



Virtual Public Meeting

**Friday, January
29, 2021
at 11:45AM**

VIRTUAL PUBLIC MEETING AGENDA
Friday, January 29, 2021 at 11:45AM
Livestream at:
https://youtu.be/MRxKOzY_lm8

Call to Order

Indigenous Land Acknowledgement

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

1. Confirmation of the Minutes from the special virtual public meeting held on [January 13, 2021](#).

Presentations

2. **“Know Your Rights Campaign”** presentation to be provided by Deputy Chief Myron Demkiw along with Superintendent Stacy Clarke, Inspector Kelly Skinner, Audrey Campbell and Knia Singh community members of Pacer 2.0..

Items for Consideration

3. January 21, 2021 from Ryan Teschner, Executive Director & Chief of Staff
Re: [Memorandum of Understanding with the City of Toronto Auditor General](#)
4. December 30, 2020 from James Ramer, Chief of Police
Re: [Special Constable Appointments – January 2021](#)

Consent Agenda

5. November 19, 2020 from James Ramer, Chief of Police
Re: [Quarterly Report: Occupational Health & Safety Update for July 1 to September 30, 2020](#)

6. December 15, 2020 from James Ramer, Chief of Police
Re: 2020 Annual Report: Healthy Workplace Initiatives
7. January 14, 2021 from Ryan Teschner, Executive Director & Chief of Staff
Re: Independent Civilian Review into Missing Persons Investigations – Account for Professional Services
8. November 18, 2020 from Central Joint Health and Safety Committee
Re: Public Minutes of Meeting No. 72 held on November 18, 2020
9. August 4, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Firearms Injury of 2019.11
10. August 4, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.22
11. August 4, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.26
12. August 4, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.27
13. August 4, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.30
14. August 11, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury of 2019.41
15. August 4, 2020 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.13

Adjournment

Next Meeting

Thursday, February 25, 2021

Time and location to be announced closer to the date.

Members of the Toronto Police Services Board

Jim Hart, Chair

Lisa Kostakis, Member

Michael Ford, Councillor & Member

Ainsworth Morgan, Member

Frances Nunziata, Vice-Chair & Councillor

Marie Moliner, Member

John Tory, Mayor & Member



Toronto Police Services Board Report

January 21, 2021

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

**Subject: Memorandum of Understanding with the City of Toronto
Auditor General**

Recommendation(s):

It is recommended that the Board approve the attached Memorandum of Understanding (MOU) between the Toronto Police Services Board (the Board), Toronto Police Service (the Service) and the City of Toronto Auditor General, and authorize the Chair to execute the Memorandum of Understanding on behalf of the Board.

Financial Implications:

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

Background / Purpose:

At the Board meeting of August 18, 2020, the Board approved a report titled "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety," which included 81 recommendations to improve police accountability, confront and address systemic racism, and increase the Service's budget transparency and modernization efforts.

The current *City of Toronto Act, 2006* does not provide specific authority or a framework for the Auditor General to conduct work in respect of the Service or Board. Chapter 3 of Toronto's Municipal Code provides the ability for the Auditor General to undertake financial (excluding attest), compliance, and performance audits of the Service and provide recommendations to the Board, upon request by the Board. However, the terms and approach to the work conducted by the Auditor General have not been articulated in the Municipal Code. Therefore, for the Auditor General to engage as with respect to other City of Toronto entities, it was beneficial for all parties to define how the audit work would proceed, so that the Auditor General can complete the audits for the Board with the requisite amount of independence to provide the Board with assurance. To that end, recommendations 24–26 directed 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.

The relevant recommendations further directed the Chief of Police to assist in the development of the Memorandum of Understanding, and to provide the Auditor General access to personnel, information, records and any other resources necessary to perform any audits. Separately, Recommendation 27 directed the Chair to communicate to the Province of Ontario the Board's support of City Council's request to amend the *City of Toronto Act, 2006* 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 (Min. No. P129/20 refers). The Chair's letter to the Province, expressing support of the City's request to extend the legislative authority for the City's Auditor General to include auditing the Toronto Police Service, was transmitted on September 22, 2020.

The Board's decisions to establish a working relationship with the Auditor General and communicate its support to the Province for legislative change, in part, incorporated the decisions adopted by City Council at its meeting of June 29, 2020 concerning "Changes to Policing in Toronto" (items 8 and 10 of the City Council Decision: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC22.2>).

Independent of the request for legislative change, the Board has engaged with the Auditor General in line with Recommendation 24 from the Board's August 18, 2020 report, with a view to establishing an official relationship that would allow the Auditor General to provide her independent audit services and expertise in relation to the Service.

At the Board's meeting of November 24, 2020, the Auditor General presented a proposed risk-based audit plan of the Service, which was approved by the Board (Min. No. P183/20 refers).

Discussion:

At its meeting of August 18, 2020, the Board approved a suite of wide-ranging recommendations that created a substantial reform agenda to improve policing and police accountability in Toronto. This reform agenda includes the independent auditing of the Service by the City of Toronto Auditor General. The Board has invited the Auditor General to enter into a Memorandum of Understanding with the Board and the Service to establish an overall framework for a sustained partnership. This builds and expands on a long-standing relationship between the Board and the Auditor General, including a number of specific audits carried out by the Auditor General over the years, including one audit currently being carried out of the Service's cyber-security framework.

The proposed Memorandum of Understanding, appended as Appendix 1, establishes a five-year term (that can be renewed on consent), during which the Auditor General will carry out performance audits examining whether programs or services are achieving objectives effectively, economically, and efficiently. Furthermore, for the first time in the relationship between the Board and Auditor General, the Auditor General will be invited to develop an annual risk-based work plan independently (as opposed to auditing specific areas identified by the Board).

The Board, the Service and the Auditor General view this official relationship as serving the public interest. The Memorandum of Understanding establishes the commitment of both the Board and the Service to ensure that the Auditor General will be independent and unimpeded in developing a work plan and carrying it out. Both the Board and the Service undertake to ensure full access to all required information, records, and staff. The inclusion of the Service as a partner in the Memorandum of Understanding clearly indicates the Service's commitment to transparency and improvement.

Conclusion:

This official relationship between the Board and the Auditor General is an additional step in the Board's efforts to increase its capacity to carry out its independent oversight and governance role. Beyond the forthcoming work of the Auditor General, the Board has established two advisory panels whose membership includes representatives of stakeholders and individuals with lived experience that can provide advice to the Board on a range of matters that engage the Board's governance mandate. In addition, the Board Office's fairly new staff role of Senior Advisor, Strategic Analysis and Governance, places an enhanced focus on ongoing evaluation of the effective implementation of Board Policies by the Service, and identifying opportunities for improvement. Along with these measures, and other new initiatives in the process of development, this expanded capacity will provide the Board with independent information and analysis, enabling it to govern and oversee the Service in a manner aligned with the principles of modern police governance. Ultimately, this will promote the provision of high-quality, effective, efficient, fair and accountable policing services in the City of Toronto.

I recommend that the Board approve this Memorandum of Understanding and authorize the Chair to execute the Memorandum of Understanding on behalf of the Board.

Respectfully submitted,



Ryan Teschner
Executive Director and Chief of Staff

APPENDIX 1

Audit Work by City of Toronto's Auditor General of the Toronto Police Service for the Toronto Police Services Board

Memorandum of Understanding

Between:

CITY OF TORONTO'S AUDITOR GENERAL
(hereinafter referred to as "AG")

and

TORONTO POLICE SERVICE
(hereinafter referred to as "TPS")

and

TORONTO POLICE SERVICES BOARD
(hereinafter referred to as the "Board")

(individually referred to as a "Party" and collectively as "the Parties")

Background

The mandate for the AG is to assist City Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value-for-money in City operations.

The Board recognizes the significant expenditure of public funds required for the provision of adequate and effective policing in Toronto and the importance of accountability and transparency in how these funds are spent alongside the need to continuously strengthen internal systems. The Board acknowledges the benefit of engaging the services of the AG to perform external Audits, identify opportunities, and ultimately achieve greater value from these public funds.

This Memorandum of Understanding (MOU) establishes and provides details concerning the working relationship among the Parties – a working relationship that was requested by the Board in its letter of invitation to the AG dated December 12, 2019 to conduct an overall risk assessment and cybersecurity review of the TPS. Subsequently, both the Board and City Council endorsed and further elaborated on this new working relationship in the following reports:

City Council recommendations made at its June 29, 2020 meeting and recommendations made by the Board at its August 18, 2020 meeting, both reinforced the support for the AG's Audits of the TPS. The Audits contemplated by this MOU will be designed to help continually improve the effectiveness, efficiency, and economy of TPS's service delivery against its objectives, and may identify specific areas of success and improvement within the TPS, as well as potential areas for savings and redistribution of funding.

The Board specifically approved a recommendation in August 2020 for the establishment of this MOU between the Parties.

Council's report on Changes to Policing which was approved by Council on June 29, 2020:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC22.2>

The Board's report on Policing Reform Initiatives which was approved at its Board meeting on August 18, 2020:

<https://tpsb.ca/component/jdownloads/send/57-2020/634-august-18>

There are currently no legislative authorities that extend the AG's powers to the TPS. Audits carried out pursuant to the agreement will be conducted at the request of the Board after consultation with and receiving input from the TPS. The intent of the Parties is that the same powers anticipated in the proposed legislation be granted to the AG in completing this work to the extent that this is possible. The TPS and the Board support the AG in completing this audit in a manner that allows the AG to provide independent assurance to the Board.

I. **Definitions:**

Audit in this MOU means a performance audit that reviews wider management issues of an organization, sometimes referred to as a value for money audit. A performance audit may examine whether programs or services are achieving objectives effectively, economically, and efficiently. The AG's Office follows Generally Accepted Government Auditing Standards.

Audit Process means the process that is used to perform the Audit, in accordance with Generally Accepted Government Auditing Standards, and includes the phases of planning, examination, reporting, and follow-up.

Designate or Designates refers to a person or persons as identified by the Chief of Police.

Entrance Meeting means the meeting that is held at the start of an Audit to introduce the subject of the Audit and the Audit team.

Exit Meeting means the meeting that is held at the end of the examination phase of the Audit to discuss the summarized draft Audit results and draft recommendations contained in the Exit Meeting document.

Information in this MOU means all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the TPS or the Board, consistent with the definition used in the *City of Toronto Act (COTA), 2006, s.179(2)*.

Management Response means the formal written response prepared by TPS designates outlining whether there is agreement with each Audit Report recommendation, and the planned actions and estimated timing to address each of the Audit Report recommendations. The Management Response is included as an Appendix to the Final Audit Report.

Personal Information in this MOU has the same meaning as defined under the *Municipal Freedom of Information and Protection of Privacy Act* R.S.O. 1990, c. M. 56.

Project Start Letter means the letter sent to the Board and the TPS that provides formal notification of the AG commencing an Audit of the TPS.

Record(s) in this MOU has the same meaning as defined under the *Municipal Freedom of Information and Protection of Privacy Act* R.S.O. 1990, c. M. 56.

Terms of Reference Letter means the document that is prepared during the planning phase of an Audit which describes the planned Audit objectives, scope, methodology, and timing of the Audit.

Working papers means the documents maintained by AG staff for purposes of the Audit that include the required documentation according to Generally Accepted Auditing Standards for the planning, examination, reporting, and follow-up of the Audit.

