



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on JULY 17, 2003 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on JUNE 19, 2003 previously circulated in draft form were approved by the Toronto Police Service Board at its meeting held on JULY 17, 2003.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **JULY 17, 2003** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Gloria Lindsay Luby, Councillor & Acting Chair
A. Milliken Heisey, Q.C., Member
Mel Lastman, Mayor & Member
Benson Lau, M.D., Member
Allan Leach, Member
Frances Nunziata, Councillor & Member

ALSO PRESENT:

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

#P187. OUTSTANDING MATTERS - PUBLIC

The Board was in receipt of the following report JULY 04, 2003 from Gloria Lindsay Luby, Acting Chair:

Subject: OUTSTANDING REPORTS - PUBLIC

Recommendations:

It is recommended that:

- (1) the Board request the Chief of Police to provide the Board with the reasons for the delay in submitting the reports requested from the Service and that he also provide new submission dates for each 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.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P188. RE-APPOINTMENT AS A MEMBER OF THE TORONTO
POLICE SERVICES BOARD: MR. ALLAN LEACH**

The Board was in receipt of Order-in-Council No. 1384/2003 from the Lieutenant Governor of the Province of Ontario indicating that Mr. Allan Leach had been re-appointed a member of the Toronto Police Services Board for a period of three years, effective the 1st day of August 2003 to the 31st day of July 2006.

The Board received the foregoing and congratulated Mr. Leach on his re-appointment to the Board. A copy of the Order-in-Council is attached to this Minute for information.



Order in Council
Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation de la personne soussignée, le lieutenant-gouverneur, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Pursuant to the provisions of the Police Services Act, as amended,

Allan Leach, Toronto

is reappointed a member of the Toronto Police Services Board for a period of three years, effective from the 1st day of August, 2003, to the 31st day of July, 2006.

Recommended

A handwritten signature in black ink, appearing to be "D. L. Leach", written over a horizontal line.

Premier and President
of the Council

Concurred

A handwritten signature in black ink, appearing to be "K. W. Jamieson", written over a horizontal line.

Chair of Cabinet

Approved and Ordered

JUN 25 2003

Date

A handwritten signature in black ink, appearing to be "John A. Manion", written over a horizontal line.

Administrator of the Government

O.C./Décret 1384/2003



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P189. REQUEST FOR REPORT: SECURITY PLAN FOR THE JULY 30,
2003 ROLLING STONES CONCERT**

The Board was in receipt of the following report JULY 15, 2003 from Gloria Lindsay Luby, Acting Chair:

Subject: REQUEST FOR REPORT: SECURITY PLAN FOR THE JULY 30,
2003 ROLLING STONES CONCERT

Recommendations:

It is recommended:

- (1) that the Board request that Chief Fantino report to City Council on the status of the security arrangements for the Rolling Stones Concert to take place in Downsview Park, Toronto, on July 30, 2003;
- (2) that the report noted in recommendation no 1 be provided to the Acting Chair by the end of the business day on July 21, 2003;
- (3) that the Board authorize the Acting Chair to review, on behalf of the Board, the report noted in recommendations no. 1 and 2 and prepare the appropriate report to Toronto City Council for consideration at its meeting on July 22, 2003; and
- (4) that a copy of the report forwarded to Toronto City Council be provided to the Board for information at its next regularly scheduled meeting.

Background:

The "Rolling Stones" are scheduled to perform an outdoor music concert at Downsview Park in north Toronto on July 30, 2003 and it is anticipated that as many as 500,000 people may attend the event. Given the impact an event this size will have upon, among others the police and transit services in the City of Toronto, Toronto City Council has requested information on the status of the security arrangements, including crowd management, developed by the Toronto Police Service.

I have attached a copy of Clause J(23) from the Council meeting held on June 24, 25 and 26, 2003 which contains the following request:

THAT the Chief of Police, Toronto Police Service, be requested to submit a report to the July 22, 2003 Council meeting on the status of the security arrangements for the Rolling Stones Concert at Downsview Park, including crowd management.

In order to respond to the request by Council, I am recommending that Chief Fantino be requested to report on the issues raised by Council as noted above and, consistent with the Board's responsibility to report to Council, I be authorized to forward Chief Fantino's report to Council on behalf of the Board for consideration at its July 22, 2003 meeting.

Given the restrictive time period to respond to this request and, further, given that the next regularly scheduled meeting of the Board will take place after the Rolling Stones Concert, the Board will not have an opportunity to formally receive the Chief's report prior to forwarding it to Council. However, a copy of the report forwarded to Council will be provided to the Board for information at its August 14, 2003 meeting.

Staff Superintendent Gary Grant, Area Field, was in attendance and updated the Board on the operational plan developed by the Toronto Police Service which includes a planning committee that was established and includes representatives of the following agencies:

- **Toronto Police Service;**
- **Toronto Fire Services;**
- **Toronto Emergency Medical Services;**
- **Toronto Transit Commission;**
- **City of Toronto;**
- **Peel, York, and Durham Police Services and the OPP; and**
- **Department of National Defence.**

Staff Supt. Grant advised that the Service and the planning committee are working to ensure the safety and security of the public members attending the concert and the safety of approximately 1200 police officers who will be patrolling Downsview Park and the subway stations and assigned to strategic traffic points. Although 800 of those officers will be paid duties, the total costs that will be incurred by the Service to police the concert are currently estimated to be \$500,000.

Chief Fantino also provided the Board with details about the security plan for the concert and indicated that the event organizers were responsible for determining the items that persons attending the concert would be prohibited from bringing into Downsview Park.

A list identifying the prohibited items had been posted publicly on the event organizers' website for the past month. Although Chief Fantino was not involved in determining which items would be prohibited, he did add two to the list: drugs and alcohol. He further advised the Board that, after publicly disclosing the list, as a courtesy to the members of the public attending the concert, earlier this week, he believes that he has been unfairly portrayed in subsequent news reports which did not clarify that the original items on the prohibited list were determined by the event organizers and not him. He reiterated that, while the Service is working to ensure that there is peace and enjoyment at the concert, personal safety would not be compromised.

The Board approved the following Motions:

- 1. THAT the Board approve the foregoing report;**
- 2. THAT the Board write to the federal government representative for this event, Mr. Dennis Mills MP, recommending that the net additional costs incurred by the Toronto Police Services Board be absorbed by the federal government or the event organizers,**
- 3. THAT Chief Fantino be requested to provide a report to the Board following the July 30, 2003 concert containing the actual costs incurred by the Service;**
- 4. THAT the report noted in Motion No. 3 containing actual costs be forwarded to the federal government or the event organizers for reimbursement of the costs, if necessary.**



Ulli S. Walkiss
City Clerk

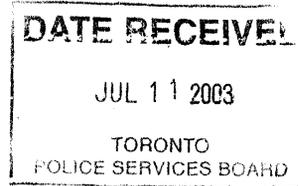
City Clerk's Office
City Hall, 2nd Floor West
100 Queen Street West
Toronto, Ontario M5H 2N2

Tel: (416) 392-8016
Fax: (416) 392-2980
clerk@toronto.ca
http://www.toronto.ca

Ref: 2003-09-J(23)

July 8, 2003

Councillor Lindsay Luby
Acting Chair
Toronto Police Services Board
40 College Street, 7th Floor
Toronto, Ontario
M5G 2J3



