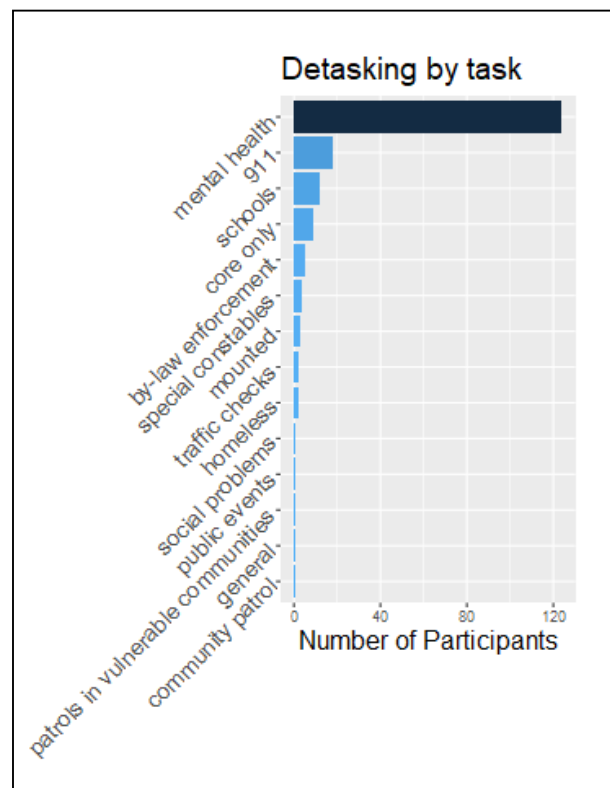
### Defund and Reinvest

A majority of participants called for the defunding of the Service. Of those who identified a specific number, approximately 60% suggested the Service budget should be defunded by 50%, and a further 30% suggested that it should be defunded by 10%. Defunding generally was not presented as a punitive measure, but as a means to reallocate desperately needed funds to a variety of social services, particularly mental health and addictions services. Many participants also proposed that this reinvestment would result in less need for policing, as the underlying causes of crime would be better addressed. In particular, participants noted that investment in mental health and addictions services, and in housing supports, would reduce the burden of person in crisis calls, thus reducing the need for police funding.

### Detask

Approximately half of the participants acknowledged that the police are asked to do many things they are not trained or qualified to do, including handling people in crisis. These participants asked that the task of attending to these individuals be redirected to mental health professionals. Many asked for the development of alternative crisis response models, with some specifically naming the CAHOOTS (Crisis Assistance Helping Out On The Streets) model used in Oregon as one such potential model to adopt or explore adopting in Toronto.

Some participants also suggested that 911 triaging should be transferred to a different provider, who would decide when police intervention is required and when an incident is better triaged to another first responder. Some participants noted that they fear calling 911 when they need help because they don't want police involvement. One suggested



that the “menu” of “police, fire department, ambulance” should be expanded to include mental health professionals, so that callers can feel safe that they will receive the appropriate response – including to mental health crisis calls – when dialling 911.

Other tasks and areas that participants suggested could be transferred away from the police include schools, by-law enforcement, and TTC special constables. A number of participants suggested police should only be tasked with core policing activities that could legitimately require use of force, such as responding to violent crime. In addition, a small number of participants told the Board that they believe the Mounted Unit should be disbanded.

### Training and Recruitment Qualifications

Approximately one in three participants said they thought training of Service Members should be improved. Many pointed out that the training period for new recruits is significantly shorter than what is required of police officers in some European countries, and several suggested that new recruits should be required to have completed some higher education degree. Other suggestions included a greater emphasis on de-escalation and crisis response training, improved anti-racism and anti-implicit bias training, and an enhanced focus on officers’ own mental health.

A number of participants told the Board that training should be at least partially civilianized. The Board was told that community-led and peer-run organizations should participate in providing training, and learning from individuals with lived experience should be an important part of any anti-bias program. Participants told the Board that this would reduce the focus on use of force as a primary tool for policing, and shift the balance towards de-escalation methods.

Notably, a substantial number of participants opposed the focus on additional training, citing evidence that anti-bias training is not an effective tool, and certainly not in isolation, for eliminating systemic bias.

Finally, a number of participants noted that the recruitment of new officers should be structured so as to ensure the diversity of the Service, and promotion standards must ensure that this diversity is also reflected throughout the ranks.

### Body-Worn Cameras

Of the participants who discussed Body-Worn Cameras (BWC), almost 95% expressed opposition to their implementation. Reasons to oppose BWC implementation included concerns about costs and concerns about the increased surveillance of already over-policed communities. However, the majority of those opposed to BWC argued that this tool is simply not effective for the purpose of eliminating systemic racism and reducing excessive use of force. Evidence was cited showing that law enforcement agencies who implemented BWCs did not demonstrate consistent reductions in use of force, and, indeed, in some cases, saw a rise in its use. Others have cited evidence showing that the recordings made from the perspective of the officer tend to create in the viewer

empathy for the officers, and exaggerates the sense of danger from the people facing them. Others noted that BWCs can be used as an accountability tool, but not a preventative one. Several participants noted that BWC use must be strictly regulated for it to have any positive effect. In particular, the Board was told that officers should not have any discretion to decide when to turn the BWC on or off, and the Service should not have discretion with regards to releasing recordings of alleged misconduct incidents. A number of participants demanded that strict discipline be enforced against officers who fail to properly activate their BWCs.

### Disarming and Demilitarizing

More than one in four participants demanded that Service Members be disarmed, and that any militarized gear be removed from the Service. A small number of participants suggested that officers might continue to have access to firearms when responding to violent calls, but that those could be stored in a secure compartment in the vehicle when officers are responding to non-violent calls, including during wellness checks.

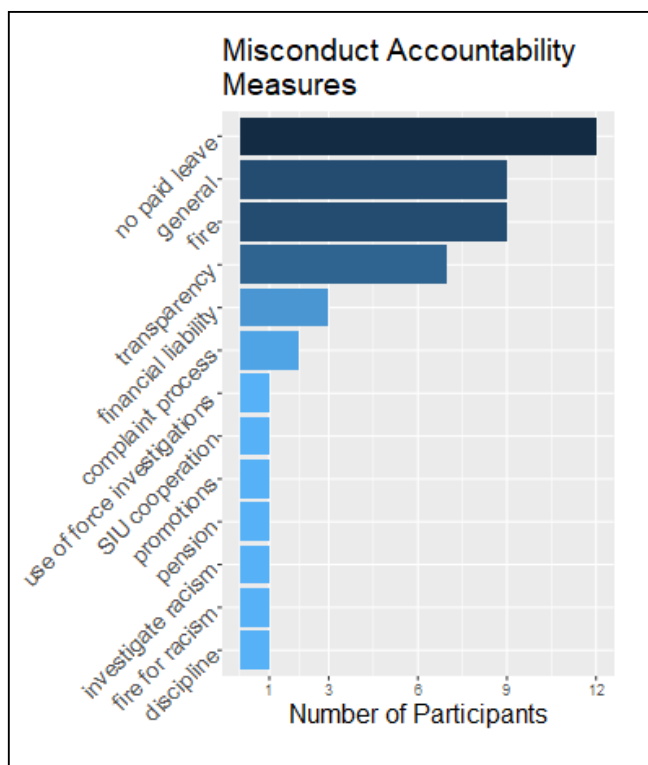
Some participants specified that disarming the police should include not only firearms, but also less-lethal weapons, including Conducted Energy Weapons (CEWs), batons, and pepper spray.

### Dismantle and Re-Imagine

Approximately one in four participants demanded the dismantling of the Toronto Police Service altogether, and a “re-imagining” of community safety in Toronto. While some suggested some form of police agency should be rebuilt following the dismantling of the Service, others suggested that Toronto can be a “city without police.” Among those advocating for a re-imagined police service, several called for following a principle of “policing by consent.”

### Misconduct Accountability

A number of participants highlighted flaws in the manner in which Service Members are held accountable for incidents of misconduct. Most frequently, participants demanded that officers suspended due to misconduct investigations should not continue to get paid from public tax dollars. Several participants also demanded that officers found guilty



of misconduct, in particular with regards to racism, should be fired. Participants also frequently demanded greater transparency with regard to misconduct accountability and discipline.

### Community Partnership

Approximately 15% of participants advocated for increased community partnership in developing police procedures and training, as well as in the day-to-day work of the Service. Many noted that the perspectives of people with lived experience could be indispensable in helping to rebuild the trust between the Service and various communities. Several representatives of organizations extended invitations to the Service and the Board to partner with them in addressing the issues raised in the Town Hall meetings.

### Black Lives Matter Demands

Many Town Hall meeting participants quoted or explicitly referenced the demands published by Black Lives Matter Canada during the protests, in full or in part. These demands are reproduced in [Box 1](#) below.

### Independent Oversight

A number of participants called for new models or approaches to independent oversight over the Service, in particular with regards to investigations of alleged misconduct. Some also called for increased involvement of the City and the Auditor General in auditing the Service's budget.

## **Conclusion**

The Board's July 2020 Town Hall meetings were unprecedented in both the format imposed by the pandemic, and the number of people energized to be heard as part of the current public discussion on systemic racism and police reforms. The Board is grateful to all of the participants for their willingness to engage with the Board, and believes that the value of this public forum has been proven beyond doubt in the many valuable ideas raised and issues identified.

The Board recognizes that it is now tasked with justifying the trust given to it by the participants by demonstrating real and substantial change. Furthermore, the Board is committed to continuing the conversation that has started with these Town Hall meetings in a variety of different ways, to ensure that the Board and the Service remain transparent and accountable to the public.

## Box 1: Black Lives Matter Canada Demands

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### **DEFUND THE POLICE**

1. Immediately redirect a minimum of 50 percent of the \$1.1 billion TPS budget toward the communities they have devastated by investing in secure, long-term housing for street-involved and unhoused communities, food security programs, public transit, public health, public libraries, and community-led anti-violence programs.

### **DEMILITARIZE THE POLICE**

2. End Emergency Task Force (ETF) and Emergency Response Teams (ERT) (similar to the US-based SWAT teams), tactical squads, military grade weapons, and surveillance equipment.
3. Remove all weaponry from police and other law enforcement, including tasers, batons, firearms, rubber bullets, tear gas, pepper spray, and sound canons.
4. End the mass surveillance of our communities through the use of technologies such as stingray, facial recognition, and predictive policing technologies, drones, robots, and G20 surveillance technology that remained in Toronto.

### **REMOVE COPS IN SCHOOLS**

5. Remove police and school resource officers (SROs) in all schools (Public, Catholic, Private, and Post-Secondary) in Toronto.
6. Remove police and school resource officers (SROs) in all schools, at all levels, across Canada.

### **REDUCE SCOPE OF POLICE**

7. End all special constable programs and all policing on campuses.
8. End the policing of public transportation.
9. End the policing of minor bylaw infractions and noise complaints.
10. End paid-duty policing program (officers for hire by developers, street festivals, etc.).
11. End police collaboration with the CBSA.
12. Eliminate all stealth police cars and plainclothes operations.
13. Eliminate community policing patrols in highly racialized communities.
14. End Carding

### **DOCUMENT POLICE VIOLENCE**

15. Mandate the public collection of data regarding police killing, and incidents of police brutality for all local, regional, provincial, and Federal police or law enforcement agency disaggregated by race, gender, age and citizenship.

### **DECRIMINALIZE POVERTY, DRUGS, HIV & SEX WORK**

16. Release and expunge record for all poverty-related charges (including bylaw infractions, solicitation, sleeping outside, public urination, loitering, solicitation).
17. Decriminalize drugs, sex work, and HIV status.
18. Release and expunge records of all drug-related and sex work charges.

### **CREATE ALTERNATIVES**

19. Create Crisis Intervention and Mad co-lead support teams; work with communities to develop models that work for them.
20. Create police-free, community-led, trauma-informed emergency service for mental health/psychiatric distress and other forms of crisis.
21. Invest in community support for shelters, drop-ins, after-school programming in low-income, Black, and Indigenous neighborhoods.
22. Create restorative services, mental health services, and community-run health centres
23. Invest in harm reduction, including safe supply, safe injection/inhalation sites, and harm-reduction outreach workers.
24. Establish a community-based and trauma-informed emergency service for people who have experienced gender-based violence.
25. Implement of civilian transportation safety service and better/safer road infrastructure for pedestrians, cyclists and public transit
26. Create a civilian conflict resolution resolution service to replace policing of minor bylaw infractions/noise complaints
27. Provide permanent, secure housing options for all people who need housing.

(Source: <https://blacklivesmatter.ca/defund-the-police/>)



# TPSB JULY 2020 TOWN HALLS

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**PUBLIC FUNDING**

**REFORM CULTURE**

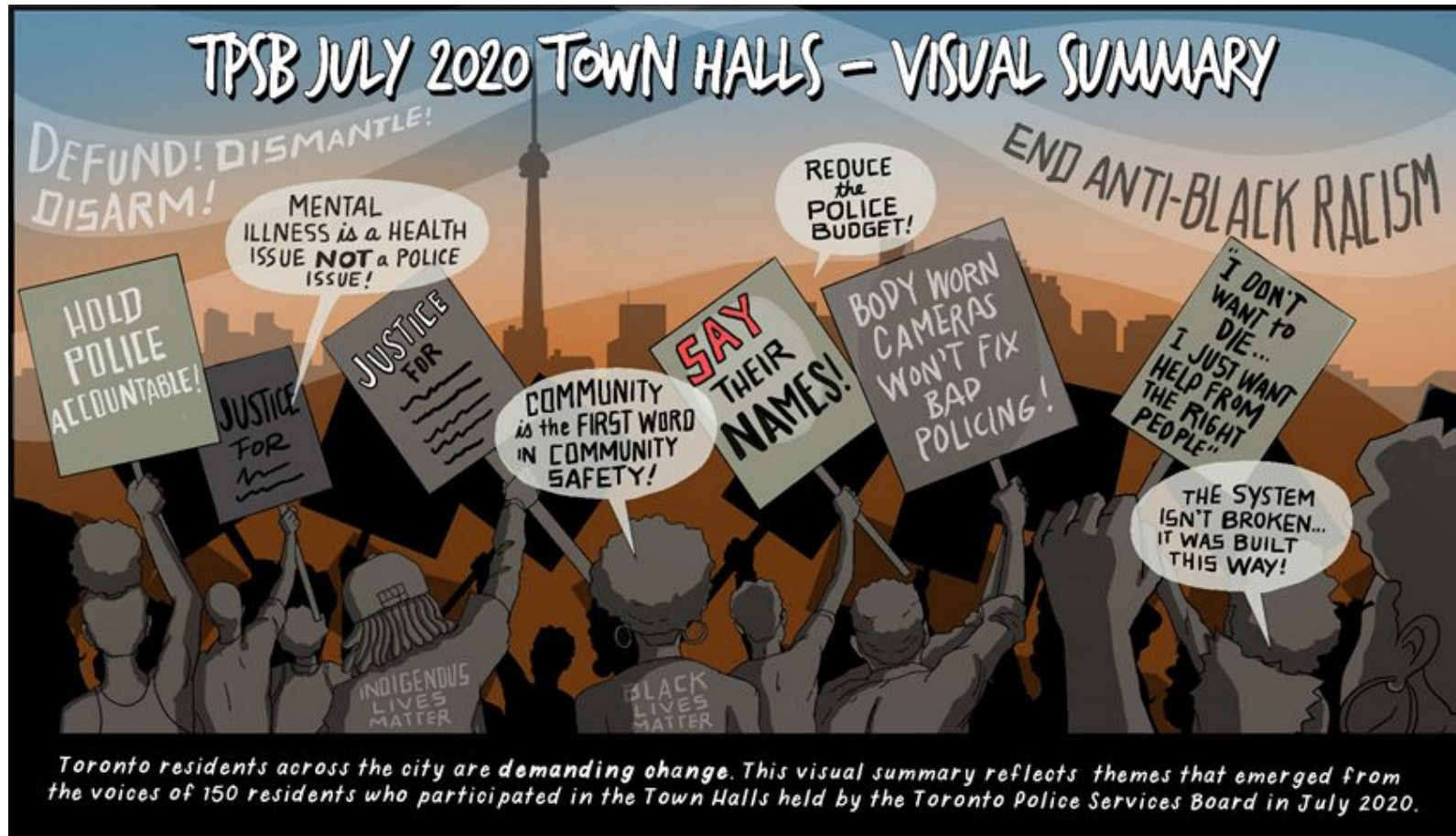
**COMMUNITY SAFETY**

**EDUCATION & TRAINING**

**MENTAL HEALTH**

This graphic flipbook is a summary, organized by themes, of the voices of people in the community who answered the Toronto Police Services Board call to contribute to a Town Hall on current events triggered by anti-Black and systemic racism.





## BACKGROUND

In May 2020, George Floyd, a Black man, was murdered in Minneapolis when a white police officer knelt on his neck for 8 minutes and 46 seconds.