II. Term

The term of this MOU is from the date of last signature obtained and shall continue until December 31, 2026 (5 years) or until the provincial legislative changes are made.

If the requested changes are not made to the provincial legislation, all parties will revisit this MOU prior to the fifth year to amend it if necessary and agree upon a MOU for the next five year period.

III. AG Audit Work Plan

Audit Selection

At the request of the Board, the AG completed a risk assessment of the TPS in 2020. The purpose of this exercise was to identify higher priority Audit areas for the Board and the TPS to consider when requesting Audit work from the AG. A risk-based Audit plan was presented to and received by the Board and the Chief at the Board's November 2020 meeting. A copy of the AG's proposed risk-based Audit plan of the TPS is attached as Appendix A to this MOU. The risk-based Audit plan identifies Audit projects for the 2021 year and potential audit projects on the horizon for the next five years. Each year the AG will review the requests from the Board and the TPS to consider including the requested work in the annual Audit Work Plan, subject to available resources.

Engagement

Prior to starting any Audit work for any project requested by the Board and the TPS as included in the Annual Audit Work Plan, the AG will issue a Project Start Letter to the Board and to the TPS. The Project Start Letter notifies the Board and the TPS that the AG is in the information gathering phase in order to narrow the area(s) that will be audited.

The Parties agree to collaborate and cooperate in attending to information requests.

IV. Audit Planning Phase

An Entrance Meeting will be scheduled at the start of any Audit work that is to be performed. AG staff will hold this meeting with TPS Designates and the Board Office (the Executive Director and Chief of Staff or their delegates) to introduce the subject of the Audit and the Audit team. Subsequent meetings will be held with TPS Designates/staff and the Board Office to discuss operational practices and identify the information requested of the TPS during the planning phase of the Audit.

The planning phase allows auditors to gain an understanding of TPS' operations, associated risks and internal control environment, including established policies and procedures. This allows for the Audit to focus on areas of greatest risk and to achieve the greatest value.

It is during the planning phase that the objectives, scope, and approach of an Audit are determined. The Audit criteria are also identified during the planning phase and may include legislation, internal policies and procedures, best practices of other police services or other types of industry benchmarking sources.

The methodology and approach of each Audit will vary by project. Generally an Audit includes interviews, review of documentation, analysis of records/information, and physical observation. Audit work performed by the AG's office complies with Generally Accepted Government Auditing Standards.

At the completion of the planning stage the AG will issue a Terms of Reference Letter to the Board and to the TPS. The Terms of Reference Letter is provided in draft for discussion. All input is considered. In consultation with the Board and the TPS, the AG will revise the draft Terms of Reference Letter. The AG decides on the final Terms of Reference. Any suggested modifications that do not compromise the AG's independence are considered.

The AG will schedule status meetings with TPS Designates and the Board Office to provide regular updates. These meetings will ensure regular and ongoing communication about emerging issues so that there are no surprises.

An Audit typically takes at least 9 months from the start date of planning to reporting out, and generally the planning, examination, and reporting stages each consist of about one third each of that time.

V. Examination Phase

During the examination phase of the Audit, auditors will complete the various steps outlined during the planning phase. This may include collecting information/records, conducting analyses and other activities identified to conclude on the Audit objectives. Other techniques used may include staff interviews, physical observation, statistical analysis, benchmarking, conducting surveys, and reviews of files, specific transactions, or other types of supporting documents.

The AG will have access to all relevant information/records held by the TPS. The TPS and AG will work together to develop a protocol for access to information, records, and systems that have either been flagged by the TPS as sensitive, confidential, or contain personal information. The protocol will allow for the review of sensitive or confidential information by AG staff in a secured manner mutually agreed to by the AG and the TPS. The TPS and AG staff will work together so that AG staff receive the required information for an Audit. For example, where requested information or records contain personal information, the AG and the TPS will seek to determine whether the personal information is relevant, necessary, and whether the use of de-identified, anonymized, or indexed records are appropriate.

Should the AG require access to 3rd party information, records, or systems for an Audit, that are not in the possession or control of the TPS, the AG will seek consent from these 3rd parties. The TPS will support the AG as much as possible.

The TPS will not share or grant access to any information or records that are privileged, barred by law, or those that may jeopardize an ongoing law enforcement proceeding. When there is information in privileged documents that is relevant and important to an audit and if there is a way to legally share this information, the TPS will consider providing the information to the AG.

The TPS will make every effort to provide the AG staff with all the required information, records, and access to required personnel or facilities in a timely fashion. The TPS will ensure there is no retaliation for members speaking with AG staff.

All AG staff and external subject matter experts that will be involved in the Audits or have access to TPS information or records will require background checks as outlined in section VIII of this MOU.

The AG may need to broaden or narrow the Audit scope depending on the emerging results. If this occurs, the auditors will first discuss their observations from the examination phase with the TPS and if necessary the Board Office and will seek the consent of the Board if there needs to be any major changes in the Audit Scope.

Regular status updates will be provided to both TPS Designates and the Board Office, to ensure there is regular ongoing communication and a general sense of potential Audit findings. All findings will be reviewed and explored with TPS Designates, including the evidence that supports the AG's observations. The TPS will have an opportunity to share its views, and to provide any additional information before the AG finalizes their review.

When the examination phase is complete, an Exit Meeting will be scheduled by the AG with TPS Designates to communicate the written summarized draft Audit results and draft recommendations contained in an Exit Meeting document. The TPS Designate will be given two weeks (10 business days) to provide written comments on the Exit Meeting Document and any additional evidence for consideration. If the TPS requires more time to respond, the TPS will advise the AG and the Board and seek an extension. All comments will be considered before the AG issues a draft report. The AG encourages the TPS to start developing its draft Management Response upon receiving the Exit Meeting document.

VI. Reporting Phase

The timelines provided for the TPS' feedback from the Exit Meeting document through to the final draft Audit report is six weeks (30 business days).

In the spirit of transparency and taking a no surprises approach, the AG will provide a draft Audit report to the TPS Designates for comment. The TPS will have two weeks (10 business days) to respond to the first draft report regarding any factual inaccuracies, tone, or confidentiality related suggestions and other issues related to the content in the draft Audit report. After TPS's comments are considered, a second draft report will be provided and the TPS will have an additional week (5 business days) to respond. If the TPS requires more time to respond, the TPS will advise the AG and the Board and seek an extension.

All comments by the TPS on the draft report will be considered by the AG and may be included in the draft report for circulation to the TPS Designate, with a copy to the Board Office, for comment before finalizing. Upon receipt of the final version of the Audit report, the Chief of Police and the TPS Designates will have one week (5 business days) to finalize their draft Management Response which will include an action plan on how to address the Audit recommendations. If the TPS requires more time to respond, the TPS will advise the AG and the Board and seek an extension. This Management Response will be included as an appendix to the final Audit report.

TPS will keep all information confidential to those staff necessary to respond to the draft Exit Meeting document and draft audit reports.

The final Audit report (including the Chief's response) will be submitted as an agenda item at a subsequent Board meeting. Thereafter, for public Audit reports, the AG may forward the final Audit report to any party or agency the AG deems necessary.

The AG will follow-up on any recommendations that have been adopted from the Audit report to determine the progress made on the action plan reported by management to address the recommendations. The extent of work performed for a follow up is considerably less than what is performed for an audit and will require access to information to verify management assertions that the recommendations have been implemented. It is anticipated that this will take place one (1) year after any recommendations are adopted. The TPS Designate will advise the AG of the progress

made on any adopted recommendations. The AG will continue to follow up on an annual basis to assess progress until all Audit recommendations have been addressed.

VII. Communication Protocol and Escalation Procedure

The AG's office will hold regular progress meetings with the TPS Designates and the Board Office. The purpose of these meetings will be to provide an update on the progress of the Audit and identify any emerging critical issues or any challenges. The timing and frequency of these meetings will be jointly determined by the Parties at the Entrance Meeting and can be adjusted, as required, on the consent of all Parties.

The AG's office is also committed to the following service standards which will be applied to both the TPS and the Board:

The AG's Commitments to the TPS and the Board

No Surprises

The AG's goal is to add value and to support continuous improvement of an organization; as such, the AG will keep the TPS and the Board informed and involved throughout the Audit, from discussions about potential areas of review to observations made during the examination phase. A draft Audit report will be provided in advance for review and comment by the TPS and the Board before it is finalized.

Any high risk/critical issues identified during the Audit will be reported to the Chief of Police at the first appropriate opportunity and as early as possible so that any necessary corrective action can be taken in an expeditious manner.

Professionalism

Audit staff will operate with professional courtesy throughout the Audit Process.

Expertise

Audit staff are selected carefully to ensure that the collective skills and knowledge are appropriate for a particular Audit. In some cases, external subject matter experts may be hired to ensure that Audit staff have sufficient expertise for a project and to complete the Audit. Where TPS has flagged a concern with the external subject matter expert (e.g. conflict), the TPS will advise the AG and the AG will consider TPS' input.

In addition to the background checks as set out under section VIII of this MOU, the AG commits to having confidentiality agreements with subject matter experts that, at a minimum, parallel the safeguards and confidentiality provisions as set out in this MOU.

The AG's office undergoes an external quality assurance review every three years to ensure that its work adheres to Generally Accepted Government Auditing Standards.

Independence

To ensure the integrity, objectivity, and professional judgment of the AG's work, all auditors are required to declare their independence from the entity they are assigned to Audit.

The AG's office maintains independence from City administrators by reporting directly through Audit Committee to City Council.

Confidentiality

The Parties acknowledge that while the *City of Toronto Act, 2006* (COTA) has no statutory application as it relates to Audits under this MOU, the AG will uphold its duty of confidentiality in accordance with the standards set out in COTA to preserve secrecy with respect to all matters that come to the AG's knowledge during an Audit, except as required by law.

In adhering to the duty of confidentiality, the AG has appropriate processes and controls in place to ensure that AG staff and subject matter experts maintain confidentiality.

Sharing of Information from TPS to the AG

The Parties acknowledge and agree that the AG requires access to information and records in order to conduct Audits.

The Parties agree that Audit interviews will be requested by AG staff. AG staff will ensure an effective and coordinated approach is used for the scheduling of Audit interviews. TPS Designates will assist AG staff with interview contacts and scheduling as needed and requested, to help ensure a coordinated approach with open access to all relevant information. For the purposes of these Audit interviews, attendance will be restricted to those individuals invited by AG staff. To protect the integrity and confidentiality of the process, interviews are to be kept confidential, including between TPS staff members.

To streamline the access to documents for both sides, the TPS Designate and the AG will work through options that both protect confidentiality of information/records while allowing the AG to review the information/records that are required for an Audit.

The Chief of Police will direct TPS staff to comply with these agreed protocols. This practice is important to protect the independence of the AG and for the timely flow of information and completion of Audits. If any issues arise regarding these protocols, the Parties agree that the AG will notify the Chief of Police and he or she will work with the AG, acting swiftly to ensure there is no interference in the Audit Process.

Security of Information

Secure methods will be used when transferring and retaining documentation, interim results, working papers, summaries of results and any other related documentation, to protect it from unauthorized disclosure. All electronic records will be kept encrypted on secured devices.

No information with personal identifiers (e.g. addresses, social insurance numbers) will be kept in the Audit working papers or anywhere else. AG staff may need to review this information for Audit testing and will code it appropriately to ensure no personal information is retained as Audit evidence.

