

**MINUTES OF THE PUBLIC MEETING** of the Toronto Police Services Board held on **JULY 31, 2002** at 12:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

**PRESENT:**

**Norman Gardner**, Chairman  
**A. Milliken Heisey, Q.C.**, Member  
**Benson Lau, M.D.**, Member  
**Allan Leach**, Member  
**Frances Nunziata**, Member & City Councillor

**ALSO PRESENT:**

**Julian Fantino**, Chief of Police  
**Albert Cohen**, Legal Services, City of Toronto  
**Deirdre Williams**, Board Administrator

**#P188.** The Minutes of the Meeting held on **JUNE 27, 2002** were approved.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P189. OUTSTANDING REPORTS - PUBLIC**

The Board was in receipt of the following report JULY 17, 2002 from Norman Gardner, Chairman:

Subject: OUTSTANDING REPORTS - PUBLIC

Recommendations:

It is recommended that:

- (1) the Board request the Chief of Police to provide the Board with the reason for the delay in submitting the report requested from the Service and that he also provide a new submission date for the report.

Background:

At its meeting held on March 27, 2000 the Board agreed to review the list of outstanding reports on a monthly basis (Min. No. 113/00 refers). In accordance with that decision, I have attached the most recent list of outstanding public reports that were previously requested by the Board.

**The Board approved the foregoing.**

**Reports that were expected for the July 31, 2002 meeting:**

<b>Board Reference</b>	<b>Issue - Pending Reports</b>	<b>Report Status</b>	<b>Recommendation Action Required</b>
#P94/01 #P351/01	<p><b>Memorandum Books</b></p> <ul style="list-style-type: none"> <li>• <u>Issues:</u> to review Revised Record Retention Schedule in light of the Adequacy Regulation, submit any amendments to the Board for approval</li> <li>• one outstanding issue: memo books</li> </ul>	<p>Report Due: July 31/02            Extension Reqs'd:            Extension Granted:            Revised Due Date:  <b>Status:.....outstanding</b></p>	Chief of Police

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P190. COST RECOVERY FROM THE CITY OF TORONTO – POLICING AT  
WOODBINE RACETRACK**

The Board was in receipt of the following report April 24, 2002, from Julian Fantino, Chief of Police:

Subject: COST RECOVERY FROM THE CITY OF TORONTO - WOODBINE  
RACETRACK

Recommendation:

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

Background:

The Board at its meeting in June, 2001, received a report from the Chief Financial Officer regarding a cost recovery for policing at the Woodbine Racetrack. (Board Minute P176/2001 refers.)

As a result of the report, the Board requested an additional report as to whether the Solicitor General, OCCPs or the P.S.A. Adequacy Standards could be utilized to compel the City of Toronto to fund increased policing needs at Woodbine Racetrack. (Board Minute P251/2001 refers.)

The Board received and approved the following motions:

1. That Chief Fantino bring the foregoing report back to the Board if adequate funds are not provided in the Service's 2002 approved Operating Budget for cost recovery purposes; and
2. That, in the interim Mr. Jerome Wiley, Criminal and Corporate Counsel, provide comments to the Board on the alternatives that may be available if the Service is not successful in obtaining cost-recovery for police services at Woodbine Racetrack.

The Service has not been successful in obtaining cost-recovery for police services at Woodbine Racetrack.

There is no legal obligation on the municipality to direct the revenue received from the Ontario Lottery and Gaming Corporation (Woodbine Racetrack Slots) to the Police Service. The revenue can be used by the municipality at its discretion.

Section 4(1) of the Police Services Act provides that a municipality "shall provide adequate and effective police services in accordance with its needs."

“Adequacy and effectiveness” is governed by Ontario Regulation 3/99 to the Police Services Act. The regulation mandates the services that must be provided by a municipal police service and the standards that must be met in providing those services.

The combination of s.4 (1) O.R. 3/99 require that the municipality provide “adequate and effective” policing services for the Woodbine Racetrack area.

What constitutes “adequate and effective” policing is an operational decision for the Chief.

Section 39 of the P.S.A. provides that the Board shall submit operating and capital budgets to Municipal Council.

Section 39(5) provides that “...if the Board is not satisfied that the budget established for it by the Council is sufficient...the Board may request that the Commission determine the question.”

It would appear that requesting OCCOPS to review the budget established by Council is the only alternative that the Board could pursue at this time.

Mr. Frank Chen, C.A.O. – Policing, Corporate Support Command, and Mr. Jerome Wiley, Q.C. will be in attendance to answer any questions or concerns you may have.

**The Board was also in receipt of the following report June 13, 2002 from Julian Fantino, Chief of Police:**

Subject: COSTS ASSOCIATED WITH THE POLICING OF WOODBINE RACETRACK

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

At its meeting of May 30, 2002, the Board received a report entitled, ‘Cost Recovery from the City of Toronto – Woodbine Racetrack (Board Minute #P141/2002 refers) from the Chief of Police, which responded to a report received from the Chief Financial Officer at the June, 2001 Board meeting. (Board Minute #P176/2001 refers).

The Board deferred the foregoing report to its June 27, 2002 meeting and requested that the Chief provide an accompanying report identifying the costs associated with the policing of Woodbine Racetrack.

In response to the Board's request, that the Chief provide an accompanying report identifying the costs associated with the policing of Woodbine Racetrack, I recommend that the Board refer to a report which was originally provided to the Board for its April 19, 2001 meeting (Board Minute #P131/2001 refers). This report provided detailed and comprehensive information with respect to the Uniform Staffing, Uniform and Detective Costing, Impacts and Consideration and Statistics. For ease of reference I have attached this Board Minute as Appendix "A"

**Chairman Gardner advised that immediately prior to the Board meeting he received correspondence from Councillor Suzan Hall, City of Toronto, in the form of an e-mail message with regard to the foregoing reports. A copy of Councillor Hall's e-mail message is on file in the Board office.**

**The Board was advised that other police services which provide policing in municipalities where slot machines are operating negotiated with those municipalities for a portion of the slot revenue to cover additional police resources that were required.**

**Chief Fantino advised the Board that currently approximately 4% of slot revenue from the Woodbine Racetrack Slots is paid to the City of Toronto and he believes there was an understanding at one time that the City of Toronto intended to provide some of that revenue to the Toronto Police Service for cost-recovery purposes.**

**The Board received the foregoing reports and Councillor Hall's correspondence and approved the following Motion:**

**THAT the Board request the City of Toronto for a copy of the legal agreement between the City and the Ontario Lottery and Gaming Corporation with respect to revenue sharing.**

**Ontario Lottery and  
Gaming Corporation  
COMMUNICATIONS**

**To:** Detective Anthony Young

**From:** Jim Cronin-OLGC

**CC:** Ingrid Peters

**Date:** August 20, 2001

**Re:** Municipal Allocation from Slot Operations

I would like to respond to your enquiry regarding the use of the municipal allocation of slot revenue from Woodbine Racetrack Slots.

Municipalities that host our various racetrack slot operations in Ontario are eligible for five percent of the gross slot revenue for the first 450 slot machines, and two percent on any additional machines. The money is paid quarterly through an electronic funds transfer to the municipality.

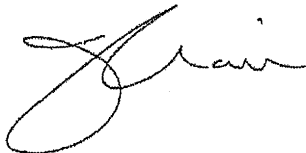
The money can be used by the municipality at its discretion. The Ontario Lottery and Gaming Corporation (OLGC) places no legal obligations on the use of the money by the municipality.

I should also make you aware that the OLGC does not provide direct funding for the provision of police services at any of the charity casino or racetrack slot locations.

I hope this information has been helpful.

Jim Cronin

Director of Communications.



## APPENDIX "A"

### THIS IS AN EXTRACT FROM THE MINUTES OF THE MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON APRIL 19, 2001

#### # P131      REQUEST FOR FUNDING TO OFFSET THE INTRODUCTION OF SLOT MACHINES AT THE WOODBINE RACETRACK

The Board was in receipt of the following report APRIL 11, 2001 from Julian Fantino, Chief of Police:

Subject:      Request for Funding to Offset the Introduction of Slot Machines at the Woodbine Racetrack

#### Recommendations:

It is recommended that:

- (1) The Board approve a request for funding to offset the costs associated with the Woodbine gaming machines including:
  - (a) Approval of an increase in the Human Resources target from 5,261 officers to 5,279 officers for 18 additional officers required for policing activities associated with the Woodbine gaming machines; and
  - (b) Approval of an amended request for funding from the City's Woodbine gaming machine revenue of \$749,000 for part-year funding for 2001 with funding requests for subsequent years of \$1,043,000 for 2002, \$1,162,000 for 2003, \$1,271,000 for 2004, \$1,368,000 for 2005 and a \$1,423,000 for 2006 and every year thereafter; and
- (2) The Board forward this report to the City of Toronto's Policy and Finance Committee for consideration.

#### Background:

The Woodbine Racetrack and Slots, a horse racing and gaming facility, is located at 555 Rexdale Boulevard, in the north-west portion of the former City of Etobicoke. The Toronto Police Service, specifically No. 23 Division, is responsible for policing the exterior of this location, as well as investigating all interior occurrences, such as assaults, thefts, mischief, medical complaints, and disputes. The Ontario Provincial Police are responsible for policing gambling offences within the Woodbine Slots facility.

The Woodbine Racetrack and Slots has attracted visitors from a diverse cross-section of the Greater Toronto Area. It has become a unique attraction for local and international visitors. On March 29, 2000, the Woodbine Racetrack and Slots commenced gaming operations with the



opening of 1,752 electronic slot machines. The Ontario Gaming and Lottery Corporation has advised that attendance between March 29, 2000, and January 22, 2001, has reached over 3.5 million patrons. The highest daily attendance of 22,000 was recorded on Friday, April 21, 2000 (Easter Weekend). The Woodbine Racetrack and Slots daily average attendance is overwhelmingly the highest in the province.

On December 9, 1999, the Toronto Police Services Board received a report from the Woodbine Racetrack Committee outlining the impending impacts on No. 23 Division from the addition of 1,752 slot machines to the Woodbine Racetrack facility. The Toronto Police Services Board motioned that this report be forwarded to the Policy and Budget Sub-committee meeting for review (Board Minute #548/99 refers).

The Police Services Board requested that the Chief of Police submit a report to the Board detailing the impact that electronic gambling has had on the Toronto Police Service, specifically No. 23 Division and Detective Services-Ontario Illegal Gaming Enforcement Unit, since the introduction of slot machines in March, 2000 (Board Minute #398/00 refers).

In October 2000, a request was forwarded to the Toronto Police Services Board requesting an extension of time in order to undertake an intensive study to evaluate the impacts on No. 23 Division (Minute #512/00 refers).

In December 2000, an additional extension was requested to further review the impacts of the Slots on No. 23 Division (Minute #554/00 refers).

Councillor Susan Hall, Ward 1 – Etobicoke North, City of Toronto attended the Board meeting of January 25, 2001 and made a deputation on community safety issues. She provided the Board with several recommendations and they included the following requests for the Board's consideration related to the Woodbine Racetrack slot machines:

- (1) That the Toronto Police Service report to the Police Services Board on a quarterly basis on operating statistics, including staff hours, salary and other costs and crime statistics associated with Woodbine Racetrack slot machines; and
- (2) That these statistics be provided to the Chief Financial Officer and Treasurer as outlined in Clause No. 1 in Report No. 6 of the Policy and Finance Committee, as adopted by City Council at its May 9, 10 & 11, 2000 meeting; and
- (3) That these statistics be provided to members of Council; and
- (4) That a confidential report be provided to the Police Services Board comparing 1999 and 2000 data on deployment of officers and services within each division, across the City of Toronto along with the respective crime statistics.

The first three proposals are addressed in this report. Item 4 will be included in a report and presentation to the Board at a future date to inform the Board on the Service's staff deployment strategy resulting from the 90 Day Review.

At its meeting on January 25, 2001 the Board, in approving the Service's 2001 Operating Budget, approved the Chief's recommendation, "that the Board request the City Chief Financial Officer and Treasurer to set aside \$2 million from the revenue received from the Woodbine gaming machines to fund the Toronto Police Service's cost of policing services related to the introduction of the gaming machines."

The staffing requirements for the Woodbine Slots have been calculated by the Service's Corporate Planning unit and included a study of the staffing requirements of other gaming operations in Ontario to determine the requirements for the Toronto Police Service. When the current attendance figures (11,900 daily average) are calculated in the staffing formula, it indicates a requirement of between **16** and **18** uniform constables to support the daily influx of visitors to the Woodbine Racetrack and Slots.

The gaming facility at the Woodbine Racetrack and Slots has been in operation for one year. The Ontario Lottery Corporation has forwarded to the city \$7.9 million as its share for the first nine months of operation.

This report is divided into 4 parts:

- Part I            Woodbine Statistics
- Part II          Impacts and Considerations
- Part III        Uniform Staffing
- Part IV        Uniform and Detective Costing

### Part I Woodbine Statistics

#### **Calls for Service**

A "calls for service" analysis in relation to the facility and surrounding area shows that the Woodbine Racetrack and Slots generated a total of 485 calls for service in the year 2000. The majority of the calls for service consisted of medical complaints, unwanted guests, accidents, persons wanted, thefts, vehicle offences (theft from auto, theft of auto) and reports of impaired drivers.

#### **Crime Information**

The Woodbine Slots opened March 29, 2000. The charts below describe the increase/decrease in the major crime categories for No. 23 Division, Patrol Area 2301 (the Patrol Area adjacent to the Woodbine Slots facility) and Patrol Area 2306 (the Patrol Area that the Woodbine Slots is located within).

In 2000, Violent Crime in No. 23 Division increased by 3.17%. Patrol Area 2301 showed a decrease of less than 1%, while Patrol Area 2306 showed an increase of 28.57%.

In 2000, Property Crime in No. 23 Division increased by 5.89%. In Patrol Area 2301, Property Crime increased by 14.09% and in Patrol Area 2306, the increase was 15.98%.

In 2000, Criminal Code Traffic offences increased in No. 23 Division by 9.65%. In Patrol Area 2301 the increase was 41.51%. Patrol Area 2306 showed a decrease of 10%.

In 2000, Total Criminal Offences increased by 4.66% in No. 23 Division. In Patrol Area 2301 the increase was 10.19% and in Patrol Area 2306, the increase was 27.46%.

The below charts compare the years 1999 and 2000. While it is not suggested that the introduction of Slots to Woodbine Racetrack is solely responsible for the increases in crime indicated in the attached charts, the introduction of Slots remains a contributing factor in the crime patterns of No. 23 Division.

<b>No. 23 Division</b>	<b>1999</b>	<b>2000</b>	<b>Difference</b>	<b>% Change</b>
Violent Crime	2,147	2,215	67	3.17
Property Crime	6,277	6,647	278	5.89
Criminal Code Traffic Offences**	259	284	25	9.65
Total Criminal Offences (CCC, FDA, NCA)	11,902	12,457	555	4.66

<b>Patrol Area 2301</b>	<b>1999</b>	<b>2000</b>	<b>Difference</b>	<b>% Change</b>
Violent Crime	296	294	-2	-0.68
Property Crime	1,157	1,320	163	14.09
Criminal Code Traffic Offences**	53	75	22	41.51
Total Criminal Offences (CCC, FDA, NCA)	1,943	2,141	198	10.19

<b>Patrol Area 2306</b>	<b>1999</b>	<b>2000</b>	<b>Difference</b>	<b>% Change</b>
Violent Crime	126	162	36	28.57
Property Crime	651	755	104	15.98
Criminal Code Traffic Offences**	30	27	-3	-10.00
Total Criminal Offences (CCC, FDA, NCA)	994	1,267	273	27.46

Crime Information Unit (Toronto Police Service)

**Categories of Crime:**

- (1) Violent Crime - includes homicide and homicide related offences, sexual assaults, sexual offences, non-sexual assaults, abduction, and robberies.
- (2) Property Crime - includes break and enter, all types of thefts, possession of stolen goods and fraud.
- (3) Traffic Offences - include all Criminal Code traffic offences.  
 \*\* Note: Does not include "Fail To remain" offences.
- (4) Total Criminal Offences (CCC, FDA, NCA) - includes all offences in (1), (2), (3) and several other categories not captured in this chart.

**Part II Impacts and Considerations**

**History**

Gambling in Canada is controlled by a Federal Statute, the Criminal Code. Part VII of the Criminal Code describes all offences related to gaming, betting and lotteries in addition to authorizing Provincial exceptions contained in section 207. These exceptions delegate the licensing authority to the Provincial Governments as well as giving them power to control gaming ventures in their own jurisdictions by way of a penalty clause for breaching terms and

conditions set by the said Governments. This legislation also gives approximately 800 municipalities the power to run gaming events of a minor nature with the authorization of the Provincial Government.

In 1992, as a result of discussions regarding legalized gaming in Ontario, a delegation of Toronto Police personnel attended Atlantic City and studied the impact of legalized gaming on the City of Atlantic City.