Mr. Floyd begged for his life repeatedly saying; "I can't breathe". Other officers stood by and did nothing. Mr. Floyd's death sparked global protests against anti-Black and systemic racism.

In Toronto, protesters gathered to demand police reform and to seek justice in the name of Regis Korchinski-Paquet and others who have died during police interactions in Canada.

The Toronto Police Services Board responded by holding a town hall to hear residents' views on policing in response to current events. Originally scheduled for a day in July, an overwhelming response to the call for speakers led to 4 days of meetings.

Due to the COVID 19 pandemic, these meetings were held virtually. Community activists, concerned citizens, disability advocates, filmmakers, lawyers, doctors, CEOs, psychiatrists, teachers, childcare workers, and many more, responded. The Board is grateful to each of the nearly 150 residents who took the time to speak and for the over 100 written, audio, and video submissions we received.

We heard bold ideas for reform and pragmatic recommendations. People spoke from their heart and often from their hurt. It was evident that people care deeply about Toronto and about policing. The Board heard repeatedly that residents want EVERYONE to feel safe and to receive the same level of service in this city they call home.

This booklet captures the major themes we heard from Town Hall participants.

CHAIR  
JIM HART

VICE-CHAIR  
MARIE MOLINA

MAYOR  
JOHN TORY

UPPALA CHANDRASEKERA  
MEMBER

COUNCILLOR  
MICHAEL FORD

COUNCILLOR  
FRANCES NUNZIATA

RINSWORTH M. MORGAN  
MEMBER





# PUBLIC FUNDING

TPSB Town Hall Voices, illustrated by a Ward 4 artist



# PUBLIC REFORM

TPSB Town Hall Voices, illustrated by a Ward 11 artist

**BE BRAVE**

**REFORM!**  
IS NOT ENOUGH!  
IT'S TIME TO  
**TRANSFORM**

HAVE THE COURAGE TO ADMIT WHAT NEEDS TO CHANGE  
**AND CHANGE IT!**

"WE PLACE A HEAVY BURDEN ON POLICE. I DON'T BLAME THEM INDIVIDUALLY THEY ARE DOING SOMETHING THAT THEY BECAME EVEN TRAINED FOR. POLICE NEED TO GO TO THE WORK SHOPS THEY ARE UNTRAINED & UNWELCOME. FOODS POLICE ON SITUATIONS THAT MIGHT REQUIRE DEFENCE AGAINST THE REAL THREAT OF VIOLENCE."

"IF IGNORING THE VOICES OF BIPOC AND THEIR ALLIES MEANS WE ARE ONLY FOCUSING ON THE SAFETY OF WHITE PEOPLE, & WE ARE CONTINUING ALL SYSTEMIC ISSUES THAT CREATED THIS IN THE FIRST PLACE."



**WHO HOLDS THE POLICE ACCOUNTABLE?**

THE SIU IS MOSTLY POLICE OFFICERS

THE NEW CHIEF OF POLICE NEEDS TO REVAMP CULTURE, DEMAND ACCOUNTABILITY, CHALLENGE, INVESTIGATE & ACKNOWLEDGE SYSTEMIC RACISM!

**FORM A TORONTO POLICE ACCOUNTABILITY COALITION!**

**RACISM BRUTALITY & MISCONDUCT**

NEED CONSEQUENCES POLICE OFFICERS ARE ALSO CITIZENS and SUBJECT TO THE LAW!

## ACCOUNTABILITY

**DE-ESCALATION!**

PRIMARY GOAL!

**PROTECT and RESPECT**  
HUMAN RIGHTS

**DIVERSITY**  
ON POLICE FORCE and BOARD

THE COMMUNITY NEEDS TO FEEL REPRESENTED BY and HAVE INPUT INTO THE NEW CHIEF OF POLICE!

**ACCESSIBILITY!**

THE BOARD NEEDS TO BE RESPECTFUL OF HOW ALL COMMUNITIES ENGAGE!

**INDIGENOUS LAND**

ACKNOWLEDGEMENTS SHOULD BE RECOGNIZED WITHIN THE FRAMEWORK OF:

**RECONCILIATION**

HOW IS THE BOARD MOVING FORWARD WITH THIS?

DON'T JUST READ IT!

**CULTURE**

**ACTION**  
MUST BE TAKEN AGAINST POLICE VIOLENCE!

FAIR & EQUITABLE POLICING NEEDS TO BE THE PRIORITY OF THE BOARD!

**STOP KILLING US!**

**TRANSPARENT & OPEN DATA**

**MEASURABLE SYSTEMS AND PROCEDURES IN PLACE!**

## TRANSPARENCY

**RACE BASED DATA**

**EASY PUBLIC ACCESS**

**COMPLAINTS DATA**

**WILL BE POSTED WITH MORE TRANSPARENCY THAN EVER BEFORE!**



# COMMUNITY SAFETY

TPSB Town Hall Voices, illustrated by a Ward 9 artist







# MENTAL HEALTH

TPSB Town Hall Voices, illustrated by a Ward 10 artist

**KEY ISSUES**  
**MENTAL HEALTH ISSUES** are CAUSED by **POVERTY, RACISM & LACK of SOCIAL SERVICES**

EMPATHY  
 UNDERSTANDING  
 HOPE

LET'S TALK MENTAL HEALTH  
 BE THEIR VOICE!  
 HOPE  
 TRAINED COUNSELLORS

**MAKE MENTAL HEALTH A PRIORITY**

COVID-19 HAS SHOWN US HOW QUICKLY WE CAN MOBILIZE!

IT'S TIME TO MOBILIZE and PRIORITIZE MENTAL HEALTH as a CRISIS in the GTA!

MENTAL HEALTH WORKERS

EMPHATICALLY SHARED HOW SCARY IT WAS TO HAVE A POLICE OFFICER RESPOND

**WELLNESS CHECKS** to be PERFORMED by trained counsellors and MENTAL HEALTH PROFESSIONALS

**REMOVE POLICE OFFICERS** entirely from MENTAL HEALTH CALLS and LEAVE IT TO TRAINED PROFESSIONALS

REMOVE Armed POLICE WHERE THEY ARE NOT REQUIRED

REMOVE quito/tasers/sprays

**CRISIS INTERVENTION**

Situations ESCALATE with Police presence... the vulnerable are often fearful of them  
 Police should be AN ESCORT to Mental Health professionals

TASK FORCES WITH LIVED EXPERIENCE  
 Victims of domestic violence or sexual assault need their own task force

LOOK at OTHER COMMUNITIES who HAVE HAD SUCCESS.

MENTAL HEALTH AMBULANCE

Whether home or on the street, teams dealing with Mental Health issues need to be FUNDED and MOBILIZED

Mental Health workers as first responders

THERE ARE SITUATIONS WHERE INTERVENTIONS DO NOT NEED TO INCLUDE POLICE

PLEASE HELP

**INVOLVE FAMILIES**

A NURSE OR SOCIAL WORKER SHOULD ALWAYS BE PRESENT

PCU Primary Response Unit

MCIT Mobile Crisis Intervention Teams

**PARTNERING**

camh SHOULD BE A PARTNER with Mental Health

VULNERABLE PERSONS REGISTRY needs to be USER FRIENDLY and USEFUL!  
 → have a GTA registry to avoid duplication  
 → created by and for people with special needs

FAMILIES should be able to ask for the team they think is BEST suited to help them.

**FAMILY CAREGIVERS** ARE OFTEN LEFT OUT of the CONVERSATION

**ALTERNATIVE 911 IDEAS.**  
 Many calls are mental health related  
 → Create a MENTAL HEALTH LINE

TRIAGE 911 Calls:  
 Police  
 Fire  
 Mental Health

→ Mental Health Professionals can determine whether to include police

---

## Appendix E

### Toronto Action Plan to Confront Anti-Black Racism

(Excerpted from the section addressing Policing and the Justice System)

#### RECOMMENDATION

16. Implement measures to stop racial profiling and over-policing of Black Torontonians

#### ACTIONS

- 16.1 Review communication strategies with communities of African descent about the ongoing elimination of carding as a policing practice
- 16.2 Review the decision not to destroy the previously collected carding data
- 16.3 Review use of force protocols from an Anti-Black Racism Analysis
- 16.4 Review police and community training, including Community Crisis Response Programs, to include use of force issues
- 16.5 Improve training to equip Law Enforcement Officers with knowledge and skills to better protect and serve diverse people of African descent
- 16.6 Strengthen protocols for police response to Emotionally Disturbed Persons (EDP) and report regularly on police-EDP interactions, using an Anti-Black Racism Analysis
- 16.7 Communicate to the Province the need for improvements to policing and the justice system to better serve and protect people of African descent

#### RECOMMENDATION

17. Build a more transparent, accountable and effective police oversight system to better serve Black Torontonians and to strengthen community trust in police

#### ACTIONS

- 17.1 Mandate the collection and public reporting of race-based data for greater transparency



17.2 Review and overhaul the Professional Standards for discipline at the Toronto Police Service

17.3 Strengthen community capacity to report and police capacity to investigate Islamophobic, transphobic and anti-Black hate crimes through a Community Police Hate Crimes Advisory Committee

17.4 Convene a Community and Police Eliminating Anti-Black Racism Team (CAPE-ABR Team) of community and police leaders as a resource to inform the development and implementation of Actions related to policing and the justice system

## **RECOMMENDATION**

18. Invest in alternative models that create better safety outcomes for Black Torontonians

## **ACTIONS**

18.1 Work with community partners to build a coordinated strategy to 18.1 advance police accountability and community capacity to respond to policing and the criminal justice system, including translation, expansion, and dissemination of “know your rights” information

18.2 Use an Anti-Black Racism Analysis to develop and implement alternative models of policing that focus on community engagement

18.3 Use effective alternative models to incarceration such as the use of restorative justice models developed and implemented with elders in Black communities

## Appendix F

### MHAAP Recommendations

July 23, 2020

To: Chair and Members  
Toronto Police Services Board

From: Jim Hart  
Uppala Chandrasekera  
Steve Lurie  
Jennifer Chambers

Co-Chairs, Mental Health and Addictions Advisory Panel (MHAAP)

**Subject: Recommendations from the Toronto Police Services Board’s Mental Health and Addictions Advisory Panel regarding the Toronto Mobile Crisis Intervention Team Program and Board Chair Jim Hart’s Report titled “Recommendations to the Board Related to Current Events”**

The following recommendations were developed through consensus by the Community Members of the Toronto Police Services Board’s Mental Health & Addictions Advisory Panel (MHAAP) at a meeting held on the morning of Thursday, July 23, 2020, to review and provide feedback on Board Chair Jim Hart’s report titled “Recommendations to the Board Related to Current Events” dated June 17, 2020.

#### **TPS Mental Health & Addictions Strategy**

1. First and foremost, MHAAP recommends that the TPS and the Board fully implement the TPS Mental Health and Addictions Strategy by September 30, 2021, which is within two years of the initial launch of the strategy.

#### **Toronto Mobile Crisis Intervention Team (MCIT) Program**

2. MHAAP supports the expansion of the MCIT in partnership with existing community-based crisis services in Toronto, including peer support services. The total costs for this expansion should come from the existing TPS budget.
3. At the same time, MHAAP recommends that the Board advocate for, at minimum, an equal amount of additional funding for community-based services – those organizations that provide the relevant resources, services and support to

assist individuals with responding to mental health and addictions related issues  
– to work in collaboration with police crisis services and Ontario Health Teams.

4. The police officers with the MCIT program should wear plainclothes. TPS should consult with service users, front-line workers and TPS members to develop a plan to move to a plainclothes approach for the MCIT police officers.
5. TPS should work with the City of Toronto to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis right now. Information on the outcomes of the existing crisis calls to TPS (by police division, etc.), the outcomes of the crisis calls, as well as the connections between MCIT and other community-based services is needed to determine the most appropriate response for individuals in crisis.
6. Any plans for MCIT expansion should be first presented to MHAAP for feedback and review; and the plan should include a comprehensive plan for routine monitoring, evaluation, benchmarks for success, etc.
7. An expanded MCIT model should build in follow-up for individuals after an MCIT response. Follow-up should be delivered in partnership with community-based mental health and addictions service providers including ethno-racial specific services, provide connection to ongoing supports including case management when needed, and ensure individuals who could benefit are referred to Mental Health and Justice and community-based crisis prevention programs and/or the FOCUS table.
8. The current MCIT Steering Committee should be expanded to include representatives from MHAAP as well as the Board's Anti-Racism Advisory Panel (ARAP), Executive Directors/CEOs of community-based mental health and addictions agencies, representative from the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, and people with lived experience of mental health and addictions issues, as well as any other members appointed/selected by the Board, ensuring significant inclusion of peer run organizations. The expanded MCIT Steering Committee should meet quarterly at a minimum.
9. TPS should host quarterly meetings at the division-level with the community-based mental health and addictions agencies within their division to plan for a coordinated approach to crisis response and prevention services and align their strategies with existing community-based planning tables as appropriate.
10. The MCIT program should ensure that a culturally responsive approach is embedded into the program, consistent with the commitment to equity and anti-racism as outlined in the TPS Mental Health and Addictions Strategy. Individuals that are recruited for the MCIT program, including police officers and health care

providers, must have demonstrated ability in anti-racist and anti-oppressive practice, demonstrated skills in human rights related matters, and awareness of lived experience of mental health and/or addictions related issues.

11. MCIT program should continue to collect data on interventions and services provided to inform the quality improvement of program operations:
  - a. This data should be anonymized, aggregated, and made available to the public, through regular reporting to the Board;
  - b. Race-based data collection must be made mandatory for the MCIT program and prioritized for implementation as soon as possible;
  - c. Gender-based data collection should be enhanced beyond gender binary options;
  - d. Outcomes of MCIT interactions should be reported publicly, including when apprehensions are made under the *Mental Health Act*, and whether there are disparities by race using the TPS race-based data collection;
  - e. Outcomes of MCIT interactions should be linked to emergency department data, through the Institute for Clinical Evaluative Sciences, to better understand how apprehensions made under the *Mental Health Act* result in hospital admissions; and
  - f. Data relating to the MCIT program should be reviewed by MHAAP and ARAP prior to public release.

### **Communication to the Public Regarding Crisis Response Programs**

12. TPS should work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to increase awareness about the different types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, and individuals' rights related to the *Mental Health Act*. Success stories should be showcased as part of this campaign.

### **Training for All TPS Members**

13. Training and education for all TPS members, at minimum on an annual basis, should include education by members of peer-run organizations, including organizations representing people with lived experience of mental health and addiction issues, forming collaborations with Black, Brown, Indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. Training needs to be relevant to the root causes and consequence of structural violence, systemic and internalized racism and negative stereotyping of, a focus on the impact of intersectionalities, and use of force on, people with mental health and/or addictions issues. All training must be trauma informed.

14. Training must prioritize and emphasize de-escalation. De-escalation is important for safe outcomes involving people in crisis. Training must include members of the communities most often affected by use of force, and funds must be provided by TPS for community members to provide this education.
15. The Board should recommend to the Government of Ontario (Ministry of the Solicitor General) that a review of the use of force model be conducted, that the use of force model be renamed the de-escalation model, and that the new model minimize the use of force, especially with people in crisis.

**Board Chair Jim Hart’s report titled “Recommendations to the Board Related to Current Events” dated June 17, 2020**

MHAAP fully supports the following recommendations in Board Chair Jim Hart’s report. Wording changes to the original report recommended by MHAAP are underlined.