Where information is considered highly sensitive and confidential, the Parties may need to make arrangements for on-site review of such information. Only the AG staff that require access to the information to complete their Audit responsibilities will be given access by the TPS to review such information.

Disruptions or Issues

In the event of any issues that may arise or disruption that may occur as a result of the Audit being conducted, the Parties agree that all communication and any escalations will be brought forward, to either the AG or the Chief of Police, from their respective staff. If necessary, any matter that cannot be resolved between the AG and the Chief of Police will be further escalated to the Board Office and, if necessary, dealt with in consultation between the AG, the Chief of Police, and the Board.

VIII. Other Considerations

The Parties agree that:

1. The AG shall provide the TPS with a list of AG staff and external subject matter experts (when identified) that will be involved in the Audits;
 - a. The TPS will conduct background checks on all AG staff and all external subject matter experts involved in the Audits;
 - b. The AG will cover the costs for each background check performed as identified in item 1(a) above;
 - c. Before any AG staff or external subject matter expert is involved in any Audit work considered under this MOU, or that is required at a TPS location, the AG staff or external matter expert will have completed and been cleared by the TPS with a background check;
 - d. Every six (6) months, the AG shall provide the TPS with an updated list of AG staff and subject matter experts that are involved in the Audits; and,
2. Nothing in this MOU will supersede or override the statutory obligations under the current *Police Services Act*, the anticipated *Comprehensive Police Services Act*, when it is in force, or the role and powers of the Inspector General of Policing under the *Community Safety and Policing Act* when it is in force.

VII. Representatives

The following are designated as the representatives for the purposes of this MOU, and any notices will be delivered as follows:

In the case of the AG to:

Auditor General
Auditor General's Office, Metro Hall
55 John Street, 9th Floor
Toronto, ON M5V 3C6
Telephone: 416-392-8461
Fax: 416-392-3754
bromeob@toronto.ca

In the case of TPS to:

Chief of Police
Toronto Police Service
40 College Street, 7th Flr.
Toronto, ON M5J 2G3
Telephone: 416-808-8016
Fax: 416-808-8002

In the case of the Board to:
Toronto Police Services Board

Chair of the Board

40 College Street, 7th Flr.
Toronto, ON M5J 2G3
Telephone: 416-808-6784
Fax: 416-808-8002

IN WITNESS WHEREOF, this Memorandum of Understanding has been signed on behalf of the Parties by their duly authorized officers on the dates noted below:

CITY OF TORONTO'S AUDITOR GENERAL

Name: Beverly Romeo-Beehler
Title: Auditor General

Date: _____

TORONTO POLICE SERVICE

Per:

Name: James Ramer, M.O.M.
Title: Chief of Police

Date: _____

TORONTO POLICE SERVICES BOARD

Per:

Name: Jim Hart
Title: Chair of the Board

Date: _____

APPENDIX A

Table 1: Auditor General's Proposed Risk-Based Audit Plan of the Toronto Police Service

Audit Area of Interest	2021 Auditor General's Annual Work Plan		On the Horizon 2022-2023	Longer-term Projects
Information Technology	1. Cyber Security [Confidential]	3. Assessing Policing Responsibilities and Service Areas – to identify opportunities for improvement and potential cost savings, including delivery by alternate service providers	IT Infrastructure & Governance	IT Contract Review Business Continuity
Priority Response Unit	2. 911 Operations			Response to Mental Health Calls Court Services** Use of Body Camera Evaluation
Human Resources Command			Workforce Administration	Occupational Health & Safety Race Based Data Collection
Community Response Unit			Traffic Services Parking Enforcement*	Proactive Community Policing
Specialized Operations				Paid Duty*
Support Command			Fleet**	Police Facilities

* last audited by the Auditor General in 2011

** last audited by the Auditor General in 2008



Toronto Police Services Board Report

December 30, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Special Constable Appointments – January 2021

Recommendation:

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

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. Pursuant to this authority, the Board has agreements with U. of T. and T.T.C. governing the administration of special constables (Min. Nos P571/94 and P289/13 refers).

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

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Expiry
U of T Scarborough Campus	Seth Gray	Appointment	N/A
U of T Scarborough Campus	Ryan Rupnaraine	Appointment	N/A
U of T Scarborough Campus	Joshua Smiley	Appointment	N/A

Agency	Name	Status Requested	Expiry
U of T Scarborough Campus	Samuel Mayne	Appointment	N/A
U. of T. Scarborough Campus	Peter Werheid	Appointment	N/A
U. of T. Scarborough Campus	Fahit Farshad	Appointment	N/A
U. of T. St. George Campus	William Charnock	Appointment	N/A
T.T.C.	Anthony Ducusin	Appointment	N/A
T.T.C.	Denver Sanmuganathan	Appointment	N/A
T.T.C.	Ricky Hosein	Appointment	N/A
T.T.C.	Michael Salzman	Appointment	N/A
T.T.C.	Tahmina Said Dawod	Appointment	N/A
T.T.C.	Fizroy Keslow	Appointment	N/A
T.T.C.	Osair Maluc	Appointment	N/A
T.T.C.	Caila Paul	Appointment	N/A
T.T.C.	Tony Oppong-Kyekenye	Appointment	N/A
T.T.C.	Michael Mongroo	Appointment	N/A
T.T.C.	Melanie Hope	Appointment	N/A
T.T.C.	Patrick Barnes	Appointment	N/A
T.T.C.	Melissa Cvetkovic	Appointment	N/A
T.T.C.	Ajdin Sarajlic	Appointment	N/A
T.T.C.	Harpal Singh	Appointment	N/A
T.T.C.	Filip Brzoska	Appointment	N/A
T.T.C.	Stephen Shepherd	Appointment	N/A
T.T.C.	Courtney Gibbs	Appointment	N/A

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 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 agreements with the Board. The U. of T. and T.T.C.'s approved and current complements are indicated below:

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

Agency	Approved Complement	Current Complement
U. of T. Scarborough Campus	25	13
U. of T. St. George Campus	50	35
T.T.C.	N/A	91 ¹

Conclusion:

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

Acting Deputy Chief 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, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

¹ There is no cap on the number of Special Constables at the T.T.C.



Toronto Police Services Board Report

November 19, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Quarterly Report: Occupational Health & Safety Update for July 1 to September 30, 2020

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

At its meeting on January 24, 2005, the Board received an update on occupational health and safety matters relating to the Toronto Police Service (Service) (Min. No. C9/05 refers). Following consideration of the report, the Board requested the Chief of Police to provide quarterly confidential updates on matters relating to occupational health and safety. The Board, at its meeting on August 21, 2008, further requested public quarterly reports for occupational health and safety matters (Min. No. C224/08 refers).

The purpose of this report is to update the Board on matters relating to occupational health and safety issues for the third quarter of 2020.

Discussion:

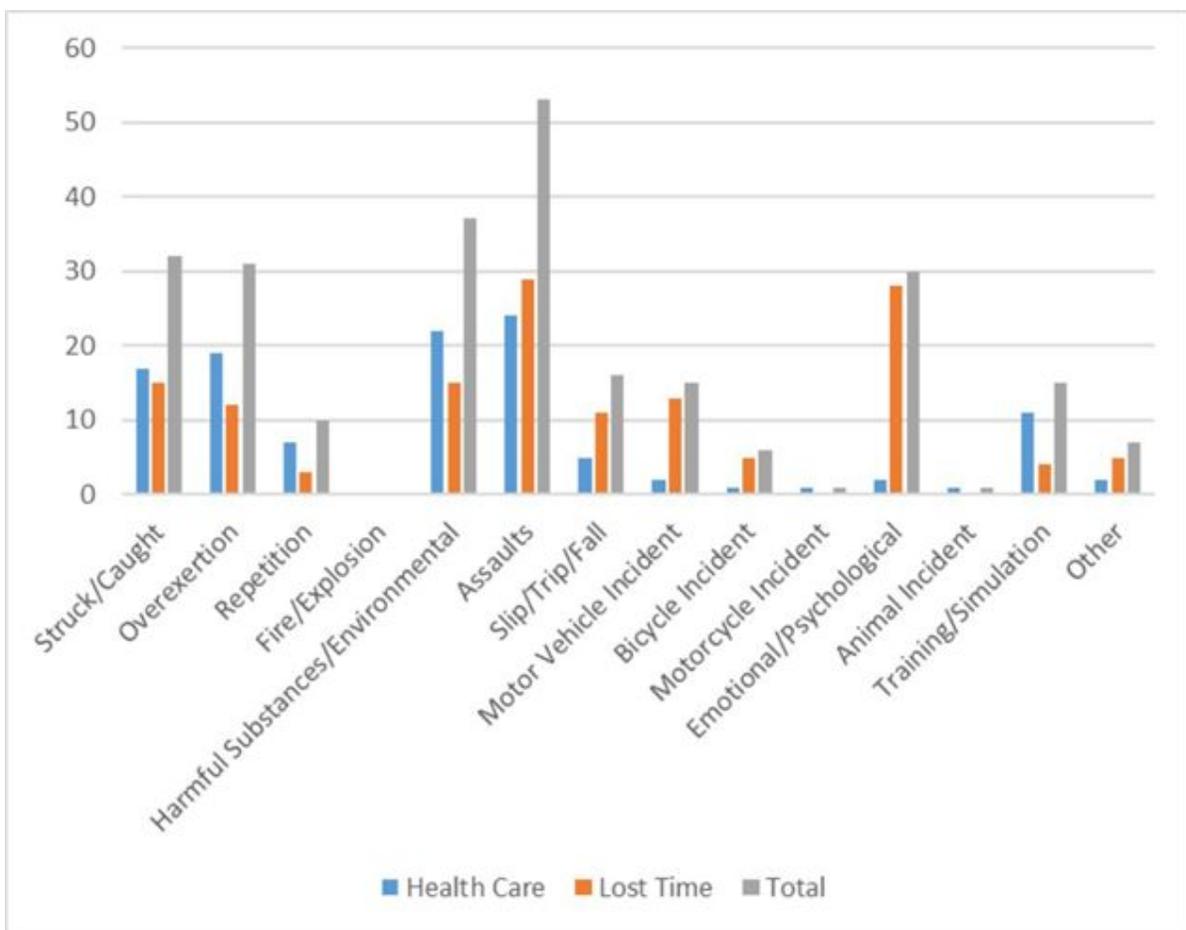
Third Quarter Accident and Injury Statistics

From July 1 to September 30, 2020, there were 254 reported workplace accidents/incidents involving Service members resulting in lost time from work and/or

health care which was provided by a medical professional. These incidents were reported as claims to the Workplace Safety and Insurance Board (W.S.I.B.). During this same period, 6 recurrences of previously approved W.S.I.B. claims were reported. Recurrences can include, but are not limited to: ongoing treatment, re-injury, and medical follow-ups, ranging from specialist appointments to surgery.

Injured on Duty reports are classified according to the incident type. The following graph and chart summarize the Injured on Duty reports received by the Wellness Unit during the third quarter of 2020.