Dear Acting Chair Lindsay Luby:

City Council, at its meeting held on June 24, 25 and 26, 2003, adopted, as amended, the following Motion:

**J(23) Road Closures and Restrictions for Outdoor Concert - Downsview Park
- July 30, 2003**

Moved by: Councillor Feldman

Seconded by: Councillor Augimeri

"WHEREAS the City of Toronto has supported the presentation of an outdoor concert at Downsview Park on July 30, 2003; and

WHEREAS the Transportation Services Division has identified several roadways where temporary closure or lane restrictions are required to ensure the safety of attendees to the outdoor concert and adequate traffic circulation in the adjacent neighbourhoods;

NOW THEREFORE BE IT RESOLVED THAT the closures and restrictions identified in the following list of streets be approved:

. .2/

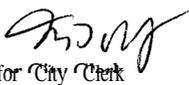


Roadway	Direction	Limits	Date/Time
W. R. Allen Road	Northbound	Highway 401 to Kennard Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31
W. R. Allen Road	Southbound	Steeplechase Drive to Highway 401	12:01 a.m. July 30 to 5:00 a.m. July 31
Wilson Avenue	Eastbound	Dufferin Street to Wilson Heights Boulevard	9:30 p.m. July 30 to 5:00 a.m. July 31
Wilson Avenue	Westbound	Wilson Heights Boulevard to Dufferin Street	12:01 a.m. July 30 to 5:00 a.m. July 31
Sheppard Avenue West	Eastbound	Chesswood Drive to Wilson Heights Boulevard	12:01 a.m. July 30 to 5:00 a.m. July 31
Sheppard Avenue West	Westbound	Wilson Heights Boulevard to Chesswood Drive	9:30 p.m. July 30 to 5:00 a.m. July 31
Transit Road	Northbound	Wilson Avenue to W. R. Allen Road	12:01 a.m. July 30 to 5:00 a.m. July 31
Transit Road	Southbound	W. R. Allen Road to Wilson Avenue	12:01 a.m. July 30 to 5:00 a.m. July 31

AND BE IT FURTHER RESOLVED THAT the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required;

AND BE IT FURTHER RESOLVED THAT the Chief of Police, Toronto Police Service, be requested to submit a report to the July 22, 2003 Council meeting on the status of the security arrangements for the Rolling Stones Concert at Downsview Park, including crowd management."

Yours truly,



for City Clerk

M. Toft/cd

Sent to: Commissioner of Works and Emergency Services
Chief of Police, Toronto Police Service
Acting Chair, Toronto Police Services Board



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P190. REQUEST FOR REVIEW OF A COMPLAINT ABOUT POLICE
SERVICE (TPS FILE No. 2002-EXT-0651) – POLICE RESPONSE
TO CALLS FOR SERVICE**

The Board was in receipt of the following report JUNE 23, 2003 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR REVIEW OF A COMPLAINT ABOUT POLICE
SERVICE (TPS FILE NO. 2002-EXT-0651)

Recommendation:

It is recommended that:

- (1) The Board review the service complaint summarized in this report;
- (2) The Board determine whether to concur with the Chief's decision that no further action be taken with respect to this complaint; and
- (3) The Chief of Police and the complainant be advised of the outcome of the Board's review

Background:

The Toronto Police Services Board has received a request to review my disposition of a complaint about police service of the Toronto Police Service.

Legislated Requirement:

The *Police Services Act* establishes that the Chief of Police is responsible for adjudicating complaints with respect to policies and service of the Toronto Police Service. Once the Chief of Police has determined that no further action will be taken regarding a complaint, the complainant must be notified and provided with the reason for the decision. The complainant must be further advised that an opportunity exists to request that the Board review the decision of the Chief.

In reviewing a policy or service complaint, the Board has procedural options. The Board may:

- Review the complaint and take any action, or no action, in response to the complaint, as it considers appropriate; or

- Appoint a committee of at least three Board members who will review the complaint and provide recommendations to the Board; or
- Hold a public meeting with respect to the complaint.

Nature of the Complaint and Discussion

The nature of the complainant's allegations is summarized below:

- On October 21, 2001 police attended at the complainant's home address with respect to an alleged break, enter and theft. Police attended and found no signs of entry but noted that the complainant advised that he believed that "people" were entering his room since October 3, 2001 with keys and knew the combination to the locks. The locks did not appear to be broken. The complainant further spoke about conspiracy theories at his place of work. Police cleared the scene.
- On January 12, 2002 police attended another call at the complainant's new address with respect to a theft. The complainant had moved to the new address in an attempt to flee conspirators from his former address. The officers had difficulty in determining the nature of the theft or, if in fact, a theft had occurred due to the emotional state of the complainant. The officers cleared the scene.
- On May 25, 2002 and June 17 2002, the complainant wrote to the Chief of Police advising that he had contacted police on the two above noted occasions and that there were no records of any break and enter or theft reports on file.
- On November 29, 2002, the complainant wrote to, Mr. Murray Chitra, Chair of the Ontario Civilian Commission on Police Services, advising that he had not received any reply from the Chief of Police with respect to his concerns. Furthermore, that there were no records on file with the Toronto Police Service with respect to the alleged thefts.
- On December 4, 2002, the complainant was notified that his complaint had been forwarded by the Ontario Civilian Commission on Police Services to the Toronto Police Complaints Bureau for processing.

The Chief's Decision and Reason

The service complaint was investigated by Detective Darren Sutcliffe, No 14 Division – Unit Complaints Co-ordinator and the findings were reported through the appropriate chain of command to the Chief and the complainant. On January 2, 2003, the Service corresponded with the complainant to advise the complainant that the complaint had been reviewed and that no further action would be taken. The Service gave the following reason for its decision:

After preliminary investigation into this matter, it has been revealed that your complaint does not meet the required standard and therefore, in accordance with section 59(3) of the *Police Services Act*, which reads:

The chief of police may decide not to deal with any complaint about the police service or about a police officer, other than the chief of police or deputy chief of police, that he or she considers to be frivolous or vexatious or made in bad faith.

no further action will be taken.

Conclusion

Pursuant to the notification of the status and determination of the complaint from the Service, the complainant requested that the Board review my decision. It is the Board's responsibility to review my reason and determine whether it is satisfied that my decision to take no further action is reasonable.

I, therefore, recommend that the Board determine whether to concur with my decision that no further action be taken with respect to the complaint and that myself and the complainant be notified of the outcome of the Board's review.

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions that the Board members may have.

The Board received the foregoing report and decided that no further action would be taken with respect to this complaint.

A copy of the Service's letter to the complainant which contains the Chief's decision and the results of the investigation was provided to the Board during the in-camera meeting (Min. No. C126/03 refers).

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**#P191. EXTENSION OF TECHNICAL CONSULTING CONTRACT –
PINSTRIPE PERSONNEL**

The Board was in receipt of the following report JUNE 23, 2003 from Julian Fantino, Chief of Police:

Subject: EXTENSION OF TECHNICAL CONSULTING SERVICE

Recommendation:

It is recommended that: the Board approve the extension of the consulting service with Pinstripe Personnel for technical consulting support for the CIPS (Computerized Information Processing System) and the CPIC (Canadian Police Information Centre) gateway applications at a total cost of \$180,000 in 2003, and an additional cost of \$110,000 to mid-2004, taxes included, at which point it has been planned that these services will no longer be required.