A report tabled upon their return indicated that “few of the county prosecutors, prosecuting attorneys, senior police executives, judges, or municipal politicians who were consulted had any positive comments to make regarding gambling in the state of New Jersey”. It further advised that every community where a casino has been established has seen an increase in crime. In some communities the increase has been significant, in others the impact has been barely measurable.

“Gaming doesn’t come cheap and I have to agree with a lot of the critics on that. It brings crime. It brings prostitution. It brings a lot of things that maybe areas didn’t have before. There’s a big cost to pay. Most jurisdictions have considered gaming and most jurisdictions, even though it seems right now to be the craze, have rejected it. And the ones that have accepted it, many of them, if you gave them their choice again, they would have turned it down.”

Donald Trump in an interview with CBC Venture, 1993

The historical information indicates that gaming facilities can generate social and crime issues in a community. Social issues include; gambling addictions, substance abuse and financial problems. Crime issues include; domestic violence, loan sharking, extortion, money laundering, prostitution, etc.

Studies have shown that teens are particularly susceptible to gambling addictions. Studies have also shown a correlation between various addictions and the propensity for domestic violence. This places an increased burden on police resources and also results in the increased involvement of Victim’s Service groups.

The Woodbine Slots facility is open 7 days a week, 11:00 am to 4:00 am. The facility has welcomed over 3.5 million guests since opening day.

Unfortunately, the proximity of the Woodbine Slots to the Greater Toronto Area means that the community impacted by the slots is extremely large, thus blending the effect of the slots into the daily activities of millions of people. Because of this, the influence of the Woodbine Slots is difficult to identify and measure.

One indicator of the effect of gaming is the increase in the number of pawn shops and stores dealing in second-hand merchandise in No. 23 Division. It is well known that criminals commit robberies or steal property in order to support habits such as gambling. This is a concern in the community as we have seen the number of such premises increase significantly within the boundaries of No. 23 Division from six in 1999 to over twenty five in 2000.

This is a very important indicator for two reasons. Firstly, it can indicate social problems. Secondly, it can indicate criminal activity in that it may be stolen property that is being pawned or sold.

### Issues

There are four significant issues related to the introduction of slot machines at the Woodbine Racetrack that have impacted the Toronto Police Service.

#### 1. Projects

Number 23 Division has benefited from an artificial increase in their staffing during much of 2000. The Division instituted a number of projects during 2000 to address gun incidents, shootings and murders. The projects resulted in officers from specialized Units throughout the Service working in No. 23 Division. This included personnel from the Homicide Squad, Hold-Up Squad, members of Detective Services-Ontario Illegal Gaming Enforcement Unit, the Provincial Weapons Enforcement Unit, the "Winged Wheels" Unit of Traffic Services, Drug Squad, Emergency Task Force, Police Dog Services, the Community Oriented Response Unit (C.O.R.) of the Public Safety Unit, the Helicopter Unit, and Forensic Identification Services, as well as uniform officers from No. 12, 22 and 31 Divisions. In addition, officers involved in the Community Action Policing (C.A.P.) initiative for No. 23 Division also made a considerable contribution.

The aforementioned officers provided hundreds of hours of support to No. 23 Division personnel, and it is believed their presence and actions contributed to a reduction in crime and calls for service in No. 23 Division.

#### 2. Gaming Crimes

The types of crime associated with the Woodbine Racetrack and Slots can be compared with drug crimes, in that, if there is no enforcement of drug crimes, it does not mean that there is no drug problem. It could simply mean that the problem is not being addressed. The crimes specified in the original Woodbine Report are of a similar nature. They require pro-active policing initiatives. Without the identification and enforcement of these issues, these crimes will continue to flourish, yet the statistics will not indicate a problem.

Crimes associated with gaming include crimes that are not readily reported to the police. These include loan-sharking, extortion and illegal gaming. Without additional personnel No. 23 Division and Detective Services-Ontario Illegal Gaming Enforcement Unit have been unable to actively and consistently address the "unreported incidents". The information systems of the Toronto Police Service are unable to capture unreported incidents.

#### 3. Detective Services–Ontario Illegal Gaming Enforcement Unit

Detective Services have not been able to provide the personnel required to adequately identify and police the criminal activities that may be occurring in relation to this gaming facility. Detective Services requires personnel to develop an enforcement and intelligence gathering unit. A Casino Intelligence Unit located in the City of Toronto would be able to focus primarily on gaming offences and organized crime, and would be an international source of intelligence in

relation to gambling and associated offences. Without this expertise the Toronto Police Service is unable to identify and focus on gaming crimes, especially sophisticated criminal enterprises.

The Woodbine Racetrack and Slots is in close proximity to Lester B. Pearson International Airport. Since the Woodbine Racetrack and Slots is a newly renovated, world class facility, it attracts foreign nationals who may be on long layovers at the airport. The investigation and/or arrest of a foreign national presents unique challenges to the Toronto Police Service. Identity, nationality and diplomatic immunity are all factors in the investigation/arrest. These types of investigations/arrests can place serious demands on police resources and often require a high level of expertise. This is especially true when dealing with foreign nationals that have developed sophisticated criminal techniques in gaming facilities throughout the world.

Contacts and liaisons with various other Casino Security and Intelligence agencies throughout the world need to be established and maintained on an ongoing basis. At present, pertinent criminal intelligence has not been forwarded to the Toronto Police. The networking of dedicated officers assigned to an Intelligence Unit focused on casino activities is vital to ensure timely information is received and acted upon to develop credibility with the other outside agencies.

The Ontario Illegal Gaming Enforcement Unit has noticed an increase in the number of illegal card games that are available in Toronto and its' surrounding area. This was identified in the original Woodbine Board Report and supports the other issues outlined in the report dealing with organized crime, money laundering, loan sharking and book making. Locations such as the Woodbine Racetrack and Slots are attractive venues for organized crime activities, due to the fact that large amounts of money can be laundered. Without the identification and enforcement of these issues, these crimes will continue to flourish.

It is imperative that a dedicated group of Toronto Police Service officers be assigned to address the criminal activity as described in the original Woodbine Board Report in an effort to protect the citizens of the community. In order to fulfill the mandate of Detective Services, **2 additional Constables** are required.

#### 4. "Catch 22"

The issue of staffing in relation to the Woodbine Slots has been equated to statistics. The Toronto Police Service has been requested to report on the impacts of the Woodbine Slots. The presumption is that the higher the statistics, the greater the need for additional police officers. Unfortunately, as the previous "drug" analogy demonstrates, a Division requires personnel to generate many of the statistics. However, a Division cannot obtain the personnel until the statistics justify the increase. This is a "Catch 22" situation.

### **Part III Uniform Staffing**

In order to determine the police staffing requirements for the Woodbine Slots, the staffing requirements of other gaming operations in Ontario were analysed. The original "Impact of Electronic Gaming at Woodbine Racetrack" report dated November 15, 1999, calculated the personnel requirements based on an anticipated attendance figure of 22,000 visitors per day.

This figure was an estimate based on attendance at existing electronic gaming facilities in other areas of the Province and information from the Woodbine Racetrack and Slots. When the current attendance figures (11,900) are used in the staffing formula, it shows a requirement of between 16 and 18 uniform constables to support the daily influx of visitors to the Woodbine Racetrack and Slots. The calculation of resource requirements indicates that a research base of eleven years is optimal in estimating the number of calls per population. Historically, many factors such as changes in venues and venue descriptions can cause a fluctuation in calls for service during a short observation period. Therefore a longer period of assessment would provide a more stable base of data to calculate resource requirements.

The estimates of the number of visitors to a gambling/gaming facility is considered to be a function of the following factors:

- Size of the facility (in terms of facility area, number of slot machines and gambling tables)
- Physical accessibility (in terms of proximity to population centres and availability of public transportation)
- Hours of operation (in terms of hours and days open)
- Visitors' experience with the facility.

The rationale for estimating the policing requirements is based on the expected increase in police workload, i.e. calls for service from the public. Three pieces of information are required for the estimation: the expected or current patronage; the number of calls for police service expected per population size (IRP); and the workload per officer in terms of number of calls to handle (IRO). The additional number of officers required is determined by the increase in calls for service estimated from the current number of casino visitors. With the expected increase in calls known, the number of uniform officers required to manage this workload has been determined to be 16 to 18 constables. (See Appendix 1 for detailed calculations).

#### **Part IV Uniform and Detective Costing**

It is proposed that 18 officers be hired to offset the effects of the Woodbine Slots. Sixteen officers would be assigned to No. 23 Division and 2 officers would be assigned to the Detective Services-Ontario Illegal Gaming Enforcement Unit. It is anticipated that experienced officers would be deployed to this function from other areas and these areas would be backfilled with 18 new recruits.

The additional costs for this program would include salaries, benefits, premium pay, initial outfitting for the recruits and radios for the officers, and plainclothes pay for the 2 officers assigned to the Detective Services Illegal Gaming Unit. There is also a requirement for 2 vehicles with the associated costs of acquiring, equipping, maintaining and replacing these vehicles. Costs will escalate from 2002 to 2006 due to the annualization of salaries (2001 is part-year only) and for the reclassification of the officers from Recruit to 4<sup>th</sup> Class Constable and up through to 1<sup>st</sup> Class Constable. All costings are based on 2001 salary rates and are estimated as follows:

- Cost for 2001 is estimated at \$749,000 (based on part-year salary for first year)
- Cost for 2002 is estimated at \$1,043,000

- Cost for 2003 is estimated at \$1,162,000
- Cost for 2004 is estimated at \$1,271,000
- Cost for 2005 is estimated at \$1,368,000
- Cost for 2006 is estimated at \$1,423,000 (full cost based on reaching 1<sup>st</sup> Class Constable rates)

### **Conclusion**

In the Service's 2001 Operating Budget Submission to the Board, it was recommended that the City set aside \$2 million from the City's revenue from the Province to pay for the additional officers required. Given the current findings shown in this report, this request is amended to \$749,000 for an additional 18 Constables requested for 2001 with additional annualized costs in future years as outlined above.

The community of Etobicoke was opposed to the introduction of a large gaming facility. Residents and business owners were very concerned that crime and traffic problems would increase. It is necessary that the community and the thousands of visitors to the Woodbine Racetrack and Slots enjoy the lifestyle and safety standard that currently exists. This can only be achieved with a concerted pro-active style of policing. An increase in the current staffing levels at No. 23 Division and at the Detective Services-Ontario Illegal Gaming Enforcement Unit is essential to attaining this goal.

Deputy Chief Steven Reesor of Policing Operations Command and Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer any questions the Board may have.



APPENDIX “1”

In terms of patronage, the Woodbine Racetrack currently has an average daily public attendance of 11,900. For the purpose of this example, 6 scenarios of patronage are considered: 5,000, 11,900, 12,800, 20,000, 25,000, and 30,000. The requirements for police constables are summarised in the following table and details of the computation are in this appendix.

***Estimated \* Number of PC's Required***

<b><i>P.C.'s Required</i></b>	<b><i>Scenario 1: Patronage = 5,000</i></b>	<b><i>Scenario 2: Patronage = 11,900</i></b>	<b><i>Scenario 3 Patronage = 12,800</i></b>	<b><i>Scenario 4 Patronage = 20,000</i></b>	<b><i>Scenario 5 Patronage = 25,000</i></b>	<b><i>Scenario 6 Patronage = 30,000</i></b>
Average	7	<b>16</b>	17	27	33	40
Minimum	6	<b>13</b>	14	22	28	34
Maximum	8	<b>18</b>	20	31	38	46

Estimations are based on parameters derived from crime, population and officer statistics covering 1988 through 1998.

**Additional Police Constables Required Based On Calls And Number Of Visitors**

It is considered that the rates regarding number of calls per population size (IRP) and number of calls per officer (IRO) can not be based on any particular year because of the risk of bias due to yearly fluctuations. These rates are, therefore, computed as averages on the basis of statistics for the past 11 years (1988-1998), as shown in this appendix. Also, variations in terms of 1 standard deviation (sd) from the average are computed for the (IRP) so that a range, in terms of the maximum and minimum, can be computed for the number of officers required, covering about 68% of the possible variations. The (IRO) is based on number of police constables in field units. The requirements for supervisory and supporting staff will be computed on the basis of number of police constables required and the respective staffing ratios.

	Number of Crimes								Staffing*	Rates (Occurrences/1000 Pop)								Calls	Calls/PC
	Tot NT				(Field total)					Tot NT				Disp.					
	Calls	Viol	Prop	OCC	Traf	Tot CC	CC	Unif.		PC	Civ.	Viol	Prop	OCC	Traf	Tot CC	CC		
98	841,894	33,923	116,278	61,100	3,640	214,941	211,301	3,732	3,016	215	14.0	47.9	25.2	1.5	88.6	87.1	347.0	279.1	
97	851,236	34,663	133,775	62,555	3,818	234,811	230,993	3,803	3,127	226	14.4	55.6	26.0	1.6	97.6	96.0	353.9	272.2	
96	746,135	33,069	144,600	66,203	13,893	257,765	243,872	3,646	2,977	227	13.9	60.6	27.8	5.8	108.1	102.2	312.8	250.6	
95	715,768	35,505	145,385	72,626	24,143	277,659	253,516	3,654	2,956	238	15.0	61.5	30.7	10.2	117.4	107.2	302.6	242.1	
94	796,610	34,749	146,712	73,011	27,427	281,899	254,472	3,742	3,020	227	14.8	62.5	31.1	11.7	120.2	108.5	339.6	263.8	
93	875,547	36,021	154,558	76,323	27,438	294,340	266,902	3,855	3,123	375	15.1	64.8	32.0	11.5	123.3	111.9	366.9	280.4	
92	883,387	35,028	168,358	81,885	25,196	310,467	285,271	3,979	3,200	382	14.8	71.1	34.6	10.6	131.1	120.5	373.0	276.1	
91	978,636	33,980	157,859	78,013	22,331	292,183	269,852	3,806	3,090	411	14.9	69.4	34.3	9.8	128.4	118.6	430.0	316.7	
90	1,097,669	31,330	137,662	73,831	22,652	265,475	242,823	3,946	3,205	412	13.7	60.1	32.2	9.9	115.9	106.0	479.2	342.5	
89	1,046,847	28,384	131,442	68,967	24,129	252,922	228,793	3,901	3,159	389	12.5	58.0	30.4	10.6	111.6	100.9	461.8	331.4	
88	1,039,274	27,151	129,227	66,975	23,567	246,920	223,353	3,820	3,089	394	12.1	57.6	29.9	10.5	110.1	99.6	463.5	336.4	
																	Mean	384.6	290.1
																	SD	60.2	
																	-1SD	324.3	
																	+1SD	444.8	

**Computational formula:**

#Officer=Pop\*Incident Rate/Incident per Officer

	30,000	25,000	20,000	12,800	11,900
Number of visitors daily					
Add. offr required (avg):	40	33	27	17	16
Req at -1sd(crime/call rate)	34	28	22	14	13
Req at +1sd(crime/call rate)	46	38	31	20	18

$$\text{Officers required} = \text{Number of Visitors} \times \text{Rate of Calls/Workload per Officer}$$

$$= \text{Patronage} \times \text{IRP}/\text{IRO}^1$$

1 IRP = Incident Rate per Population

IRO= Incident Rate per Officer

**Frank Chen, Chief Administrative Officer, was in attendance and discussed this report with the Board.**

**Mr. Chen reiterated that the above-noted request of \$749,000 is intended to replace the Board's previous request to the City's Chief Financial Officer & Treasurer for funds in the total amount of \$2 million to be set aside from the revenue received from Woodbine (Min. No. P31/01 refers). Mr. Chen advised that, as a result of the foregoing report, the earlier request of \$2 million can now be reduced to \$749,000.**

**The Board approved the following Motion:**

**THAT the foregoing report be referred to the City's Chief Financial Officer & Treasurer with a request that the CFO prepare a report for the City's Policy and Finance Committee identifying a source for the \$749,000 cost to the Toronto Police Service of policing the Woodbine Racetrack slot machines in 2001.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P191.       REQUEST FOR LETTER OF SUPPORT – PRIVATE MEMBER’S BILL  
HIGHWAY TRAFFIC AMENDMENT ACT (HELMETS), 2002**

The Board was in receipt of the attached correspondence dated June 20, 2002 from Dave Levac, M.P.P. for the riding of Brant, containing a request for a letter from the Board supporting his private member’s bill entitled *Highway Traffic Amendment Act (Helmets), 2002*.

**The Board was also in receipt of the following report JULY 12, 2002 from Julian Fantino, Chief of Police:**

Subject:       PRIVATE MEMBER’S BILL, HIGHWAY TRAFFIC AMENDMENT ACT  
                  (HELMETS) 2002

Recommendation:

It is recommended that: The Board support passage of the Highway Traffic Amendment Act (Helmets) 2002, private member’s bill to be presented to the Ontario Legislative Assembly by Mr. David Levac, M.P.P. for the riding of Brant.