*Injured on Duty Reports
July 1 to September 30, 2020*



Incident Type	Health Care	Lost Time	Q3-2020	Q3-2019
Struck/Caught	17	15	32	43
Overexertion	19	12	31	25
Repetition	7	3	10	4
Fire/Explosion	0	0	0	0
Harmful Substances/Environmental	22	15	37	14
Assaults	24	29	53	51
Slip/Trip/Fall	5	11	16	33
Motor Vehicle Incident	2	13	15	17
Bicycle Incident	1	5	6	8
Motorcycle Incident	1	0	1	2
Emotional/Psychological	2	28	30	18
Animal Incident	1	0	1	2
Training/Simulation	11	4	15	3
Other	2	5	7	22
Totals	114	140	254	245

The top five incident categories are:

1. Assaults: 53
2. Harmful Substances/Environmental: 37
3. Struck/Caught: 32
4. Overexertion: 31
5. Emotional/Psychological: 30

Overall, Injured on Duty reports have increased slightly in the third quarter of 2020 as compared to 2019. The increase in the Harmful Substances/Environmental category is a result of the current COVID-19 pandemic, as exposures to the novel coronavirus would be included in this category. Members have reported a large number of exposures to communicable disease as a result of the requirement to continue operating as an essential service during the pandemic. Exposure risk is mitigated in part through the use of training, physical distancing, and personal protective equipment.

Assaults by arrested parties, suspects, or members of the public typically form one of the largest categories of Injured on Duty reports due to the nature of police work. A significant portion of training received by police officers is designed to mitigate the risk of these types of injuries.

Critical Injuries

Under Ontario's occupational health and safety regulatory framework, employers have the duty to report all critical injuries and fatalities which occur in the workplace to the Ministry of Labour (M.O.L.), pursuant to *Section 51* of the *Occupational Health and Safety Act* and *Ontario Regulation 834*.

A critical injury is defined as an injury of a serious nature that:

- (a) places life in jeopardy,
- (b) produces unconsciousness,
- (c) results in substantial loss of blood,
- (d) involves the fracture of a leg or arm but not a finger or toe,
- (e) involves the amputation of a leg, arm, hand or foot but not a finger or toe,
- (f) consists of burns to a major portion of the body, or
- (g) causes the loss of sight in an eye.

In the third quarter of 2020, there were no critical injury incidents reported to the M.O.L. For each critical injury incident, an investigation is conducted by the Service independent of the M.O.L. investigation, involving both the injured member's local Joint Health and Safety Committee and the Service's Wellness Unit. In each case, root causes are sought and recommendations are made, where applicable, to reduce the risk of similar incidents in the future.

Communicable Diseases

As part of the Communicable Disease Exposure Surveillance Program, members of the Wellness Unit reviewed reported exposures during the months indicated in the table below. The majority of these exposures did not result in claim submissions to the W.S.I.B.; however, there is an obligation to ensure that a communication is dispatched to members of the Service from a qualified member of the Wellness Unit.

In the event that a member requires information or support regarding a communicable disease exposure, they will be contacted by a medical professional from the Wellness Unit in order to discuss potential risk, consider treatment options as required, and to ensure that the member is supported properly with respect to stress and psychological well-being. The following chart summarizes member exposures to communicable diseases, as well as other potential exposure types including blood and bodily fluids.

*Member Exposure to Communicable Diseases
July 1 to September 30, 2020*

Reported Exposures	July	August	September	Q3 - 2020	Q3 - 2019
Bodily Fluids, Misc.	18	29	17	64	34
COVID-19	130	91	184	405	0
Hepatitis A, B, & C	1	0	0	1	1
HIV	2	6	4	12	4
Measles, Mumps, Rubella	0	0	0	0	0
Meningitis	0	0	0	0	0
Staphylococcus Aureus	0	0	0	0	1
Tuberculosis	1	0	0	1	2
Varicella (Chickenpox)	0	0	0	0	0
Bed Bugs	10	10	0	20	7
Other, Miscellaneous	0	0	0	0	4
Total	162	136	205	503	53

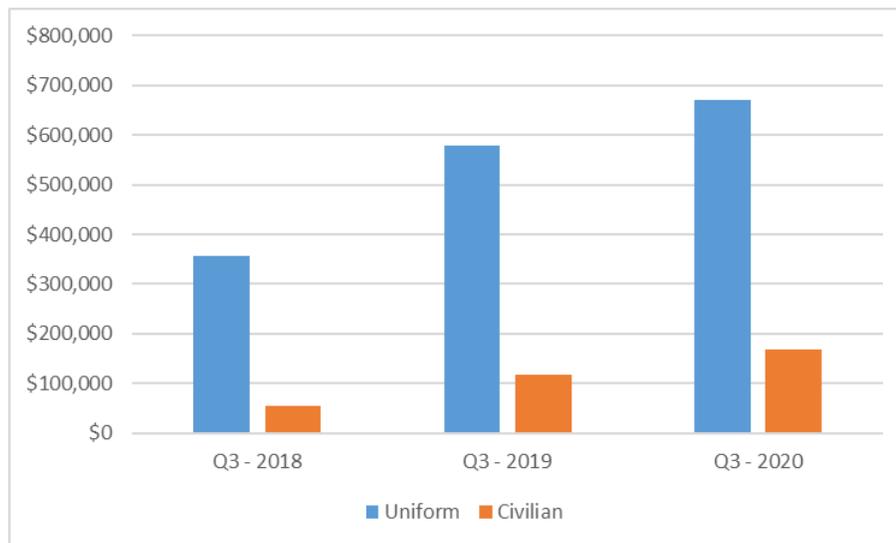
Examples of the types of exposures which fall into the category “Other, Miscellaneous” can include, but are not limited to: ringworm, scabies, lice, pertussis, diphtheria, etc.

For the third quarter of 2020, there were a total of 503 reported incidents involving exposures or possible exposures. The significant increase is due to the large number of reports received involving members with concerns regarding exposure to the novel coronavirus which causes COVID-19. Of the Injured on Duty reports received related to COVID-19, a total of 11 resulted in health care and/or lost time, which is a decrease from the second quarter total in which there were 36 claims related to COVID-19. The remaining 492 reports received in the third quarter which were the result of COVID-19 were entered as precautionary in nature.

Despite the continuing increases in case counts during the third quarter throughout the province, Injured on Duty reports and claims related to COVID-19 have decreased, which can be taken as an indication that precautions being taken by members of the Service to prevent the spread of infection appear to have improved in effectiveness.

Injury and Accident Costs

As a Schedule 2 employer, the Service paid \$167,271 in W.S.I.B. health care costs for civilian members and \$670,361 in W.S.I.B. health care costs for uniform members for the third quarter of 2020.



	Q3 - 2018	Q3 - 2019	Q3 - 2020
Uniform	\$ 355,918	\$ 579,576	\$ 670,361
Civilian	\$ 54,127	\$ 116,654	\$ 167,271

The ongoing increase in health care costs has been attributed in part to the passing into law of the *Supporting Ontario's First Responders Act* in April 2016, which created the presumption of work-relatedness when first responders are diagnosed with Post-traumatic Stress Disorder. Efforts by the Service to reduce stigma associated with reporting mental health related issues has also contributed to the increase in health care costs.

Medical Advisory Services

In 2019, the Wellness Unit undertook a comprehensive audit of short and long term disability management practices and processes to evaluate the current program, and to identify opportunities for improvement in tracking and reporting absences due to injuries and illness. The results of the audit were received during the first quarter of 2020, and will result in a set of recommendations and an action plan to implement disability management best practices for the Service. In addition, an enhanced capacity to report accurate and meaningful data associated with short and long term disability will be implemented.

Workplace Violence and Harassment Statistics

Bill 168, the *Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009*, came into force on June 15, 2010. As a result of this amendment, the *Occupational Health and Safety Act* now includes definitions of workplace violence and workplace harassment, and Part III.0.1 describes employer obligations with respect to violence and harassment in the workplace.

In the third quarter of 2020, there were 6 new documented complaints which were categorized by Professional Standards as having the potential to meet the criteria of workplace harassment as defined in the *Occupational Health and Safety Act*.

COVID-19 Response

The Wellness Unit continues to operate the Pandemic Support Hotline which is available to members 24 hours a day, 7 days per week. The Hotline responds to calls and emails from members on all matters related to the Service's response to the pandemic, and assists members with finding support and resources as needed.

The Wellness Unit is also a key stakeholder in the facilitation of expedited COVID-19 testing for Service members. In partnership with the Emergency Management and Public Order Unit, Toronto Paramedic Services, and Toronto Fire Services, two dedicated test sites have been established to increase availability of testing. This supports member health and wellness, as well as ensuring that members can be returned to operational status as quickly as practicable.

Conclusion:

This report provides an update to the Board on matters relating to occupational health and safety issues for the third quarter of 2020.

The next quarterly report for the period of October 1 to December 31, 2020 will be submitted to the Board for its meeting in February 2021.

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

December 15, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2020 Annual Report: Healthy Workplace Initiatives

Recommendation:

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

Financial Implications:

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

Background / Purpose:

At its meeting held on November 28, 2006, the Board approved a motion requesting that the Chief of Police implement a targeted approach to creating a healthy workplace and to report annually to the Board on the results of the initiatives. The motion was in response to the results of the Connex Health Risk and Productivity Assessment (H.R.A.) report completed in 2006, which was prepared for the Toronto Police Service (Service) by Connex Health Consulting (Min. No. P354/06 refers).

This report is submitted in response to that motion and will identify health and wellness initiatives which have been undertaken by the Service during the period of January 1, 2020 to December 31, 2020.

Discussion:

As part of an ongoing recognition of the unique and high-stress work environment in which Service members work, and the increased exposure of members to potentially traumatic events, we continue to offer a well-rounded, holistic approach to wellness.

Our uniform members participate in an annual In-Service Training Program (I.S.T.P.) which includes a focus on member wellness.

In addition to I.S.T.P., Wellness presentations form part of numerous courses taught both on-site at the Toronto Police College (College), and throughout various units within the Service. Some of the courses where wellness concepts are taught to both uniform and civilian members include, the Youth in Policing Initiative (Y.I.P.I.) Orientation, Employment Orientation for new hires, the Child Abuse Investigators Course, Coach Officer Course and Ethics Course. Due to the COVID-19 pandemic, these presentations were put on hold and will be resumed when it is safe to do so.

Emotional Survival in Policing

The 2020 I.S.T.P. Wellness training, Emotional Survival, is designed to address how stress affects the body, and provides coping skills to deal with emotional overload, burnout and compassion fatigue.

Concentrating on emotional survival in policing, the program focused on resiliency strategies for physical and mental health. The training covered information on self-awareness and accountability, as well as the importance of self-care to increase resiliency.

The training also focused on the concept of emotional overload, accumulation of stressors, burnout and compassion fatigue, and how this ties into the Mental Health Continuum taught to all Service members during the Road to Mental Readiness program over the last several years. The concepts emphasize that self-care is not selfish, and that a balanced life is necessary to maintain good health.

Social health is essential and developing healthy relationships with others is an important factor of a healthy lifestyle. Difficulty disengaging from a police focussed worldview can happen and over time can lead to an imbalance where all a member has left is their professional role as a police officer.

Due to COVID-19, all I.S.T.P. training was postponed. The Wellness training component will resume in 2021 when College functions return to normal.

COVID-19 Response

After the World Health Organization (W.H.O.) announced the global pandemic on March 11, 2020, the Wellness Unit moved quickly to mobilize the Service's COVID-19 hotline, which was up and running by March 18, 2020.