Background:

Communications and System Operations (SYS) is a sub-unit of Information Technology Services (ITS) which is responsible for the installation and maintenance of all TPS systems. It has been using contract staff to maintain its level of service as it is very difficult to attract qualified permanent senior staff due to the current competitive technical marketplace. The main focus of contract staff support is the Service's installed infrastructure that is based on IBM's Websphere suite of products and the Java programming environment.

Two contract positions have been phased out for these systems, but the remaining contract position requires highly specialized skills in the "C" programming language. Pinstripe Personnel is currently providing the services to support the CIPS and the CPIC gateway applications. Current plans call for the CIPS system to be retired in 2004. As well, there are plans to migrate the CPIC Gateway to the standard Java programming environment and remove the requirement for highly specialized "C" programming skills.

It is more cost effective at this time to continue with the consulting support of Pinstripe Personnel, and to plan for the elimination of this technical requirement in 2004. The time required to tender for a new individual who has these skills, and then to train a new individual on the CIPS and CPIC applications, would more than exceed the potential savings, and put the support of these systems at risk.

By-law 147 requires Board approval for services retained in excess of \$500,000. This consulting service will reach this limit in early August, 2003. The overall cost of \$689,300.00 for this contract service is as follows:

<u>Year</u>	<u>Cost</u>
2000	63,500.00
2001	165,800.00
2002	170,000.00
2003	180,000.00
2004	110,000.00

It is anticipated that this service will no longer be required by mid-2004.

Funding is available in the 2003 operating budget, and the remaining amount will be budgeted for in 2004.

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

Mr. John Macchiusi, Manager, Systems Operations, was in attendance and responded to questions by the Board about this report.

The Board approved the foregoing.

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THE TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P192. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION: TERMINATION OF STATUS FOR DONALD
ASHFIELD AND KAREN BRIDGE (NEE GARTHWAITE)**

The Board was in receipt of the following report JUNE 05, 2003 from Julian Fantino, Chief of Police:

Subject: TORONTO COMMUNITY HOUSING CORPORATION (TCHC)
TERMINATION OF SPECIAL CONSTABLE STATUS OF KAREN
BRIDGE (NEE GARTHWAITE) AND DONALD ASHFIELD

Recommendation:

It is recommended that:

- (1) the Board receive the letter advising that the Toronto Community Housing Corporation (TCHC) no longer requires special constable status for Donald Ashfield and Karen Bridge (nee Garthwaite); and
- (2) that the Board notify the Minister of Public Safety and Security of these terminations.

Background:

At its meeting on January 29, 1998, the Board requested a report with the appropriate recommendations from the Chief of Police for the Board's consideration and approval to appoint persons as special constables, who are not employed by the Service (Board Minute 41/98, refers).

On November 23, 2000, the Board approved a request to appoint Donald Ashfield as a special constable with the Metro Toronto Housing Authority (MTHA), now known as TCHC (Board Minute P500/00, refers).

On September 25, 2001, the Board approved a request to appoint Karen Bridge (nee Garthwaite) as a special constable with MTHA (Board Minute P246/01, refers).

A letter dated May 27, 2003, from Ms. Terry Skelton, Director, Security Services Unit, TCHC, is appended to this report, advising that Donald Ashfield and Karen Bridge will be leaving the employment of TCHC.

It is therefore recommended that the Board receive the letter advising that TCHC no longer requires special constable status for Donald Ashfield and Karen Bridge and that the Board notify the Minister of Public Safety and Security of these terminations.

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

The Board approved the foregoing.

2003.153

Toronto Community
Housing Corporation
365 Bloor St E.
8th Floor
Toronto, ON M5B 1 W2

Community Liaison Unit
Date Received : 07.06.03
Date Due : 07.06.16
Assigned to : MAgt. Barratt
Approved by : *[Signature]*



Toronto
Community
Housing

May 27, 2003

Staff Sergeant Gordon Barratt
C.P.S.U. Special Constable Liaison Section
Toronto Police Services
40 College Street
Toronto, Ontario
M5G 2J3

Dear Staff Sergeant Barratt,

Re: Appointments and Cancellations of TCHC Special Constables

Further to my letter of May 12, 2002 requesting the approval of 13 Special Constable candidates by the Toronto Police Service, two of our current Special Constables will be leaving the employment of TCHC. These Officers and their date of leaving is noted below:

Karen Bridge – June 6, 2003
Donald Ashfield - June 20, 2003

We therefore wish to have the Special Constable status for these two Officers cancelled. We also desire to add two additional Special Constable candidates to the listing provided to you earlier to replace the leaving officers. This will bring our Special Constable complement to the agreed number of 55 for the TCHC. These officers are listed below:

Jason DeAngelis
Jody Smith

Your assistance in arranging for the above request with the Toronto Police Services Board and the Ministry of Public Safety and Security is most appreciated.

Yours truly,

Terry Skelton
Director, Security Services Unit

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**#P193. RESPONSE TO THE CITY AUDITOR'S REPORT ON THE AUDIT
OF THE TORONTO POLICE SERVICE'S PUBLIC COMPLAINTS
PROCESS**

The Board was in receipt of the following report JUNE 03, 2003 from Julian Fantino, Chief of Police:

Subject: CITY AUDITOR'S REPORT
 AUDIT OF THE TORONTO POLICE SERVICE'S
 PUBLIC COMPLAINT PROCESS – STATUS OF
 RECOMMENDATIONS

Recommendation:

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

Background:

At its meeting held on November 21, 2002 the Board approved the following two motions with respect to the City's Audit of the Toronto Police Services public complaint process. (BM #P292/02 refers).

That, with the exception of recommendations #3 and #20, the recommendations contained in the City Auditor's report be referred to me for consideration and, with respect to recommendation #27, a report be provided to the Board in six months containing a response to each of the recommendations, including a specific work plan and timetable for the implementation of the recommendations, as appropriate.

That the report also include a response to comments made by Councillor Bas Balkissoon at the Board's community consultation on race relations and policing held on November 16, 2002 that some drivers are unable to determine the badge numbers on police officers' uniforms when they have been stopped by police for traffic violations.

The following, outlines the steps taken by the Toronto Police Service in respect to compliance with the audit report on the Public Complaint Process. Each recommendation has been studied in detail and outlines measures taken by the Service to enhance and improve current practices.

Recommendation 1:**Response: Implemented**

The Chief of Police ensure that information on the public complaints process and the standard complaint forms be available in languages other than english. Such materials be available in languages appropriate to the cultural makeup of the City.

Complaint pamphlets in various languages are available through the Ontario Civilian Commission on Police Services. Police divisions across the City were canvassed to determine the predominant languages in their area. Pamphlets were obtained in English, French, Greek, Italian, Chinese, Urdu, Punjabi, Spanish, Portuguese, Vietnamese, Korean, Hindi, Arabic, Somali, Tamil and Russian. These pamphlets were then distributed and are readily available in public areas of all divisions across the Service. Standard public complaint forms and instructions on how to complain are available at the divisions. Unit Commanders have been instructed to ensure that a supply of these forms continue to be readily available to the general public. This information is also available on the Service web site. The logistics of providing the standard complaint form in different languages is still being studied by the Province.

Recommendation 2:**Response: Implemented**

The Chief of Police give consideration to making informational material on the public complaints process available at convenient locations throughout the City, such as City of Toronto civic centres and public libraries. In addition, the Chief of Police ensure that information on the complaints process is readily accessible at all police divisions.