Background:

This report is in response to the memorandum dated July 02, 2002 by Chairman Gardner requesting a review of the proposed legislative amendments to the Highway Traffic Act via a private members bill sponsored by Mr. Dave Levac (MPP – Brant).

Mr. Levac’s private member’s bill is aimed at amending the Highway Traffic Act making it an offence for any person or any parent or guardian of a person under the age of sixteen years, to use a skateboard, roller blades, scooter or roller skates on a highway without wearing a helmet. This amendment compliments the Service’s efforts to reduce deaths and injuries occurring on Toronto streets and highways throughout Ontario by providing a safer environment for those choosing to use these types of recreational apparatus.

The Toronto Police Service has made Traffic Safety a priority for 2002 - 2004. One of the Service’s goals is to reduce traffic related deaths and injuries by reducing collisions and making the public aware of their obligation to obey traffic laws.

The Toronto Police Service encourages programs that support safety initiatives designed to reduce preventable deaths and injuries. This Bill will heighten awareness to the importance of helmet usage and enables police officers to take enforcement action for non-compliance.

Each year in the Province of Ontario and in particular the City of Toronto the use of skateboards, scooters, roller blades and roller skates increases significantly. Collisions with vehicles, falls or other roadway incidents have resulted in many injuries to the users of these recreational items including a significant number of head injuries.

In the year 2000, in the Province of Ontario, there were 123 documented cases of persons admitted for acute care relating to head injuries attributed to the use of recreational equipment including skateboards, scooters and roller blades. A significant reduction in the number of head injuries is attainable through increased helmet usage with a potential to reduce health care costs. According to sources at the Ministry of Health, lifetime care for an individual suffering a severe head injury can reach upwards of 7 million dollars.

As a result, the Toronto Police Service supports the content of Mr. Levac's private members bill to amend the Highway Traffic Act.

I am therefore requesting the Board give it's support to Mr. Levac's private member's bill to amend the Highway Traffic Act as proposed.

**Chairman Gardner advised the Board of the following correction with regard to the second paragraph under Background in the foregoing report from Chief Fantino:**

**the words "who permits" should be added following "... any parent or guardian" and compliments should have been "complements", so that it reads now as follows:**

**Mr. Levac's private member's bill is aimed at amending the Highway Traffic Act making it an offence for any person or any parent or guardian who permits a person under the age of sixteen years, to use a skateboard, roller blades, scooter or roller skates on a highway without wearing a helmet. This amendment complements the Service's efforts to reduce deaths and injuries occurring on Toronto streets and highways throughout Ontario by providing a safer environment for those choosing to use these types of recreational apparatus.**

**The Board discussed the private member's bill and agreed to receive both the correspondence from Mr. Levac and the report from Chief Fantino.**

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Legislative Assembly / Assemblée législative

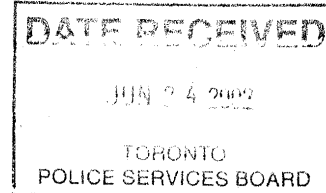
**DAVE LEVAC, M.P.P.**  
BRANT

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June 20, 2002

Toronto Police Services  
Norman Gardner  
40 College Street  
Toronto, ON M5G 2J3



Dear Norman:

I want to provide you with a copy of my private member's bill to be presented in the house very shortly. Please find enclosed a copy of my private member's bill entitled, *Highway Traffic Amendment Act (Helmets), 2002*.

The bill amends the current traffic act to make it an offence for any person to use a skateboard, scooter, roller blades or roller skates on a highway without wearing a helmet. Further, it makes parents of those less than sixteen years of age responsible if their child is not wearing a helmet.

I am proposing this bill because I sincerely believe that it would help to save lives and reduce health care costs in Ontario. It is time to save lives and I hope that I have your support regarding this issue. I would be very appreciative if you could write a letter of support for my bill.

If you have any questions or comments, please do not hesitate to contact me.

Respectfully,

A handwritten signature in cursive that reads "Dave".

Dave Levac, MPP  
Brant

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***Highway Traffic Amendment Act (Helmets), 2002***

EXPLANATORY NOTE

The Bill amends the *Highway Traffic Act* to make it an offence for any person to use a skateboard, a scooter, roller blades or roller skates on a highway without wearing a helmet. Parents and guardians of a person under the age of 16 years are also guilty of an offence if they authorize or knowingly permit the person to contravene that restriction.

A police officer may require a person to provide identification if the police officer finds the person contravening the restriction.

The authority to make regulations to exempt persons from the requirement to wear helmets is repealed.

**An Act to amend the Highway Traffic Act**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1. (1) Subsections 104 (2.1) and (2.2) of the *Highway Traffic Act*, as enacted by the Statutes of Ontario, 1993, chapter 18, section 1, are repealed and the following substituted:**

Helmets, self-propelled vehicle

(2.1) No person shall ride on or operate a bicycle, scooter, skateboard or other self-propelled vehicle on a highway unless the person is wearing a bicycle helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.

Duty of parent or guardian

(2.2) No parent or guardian of a person under 16 years of age shall authorize or knowingly permit that person to ride on or operate a bicycle, scooter, skateboard or other self-propelled vehicle on a highway unless the person is wearing a bicycle helmet as required by subsection (2.1).

Helmet, roller-blades

(2.3) No person shall roller-blade or roller-skate on a highway unless the person is wearing a bicycle helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.

Duty of parent or guardian

(2.4) No parent or guardian of a person under 16 years of age shall authorize or knowingly permit that person to roller-blade or roller-skate on a highway unless the person is wearing a bicycle helmet as required by subsection (2.3).

Requirement to provide identification

(2.5) A police officer who finds any person contravening subsection (2.1) or (2.3) may require that person to stop and to provide identification of himself or herself.

Same

(2.6) Every person who is required to stop, by a police officer acting under subsection (2.5), shall stop and identify himself or herself to the police officer.



Same

(2.7) For the purposes of this section, giving one's correct name and address is sufficient identification.

Same

(2.8) A police officer may arrest without warrant any person who does not comply with subsection (2.6).

**(2) Clause 104 (3) (c) of the Act, as enacted by the Statutes of Ontario, 1993, chapter 18, section 1, is repealed.**

**Commencement**

**2. This Act comes into force on the day it receives Royal Assent.**

**Short title**

**3. The short title of this Act is the *Highway Traffic Amendment Act (Helmets), 2002.***

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*Loi de 2002 modifiant le Code de la route (casques)*

NOTE EXPLICATIVE

Le projet de loi modifie le *Code de la route* afin de prévoir qu'une personne qui utilise une planche à roulettes, une trottinette, des patins à roues alignées ou des patins à roulettes sur une voie publique sans porter de casque commet une infraction. Les parents ou tuteurs d'une personne âgée de moins de 16 ans sont également coupables d'une infraction s'ils l'autorisent à contrevenir à cette restriction ou lui permettent sciemment de ce faire.

Un agent de police peut exiger d'une personne qu'elle déclare son identité s'il la trouve en train de contrevenir à la restriction.

Le pouvoir de prendre des règlements en vue de dispenser des personnes de l'obligation de porter un casque est abrogé.

**Loi modifiant le Code de la route**

Sa Majesté, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, édicte :

**1. (1) Les paragraphes 104 (2.1) et (2.2) du *Code de la route*, tels qu'ils sont édictés par l'article 1 du chapitre 18 des Lois de l'Ontario de 1993, sont abrogés et remplacés par ce qui suit :**

Casque, véhicule autopropulsé

(2.1) Nul ne doit, sur une voie publique, circuler sur une bicyclette, une trottinette, une planche à roulettes ou un autre véhicule autopropulsé, ou l'utiliser, à moins de porter un casque de cycliste qui est conforme aux règlements et dont la jugulaire est solidement fixée sous le menton.

Devoir du parent ou tuteur

(2.2) Le parent ou tuteur d'une personne âgée de moins de seize ans ne doit pas autoriser cette personne à circuler sur une bicyclette, une trottinette, une planche à roulettes ou un autre véhicule autopropulsé, ou à l'utiliser, sur une voie publique sans porter le casque de cycliste exigé par le paragraphe (2.1), ni lui permettre sciemment de le faire.

Casque, patins à roues alignées

(2.3) Nul ne doit, sur une voie publique, circuler avec des patins à roues alignées ou des patins à roulettes à moins de porter un casque de cycliste qui est conforme aux règlements et dont la jugulaire est solidement fixée sous le menton.

Devoir du parent ou tuteur

(2.4) Le parent ou tuteur d'une personne âgée de moins de seize ans ne doit pas autoriser cette personne à circuler avec des patins à roues alignées ou des patins à roulettes sur une voie publique sans porter le casque de cycliste exigé par le paragraphe (2.3), ni lui permettre sciemment de le faire.

Obligation de décliner son identité

(2.5) L'agent de police qui trouve une personne en train de contrevenir au paragraphe (2.1) ou (2.3) peut lui demander de s'arrêter et de décliner son identité.

Idem

(2.6) La personne à laquelle un agent de police agissant en vertu du paragraphe (2.5) demande de s'arrêter obtempère et décline son identité.

Idem

(2.7) Pour l'application du présent article, le fait de donner son nom et son adresse exacts constitue une identification suffisante.

Idem

(2.8) Un agent de police peut procéder, sans mandat, à l'arrestation de toute personne qui ne se conforme pas au paragraphe (2.6).

**(2) L'alinéa 104 (3) c) du Code, tel qu'il est édicté par l'article 1 du chapitre 18 des Lois de l'Ontario de 1993, est abrogé.**

**Entrée en vigueur**

**2. La présente loi entre en vigueur le jour où elle reçoit la sanction royale.**

**Titre abrégé**

**3. Le titre abrégé de la présente loi est *Loi de 2002 modifiant le Code de la route (casques)*.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P192. BARGAINING - TORONTO POLICE ASSOCIATION**

The Board was in receipt of the following report JULY 15, 2002 from Norman Gardner, Chairman:

Subject: Bargaining - Toronto Police Association

Recommendation:

It is recommended that the Board receive the following report.

Background:

At a special in-camera meeting held on Friday, July 12, 2002 the Toronto Police Services Board unanimously ratified the renewal of the collective agreement with the uniform and civilian units, A, B, C, D and E, of the Toronto Police Association. The new three-year collective agreement is effective January 1, 2002 and concludes December 31, 2004.

In a letter dated July 8, 2002, Craig Bromell, President, Toronto Police Association, advised the Board that the uniform and civilian members of the Association also ratified the 2002 – 2004 collective agreement through mail-in ballots.

Bargaining Negotiations:

The Bargaining Committees of the Toronto Police Services Board and Toronto Police Association commenced negotiations on November 8, 2001 and met on numerous occasions throughout the past eight months reviewing wages, benefits and other terms of employment including, among others, new retention and service pay for uniformed members and market adjustments for communications operators and court officers.

The Bargaining Committees also agreed upon the implementation of a revised compressed work week pilot project involving No.s 23, 42 and 55 Divisions and Forensic Identification Services. The present five platoon structure will be converted to four and a new 11.5 hour shift and work cycle, composed of four days on and four days off, will be introduced.

Bargaining Committees:

Councillor Gloria Lindsay Luby, Vice Chair, and I participated on the Board's bargaining committee along with:

William Gibson, Director of Human Resources  
Maria Ciani, Manager of Labour Relations

Wendy Ryzek, Analyst, Labour Relations  
Steven Reesor, Deputy Chief of Police, Policing Operations Command  
Glenn Christie, Labour Counsel, Hicks Morley Hamilton Stewart Storie

and the following members participated on the Association's bargaining committee:

Craig Bromell, President  
Jack Ritchie, Vice President  
Al Olsen, Director  
Rick McIntosh, Director  
Don Courts, Director  
Vic Dbanko, Staff Member  
Roger Aveling, Labour Counsel for the Association  
Michael Mitchell, Labour Counsel for the Association

Conclusions:

I am pleased that the bargaining committees reached a settlement for a new three-year collective agreement and extend my appreciation to all members who participated in the negotiations during the past eight months.

A copy of the Memorandum of Agreement and details of the new the Compressed Work Week Pilot Project are appended to this report for information.

**The Board received the foregoing.**

**MEMORANDUM OF AGREEMENT BETWEEN THE TORONTO POLICE ASSOCIATION AND THE TORONTO POLICE SERVICES BOARD CONCERNING THE RENEWAL OF THE UNIFORM AND UNITS A, B, C, D AND E COLLECTIVE AGREEMENTS WHICH EXPIRED ON DECEMBER 31, 2001.**

1. The Bargaining Committees of the Association and the Board unanimously recommend settlement to their respective principals. This Memorandum of Agreement shall be without prejudice until ratified by both Parties.
2. Unless specifically amended by this Memorandum, the terms of the Uniform and Units A, B, C, D and E Collective Agreements which expired on December 31, 2001 shall continue.

3. **Term**

January 1, 2002 to December 31, 2004.

4. **Wages**

Uniform Schedule A and the Civilian wage schedules to be increased as follows:

January 1, 2002	3.5%
January 1, 2003	3.5%
January 1, 2004	3.5%

5. **Retention/Service Pay – Uniform only**

Effective July 1, 2003:

Effective when 8 years is attained	3.00% of the PC1 rate
Effective when 17 years is attained	4.00% of the PC1 rate
Effective when 23 years is attained	5.00% of the PC 1 rate

Effective July 1, 2004:

Effective when 8 years is attained	3.00% of the PC1 rate
Effective when 17 years is attained	6.00% of the PC1 rate
Effective when 23 years is attained	9.00% of the PC1 rate

Retention/Service Pay forms part of basic salary and shall be paid bi-weekly. Thus, in calculating overtime, call-back pay, vacation pay, sick pay, statutory holiday pay, paid lieu time, sick pay gratuity, pension contributions, etc., and in calculating net pay under Article 13 or Central Sick Leave Bank benefits or entitlements under Article 11, Retention/Service Pay will be taken into account.

Effective July 1, 2003, delete: service pay, senior constable pay and court elect (Art. 5:04(f)).

NOTE: The issue of members who have worked the night shift and are required to attend court later that morning will be discussed as part of the deliberations of the Pilot Project Study Committee.

## **6. Market Adjustment Communications and Court**

In addition to the across the board increases in para. 4, above, the following market adjustments shall apply for Communications Operators, Operations Supervisors, Communications System Coordinator (Unit A), Court Officers, Senior Court Officers, Senior Administrative Court Officer, Locational Administrator, Court Document Services and Locational Administrator, Court Services:

July 1, 2002	2.5%
July 1, 2003	2.5%
July 1, 2004	2.5%

## **7. Vacation Pay Cheques**

Delete Article 7:05(b) of the Uniform Agreement (and civilian equivalents) and renumber rest of Article accordingly.

## **8. Uniform Promotions**

Amend Uniform Memorandum of Understanding “12. PROMOTIONAL PROCEDURE” by adding the words “which will consist of three representatives of each party.” to the end of the first sentence.

## **9. Court Attendance on Vacation**

Amend Uniform Article 5:04(d)(i) (and civilian equivalents) by adding the following words:

“This Article shall apply only if the member’s Unit Commander has approved, in advance, the member’s attendance at court.”

## **10. Acting Pay – Unit C**

Add the following to the Unit C Agreement as Article 5:05:

The foregoing alternate rates provision shall apply to periods during which the member is absent on paid leave, on sick pay, on paid holidays, or on annual vacation, provided such member has been continuously paid at such alternate rate for at least three months immediately prior to such absence on paid leave. Such alternate rate will be paid only to the extent that it would have been paid had the member remained at work.



**11. Pilot Project on 11.5 Hour Shift Schedule**

See Appendix 1, attached.

During the period of the pilot project and its implementation, no member will have their normal shift schedule changed to an eight hour shift schedule without prior consultation with the Association and the members affected.

**12. Salary Levels for PC 4 to PC 2**

When a PC4 is reclassified (usually after 12 months) to a PC3, he/she shall be paid 80% of the salary of a PC1.

When a PC3 is reclassified (usually after 12 months) to a PC2, he/she shall be paid 90% of the salary of a PC1.

When a PC2 is reclassified (usually after 12 months) to a PC1, he/she shall be paid the salary of a PC1 at that time

The above provision shall be implemented in the following way for constables who, at the date of ratification, are receiving less than the PC1 rate:

Effective two months following ratification, officers in a classification who have been in receipt of a salary rate less than that attributable to an above classification shall receive the pay rate applicable to their classification. Thereafter, a member's salary rate will be commensurate with his/her classification in accordance with the above scale.