16. The Board’s Anti-Racism Advisory Panel (ARAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and ARAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. ARAP meetings should be held at minimum on a quarterly basis.
17. The work of ARAP will be informed by Ontario’s *Anti-Racism Act, 2017*, and other governance and guidance documents as appropriate. The definitions and guiding principles contained within the legislation and the associated *Anti-Racism Strategic Plan* will be the starting point of ARAP’s discussions (see Appendix).
18. Mandate of ARAP is to advise TPSB relating to racism, anti-Black racism, and anti-Indigenous racism and policing, including:
  - a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for adoption by the Board;
  - b. Monitoring the implementation of the Toronto City Council’s Action Plan to Confront Anti-Black Racism;
  - c. Monitoring the implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis; any interventions developed by TPS to address racial disparities should be reviewed by ARAP for feedback and recommendations for enhancement;
  - d. Monitoring the implementation of the Andrew Loku Inquest using the monitoring framework previously developed by ARAP;

- e. Reviewing TPS reports on CEW use and making recommendations for enhancement;
  - f. Monitoring the implementation of Inquest recommendations as appropriate;
  - g. Reviewing the development and implementation of all TPS training and offering recommendations for enhancement, including training on anti-racism; and
  - h. Participating in the community consultation process on the Toronto Police Service's annual budget.
19. ARAP recommends that the new ARAP Co-Chairs be Board Member Mr. Ainsworth Morgan (as the TPSB Co-Chair) and Mr. Anthony Morgan, the Manager of the City of Toronto's Confronting Anti-Black Racism Unit or agreed designate (as the Community Co-Chair), for a term of 3 years from 2020-2023.
20. ARAP should meet with the Board's Mental Health & Addictions Advisory Panel (MHAAP) annually and as needed to share information and recommendations. ARAP and MHAAP should share their meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.
21. ARAP recommends the full implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy by January 1, 2021, and recommends that the Toronto Police Service continue ongoing reporting on progress to ARAP, and to the Board at its public meetings, on a quarterly basis.
22. ARAP recommends the full implementation of the recommendations contained in the PACER report by January 1, 2021, and recommends that the Toronto Police Service report on progress to ARAP, as well as to the Board at a public meeting.
23. The Board direct the Chief to:
- a. create a permanent, standalone Ethics, Inclusivity and Human Rights training course that contributes to professional practice in policing in the context of providing policing services to Toronto's diverse communities and populations. This training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias avoidance; interactions with racialized communities, LGBTQ2S+ communities, and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; ~~the LGBTQ2S+ community~~; principles of human rights accommodation and disabilities, including mental health and addictions issues, and, ethics in policing. This standalone course will be taken every 2 years by all Members of the Service, civilian and uniform;
  - b. ensure this training is developed and updated based on best practice and through the active engagement of the City of Toronto's Confronting Anti-

Black Racism (CABR) Unit, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental and addictions issues, and that the City's CABR Unit be requested to provide an independent assessment of the new course curriculum to the Board by October 2020;

- c. make this training mandatory for both new and current Members of the Service, both uniform and civilian;
- d. create and implement a framework to constantly evaluate the efficacy of this training and serve to identify areas for improvement to the training, evaluate the competence of training participants, with reports on the Service's findings and responsive actions provided to the Board semi annually;
- e. make permanent the current anti-Black racism training component of the annual re-training (civilians) and In Service Training Program (uniform) and report back to the Board on opportunities to expand this component;
- f. audit and review all courses to determine how anti-racism training can be incorporated throughout all courses taught at the College, and report to the Board by December 2020 with the findings of this audit and review;
- g. review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options; and
- h. funding for the development and implementation of this training should be provided by the Toronto Police Service.

24. The Board's Mental Health and Addictions Advisory Panel (MHAAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and MHAAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. MHAAP should participate in the community consultation process on the Toronto Police Service's annual budget.

~~MHAAP should meet with the Anti-Racism Advisory Panel as needed to share information and recommendations.~~ MHAAP should meet with the Board's Anti-Racism Advisory Panel (MHAAP) annually and as needed to share information and recommendations. MHAAP and ARAP should share their

meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.

25. The Board, in consultation with its Mental Health and Addictions Advisory Panel, Anti-Racism Advisory Panel and the Toronto Police Service, should:
- a. expand the Mobile Crisis Intervention Team Program on an urgent basis to meet current service demands, and that any expansion be funded from within the current 2020 Toronto Police Service Operating Budget, and given that no allocation was made for this purpose within the current budget, any expenses that cannot be absorbed be allocated to appropriate reserves;
  - b. work with the Government of Ontario, the City of Toronto, community-based mental health and addictions providers, and organizations representing people with mental health and/or addictions issues, and other partners to develop new and enhance existing community based models to mobile mental health crisis intervention service delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) and may not necessarily involve police officers unless there are significant safety issues present; and,
  - c. if an alternative mobile crisis intervention model is identified and all partners agree, and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's Mobile Crisis Intervention Team Program for re-allocation to this alternative model;
  - d. all TPS Officers should be required to receive the five-day Mobile Crisis Intervention Team training, and explore whether alternative training options should be provided, including the Mental Health Commission of Canada's Mental Health First Aid training, Emotional CPR, etc.
26. The Board will consult with its Anti-Racism Advisory Panel and its Mental Health and Addictions Advisory Panel on Recommendations 1 – 4 and consider any input provided on an ongoing basis;
27. The Board direct the Chief to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available. This line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations). The Board should also direct the Chief to provide and make publicly available the same line-by-line



breakdown of any new budget requests that are recommended to the Board during the Board's annual budget process;

28. The Board allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, including the involvement of community-based consultation partners and should commence the public consultation process in September 2020; and,

29. The Board direct the Chief to provide a status update regarding the recommendations in The Way Forward, based on what has already been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.

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## **Appendix**

Selected definitions from *Ontario's 3-Year Anti-Racism Strategic Plan*, arising from the *Anti-Racism Act, 2017*, S.O. 2017, c. 15.

### **Selected Definitions**

#### **Anti-Black racism**

Anti-Black racism is prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system. (African Canadian Legal Clinic).

#### **Race**

Is a term used to classify people into groups based principally on physical traits (phenotype) such as skin colour. Racial categories are not based on science or biology but on differences that society has chosen to emphasize, with significant consequences for people's lives. Racial categories may vary over time and place, and can overlap with ethnic, cultural or religious groupings.

## **Racism**

Refers to ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

## **Systemic racism**

When institutions or systems create or maintain racial inequity, often as a result of hidden institutional biases in policies, practices and procedures that privilege some groups and disadvantage others.

## **Guiding Principles**

*A Better Way Forward: Ontario's 3-Year Anti-Racism Strategic Plan* targets systemic racism by building an anti-racism approach into the way government develops policies, makes decisions, evaluates programs, and monitors outcomes. It calls for a proactive, collaborative effort from all government ministries and community partners to work toward racial equity.

The plan is comprised of initiatives under four categories: Policy, Research and Evaluation; Sustainability and Accountability; Public Education and Awareness; and Community Collaboration. In addition, there are targeted population-specific strategies. All of these initiatives are informed by the following key guiding principles:

- 1. Systemic focus:** We are focusing on proactively removing systemic barriers and root causes of racial inequities in provincial institutions.
- 2. Whole-of-government, collective impact approach:** We recognize that working with ministries across government — not in silos — is required to address systemic racial inequities.
- 3. Targeted universalism:** We recognize everyone benefits from government's targeted removal of systemic barriers faced by the most disadvantaged communities. Reducing barriers and disparities leads to a better Ontario for everyone.
- 4. Distinctness and intersectionality of racisms:** We acknowledge racism is experienced differently by various racialized groups, and within groups along intersectional lines, including gender identity, creed, class, sexual orientation, history of colonization, etc.
- 5. Inclusive process:** Indigenous and racialized people must be meaningfully engaged. Their perspectives and guidance inform the strategy and government decision-making.
- 6. Transparent, evidence-based approach:** Our approach is evidence-based and driven by measurable goals and outcomes that are tracked and publicly

reported. This is consistent with Ontario's Open Government principles.

**Sustainability:** We are setting the foundation for long-term government anti-racism efforts.

## Appendix G

### ARAP Recommendations

July 24, 2020

To: Chair and Members  
Toronto Police Services Board

From: Notisha Massaquoi  
Uppala Chandrasekera

Co-Chairs, Anti-Racism Advisory Panel (ARAP)

**Subject: Recommendations from the Toronto Police Services Board's Anti-Racism Advisory Panel regarding the Board Chair Jim Hart's Report titled "Recommendations to the Board Related to Current Events"**

The following recommendations were developed through consensus by the Community Members of the Toronto Police Services Board's Anti-Racism Advisory Panel (ARAP) at a meeting held on the morning of Friday, July 24, 2020, to review and provide feedback on Board Chair Jim Hart's report titled "Recommendations to the Board Related to Current Events" dated June 17, 2020.

#### **Board Chair Jim Hart's report titled "Recommendations to the Board Related to Current Events" dated June 17, 2020**

ARAP fully supports the following recommendations in Board Chair Jim Hart's report. Wording changes to the original report recommended by ARAP are wave underlined. Please note that the wording changes to the original report recommended by the Board's Mental Health & Addictions Advisory Panel (MHAAP) at their meeting on July 23, 2020, are single underlined.

1. The Board's Anti-Racism Advisory Panel (ARAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and ARAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. ARAP meetings should be held at minimum on a quarterly basis.
2. The work of ARAP will be informed by Ontario's *Anti-Racism Act, 2017*, and other governance and guidance documents as appropriate. The definitions and guiding principles contained within the legislation and the associated

Anti-Racism Strategic Plan will be the starting point of ARAP's discussions (see Appendix).

3. Mandate of ARAP is to advise TPSB relating to racism, anti-Black racism, and anti-Indigenous racism and policing, including:
  - a. Identifying current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for adoption by the Board;
  - b. Monitoring the implementation of the Toronto City Council's Action Plan to Confront Anti-Black Racism;
  - c. Monitoring the implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy, including reviewing the data analysis; any interventions developed by TPS to address racial disparities should be reviewed by ARAP for feedback and recommendations for enhancement;
  - d. Monitoring the implementation of the Andrew Loku Inquest using the monitoring framework previously developed by ARAP;
  - e. Reviewing TPS reports on CEW use and making recommendations for enhancement;
  - f. Monitoring the implementation of Inquest recommendations as appropriate;
  - g. Reviewing the development and implementation of all TPS training and offering recommendations for enhancement, including training on anti-racism; and
  - h. Participating in the community consultation process on the Toronto Police Service's annual budget.
  
4. ARAP recommends that the new ARAP Co-Chairs be Board Member Mr. Ainsworth Morgan (as the TPSB Co-Chair) and Mr. Anthony Morgan, the Manager of the City of Toronto's Confronting Anti-Black Racism Unit or agreed designate (as the Community Co-Chair), for a term of 3 years from 2020-2023.
  
5. ARAP should meet with the Board's Mental Health & Addictions Advisory Panel (MHAAP) annually and as needed to share information and recommendations. ARAP and MHAAP should share their meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.
  
6. ARAP recommends the full implementation of the TPSB Race-Based Data Collection, Analysis, and Public Reporting Policy by January 1, 2021, and recommends that the Toronto Police Service continue ongoing reporting on progress to ARAP, and to the Board at its public meetings, on a quarterly basis.

7. ARAP recommends the full implementation of the recommendations contained in the PACER report by January 1, 2021, and recommends that the Toronto Police Service report on progress to ARAP, as well as to the Board at a public meeting.
8. The Board direct the Chief to:
  - a. create a permanent, standalone Ethics, Inclusivity and Human Rights training course that contributes to professional practice in policing in the context of providing policing services to Toronto's diverse communities and populations. This training curriculum will include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias avoidance; interactions with racialized communities, LGBTQ2S+ communities, and marginalized communities; an understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; ~~the LGBTQ2S+ community~~; principles of human rights accommodation and disabilities, including mental health and addictions issues, and, ethics in policing. This standalone course will be taken every 2 years by all Members of the Service, civilian and uniform;
  - b. ensure this training is developed and updated based on best practice and through the active engagement of the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous racism, community representatives with experience in addressing discrimination and prejudice against people with mental and addictions issues, and that the City's CABR Unit be requested to provide an independent assessment of the new course curriculum to the Board by October 2020;
  - c. make this training mandatory for both new and current Members of the Service, both uniform and civilian;
  - d. create and implement a framework to constantly evaluate the efficacy of this training and serve to identify areas for improvement to the training, evaluate the competence of training participants, with reports on the Service's findings and responsive actions provided to the Board semi annually;
  - e. make permanent the current anti-Black racism training component of the annual re-training (civilians) and In Service Training Program (uniform) and report back to the Board on opportunities to expand this component;
  - f. audit and review all courses to determine how anti-racism training can be incorporated throughout all courses taught at the College, and report to the Board by December 2020 with the findings of this audit and review;

- g. review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options; and
  - h. funding for the development and implementation of this training should be provided by the Toronto Police Service.
9. The Board's Mental Health and Addictions Advisory Panel (MHAAP) should be made permanent, and a review of the terms of reference for the panel should take place every 3 years in consultation with the Board and MHAAP, or when required, where the panel mandate and membership is reviewed and renewed as appropriate. MHAAP should participate in the community consultation process on the Toronto Police Service's annual budget. MHAAP should meet with the Anti-Racism Advisory Panel as needed to share information and recommendations. MHAAP should meet with the Board's Anti-Racism Advisory Panel (MHAAP) annually and as needed to share information and recommendations. MHAAP and ARAP should share their meeting minutes and convene a joint meeting when there are issues of mutual interest and significance.
10. The Board, in consultation with its Mental Health and Addictions Advisory Panel, Anti-Racism Advisory Panel and the Toronto Police Service, should:
- e. expand the Mobile Crisis Intervention Team Program on an urgent basis to meet current service demands, and that any expansion be funded from within the current 2020 Toronto Police Service Operating Budget, and given that no allocation was made for this purpose within the current budget, any expenses that cannot be absorbed be allocated to appropriate reserves;
  - f. work with the Government of Ontario, the City of Toronto, community-based mental health and addictions providers, and organizations representing people with mental health and/or addictions issues, and other partners to develop new and enhance existing community based models to mobile mental health crisis intervention service delivery where this intervention is delivered by mental health experts (e.g. trained nurses, social workers, peer workers etc.) and may not necessarily involve police officers unless there are significant safety issues present; and,
  - g. if an alternative mobile crisis intervention model is identified and all partners agree, and the demand for a regular police presence reduces, the Board can identify the funding currently allocated to the Service's

Mobile Crisis Intervention Team Program for re-allocation to this alternative model;

- h. all TPS Officers should be required to receive the five-day Mobile Crisis Intervention Team training, and explore whether alternative training options should be provided, including the Mental Health Commission of Canada's Mental Health First Aid training, Emotional CPR, etc.
11. The Board will consult with its Anti-Racism Advisory Panel and its Mental Health and Addictions Advisory Panel on Recommendations 1 – 4 and consider any input provided on an ongoing basis;
12. The Board direct the Chief to annually provide a line-by-line breakdown of the Toronto Police Service's existing budget at the outset of the Board's annual budget process, and this breakdown should be made publicly available. This line-by-line breakdown should be organized by the Toronto Police Service's individual program areas, functions or services delivered so as to provide maximum transparency to the public as to how public dollars are allocated currently (while not revealing investigative techniques or operations). The Board should also direct the Chief to provide and make publicly available the same line-by-line breakdown of any new budget requests that are recommended to the Board during the Board's annual budget process;
13. The Board allocate funding from its Special Fund to support enhancements to the public consultation process regarding the annual proposed Toronto Police Service budget, including the involvement of community-based consultation partners and should commence the public consultation process in September 2020; and,
14. The Board direct the Chief to provide a status update regarding the recommendations in The Way Forward, based on what has already been implemented, what remains to be implemented, and what additional recommendations for modernization can lead to more effective and efficient police service delivery. This 'refresh' of The Way Forward should occur on the basis of stakeholder and community consultation that recognizes community safety is a shared societal responsibility.

ARAP also endorses all of the recommendations that were developed through consensus by the Community Members of the Toronto Police Services Board's Mental Health & Addictions Advisory Panel (MHAAP) at a meeting held on the morning of Thursday, July 23, 2020.



## **TPS Mental Health & Addictions Strategy**

15. First and foremost, MHAAP recommends that the TPS and the Board fully implement the TPS Mental Health and Addictions Strategy by September 30, 2021, which is within two years of the initial launch of the strategy.

## **Toronto Mobile Crisis Intervention Team (MCIT) Program**

16. MHAAP supports the expansion of the MCIT in partnership with existing community-based crisis services in Toronto, including peer support services. The total costs for this expansion should come from the existing TPS budget.
17. At the same time, MHAAP recommends that the Board advocate for, at minimum, an equal amount of additional funding for community-based services – those organizations that provide the relevant resources, services and support to assist individuals with responding to mental health and addictions related issues – to work in collaboration with police crisis services and Ontario Health Teams.
18. The police officers with the MCIT program should wear plainclothes. TPS should consult with service users, front-line workers and TPS members to develop a plan to move to a plainclothes approach for the MCIT police officers.
19. TPS should work with the City of Toronto to develop community-based asset mapping to determine the most effective crisis response models that would work best for Toronto, including the services that currently exist that can support individuals in crisis right now. Information on the outcomes of the existing crisis calls to TPS (by police division, etc.), the outcomes of the crisis calls, as well as the connections between MCIT and other community-based services is needed to determine the most appropriate response for individuals in crisis.
20. Any plans for MCIT expansion should be first presented to MHAAP for feedback and review; and the plan should include a comprehensive plan for routine monitoring, evaluation, benchmarks for success, etc.
21. An expanded MCIT model should build in ongoing case management and/or ongoing supports for the individuals in crisis served by MCIT in partnership with a community-based mental health and addictions service provider, and ensure these individuals are referred to community-based crisis prevention programs and the FOCUS program.
22. The current MCIT Steering Committee should be expanded to include representatives from MHAAP as well as the Board's Anti-Racism Advisory

Panel (ARAP), Executive Directors/CEOs of community-based mental health and addictions agencies, representative from the City of Toronto's Confronting Anti-Black Racism (CABR) Unit, and people with lived experience of mental health and addictions issues, as well as any other members appointed/selected by the Board, ensuring significant inclusion of peer run organizations. The expanded MCIT Steering Committee should meet quarterly at a minimum.