Pamphlets on the complaint process are available in the public areas of all police divisions throughout the City. These pamphlets are available in the various languages that reflect the cultural diversity that is unique to each division. Each division has been contacted and supplied with pamphlets in different languages for distribution to diverse community groups, libraries and cultural centres throughout their areas. Unit Commanders have been instructed to ensure that a supply of these forms continue to be made available to the general public. The public complaint form and instructions on how to complain are also readily accessible through the Service and Board web site.

Recommendation 3:

Response: Implemented

The Toronto Police Services Board include information on the public complaints process on its internet web site. In addition, the Toronto Police Service and the Toronto Police Services Board make public complaint forms available on their respective web sites.

Information on the public complaint process and complaint forms with instructions on how to complain are readily available on the Service and Board internet web sites.

Recommendation 4:

Response: Implemented

The Chief of Police ensure that all officers, particularly officers in charge, are aware of:

- a) their responsibility in providing information on the public complaints process to members of the general public; and**
- b) the importance of creating an environment where the reporting of police officer misconduct is as stress free as possible for members of the general public.**

Training has been provided to ensure that officers, particularly officers in charge, are aware of their responsibilities in respect to providing information on the public complaints process to members of the general public. Members of Professional Standards conduct ongoing training sessions with management and recruit classes at C.O. Bick College. Quarterly training sessions are held with Unit Complaint Coordinators and the importance of compliance with the audit recommendations has been stressed. Unit Commanders have also been in attendance to ensure that they are well versed in the necessity of ensuring that officers are aware of their responsibilities in respect to the public complaint process and ensuring that a stress free environment for making complaints is afforded to the general public. Pamphlets on the public complaint process in various languages are available in the public areas of all police divisions across the Service. Complaint forms and instructions on how to complain are also readily available on the Toronto Police Service web site.

Recommendation 5:

Response: Implemented

The Chief of Police establish clear written guide lines for the classification of all complaints and direct senior staff of the Professional Standards Division to review the classification of complaints on a random basis.

Professional Standards is currently being reorganized and enhancements have been made to the classification of complaints. Duty Inspectors will now be responsible for the classification of complaints. Written guidelines have been provided and their classifications will be subject to a random audit by a senior member of Professional Standards. Complaints are classified as serious or less serious. Serious complaints involve an element of criminality or conduct which would discredit the Service. Serious complaints are assigned to Professional Standards - Criminal and Conduct Investigation Section. Less serious complaints are investigated at the unit level. In accordance with the Police Services Act, complaints are classified as being about conduct, service or policy. The Police Services Act also permits the Chief of Police or his designate to deem some complaints as being frivolous, vexatious, made in bad faith, indirectly affected or made beyond the six months limitation. Complaints of this nature are not generally investigated unless they are alarming in nature. Once classified, complainants are notified accordingly but have the option to appeal this classification to the Ontario Civilian Commission on Police Services. Although, guidelines exist, there is an element of subjectivity in determining classifications. It is important to note that an appeal to the Ontario Civilian Commission on Police Services is an option for all complainants and they are notified accordingly with explicit directions on how to appeal these decisions.

Recommendation 6:

Response: Implemented

The Chief of Police clarify the roles and responsibilities of officers in charge with respect to the complaints process, ensure they have the necessary knowledge of the process, and emphasize the importance and benefits of their active involvement in informally resolving less serious complaints as soon as they are reported.

Ongoing training has been afforded to management personnel in respect to the complaint process and the importance of informally resolving less serious complaints as soon as they are reported. Personnel from Professional Standards provide ongoing management training on the complaint process at C.O. Bick College. Quarterly training sessions are also held with Unit Complaints Coordinators who are tasked with training divisional personnel on the public complaint process. The importance of informal resolutions in the first instance has been stressed to all Unit Commanders. Unit Commanders have been directed to conduct customer service audits of all complaints involving informal resolutions and these dispositions are subsequently reviewed by Professional Standards to ensure compliance and consistency.

Recommendation 7:

Response: Implemented

The Chief of Police direct that all complaint files relating to informal resolutions be forwarded to the Professional Standards Division for review. Deficiencies identified during the review process be communicated to the respective officers in charge for follow-up with the appropriate Unit Complaints Coordinator. Corrective action be communicated to the Professional Standards Division.

All complaints involving informal resolutions are reviewed by Professional Standards and a data base is maintained. Unit Commanders have been directed to conduct customer service audits of all complaints involving informal resolutions. Feedback is obtained, enhancements are made and the results are noted. Ongoing management training is provided to field personnel by members of Professional Standards to ensure accuracy and compliance with the public complaints process, particularly in respect to complaints involving informal resolutions.

Recommendation 8:

Response: Implemented

The Chief of Police direct that information from complaint files which have been subject to informal resolution be retained such that problem areas can be readily identified and appropriate action taken.

The current policy of the Toronto Police Service is that complaint files involving informal resolutions are destroyed and identifiers removed from the data base maintained by Professional Standards. (*Policy 13-02*), states in part:

Unit Commander

Upon receiving a TPS 901 indicating that an informal resolution has been achieved shall

- *detach and destroy "Part C" of the form, along with the attachments and/or investigative file, except the TPS 904.*

The TPS 901 is the initial form which is used to indicate the complaint as being about policy, service or conduct. The TPS 904 is a complaint statistical report which is used to track the type of complaint allegation and other descriptors such as location, precipitating factors and years of service. The current practice has been ongoing as a result of an informal agreement reached between the Toronto Police Service and the Toronto Police Association when amendments to Part V of the Police Services Act involving public complaints were enacted in 1997. The Professional Standards Information System is anticipated to be operational during the third quarter of the year and will provide a more accurate data base for the recording of this information. The current policy is in the

process of being revised to ensure that identifiers and dispositions of these matters are properly recorded and will be retained for a period of two years.

Recommendation 9:

Response: Implemented

The Chief of Police postpone the destruction of files relating to complaints, which have been informally resolved, until completion of the annual audit of the public complaints process.

(See Recommendation 8) Files involving informal resolutions will be captured by the Professional Standards Information System, which will become operational in the third quarter of this year. These dispositions will be retained for a period of two years and will be available on an annual basis for the audit of the public complaint process.

Recommendation 10:

Response: Implemented

The Chief of Police direct the Professional Standards Division to monitor the withdrawal of public complaints in all police divisions to ensure that withdrawals are not used as a means of expeditiously resolving complaints. Where withdrawn complaints at certain divisions are inordinately out of line, the Professional Standards Division determine the reasons and where appropriate, take corrective action.

All complaints are reviewed by Professional Standards. An interim review process has been established to track withdrawals and if certain divisions have inordinate numbers of complaints that are withdrawn, a review will be conducted. The new Professional Standards Information System which will be operational during the third quarter of the year has the capacity to track this type of information more efficiently. Most divisions are consistent in respect to the withdrawal of complaints and Unit Commanders must concur with these final dispositions.

Recommendation 11:

Response: Implemented

The Chief of Police ensure that all Unit Complaint Coordinators are aware of the level of documentation required for investigative files, and that such files are clear, concise and presented in a manner that supports the final conclusions of the investigations. Where appropriate, training be provided to meet this objective.