The hotline has helped thousands of members navigate the complexity of COVID-19 symptoms and exposure to members of the public, and through testing and medical monitoring programs, ensured the Service had optimal strength for public safety through the first ten months of the pandemic. In order to staff the hotline and monitoring

programs, the Wellness unit's staff grew rapidly from roughly 25 members at the beginning of March to a team of almost 70 by year end. Staff worked in conjunction with other units Service-wide to ensure members were able to access personal protective equipment and other necessary items and services to protect themselves.

The 24/7 COVID-19 hotline is the initial point of contact for members and provides guidance, direction and support. Wellness also developed and introduced several other tools to assist Service members as they dealt with the stresses associated with the pandemic. These include:

- Contact tracing monitoring team comprised of experienced doctors and nurses to manage and mitigate internal risk;
- Easy to access referral process to the first responder specific testing sites; and,
- The StrongerTogetherTPS.com website, which provided online resources and tools on topics including the challenges of working and collaborating remotely and practicing self-care during the pandemic.

Service members are in the community each day and investing in their safety during this pandemic was the way to simultaneously support member and public safety.

Early Career Focus

In December 2019, the Peer Support team launched a 12 month pilot project that paired current peer support volunteers with new recruits who were just starting their careers on the frontline at 31 Division.

This program was designed to provide new uniformed members with ongoing support by experienced Toronto Police staff, who were able to provide guidance and knowledge of resources available.

The pilot was set to finish at the end of December 2020 and results will be assessed early in 2021.

Early Intervention

In conjunction with Professional Standards Support – Analysis & Assessment, Wellness created a list of internal and external mental health resources that is readily available for members. The handout features internal options for care, as well as listings of external options for peer support and comprehensive treatment programs. The handout provides a pictorial depiction of the mental health continuum. Direction is given in the Early Intervention Report for supervisors to ensure members are provided with a physical copy of the resources.

Disability Management Audit

The completed Mercer/Windly-Ely disability management audit was comprehensively reviewed in February 2020, and provided the following insights and recommendations to the Wellness program:

Sick Leave/CSLB Management

Recommendations included increased cooperation between departments to better support members, movement away from a paper based filing system to a computer based system and stronger communication between staff and membership. Additional case management staff have been added to the Wellness Unit team in order to provide Service members with stronger supports.

Recommendations included increasing opportunities for members to return to work on modified duties, improved cooperation between units to better support members going through the process and stronger communication between staff and membership.

In anticipation of, and in response to these recommendations, the Service has invested in new expertise over the last year and a half, and begun the process of refining program procedures and practices to improve claims management, accommodation management, and attendance support:

- Claims Lead – responsible for the oversight and leadership of all absence and accommodation claims programs within the Service.
- Senior Accommodations Coordinator – responsible for the review and oversight of existing and new medical accommodations requests within the Service.
- Claims Coordinators – Three additional claims coordinators were added to the Wellness team, bringing the total to seven members who currently manage a split of Sick Leave/CSLB (4) and IOD (3) claims within the range recommended by the audit, as well as other key service programs requiring medical-based reviews.

Through expanded and refined use of the Parklane Claims Management Platform, Wellness is developing a greater and more structured understanding of the total claims experience at the Toronto Police Service, and compiling valuable program data that will serve to guide future programs and member support decisions at both the organizational and divisional levels. This will allow for continuous review and evolution of services over the next few years, to optimize supports and the costs associated with those supports, in order to deliver a best-practice and industry-leading program to the members of the Toronto Police Service.

To give a sense of the scope and engagement of the Claims team, throughout 2020 the Claims Team managed:

- 1400 New Injury on Duty Claims (Healthcare and Lost Time)
- 897 New Sick Leave / CSLB Claims
- Closed a combined 2,924 active and historical claims (Occupational and Non-Occupational).
- Returned 1386 members back to work (Occupational, Non-Occupational and Accommodations) from leave or accommodated duties.
- 96,311 individual claims-related tasks (claims actions).

An additional corporate Psychologist and seven Registered Nurses dedicated to COVID-19 have also bolstered the resources available to members under the Wellness umbrella of services. The addition of this new talent was instrumental as we navigated our way through, and continue to respond to, the COVID-19 pandemic. During this time, the Service and the Board have also made changes to the psychological benefits available to members, removed barriers to access support, and added resources such as a digital health provider, and access to an online cognitive behavioural therapy platform.

The MindFit Pin

In 2020, the Wellness Unit, in collaboration with Psychological Services, launched an innovative initiative, the MindFit Pin, which is available to all members of the Service. Inspired by the Ontario Fit Pin Program, the MindFit Pin is an incentive program designed to motivate members to look after their wellbeing and optimize their mental health.

The MindFit Pin is an optional, annual activity, during which members can earn points for participating in various activities that are known to contribute to positive mental health. The MindFit Pin is open to all Service members, sworn and civilian.

Evidence shows that ongoing learning, seeking support, practicing healthy habits and positive coping strategies, and connecting with others help to increase resilience, psychological health and safety, decrease stress, and enhance mental performance. The MindFit Pin represents a best practices approach to wellness.

The MindWell Challenge

In October 2020, the Service launched the MindWell Challenge as the first qualifying activity for the new MindFit Pin. The online training takes five minutes a day, and can be completed anytime, anywhere and on any device. This program has been proven to lower stress, increase resilience, improve teamwork, and strengthen leadership skills. The program teaches ‘mindfulness-in-action’ so people do not need to stop what they are doing to become calmer, present and more focused, all of which lead to a happier and healthier environment, at home and at work.

During the COVID-19 pandemic, the Wellness Unit piloted conducting brief mindfulness activities during daily parades/huddles. This was done virtually and synchronously. The feedback of this pilot was very positive and is currently in review to determine a path to expand this program in 2021.

Ontario Police Fitness Award Program

The Ontario Police Fitness Award (O.P.F.A.) is a provincial incentive program developed to motivate Ontario police officers and police service employees to remain physically fit throughout their career. The testing related to the O.P.F.A. program is commonly referred to as the Service's "Fitness Pin" program.

In total, there are 105 certified Fitness Pin Appraisers situated at a variety of units and locations across the Service. These appraisers also act as a contact at their units and divisions for fitness and wellness information passed on from the Service's Physical Fitness Coordinator. The appraisers conducted 795 fitness pin tests in 2020.

Over the past year, the Physical Fitness Coordinator has conducted more than 590 fitness tests, fitness consultations and personal movement analyses. With the onset of COVID-19, more of the consultations took place via phone and email than in years past. Consultations range from one to three hours each, and provide members with important information on physical fitness and overall health status, movement screening, tips on appropriate kinaesthetic movements, and the development of individual exercise programs.

The Service's fitness program also included pre-hire testing with over 250 Physical Readiness Evaluation for Police (P.R.E.P.) tests being administered. Physical testing for Police Constables, Parking Enforcement Officers, Bookers, District Special Constables and lateral hires was also conducted by the College.

Yoga

The Yoga Program focuses on trauma-sensitive yoga techniques with an emphasis on poses to support the shoulders, lower back and hips. Through evidence-based yoga and mindfulness practices, this program assists members to focus the mind and strengthen the body, while teaching participants how to relax and focus when faced with stressful situations. Yoga can help First Responders by alleviating many symptoms of stress that can originate from critical incidents or stem from Post-Traumatic Stress Disorder (P.T.S.D.).

Yoga sessions were put on hold due to the ongoing COVID-19 pandemic. Wellness plans to resume the program when it is safe to do so.

Psychological Services

The mandate of Psychological Services is the maintenance and enhancement of members' psychological health and resilience through the use of both prevention initiatives and early clinical intervention. Psychological Services is staffed by three full-time clinical psychologists.

Psychological Services continues to provide a Psychological Wellness Program to members of the Service who have been identified as being at high risk for adverse psychological impact due to the nature of their work. This preventative work is designed to assist members in the development and implementation of strategies to cope with the unique and emotionally demanding nature of their jobs, with a focus on proactive skills and resilience building. Although there was an initial pause in activities necessitated by the pandemic in 2020, a total of 230 sworn and civilian members from 14 different areas of the Service attended a Psychological Wellness visit with one of the psychologists.

These sessions provided members with the opportunity to talk about the demands of the job and to reflect on the success of their efforts to cope. In addition, these visits were an opportunity to provide health teaching regarding psychological stress and resilience, reduce stigma around help-seeking, and to promote the use of effective strategies, including the use of various Wellness resources and members' extended healthcare benefits coverage.

Areas of the Service that participated in the Psychological Wellness Program during the past year included:

- Child Exploitation Section, Child and Youth Advocacy Centre, and Human Trafficking team of the Sex Crimes Unit;
- Forensic Investigators, civilian Crime Scene Technicians, and civilian Photo Technicians at Forensic Identification Services;
- Homicide Investigators and Major Case Management team;
- Uniform and civilian members of the Drug Squad;
- Technological Crime Unit;
- Undercover Operators referred by Intelligence Services;
- Emergency Task Force officers;
- Civilian Communication Operators at Communication Services;
- Members of the Service who returned from overseas deployment, with visits occurring immediately upon return home and then three, six, and twelve months post mission;
- Priority Response Unit (P.R.U.) officers near the end of their first to second year on the job, as part of an Early Career Wellness Program designed to reduce stigma around asking for help and encouraging positive coping strategies to increase resilience over the course of a lengthy career;
- Civilian Members in Equity, Inclusion & Human Rights; and,
- Explosives Disposal Unit officers.

It should also be noted that the last two groups on this list are new additions to the Psychological Wellness program in the past year.

The psychologists also provide individual consultation services to any member in need of mental health support. Although typically arranged by self-referral, members may also be referred to Psychological Services by supervisors or colleagues who recognize that the member would benefit from the opportunity to talk about challenges faced either at home or on the job. These visits are always voluntary, confidential, and conducted with the informed consent of the member. In 2020, a total of 335 consultations with members were scheduled at Psychological Services, which continues the trend of an increase in the use of consultation services year over year, and demonstrates greater willingness of members to acknowledge difficulties as they arise and to reach out for help.

Psychological Services continued active involvement in the hiring of new Police Constables by conducting psychological assessments that screen for psychopathology and overall suitability. In addition, Psychological Services has also been an integral part of the selection of members applying to the Emergency Task Force (E.T.F.) and Explosives Disposal Unit (E.D.U.), by conducting comprehensive psychological assessments that identify applicants with the personality traits and cognitive abilities that are consistent with the high demands of these units.

Psychological Services continues to work collaboratively with the Critical Incident Response Team (C.I.R.T.) / Peer Support Volunteers (P.S.V.) to ensure that members involved in critical incidents receive appropriate supports in the aftermath of potentially traumatic events, including access to critical-incident defusing, debriefings, and additional follow-up interventions as required.

Psychological Services is also continually utilized as a mental health resource throughout the Service to support initiatives, provide mental health education, promote psychological wellness, and challenge stigma regarding help-seeking.

In 2020, the Psychologists:

- Provided training to all new 911 Communication Operators regarding response to callers in emotional crisis;
- Presented strategies for emotional survival on the job to all new constable recruits and their families on Family Day at the College;
- Provided briefings on the impact of exposure of graphic material to new civilian analysts at Intelligence Services to officers receiving Scenes of Crime Officer training at Forensic Identification Services, to better prepare them to cope with the increased psychological demands of these roles, and to provide education on strategies to mitigate the risk of adverse impact; and,
- Provided mental health education to newly promoted Sergeants and officers in Traffic Services including topics such as identifying signs of stress and trauma, suicide prevention, and the support resources available within the Service.