23. TPS should host quarterly meetings at the division-level with the community-based mental health and addictions agencies within their division to plan for a coordinated approach to crisis response and prevention services and align their strategies with existing community-based planning tables as appropriate.
24. The MCIT program should ensure that a culturally responsive approach is embedded into the program, consistent with the commitment to equity and anti-racism as outlined in the TPS Mental Health and Addictions Strategy. Individuals that are recruited for the MCIT program, including police officers and health care providers, must have demonstrated ability for anti-racist and anti-oppressive practice, demonstrated skills in human rights related matters, and lived experience of mental health and/or addictions related issues.
25. MCIT program should continue to collect data on interventions and services provided to inform the quality improvement of program operations:
  - a. This data should be anonymized, aggregated, and made available to the public, through regular reporting to the Board;
  - b. Race-based data collection must be made mandatory for the MCIT program and prioritized for implementation as soon as possible;
  - c. Gender-based data collection should be enhanced beyond gender binary options;
  - d. Outcomes of MCIT interactions should be reported publicly, including when apprehensions are made under the *Mental Health Act*, and whether there are disparities by race using the TPS race-based data collection;
  - e. Outcomes of MCIT interactions should be linked to emergency department data, through the Institute for Clinical Evaluative Sciences, to better understand how apprehensions made under the *Mental Health Act* result in hospital admissions; and
  - f. Data relating to the MCIT program should be reviewed by MHAAP and ARAP prior to public release.

### **Communication to the Public Regarding Crisis Response Programs**

26. TPS should work with the Government of Ontario, City of Toronto, community-based mental health and addictions providers, and people with lived experience of mental health and addictions issues, to develop a low-cost, public, social media campaign to increase awareness about the different

types of crisis response services in Toronto, including police-based models and non-police models, the role of police under the *Mental Health Act*, the use of Form 1 and Form 2 under the *Mental Health Act*, and individuals' rights related to the *Mental Health Act*. Success stories should be showcased as part of this campaign.

### **Training for All TPS Members**

27. Training and education for all TPS members, at minimum on an annual basis, should include education by members of peer-run organizations, including organizations representing people with lived experience of mental health and addiction issues, forming collaborations with Black, Brown, Indigenous, LGBTQ2S+, immigrant and refugee community members skilled in training. Training needs to be relevant to the root causes and consequence of structural violence, systemic and internalized racism and negative stereotyping of, a focus on the impact of intersectionalities, and use of force on, people with mental health and/or addictions issues. All training must be trauma informed.
28. Training must prioritize and emphasize de-escalation. De-escalation is important for safe outcomes involving people in crisis. Training must include members of the communities most often affected by use of force, and funds must be provided by TPS for community members to provide this education.
29. The Board should recommend to the Government of Ontario (Ministry of the Solicitor General) that a review of the use of force model be conducted, that the use of force model be renamed the de-escalation model, and that the new model minimize the use of force, especially with people in crisis.

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### **Appendix to the ARAP Recommendations**

Selected definitions from *Ontario's 3-Year Anti-Racism Strategic Plan*, arising from the *Anti-Racism Act, 2017*, S.O. 2017, c. 15.

#### **Selected Definitions**

##### **Anti-Black racism**

Anti-Black racism is prejudice, attitudes, beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, such that anti-Black racism is either functionally normalized or rendered invisible to the larger white society. Anti-Black

racism is manifested in the legacy of the current social, economic, and political marginalization of African Canadians in society such as the lack of opportunities, lower socio-economic status, higher unemployment, significant poverty rates and overrepresentation in the criminal justice system. (African Canadian Legal Clinic).

### **Race**

Is a term used to classify people into groups based principally on physical traits (phenotype) such as skin colour. Racial categories are not based on science or biology but on differences that society has chosen to emphasize, with significant consequences for people's lives. Racial categories may vary over time and place, and can overlap with ethnic, cultural or religious groupings.

### **Racism**

Refers to ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

### **Systemic racism**

When institutions or systems create or maintain racial inequity, often as a result of hidden institutional biases in policies, practices and procedures that privilege some groups and disadvantage others.

## **Guiding Principles**

*A Better Way Forward: Ontario's 3-Year Anti-Racism Strategic Plan* targets systemic racism by building an anti-racism approach into the way government develops policies, makes decisions, evaluates programs, and monitors outcomes. It calls for a proactive, collaborative effort from all government ministries and community partners to work toward racial equity.

The plan is comprised of initiatives under four categories: Policy, Research and Evaluation; Sustainability and Accountability; Public Education and Awareness; and Community Collaboration. In addition, there are targeted population-specific strategies. All of these initiatives are informed by the following key guiding principles:

- 7. Systemic focus:** We are focusing on proactively removing systemic barriers and root causes of racial inequities in provincial institutions.
- 8. Whole-of-government, collective impact approach:** We recognize that working with ministries across government — not in silos — is required to address systemic racial inequities.
- 9. Targeted universalism:** We recognize everyone benefits from government's targeted removal of systemic barriers faced by the most disadvantaged communities. Reducing barriers and disparities leads to a better Ontario for everyone.

- 10. Distinctness and intersectionality of racisms:** We acknowledge racism is experienced differently by various racialized groups, and within groups along intersectional lines, including gender identity, creed, class, sexual orientation, history of colonization, etc.
- 11. Inclusive process:** Indigenous and racialized people must be meaningfully engaged. Their perspectives and guidance inform the strategy and government decision-making.
- 12. Transparent, evidence-based approach:** Our approach is evidence-based and driven by measurable goals and outcomes that are tracked and publicly reported. This is consistent with Ontario's Open Government principles.
- 13. Sustainability:** We are setting the foundation for long-term government anti- racism efforts.



## Toronto Police Services Board Report

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June 25, 2020

To: Chair and Members  
Toronto Police Services Board

From: Notisha Massaquoi  
Co-Chair  
Anti-Racism Advisory Panel (ARAP)

Uppala Chandrasekera  
Co-Chair  
Anti-Racism Advisory Panel (ARAP)

**Subject: Recommended Monitoring Framework for the Implementation of the Recommendations Arising from the Inquest into the Death of Andrew Loku**

### **Recommendation(s):**

It is recommended THAT the Board:

- 1) Approve the attached Loku Monitoring Framework, and associated Dashboard, to monitor the implementation of the recommendations made at the Inquest into the Death of Andrew Loku;
- 2) Direct the Chief to report back to the Board on the implementation of this Framework and associated Dashboard by January 2021, and annually thereafter; and
- 3) Where appropriate, apply the same comprehensive, analytic and thematic approach to similar decisions that have significant public interest in the future.

### **Financial Implications:**

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

## **Background / Purpose:**

Mr. Andrew Loku was a Toronto resident who died in July 2015 after being fatally shot during an interaction with police. A father of five from South Sudan, Mr. Loku had experienced Post Traumatic Stress Disorder (PTSD), among other issues. The inquest into his death resulted in 39 recommendations, 18 of which were directed to the Service and the Board. The recommendations addressed a number of topics, including police training, improving interactions with people experiencing mental health and addiction issues; they also had a noted focus on the role of implicit bias and anti-Black racism.

The Board, at its meeting of December 14, 2017, considered a report from Chair Pringle with respect to the “Implementation of Recommendations Arising from the Inquest into the Death of Andrew Loku.” (P261/17 refers). At this report notes, three of the recommendations made by the jury in this inquest were directed to the Board, including recommendation #17 which states as follows:

1. Establish a new committee to consider possible or identified disparities in services and outcomes for racialized persons and consider interventions to address any such disparities. The committee should include representatives of the Toronto Police Service, subject matter experts and members of racialized communities, including the Black community. The committee should consider the intersectionality of mental health and race both in terms of member composition and issues to be addressed.

At its meeting of April 18, 2018 the Board approved a document pertaining to the establishment of the Anti-Racism Advisory Panel (ARAP), detailing its mandate, terms of reference, as well as a number of other relevant issues. (Min. No. P62/18 refers) At its meeting of August 23, 2018, the Board approved the recommended membership of ARAP (Min. No. 158/18 refers).

The work of ARAP was to be focused on the establishment of a monitoring framework for the Board to use in assessing the response to and implementation of each of the Loku inquest recommendations directed to the Toronto Police Service and the Toronto Police Services Board, including the creation of key benchmarks and performance indicators addressing each recommendation.

In December 2018, the Board referred the review of its race-based data collection policy to ARAP (Min. No. P257/18 refers) and, in much of 2019, ARAP focused its work on the development of a new policy to deal with the collection, analysis and public reporting of race-based data. This was a lengthy and very comprehensive process, which has involved considerable research, analysis, discussion and deliberation. It culminated in the approval of a new Race-Based Data Collection, Analysis and Public Reporting Policy at the Board’s meeting of September 19, 2019. (Min. No. P.178/19 refers) This Policy cements the Board’s commitment to the elimination of racial bias and the promotion of equity, fairness and non-discriminatory police service delivery in Toronto.

## **Discussion:**

Since that time, the work of ARAP has been focused on developing and finalizing the Loku Monitoring Framework. Key to this process has been the involvement of both community members and Service Members, without whom this work could not have been completed. For each recommendation, ARAP discussed the spirit and the intent of the recommendation, and heard from Service representatives who sit on ARAP as to its current status of implementation. Members discussed performance measures and intended outcomes for each recommendation, suggesting indicators and benchmarks that could be used.

A critical element of this Framework is the incorporation of ongoing community evaluation as to whether recommendations have been effectively and meaningfully implemented. ARAP has emphasized that implementation cannot be measured simply by internal benchmarks – the perspective of the public is essential in monitoring success and ensuring continued improvement.

To adhere to the Service's commitment to transparency, the measures and outcomes for each of the Loku inquest recommendations will be made publicly available via the Loku Monitoring Framework Dashboard. The measures and outcomes outlined in the Loku Monitoring Framework will be assessed and once the implementation of each process is in place, data collection will begin in order to produce the respective dashboard components. The Loku Monitoring Framework dashboard will be established once the first set of data is available, and will expand concurrently along with each process implementation. As each recommendation moves towards implementation, updates to measures and outcomes will be made as appropriate. The proposed dashboard, once completed, will be hosted on the Service's Public Safety Data Portal, with continuous updates provided on each recommendation.

At the Board's meeting of May 30, 2019, Dr. Gervan Fearon and Dr. Carlyle Farrell presented their report, Community Survey to Assess the Impact of Rule Changes under Regulation 58/16 – Findings of Phase 1. (Min. No. P99/19 refers). At this time, the Board received the report from report and referred it to ARAP "for its consideration in its work related to overseeing and monitoring response to and implementation of the recommendations directed both to the Toronto Police Service and to the Toronto Police Services Board, by the jury in the Inquest into the Death of Andrew Loku. Specifically, the Board requests ARAP to use the report's findings to assist in the development of a framework, benchmarks, and other measurement tools in its monitoring and analysis."

Among the general principles arising from the report that were taken into account in developing the Framework, were that geographical and demographic disparities should be accounted for in community surveys, etc. and that bias should be measured and monitored. The report emphasized at the onset that while many of the overall metrics noted may be positive, they mask important underlying demographic differences that must be highlighted. As a result, it is important that any surveys administered as part of the Framework attempt to include ways to measure/monitor demographic differences.



In addition, the report notes that a full 50% of the city's population believe that officers are not impartial but instead favor members of particular ethnic groups; this also points to an area that needs to be monitored for improvement in subsequent community surveys that may be a part of the Framework.

The Loku Monitoring Framework represents a significant piece of work, both in terms of the implementation of the inquest recommendations themselves, and in terms of an approach to the topics it contains more generally. Our hope is that the Framework, and the comprehensive, analytic and thematic approach it embodies, can be applied to similar decisions of significant public interest.

### ***Continued Work of ARAP***

The development of the Loku Monitoring Framework represents the completion of the central piece of ARAP's original mandate, as set out in its establishment. We would like to thank ARAP members for their time and dedication to the development of this critical work and the expertise, lived experiences and valuable insights that they provided over many months, which make up the foundation of this Framework.

While this formally concludes the inaugural mandate of ARAP, it is clear that there is much work still to be done in addressing systemic racism in policing, as well as the disparities in services and outcomes for members of Toronto's racialized communities. Another item on this meeting agenda from Chair Jim Hart that the Board is considering today, "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety," sets out a comprehensive approach containing a variety of recommendations aimed at addressing systemic racism and the other challenges that result in disparate outcomes for racialized communities in their interactions with the Service, incorporating input from ARAP and the Board's other advisory panel, the Mental Health and Addictions Advisory Panel (MHAAP), as well as feedback received by the public through the Board's recent Town Hall meetings.

As part of this report, there are a number of recommendations related to the future of ARAP, including that ARAP be made permanent, and that its mandate be confirmed to advise and support the Board in relation to policing and racism, anti-Black racism and anti-Indigenous racism, including identifying relevant current issues relating to racism, anti-Black racism, anti-Indigenous racism and policing, including developing and/or recommending policies, strategies and action plans for approval by the Board, monitoring the Toronto City Council's Action Plan to Confront Anti-Black Racism, monitoring the implementation of the recommendations from the Loku Inquest through the Monitoring Framework, among others. The report also includes recommendations regarding the appointment of new Co-Chairs, terms of membership and terms of reference.

It is our hope that the work of ARAP will continue, grounded in the important principles upon which this Framework is based, and informed by the expertise and lived experience of community members.

**Conclusion:**

Therefore, is recommended THAT the Board:

- 1) Approve the attached Loku Monitoring Framework, and associated Dashboard, to monitor the implementation of the recommendations made at the Inquest into the Death of Andrew Loku;
- 2) Direct the Chief to report back to the Board on the implementation of this Framework and associated Dashboard by January 2021, and annually thereafter; and
- 3) Where appropriate, apply the same comprehensive, analytic and thematic approach to similar decisions that have significant public interest in the future.

Respectfully submitted,



Notisha Massaquoi  
Co-Chair  
ARAP



Uppala Chandrasekera  
Co-Chair  
ARAP



# Loku Monitoring Framework Analytics & Innovation

ARAP Meeting  
June 25<sup>th</sup>, 2020



# Purpose

To outline the Loku Monitoring Framework recommendations, performance measures and intended outcomes for the Toronto Police Service (TPS) and communities across Toronto.

- Overall approach to Measures and Outcomes will include geographical and demographic factors wherever possible
- Surveys will attempt to include a measurement of bias and intersectionality of bias between persons in crisis and racialized groups wherever possible
- Many measures include data points which have yet to be collected and will require mechanisms/processes to do so as a next step
- Reporting and Dashboards can be produced upon collection of these data points

# Recommendation 1 (TPS)

- Using reputable, external educators and other experts, TPS should ensure that the Service develops and implements annual/regular training at division and platoon meetings with a focus on the equitable delivery of policing services.
  - The training should acknowledge the social inequities and challenges faced by racialized communities and consumer survivors who have experienced mental health challenges and equip officers with skills needed to provide appropriate responses and service delivery

## Measures

- Number/ percentage of officers trained.
- Officer perception of validity of training (pre- and post- implementation).
- Community perception of validity of training based on interactions with officers (pre- and post- implementation).

## Outcomes

- Officers demonstrate enhanced understanding and capacity concerning the equitable delivery of policing services, human rights and accommodation principles, social inequities and challenges facing racialized communities, and consumer survivors who have experienced mental health challenges.
- Officers perceive value in the training.
- Enhanced community confidence through relationship building with TPS.

# Recommendation 2 (TPS)

- Measure the effectiveness of the above mentioned training in anti-Black racism and persons in crisis by requiring both a written and oral exam of the participants.
  - Failure in such exams should result in requiring re-attendance at such training.

## Measures

- Officer perception of validity of training (pre- and post- implementation).
- Community perception of validity of training based on interactions with officers (pre- and post- implementation).

## Outcomes

- Officers demonstrate enhanced understanding and capacity concerning anti-Black racism and persons in crisis.
- Officers perceive value in the training (i.e. have skills to assess individual accommodation needs).
- Enhanced community confidence through relationship building with TPS.



# Recommendation 3 (TPS)

- Mandate that all officers complete the Implicit Association Test as part of initial and requalification training.

## Measures

- Number/percentage of officers trained.
- Officer perception of validity of training (pre- and post- implementation).
- Community perception of validity of training based on interactions with officers (pre- and post- implementation).

## Outcomes

- Officers demonstrate understanding and capacity concerning the Implicit Association Test criteria.
- Officers perceive value in the training.
- Enhanced community confidence through relationship building with TPS. 5

# Recommendation 4 (TPS)

- TPS should continue to emphasize the importance of planning in a crisis situation to identify the lead in communication.