Members hired on or after the date of ratification will be paid the salary rate commensurate with his/her classification in accordance with the above scale

**13. Tool Expense Reimbursement – Unit B**

Effective January 1, 2002, increase as follows:

Mechanics	from \$250.00 to \$325.00
Serviceperson	from \$167.14 to \$217.28
Electrical Equipment Maintainer	from \$167.14 to \$217.28
Communications and Elect. From Techs.	from \$167.14 to \$217.28

**14. Clothing Expense Reimbursement**

Increase as follows (current level is \$950.00):

January 1, 2002        \$1,050.00

## **15. Rest Periods – Civilian**

Amend Article 8:04 in the Unit A Agreement (and the equivalent article in the other Civilian Agreements) by increasing the duration of all rest periods from ten (10) minutes to fifteen (15) minutes.

## **16. Grievance Procedure**

Delete existing Article 15:04 of the Uniform Agreement (and the equivalent article in each of the Civilian Agreements) and add a new 15:04 as follows:

15:04 (a) Failing satisfactory settlement at Step 2 of the Grievance Procedure either party, within ten working days, may refer the grievance to conciliation pursuant to s. 123 of the *Police Services Act*.

(b) Failing satisfactory settlement at conciliation, either party, within 90 calendar days following the date of the letter from the Solicitor General under s. 123(4) of the *Police Services Act*, may refer the grievance to arbitration under s. 124 of the *Police Services Act*.

## **17. Communications Operators – Probationary Period**

Amend Article 3:02 of the Unit C Collective Agreement to read as follows:

3:02 Notwithstanding anything to the contrary contained in this Collective Agreement, the Board shall have the exclusive right to discharge:

- (a) a probationary permanent member other than a Communications Operator within the first six months of his/her service; and
  - (b) a probationary permanent Communications Operators within the first twelve months of his/her service.
- Amend Unit C Schedule 2 to indicate that a probationary Communications Operator shall receive 4% less than the lowest hourly rate only during the first six months of his/her probationary period.
  - Make equivalent changes to the Unit D Collective Agreement for probationary part-time Communications Operators.

## 18. Job Evaluation – Civilians

Amend Articles 3:03 and 3:05 as follows:

3:03 (a) The Parties agree to create a bi-partite Job Review Committee. Upon request of either the Association or the Board, the Job Review Committee will review jobs that may have been materially amended. This Review will be conducted to ensure the job is placed within the appropriate job classification. In conducting the Review, the Job Review Committee will evaluate up to date job content information using the Deloitte and Touche job evaluation system. This Review shall take place after six months but no more than one year of the notification of the material amendment. Any wage increase required as a result of this review will be retroactive to the date of notification of the material amendment by the Board or the Association to the Job Review Committee. In the event of a dispute the matter will be referred to the Referee appointed under Article 3:05 (b) whose decision is final and binding on both the Parties. The Board is not required to review a job more than once in a calendar year. It is also the intent and understanding of the Parties that all jobs may be reviewed periodically upon the request of either the Board or the Association to maintain the integrity of the job evaluation system.

(b) The Board will notify the Association within 30 days following Board approval regarding the creation of a new civilian position. The Job Review Committee will meet within one year of the date of notification to evaluate the new civilian position. In the event of a dispute the matter will be referred to the Referee appointed under Article 3:05 (b) whose decision is final and binding on both Parties. In the event that the new position is assigned to a higher pay class as a result of the evaluation, retroactive pay shall be paid to the incumbent effective from the date the member commenced work in the position. However, if the assignment to a higher pay class is the result of a material amendment which occurred after the member commenced work in the position, then the retroactive pay shall be made from the date of the material amendment. In the event that the new position is assigned to a lower pay class, the incumbent shall receive the pay rate of the lower pay class . In the event that the assignment to the lower pay class has been referred to the Referee under Art. 3:05(b) then the incumbent shall receive the pay rate of the lower pay class after the Referee's decision has been rendered,

- (c) no change.
- (d) no change.
- (e) delete
- (f) renumber as (e), otherwise no change.

- 3:05 (a) A claim that, as a result of the action referred to in clause 3:03 (b), the Board has assigned a position to the wrong pay class shall be made in writing within one year of the assignment and shall include particulars, including the areas of disagreement, the pay class desired and the reasons therefor. Failing agreement, the claim may be referred to the Referee under this Article.
- (b) no change
  - (c) In evaluating a claim under clause 3:03(a) or clause 3:05(a), the Referee will be governed by the current job evaluation plan and its application to existing jobs in Unit "A" (or "B", or "C", as the case may be).
  - (d) no change
  - (e) no change

## **19. Constable Reclassification**

Add the following to the Constable Reclassification Memorandum of Understanding (No. 2 at p. 55 of the Uniform Agreement):

NOTE: Where a reclassification is being deferred because a member is absent on an unpaid leave of absence, the deferral of the reclassification need not be referred to the Standing Committee.

Amend 17:03(c)(iii) of the uniform agreement to specify that unpaid parental leave does not count towards reclassification.

## **20. Clothing and Equipment**

Amend Board Policy No. 4 in the Uniform Agreement to read as follows (and make same change to the equivalent policy in the Civilian Agreements):

Where the Board or the Service intends to purchase new items of uniform issue or protective equipment for Uniform or Civilian members, or provide existing items of uniform issue or protective equipment to members who have not previously received it, the proposed purchase or issuance shall be discussed at the Clothing and Equipment Committee prior to the proposed purchase.

Where the Board, acting upon the recommendation of the Chief of Police, intends to approve a clothing or equipment purchase which is different from the recommendation of the Clothing and Equipment Committee, then the Association shall be provided with an opportunity to send written submissions to the Board prior to the Board meeting where the Board approves the clothing and equipment purchase. The Association must provide any written submissions it intends to make to the Board within three days of being advised by the Board.

**21. Legal Indemnification**

Add a New Article 23:03(c) to the uniform agreement (and civilian equivalents):

(b) c Where the Board’s or City’s insurer denies legal representation based upon any exclusion(s) in the applicable insurance contracts.

**22. Lieu Time**

Amend Article 5:06 (and Civilian equivalents) to read as follows:

5:06 (a) All lieu time shall be recorded in the member’s lieu time register. The Parties agree that lieu time should be used as soon as practicable after the time is accumulated. Lieu time to the credit of any member which exceeds eighty hours of accumulation on the last day of the month of February, May, August and November shall be paid on the pay day nearest the end of the month. For the purpose of this clause, lieu time includes all time accumulated under clause 5:01 for lunch hours worked, clause 5:05 for overtime and callbacks, and clause 9:04 for Statutory Holidays worked.

(b) Members may elect to reduce their lieu time balance to 20 hours or to zero hours on the last day of November of each year.

**23. Insured Benefits**

**i. Vision Care**

Increase vision care benefit as follows (current benefit is \$200.00 every 24-consecutive months):

January 1, 2003	\$250.00 every 24 consecutive months
January 1, 2004	\$275.00 every 24 consecutive months

**ii. Dental Care**

Increase annual dental maximum benefit as follows (current maximum is \$1750.00):

January 1, 2003	\$1,900.00
January 1, 2004	\$2,000.00
July 1, 2004	\$2,050.00

**iii. Prescription Dispensing Fee**

Increase dispensing fee cap as follows (current maximum is \$7.50):

January 1, 2004	\$8.50
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**iv. Speech Therapy**

Increase maximum annual allowance as follows (current maximum is \$250):

January 1, 2003        \$1000.00

**v. Coordination of Benefits**

Effective January 1, 2003 amend insurance contract to allow for internal coordination of benefits.

**vi. Orthotics**

Effective January 1, 2003 amend insurance contract to provide for orthotic inserts as follows:

A claimant is entitled to coverage for two pairs in the first year of any initial claim and for one pair in every 24 consecutive month period thereafter. Children to continue to be eligible for two pairs annually.

NOTE: The Board agrees to settle the outstanding orthotics grievance by paying the Association \$45,000.00 for distribution to the grievors. Such payment will be made within one month following ratification.

**24. Pregnancy and Parental Leave**

Effective date of ratification, pregnancy leave top-up to be increased from 75% for 17 weeks to 80% for 17 weeks.

For purposes of the pregnancy leave top-up, regular weekly earnings shall be based on the member's permanent rank or position but will be based on acting rank or position provided the member has been in the acting rank or position for a period of one year or more. The outstanding grievance concerning this issue will be settled on the basis of the grievor being paid the top-up on the basis of her acting rate and the grievance will be withdrawn.

**25. Retroactivity**

All retroactive payments hereunder shall be paid as soon as practicable after ratification.

In the event that the members in any unit or the Board does not ratify this Memorandum the matter will proceed to arbitration and the term of any award shall be only for one year only.

DATED at Toronto this 18<sup>th</sup> day of June, 2002

FOR THE ASSOCIATION

(signed) Craig Bromell  
(signed) Jack Ritchie  
(signed) Donald Courts  
(signed) Al Olsen  
(signed) Rick McIntosh

FOR THE BOARD

(signed) Gloria Lindsay Luby

Appendix "A"

C.W.W. Pilot Project re 11.5 hour shifts

**1. Pilot Project**

**Duration:** One year commencing on January 1, 2003. Failing agreement after the one year period to implement service-wide, members revert to schedule in effect prior to pilot project.

**Locations:**

- 23 Division
- 55 Division
- 42 Division
- Forensic Identification Services

**Renewal:** If the Board wishes to implement the schedule service-wide, it will advise the Association in writing by May 31, 2003. If the Board does so, then a mailed, secret ballot vote of members in the pilot divisions/units is to be completed by the end of June, 2003. A simple majority of members (fifty percent plus one) will carry the vote, resulting in Service-wide implementation to divisions/units on a temporary basis.

Where a majority of the members vote to discontinue the new shift schedule, on such date as agreed to by the Board and the Association, they will revert to those shift schedules in effect prior to the pilot project.

Subject to above, Service-wide implementation will commence on January 1, 2004, provided that the Board also agrees. A mailed, secret ballot vote of all members on the new shift schedule will be completed by the end of June, 2004. A simple majority of members (fifty percent plus one) will carry the vote, resulting in permanent Service-wide implementation to divisions/units.

Service wide implementation means that for all units which participated in the Service-wide temporary project, this accord shall replace the C.W.W. accord, or other governing accord, in this collective agreement.

**2. The Cycle**

Eight (8) weeks

Four (4) on - Four (4) off

Two (2) days on day shift followed by two (2) days on night shift

6.525 cycles per year (52.2 weeks per year ÷ 8 weeks per cycle)

Tours of Duty - Primary Response - Example Start/Finish Times

Days	6:00 am - 5:30 pm
	7:00 am - 6:30 pm
Nights	5:30 pm - 5:00 am
	7:00 pm - 6:30 am



**3. Hours - Per Cycle and Per Calendar Year**

- (i) Gross: 28 shifts worked per cycle @ 11.5 hours per shift = 322 hours per cycle
- (ii) Net: 28 shifts worked per cycle @ 10 hours = 280 hours per cycle

**4. Lunch Period**

Taken as a 90 minute lunch period and assigned after completion of three and one half (3.5) hours of duty and to be completed before the completion of nine (9) hours of duty.

Lunch periods not worked to be taken as time off only.

**5. Working Conditions**

Same as C.W.W. paragraph 3 except:

- (i) 5.02(b) shall be applicable;
- (ii) subclause 5.01(f) shall read “five and one half” hours” instead of “four hours”;
- (iii) subclause 5.01(e) shall read “45 minutes” instead of “one-half hour”

**6. Statutory Holidays**

- (i) Instead of a lieu time credit at the start of each cycle, a credit of twelve (12) hours per calendar month shall be used.
- (ii) Fifty (50) hours of the lieu time must be used as time off. It will be selected as part of the vacation draw.
- (iii) No ADO's

**7. Vacations**

- (i) Paragraph 5 (a) of existing C.W.W. accord applies.
- (ii) Paragraph 5 (b) of existing C.W.W. accord applies.
- (iii) Days taken off during a week of vacation draw shall be considered leave for the purposes of court appearance.

**8. Two Officer Cars**

Existing 7:00 p.m. to 3:00 a.m. language to continue.

**9. Transition - Converting to a 4-Platoon System**

(i) "E" Platoon members to be placed on "A" through "D" Platoons based upon a relatively even distribution of seniority and requests for assignments to a specific platoon for personal needs shall be considered.

(ii) Pilot Project only - Uniform "E" Platoon.

For the pilot project only - any uniform personnel who are affected by converting to a 4-platoon system shall be reassigned to duties within their existing unit or division at their permanent rank held.

(iii) Pilot Project only - Civilian "E" Platoon.

For the pilot project only - any civilian personnel affected by the change to a 4-platoon system shall be reassigned to any duties within their existing unit or division at their current salary rate held.

(iv) The parties agree that the well-being and health of members participating in the Pilot Project is of paramount importance. To that end discussions will take place between the parties on the steps to be taken to monitor and measure the physiological and psychological effect the pilot project is having on members.

Study Committee - Same language as para. 10 of C.W.W. Accord

Conflicts - Same language as para. 11 of C.W.W. Accord

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P193. BOARD MEMBER TRAINING: COUNCILLOR FRANCES NUNZIATA**

The Board was in receipt of the following report JULY 15, 2002 from Norman Gardner, Chairman.

Subject: BOARD MEMBER TRAINING

Recommendation:

It is recommended that: The Board receive this report for information.

Background:

The Board adopted a requirement that all newly appointed members receive training within two months of being appointed (BM 156/00 refers). For the information of the Board, Councillor Frances Nunziata has completed this training.

**The Board received the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P194.       JOB DESCRIPTION – NEW POSITION:       GROUP LEADER,  
MONITOR/TRANSLATOR**

The Board was in receipt of the following report JUNE 12, 2002 from Julian Fantino, Chief of Police.

Subject:       JOB DESCRIPTION - GROUP LEADER, MONITOR / TRANSLATOR  
(A07067.3)

Recommendation:

It is recommended that: the Board approve the attached job description for the position of Group Leader, Monitor / Translator (A07067.3).

Background:

Each year at the time of the annual budgeting process since 1996, the Intelligence Support section of Detective Services has requested that a supervisory position be created to oversee the monitors. Unfortunately, due to fiscal restraints, the request has never been approved.

This year the number of monitors required for projects has risen to an average of 80 persons at any given time, which is up from an average of 60 persons in previous years. The supervisory responsibilities for a group this large are tremendous.

As the uniform personnel attached to the Technical Support Section of Intelligence Support do not have sufficient time to dedicate to this task, one of the monitors has been working full time supervising the other monitors, as an interim measure.

Due to restructuring within the Detective Services, there is a vacant Class 7 position which will be used to create the new Group Leader position. For this reason, there will not be a need to increase the unit's establishment. Furthermore, the funding available for the vacant Class 7 position can be used to staff this new position. Budget and Control has verified that funding is available.

It is, therefore, recommended that the Board approve the new job description for Group Leader, Monitor / Translator, Class 7 (35 hours).

Frank Chen, Chief Administrative Officer, will be in attendance to respond to any questions the Board may have.

**The Board approved the foregoing.**



**TORONTO POLICE SERVICE**  
**JOB DESCRIPTION**

Date Approved:  
Board Minute No.:  
Total Points: 408  
Pay Class : A07

**JOB TITLE:** Group Leader, Reader/Translator

**JOB NO:** A7067.3

**BRANCH:** Policing Support Command

**SUPERSEDES:**

**UNIT:** Intelligence Services

**HOURS OF WORK:** 35      **SHIFTS:** 1

**SECTION:** Technical Support

**NO. OF INCUMBENTS IN THIS JOB:** 1

**REPORTS TO:** Officer-in-charge

**DATE PREPARED:** 2002.05.14

**SUMMARY OF FUNCTION:**

Supervises the activities of 80 Intelligence Monitors. Ensures that standards of performance are met. Ensures that personnel are properly trained and that established procedures are carried out.

**DIRECTION EXERCISED:**

Trains, assigns, checks the work of and supervises the Monitors.

**MACHINES & EQUIPMENT USED:**

Microcomputer/Word Processor with associated software, and other related office equipment as may be required.

**DUTIES AND RESPONSIBILITIES:**

1. Schedules, assigns, checks and evaluates the work of the Intelligence Operators and the section Clerk-typist.
2. Participates in the selection interviews of Monitors.
3. Conducts background checks of successful applicants and liaises with Human Resources on completing all other formalities for new hires.
4. Maintains the pool of Monitor/Translators.
5. Assists in the layoff and recall process of Monitors.
6. Maintains the budget of 1.6 million dollars for Monitors.
7. Prepares shift schedules for projects in consultation with project investigator and generates various reports such as weekly monitor costs, weekly transcribing reports etc.
8. Provide constant and up to date training for new and current Monitors and organizes training sessions on a regular basis.
9. Conducts performance counselling on a regular basis.
10. Performs typical duties inherent to the position.

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P195. LEGAL INDEMNIFICATION: P.C. PAULA ST. CROIX (6501)**

The Board was in receipt of the following report JUNE 20, 2002 from Julian Fantino, Chief of Police.