Employee and Family Assistance, and Critical Incident/Peer Support

The Critical Incident Response Team (C.I.R.T.) / Peer Support Volunteer (P.S.V.) team is an important part of the overall Wellness strategy and provides a safe, non-judgmental and confidential place for members to talk to a peer.

The C.I.R.T. / P.S.V. team lead works closely with the psychologists to ensure the members receive the appropriate referrals, services and most importantly support. Psychological Services provides clinical support to the P.S.V. team through both informal consultation as well as formal clinical activities. Psychological Services works with C.I.R.T. members to ensure that both uniform and civilian members from any unit involved in critical incidents receive appropriate supports in the aftermath of potentially traumatic events, including access to critical incident defusing, debriefings, and additional follow-up interventions as required. Whereas critical incident debriefings are typically provided by C.I.R.T. members and an Employee and Family Assistance (E.F.A.P.) counsellor, the Service Psychologists become involved following incidents in which the Special Investigations Unit invokes its mandate, officer-involved shootings, member suicides or other events identified as involving high psychological impact. In 2020, the Psychologists attended for 14 critical incidents. In addition, Psychological Services has supported the C.I.R.T. / P.S.V. program by assisting in the selection of new peer support volunteers by conducting psychological screening of new applicants, and participating in the training of new members to the team.

Currently, there are 81 active uniform and civilian members who volunteer their service to C.I.R.T. / P.S.V., with a cross section of the units and divisions represented in its membership. In addition to service provision at the time of critical incident events, C.I.R.T. members are trained in peer support principles, suicide awareness and psychological first aid. They are available to provide peer support to members during times of personal and professional distress.

Investments continue to be made in the C.I.R.T. / P.S.V. team and the important role they play in providing support to Service members during critical incidents. Ensuring that team members are visible and identifiable is essential so that members can access support if needed. Training was unable to take place in 2020 due to COVID-19, but will resume when it is safe to do so.

Please see below for further data regarding Critical Incident statistics up to November 30, 2020.

Critical Incident Response Statistics – Year over Year

	2017	2018	2019	2020
Number of Critical Incidents Reported	65	56	81	66
Number of Defusing Sessions Held	36	42	68	57
Number of Debriefings Sessions Held	57	118	74	68
Number of Sessions Morneau Shepell Attended	45	49	33	1
Number of Affected Members who attended Defusings and Debriefings	551	1157	885	1163

The C.I.R.T. / P.S.V. team lead presented to all the new constable classes, lateral entry hires, Parking Enforcement Officers, Court Officers, Special Constables, volunteer Chaplains, members of the Mobile Crisis Intervention Team (M.C.I.T.), the new Sergeant class, Police Service Act Course and Duty Senior Officer class regarding available internal resources. These presentations helped to increase awareness of the resources available to members such as our C.I.R.T. / P.S.V. team, Psychological Services, community psychologists and our psychological benefits coverage, as well as our E.F.A.P. provider Morneau Shepell.

Chaplaincy Services

The Chaplaincy Services program consists of 17 volunteer Chaplains who dedicate their time and effort to provide for the spiritual wellness of all uniform and civilian members of the Service and their families.

The Service promotes a multi-faith holistic approach to the wellness of its members. They provide religious and spiritual care, as needed. The faith denominations include but are not limited to:

- Christian;
- Greek Orthodox;
- Jewish;
- Hindu;
- Muslim;
- Catholic;
- Seventh Day Adventist;
- Evangelist;
- Baptist; and
- Salvation Army

The Chaplains attend the scene of incidents, hospitals, vigils, funerals, community meetings and post-event debriefings at police Divisions. The Chaplains are present and supportive at times when members were dealing with a multitude of mixed emotions ranging from anger, frustration, fear, exhaustion and senselessness following events and critical incidents within the city.

The Wellness Unit holds quarterly meetings with the Chaplains in order to provide an opportunity to network, share experiences and develop strategic ways of enhancing the program. The Chaplains are an enthusiastic group of volunteers whose vision is to provide support to the members of the Service and their families. The Chaplains have specialized training in areas such as critical incident stress management, spiritual counselling, mental health and trauma counselling. The Chaplaincy program is coming together with the C.I.R.T. / P.S.V. team to help build a supportive team environment for the members; this includes joint training opportunities, meetings and communication when it comes to critical incidents.

The Chaplains provide their services by attending local divisions, speaking to members and going on ride-alongs. The Chaplains provide non-denominational care to those who need a listening ear. Services also provided include officiating at wedding and funeral ceremonies, speaking at graduation ceremonies, recruit orientations and performing benedictions at Memorial Services.

There are two multi-faith Chapels for members of the Service that provide a place for prayer, relaxation and quiet reflection. The Chapels are located at the College and Headquarters. Due to COVID-19, plans to expand the Chaplaincy program to include a broader variety of denominations were put on hold, with plans to resume growth when possible.

Community Wellness Partnerships

Wellness Day 2020

Due to the ongoing COVID-19 pandemic the annual Wellness Day event did not take place. The Wellness Unit plans to resurrect the event when it is safe to have members gather together again, and in 2021, will investigate alternate delivery options depending on the forecasted duration of the COVID-19 pandemic.

Bell Let's Talk

On January 29, 2020, the Wellness Unit hosted Bell Let's Talk day at Headquarters, where a flag raising ceremony was held. This was the second year the Service partnered with Bell for the event.

The Wellness Unit will be leading the Service's participation in Bell Let's Talk Day again in 2021.

St. John Ambulance Therapy Dogs

Following the van attack in April 2018, the Service partnered with St. John Ambulance to allow members and the community to experience mental health support from the Therapy Dog program. The feedback from this was extremely positive and as a result, the Service is building on the program, again partnering with St. John Ambulance in 2020 to develop a new pilot project that partners therapy dogs and their handlers

A two month pilot was to be launched with 14 Division and 52 Division on December 1, 2020; however, due to the recent change in COVID-19 restrictions the pilot has been placed on hold until 2021.

If the pilot is a success, Wellness hopes to implement it Service-wide.

Toronto Beyond the Blue

The Wellness Unit continues to build links with external support agencies to increase awareness and support for our members. Notably, the Service partnered with Toronto Beyond the Blue in an anti-stigma campaign for mental health through the endorsement of green epaulets worn by members during May for Mental Health Month. The Service plans to participate again in 2021.

Future Investment in Wellness

During 2019 and 2020, the Wellness Unit worked to audit and understand the current programs supporting workforce health in the Service. Third-party audits of the Occupational Health and Safety System as well as Sick Leave and Disability Management programs were conducted to provide a baseline understanding of the current state and identify areas of improvement.

In 2020, a Service-wide Member Wellness Survey was conducted to gather feedback on health, safety and well-being programming and services; about 20% of members participated. This information has solidified a call to action to build a framework for member well-being that meets the complex needs of the workforce.

We know that members of the Service who are well-supported in their own health and well-being are better able to meet the ever-changing demands and challenges of policing in Toronto. The Wellness Unit has been tasked with constructing a strategy for member well-being that will meet the core goals of a modernized Service:

- Be where the Service and our members need us the most;
- Embrace and leverage partnerships to create a healthy and safe workplace; and,
- Focus and respond to the complex needs of our workforce.

The purpose of the Toronto Police Service Well-Being Strategy is to build and maintain optimal strength and enable sustainable high performance of the members and to foster

an ever growing culture of high-performance health, safety and well-being for the Service.

Strategic themes for a modern Toronto Police Service Member Well-being Strategy are:

- **Confidence, Trust and Access:** Integrate member health and well-being resources under one unit for greater operational efficiency. Starting with the member experience, build inter-departmental collaboration in delivering consistent, compassionate care. Members will have the tools, programs and knowledge to help them thrive at work and in life, in terms of their total health and well-being. Members will recognize, trust and rely on resources in times of need that will promote health and aim to prevent and minimize harm.
- **Health Promotion and Illness/Injury Prevention:** Expand the health and well-being mandate from reacting to illness and injury, and shift towards preventative approaches for long term health and wellness. Leverage data to identify and address hazards and factors that can influence poor individual health outcomes in the Service to design workplace action plans that will prevent and mitigate risk.
- **Ecosystem of Care and Support:** Expand the holistic ecosystem of health supports and programs for members and their families to access well-being resources at the right time through a technology-enabled “no wrong door” approach, and make it easier for members to understand the available programs through system navigation support.
- **Culture and Member Experience:** All members, supervisors and leaders support and nurture a work experience and culture of high-performance health, safety and well-being, relying partially on the services, advice and programs delivered by the Wellness Unit to ensure that all members across the Service have fair and consistent support for their individual well-being.

By focusing on these strategic themes, the Service aims to be a leader in the policing sector by supporting a culture of high performance health, safety and well-being for its members.

The Wellness Unit will be presenting an implementation plan for the Well-being Strategy in February 2021.

Conclusion:

The next annual report update will be presented to the Board at its January 2022 meeting, and will cover the period between January 1, 2021, and December 31, 2021.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to respond to any question that the Board members may have regarding this report.

Respectfully submitted,

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

*original with signature on file at Board Office



Toronto Police Services Board Report

January 14, 2021

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

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

Recommendation(s):

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

1. Invoice dated December 23, 2020 in the amount of \$177,570.92, and
2. Invoice dated January 4, 2021 in the amount of \$53,071.16.

Financial Implications:

The total invoiced as at December 31, 2020 is \$3,791,715 (net of HST rebate).

Background / Purpose:

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

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

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

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

As a result of recent developments and police reform efforts, the complexity and range of issues the Review has indicated it wishes to examine has increased as compared to when the Review began its work. The Review has advised that the additional time and budget funding are required for its work – including its final report and recommendations – to be responsive to this evolving context. As a result, the Board at its meeting of November 24, 2020, approved a request to extend the timeline of the Review to March 31, 2021 and to forward a request to the City of Toronto's Executive Committee to transfer to the Board additional funding, not to exceed \$700,000, to help facilitate the completion of the review (Min. No. P185/20 refers). The additional costs are expected to be incurred mainly during 2021. The request from the Board to the City's Executive Committee has been transmitted.

Discussion:

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

I have attached a copy of the Review's account approved for services rendered, up to and including December 22, 2020, in the amount of \$177,570.92, and December 31, 2020 in the amount of \$53,071.16 (inclusive of HST). A detailed statement is included on the in-camera agenda for information.

Conclusion:

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

1. Invoice dated December 23, 2020 in the amount of \$177,570.92, and
2. Invoice dated January 4, 2021 in the amount of \$53,071.16.

Respectfully submitted,



Ryan Teschner
Executive Director and Chief of Staff

IN ACCOUNT WITH

COOPER, SANDLER
SHIME & BERGMAN LLP
BARRISTERS & SOLICITORS

SUITE 1900
439 University Avenue
Toronto, Ontario
M5G 1Y8

TELEPHONE: (416) 585-9191
FAX: (416) 408-2372

December 23, 2020

PRIVATE AND CONFIDENTIAL

Mr. Ryan Teschner,
Executive Director
Toronto Police Services Board
40 College St.
Toronto, ON M5G 2J3

Minute No: P189/19 & Minute No:P7/20
Contract No: 47021797
CRO No: 9357193
GR No: 5000218626

Re: The Independent Civilian Review into Missing Persons Investigations – Our File
#CTinv001

FOR SERVICES RENDERED: From November 30, 2020 to December 22, 2020

Total Fees	\$106,667.60	
HST on Fees (13%)	13,866.79	
Total Fees & HST		\$120,534.39
Disbursements Sub-total	\$50,625.59	\$49,314.90 +\$6,410.94
HST on Disbursements (13%)	6,410.94	
Non-Taxable Amount	1,310.69	
Total Disbursements & HST		\$57,036.53
TOTAL FEES AND DISBURSEMENTS		\$177,570.92

for this account dated December 23, 2020

ATT.