All complaint files are reviewed by Professional Standards to ensure completeness, consistency and accuracy. Deficiencies are noted, individual investigators are counselled and guidance is provided where necessary. Ongoing training sessions are provided to Unit Complaint Coordinators and other members of the Service involved in complaint investigations. Management personnel are lectured by members of Professional Standards at C.O. Bick College and training sessions are held with Unit Complaint Coordinators on a quarterly basis. Ongoing training is necessary because of turnover and new members constantly entering the field of complaint investigation. Generally, deficiencies are the result of inexperience. Appropriate training and tenure appear to enhance the calibre and completeness of investigations.

Recommendation 12:

Response: Implemented

The Chief of Police direct Unit Commanders to review all public complaint investigation files in their respective divisions before signing off, to ensure that files are complete, that all appropriate investigative procedures were performed, and that the investigations are free of bias. This review should be conducted prior to the final adjudication of the complaint.

Unit Commanders have been instructed to ensure that all complaint files are complete, that all appropriate investigative procedures were performed and the investigation is free of bias. Professional Standards reviews all complaint files, deficiencies are identified and Unit Commanders are notified accordingly. Ongoing training sessions are held with management personnel and members involved in complaint investigations to ensure that all investigations are complete, in compliance with existing procedures and free of bias.

Recommendation 13:

Response: Implemented

The Chief of Police direct the Professional Standards Division that interviews with complainants be audiotaped where possible. Audiotaping of interviews only be conducted with the written approval of the complainant. If a complainant does not wish to be audiotaped, this fact be included in the complaint file.

Investigators have been directed by Professional Standards to comply with this recommendation. Audiotaping is a best practice and most interviews are in fact audiotaped. However, there are circumstances where interviews are not taped, often at the behest of complainants. Investigators have been directed to obtain written approval from complainants where interviews are audiotaped and maintain accurate records, particularly in respect to instances where interviews are not subjected to audiotaping. All files are reviewed by Professional Standards to ensure compliance and consistency.

Recommendation 14:

Response: Implemented

The Professional Standards Division, on a sample basis, review audiotape recordings of interviews to ensure that investigations are complete, thorough and free of bias. Any problems identified during this process be communicated to senior staff and appropriate action, including training, be initiated.

Professional Standards conducts reviews of all complaint files, including random audits of audiotape interviews. Problems are identified and senior staff are notified regarding concerns and deficiencies. These areas are noted and investigators are counselled accordingly. Training issues are constantly being identified because of the changing landscape of complaint investigations. Ongoing training is provided to management personnel and particularly members involved in the investigation of public complaints. Professional Standards is constantly refining its methods of review and the new Professional Standards Information System will greatly enhance the efficiency of the complaint process.

Recommendation 15:

Response: Not Implemented

The Chief of Police direct that a conflict of interest declaration be signed by investigative officers on appointment to the Public Complaints Investigation Bureau or assignment to a Unit Complaint Coordinator position. Specific guidelines relating to what constitutes a conflict of interest should be developed and communicated to investigators.

The importance of declaring a conflict of interest has and continues to be emphasized to all members of the Toronto Police Service. All police officers are compelled to swear an oath of office upon appointment as police constables with the Service. Integrity is an integral part of policing and is one of the core values and competencies necessary for effective performance. Officers selected to perform investigative functions relating to public complaint investigations are carefully screened and only the most suitable are placed in these positions of trust. It would be redundant to expect officers of this calibre, in addition to all these other requirements, to also swear to a declaration of trust. Based on the foregoing this recommendation has not been implemented.

Recommendation 16:

Response: Implemented

The Chief of Police develop, where public complaints are substantiated, internal controls to ensure that the appropriate and necessary disciplinary action is imposed on police officers. In addition, the Chief of Police ensure that the information pertaining to disciplinary action is retained for the required time period in the subject officer's file. Disciplinary action taken be reported to the Professional Standards Division.

In the past a data base was maintained to track all complaint files and dispositions. However, this system became antiquated and the accuracy of the data was dependent on information that flowed from the field units in respect to public complaint outcomes. Professional Standards currently reviews all files for accuracy and action is taken on incomplete files. A new Professional Standards Information System has been developed and will be operational during the third quarter of the year. This system will more efficiently track public complaints and red flag files that are outdated or not acted upon. This will alleviate previous problems that existed and ensure that in all cases where disciplinary action is necessary, the penalty will be imposed in a timely manner and a record properly retained in officers' personnel files for the requisite period.

Recommendation 17:

Response: Implemented

The Chief of Police disclose the range of discipline imposed on police officers in the Professional Standards Division Annual Public Report prepared by the Professional Standards Division.

Misconduct is classified as being serious or less serious. Less serious misconduct is handled at the divisional level and disciplinary action can range from a reprimand to a loss of three days pay. These penalties are imposed by Unit Commanders. A Police Services Act Hearing is conducted when serious misconduct has been identified and the range of discipline imposed can range from a reprimand to dismissal. The new Professional Standards Information System will provide an accurate picture of the types of discipline imposed in respect to police officer misconduct. Statistics will be easily compiled and the range of discipline imposed on officers will be reflected in the annual report provided by Professional Standards.

Recommendation 18:

Response: Implemented

The Chief of Police give consideration to the retention of outside legal representation for the complainant at formal disciplinary hearings, where appropriate.

All complainants are granted standing at all formal disciplinary hearings held in accordance with the Police Services Act for cases of serious misconduct. Members of the Legal and Prosecution Section are tasked with the preparation and prosecution of these matters, which are presided over by senior members of the Service acting in the capacity of hearing officers. The interests of the complainants in these matters are represented by members of the Service acting as prosecutor. This is similar to the Criminal Court process where the interests of the complainants are represented by crown prosecutors. In more complex cases Service solicitors assigned to the Legal and Prosecution Section are called upon to fulfill the role of prosecutor and act for the complainant. Police Services Act Hearings vary in degree of complexity and are addressed on a case by case basis. Legal representation for complainants is viewed in this context as being provided on an ad hoc basis by the Service. It should be noted that the costs involved for the retention of outside legal counsel for these cases is prohibitive.

Recommendation 19:

Response: Implemented

The Chief of Police develop a plan to measure the performance of the Toronto Police Service relative to its business plan as it relates to the complaints process. Such a plan to include a recommendation relating to the report of results of this process.

The Service currently has in place a process for the measurement of all performance objectives/indicators listed in the Business Plan, as well as for the reporting on the results of this measurement. Such measurement and reporting are required of the Service under Ontario Regulation 3/99 (Adequacy Standards), section 31:

- 31. Every chief of police shall prepare an annual report for the board relating to the activities of the police force during the previous fiscal year, including information on,*
- (a) its performance objectives, indicators and results;*
 - (b) public complaints; and*
 - (c) the actual cost of police services.*

Since 2000, the Service has produced an annual report on its performance that includes performance relating both to the Priorities, Goals, and Performance Objectives outlined in the Business Plan, and to general indicators relative to police services. This year-end performance report is typically presented to the Police Services Board in the first half of the following year.

Since 1999, the Service has included funding in its operational budget to conduct an annual survey of the community. The survey focuses on community perceptions of quality of TPS service delivery, suggestions for improvement to service, and perceptions of safety in neighbourhoods, as well as perceptions Toronto as a safe city, perceptions regarding the Service's complaints process, and issues of concern (e.g. crime, gangs, drugs, etc.). Beginning in 2000, the questions relative to the complaints process were asked of all respondents, rather than just of the subset of respondents who'd had contact with police in the preceding 12 months.