Subject: LEGAL INDEMNIFICATION FOR POLICE CONSTABLE PAULA ST.  
CROIX #6501

Recommendation:

It is recommended that: The Board deny payment of an account from Mr. Daniel F. Moore of Heller Rubel, in the amount of \$1,931.86 for his representation of Police Constable Paula St. Croix #6501.

Background:

Police Constable Paula St. Croix #6501 has requested payment of legal fees under the legal indemnification clause of the Uniform Collective Agreement. The statement of account from Mr. Daniel F. Moore, in the total amount of \$1,931.86, for representing the aforementioned officer has been received.

This report corresponds with additional information provided on the Confidential Agenda

It is recommended that this account be denied.

Mr. William Gibson, Director of Human Resources, will be in attendance to respond to any questions the Board may have in regard to this matter.

**The foregoing report was referred back to Chief Fantino in conjunction with the confidential report on this matter (Min. No. C145/02 refers).**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P196. LEGAL INDEMNIFICATION: P.C. LESLIE BACKUS (1063)**

The Board was in receipt of the following report MAY 2, 2002 from Julian Fantino, Chief of Police.

Subject: LEGAL INDEMNIFICATION

Recommendation:

It is recommended that: the Board deny payment of an account from Mr. Gary R. Clewley, Barrister and Solicitor, in the total amount of \$1,797.60 for his representation of Police Constable Leslie Backus #1063.

Background :

Police Constable Leslie Backus #1063 has requested payment of legal fees under the legal indemnification clause of the Uniform Collective Agreement. The statement of account from Mr. Gary R. Clewley, Barrister and Solicitor, in the total amount of \$1,797.60 for representing the aforementioned officer has been received.

This report corresponds with additional information provided on the Confidential Agenda.

It is recommended that this account be denied.

Mr. William Gibson, Director, Human Resources, will be in attendance to respond to any questions the Board may have in regard to this matter.

**The Board approved Chief Fantino's recommendation that legal indemnification not be provided in this case and noted that the confidential report was considered during the in-camera meeting (Min. No. C146/02 refers).**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P197. TORONTO COMMUNITY HOUSING CORP – SPECIAL CONSTABLE  
COMPLAINT SYSTEM**

The Board was in receipt of the following report JULY 2, 2002 from Julian Fantino, Chief of Police.

Subject: RESPONSE TO DEPUTATION REGARDING THE TORONTO  
COMMUNITY HOUSING CORPORATION (TCHC) SPECIAL CONSTABLE  
COMPLAINT SYSTEM

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

This report is in response to the concerns of Ms. Sandra Nimmo, as expressed in her deputation at the Board meeting held on April 25, 2002 (Board Minute P110/02, refers). Ms. Nimmo also provided a written submission, which is filed in the Board office. The Board approved the following Motion, in part:

**THAT Ms. Nimmo's deputation be received and refer her written submission to Chief Fantino and that he review her concerns about the complaints system in conjunction with the terms of the Special Constable agreement and that he provide a report to the Board on the results of his review.**

During her deputation, Ms. Nimmo indicated that "the residents of the TCHC had never been advised about the complaints system; how to file a complaint or that their complaints would be investigated". Ms. Nimmo also suggested that it would be more preferable for residents to make complaints about TCHC security directly to the Toronto Police.

On March 8, 2000, the Board entered into an Agreement regarding Special Constables with the Toronto Community Housing Corporation (TCHC), formerly the Metropolitan Toronto Housing Authority (MTHA).<sup>1</sup> On May 30, 2002, the Board approved a six-month extension of the appointments of TCHC Special Constables until November 2002 (Board Minute P153/02, refers).

---

<sup>1</sup> In January 2002, the Toronto Housing Company (THC) and Metro Toronto Housing Authority (MTHA) amalgamated to become one organization, the Toronto Community Housing Corporation (TCHC)



Prior to the amalgamation the MTHA Special Constables were deployed to specific MTHA communities where the Special Constables would be most effective. The MTHA communicated fully with the residents across the organization regarding the Special Constable complaints process. The TCHC continues to deploy their Special Constables to the same selected former MTHA communities only. At that time the Toronto Housing Company (THC) did not have Special Constables assigned to their properties.

The TCHC Special Constables have not been deployed to any of the former THC communities. For that reason the TCHC the Special Constable complaints process has not been communicated to the residents of the former THC. The TCHC does not intend to deploy Special Constables to the former THC communities, however, the communications strategy will include the former THC residents.

It should be noted that where Ms. Nimmo resides was a part of the previous Toronto Housing Company and there are no Special Constables deployed there. As stated, there are no immediate plans to deploy Special Constables to that area of the City. If, in the future, the decision is made to deploy the Special Constables into these communities, the management of the TCHC recognizes the importance of conducting extensive consultation prior to installing any new security services.

The investigation of complaints concerning the conduct of TCHC Special Constables is pursuant to the Special Constable Agreement between the Toronto Police Services Board and the TCHC. Appendix "D" of the Agreement sets out the terms and processes to be followed. Incoming complaints are classified by the Complaints Review Unit of the Toronto Police Service. Serious complaints are referred to the Public Complaints Investigation Bureau, while less serious complaints are referred to TCHC for investigation.

The TCHC complaints investigation procedure is in full compliance with the Agreement during an audit conducted by the Special Constable Liaison Section of Community Policing Support on March 1, 2002.

Currently, residents make complaints through the local property manager. Information regarding complaints about Security Services at any of the TCHC sites may be reported to the property manager or Security Supervisor.

In 2001, there were two complaints regarding TCHC Security Services. So far in 2002, there has been one complaint regarding TCHC Security Services. The Service's Complaints Review Unit has reviewed each of these three complaints. The complaints have been resolved and the process of oversight, as established by the Agreement, appears to be working satisfactorily.

Ms. Terry Skelton, Director of TCHC Security Services, will be in attendance at the meeting to respond to any questions that the Board may have regarding this matter. A copy of Ms. Skelton's letter to the Board, dated May 23, 2002, is attached to this report.

Therefore, it is recommended that the Board receive this report for information.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to respond to any questions that the Board may have regarding this matter.

**Ms. Sandra Nimmo was in attendance and made a deputation to the Board with regard to the foregoing report.**

**Chairman Gardner noted that the references to the Metropolitan Toronto Housing Authority contained in the fourth paragraph of the Chief's report and in the footnote should have indicated Metropolitan Toronto Housing *Corporation* and not Metropolitan Toronto Housing *Authority*.**

**The Board received the foregoing report from Chief Fantino and the deputation by Ms. Nimmo and approved the following Motion:**

**THAT the Board forward a copy of the foregoing to the Toronto Community Housing Corporation for information.**

Toronto Community  
Housing Corporation  
365 Bloor St E.  
8<sup>th</sup> Floor  
Toronto, ON M4W 3L4



Toronto  
Community  
Housing

May 23, 2002

Mr. Norm Gardner  
Chair  
Toronto Police Services Board  
40 College Street  
Toronto, Ontario

Dear Mr. Gardner,

Re: Complaint process related to the Toronto Community Housing Corporation ( TCHC )  
Special Constable Program raised by Ms. Sandy Nimmo.

I would like to clarify the complaint process that is currently in use with respect to the Special Constable Program. As per the terms of the Memorandum of Understanding between the Toronto Police Services ( TPS ) and TCHC, all complaints regarding the actions of a Special Constable are lodged with the TPS Public Complaints Bureau and are fully investigated by this unit.

In addition to the above noted formal complaint process, all TCHC residents currently have access to Security Services management staff to report concerns that they have regarding the actions of staff. Management will review and attempt to resolve all complaints received. With reference to Special Constable staff however, the formal complaints process detailed under the terms of the agreement with TPS will continue to be seen as the primary way to investigate and resolve concerns regarding the actions of these officers.

In January of this year the two former housing organizations, Toronto Housing Company and Metro Toronto Housing Corporation integrated to become one organization, the Toronto Community Housing Corporation. As part of the business plan for the organization, that is now under development, a resident complaint resolution process will be developed and fully communicated to all residents, staff and other stakeholders.

The Special Constable Program began at the former MTHC. Once a decision is made about the continuation of this pilot, additional consultation and communication about the program will take place with TCHC residents. This will help residents to become aware of the program's intent as well as the controls that are in place to govern the work of the Special Constable.

I trust that this information will assist you in your response to Ms. Nimmo. If I can require additional information, please do not hesitate to contact me.

Yours truly,

  
Terry Skelton  
Director, Security Services

c.c. D. Ballantyne  
R. Soegtrop  
R. Barratt

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P198. UNIVERSITY OF TORONTO – APPOINTMENTS OF SPECIAL  
CONSTABLES**

The Board was in receipt of the following report JULY 2, 2002 from Julian Fantino, Chief of Police.

Subject: APPOINTMENT OF SPECIAL CONSTABLES FOR THE UNIVERSITY OF  
TORONTO POLICE (U of T Police)

Recommendation:

It is recommended that: the Board approve the appointment of the individuals listed in this report as special constables for the U of T Police.

Background :

Under Section 53 of the Police Services Act of Ontario, the Board is authorized to appoint special constables subject to the approval of the Minister of Public Safety and Security.

Pursuant to this authority, the Board entered into an agreement with the U of T Police for the administration of special constables. Essentially, the special constables are appointed to enforce the Criminal Code, and other federal and provincial legislation on U of T property within the City of Toronto (Board Minute 571/94 refers).

At its meeting on January 29, 1998, the Board approved that requests for appointment of special constables, who are not members of the Service, be forwarded to the Board with the Chief's recommendation, for the entire Board's consideration (Board Minute 41/98 refers).

The U of T Police has requested that the following individuals be appointed as special constables for a five-year term.

Susie GUADAGNANO  
Simon Robert JAMES

Wendy HUGHES  
Robert Nicholas ROMANO

The agreement between the Board and the U of T Police requires that background investigations be conducted on individuals recommended for appointment as special constables. Background investigations have been successfully conducted on the aforementioned individuals.

The U of T Police has conducted character, reference and credit checks, as well as psychological assessments on the individuals listed. It is hereby recommended that these individuals be appointed as special constables for a five-year term. The effective date will be established once approval has been obtained from the Minister of Public Safety and Security.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to respond to questions the Board may have regarding this matter.

**The Board approved the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P199. TORONTO TRANSIT COMMISSION – APPOINTMENTS OF SPECIAL  
CONSTABLES**

The Board was in receipt of the following report JULY 2, 2002 from Julian Fantino, Chief of Police.

Subject: APPOINTMENT OF SPECIAL CONSTABLES FOR THE TORONTO  
TRANSIT COMMISSION (T.T.C.)

Recommendation:

It is recommended that: the Board approve the appointment of Derek Paul Stanley as a special constable for the T.T.C.

Background:

Under Section 53 of the Police Services Act of Ontario, the Board is authorized to appoint special constables subject to the approval of the Minister of Public Safety and Security.

Pursuant to this authority, the Board entered into an agreement with the T.T.C. for the administration of special constables. Essentially, the special constables are appointed to enforce the Criminal Code, and other federal and provincial legislation on T.T.C. property within the City of Toronto (Board Minute 39/96 refers).

At its meeting on January 29, 1998, the Board approved that requests for appointment of special constables, who are not members of the Service, be forwarded to the Board with the Chief's recommendation, for the entire Board's consideration (Board Minute 41/98 refers).

The T.T.C. has requested that Derek Paul Stanley be appointed as a special constable for a five-year term.

The agreement between the Board and the T.T.C. requires that background investigations be conducted on individuals recommended for appointment as special constables. A background investigation has been successfully conducted on the aforementioned individual.

The T.T.C. has conducted character, reference and credit checks, as well as psychological assessment on the individual listed. It is hereby recommended that this individual be appointed as a special constable for a five-year term. The effective date will be established once approval has been obtained from the Minister of Public Safety and Security.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to respond to questions the Board may have regarding this matter.

**The Board approved the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P200.           RESPONSE TO REQUEST TO RE-APPOINT SPECIAL CONSTABLES  
FOR THE TORONTO TRANSIT COMMISSION**

The Board was in receipt of the attached correspondence, dated JUNE 26, 2002, from Robert W. Runciman, Minister of Public Safety & Security, with regard to the re-appointments of 54 special constables for the Toronto Transit Commission.

**The Board received the foregoing.**

Ministry of Public Safety  
and Security

Office of the  
Minister

25 Grosvenor Street  
18<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel: 416-325-0408  
Fax: 416-325-6067

Ministère de la Sûreté  
et de la Sécurité publique

Bureau du  
ministre

25, rue Grosvenor  
18<sup>e</sup> étage  
Toronto ON M7A 1Y6  
Tél.: 416-325-0408  
Télééc.: 416-325-6067



CM02-02459

JUN 26 2002

Mr. Norman Gardner  
Chairman  
Toronto Police Services Board  
40 College Street  
Toronto ON M5G 2J3

Dear Mr. Gardner: *Norm*

Thank you for your letter requesting the reappointment of 54 special constables for the Toronto Transit Commission.

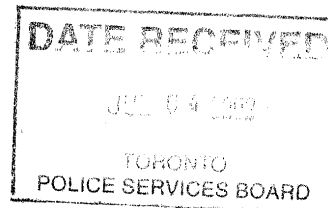
I am pleased to inform you that the ministry's Selection Systems and Appointments Unit has prepared the necessary documentation and I have approved these reappointments.

I trust that this is of assistance to you. Again, thank you for bringing the board's recommendations to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Runciman".

Robert W. Runciman, MPP  
Leeds-Grenville  
Minister





**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P201. CONTRACT FOR A LIVESCAN FINGERPRINT SYSTEM**

The Board was in receipt of the following report JULY 10, 2002 from Julian Fantino, Chief of Police.

Subject: LIVESCAN FINGERPRINT SYSTEM

Recommendation:

It is recommended that:

- (1) the Board award a contract to Printrak, a Motorola Company, for an amount of up to \$4,979,400 (including all taxes) as the sole source provider of the Livescan Fingerprint System.
- (2) the Board authorize the Chairman to execute a contract, including the terms and conditions, on behalf of the Board which is satisfactory to the City Solicitor.

Background:

The Livescan Fingerprint System for Forensic Identification Services (FIS) was approved for the 2002-2006 Capital Program. The funding for this project was set at \$4,979,400 with cash flow as follows: \$300,000 for 2002, \$1,162,700 for 2003 and \$3,516,700 for 2004.

The current Automated Fingerprint Identification System (AFIS) was purchased from Printrak, a Motorola Company in 1989 and last upgraded in 1996. It is networked with the Royal Canadian Mounted Police (RCMP) and four local agencies as partners namely, Ottawa City Police Service, Durham Regional Police Service, Niagara Regional Police Service and York Regional Police Service. FIS manages the AFIS fingerprint database for the Toronto Police Service (TPS) and its local partners.

The approved capital project contains two main components: 1) Implementations of 10 digital fingerprint capture devices (livescan) to replace the current method of fingerprinting with paper and ink. The livescan devices will be installed at Divisions 11, 14, 22, 32, 41, 51, 52, 55, Employment Unit and FIS. The noted Divisions are the Central Lock-ups for prisoner processing. The Employment Unit will use one livescan unit for applicant processing and FIS will utilize one livescan unit for training and testing purposes. 2) Upgrade of current hardware and software, which will support the livescan units and new functionalities.

In order to implement livescan technology it is necessary to upgrade the current system. There are certification requirements of such units as set out by the RCMP. Certification is based on specific criteria for hardware and software standards as published by the RCMP in their Interface Control Document version 1.7.5. This standard defines the method of transmitting digital information to the RCMP.

Printrak, a Motorola Company, is currently the only company certified to submit both criminal and civilian records to the RCMP. This in itself is a major contributing factor to sole source this project. This also will dovetail with the national livescan project sponsored by the RCMP, which was awarded to Printrak, a Motorola Company.

The cornerstones of this project are the upgrade components including palm print capabilities and an enhanced system with real time identification. Real time identification will have the capacity to identify known criminals at the time of booking. Palm prints account for approximately 30% of all prints developed at crime scenes. The upgrade will include a storage system for palms, which will provide the infrastructure for subsequent palm search capability. Since the writing of the original business case, Printrak, a Motorola Company has released a search engine for palm prints.

Printrak, a Motorola Company, will provide all hardware, software and support for this project. There will be no interface or compatibility issues between the new components and the existing system. Introducing another vendor would result in a major undertaking with interface and compatibility issues that that would compromise intended efficiencies and maintenance agreements.

The TPS utilizes a mugshot system for prisoner bookings. This system, known as the Repository for Integrated Computer Imaging (RICI), was purchased from Comnetix and is currently maintained by Information Technology Services (ITS). The introduction of livescan will require specific data transfer from RICI into the Livescan Fingerprinting System. To this end Printrak, a Motorola Company and Comnetix, with the support of ITS will establish an interface workflow.