## Measures

- Number of training hours/courses attended by TPS members.
- Officers trained.

## Outcomes

- TPS members increasingly aware of who the lead is for situations involving persons in crisis.



# Recommendation 5 (TPS)

- Expose or continue to expose officers in training to the perspectives and lived experience of racialized communities, the Black community and individuals with mental health issues and/or addictions.

## Measures

- Number of officers trained.
- Number of conversations, number of people in conversations about bias.
- Number of complaints related to bias policing.

## Outcomes

- Officers demonstrate enhanced understanding and capacity concerning the perspectives and lived experiences of racialized communities, the Black community and individuals with mental health issues and addictions.
- Reduction in the number of complaints (internal and external) related to biased policing.

# Recommendation 6 (TPS)

- Review the Intercultural Development Program deployed by the Toronto Police Service and consider the continued use of the Intercultural Development Inventory or other similar tool, as well as in-house intercultural competence facilitators, to further the intercultural competence of Toronto Police Service members.

## Measures

- Intercultural Development Program review completed.
- Number of conversations, number of people in conversations about bias
- Number of complaints (internal and external) related to bias in policing.

## Outcomes

- New/ existing intercultural competency tools leveraged to enhance TPS cultural competency.
- Officers demonstrate enhanced understanding and capacity concerning cultural competency.

# Recommendation 7 (TPS)

- Amend the annual Use of Force recertification to include qualification in areas such as mental health and/or addictions, anti-racism, particularly anti-Black racism, implicit and unconscious bias, fear inoculation, de-escalation and crisis communication.

## Measures

- Use of Force recertification amended to include qualifications noted above.
- Number/percentage of officers trained, hours spent.
- Officer perception of validity of training.
- Community perception of validity of training based on interactions with officers.
- Number of complaints (internal and external) related to bias in policing.

## Outcomes

- Increasing proportion of Officers successfully complete amended Use of Force recertification.
- Officers demonstrate enhanced understanding and capacity concerning use of force with respect to mental health and/or addictions, anti-racism (particularly anti-Black racism), implicit and unconscious bias, fear inoculation, de-escalation and crisis communication.
- Officers perceive value in the training.
- Enhanced community confidence through relationship building with TPS.
- Reduction in the number of complaints (internal and external) related to biased policing.

# Recommendation 8 (TPS)

- Continue to emphasize that where the police challenge is issued and the subject does not comply, where possible, alternative methods of communication, de-escalation, disengagement and containment should be attempted.

## Measures

- Number of incidents where de-escalation used by Division, platoon, Service.
- TPS training continually updated to include lessons learned regarding non-physical de-escalation techniques.

## Outcomes

- Increase in use of alternative methods concerning subject non-compliance.
- Decrease in the number of physical de-escalation incidents used by Division, platoon, Service.

# Recommendation 9 (TPS)

- Consider the use of trained de-briefers to be deployed following exceptional critical incidents, having regard to any SIU investigation and the rights of officers, with a view to using the knowledge gained to inform de-escalation training.
  - If resources permit, consider using the de-briefers in situations with positive outcomes as well as negative ones, even if they are less serious incidents, in order to learn from those occurrences.

## Measures

- Officers perception of support received through de-briefers.
- Number of debriefs completed.
- Number of people debriefed.

## Outcomes

- Increasing number of de-briefs undertaken.
- Increasing number of people debriefed.
- Officers perceive value in the debriefing.

# Recommendation 10 (TPS)

- Require Coach officers and Supervisory officers take the 5-day Mobile Crisis Intervention Team (MCIT) training.
  - Make mental health and/or addictions and policing of racialized communities, in particular Toronto's Black community, a key component of Coach Officer training.

## Measures

- Develop a catalog of all of the courses offered per year that involve persons in crisis, people suffering from addiction and racialized communities:
- Number and percentage of officers that receive the training.
- Number and percentage of courses that embed these topics.
- Number of hours per officer and total hours spent training by TPS members
- Value of the topics and training to the officers – perception of training.

## Outcomes

- Increase in the number and percentage of officers trained.
- Increased application of learning objectives.
- Positive officer perception of training.
- Reduction in complaints (internal and external) involving mental health & use of force.

# Recommendation 11 (TPS)

- Ensure that all patrol cars are equipped with less lethal weapons, e.g., CEW, sock or beanbag guns and that all officers are trained in the use of such weapons along with defensive equipment such as shields and helmets.

## Measures

- Number and proportion of CEWs that go out per shift vs. number of cars that go out.
- Number and proportion of less lethal force that go out per shift vs. number of cars that go out.
- Number of use of force incidents in proportion to the violent calls for service, persons in crisis calls for service.
- Spatial distribution of use of force and geographic composition and any disproportionalities.

## Outcomes

- Zero use of lethal force.

# Recommendation 12 (TPS)

- Undertake a structural/cultural review and analysis to ensure that the Service has a clear policy with respect to serving and protecting persons with mental health or addiction issues and/or racialized persons, in particular, Black persons.

## Measures

- Connect the reporting of the Mental Health and Addiction Strategy and the race-based data strategy and associated action plans.
- The content of the annual reports on this will include relevant measures.

## Outcomes

- Increased transparency and strengthening of policies with respect to serving and protecting persons with mental health or addiction issues and/or racialized persons, in particular, Black persons.



# Recommendation 13 (TPS)

- When making decisions about promotions, supervisors should consider an officer's skill and experience in dealing with Emotionally Disturbed Persons (EDPs), members of the Black community and racialized communities, including their ability to de-escalate and negotiate during crisis situations.

## Measures

- Using relevant information for TPS Members with these skills and experience, to create a measure of how many have been promoted recently in comparison with the “general population” of TPS Members.

## Outcomes

- Increased leadership across TPS for officers who work in support of persons in crisis, and members of the Black and racialized communities in Toronto.
- Improved outcomes during and as a result of crisis situations.

# Recommendation 14 (TPS)

- Encourage the Toronto Police Service to make use of the Gerstein Crisis Centre police telephone line when interacting with a person in crisis.

## Measures

- Regular update and usage of statistics on the Community Asset Portal (CAP).
- Referrals made by TPS members (Divisional and over time comparisons).

## Outcomes

- Increased call intake and referrals at Gerstein and other partner agencies.

# Recommendation 15 (TPS)

- Consider additional funding and training for 911 operators in order to improve their skills in extracting more pertinent information during an emergency call. Consider beginning the de-escalation process during a 911 call.

## Measures

- Number of Communications Operators trained on de-escalation and human rights considerations.
- Survey of Communications Operators on their perception of validity of training.
- Funding increase (y/n).
- Number of calls where de-escalation took place during the call.

## Outcomes

- Best practices and enhanced training in de-escalation at the call taker or front-line member level.
- Increase in referrals to other agencies following a crisis call.

# Recommendation 16 (TPSB)

- Maintain its existing committee on mental health in ongoing partnership with members of the mental health community (throughout this document, 'mental health community' means to include the phrase in particular people who have been directly affected by mental health issues), the Toronto Police Service and subject matter experts.

## Measures

- Existing committees regarding mental health continue (number of meetings, recommendations to the Board, consultations with community groups)

## Outcomes

- TPS continues to receive relevant and actionable information and recommendations through ongoing partnerships with the mental health community.
- Enhanced community confidence through relationship building with TPS.

# Recommendation 17 (TPSB)

- Establish a new committee to consider possible or identified disparities in services and outcomes for racialized persons and consider interventions to address any such disparities.
  - The committee should include representatives of the Toronto Police Service, subject matter experts and members of racialized communities, including the Black community.
  - The committee should consider the intersectionality of mental health and race both in terms of member composition and issues to be addressed.

## Measures

- Committee regarding disparities in services and outcomes for racialized persons experiencing mental health issues established.

## Outcomes

- TPS continues to receive relevant and actionable recommendations through ongoing partnerships with the mental health community.
- Enhanced community confidence through relationship building with TPS.

# Recommendation 18 (TPSB)

- Conduct a pilot study of two divisions (preferably 14 and 51 division) where there would be more intensive community involvement, education, and training (keeping in mind resourcing) concerning interactions with people who have racial and/or mental health and/or addiction differences to determine whether this has a positive impact on reducing 'use of force' incidents.

## Measures

- Pilot study concerning interactions with racialized people and/or people with mental health and/ or addictions issues within two Divisions undertaken, with intensive community involvement.

## Outcomes

- TPS and community partners have an enhanced understanding of disparities in services and outcomes for racialized persons.
- TPS continues to receive relevant and actionable recommendations through community partnerships.
- Enhanced community confidence through relationship building with TPS.

# Proposed Dashboard Concept

The proposed dashboard, once completed in part, will be updated frequently to provide continuous updates on recommendations.

- Once the implementation of each process is in place, data collection will be possible in order to produce the respective dashboard components.
- The dashboard will be established once the first set of data is available, and will expand concurrent with each process implementation.



# LOKU MONITORING FRAMEWORK

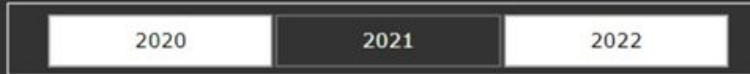
Prepared by: Analytics & Innovation



## THEME

### 1

THIS DATA IS NOT VALID AND DOES NOT CURRENTLY EXIST  
This dashboard is for demonstration purposes only



Training  
1.7%

Use of Force  
40.3%

De-Escalation  
30.0%

Officers Trained

### 99.4%



Officer Perception of Validity of Training

● Useful ● Somewhat Useful ● Not Usefull



De-Escalation Use of Force Incidents

### 38.5%



Community Perception of Officer Interactions

● Useful ● Somewhat Useful ● Not Usefull





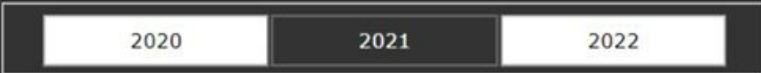


# LOKU MONITORING FRAMEWORK

Prepared by: Analytics & Innovation

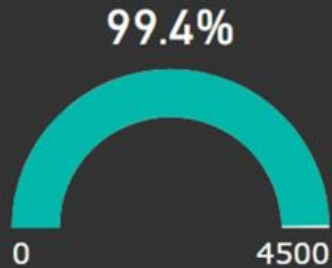


## Recommendation 1



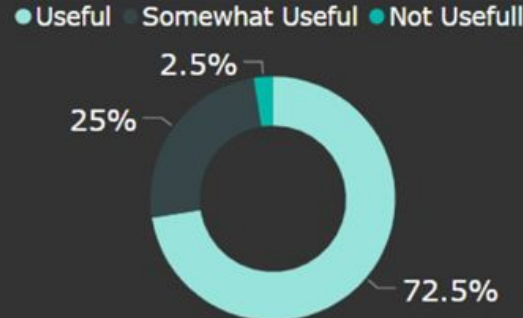
THIS DATA IS NOT VALID AND DOES NOT CURRENTLY EXIST  
This dashboard is for demonstration purposes only

Officers Trained



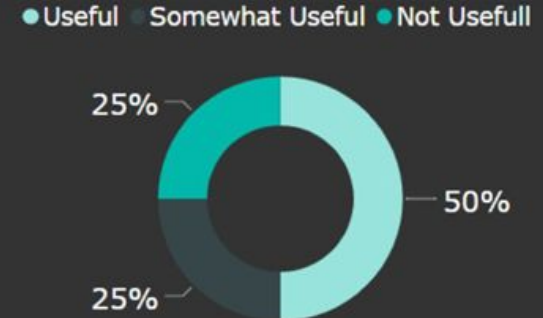
Training  
1.7%

Officer Perception of Validity of Training



Change  
-2.8%

Community Perception of Officer Interactions



Change  
0.0%



## Toronto Police Services Board Report

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July 29, 2020

To: Chair and Members  
Toronto Police Services Board

From: Mark Saunders  
Chief of Police

**Subject: Approval of Body Worn Camera (B.W.C.) Contract Award and Project Implementation**

### **Recommendations:**

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

- (1) approve a contract with Axon Canada for a B.W.C. solution for a five-year term commencing August 19, 2020 to July 31, 2025, with the option to extend for one additional year, at the discretion of the Chief of Police; and
- (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.

### **Overview:**

The acquisition of the Axon Canada Body Worn Camera (BWC) solution allows the Toronto Police Service the ability to respond to an assortment of investigative demands in real time. The real-time video will enable the Service, or external investigative bodies such as the SIU or OIPRD an instant reflection on the actions of our front line officers. This transparency is paramount in maintaining public trust and confidence. BWC's will be a powerful accountability tool.

The solution will provide the Service with the ability to collect digital evidence directly from the public to the cloud storage provider, so that the evidence can be more readily available to both investigations and the courts. The use of the cloud Software as a Service (SaaS) will allow the Service to reduce IT infrastructure costs around people and hardware. By using the integrated tools within the system to manage and share evidence, the Service will reduce costs immediately. The cost savings of this new and evolving technology will allow the Service the ability to use limited funding sources for other means, while providing an ability to store, redact and disclose evidence seamlessly from one source. The growth of BWC solutions such as this will continue to

provide timely and cost effective digital evidence management tools to the Service for years to come.

**Financial Implications:**

*Estimated Total Cost - Axon Canada:*

The current estimated cost, funded from the operating and capital budget, is \$25 Million (M) for the 5-year term of the contract with Axon Canada. The additional option year is estimated at \$5M. The total cost over the life of the contract is estimated at \$30M and includes both one-time implementation and ongoing costs, as detailed in the table below:

Table 1 - Estimated Total Cost - Axon Canada

Description	Total Cost						Total Cost
	Aug - Dec 2020	2021	2022	2023	2024	Jan - July 2025	
Total Axon Annual Cost	1,458,500	5,851,500	5,000,000	5,000,000	5,000,000	2,690,000	25,000,000
Estimated 5-year Cost - Axon Canada							25,000,000
Estimated 5-year Cost plus one option year - Axon Canada							30,000,000

The Axon annualized cost is \$5M. The contract type is an OSP 7+, which is all-inclusive plan. The following items are included in this cost: <sup>1</sup>

- User licensing is based on a subscription cost model for each user that includes; the application software and unlimited cloud data storage, transcription software, redaction software and a total suite of additional products for use by the officers using the B.W.C. solution, for an annualized cost of \$5M;
- Built into the subscription cost is the lifecycle for hardware replacements at 30 and 60-month periods for the cameras and docks, respectively.
  - The unit cost for docking stations for the camera to facilitate video upload and is included in the overall cost of the OSP 7+ contract. The Service requires 334 units. There is no maintenance or lifecycle cost associated with the docking stations;

<sup>1</sup> The budget impact reflected above is lower in 2020 due to that fact that only 800 cameras and licences are will be installed and billed in that fiscal year. The balance of 1550 cameras are being delivered in 2021. Further to the delivery of the cameras and the associated cost, the total cost of the solution (\$5M) is paid in the 2021 budget, thus the additional \$851,500 is reflected above under 2021.

- Project management and support services to prepare and configure the various software and hardware modules, provide on-site support services and issues management will be handled by Axon Canada;
- Software modules to help integrate the B.W.C. solution with the Service's Computer Automated Dispatch (C.A.D.) and Versadex systems. These modules will be used to develop the required interfaces with C.A.D. and Versadex systems; and
- User training, including the associated training material, to select members from Information Technology Services (I.T.S.) and Toronto Police College (T.P.C.) using the train-the-trainer approach. Instructors at T.P.C. will deliver training to the rest of the members of the Service.

*Estimated Total Cost - Other Expenditures (Non-Axon):*

In addition to cost of procuring the B.W.C. solution from Axon Canada, the Service will incur other implementation and ongoing costs to operationalize the solution. These other expenditures, funded from the operating and capital budget, are currently estimated at \$2.9M over the initial 5 year contract term with an additional \$293,300 estimated for the option year, bringing the total to \$3.2M. This cost estimate is based on known information at this time and assumptions about the implementation and solution features.

The costs are broken out in the table as follows:

Table 2 - Estimated Total Cost -Other Expenditures (Non-Axon)

Estimated Total Cost of B.W.C. Project - Other Expenditures (non-Axon)	On-going						One-time Cost 2020 - 2021	Total Cost	
	Aug - Dec 2020	2021	2022	2023	2024	Jan - July 2025			
<b>One-time Cost:</b>									
Infrastructure Cost							840,000	840,000	
Professional Services	-	-	-	-	-	-	656,000	656,000	
<b>Total One-time Cost</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,496,000</b>	<b>1,496,000</b>	
<b>Total On-going Cost:</b>									
Licensing Cost	-	-	73,500	73,500	73,500	42,900		263,400	
Staffing Cost	118,300	219,800	219,800	219,800	219,800	101,500	-	1,099,000	
<b>Total On-going Cost:</b>	<b>118,300</b>	<b>219,800</b>	<b>293,300</b>	<b>293,300</b>	<b>293,300</b>	<b>144,400</b>	<b>0</b>	<b>1,362,400</b>	
<b>Estimated 5-year Cost - Other Expenditures</b>						<b>1,362,400</b>	<b>1,496,000</b>	<b>2,858,400</b>	
<b>Estimated 5-year Cost plus one option year - Other Expenditures</b>						<b>1,655,700</b>	<b>1,496,000</b>	<b>3,151,700</b>	

It should be noted that year to date cost for proof of concept and initial implementation of this program is \$914,300 of which \$874,000 was for professional services and the remainder was for various software and hardware. These were reported to the board as part of the Capital Program variance reporting.