The questions dealing with public complaints ask how confident respondents are that the Toronto Police Service can impartially investigate public complaints against officers and if respondents have ever had any experience with the police complaints process. If respondents answer 'yes' to the latter questions, they are asked both how satisfied they were with the process and how satisfied they were with the outcome. The responses to these questions are outlined in the Service's annual performance report.

Provided following are the results as reported in the 2001 Service Performance report.

In the section reporting on performance related to the Service Priorities:

Priority: Infrastructure

Goal: Strengthen the confidence of the public and Service members in the impartiality and the integrity of the Service's administration of Part V of the Police Services Act - the complaints system.

Performance Objectives/Indicators:

- ◆ ***INCREASED PERCEPTION OF PUBLIC CONFIDENCE IN THE IMPARTIALITY OF THE SYSTEM***

Results of general community telephone surveys showed increased confidence in 2001 compared to 2000, that the Service can impartially investigate public complaints against officers:

felt very or somewhat confident that the Toronto Police Service could impartially investigate public complaints against officers in 2000 – 57%

felt very or somewhat confident that the Toronto Police Service could impartially investigate public complaints against officers in 2001 – 66%

◆ ***INCREASE IN SATISFACTION WITH THE COMPLAINTS PROCESS FOR MEMBERS OF THE PUBLIC WHO HAD EXPERIENCE WITH THE COMPLAINTS SYSTEM***

In 2000, 23% of the 1,200 respondent community telephone survey said that they'd had experience with the complaints process; 12% said they'd had experience in 2001. In both years, respondents were more satisfied with the process than the outcome, with more satisfaction with both expressed in 2001 over 2000:

of those who'd had experience with the police complaints process:

very or somewhat satisfied with the process in 2000 – 65%

very or somewhat satisfied with the process in 2001 – 69%

very or somewhat satisfied with the outcome in 2000 – 56%

very or somewhat satisfied with the outcome in 2001 – 64%

And, in the section reporting on performance related to general policing indicators:

As part of the general community survey conducted for the police in 2000 and 2001, respondents were asked about public complaints and the Service's complaints system. In 2001, two-thirds (66%) of respondents were somewhat or very confident that the Toronto Police Service could impartially investigate public complaints against officers, up from 57% in 2000. One-quarter (25%) of respondents in 2001 were not very or not at all confident the police could impartially investigate complaints, down from 32% in 2000.

Only about 1 in 10 (12%) respondents in 2001 had ever had any experience with the police complaints process. Of those few who had, 69% said they were very or

somewhat satisfied with the process, and 64% said they were very or somewhat satisfied with the outcome. In 2000, 23% had ever had experience with the police complaints process; 65% said they were very or somewhat satisfied with the process, but only 56% said they were very or somewhat satisfied with the outcome.

Results from the community survey questions on the complaints process will continue to be reported in the Service's annual performance report. Information from the 2002 community survey will be presented in the 2002 Service Performance report.

Recommendation 20:

Response: Implemented

The Toronto Police Services Board:

- a) **consider the concerns raised by the general public with respect to the complaints process, specifically, the administration of the public complaints process by the police and the ability to investigate complaints filed by third parties; and**
- b) **take the necessary action to deal with these issues, including communicating these concerns to the Ministry of the Attorney General for consideration and appropriate action.**

The current public complaint process does not permit third parties to file complaints against police officers. *Section 57(1)* of the Police Services Act expressly prohibits the Chief of Police from accepting complaints from third parties who are not directly affected and not involved parties. Legislative changes need be sought to the existing Police Services Act before third party complaints could be entertained by the Service. This recommendation was discussed at the Board meeting on February 20, 2003 (BM #P39/03 refers). At that meeting it was decided that this issue would be referred to the Board/Service Race Relations Joint Working Group for consideration.

Recommendation 21:

Response: Implemented

The Chief of Police review the complaint investigation process to ensure that the concerns identified by both the general public and complainants, as outlined in this report, are appropriately addressed.

The Professional Standards is currently undergoing a reorganization, which will enhance the levels of customer service provided to the general public. Duty Inspectors are being introduced to the complaint process and will be tasked with the classification of all complaints. This will provide entry level training for officers promoted to the rank of Inspector who may later become Unit Commanders. Duty Inspectors will acquire a more in depth knowledge of the complaint process and will be in a better position to handle these situations upon assuming field responsibilities. The new Professional Standards Information System which will be implemented in the third quarter of the year will provide a more accurate data base This data base will provide an early warning system to identify problem areas and potential risks. Unit Commanders have been directed to conduct customer service audits of all complaints so that feedback will be obtained from the general public on how the Service can do things better. Surveys have also been distributed by Corporate Planning to Service members on a random basis to gauge their levels of satisfaction and to solicit their feedback and concerns.

Recommendation 22:

Response: Implemented

The Chief of Police direct the Professional Standards Division to solicit feedback from complainants and police officers involved in public complaints, and that the survey results be returned directly to the Complaints Review Unit for analysis and the identification of any issues or deficiencies that need corrective action.

Unit Commanders have been directed to conduct random customer service audits of all complaints. Feedback obtained from complainants will then be directed to Professional Standards so that enhancements can be made to the current complaint process to better serve members of the general public. Random surveys have been sent out to a broad cross section of police officers to gauge their overall satisfaction with how the Toronto Police Service conducts its business. Corporate Planning is currently tasked with reviewing the results of these surveys and directing concerns involving the complaints process to Professional Standards. The Professional Standards - Complaints Administration is constantly soliciting feedback from officers in the field by conducting quarterly training sessions with Unit Complaint Coordinators, attending management training sessions at C.O. Bick College and also lecturing to new recruit classes. Valuable feedback is obtained from Service members directly involved in the intake and investigation of public complaints and recruits who, not so long ago, were members of the general public. Feedback obtained from these sources is constantly being analysed by members of the Professional Standards - Complaints Administration, deficiencies are identified and enhanced levels of training are being provided to Service members.

Recommendation 23:**Response: Implemented**

The Chief of Police review the concerns of officers relating to the public complaints process as identified in this report, and take appropriate action to address these concerns.

The auditors have indicated in their report that officers have suggested that complainants sign an affidavit attesting to the accuracy of their complaints and further that repercussions should be forthcoming for complainants who file frivolous and vexatious complaints. The Police Services Act provides that all complaints must be signed by complainants. In this respect, the signing of a complaint is in a sense an endorsement by the complainant attesting to the accuracy of the complaint. The auditors have also raised concerns about the Service taking any action, which will potentially deter the general public from filing complaints against police officers and do not support this course of action, which has been suggested by field officers. It should also be noted that the Police Services Act, section 59(3), provides that the Chief of Police is not required to investigate complaints that he determines are frivolous, vexatious or made in bad faith. Random surveys are currently being conducted across the Toronto Police Service to solicit feedback from officers of all ranks to determine their levels of satisfaction. Feedback on the complaint process will be directed to Professional Standards so that concerns and deficiencies in current practices are identified, and addressed accordingly.

Recommendation 24:**Response: Implemented**

The Chief of Police expedite the implementation of the Professional Standards Information System and ensure that the informational requirements of the system are clearly defined to meet the needs of the Professional Standards Division.