Printrak, a Motorola Company, is recognized as a leader in the digital fingerprint industry and the TPS has had a very good relationship with them over the last 12 years with its onsite support. Our partners, who currently also use Printrak equipment, would be able to continue to function without major undertakings to preserve their operation and connectivity.

FIS and ITS staff have worked closely to ensure that all hardware and software issues have been addressed and Finance & Administration has been involved throughout the process to date.

The implementation plan for the livescan system is as follows.

In 2002 the interface between RICI and the livescan units will be established. Divisions 32 and 41 have been identified as the initial test sites. Testing and implementation will be conducted along with associated network connections (estimated cost \$300,000)

In 2003 the balance of the livescan units will be installed and tested at the remaining sites. Network connections will be established and tested. Data conversion will be initiated for the current fingerprint card files (estimated cost \$1,162,700).

2004 will see the installation of the balance of the hardware and software to support real time identification, upgraded processing with palm storage and retrieval (estimated cost \$3,516,700).

Therefore, it is recommended that a contract be awarded to Printrak, a Motorola Company, for an amount of up to \$4,979,400 (including all taxes) as the sole source provider of the Livescan Fingerprint System. The breakdown of the above amount is as follows:

Purchase of 10 livescan units	\$1,100,480
AFIS hardware & software upgrade	\$3,007,988
Conversion of card files	\$722,000
Consulting & interface software	\$148,932
Total Cost	\$4,979,400

The ongoing maintenance costs are estimated at \$656,000 per year commencing in 2004 and these have been included as operating impacts in the approved capital program and will be included in the Service's 2004 operating budget submission.

Therefore it is recommended that the Board award a contract to Printrak, a Motorola Company, for an amount of up to \$4,979,400 (including all taxes) as the sole source provider of the Livescan Fingerprint System and; that the Board authorize the Chairman to execute a contract, including the terms and conditions, on behalf of the Board which is satisfactory to the City Solicitor.

Deputy Chief Michael Boyd of Policing Support Command will be in attendance to answer any questions the Board may have arising from this presentation.

**Staff Inspector Ed Stewart and Detective Richard Wiszniowski, Forensic Identification Services, were in attendance and provided the Board with a demonstration of the new Livescan Fingerprint System.**

**The Board was also in receipt of correspondence, dated July 31, 2002, from Frank Smith, Vice President Sales and Marketing, Comnetix Computer Systems Inc., requesting an opportunity to submit a bid with regard to the livescan fingerprint systems contract. A copy of the correspondence is on file in the Board office.**

**Det. Wiszniowski advised the Board that Printrak is currently the only company in Canada that has been certified by the RCMP to submit both criminal and civilian records to the RCMP.**

**The Board approved the foregoing report and received the correspondence from Mr. Smith.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P202. TORONTO POLICE SERVICES BOARD – 2002 OPERATING BUDGET  
VARIANCE AS AT MAY 31, 2002**

The Board was in receipt of the following report JULY 5, 2002 from Norman Gardner, Chairman.

Subject: 2002 OPERATING BUDGET VARIANCE FOR THE TORONTO POLICE SERVICES BOARD, AS AT MAY 31, 2002

Recommendation:

It is recommended that:

- 1) the Board receive this report, and
- 2) the Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background :

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the 2002 Toronto Police Services Board Operating Budget at a net amount of \$1,291,000, an increase of 2.4% over the 2001 Net Operating Budget. The Council-approved budget provides sufficient funding to maintain current services.

2002 Operating Budget Variance

As at May 31, 2002, the Board is projecting a zero variance. This is unchanged from the variance reported for April.

STAFFING

The staffing budget for the Board office is \$726,900, or 56.3% of the total net budget. At this time, all positions are fully staffed, and no variance is anticipated.

NON-SALARY ACCOUNTS

The non-salary budget for the Board office is \$564,100. The majority of the Board's costs are related to arbitration and grievance hearings. No variance is anticipated in these accounts at this time.

**The Board received the foregoing and agreed to forward a copy to the Chief Financial Officer and Treasurer for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P203. TORONTO POLICE SERVICE – 2002 OPERATING BUDGET  
VARIANCE AS AT MAY 31, 2002**

The Board was in receipt of the following report JULY 11, 2002 from Julian Fantino, Chief of Police.

Subject: 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO  
POLICE SERVICE AS AT MAY 31, 2002

Recommendation:

It is recommended that:

- (1) the Board receive this report, and
- (2) the Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background:

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$587.2 Million (M), an increase of 1.5% over the 2001 Net Operating Budget. The Council-approved budget provides sufficient funding to maintain current services. The budget also provides additional funding for the creation of an Anti-Gang Unit in the amount of \$0.7M as well as funding for costs related to the City taking over Provincial Offences Act courts. In addition to the approved budget, City Council also approved one-time funding for World Youth Days at a net amount of \$2.7M bringing the Service's total operating budget to \$589.9M.

2002 Operating Budget Variance

As at May 31, 2002, the Service is projecting a year-end surplus of \$0.5M. This surplus is \$0.5M less than reported in the April 30, 2002 variance report.

STAFFING

The Service continuously evaluates staffing data and the related impact on the Service's expenditures. The reduction of \$0.5M in the overall projected surplus is fully attributed to changes in staff projections, as a result of updated (May) information for separations and hires.

The gross staffing expenditure surplus as of the end of April, 2002 was estimated at \$6.2M. This was based on the number of separations to date, and the projected number of separations to year end, as well as a *status quo* assumption for recruit hiring. April figures indicated that year-end separations would increase to 425, as compared to the original budget submission of 322.

Since then, the trend in retirements and resignations has reversed. May figures indicate that year-end separations may only be as high as 400. This is a reduction of 25 from last month's projection, and creates an additional pressure of \$0.2M compared to last month.

A further change has occurred in the number of recruits being hired. In on-going attempts to achieve approved uniform staffing targets, the Service continuously pursues positions at the Ontario Police College and actively recruits lateral entries. In the first class of 2002, the Service was able to hire 10 additional recruits (at a net additional cost of \$0.3M compared to last month).

The revised attrition and hiring figures stated above result in gross salary savings of \$5.7M, compared to \$6.2M last month.

As identified in previous variance reports, the Service has embarked on in-year strategies to cope with the staffing shortfall caused by the increase in separations. These strategies include the increased use of overtime and callbacks, and the granting of fewer days off. In addition, the Service is attempting to increase the number of lateral entries through aggressive recruiting, incentives to attract and retain new hires (e.g. lieu time credits) and the hiring of part-time police officers. These actions result in a projected 2002 cost of \$4.9M (unchanged from last month). Details of separations and hiring along with staffing strategies were provided in the Human Resource Strategy report at the Board meeting of May 30, 2002 (Board Minute #P136 refers).

Moreover, the Service has incurred additional salary costs related to policing protests at the PC Convention and providing increased resources during the OPSEU strike. These events have added \$0.6M to the 2002 projected expenditures. The current City strike has had minimal effect on policing costs; however, these costs will continue to be monitored and reported on in future variance reports.

The bargaining committees of the Board and the Police Association have reached a tentative agreement covering the years 2002 – 2004. The impact of this agreement will be reflected in future variance reports, once ratification by both parties has occurred.

The net impact on the staffing budget is a net salary surplus of \$0.2M (a reduction of \$0.5M from last month). This can be summarized as follows:

Projected year-end surplus, as at April 30, 2002	\$6.2M
Strategies to cope with staffing shortfall	(\$4.9)M
Additional pressures (OPSEU strike, PC Convention)	<u>(\$0.6)M</u>
<b>Year-end salary surplus, projected as at April 30, 2002</b>	<b>\$0.7M</b>
Revised attrition projection, as at May 31, 2002	(\$0.2)M
Cost of additional recruits hired in first 2002 class	(\$0.3)M
<b>Revised year-end salary surplus, projected as at May 31, 2002</b>	<b>\$0.2M</b>

## BENEFITS

A net benefit savings of \$0.3M is projected to year-end. As a result of cost containment initiatives initiated during 2001, the Service has continued the favourable trend in medical and dental costs and is projecting a \$0.8M favourable variance for benefits. However, additional costs for WSIB in the amount of \$0.5M result in a net savings of \$0.3M.

## SUMMARY

As at May 31, 2002 a favourable variance of \$0.5M is projected. The Service continues to monitor and control expenditures and is committed to delivering an effective and efficient policing operation within the approved funding level. It is therefore recommended that the May 31, 2002 Operating Budget Variance report be received and that the Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions the Board may have.

**The Board received the foregoing and agreed to forward a copy to the Chief Financial Officer and Treasurer for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P204. TORONTO POLICE SERVICE PARKING ENFORCEMENT UNIT – 2002  
OPERATING BUDGET VARIANCE REPORTS**

The Board was in receipt of the following report JUNE 3, 2002 from Julian Fantino, Chief of Police.

Subject: 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO  
POLICE PARKING ENFORCEMENT UNIT AS AT APRIL 30, 2002

Recommendation:

It is recommended that:

1. The Board receive this report; and
2. The Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background :

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the Parking Enforcement Operating Budget at a net amount of \$26.5 Million (M) which is the same amount approved by the Toronto Police Services Board at its meeting of December 13, 2001. The Council-approved budget provides sufficient funding to maintain current services and also provides additional funding for the hiring of an additional 48 Parking Enforcement Officers.

As of April 30, 2002 no variance is projected.

Salaries & Benefits

Attrition is in line with what was projected during the budget process. Parking Enforcement is currently training the first group of Parking Enforcement Officers from the approved staggered hire of 48 additional Parking Enforcement Officers.

Non Salary

No variance is projected.

Parking Tag Revenue

Projected revenue from parking tags for 2002 is \$69.9M which includes additional revenue of \$3.2M due to additional staff.

Deputy Chief Mike Boyd, Policing Support Command will be in attendance to answer any questions the Board may have.



**The Board was also in receipt of the following report JULY 5, 2002 from Julian Fantino, Chief of Police.**

Subject: 2002 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE PARKING ENFORCEMENT UNIT AS AT MAY 31, 2002

Recommendation:

It is recommended that:

1. The Board receive this report; and
2. The Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background:

Toronto City Council, at its meeting of March 4 to 8, 2002, approved the Parking Enforcement Operating Budget at a net amount of \$26.5 Million (M) which is the same amount approved by the Toronto Police Services Board at its meeting of December 13, 2001. The Council-approved budget provides sufficient funding to maintain current services and also provides additional funding for the hiring of an additional 48 Parking Enforcement Officers.

As at May 31, 2002 no variance is projected.

Salaries & Benefits

Attrition is in line with what was projected during the budget process. Parking Enforcement has hired the first group of Parking Enforcement Officers from the approved staggered hire of 48 additional Parking Enforcement Officers.

Non Salary

No variance is projected.

Parking Tag Revenue

Projected revenue from parking tags for 2002 is \$69.9M, which includes additional revenue of \$3.2M due to additional staff.

Deputy Chief Mike Boyd, Policing Support Command will be in attendance to answer any questions the Board may have.

**The Board received the foregoing reports and agreed to forward copies to the Chief Financial Officer and Treasurer for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P205. TORONTO POLICE SERVICE – 2002 CAPITAL BUDGET VARIANCE  
AS AT JUNE 30, 2002**

The Board was in receipt of the following report JULY 9, 2002 from Julian Fantino, Chief of Police.

Subject: 2002 CAPITAL VARIANCE REPORT FOR THE TORONTO POLICE  
SERVICE AS AT JUNE 30, 2002

Recommendation:

It is recommended that:

1. The Board receive this report; and
2. The Board forward a copy of this report to the City Chief Financial Officer and Treasurer.

Background :

The City of Toronto Council approved the Toronto Police Service's 2002-2006 Capital Budget, consisting of twenty-five projects in 2002, with a total expenditure of \$24.9 million (M). The 2002 expenditure includes \$21.1 M for previously approved projects, and \$3.8 M for land (43 and 23 Division) and start-up costs for the 43 Division. This report provides details regarding the capital budget variance for year 2002 as of June 30, 2002.

Summary of Capital Projects:

The following table provides a summary of the twenty-five projects in 2002, of which twenty-two projects are continuing from 2001, and three projects commencing in 2002. Capital projects are managed within a total approved project amount that spans over several years, and any unspent budget allocation from previous years is carried forward to future years. The carry forward amount prior to 2002, not included in the \$24.9 M, is \$11.1 M and therefore, the available expenditure for 2002 is \$36.0 M ( \$24.9 M + \$11.1 M).

(\$000s) Project Name	Available to Spend in 2002  (1)	YTD Actual + Commitment as at June 30, 2002  (2)	2002 Projected Actual  (3)	Year-End Variance (Over)/ Under  (4)=(1)-(3)
<u>Continuing Projects with Cash flow Carry forward</u>				
Occurrence Re-Engineering	1,122.1	1,100.0	1,122.1	-
Long Term Facilities - 51D	7,573.5	7,420.0	7,573.5	-
Security Control	59.9	42.6	59.9	-
State of Good Repair-Police	1,063.6	730.8	1,063.6	-
State of Good Repair-Corporate	6,684.8	4,198.2	6,684.8	-
Emergency Generators	481.8	479.0	481.8	-
Professional Standards Information Sys.	384.1	50.3	384.1	-
Time Resource Management System	3,111.7	2,379.1	3,111.7	-
E-Mail Replacement	187.2	107.8	187.2	-
Boat Replacement	98.8	98.8	98.8	-
Bail & Parole (Reporting Ctr.)	490.0	463.1	490.0	-
Video Tape Storage & Processing	3,033.0	91.3	1,517.0	1,516.0
MDT Replacement	1,355.8	188.6	1,355.8	-
Long Term Facility - Division 43	1,790.0	479.2	800.0	990.0
43 Division -land cost	1,600.0	-	1,600.0	-
TPS Headquarters Renovation Program	333.6	318.3	333.6	-
Automated Vehicle Location System	1,929.7	187.3	1,929.7	-
Centralized Drug Squad/Study	1,450.0	110.9	1,450.0	-
11 Division	600.0	6.6	20.0	580.0
Emergency Services Video Dist. System	35.8	31.6	35.8	-
23 Division –Land Cost	1,600.0	-	1,600.0	-
<u>Projects Commencing in 2002</u>				
Livescan Fingerprinting System	300.0	-	300.0	-
Police Integration System	250.0	-	250.0	-
Firearms Def Tactics-Applicant Testing	500.0	-	500.0	-
TOTAL:	36,035.4	18,483.5	32,949.4	3,086.0

Based on the above, the Service is projecting a year-end expenditure of \$32.9 M against the \$36.0 M available spending amount. This provides an under-expenditure of \$3.1 M that is projected to be carried forward to 2003.

#### Variiances

The following explanations are provided for 2002 projects reflecting a variance when compared to the available spending amount.

- The Video Tape Storage and Processing – The RFP process has been reissued due to revised requirements and a new tender is in process for a System designer and the roll out of equipment. It is anticipated that only half of the available funds will be spent this year. This project will be completed by the first half of 2003.
- The 43 Division project – The site for the new 43 Division is on City owned land, which has been transferred to the Service. The City has valued the land at \$1.6 M, and this amount is included in the approved budget and has also been reflected as completely spent. The Service has been working with the Ambulance Department to make the new 43 Division a joint TPS/Ambulance facility. The Ambulance Department is committed to the joint facility and although they do not have capital funding for their share of the cost, they will be identifying a request for this in their 2003-2007 capital program. At this time, the Service is projecting to spend \$0.8 M of the \$1.8 M in 2002. The main reason for the under-expenditure is a time delay in completing the necessary discussions/ meetings with community stakeholders prior to finalizing the design. Meetings have occurred and are continuing.
- The 11 Division project – Due to delays in acquiring a site for 11 Division, the \$0.6 M available amount in 2002 will not be spent. City Real Estate has identified a TTC owned property for 11 Division and is initiating the process of acquiring the property.
- The 23 Division project – City Real Estate has identified a site for this location. Negotiations to acquire the property are in process and at this time it is anticipated that 2002 budgeted funds will be spent.

## SUMMARY

The Toronto Police Service is projecting a 2002 year-end under-expenditure of \$3.1 M. This under-expenditure will continue to be monitored, and if necessary carried forward into 2003, and reflected in the 2003-2007 Capital submission. Projects continue to be monitored closely to ensure that they remain within the total project budget and on schedule.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions the Board may have.

**The Board received the foregoing and agreed to forward a copy to the Chief Financial Officer and Treasurer for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P206. SPECIAL FUND REQUEST – 2002 CARIBANA CELEBRATIONS**

The Board was in receipt of the following report JULY 8, 2002 from Julian Fantino, Chief of Police.

Subject: REQUEST FOR FUNDING FOR THE 2002 CARIBANA CELEBRATIONS

Recommendation:

It is recommended that: the Board approve the expenditure of an amount not to exceed \$2000.00, from the Special Fund, to offset expenses to be incurred during the Toronto Police Service's 2002 Caribana celebrations, in accordance with Board's Special Fund Policy.