Total one-time cost (\$1.5M)

Infrastructure Cost (\$840,000)

- In preparation for the rollout, the current divisional infrastructure is being upgraded Service wide. This includes the acquisition and installation of network switches and cables, electrical wiring, installation of the wall mounting brackets for the camera docks and associated miscellaneous items.

The cost for the upgrade at each unit is approximately \$40,000. The total cost for all units Service wide is estimated to be \$840,000. This cost will vary depending on the age of the facility, network cabling and wiring requirements and configuration of the current network equipment.

Professional Services cost (\$656,000)

- Professional legal services were retained for the purpose of contract negotiation with Axon Canada. The total cost for legal services is estimated at \$166,000;
- Services of a third-party cloud security company were contracted and conducted penetration testing on Axon Canada's cloud infrastructure to identify any gaps in security requirements. The total cost of the penetration test services, including the final report, is \$40,000; and
- Project management backfill costs for ITS during the program implementation are estimated at \$450,000 for year 2020-2021.

Total on-going cost (\$1.4M for 5-year term)

Licensing Cost (\$73,500/Year)

The upgrade to each facility will also have an estimated \$73,500 impact on the annual operating budget starting 2022 for the network hardware lifecycle, associated maintenance and licensing costs

Staffing Cost (\$219,800/Year)

- To ensure that the Service has sufficient capacity to support the B.W.C. rollout and provide ongoing support services, provision for two additional staffing are made in Information Technology Services (I.T.S.) at this point, for an estimated annualized cost of \$219,800

The hiring of additional staff if needed will be gradual and aligned with any increase in work effort associated with supporting the solution.

*Total Estimated Cost - Body Worn Camera Solution:*

The year to date capital cost of the program as of end of July 2020 is \$914,300. The current total estimated cost of B.W.C is \$25M over 5 years. It is estimated that the annualized cost of B.W.C is \$5.3M per year. There are also one-time expenditures of \$1.5M. Therefore, the total cost of ownership including the year to date cost over the five-year plus one year option of the contract is estimated at \$34.1M

The summary of costing is shown in the table as follows:

**Table 3 - Estimated Total Cost of B.W.C. Project**

Summary of Estimated Total Body Worn Camera Cost Description	On-going						One-time	Total Cost	
	Aug - Dec 2020	2021	2022	2023	2024	Jan - Aug 2025	2020 - 2021		
Year To Date Spending (2017 to end of July 2020)- Capital									914,300
Estimated 5-year Total one-time Cost							1,496,000	1,496,000	
Estimated 5-Year Total on-going Cost	1,576,800	6,071,300	5,293,300	5,293,300	5,293,300	2,834,400	0	26,362,400	
Estimated 5-year Total Cost (On-going and One-time)							26,362,400	1,496,000	27,858,400
Estimated 5-Year Total plus one option year ongoing Cost and YTD spending									34,066,000

One time capital costs required for project implementation are estimated at \$1.5M. Funding for each respective year is currently estimated at \$5.3M and will be included in the Service's annual operating budget request.

As the B.W.C. solution is implemented, operational impacts will be monitored. The Board will be notified of any material change in the estimates above.

**Background / Purpose:**

The B.W.C. project was first initiated in 2014, with a competitive process that resulted in a year-long pilot project that started May 2015. Despite a favourable response from

front-line officers and public feedback, the project did not progress beyond the pilot phase at that time due to technological shortcomings.

The technology advanced rapidly over the last few years and the B.W.C. project was re-initiated with the issuance of a Request for Information in 2018, to learn more about the latest advancements and implementation considerations. The R.F.I. was followed by the issuance of a non-binding, multi-stage R.F.P. in 2019.

The purpose of this report is to provide the Board with information about the B.W.C. journey, the results of the non-binding Request for Proposal (R.F.P.) process for a B.W.C. solution, and to recommend to the Board a contract award to Axon Canada in this regard.

## **Discussion:**

### Evolution of the B.W.C. Solution at the Service:

In February 2014, under the direction of Chief William Blair, the B.W.C. pilot project was initiated to test, evaluate, and report on equipping frontline officers with a B.W.C. This initiative aligned with the Service's commitment to maintain public trust, to provide professional and unbiased policing, and to be a world leader in providing police services.

The Service commenced the pilot project by consulting with numerous stakeholders, including but not limited to; the Information and Privacy Commission of Ontario (I.P.C.), Human Rights Commission (H.R.C.), and the Ministry of the Attorney General (M.A.G.) to address potential privacy, human rights and evidentiary issues associated with the use of the B.W.C.s

Subsequently, a R.F.P. was issued in August 2014 that attracted eight proponents. The process resulted in the selection of two proponents to participate in the year-long pilot project commencing on May 8, 2015. This was the first time in Canada that an R.F.P. was conducted to solicit a B.W.C. solution.

Eighty-five officers from a cross-section of units were selected to participate in the pilot. At the commencement of the pilot, as well as at the half way point, surveys were mailed to 45,000 members of the community using random postal codes, of which 7540 responded. Further to these random surveys, 4285 members of the community who experienced "law enforcement contact" during the project were mailed questionnaires on their experience with the cameras; 427 of those residents responded back to the questionnaire.

From these surveys and questionnaires, 94% of members of the community endorsed the use of the B.W.C. technology. Of the 85 officers involved in the pilot, 85% of them also endorsed the use of the cameras.

The pilot project ended on March 29, 2016, and based on the evaluation scores, it was determined that neither proponent provided an adequate solution. As a result, the project was placed on hold pending further direction from now Chief Mark Saunders.

#### Procurement Process for a B.W.C. Solution:

Due to the advancement of the B.W.C. technology in general, Chief Mark Saunders directed the re-initiation of the B.W.C. project in 2016 and designated Superintendent Michael Barsky as the overall Project Lead. Consultations similar to those conducted with the earlier R.F.P. process continued throughout this process.

On the recommendation of the Board (Min. No. P68/2016) and City Legal, a Fairness Commissioner was engaged, through a competitive process in 2017, to monitor the procurement process. An extraction of the Fairness Commissioners Report has been attached, as authorized by the Fairness Commissioner. The Service does not have authorization to make the document public in its entirety.

An R.F.I was issued on June 6, 2018 in order to learn more about the latest advancements in B.W.C. technology to inform an eventual R.F.P. Interested vendors were invited to do a presentation and educate the B.W.C. Project Team and other select members of the Service. The Service received information presentations from eighteen vendors.

The R.F.I. stage was extremely beneficial as it allowed the project team to gain a better understanding of the solutions available, market maturity level, future roadmaps and the various pricing models.

Prior to initiating the R.F.P. stage, a public consultation was held on April 6, 2019 to determine the public's sentiment on the use of B.W.C. by the Service was still consistent with that in 2016, which at that time was at 94%. Those in attendance were canvassed for their thoughts, and confirmed the public sentiment was still very high in support of having B.W.C. technology on our front-line members.

At the end of 2018, as the preparatory work on the B.W.C. R.F.P. was underway, the Purchasing Services Unit along with City Legal recommended to retain the services of a procurement expert to assist with the R.F.P. process. The B.W.C. procurement was seen as complex and a first of its kind in Canada and therefore a company that specialized in complex procurement and contract negotiations was recommended and retained through City Legal.



The B.W.C. R.F.P. was developed and released on April 18, 2019. The R.F.P. subsequently closed on June 24, 2019.

The evaluation was scored with 60% of the total score attributed to the technology solution, and 40% attributed to the Best and Final Offer (B.A.F.O.) - price. The evaluation stages, as included in the R.F.P., are as follows:

Evaluation of the written proposals:

Five responses to the R.F.P. were received and evaluated. The written proposals detailed the capabilities of their technology. The three highest scoring proponents were shortlisted to move to the next stage of the procurement.

Controlled Environment Testing:

The shortlisted proponents were evaluated in a controlled environment test, where the technologies were tested to ensure that the content of their written proposals was accurate.

Field Evaluation:

The proponents were further evaluated in a 30-day Field Evaluation. This was a live test with the participation of three Primary Response Unit (P.R.U.) platoons from 23 Division. Officers were trained prior to the commencement of the Field Evaluation in relation to the use of the devices, the applicable laws related to recording interactions, and the Service procedures that were developed to guide the use and management of the B.W.C. technology. Upon completion of the Field Evaluation test, participating officers completed a User Experience Survey providing input on their experience using the three solutions.

Demonstrations:

In addition to the Field Evaluation test, select modules from each proponent, that could not be included in the Field Evaluation test, were set aside to be presented at the Vendor Demonstration session. Proponents were invited to conduct a live demonstration of their respective modules in front of the evaluation panel.

Commercial Confidential Meetings:

Following the live demonstrations, commercial confidential meetings with each proponent were held to discuss and provide guidance and clarification.

Best and Final Offer:

The proponents then submitted their B.A.F.O. The B.A.F.O. presented a foundation, which allowed the Service to negotiate the best value solution.

Successful Vendor:

Based on the R.F.P., two of the three proponents did not meet a mandatory requirement during the evaluation. Axon met all of the requirements and was therefore selected as the successful proponent, and is being recommended for approval by the Board.

Contract negotiations were entered into with Axon with the assistance of an external lawyer, to ensure the Service achieved a robust and value added solution that meets the needs of our organization.

Axon Canada's B.W.C. solution is reliable and cost effective and will help with the Service's commitment to maintain public trust, provide professional and unbiased policing and continue to be a world leader in the provision of public safety services. It will also be a powerful tool to ensure accountability which will, in turn, reinforce public trust.

The B.W.C. solution will be used in an overt capacity by front line uniform officers. The decision to limit the deployment to the front line officers is guided by the Supreme Court of Canada decision of *R. vs. Duarte (SCC 1990)*.

This solution is a cloud-based subscription that provides unlimited data storage and access for all B.W.C. generated video. It is also capable of accommodating non-B.W.C. video at an additional cost. The Service is exploring options to consolidate all its digital evidence data from other sources into a single cloud storage repository that will result in significant cost savings for the Service in the end. To that end, the Service owns all of the data stored in the cloud solution by the Service and as such, it would be returned if at any time the contract were concluded.

Data security requirements pertaining to residency within the Canadian borders as well as data encryption, while in transit and at rest, have been addressed. Axon Canada's personnel who require direct access to the Service's data will undergo thorough background security checks conducted by the Service as per the terms and conditions of the contract.

Additionally, penetration testing was conducted to ensure the security infrastructure of Axon Canada's cloud solution has the appropriate capacity to protect the integrity of all of the Services' data.

Results of the various security parameters were reviewed with Axon Canada and included in the contract negotiations to ensure the all deficiencies were mitigated to the Service's satisfaction.

As part of the R.F.P. process, a cloud solution Privacy Impact Assessment (P.I.A.) was conducted and shared with the Information and Privacy Commissioner. The P.I.A. identified low-level risks that the Service is able to mitigate prior to rollout.

The solution comprises approximately 2,350 cameras and accompanying docks that facilitate data upload and the battery recharge, unlimited data storage, redaction and transcription tools, electronic disclosure portals M.A.G. and City Prosecutor as well as an in-take portal for media files from members of the community. A set of mobile applications are also included that are installed on the Service issued connected phones. These applications will enable the officers to view the recordings in the field as well as capture additional recordings such as interviews and crime scenes. These recordings can be uploaded directly to Axon Canada's cloud.

Axon Canada's solution provides a complete business process lifecycle from video capture and management, video and audio redaction, audio transcription, electronic disclosure, community in-take portal and application integration tools. As a result, many aspects of the current business process can be automated and work distributed to optimize resource utilization.

Lastly, the introduction of a cloud solution of this nature will significantly reduce or eliminate the need for acquisition and management of a large-scale storage environment, associated lifecycle costs and the need for specialized I.T. resources.

#### B.W.C. Program - Operational Benefits and Risks:

##### Program Benefits (Service):

While the primary objective of the B.W.C. project is officer accountability and maintaining a truthful and integral narrative of police interactions with the public, the solution has manifest additional benefits to the Service.

1. Video evidence will accelerate Special Investigation Unit (S.I.U.) investigations, returning officers to duty (or discipline) with less time on paid leave or administrative duties – saving backfill costs;
2. Direct-to-cloud capture of seized video evidence will streamline the operations of video-dependant investigations, in particular homicides;
3. Unlimited storage is proffered for existing Axon Canada systems (the Service has Axon Canada interview rooms) thereby reducing our operating cost for this storage load;
4. Built-in archival capability (for video with evidentiary value) and a negotiated archival storage tier will avoid cost of retained video. Archival storage will cost approximately 25% of current storage cost;

5. Axon Canada Aware allows for real time monitoring of video and audio to authorized personnel, enabling new support models for front-line officers which will be consistent with the Services' Operating Procedure and the Board's Policy, which were not previously possible;
6. Built-in voice to text technology will streamline the transcription function, particularly as the recognition rate improves over time, reducing cost to the service over current manual transcription;
7. Crown attorneys can gain access to specific video evidence without the need to burn and courier CD-ROMs;
8. Auto-redaction tools significantly reduce the manual input to redact video for use in the courts – expected to be cost neutral as a result of the new efficiencies of the overall disclosure process.

Program Benefits (Community):

1. Accountability of interactions with officers wearing B.W.C.;
2. Ability to request access to video footage within the parameters of Freedom of Information legislation;
3. Confidence of best evidence being presented in court;
4. Overall cost savings to the current Digital Evidence Management System and storage of Digital Evidence in the cloud.

Program Risks:

1. Officer Not Activating Camera - Given officer demand for this technology, this risk is deemed as low, however impact, in loss of public trust would be high. Officers are responsible for the activation and deactivation of the cameras, based on best practices from around the world coupled with dialogue with the I.P.C. Of Ontario, supporting this methodology. A regular random audit will be performed monthly coupled with a monthly electronic report for use of the cameras, as it will allow for more succinct auditing to this issue. The mitigation is a policy of mandatory loss of pay for failure to turn the device on. The minimum penalty for failure to activate the device will be 8 hours for a first offence, increasing for any additional violations. Other forms of discipline will also be available depending on the specific circumstances of the particular case;
2. Breach of Privacy of Members of the Public – As cameras will incidentally capture images of those uninvolved in any criminal activity, each case will be evaluated and assessed for the need to redact. In these cases, an assessment of a person's expectation to privacy as dictated by the I.P.C. will be conducted;
3. Increase in Public Requests for Video / Complaints – Knowing that an encounter may have been recorded, members of the public may request video or make

- complaints more frequently, increasing the cost of managing the said process. Unknown impact. Ultimate mitigation would be to automate the request process;
4. In conjunction with the current Operating Procedure, the Board will develop Policy that will augment and enhance the controls in place for activation / deactivation of the BWC;
  5. Operational Support Requirements – A broad implementation of the B.W.C. solution is a first for the Service. Efforts have been made, including discussions with other Services where B.W.C. has already been implemented, to understand and identify incremental support requirements to operationalize the solution. Staffing and other costs have been identified in this Board Report to the best of the Service’s knowledge. Operational and workload impacts will be monitored and the Board will be notified of any material changes in effort. For example: it is anticipated that the BWC solution includes a high degree of automation capability to transcribe and redact the videos for disclosure purposes; a role currently performed by the Property and Video Evidence Management (P&VEM) unit. Once implemented, the videos represent a greater volume of disclosure-related material and workload impacts on the P&VEM unit will be monitored.

## **Conclusion:**

The B.W.C. Project Team has been actively involved in evaluating and learning about the B.W.C. technology since 2014. The additional knowledge gained through the R.F.I. process helped guide the project team with their project scope development and detail user requirements.

The project team undertook a competitive R.F.P. and selected a B.W.C. solution that best met the Service’s needs. The selected solution architecture is cloud-based and provides a complete business process life-cycle solution widely used in the law enforcement environment and is reliable and cost effective. The project team will report quarterly on the implementation of this project through the Service’s variance reporting process. Post-implementation operational updates will be provided annually to the Board and will include aspects such as cost savings, any successes, any failures or any significant issues related to the solution. Other major jurisdictions from around the world including but not limited to: Los Angeles, London Met, and Boston are currently using the Axon technology with documented success.

Funding for the B.W.C. program is available in the Service’s approved 2020 operating budget as well as the Service’s approved 2020-2029 capital program.

The estimated total Capital and Operating costs for the term of the contract including the option year are \$34.1M.