The requirements for the Professional Standards Information System have been identified through a number of information sessions conducted with members of Professional Standards and field units. This system will provide a centralized data base which will provide statistical information on all complaints of officer misconduct. Trends will be identified and it will provide an early warning system so that preventative measures or training can be provided to Service members. In the past, several stand alone data banks were maintained by the various units, which comprise Professional Standards. These systems did not necessarily communicate with each other and members needed to consult these various data banks, which were often duplicitous and time consuming. The new Professional Standards Information System will provide a one stop source for all information concerning officer misconduct and will ensure accurate, and timely information. It is anticipated that this new system will be up and running by the third quarter of 2003.

Recommendation 25:

Response: Implemented

The Chief of Police direct Toronto Police Service Legal Services to maintain information on civil litigation that relates to public complaints and to report this information to the Professional Standards Division, such that the risk and cost of not effectively dealing with public complaints is monitored on a regular basis.

The Complaint Administration maintains an ongoing liaison with the Legal and Prosecution Section so that public complaints that lead to civil litigation can be identified and monitored. The new Professional Standards Information System will enhance this monitoring capability in that all units of Professional Standards will provide input to the system data base. Complaints involving civil litigation will be identified on the system and monitored on a regular basis by the new analyst position, which is to be part of the reorganization of the Professional Standards Unit. Information will then be communicated to the involved units so that cost effectiveness of all public complaint investigations can be monitored and addressed accordingly.

Recommendation 26:

Response: Ongoing

The Chief of Police direct the Professional Standards Division to develop a time tracking system to capture the amount of time investigators spend on investigation of public complaints, such that the resources deployed in performing these investigations can be more effectively managed.

Complaint investigators maintain detailed log notes in respect to the investigation of all complaints. The amount of time investigators spend on these investigations can easily be recorded in the log notes, which form an essential part of each case file. Supervisors who are tasked with reviewing these investigations can easily monitor the time spent on each investigation and ensure that investigators effectively manage their time. A new Time Reporting Management System (TRMS) is currently being studied for implementation across the Toronto Police Service. This new system will provide a time tracking tool, which will effectively monitor officer performance. The system should be fully operational by the third or fourth quarter of 2003.

Recommendation 27:

Response: Implemented

The Chief of Police report to the Toronto Police Services Board, within six months, with a response to each of the recommendations contained in this report, including a specific work plan and timetable for the implementation of the recommendations, as appropriate.

The foregoing report contains a comprehensive response on the status of all public complaint process audit recommendations. The majority of these recommendations have been implemented with the exception of the few as indicated. A timetable for implementation or a rationale for non implementing can be found in the body of this report.

In respect to the concerns raised by Councillor Bas Balkissoon, every effort has been taken by the Toronto Police Service to ensure that badge numbers on officers uniforms are clearly visible for members of the public. Badge numbers are displayed on the front of the forage cap worn by officers as well as on their uniform epaulet sleeves, which are worn on both shoulders. Car numbers are also clearly displayed on all uniform patrol vehicles, which affords members of the community another easy means of identifying officers. The Service has clear rules governing the wearing of identification numbers as well rules governing all Service members when asked to identify themselves to members of the public. The following *Service Rules* govern identification:

Rule 4.11.12, states in part:

“while in uniform, members shall not: conceal from view or remove their identification badge number from its prescribed location on their headdress, or numerals from epaulet sleeves on prescribed outerwear or shirt.”

Rule 3.1.2, states in part:

“outside a police building, police officers working in other than a uniform function shall immediately produce their identification card and badge when identifying themselves in an official capacity, and if requested, supply their name and badge number.”

Breaches of these rules are taken very seriously and members that do not comply are dealt with accordingly through the prescribed discipline procedure.

It is, therefore, recommended that the Board receive the foregoing report for information.

Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions that the Board members may have.

The following persons were in attendance and made deputations to the Board:

- **Jim Moriah, African Canadian Legal Clinic ***
- **John Sewell, Toronto Police Accountability Coalition ***

*** Written submissions were also provided; copies are on file in the Board office.**

The Board approved the following Motions:

- 1. THAT the Board receive the deputations and the written submissions; and**
- 2. THAT the Board defer consideration of the foregoing report until the October 16, 2003 meeting when it is anticipated that the Board will also consider the final recommendations of the Board/Service Race Relations Joint Working Group.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P194. RESPONSE TO THE CITY AUDITOR'S REVIEW OF OVERTIME
AND PREMIUM PAY**

The Board was in receipt of the following report JUNE 13, 2003 from Julian Fantino, Chief of Police:

Subject: CITY AUDITOR'S REVIEW OF OVERTIME & PREMIUM PAY –
STATUS UPDATE

Recommendation:

It is recommended that:

- 1) The Board receive this report for information.
- 2) A copy of this report be forwarded to the Audit Committee of the City of Toronto.

Background:

During the review of the 2003 Toronto Police Service's operating and capital budgets, the City of Toronto Council made the following request: "that the Chief of Police be requested to review the extent to which the recommendations in the City Auditor's 2000 report on police overtime has been implemented and report thereon to the Audit Committee, through the Toronto Police Services Board".

The original City Auditor's (now the Auditor General) report on overtime and premium pay was presented to the Board at its meeting of June 1, 2000 (Board Minute #259/2000 refers). The audit report contained 16 recommendations with no immediate financial implications. Recommendations 3, 9, 10, 11, 13, 14 and 15 were concluded at that time.

This report provides an update to the remaining 9 recommendations and addresses City Council's request as to the status of the these recommendations as follows:

Auditor General's Recommendation #1

The City Auditor be required to determine the status of the study commissioned by the U.S. National Institute of Justice relating to the use of Federal Funds provided to local law enforcement agencies for overtime. Any issues identified in this report which may be applicable to the administration of overtime at the Toronto Police Service be reported to the Audit committee for consideration.

The Auditor General will be presenting a report with his findings at the July meeting of the City of Toronto's Audit Committee.

Auditor General's Recommendation #2

The design and impending implementation of the SAP financial information system including the design and implementation of any time and attendance accounting system at the Toronto Police Service incorporate appropriate levels of account detail in order to identify all individual components of overtime costs. Such detail to include any analysis of costs relating to officers attending criminal court and provincial court; lunch hours worked; officers utilizing the court election option; officers attendance at special events; shift extensions and any other overtime cost component.

This recommendation will be fully implemented by the third quarter of 2003 with the implementation of TRMS. The Service's new Time Resource Management System (TRMS), has been developed and is now in the testing phase. It is scheduled to "GO LIVE" in the third quarter of 2003. TRMS will track every hour of every day worked of every employee through the use of activity codes. In addition to recording regular hours of duty, this system will also track all special pay, such as court, overtime, no lunch hour claims, etc. This information will then be available for budgeting and costing purposes as required. This system, in combination with SAP, will provide all the requested information.

Auditor General's Recommendation #4

The proposed implementation and integration of the SAP financial information system with the current PeopleSoft human resources/payroll system as well as any development of a time and attendance reporting system be designed to address the internal control weakness in the court card administration system. Any design of the Court Card System ensure that blank court cards not be accessible to staff; procedures are implemented to account for the numerical sequence of all court cards; court cards be compared to police witness requirement information at least on a test basis and the extent of the comparison be documented and start times on court cards not be pre-printed by Court Clerks.