Background :

The Toronto Police Service began celebrating and participating in the Toronto Caribana events ten years ago. The Toronto Caribana festival is a celebration of the cultural heritage of people from the Caribbean, and the spirit it contributes to the Canadian culture. Since 1991, the Service annually enters a Toronto Police Caribana float to join the many other beautiful and culturally diverse displays in the Caribana parade. In 2001, the Service entered a new Toronto Caribana Float, which catches the attention of the Black community and the community at large, by providing a visual demonstration of police officers, auxiliaries, and community members of diverse ethno-cultural groups, interacting in a spirit of friendship and co-operation.

The Toronto Police Service's participation in Caribana serves to increase awareness of the contributions of the Black Community to Canadian culture. Additionally, it educates Service personnel and community members about the diversity within the Black community. This event also expands partnerships between community leaders, members of the public, organizations and the Service, which results in positive relationships.

By celebrating in the tenth Toronto Caribana festival, the Toronto Police Service continues to build on a reputation of working collaboratively with community agencies, groups, and individuals to promote dialogue and harmony. For example, the Community Unity Alliance, which is a community-based umbrella organization made up of over eighteen community organizations, will be collaborating with the Toronto Police Service with this year's Caribana celebrations. The Toronto Police Service float will be showcased not only in the Caribana parade, but also in many smaller community events during the Caribana festival.

The Caribana kick-off and festivities will be held on Friday, August 2<sup>nd</sup>, 2002, commencing at 12:00 pm, in the front lobby of Toronto Police Headquarters. Community Policing Support, along with community partners are requesting financial assistance from the Board to offset the cost of the following:

Proposed Budget:

Rental of sound equipment	\$1,500.00
Food and refreshments	\$ 500.00
<u>Total Estimated Expenses</u>	<u>\$2,000.00</u>

Police Resources:

Police officers, civilian members and auxiliary officers will be participating in the Caribana kick-off and celebrations.

Therefore, it is recommended that the Board approve the expenditure of an amount not to exceed \$2,000.00, from the Special Fund, to offset expenses to be incurred during the Toronto Police Service's 2002 Caribana celebrations, in accordance with the Board's Special Fund Policy.

Deputy Chief Michael Boyd, Operational Support Command, will be in attendance to answer any questions that the Board may have.

**The Board approved the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P207. 2001 ANNUAL REPORT OF THE TORONTO POLICE SERVICE**

The Board was in receipt of the following report JULY 11, 2002 from Julian Fantino, Chief of Police.

Subject: TORONTO POLICE SERVICE - 2001 ANNUAL REPORT

Recommendation:

It is recommended that the Board receive the 2001 Annual Report.

Background:

Each year, the Toronto Police Service prepares an Annual Report on activities during the previous year. The report provides highlights relating to Service Priorities, major Service initiatives, and community events. The report also provides a brief overview of personnel, fleet, communications, financial, crime, and public complaint information. The Report is also available on our web site at [www.torontopolice.on.ca](http://www.torontopolice.on.ca).

At this time, the 2001 Annual Report is provided for the Board's information, consistent with the requirements of Section 31 of the Adequacy Standards Regulation (Ontario Regulation 3/99).

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions that may arise.

**The Board received the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P208. 2001 ANNUAL REPORT – AUDITED FINANCIAL STATEMENTS  
REGARDING THE POLICE SERVICES BOARD SPECIAL FUND,  
TRUST FUNDS & MUSEUM RESERVE FUND**

The Board was in receipt of the following report JUNE 25, 2002 from Julian Fantino, Chief of Police.

Subject: ANNUAL REPORT 2001 – AUDITED FINANCIAL STATEMENTS  
REGARDING THE POLICE SERVICES BOARD SPECIAL FUND, TRUST  
FUNDS AND MUSEUM RESERVE FUND

Recommendation:

It is recommended that: the Board receive the audited financial statements by Ernest & Young for their information.

Background :

Attached are the audited financial statements by Ernest & Young, Chartered Accountants for the Toronto Police Services Board's Special Fund and Trust Funds for the year ended December 31, 2001. The audited figures have been reviewed and agreed upon by Finance & Administration staff.

Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer any questions the Board may have.

**The Board received the foregoing.**



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P209. SEMI-ANNUAL REPORT: JANUARY – JUNE 2002: PARKING  
ENFORCEMENT UNIT ABSENTEEISM**

The Board was in receipt of the following report JULY 10, 2002 from Julian Fantino, Chief of Police.

Subject: SEMI-ANNUAL REPORT: JANUARY – JUNE 2002: PARKING  
ENFORCEMENT UNIT ABSENTEEISM

Recommendation:

It is recommended that:

- (1) the Board receive the following report for information,
- (2) the Board forward a copy of this report to the City of Toronto Policy and Finance Committee for its information; and
- (3) the Board approve the change in submission dates of semi-annual absenteeism reports - first report to be submitted in February and second report to be submitted in August of each year.

Background:

The City of Toronto Policy and Finance Committee has requested semi-annual reports on Parking Enforcement Unit Absenteeism. This report consists of the information pertaining to the first half of the year 2002.

The Parking Enforcement Unit is developing a comprehensive attendance management program and is currently in consultation with the Toronto Police Association in this regard. However the Parking Enforcement Unit has already taken a number of initiatives to reduce absenteeism. The sick days of individual officers are closely monitored by utilizing the following structured procedure:

- (a) 3<sup>rd</sup> day sick – phone call to the officer at residence
- (b) 4<sup>th</sup> day sick – home visit; and
- (c) 4 or more days sick – doctor's note required.

The administration supervisors have been assigned the responsibility of ensuring that sick members comply with all Service requirements. The individual cases are reassessed when specified by the Service's Medical Advisory Service and the Unit takes the required steps to return the employee to work at the earliest opportunity, as their situation permits.

With the assistance of Human Resources, strategies have been developed to assist long term light duty staff enhance their job skills in order to qualify them for reclassification and placement in other units. As these reclassifications take place, Parking Enforcement Officers are hired, which

in turn improves unit deployment and productivity. In the first half of the year 2002, six light duty officers were temporarily reassigned to other units.

The Parking Enforcement Unit absenteeism report for the first half of the year 2002 is provided in table #1 and the actual figures are reported in table #2 (appendix A refers). In order to highlight absenteeism patterns, the reporting is grouped into four categories: IOD, Long Term Sick, Dependent Sick and Other Sick. IOD represents staff members who were injured while performing their duties. Long term sickness represents staff who remained sick for two or more months. Dependent sick represents time taken off due to illness of a dependent family member. Other sickness represents all short-term sickness.

In the first half of year 2002 the average overall absenteeism rate of the Parking Enforcement Unit stands at 6.0%; IOD rate is 1.6%, Long Term Sick rate is 0.5%, Dependent Sick rate is 0.5% and Short Term Sick represents 3.4%. The yearly absenteeism comparison for the Parking Enforcement Unit for the period of 1998 to June 2002 is provided in Table #3 (appendix A refers). The absenteeism rate in the first half of 2002 is 0.1% below from the year 2001. Traditionally, in the first half of the year, the overall absenteeism rate is above the yearly average. With the ongoing monitoring a further decline in the absenteeism rate is anticipated.

The preparation of absenteeism reports is dependent on the DIMS database (Divisional Information Management System) and the data loading is usually 3 to 4 working days behind. Once the data load is complete, extraction, analysis and report preparation could take another three to four days. Further, internal integrity checks could take up to two to three weeks. Therefore, it is not possible to submit a comprehensive report to the Board in January and July of each year. It is, therefore, recommended that the Board approve the change in submission dates of semi-annual absenteeism reports - first report to be submitted in February and second report to be submitted in August of each year.

It is recommended that the Board receive this information and that this report be forwarded to the City of Toronto Policy and Finance Committee for its information.

Deputy Chief M. Boyd, Policing Support Command will be present at the Board meeting to address any questions.

**The Board approved the foregoing.**

**Appendix A.**

**Table #1.**

**Parking Enforcement Unit Absenteeism  
January – June 2002  
Absenteeism Rate**

<b>TYPE</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Average</b>
Injured on duty	1.8%	2.8%	1.4%	1.6%	1.2%	1.1%	<b>1.6%</b>
Long term sick	0.9%	0.3%	0.3%	0.4%	0.7%	0.6%	<b>0.5%</b>
Short term sick	3.6%	4.6%	2.9%	3.6%	3.2%	2.7%	<b>3.4%</b>
Dependent Sick	0.8%	0.7%	0.4%	0.5%	0.3%	0.4%	<b>0.5%</b>
<b>TOTAL</b>	<b>7.1%</b>	<b>8.3%</b>	<b>5.0%</b>	<b>6.1%</b>	<b>5.3%</b>	<b>4.7%</b>	<b>6.0%</b>

**Table #2.**

**Parking Enforcement Unit Absenteeism  
January – June 2002  
Sick Shifts Summary Actual Figures**

<b>TYPE</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Average</b>	<b>AVG./ Person</b>
Injured on duty hrs.	1,094	1,564	886	940	863	745	<b>1,015</b>	<b>16.8</b>
<b>Injured on duty shifts</b>	<b>137</b>	<b>195</b>	<b>111</b>	<b>117</b>	<b>108</b>	<b>93</b>	<b>127</b>	<b>2.1</b>
Average Persons/Day	4	7	4	4	3	3	4	NA
Long term sick Hrs.	548	160	160	248	458	408	<b>330</b>	<b>5.5</b>
<b>Long term sick shifts</b>	<b>69</b>	<b>20</b>	<b>20</b>	<b>31</b>	<b>57</b>	<b>51</b>	<b>41</b>	<b>0.7</b>
Average Persons/Day	2	1	1	1	2	2	1	NA
Short term sick hrs.	2,200	2,528	1,840	2,078	2,194	1,813	<b>2,109</b>	<b>35.0</b>
<b>Short term sick shifts</b>	<b>275</b>	<b>316</b>	<b>230</b>	<b>260</b>	<b>274</b>	<b>227</b>	<b>264</b>	<b>4.4</b>
Average Persons/Day	9	11	7	9	9	8	9	NA
Dep. Sick hrs.	487	381	279	300	177	252	<b>313</b>	<b>5.2</b>
<b>Dep. Sick Shifts</b>	<b>61</b>	<b>48</b>	<b>35</b>	<b>38</b>	<b>22</b>	<b>32</b>	<b>40</b>	<b>0.6</b>
Average Persons/Day	2	2	1	1	1	1	1	NA

Source: DIMS, PINS.

Parking is 7 Days 24 hrs. operation and shifts range from 10, 8 and 7 hrs.

An average/ shift is taken at 8 hours.

**Table #3. Parking Enforcement Unit Absenteeism  
1998 – June 2002**

	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>Jan to Jun 2002</b>
<b>Total</b>	<b>7.5%</b>	<b>6.7%</b>	<b>5.3%</b>	<b>6.1%</b>	<b>6.0</b>

Source: Parking Information System, PINS

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P210.           RESPONSE TO REQUEST FOR LEGISLATION GOVERNING  
SEARCHES OF PERSONS**

The Board was in receipt of the attached correspondence, dated June 25 2002, from The Honourable Robert Runciman, Minister of Public Safety & Security, with regard to the Board's earlier recommendation that legislation be developed to govern searches of persons.

The Board inquired whether the Service's current policy regarding searches of persons complies with the December 6, 2001 decision of the Supreme Court of Canada. Chief Fantino confirmed that the Service directive governing searches of persons is consistent with the Supreme Court decision.

The Board received the foregoing and approved the following Motions:

1.     **THAT**, given that the Minister's response does not specifically address the Board's original recommendation with regard to powers of search for police officers, court officers and custodial officers, the Chairman send another letter, on behalf of the Board, to the Minister recommending that when detaining prisoners, police officers, court officers and custodial officers be provided powers of search consistent with the powers of search provided to correctional officers when detaining prisoners; and
2.     **THAT**, given that the Minister indicated that powers of search have developed "over time through court decisions dealing with police searches" and "not set out in legislation", the Chairman specifically refer to the December 6, 2001 decision of the Supreme Court of Canada pertaining to searches in his correspondence to the Minister to request that as the result of the court's decision, legislation is required.

Ministry of Public Safety  
and Security

Office of the  
Minister

25 Grosvenor Street  
18<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel: 416-325-0408  
Fax: 416-325-6067

Ministère de la Sûreté  
et de la Sécurité publique

Bureau du  
ministre

25, rue Grosvenor  
18<sup>e</sup> étage  
Toronto ON M7A 1Y6  
Tél: 416-325-0408  
Télééc: 416-325-6067



**JUN 25 2002**

CM02-02056

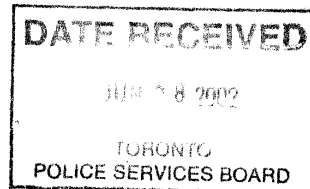
Mr. Bas Balkissoon  
Acting Chair  
Toronto Police Services Board  
40 College Street  
Toronto ON M5G 2J3

Dear Mr. Balkissoon:

Thank you for your letter, addressed to the former Minister, regarding the Toronto Police Services Board's request for legislation governing searches of persons. I am pleased to respond and apologize for the delay.

I have noted your Board's recommendation regarding powers of search when detaining an individual. As you know, neither the Ontario *Police Services Act* nor the *Criminal Code of Canada* provides a statutory framework for the conduct of police searches of the person. Although police officers have broad powers to search individuals in circumstances relating to arrest and detention, these search powers are not set out in legislation but have developed over time through court decisions dealing with police searches.

As you know, Ontario Regulation 3/99, the Adequacy and Effectiveness of Police Services Regulation under the *Police Services Act*, requires every police service in Ontario to have policies and procedures in place with respect to the search of persons. To support police services with the implementation of this requirement, the ministry released the Search of Persons Guideline that is included in the Policing Standards Manual 2000. This guideline addresses a range of issues, including the compliance of members of the police service with the legal, constitutional and case law requirements relating to when and how searches of persons are to be undertaken. For your information, I have enclosed a copy of this guideline.



.../2

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Mr. Bas Balkissoon  
Page two

I trust that this information is of assistance to you. Thank you again for bringing this matter to my attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Mr Runciman". The signature is written in a cursive style with a large initial "R".

Robert W. Runciman, MPP  
Leeds-Grenville  
Minister

Enclosure



## Legislative/Regulatory Requirements

Section 29 of the Police Adequacy Standards Regulation requires a police services board to have a policy on search of persons. In addition, section 13(1)(h) requires the Chief of Police to establish procedures and processes in respect of the search of persons.

## Sample Board Policy

Board Policy # \_\_\_\_\_

It is the policy of the \_\_\_\_\_ Police Services Board with respect to the search of persons that the Chief of Police will:

- a) establish procedures that address:
  - i) the compliance by members of the police service with the legal, constitutional and case law requirements relating to when and how searches of persons are to be undertaken;
  - ii) the circumstances in which an officer may undertake a search of person;
  - iii) frisk/field searches;
  - iv) strip/complete searches;
  - v) body cavity searches;
  - vi) consent searches;
  - vii) the supervision of searches of persons; and
  - viii) the documentation of searches of persons; and
- b) ensure that officers and other members as appropriate are kept informed of changes in the law relating to the search of persons.

## Police Service Guidelines

- Procedures**
1. Every police service's procedures on the search of persons should:
    - a) require an officer when undertaking a search of person to comply with legal, constitutional and case law requirements;
    - b) address the circumstances in which an officer may undertake a search of person;
    - c) set out the procedures for undertaking:
      - i) frisk/field searches;
      - ii) strip/complete searches, including:
        - the circumstances under which a strip/complete search may be conducted;
        - the circumstances when a strip/complete search must be reported;
        - the circumstances, if any, where the permission of a supervisor must be obtained before a strip/complete search is conducted;
        - a requirement against conducting a strip/complete search while any person is present who is not a member of a police service, or whose attendance is

not appropriate or required in the circumstances, unless safety requirements dictate otherwise;

- that a search be conducted by a member of the same gender as the person to be searched, unless safety requirements dictate otherwise;
  - that a search be conducted in a place in which the privacy of the person can be reasonably assured, unless safety requirements dictate otherwise;
  - that the person be encouraged to remove their own clothing, unless safety requirements or destruction of evidence issues dictate otherwise; and
  - that the search be conducted in a manner which avoids unnecessary body contact;
- iii) body cavity searches, including:
- that such searches be conducted in private by a qualified medical practitioner and other medical staff as required, and in the presence of a member of the police service of the same gender as the person to be searched; and
  - operational responsibility for authorizing such a search; and
- iv) consent searches;
- d) address the search of a young person and a person with a disability which affects communication or comprehension; and
- e) require that the results of all searches be documented.