This report is requesting the Board to:

1. approve a contract with Axon Canada for a B.W.C. solution for a five-year term commencing August 19, 2020 to July 31, 2025, with the option to extend for one additional year, at the discretion of the Chief of Police; and
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.

Deputy Chief Shawna Coxon, Communities and Neighbourhood Command, C.I.O. Colin Stairs, and Superintendent Michael Barsky, B.W.C. Project Lead, 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

# FAIRNESS REPORT

**REQUEST FOR PROPOSALS**

**BODY WORN CAMERA SYSTEM**

RFP NUMBER: RFP1322546-19

ISSUED: APRIL 18, 2019

*PREPARED FOR:*

TORONTO POLICE SERVICE

MARCH 13, 2020



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## 1. INTRODUCTION AND MANDATE

The Toronto Police Service and the Toronto Police Board (the “TPS”) issued a Request for Proposals to invite prospective proponents to submit proposals to provide a Body-Worn Camera System (“BWC”) through a negotiated Request for Proposals (the “RFP”) and Best and Final Offer (BAFO) procurement process.

During the assignment, we first reported to the BWC project team for the Public Information Meeting process and the RFI process, and for the RFP process reported to the TPS procurement department and its representatives. TPS retained the services of a Procurement Advisory Team to support its RFP process. However, our client contact was TPS procurement and to the best of our knowledge, TPS procurement coordinated with both the BWC project team and the Procurement Advisory Team.

This report is our feedback on the RFP process and documents as they were issued, administered and applied throughout the procurement. Neither HKA nor the individual author(s) of this report, are responsible for any conclusions that may be drawn from this opinion. For further detail on the RFP process, we recommend that communication be sought from TPS directly.

### 1.1 PROJECT OBJECTIVES

The TPS was seeking responses from qualified proponents “to provide a commercially available turn-key, cloud-based, BWC that shall be able to capture video from a law enforcement officer’s perspective and store the recorded video in a cloud-based software as a service (“SaaS”) solution.”

The BWC system consisted of five (5) components:

- Body Worn Cameras
- Video management software and data storage of an external cloud solution (SaaS);
- Improvement of redaction process and tools for video and audio evidence assets;
- Transcription tools to automate the audio transcription for court and Freedom of Information (“FOI”) requests; and
- Electronic disclosure for court proceedings.<sup>1</sup>

### 1.2 PROJECT RFP TIMELINES AS AMENDED THROUGH THE PROCESS

Milestone	Date / Deadline
Issue Date of RFP	April 18, 2019
Deadline for questions	May 7, 2019 at 1:00:00 p.m. (local time) (revised)
Deadline for issuing addenda	<del>May 14, 2019</del> June 10, 2019 (revised)
<b>Submission Deadline:</b> Submission deadline for Proposal	<del>May 28, 2019 at 1:00:00 p.m. (local time)</del> June 24, 2019 at 1:00:00 p.m. (local time) (revised)
Rectification Period	Three (3) business days
Anticipated Initial Ranking and Commencement of Concurrent Negotiations	<del>June 17, 2019</del> July 17, 2019 (revised)

<sup>1</sup> TPS, Request for Proposals (RFP) For a Body Worn Camera System RFP Number: RFP1322546-19 – April 18, 2019

Milestone	Date / Deadline
Anticipated deadline for Best and Final Offer (“BAFO”)	<del>October 1, 2019</del> October 8, 2019 at 2:00:00 p.m. (local time) (revised)
Field Evaluation	<del>September 11, 2019</del> August 2019 (revised)
Anticipated Final Ranking	October 15, 2019
Contract Negotiation Period	Thirty (30) days
Anticipated Execution of the Agreement	November 2019

**2. THE FAIRNESS COMMISSIONER’S ROLE**

**2.1 FAIRNESS MONITORING DURING THE RFP**

HKA Global (Canada) Inc. or HKA, was retained as the Fairness Commissioner for the procurement project on September 12<sup>th</sup>, 2017. As per our executed Fairness Commissioner Services agreement with TPS we were to participate in the procurement process as follows:

The purpose of the Fairness Commissioner was to provide an independent oversight and evaluation of the competitive procurement of Body Worn Cameras and associated components during the four (4) stages of this initiative, i.e., procurement processes related to:

1. Public Information Forum;
2. Request for Information (RFI);
3. Request for Pre-Qualifications (RFPQ); and
4. Non-binding Request for Proposals (RFP).

Scope taken from our Statement of Work dated on September 12, 2017 (See Attachment #2 to this report):

The Fairness Commissioner is to review, advise, and report on the fairness of the procurement process including guidance in the development of the TPS responses to questions received regarding the RFx from proponents, the evaluation of responses and/or proposals and the post contract award process.

- i. The Fairness Commissioner is to provide a written report on the findings and conclusions as Fairness Commissioner for the various stages. The written reports apply to BWC initiative RFI, RFPQ and RFP and shall contain at the minimum the following:
  - a) comment on the overall fairness and objectivity observed in the process
  - b) detail advice that has been provided and actions taken by TPS to address concerns raised
  - c) reference best practices and lessons learned; and
  - d) review outstanding issues and make recommendations for further action.

Following the completion of the RFI process, a decision was made not to proceed with the RFPQ process, and instead the non-binding RFP process was administered. This report will only provide a fairness opinion on the TPS BWC RFP process.

To form our fairness opinion, we did or attempted to do the following:

1. review of any pre-release documentation, such as a Pre-Notice

2. review drafts of the RFP prior to posting so that matters of fairness if present, could be identified and resolved\*
3. review issuance version of the Request for Proposal (“RFP”) developed for fairness
4. review the posting period and the RFP schedule
5. review any addenda before they are posted\*
6. review questions and answers before they are posted
7. attend and observe all interactions (written or verbal official communications) with proponents throughout the process\*
8. review the evaluation materials including the guidelines and scoring guidance\*
9. attendance at evaluator training
10. review the outcome of the mandatory requirements and any evaluation rectifications that were issued or waived\*
11. attendance at the technical rated criteria evaluation consensus scoring meetings
12. review of the technical rated criteria consensus scoring meeting results which identified the shortlisted proponents to be invited to the concurrent negotiations stage of the evaluation process\*
13. review of the controlled environment pass/fail evaluation and review of the results prior to the field evaluation beginning\*
14. review the field evaluation results prior to the demonstration invitation being issued\*
15. review of materials related to any presentations, demonstrations or proof of concept evaluation stage meetings and attendance, confirming that only proponents that successfully completed previously established gates into this evaluation stage were participating in it\*
16. attendance at presentation, demonstration and proof of concept evaluation consensus meeting
17. review of presentation, demonstration and proof of concept evaluation stage results to confirm the results before invites were issued for Commercially Confidential Meetings (“CCM”) \*
18. review of CCM submission requirements prior to issuance and changes if any occurred\*
19. attendance and confirmation CCM’s for all proponents who received an invitation was administered in accordance with RFP, and as per CCM invitation\*
20. review submission information requested and collected from proponents prior to, during or post CCM’s\*
21. review any updates to Best and Final Offer (“BAFO”) submission process requirements issued\*
22. review any issued post CCM addenda, questions and answers and attendance, prior to BAFO submissions being received\*
23. review of BAFO submissions and evaluation results completed once received by TPS to confirm evaluation results\*
24. review of all evaluation documents, processes and results\*
25. issue a formed opinion of fairness, openness and transparency of the TPS BWC RFP evaluation process\*

(\*) refers to Fairness Commissioner tasks that could not be in whole or part completed by us because information was not shared with us or we were not able to monitor the process administered or there was otherwise a fairness matter that arose during this task which was unresolved by TPS, in our opinion. Further details are provided on these matters in the balance of this report.

## 2.2 CONFLICTS OF INTEREST

As Fairness Commissioner, we are able to attest that the following is true to the best of our knowledge for the RFP processes and evaluation stages we observed:

**Conflicts of Interest**

It is our understanding that all RFP evaluation participants and advisors were bound by expressly executed agreements to disclose any perceived or actual conflicts of interest. For verification of these documents, please contact TPS. To our knowledge, no declarations were made as none were brought to our attention at any time. Proponents were also required to declare any conflicts of interest through the RFP process. No actual conflicts of interest were declared, to our knowledge, during the RFP issuance period nor at the time of submission.

**3. THE RFP PROCESS****3.1 RFP DOCUMENT**

We were provided with the latest draft of the RFP after it had already been posted in the market. At that time, we were asked for our opinion of the documents that had been posted by TPS. We reviewed the RFP documents and provided fairness, openness and transparency comments, for the purposes of clarifying TPS' intent and approach and method of evaluating its proponents as reflected in the evaluation process. Although we were given this opportunity to conduct our fairness review of the RFP documents, to do so after the RFP documents were issued, is not in line with best practice, nor our statement of work, nor the confirmed understanding we had with TPS which would have been to receive this information prior to issuance of the RFP.

We had many substantive comments on the RFP documents in terms of the clarity of the evaluation processes and evaluation criteria and price form, many of which were missing. However, many were resolved during the addendum process during the RFP open period issued prior to the RFP Submission Deadline. While we deemed this to be ultimately acceptable, best practices from a fairness is to ensure that our comments are received and discussed prior to posting publicly to minimize confusion for proponents.

We took the established RFP document and its addenda as a standard against which we conducted our fairness review. There were a few unresolved and clarity related comments that we raised with regard to the BAFO submittal and evaluation process details, CEE process, and tie breaker language for the final evaluation ranking. The decision to clarify and address the fairness concerns that had been raised during the RFP were done for some of our comments. Others were attempted to be clarified but were not issued to the proponents until quite close to the BAFO submittal process, when CCM's had been completed. This was an area for future improvement as making significant evaluation process changes, post-close, to an evaluation stage that is about to become active is a poor practice and should be avoided.

**3.2 POSTING THE RFP**

The RFP was posted on the TPS Bonfire Portal. The RFP was issued on April 18, 2019 and closed on June 24, 2019 at 1:00:00 pm. Proposal deadline extensions were requested and provided which moved the closing from May 28, 2019 at 1:00:00 pm to the amended date referenced above. In our opinion, TPS RFP open period represents a sufficient amount of time for potential proponents to prepare a complete proposal.

**4. COMMUNICATION WITH THE PROPONENTS****4.1 QUESTIONS AND ANSWERS AND ADDENDA**

The question and answer period started with release of the RFP and ended on May 7, 2019 the last day for proponents to submit their questions to TPS. TPS responded to all questions received in a timely manner and did not breach the response deadline that it established for itself which was publicly amended.

In total, six (6) Addenda and one (1) post tender Addendum which comprised of both amendments to RFP documents and questions and answers responses to proponent questions were issued by the June 10, 2019 deadline which was amended from May 14, 2019. TPS respected the Addenda issuance deadline it set. We reviewed most amendments prior to the RFP documents prior to their issuance and had no unresolved fairness comments to note.

An area of improvement that we recommend TPS consider in future is to ensure that if a date or deadline is being extended that the new deadline or date be indicated clearly in the issued addendum. There was an instance whereby language in an issued addendum stated the following:

Addendum 5 – “The Submission Deadline will not be Friday June 7, 2019 at 1:00:00pm (local time) as a final addendum has not been posted yet. An addendum will be forthcoming, and that addendum will announce the revised Submission Deadline accordingly.”

As provided in our feedback to TPS, it is unusual in any procurement to propose the amendment to the submission deadline without providing a new date to the market.

The RFP and all addenda were distributed through the TPS Bonfire Portal. Communications during the RFP open period and after closing were conducted through a single point of contact established and maintained by the Procurement Advisory Team in accordance with the RFP. We understand that technical matters during the field evaluation process, were addressed through TPS.

We are not in a position to confirm that all communications aligned with our fairness objectives as we did not always see communication before they were issued to proponents.

However, in our opinion, TPS took all the necessary steps during this phase to provide enough time for questions to be raised, and for their responses to be given to the proponents for sufficient understanding and incorporation of changes, where applicable.

#### **4.4 SINGLE POINT OF CONTACT**

The RFP designated one contact email address, through the Bonfire portal to manage all communication with Proponents during the RFP process. Proponents were instructed to submit requests for information by sending them directly to the RFP Contact Person. Prohibited contacts were disclosed in the RFP and there were no breaches of this established communication protocol came to our attention at any point during the RFP process by or for any potential or actual Proponent, nor were we made aware of any by TPS.

## **5. CONFIDENTIALITY AND CONFLICT OF INTEREST**

### **5.1 SECURITY OF DOCUMENTS DURING THE RFP**

Document security pertains to the handling and storage of all procurement documents throughout the process. Document security is important as it can have a direct effect on the fairness of the process and the handling of commercially confidential information.

There are three (3) key stages as follows:

1. Security of the RFP during the drafting period;
2. Security of the proposals; and
3. Security of the evaluation material.

#### 5.1.1 Security of RFP Documents

All procurement documents must be handled with security during the RFP planning, preparation and writing process. It is critical that a proponent or interest group does not obtain a copy of the RFP or any background information prior to the release of the final RFP. Allowing this to occur could give a Proponent an unfair advantage and would jeopardize the entire process.

However, as we were not involved in the RFP draft review process, and the sharing of RFP documents with us did not occur prior to posting, we are unable to comment to indicate on the management practices of the TPS with regards to this aspect of the process.

#### 5.1.2 Security of Proposal Submissions

Proposals contain commercially confidential information. As a result, it was important that all Proposal documents were kept strictly confidential and in secure locations. TPS maintained the electronic proposals securely with support of the Procurement Advisory Team.

The contents of the proposals were only known to the evaluation team members, and advisors. Prior to the beginning of the evaluation, all evaluators signed an electronic undertaking to keep the contents of the Proposals and any information related to the evaluation process confidential. We are not aware of any Proposals being reviewed by unauthorized persons at any time.

In summary, we are satisfied that the RFP proposal contents were kept secure and confidential.

#### 5.1.3 Security of Evaluation Materials

It was critical that the all evaluation and scoring material be kept under strict security at all times. We understand that the evaluation materials developed were not shared with unauthorized persons. In summary, we are satisfied that all evaluation materials generated in the evaluation process were kept confidential by TPS.

## 6. EVALUATION APPROACH

### 6.1 STRUCTURE OF THE EVALUATION TEAMS

All evaluators actively participated in the evaluation process and all evaluators attendance was mandatory for each evaluation meeting which did occur. Evaluators reviewed the proposals objectively and adhered to the evaluation criteria established in the RFP.

TPS instituted a two-step evaluation scoring process which included an individual review process, followed by a consensus meeting occurring with all evaluators for each evaluation category based on the evaluation plan established by the TPS. Discussions during consensus scoring sessions was focused on the evaluation criteria and a free exchange of views took place.

TPS strived to consciously align the qualifications of the evaluators with the evaluation team and specific evaluation category they were asked to score. We witnessed a diligent and solid effort to provide clear and constructive feedback in the consensus notes agreed upon by each evaluation team for each of their evaluation criterion.

Procurement Advisory Team – this team was responsible for evaluating all mandatory requirements, conducting the CCMs; and evaluating the BAFO submissions. However, we understand from TPS that the BAFO evaluation process did not occur.

Technical Evaluation Team – this team was responsible for evaluating all rated criteria, CEE evaluation criteria, demonstrations.

Field Evaluation Team – this team was comprised of law enforcement officers only. The field evaluation process was managed by TPS.

## 6.2 EVALUATION CRITERIA

The evaluation criteria appeared to reflect the objective and legitimate needs and requirements of the TPS and were expressed transparently in the RFP. All evaluation criteria were established and disclosed in the RFP documents, and while the majority were maintained throughout, some related to the presentation and demonstration requirements did change, as some requirements were not actually demonstrable and so they were removed or amended to a requirement that aligned with other RFP requirements which was a lesser technical requirement.

The amendment related to the presentation and demonstration criteria. While the fairness risk with this decision was that the change occurred post RFP closing, the decision otherwise did not unfairly present an evaluation risk to any Proponent, and, the change was reflected in a notification, with more than 3 weeks prior the evaluation occurring, to all shortlisted proponents in their invitation to participate in this specific evaluation stage.

## 6.3 EVALUATION METHODOLOGY AND APPROACH

The evaluation methodology and approach to scoring each criterion inclusive of an evaluation scales that were used to determine the score given by the evaluators for the evaluation processes were transparently provided in the RFP documents.

However, there were changes that occurred post-RFP closing with regard to the controlled environment evaluation stage which created an ambiguity between what was set out in the RFP documents in terms of the assessment factors and determinants for failure, and that which was indicted in the controlled environment evaluation procedure documents distributed to the shortlisted proponents.



The change resulted in providing more than one opportunity for a proposed BWC which went through the Controlled Environment Evaluation (CEE) stage testing to achieve a score of PASS, which was different than the RFP's CEE stipulated process. The fairness concern presented here in our opinion was the ambiguity that lay between the RFP and the new procedure issued post-RFP close when assessment factors should have been established prior to closing, in alignment with best practice and policy.