BALANCE OWING

\$177,570.92

THIS IS OUR ACCOUNT HEREIN

Cooper Sandler Shime & Bergman LLP



Mark J. Sandler

E. & O.E.

Total HST \$20,277.73
HST #:122552227

APPROVED BY:



Ryan Teschner (83693)
Executive Director & Chief of Staff

Date: December 24, 2020

APPROVED BY:



Jim Hart (84312)
Chair

Date: December 24, 2020

IN ACCOUNT WITH

COOPER, SANDLER
SHIME & BERGMAN LLP
BARRISTERS & SOLICITORS

SUITE 1900
439 University Avenue
Toronto, Ontario
M5G 1V8

TELEPHONE: (416) 585-9191
FAX: (416) 408-2372

January 4, 2021

PRIVATE AND CONFIDENTIAL

Mr. Ryan Teschner,
Executive Director
Toronto Police Services Board
40 College St.
Toronto, ON M5G 2J3

Minute No: P189/19 & Minute No:P7/20
CRO#9360036
GR #5000224359

Re: The Independent Civilian Review into Missing Persons Investigations – Our File
#CTinv001

FOR SERVICES RENDERED: From December 22, 2020 to December 31, 2020

Total Fees	\$24,584.90	
HST on Fees (13%)	3,196.04	
Total Fees & HST		\$27,780.94
Disbursements Sub-total	\$22,383.09	\$22,362.50
HST on Disbursements (13%)	2,907.13	- 13% HST \$2,907.13 = \$25,269.60)
Non-Taxable Amount	20.59	
Total Disbursements & HST		\$25,290.22
TOTAL FEES AND DISBURSEMENTS		\$53,071.16

for this account dated January 4, 2020

OUTSTANDING BALANCE \$177,570.92
(December 23, 2020 Account)

BALANCE OWING \$230,642.08

THIS IS OUR ACCOUNT HEREIN

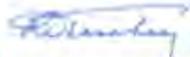
Cooper Sandler Shime & Bergman LLP



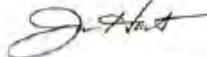
Mark J. Sandler

E. & O.E.

Total HST \$6,103.17
HST #:122552227

Approved By: 

Ryan Teschner
Executive Director & Chief of Staff

Approved By: 

Jim Hart
Chair



Central Joint Health and Safety Committee

PUBLIC MINUTES

**November 18, 2020 at 1:00PM
via teleconference**

Meeting No. 72

Members Present:

Jim Hart, Chair Toronto Police Service Board & Co-Chair, Central Joint Health & Safety Committee (CJHSC)

Jon Reid, Director, Toronto Police Association (TPA) & Co-Chair, CJHSC
Deputy Chief Barbara McLean, Toronto Police Service (TPS), Command Representative

Members Absent:

Brian Callanan, TPA & Executive Representative

Also Present:

Ivy Nanayakkara, Manager, TPS, Wellness Unit

Rob Duncan, Safety Planner & Program Coordinator, TPS Wellness Unit

Sgt. John Lo Bianco, Toronto Police College

Chris Neilsen, TPS, Fleet & Materials Management

Sheri Chapman, Executive Assistant, TPSB

Diana Achim, Board Administrator, TPSB

Kevin Corrigan, TPA

Claire Wagar, Executive Assistant, TPA

Chair for this Meeting: Jim Hart, Chair, TPSB and
Co-Chair, CJHSC

Opening of the Meeting:

1. Co-Chair, Jim Hart, welcomed the group to the meeting and called the meeting to order.
2. The Committee approved the public Minutes from the meeting that was held on August 24, 2020.

The Committee considered the following matters:

3. FULL BODY SCANNERS

Mr. Duncan advised the Committee that there is no update since the last meeting as the full body scanner project is still on a temporary hold until the Service completes its review of search practices. Mr. Duncan said that the Board will receive an update at a future meeting when more information is available.

Status	Ongoing
Action	Mr. Duncan to provide update at the next meeting

4. RESPIRATORY PROTECTION MASKS

Mr. Duncan advised the Committee that the Service will continue to hold off on N95 testing for frontline members to conserve PPE for health care professionals.

Mr. Duncan said that the fit testing will continue for the Public Order Unit and FIS, working in collaboration with the Wellness Unit Safety Section and the Emergency Management & Public Order Unit (E.M.P.O).

Status	Ongoing
Action	Mr. Duncan to provide an update at the next meeting

5. BOOTLEG PROTECTORS

Mr. Reid advised the Committee that that he spoke with some officers at 55 Division and that there were no recent concerns identified.

Mr. Reid asked whether we could keep a supply on hand.

Mr. Duncan responded and said that the Service could keep a small inventory.

The Committee agreed that this matter has been resolved and that no further action is required at this time

Status	Resolved
Action	The Committee agreed that this matter is resolved and that no further action is required at this time.

Next Meeting:

Date: TBD

Members of the Central Joint Health and Safety Committee:

Jim Hart, Co-Chair Toronto Police Services Board	Jon Reid, Co-Chair Toronto Police Association
Barbara McLean, Command Representative, Toronto Police Service	Brian Callanan, Executive Member Toronto Police Association



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Firearms Injury of 2019.11

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On April 7, 2019, at 0602 hours the Emergency Task Force (E.T.F.) attended an address in Etobicoke to execute a *Criminal Code* search warrant. The search warrant was in relation to an ongoing attempted murder investigation.

At 0635 hours the door was breached by tactical officers who began entering the unit. Tactical officers entered a bedroom and located the identified target of the search warrant; Firearms Injury Complainant 2019.11. 2019.11 failed to comply with directions to surrender and one of the tactical officers became involved in a physical struggle with him.

During the struggle, the tactical officer's gun discharged and 2019.11 was struck one time in the right forearm. Officers assisted by Tactical Paramedics immediately commenced first aid.

2019.11 was transported to St. Joseph's Health Centre by Toronto Paramedic Services (Paramedics) and examined, diagnosed and treated for a gunshot wound to the right forearm. 2019.11 received medical treatment and was released into the custody of Toronto Police Service (T.P.S.) officers.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer, as a subject officer; seven other officers were designated as witness officers.

In his letter to the T.P.S. dated March 2, 2020, Director Joseph Martino of the S.I.U. stated "*the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer*".

In his report to the Attorney General, Director Martino articulated his decision in part as follows:

In any event, given the constellation of factors at play – the Complainant's lawful arrest, the possibility of an illicit firearm, a struggle of some nature and extent - I am unable to reasonably conclude that the SO's firearm discharged inadvertently because of a marked lack of care on the part of the officer. The analysis might have been different were there some indication that the SO had his finger on the trigger as he tussled with the Complainant but, to reiterate, there is no positive evidence of that and some evidence to contrary effect. In the result, I am not satisfied on reasonable grounds that the care exercised by the SO over his firearm, or lack thereof, transgressed the limits of care prescribed by the criminal law. There is therefore no basis to proceed with criminal charges against the officer and the file is closed

The Director's full report of investigation can be viewed by following the link below:
https://www.siu.on.ca/en/directors_report_details.php?drid=636

The S.I.U. issued a press release on March 3, 2020, in relation to its investigation and decision. This press release can be viewed by following the link below:
https://www.siu.on.ca/en/news_template.php?nrid=5510

Summary of the Toronto Police Service's Investigation:

The Professional Standards - Investigative Unit (PRS-INV) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11 and Ontario Regulation 926, Section 12.

PRS-INV examined the firearms injury in relation to the applicable legislation, service provided, procedures, training, equipment used and the conduct of the involved officers.

PRS-INV investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 02-18 (Executing a Search Warrant)
- Procedure 08-03 (Injured on Duty)
- Procedure 08-04 (Members involved in a Critical Incident)
- Procedure 10-05 (Incidents Requiring the ETF)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 15-01 (Use of Force)
- Procedure 15-03 (Service Firearms)
- Procedure 15-08 (MP5 Submachine Gun)

PRS-INV investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14(2) (Use of Force Qualification)
- Ontario Regulation 926 (9) (Discharge Firearm)
- Ontario Regulation 926 Section 14.5 (1) (Reports on the Use of Force)

PRS-INV investigation determined that the T.P.S.'s policies and procedures associated with the firearms injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation, applicable T.P.S. procedures and training.

A review of the mechanical function, design and overall safety of the firearm used by the officer was conducted and as of September 2019 its use has been discontinued by the T.P.S.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.22

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On June 28, 2019, uniformed officers from 41 Division attended an address on Foxridge Drive, Scarborough in relation to a Landlord and Tenant Dispute. Officers spoke with the tenant of the dwelling who was in the process of moving out with the assistance of his adult daughter. The tenant advised the officers that he and the landlord, later identified as Custody Injury Complainant 2019.22, had been involved in a verbal dispute regarding money owed to 2019.22. During this argument 2019.22 threatened to kill him and his daughter.

The officers took statements from the victims and formed the grounds to arrest 2019.22 for uttering threats and failing to comply with his probation order. When the officers went to arrest 2019.22 he refused to exit his premises. The officers did not have a warrant to enter 2019.22's dwelling so they remained at the address on Foxridge Drive while the victims finished packing.

The officers submitted a report with the details of their investigation and their attempts to arrest 2019.22.

On June 29, 2019, at 0850 hours a uniformed officer from 41 Division who was aware that 2019.22 was arrestable, attended the address on Foxridge Drive and located 2019.22 in his front yard. The officer entered the yard and advised 2019.22 that he was under arrest and took control of his arm. 2019.22 resisted his arrest and a struggle ensued. The officer tripped 2019.22 causing him to fall to the ground. While on the ground, 2019.22 actively resisted being handcuffed and after a short struggle he was subdued and handcuffed.

2019.22 was transported to 41 Division where he was paraded before the Officer-in-Charge of 41 Division. While being paraded, 2019.22 complained of soreness to his shoulder. Toronto Paramedic Services (Paramedics) was called and 2019.22 was transported to Scarborough General Hospital where he was examined and diagnosed with a fractured shoulder.

2019.22 was released from hospital that same day, transported back to 41 Division where he was charged with two counts of uttering threats and failing to comply with his probation order. 2019.22 was released from 41 Division by way of a Promise to Appear and an Undertaking given to an Officer in Charge.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; two other officers were designated as witness officers.

In his letter to the T.P.S. dated July 20, 2020, Director Joseph Martino of the S.I.U. stated "*the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer*".

In his report to the Attorney General, Director Martino articulated his decision in part as follows:

In the main, this consisted of the officer tripping the Complainant to the ground and then engaging in a brief wrestling contest before the Complainant was handcuffed. The takedown was a reasonable tactic given the fact the Complainant had reacted to the SO grabbing hold of him by attempting to pull away. Once on the ground, the SO would have a relative advantage with which to manage any further resistance on the part of

the Complainant. Indeed, the Complainant's continued resistance on the ground did not amount to much of a challenge to the SO, who was able to take control of the Complainant's arms in short order and affix them in restraints. In the circumstances, I am unable to reasonably conclude that the force used by the SO fell outside the range of what was reasonably necessary in the circumstances.