**Information** 2. Every Chief of Police should ensure that the members who may perform search of persons are kept informed of changes in the law with respect to the search of persons.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P211. NEWS BULLETIN REGARDING CHANGES TO THE *CRIMINAL CODE***

The Board was in receipt of the following news bulletin, released June 17, 2002, by the Canadian Association of Police Boards, with respect to the enactment of Bill C-15A which made several changes to the *Criminal Code*.

The Board discussed these changes with Chief Fantino, particularly issues regarding the protection of children.

The Board received the foregoing and requested Chief Fantino to review the changes that have been made to the *Criminal Code* and submit a report on any comments he may have.

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## CANADIAN ASSOCIATION OF POLICE BOARDS

110 Laurier Avenue West, Ottawa, Ontario K1P 1J1 Tel (613) 560-1312 Fax (613) 560-1380  
Email: [Wendy.Fedec@ottawa.ca](mailto:Wendy.Fedec@ottawa.ca) Website: [www.capb.ca](http://www.capb.ca)

### BULLETIN!

17 June 2002

## Stronger Child Pornography Laws Receive Royal Assent

### THE ISSUE

On 10 June 2002, the Honourable Martin Cauchon, Minister of Justice and Attorney General of Canada, announced that Bill C-15A has received Royal Assent. The Bill contains new legislation to protect children from sexual exploitation, internet luring and child pornography. It also includes provisions addressing several other outstanding concerns of the CAPB such as home invasions and disarming a police officer.

### HIGHLIGHTS

The new law makes the following changes to the *Criminal Code* that enhance the protection of children:

**Internet luring and child pornography:** It will now be illegal to communicate with a child over the internet for the purpose of committing a sexual offence against that child as well as to transmit, make available, export and access child pornography.

**Child sex tourism:** Amendments to the child sex tourism law (enacted in 1997) will simplify the process to prosecute Canadians who sexually exploit children in other countries.

**Enhanced judicial powers:** Judges can now order both the deletion of child pornography posted on computer systems in Canada and the forfeiture of any materials or equipment used in the commission of a child pornography offence. They can keep known sex offenders away from children by using prohibition orders, long-term offender designations and one-year peace bonds for offences relating to child pornography and the internet.

Also included in the Bill are reforms to other offences under the *Criminal Code*:

**Criminal harassment (or "stalking"):** The maximum sentence doubles from five to 10 years imprisonment, underscoring the serious nature and impact of criminal harassment.

**Home invasion:** The *Criminal Code* now specifically identifies home invasion as an aggravating circumstance to be considered by judges at the time of sentencing.

**Disarming a police officer:** It is now a crime under the *Criminal Code* to disarm or attempt to disarm a police officer. The creation of this offence recognizes that an attempt by a suspect to take an officer's weapon dramatically raises the level of risk police officers face in the line of duty.

**Conviction review:** Amendments to the *Criminal Code* improve the process for reviewing allegations of wrongful conviction. Conviction review includes the review of summary conviction offences, provides investigative powers to those investigating cases, and requires the Minister of Justice to provide an Annual Report to Parliament on the operation of conviction reviews.

**Criminal procedure reform:** These changes modernize the judicial system and increase its efficiency and effectiveness by, among other things, facilitating the use of electronic documents and remote appearances. The amendments help limit the potentially negative impact of preliminary inquiries on victims and witnesses while retaining the right of the accused to a preliminary inquiry.

#### IMPLICATIONS

Bill C-15A responds positively to several past CAPB resolutions. On the subject of internet luring and child pornography, in 1999 the CAPB membership approved a resolution calling for the federal government to introduce legislation on, among other things, stalking and luring children over the internet. The same resolution called for the forfeiture of computers and other devices utilized to produce/distribute pornography, which is addressed in the enhanced judicial powers provision of Bill C-15A. While we are very pleased with these new provisions, we share the Department of Justice Canada's caution that parents, teachers and internet service providers also have an important role to play in being vigilant and protecting children from dangers on the internet.

In 2000, the CAPB joined the Canadian Police Association in calling for the inclusion of a provision that would make it a separate and distinct offence under the *Criminal Code of Canada* to disarm, or attempt to disarm, a police officer. We welcome this new provision which recognizes the grave risk that police officers face in the line of duty.

In 1997, the CAPB approved a resolution recommending to the Minister of Justice that legislation be enacted to provide a minimum mandatory penalty of eight years for robbery committed within a private dwelling house. Although this request was not met, the CAPB applauds the change to the *Criminal Code* that specifically identifies home invasion as an aggravating circumstance to be considered by judges at the time of sentencing.

The enactment of Bill C-15A brings into force several positive changes that the CAPB has lobbied for over the past several years. We look forward to hearing from federal officials about progress on other CAPB resolutions at the upcoming Annual Meeting and Conference in Ottawa, August 21-24.

For further information: Wendy Fedec, Executive Director  
Canadian Association of Police Boards  
Tel: 613-560-1312, Fax: 613-560-1380  
E-mail: Wendy.Fedec@ottawa.ca  
Website: www.capb.ca

**Bulletin #58 – June 17, 2002**  
***Stronger Child Pornography Laws Receive Royal Assent***

*The BULLETIN! is a publication of the Canadian Association of Police Boards designed to provide member boards with important information in a rapid and timely fashion.*

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P212. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:  
AMALGAMATION OF NO. 21 DIVISION WITH NO. 22 DIVISION**

The Board was in receipt of the following report JUNE 10 2002 from Julian Fantino, Chief of Police.

Subject: POLICING PRIORITIES IN 21 AND 22 DIVISIONS, RESPECTING THE  
PROPOSED AMALGAMATION

Recommendation:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board grant an extension to the report detailing the amalgamation of No. 21 and No. 22 Divisions, to the January, 2003 Police Services Board meeting.

Background:

In 2000, Chief Fantino directed that a "90 Day Review" of the operational efficiencies of the Toronto Police Service be conducted. Recommendation 1.060.0 of the 90 Day Review recommended the amalgamation of No. 21 and 22 Divisions, and the creation of a single police Division servicing central and south Etobicoke. On July 20, 2001, the Toronto Police Services Board approved the amalgamation of No. 21 and 22 Divisions (Board Minute No. 186 refers). Councillor Gloria Lindsay Luby, Vice Chair of the Police Services Board requested that the Chief of Police report on the effectiveness of the amalgamation for the June, 2002 Board meeting, including input from the affected community.

Amalgamation

In order to reduce the impact on the community and the Service, the amalgamation of No. 21 and 22 Divisions was carried out in stages. A committee was formed by then Acting Superintendent Jane Dick to oversee the amalgamation process and to provide input on how to effectively carry out the required changes.

Physical changes were made to No. 22 Division to accommodate the movement of some operations from No. 21 Division to No. 22 Division, and the Police Stables, located at No. 22 Division were also renovated. The physical amalgamation of the two police facilities began in September 2001, with the movement of No. 21 Division Detective Operations to No. 22 Division. In October 2001, all Community Response and Traffic Operations from No. 22 Division were moved to the No. 22 Division Sub-station, located at the old No. 21 Division. In

November 2001 all Primary Response Operations from No. 21 Division moved to No. 22 Division.

The amalgamation of two Police Divisions resulted in additional impacts throughout the Service, and required changes in a wide variety of areas. Changes were required to ensure the accurate capture and analysis of statistical information, without the loss of historical data. Patrol areas were changed to reflect the amalgamation. The Community Police Liaison Committee (CPLC) was reconstituted to reflect the amalgamation.

#### Amalgamation Status Update

The physical amalgamation of No. 21 and 22 Divisions was completed in November 2001. This was followed by a period of adjustment for Divisional and support staff. At the time this report was written only six months of data was available, which includes the adjustment period. Complicating the analysis are issues such as; patrol area changes that only came in to effect in early April 2002, and changes to the MAP and CAD systems at Communications Services that were also only completed in April 2002.

The complexity of the changes and the time frames required to implement such changes have resulted in the final stages of the amalgamation having only been recently completed. More time is required in order to accurately measure the effects and impacts of the amalgamation, and consult with members of the community and properly address any concerns that may exist.

In order to do this, it is recommended that the Board grant an extension to the report detailing the amalgamation of No. 21 and No. 22 Divisions, to the January, 2003 Police Services Board meeting.

**The Board approved the foregoing.**

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**#P213.           REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:  
2002 ENVIRONMENTAL SCAN**

The Board was in receipt of the following report JUNE 25 2002 from Julian Fantino, Chief of Police.

Subject:           2002 ENVIRONMENTAL SCAN

Recommendation:

It is recommended that:   the Board approve the request for a one-month extension of time to submit the Service's 2002 Environmental Scan.

Background :

The Environmental Scan provides a review of the external factors impacting on the need for police service and the internal challenges affecting the Service's ability to respond. This document provides a framework for priority setting during the budget process and for strategic planning at all levels of the Service.

Due to the long-term nature of many trends outlined in the Scan, a complete scan process is not carried out each year; a brief update of the major chapters is provided for years in which a full Scan is not produced. With the requirements of the Adequacy Standards regulation, it was decided in early 2001 that the Scan would be provided every three years so that it could be used in the development of the Service Priorities for the Business Plan. Given that the next Business Plan will be for 2005-2007, in order to align the Business Plan and Scan cycles, the next complete Environmental Scan is scheduled for 2004. However, since a full Scan was last produced in 2000, the Service felt that four years represented too large a gap in the analyses and consultations carried out for a full Scan and a full Scan was scheduled for this year. The 2002 Environmental Scan, therefore, will not be simply a brief update of the major chapters, but will be a comprehensive Scan document, representing a complete scanning process.

The Board has requested that the Environmental Scan or update document be provided in July of each year. Given resource limitations, the work involved in data collection and analysis for a comprehensive Scan document, and the additional requirement of producing the 2001 Service Performance report during the same time period, the production of the Environmental Scan has been slightly delayed this year.

Therefore, it is recommended that the Board approve the request for a one-month extension of time to submit the Service's 2002 Environmental Scan and a presentation.



Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command will be in attendance to answer any questions that may arise.

**The Board approved the foregoing.**

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TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P214.           CORRESPONDENCE**

The Board was in receipt of a summary of the public correspondence received in the Board office between June 5, 2002 and July 15, 2002. A copy of the summary is on file in the Board office.

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TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P215. LEASE FOR IBM SERVERS**

The Board was in receipt of the following report JULY 9 2002 from Julian Fantino, Chief of Police.

Subject: Lease for IBM Servers

Recommendation:

It is recommended that the Board approve:

1. A five year lease with IBM Global Financing for the acquisition of 10 servers at an annual cost of \$208,717 including all taxes (total cost of \$1,043,585), to support the implementation of the Time and Resource Management System (TRMS) and the Human Resources Upgrade Project.
2. An annual maintenance increase of \$47,400 to the Service's Gold Card Maintenance Program with IBM Canada Ltd. for these servers.

Background:

The Service has undertaken two major projects to upgrade its Administrative Systems. The Time and Resource Management System (TRMS) will replace the obsolete Dutybook Entry and Control System (DECS) providing an up to date time and accounting system for all Service personnel. As well, the Service's Human Resources System requires a major upgrade to the current vendor supported release of their software. Both of these initiatives require additional servers on the IBM AIX computing platform. A detailed technical analysis of the hardware requirements has identified 10 additional servers to support the development, testing, training and implementation of both of these initiatives.

The Board approved EDS Innovations (NexInnovations) as the Vendor of Record for the supply of IBM servers (Minute #334/00 refers). The Service has determined that the best way to fund the acquisition of these servers is through a leasing strategy. To this end, a tender was issued for the leasing of these servers through the City of Toronto Purchasing Department (Quotation #3412-02-3290). The following four vendors responded to the tender:

1. GE Capital IT Solutions Canada
2. IBM Canada Ltd. – IBM Global Financing
3. Leasebank Capital Corp.
4. TD Asset Finance Corp.

The tender requested quotations for a four, five and six year lease term. The Service selected a five-year term as the most appropriate and advantageous, in that, this lease would be co-terminus with the major server lifecycle lease which was approved in 2001. Collectively, this will allow better long term management, support and replacement options for all these servers.

The Evaluation Criteria specified in the tender was:

- Overall Cost – Interest Rate (60%);
- Overall Cost – All Lease Rate Factors (30%); and,
- Suitability of Lease Documentation (10%).

The tender replies were reviewed by the Service, in conjunction with its financial consultant, Mr. Greg Dorbeck of Pivotal Technologies Inc. Based on the Evaluation Criteria, IBM Global Financing was selected as the successful bidder. Mr. Dorbeck's financial assessment is attached.

The recommendation is for a five-year lease with IBM Global Financing at an annual cost of \$208,717. The 2002 payment is \$104,400. The maintenance cost for these servers is expected to be minimal in 2002 – in line with the Service's Gold Card Maintenance Program with IBM.

Funding is available in the 2002 operating budget for these purposes, and these costs will be included in the Service's base operating budget for the future years.

Mr. Frank Chen, Chief Administrative Officer, will be in attendance at the Board meeting to respond to any questions in this respect.

**The Board approved the foregoing and the following Motion:**

**THAT the Chairman be authorized to execute a legal agreement on behalf of the Board, including the terms and conditions, which is satisfactory to the City Solicitor.**



## PIVOTAL TECHNOLOGIES INC.

July 10, 2002

Mr. F. Chen, Chief Administrative Officer  
 Toronto Police Services  
 40 College Street  
 Toronto, Ontario  
 M5G 2J3

**Subject:** IBM Global Finance Canada, Lease Contract # TBA  
 & TPS RFP #3412-02-3290 for Time and Records Management System  
 (TRMS)

Dear Mr. Chen,

In May 2002 your staff requested Pivotal Technologies Inc. to conduct a formal Request for Proposal pertaining to the lease financing requirements for the TRMS project. All responses to this RFP have been evaluated. The recommendation at this time is for the TPS to select the bid response from IBM Global financing. The details of the evaluation are on file with Mr. J. Macchiusi of the TPS IT Services Division.

We can report the following to you based on the information we have at this time.

IBM Master Lease	208444
TPS Execution Date	August 9, 2001 by TPS
Lease Schedule number	208444- XXX
Lease Schedule Execution Date by IBM	July 01, 2002
Lease Execution Date by TPS	Pending TPS Board Approval
IBM Schedule review by TPS Legal	B. Loreto – approved as to form and business content (this is a standard form to the TPS)
Lease Schedule XXX Effective date	JULY 1, 2002 and Upon Acceptance of Equipment by TPS
Lease Type	Capital Lease (Sales Type Lease)
Lease Term	Five (5) years
Expiry Date	June 30, 2007
Equipment Capital Cost or (PV)	\$810,670.00 (new network equipment)
Specified Rentals	\$181,493.00 plus taxes (x5) Annually in advance
Specified End of Lease Term Options	Purchase for \$1.00

*(The forgoing numbers to not include applicable taxes)*

**Key Financial Aspects:** *(for information purposes only)*

Effective Interest Yield on Rentals	5.98%
Cost of Financing over Five years	\$96,791.00 @ 5.98%



This Lease Schedule XXX, once completed in the approved standard format which the TPS is accustomed to receiving from IBM, is within commercially reasonable terms and interest rates that may be available to the TPS via other financing sources. This is measured against competitive bids received in response to the RFP. Interest rate bids were evaluated against three year Government of Canada Bonds, which, at the time of RFP release, maintained a market yield of 4.48%

The RFP requested four, five, and six year terms to permit the TPS to evaluate term financing and the benefit of co-terminating the new financing with existing lease obligations. The evaluation team selected a five year term as the most beneficial to the long term technology strategy of the TPS computing infrastructure. The TPS will maintain ownership disposition of the equipment at the end of the lease term. The end of lease term \$1.00 Purchase Option in favor of the TPS is incorporated into the Lease Schedule, which facilitates automatic termination of the rents and the lease term. Formal written notice must be provided to IBM one month in advance stating the intent of the TPS regarding its \$1.00 purchase option available under the lease.

We acknowledge that the Vendor of the Equipment to the TPS will be NexInnovations Inc. with IBM Global Financing as the TPS funding partner. In the normal course of business, NexInnovations as vendor of record to the TPS will be invoicing IBM for the agreed Equipment capital costs from the TRMS project. IBM, as identified here, will establish the lease given final approval and acceptance of the equipment from the TPS project management authority.

The documentation for IBM Schedule XXX is standard form and has been approved as to form by Mr. B. Loreto from the City Solicitors Office. Mr. Loreto may require a brief review of this new transaction under separate cover.

This summary is provided to the TPS based upon the best available information at this time. Should relevant information be provided subsequent to this opinion that materially alters the outcome, Pivotal Technologies reserves the right to change the opinion provided in this letter.

Please contact me should you require further assistance in this matter.

Yours truly  
PIVOTAL TECHNOLOGIES INC.

Greg Dorbeck  
Principal

cc. J. Macchiusi, TPS  
L. Stinson, TPS  
B. Loreto, City of Toronto

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON JULY 31, 2002**

**#P216.        ADJOURNMENT**

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Norman Gardner  
Chairman