#### 6.4 EVALUATOR QUALIFICATIONS

All evaluators were selected specifically for their capabilities and knowledge of the technical material required. We deemed that the evaluators we observed were qualified and experienced to evaluate the proposals.

#### 6.5 EVALUATOR TRAINING SESSION

All evaluation participants in the evaluation process, including the Fairness Commissioner, participated in a mandatory evaluation training session. The training was delivered by the Procurement Advisory Team and provided a sound understanding to the evaluators on next steps and how to proceed with their evaluation.

#### 6.6 EVALUATION DOCUMENTS

The RFP provided all evaluation details for each stage of the evaluation process through the online bonfire portal, excel spreadsheets, and process documents to support the various evaluation stages. We reviewed all scoring documents prior to them being used in the evaluation process. This allowed evaluators to score and supply a comment for each evaluation criterion for each evaluation stage, as required consistently. The documents enabled evaluators to review the response in each proposal and assess it objectively to the criteria established in the RFP documents as amended over time. Once the quality of the response was ascertained, the evaluator could look at the scoring scale or approach to scoring methodology and determine what score they would like to select.

## 7. THE EVALUATION PROCESS

### 7.1 PROPOSAL RECEIPT PROCESS

Five (5) proposals were received by TPS through the TPS Bonfire portal submission receipt process by 1:00:00 pm on June 24, 2019, as instructed in the RFP documents and amendments. No late submissions were received, as TPS used an e-submission process.

### 7.2 EVALUATION PROCESS STAGES

Stage #	Stage	Overall Points	Minimum Pass Mark	Fairness Comments
Stage 1	Mandatory Submission Requirements	No Score	Pass	This review was completed by the Procurement Advisory Team and the five (5) proposals received a pass for all criteria in this review.  We did not monitor this evaluation stage, nor did we receive any information for our records following the completion of this stage.
Stage 2	Technical Rated Evaluation	100 points	6/10 points – Experience	This evaluation was completed by the Technical Evaluation Team.

Stage #	Stage	Overall Points	Minimum Pass Mark	Fairness Comments
			and Qualifications criterion	<p>It came to our attention that two proponents that had passed evaluation Stage 1 should have been issued mandatory clarifications with response for their proposals to proceed into Stage 2. Based on the RFP requirements only one BWC was to be proposed by each proponent. This was conveyed clearly in the RFP and in fairness to all other proponents it needed to be clarified and confirmed during Stage 1 as the two proponents had each proposed more than one BWC camera type and only one could be evaluated during this process.</p> <p>Instead, a decision was made to allow both proponents to continue into Stage 2 with multiple BWC's to be evaluated by the Technical Evaluation Team for consideration; this was contrary, in our fairness opinion, to the process and requirements established in the RFP documents.</p> <p>Once we were made aware of this matter, we recommended that the matter be addressed immediately before either proposal was scored and ranked further for shortlisting during this evaluation stage. TPS agreed, and the matter was resolved by the end of this evaluation stage. Specifically, TPS issued a clarification requiring each proponent to identify a single BWC camera to be evaluated.</p> <p>Consequently, two proponents failed to meet the minimum scoring threshold requirements and three proponents successfully did and a total of only 3 BWC cameras proceeded further for consideration.</p> <p>The three proponents which met the minimum scoring threshold were shortlisted and invited to participate in the Stage 3 evaluation process.</p>
<b>Stage 3</b>	<b>Concurrent Negotiations</b>			
	a) Controlled Environment Evaluation	Pass/ Fail	Pass	<p>This process was completed by a subset of the Technical Evaluation Team as per TPS' CEE evaluation procedure document developed and established post-RFP close during the evaluation phase, but prior to this evaluation stage beginning.</p> <p>We understand that all three remaining proponents received a pass as defined by the CEE evaluation procedure document and had their BWC cameras proceed forward to Stage 3 b) in the evaluation process.</p> <p>We did not monitor this evaluation stage and were not provided the evaluation results of it until January 2020, five months after it had occurred.</p>
	b) Field Evaluation	12 points	N/A	<p>This evaluation was completed by the law enforcement officers during their shifts in an on the job live setting over the course of a 3-week period through a scored evaluation during the month of August 2019. While we</p>

Stage #	Stage	Overall Points	Minimum Pass Mark	Fairness Comments
				<p>were not made aware of the start and end dates of this evaluation stage, we do know that it began with training to all evaluators and facilitators from TPS and then proceeded to the live use and scored evaluation.</p> <p>The process included opportunities for TPS to raise BWC user concerns to the proponents during the field evaluation to ensure full use of the equipment as needed, and we understand that notifications of such matters occurred from time to time during this evaluation process from TPS to the proponents, but we did not monitor this communication between TPS, and the Proponent.</p> <p>We understand that all three remaining proponents were scored in this stage using the established scoring document in the RFP and in accordance with the evaluation procedure documents. As there was no minimum scoring threshold on this section, all proponents had their BWC's proceed forward to Stage 3 c) in the evaluation process.</p> <p>We did not monitor this evaluation stage but were provided the scored evaluation results a month after the evaluation was completed. However, we note that we received the results after the next two evaluation stages had been conducted. This is a fairness concern as it meant we could not confirm the results of the Field Evaluation or any evaluation matters which may have been present during that evaluation stage, before TPS continued to the next evaluation stage from a fairness perspective.</p>
	c) Demonstrations	48 points	N/A	<p>This evaluation was completed by the Technical Evaluation Team over a 3-day period at the TPS training centre. These evaluations occurred on September 9<sup>th</sup> - 13<sup>th</sup>, 2019.</p> <p>This process was completed by the Technical Evaluation Team and facilitated by the Procurement Advisory Team as per TPS' demonstration evaluation procedure document developed and established post-RFP close during the evaluation phase, but prior to this evaluation stage beginning.</p> <p>All three remaining proponents were scored in this stage using the established scoring document in the RFP and as there was no minimum scoring threshold on this section all proponents had their BWC's proceed forward to Stage 3 d) in the evaluation process.</p> <p>We monitored this evaluation stage, but we were not provided the scored evaluation results despite our requests until January 2020, four months after this evaluation process was completed.</p>

Stage #	Stage	Overall Points	Minimum Pass Mark	Fairness Comments
				<p>This is a fairness concern as it meant we could not confirm the results of the Demonstration Evaluation or any evaluation matters associated with that evaluation stage before TPS continued to the next evaluation stage.</p>
	<p>d) Commercially Confidential Meeting (CCM)</p>	<p>N/A</p>	<p>N/A</p>	<p>All three remaining proponents were invited to attend a one-on-one CCM with TPS. This was an opportunity offered as per the RFP for the proponent to engage in meaningful dialogue with TPS about the preceding evaluation process stages, and their BWC performance during each evaluation stage previously completed.</p> <p>These meetings occurred over a two-day period on September 30<sup>th</sup> - October 1<sup>st</sup>, 2019.</p> <p>As this is an unscored process step, following its completion, all proponents were invited to proceed to the BAFO submission evaluation stage as per the RFP, taking to account the supplementary process information and instructions that had been given to them by TPS since RFP closing during the evaluation process.</p> <p>We monitored this evaluation stage meeting with each proponent but raised two fairness concerns with regard to the process; these two concerns were not resolved. The first issue was raised before the CCM's occurred and the second was raised at the beginning of the first CCM that had occurred.</p> <p>The proponents' CCM invitations were in their entirety to be reviewed by us, as the Fairness Commissioner, prior to issuance to allow us to provide a confirmation of the acceptability of the invitation prior to issuance. We discovered that the CCM invitation draft document that we reviewed and provided comment on, was further amended upon issuance to include a requirement for an initial pricing submittal. The submittal was requested with an associated deadline both of which represented net new requirements.</p> <p>The email asked the proponents to submit initial pricing information prior to their CCM's for TPS' review and feedback during their respective CCM meetings in a confidential meeting.</p> <p>Our fairness concern was that this was not ever indicated as a submittal item in this evaluation process explained in the RFP documents nor was it discussed with us prior to being communicated to the Proponents. When we raised our concern, we understood that TPS and the Procurement Advisory Team had a differing opinion to the fairness of the change and decided to proceed as planned.</p>

Stage #	Stage	Overall Points	Minimum Pass Mark	Fairness Comments
				<p>However, during the CCM's, TPS and its Procurement Advisory Team did not allow proponents to ask commercially confidential questions about the initial pricing that they had drafted and submitted as requested in their confidential setting. Instead TPS advised that they would not answer questions during the CCM. We note that proponents had travelled to Toronto in some cases for this specific purpose. The initial pricing was an additional submittal item which had a deadline that was two weeks prior to the BAFO submittal deadline, and so in our opinion, to put the proponents under this undue effort and unnecessary costs given that TPS and its procurement advisor planned not to allow for questions or the meaningful feedback, as indicated in the RFP, raised significant fairness concerns. This was an avoidable risk, a poor use of time and effort for the proponents as it presented little value as a process stage overall for both parties involved.</p> <p>Though 2 hours were held for each meeting, no CCM took longer than 8-15 minutes in length. They began with a round table of introductions and an explanation that no commercially confidential discussions or questions would occur, and an instruction that proponents were to issue all their questions to TPS, and the responses to these questions would be shared with all other proponents in writing.</p> <p>This meant that proponents lost their opportunity that was communicated would be afforded to them to seek both technical performance clarity or gap updates gleaned from the previously completed evaluation processes, and feedback on their pricing in a confidential setting. This represented a fairness concern.</p> <p>Following the CCM's, some further clarity was drafted for sharing with the proponents which all would receive. However, we are not certain if it was issued or not, as we were left out of the stages of the process that occurred after the first week of October 2019.</p>
<b>Stage IV</b>	Submission of BAFO's	40 points	N/A	<p>Before the first BAFO submission was received, TPS notified us that there was a matter that had arisen which would require a suspension of the evaluation process and BAFO process stage; however, we were not informed what the matter was.</p> <p>However, we understand that proponents were not notified of the suspension, and that all three proponents submitted BAFO's which were received before the BAFO closing deadline of October 8<sup>th</sup>, 2019 at 2:00:00pm. We were further informed by TPS that all BAFO's received were not going to be downloaded (opened) or evaluated by TPS nor by its Procurement Advisory Team and that this could be proven by TPS</p>

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Stage #	Stage	Overall Points	Minimum Pass Mark	Fairness Comments
				from the TPS Bonfire portal management company. Despite our request for this proof since this suspension occurred, we have not received this proof.
<b>Total Weight Score</b>		<b>100 points</b>		

After being contacted by TPS on October 3<sup>rd</sup>, 2019, we did not meet with TPS again until November 21, 2019 where we were given an update on matters that had arisen during that time. Please refer to our Attachment #1 to this report for further details on this update we received.

## 8. CONCLUSION

The table in section 7.2 in this report provides our detailed fairness comments on each evaluation stage.

In summary, the fairness concerns may be categorized into three groups:

1. Unresolved fairness comments as they related to process or document reviews.
2. Fairness comments related to substantive evaluation process and assessment factors and methodology changes which occurred post-RFP closing which presented risks and created ambiguities to the process from an openness, fairness and transparency perspective.
3. Fairness Commissioner being kept out of the loop and therefore, not able to oversee processes that were necessary or to review evaluation process documents and key communications to the proponents prior to their issuance. Please refer to Attachment #1.

In addition, we did not monitor the RFP development process as we only received the RFP documents after they were issued to the market. Although we did monitor the RFP issuance period, and parts of the RFP evaluation process, we had numerous unresolved fairness concerns, as outlined in this report.

Therefore, we are unable to attest to the fairness, openness and transparency of the TPS BWC procurement process.



Andrea Robinson, B.A., LL.M., PMP., SCMP (candidate)  
Senior Fairness Commissioner  
HKA Global (Canada), Inc.

cc. Don Solomon, B.A., Cert. Tech. Arch.  
Senior Fairness Commissioner  
HKA Global (Canada), Inc.

Doreen Wong, B.A., B.COMM., LL.B., SCMP (candidate)  
Senior Fairness Commissioner  
HKA Global (Canada), Inc.

# Attachments

1. **Updated Fairness Opinion on the Toronto Police Service's Body Worn Cameras Solution Request for Proposal – Attachment: Outstanding documents 2020-01-31 – Fairness Commissioner**
2. **HKA – Fairness Commissioner Statement of Work – Dated September 13, 2017**





February 2, 2020

Mr. Michael Barsky  
Superintendent #4420  
Unit Commander - No. 52 Division  
Toronto Police Service

**RE: Updated Fairness Opinion on the Toronto Police Service's Body Worn Cameras Solution Request for Proposal – Attachment: Outstanding documents 2020-01-31 – Fairness Commissioner**

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Dear Superintendent Barsky,

In accordance with your request, we have reviewed the above-noted attachment.

Having completed this review of the additional attachment, our January 29, 2020 fairness opinion remains unchanged.

Sincerely,

**ANDREA ROBINSON, B.A., LL.M. PMP., SCMP (Candidate)**  
**SENIOR FAIRNESS COMMISSIONER**

**CC: DON SOLOMON, B.A., CERT.TECH.ARCH.**  
**SENIOR FAIRNESS COMMISSIONER**

**DOREEN WONG, B.A., B.COMM., LL.B., SCMP (Candidate)**  
**SENIOR FAIRNESS COMMISSIONER**

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## HKA Global (Canada), Inc.'s Fairness Opinion Dated January 29, 2020

January 29, 2020

Mr. Michael Barsky  
Superintendent #4420  
Unit Commander - No. 52 Division  
Toronto Police Service

**RE: Fairness Opinion on the Toronto Police Service's Body Worn Cameras Solution Request for Proposal - Issues for Consideration Correspondence in Exhibit 1**

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Dear Superintendent Barsky,

This Fairness Commissioner opinion being provided relates solely to the correspondence provided to us on December 2, 2019 as it relates to "Issues For Consideration" (Exhibit 1 attached), and is based on our expertise in monitoring Canadian public procurement processes, delivering expert procedural fairness services to government entities at all levels over many years, and coupled with our role as the Fairness Commissioner in this matter to date.

It is our opinion that the fairest approach in this phase of the evaluation process, without consideration to any other possible options which were not presented to us, would be for the Toronto Police Service ("the Service"), to disqualify the two (2) Proponents who did not demonstrate consistent and satisfactory compliance to achieve the requirements in the RFP - Appendix D - Section A – Deliverables, during the evaluation process competition, in fairness to all other Proponents.

We confirm that prior to being notified of the Service's evaluation matter for consideration, and prior to the commencement of the CCM and BAFO submissions being received by the Service, as the Fairness Commissioner, we had sent numerous written requests relating to the evaluation process, to review the detailed evaluation stages outcomes, and documents for verification and for our records and reporting, as required. However, we confirm that we did not receive all of the information sought, despite these numerous requests. Nearly two (2) months after our requests, we received notification from the Service to attend meetings with the Service, which resulted in the Exhibit 1 correspondence to this letter being sent to us after the first meeting on November 21, 2019.

With regard to the Exhibit 1 correspondence, we verbally requested on two occasions (November 21<sup>st</sup>, 2019 and December 9<sup>th</sup>, 2019) and once again in writing (on December 23<sup>rd</sup>, 2019) access to the documents, evaluation process findings for each Proponent for all stages of evaluation completed to date, CCM Proponent submittal information, evaluation process information, and access to all communications and correspondence, between August 2019 to date, between the Service and the Proponents during the evaluation process that transpired.

During the verbal requests for these critical pieces of information, and the "Issues for Consideration" having been provided to us, our request for this information was confirmed, accepted and promised, but

ultimately not provided to us, thereafter, as agreed upon. Finally, two weeks after the second meeting where the same information was promised, we received an emailed communication from the Service questioning why we needed the information, despite the fact we had already requested it multiple times, and further had explained the purpose of and necessity for this information, that is, that it related directly to the question for which the Service posed to us and sought our fairness opinion. We responded to the Service confirming that, as per our contract, we were to be permitted and granted access to this information in order to complete our scope of services and to answer the question posed to us in the "Issues for Consideration" document, to verify the accuracy of the facts provided for in the correspondence, activities and timelines referenced therein.

Since providing our last response to the Service explaining the need for the evaluation process information requested, we have not received a response from the Service individual who asked for our justification for access to evaluation process information, and the information has not been provided.

Neither HKA Global (Canada), Inc., nor the individual author(s) of this opinion, is responsible for any conclusions or insights that may be drawn. For further detail on the opinion given, we recommend that communication be sought from the Toronto Police Service directly.

Sincerely,



**ANDREA ROBINSON, B.A., LL.M. PMP., SCMP (Candidate)**

**SENIOR FAIRNESS COMMISSIONER**

**CC: DON SOLOMON, B.A., CERT.TECH.ARCH.**

**SENIOR FAIRNESS COMMISSIONER**

**DOREEN WONG, B.A., B.COMM., LL.B., SCMP (Candidate)**

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