In the final analysis, while I accept that the Complainant broke his shoulder during his interaction with the SO, more than likely as the result of the takedown, I am not satisfied on reasonable grounds that the SO acted unlawfully in his dealings with the Complainant. Accordingly, there is no basis for proceeding with criminal charges in this case, and the file is closed.

The Director's full report of investigation can be viewed by following the link below:

https://www.siu.on.ca/en/directors_report_details.php?drid=857

The S.I.U. issued a press release on July 21, 2020, in relation to its investigation and decision. This press release can be viewed by following the link below:

https://www.siu.on.ca/en/news_template.php?nrid=5876

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 02-01 (Arrest Warrants)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 14 (3) (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.26

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On August 10, 2019, at 1539 hours, uniform officers from 32 Division were dispatched to a radio call for a domestic assault event at an address on Bathurst Street.

Two uniformed officers attended the call and spoke with the victim. The suspect, identified as Custody Injury Complainant 2019.26, had left the scene in his vehicle prior to the officers' arrival. At approximately 1808 hours, the officers located 2019.26 in his vehicle in a parking lot across from the victim's address.

The officers parked in front of 2019.26 and approached his vehicle in an attempt to place him under arrest for the domestic assault that the victim had reported. 2019.26 drove directly at the officers' vehicle, deliberately striking the scout car leaving the officer's vehicle inoperable. 2019.26 fled the scene in his vehicle.

Through investigation, officers learned that 2019.26 was at another address in the division. Uniformed officers kept watch on the location as investigators applied for and were granted a "Feeney Warrant" for his arrest.

On August 11, 2019, at approximately 0440 hours, Emergency Task Force (E.T.F.) officers executed the warrant and entered the residence with the intention of arresting 2019.26. 2019.26, who was sitting on a couch covered by a blanket, refused to comply with the officers' demands to show his hands and surrender. A struggle ensued in which an E.T.F. officer delivered several closed fist punches and a kick to 2019.26 in order to have him comply with orders to get on the ground and surrender his hands to be handcuffed. After the brief but violent struggle, 2019.26 was secured, handcuffed, and placed under arrest.

2019.26 complained of minor injuries, and was transported by Toronto Paramedic Services (Paramedics) to North York General Hospital. He was assessed, diagnosed and treated for fractures to his left wrist and right orbital bone.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; eleven other officers were designated as witness officers.

In a letter to the Toronto Police Service (T.P.S.), dated June 26, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated.

The S.I.U. published a media release on June 29, 2020. The media release is available at; https://www.siu.on.ca/en/news_template.php?nrid=5816

The Director's Report of Investigation is published on the link; https://www.siu.on.ca/en/directors_report_details.php?drid=818

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 02-17 (Obtaining a Search Warrant)
- Procedure 02-18 (Executing a Search Warrant)
- Procedure 07-05 (Service Vehicle Collisions)
- Procedure 10-05 (Incidents Requiring the Emergency Task Force)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.27

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On Monday, August 12, 2019, a plainclothes officer from the 52 Division Major Crime Unit observed a male, later identified as Custody Injury Complainant 2019.27, riding a bicycle on the sidewalk in the area of Yonge Street and Wellesley Street.

The officer's attention was drawn to 2019.27 because he was operating his bicycle on the sidewalk and was in possession of a female's purse and a backpack.

The officer requested the assistance of two nearby 52 Division Community Response Unit officers.

Two officers responded and stopped 2019.27 in the area of Jarvis Street and Carlton Street and made a demand for him to produce identification.

2019.27 stopped, threw his bike to the ground, and fled on foot.

The plainclothes officer, still in the area, ran after 2019.27 and caught up to him.

The officer body checked 2019.27 who fell into a stopped vehicle and then onto the roadway.

2019.27 was arrested for failing to identify himself under the *Highway Traffic Act* (H.T.A.) and was handcuffed without incident. 2019.27 was searched and found to be in possession of property that was stolen earlier in the day.

2019.27 suffered an injury to his mouth and was transported to St. Michael's Hospital by Toronto Paramedic Services (Paramedics).

2019.27 was examined by a physician and diagnosed with a fractured jaw.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer, as a subject officer and three other officers were designated as witness officers.

In a letter to the Toronto Police Service (T.P.S.) dated May 5, 2020, Interim Director Joseph Martino of the S.I.U. advised that their investigation had been closed and no further action was to be contemplated.

The S.I.U. public Report of Investigation can be found at the following link:
https://www.siu.on.ca/en/directors_report_details.php?drid=674

On May 6, 2020, the S.I.U. issued a news release to advise the investigation had been closed. The news release can be found at the following link:
https://www.siu.on.ca/en/news_template.php?nrid=5640

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2019.30

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On August 26, 2019, at approximately 0809 hours, the Toronto Police Service (T.P.S.) Communications Services (Communications) received a 9-1-1 call from a resident at an apartment located on Hay Avenue. The caller was reporting sounds of smashing dishes and a female screaming for help in the basement apartment. Numerous 22 Division units responded to the call and upon arrival, attempted to make contact with the female resident of the basement apartment.

Officers spoke to the building superintendent and determined that the unit was leased to a female and a male identified as Custody Injury Complainant 2019.30. Officers eventually spoke to the female through the door and she kept telling officers that she was alone and safe, even though she sounded anxious and occasionally was sobbing. She also refused to let officers into her apartment to check on her welfare.

A check of the Canadian Police Information Centre (C.P.I.C.) indicated that 2019.30 was the subject of a Recognizance, which required him to reside at another residence. Furthermore, he was also the subject of a previous investigation where he was alleged to have held another female against her will at her apartment.

A Sergeant from 22 Division attended the scene and upon learning all the information, feared that the female was being held against her will. He notified the Emergency Task Force (E.T.F.) to attend 95A Hay Avenue.

At about 1044 hours, E.T.F. Gun Team 4, under the direction of an E.T.F. Sergeant arrived on scene, were briefed and set up their containment and approach to the unit. The Team learned that the female had suffered obvious facial injuries. They also learned that 2019.30 was in the apartment and was directing the female not to grant admittance to the police officers.

The Team engaged in negotiations with both the female and 2019.30 and eventually convinced the female to open the door to the unit. Once the door was opened, E.T.F. officers removed the female, and entered the apartment and engaged 2019.30.

Three E.T.F. officers attempted to place 2019.30 under arrest and he was actively resistant towards the officers. He was taken to the floor in the struggle to arrest him and all three officers used closed fist and knee strikes to subdue arrest and place him in handcuffs.

2019.30 was removed from the apartment and it was noted that he had suffered obvious facial injuries. He was transported to St. Joseph's Hospital where he was diagnosed and treated for a fractured jaw.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated three E.T.F. officers as subject officers; twelve other officers were designated as witness officers.

In a letter to the T.P.S., dated May 27, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated.

The S.I.U. published a media release on May 29, 2020. The media release is available at: https://www.siu.on.ca/en/news_template.php?nrid=5716.

The Director's Report of Investigation is published on the link;
https://www.siu.on.ca/en/directors_report_details.php?drid=773.

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-05 (Incidents Requiring the Emergency Task Force)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 11, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury of 2019.41

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On November 15, 2019, at 2010 hours officers from 43 Division were in plainclothes operating an unmarked Toronto Police Service (T.P.S.) vehicle in the area of 400 McCowan Road.

While on patrol the officers observed a young person, later identified as Custody Injury Complainant 2019.41 smoking a marihuana cigarette.

The officers drove up to 2019.41 to investigate him regarding a possible offence under the *Cannabis Act*.

As the officers got closer to 2019.41, one of the officers recognized him and knew he was bound by a recognizance that contained a curfew condition that he was breaching.

2019.41, who was by then walking away from the officer's vehicle, was told to stop. 2019.41 did not comply and started running away from the officers.

One of the officers exited the police vehicle and chased after 2019.41 on foot, caught up to him and tackled him to the ground. The other officers followed behind and after a brief struggle on the ground 2019.41 was brought under control, arrested for breaching his recognizance and handcuffed.

2019.41 was transported to 43 Division by uniformed officers where he was paraded before the Officer-in-Charge of 43 Division.

While on parade, 2019.41 complained of a sore shoulder. Toronto Paramedic Services (Paramedics) were called and 2019.41 was transported to Centenary Hospital where he was examined by a physician, diagnosed and treated for a fractured collarbone.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject officer; six other officers were designated as witness officers.

In his letter to the T.P.S. dated July 20, 2020, Director Joseph Martino of the S.I.U. stated *"the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

The Director's full report of investigation can be viewed by following the link below:
https://www.siu.on.ca/en/directors_report_details.php?drid=851

The S.I.U. issued a press release on July 20, 2020, in relation to its investigation and decision. This press release can be viewed by following the link below:
https://www.siu.on.ca/en/news_template.php?nrid=5872

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 04-41 (Youth Crime Investigations)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 14 (3) (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 4, 2020

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.13

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On April 1, 2020, at about 1929 hours, two uniformed officers from 52 Division responded to a call for service from the Toronto Transit Commission (T.T.C.) where an assault had occurred on a westbound T.T.C. street car. Further information was received that a male, later identified as Custody Injury Complainant 2020.13, had separately assaulted both a passenger and the operator.

After the initial unprovoked assault against the passenger, the operator stopped the streetcar and 2020.13 fled on foot. The operator followed him, using his cellular

telephone to take a photograph. 2020.13 stopped, turned and grabbed the cellular phone and threw it to the ground. He stepped on it in an attempt to damage it and the T.T.C. operator engaged in a struggle to prevent the damage.

The officers arrived on scene, and the T.T.C. operator pointed out 2020.13 and they proceeded to place him under arrest for the assaults. 2020.13 refused to be placed under arrest and one officer tripped him to the ground in an effort to control him. 2020.13 fought back and a struggle ensued. One officer delivered several closed fist strikes to 2020.13's face and upper body. The other officer also delivered several closed fist strikes to 2020.13's upper body. During the struggle, 2020.13 intentionally spit an amount of blood on one of the officer's face.

A third officer arrived on scene to assist and used his baton to wedge 2020.13's hands from underneath his body, and was able to secure his hands and place handcuffs on 2020.13.

After his arrest, 2020.13 complained of facial injuries and was taken directly to Mount Sinai Hospital by the arresting officers where he was diagnosed and treated for a fractured nasal bone. After being cleared medically, he was transported to 52 Division where he was investigated and processed on several criminal charges.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated three officers as subject officers; six other officers were designated as witness officers.

In a letter to the T.P.S., dated July 27, 2020, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated.

The S.I.U. published a media release on July 29, 2020. The media release is available at: https://www.siu.on.ca/en/news_template.php?nrid=5904

The Director's Report of Investigation is published on the link; https://www.siu.on.ca/en/directors_report_details.php?drid=873

Summary of the Toronto Police Service's Investigation:

Professional Standards Support (P.S.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.S.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.S.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 08-03 (Injured on Duty Reporting)
- Procedure 08-07 (Communicable Diseases)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.3 (Use of Force Qualifications)

The P.S.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Deputy Chief Shawna Coxon, Human Resources Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

*original copy with signature on file in Board office