This recommendation will be fully implemented when the TRMS system goes live with Phase two, which deals with court attendance, in the fourth quarter of 2003. It will be a computerized, real time court attendance system that will require officers to sign onto the system through biometric authentication. This will eliminate the need for paper court cards. This system will also be interfaced with our court scheduling systems (CASC and eventually eCOPS) in that only those officers who have been approved/notified to attend court will be able to sign onto the system. In this manner, all the auditor's points will have been addressed.

Auditor General's Recommendation #5

Any integration of the Court Card Administration system with the Integrated Justice Project being developed by the Ministry of the Attorney General address the internal control weaknesses identified by the City Auditor.

The Ministry of Public Safety and Security has concluded the Integrated Justice System. A new courts system was not delivered by the Ministry as part of this initiative and therefore, this recommendation is no longer applicable. The new TRMS system will address the control weaknesses as noted in the response to recommendation four above.

Auditor General's Recommendation #6

Appropriate exception and summary management information reports relating to court attendance be designed and produced centrally. The information to include details relating to officers with more than one court appearance on the same day; officers with an inordinate amount of overtime; officers attending court off duty more than a specified number of times; officers taking lieu time and attending court on the same day; officers attending court while on vacation; the number of officers attending as witnesses for the same case; and the number of officers who attend court and actually testify as witnesses.

Such reports be forwarded to the divisions on a timely basis in order to assist them in monitoring and controlling the cost of court attendance. Specific management direction be provided in regards to the review of such reports. Exceptions or transactions otherwise identified as being unusual should be followed up.

This recommendation will be implemented when Phase two of TRMS goes live in the fourth quarter of 2003 and will address all of the auditor's points. TRMS will have the ability to produce reports on demand that will track an officer's activities including attendance at court. Appropriate action will be taken when unusual trends are noted.

Auditor General's Recommendation #7

Statistics be maintained in relation to management information reports on a division by division basis in order to provide comparisons and identify best practices. In order for comparisons to be meaningful, it is important that such comparisons be made between divisions with similar level and type of case load.

This recommendation will be fully implemented in 2004. Currently, there are payroll reports that capture court card information and these are provided to managers to monitor payroll earnings. This data is further compiled on a divisional basis and used for comparative purposes. In addition, Phase one of TRMS should be operational by the last quarter of 2003 and will be able to provide divisional comparisons by caseload and court appearances. This system will also have the capability of providing a wide range of management information reports.

The Toronto Police Service is also developing an “Executive Dashboard” which is a management tool that will highlight trends and provide divisional comparisons for various aspects of the Service (crimes, calls for service, complaints, budgets, etc). Premium pay and overtime will be a component of this system. This will be available both at the command level and by individual unit commanders. A capital project for this Executive Information System is being proposed in the 2004 Capital budget submission.

Auditor General’s Recommendation #8

Specific technology currently being developed to assist in the control of premium pay and overtime be evaluated in the context of the development and implementation of SAP and its integration with PeopleSoft, the court scheduling, and the time and attendance system.

This recommendation will be implemented by the third quarter of 2003 when TRMS goes live. During the implementation of SAP, the Service evaluated technology being developed and in place to ensure that these systems could be eliminated and replaced by SAP functionality, wherever possible. A similar process was used for the implementation of the PeopleSoft upgrade and TRMS.

Auditor General’s Recommendation #12

The Toronto Police Service develop specific written objectives in regard to the deployment of officers at court. Such objectives to include an optimum balance between officer court attendance while on duty and court attendance while off duty. The monitoring of actual court costs with the predetermined objectives should be conducted on an ongoing basis.

This recommendation has been partially implemented and the remaining position is dependant on the success of the pilot for assigning criminal court dates which will take place in the fourth quarter of 2003. As part of the Toronto Police Service Chief’s Organizational Review, calculations were made to determine the optimum balance of personnel. This part of the recommendation has been implemented as CASC Services now assigns officer available dates to Provincial Offences Act (POA) court. With regard to criminal court, CASC Services has been tasked to manually pilot a criminal court initiative in which CASC Services will supply ideal trial dates. These dates will take into consideration whether court is assigned on or off duty, annual leave, lieu time off, POA court assignment and platoon strength. If this pilot is successful, a recommendation will be made to automate this initiative through the Time and Resource Management System (TRMS). The pilot is scheduled to take place in December 2003. In addition the monitoring of court costs is conducted on a regular basis by senior management.

Auditor General's Recommendation #16

The Chief of Police be requested to give consideration to a review of Court Elect provision of the Collective Agreement with a view to it's eventual amendment or elimination. The cost of the Court Elect provision would be significantly reduced if its option was that of management rather than the officer.

This recommendation has been implemented. The Toronto Police Services Board and the Toronto Police Association recently signed a new contract for the years 2002, 2003, and 2004. Within this agreement was the elimination of the Court Elect Option effective as of the 1st of July 2003.

Mr. Frank Chen, Chief Administrative Officer and Staff Superintendent David Dicks of Professional Standards will be in attendance to answer any questions the Board members 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 17, 2003**

**#P195. REPORT ON EXPENDITURES BY SERVICE CONSULTATIVE
COMMITTEES AND DIVISIONAL COMMUNITY POLICE
LIAISON COMMITTEES**

The Board was in receipt of the following report JUNE 23, 2003 from Julian Fantino, Chief of Police:

Subject: REPORT ON EXPENDITURES BY SERVICE CONSULTATIVE
COMMITTEES AND DIVISIONAL COMMUNITY POLICE LIAISON
COMMITTEES (CPLCs)

Recommendation:

It is recommended that: The Board receive the following report.

Background:

At the Toronto Police Services Board meeting held on March 27, 2003, the Board directed that a report be prepared that explained inconsistencies in expenditure levels of Consultative committees and divisional CPLCs, reasons why some Consultative Committees and CPLCs did not utilize funds in 2002, whether there is a need for future funding and how divisional and Consultative Committee over expenditures were administered. (Board Min. No. P98/2003)

Response:

Inconsistencies in the levels of expenditures by Consultative Committees and Divisional CPLCs

There are presently seventeen Community Police Liaison Committees across Toronto. The activity levels of the various CPLCs are dependent on the committee membership, level of activity, current issues, level of interest and the individual member's abilities within the CPLC and Consultative Committee. Therefore, the level of expenditures by the Consultative Committees and Divisional CPLCs will vary across Divisions.

Reasons why Thirteen Division CPLC, French Consultative and Chief's Advisory Committees did not utilize any funds in 2002

In 2002, the Chief's Consultative Committee and the French Consultative Committee underwent restructuring and as a result no meetings or activities took place during the year.

The restructuring process was completed for 2003, and the French Consultative Committee and the Chiefs Advisory Council have resumed formal meetings. As a result they will require full funding for 2003.

Thirteen Division underwent several changes in 2002. The Unit Commander was newly transferred and the Divisional Community Response Manager was recently appointed to the unit. In 2002 the CPLC had only one meeting due to the previous personal commitments of the CPLC Chair and the recent transfers. The previous Unit Commander instituted a program of reform with the existing CPLC membership to rejuvenate the committee. The present Unit Commander has continued this reconstructing and the newly formed CPLC has held two formal meetings this year. This CPLC has been involved in a Graffiti Eradication Project, and is in the planning stage of sponsoring a program for "Kids at Risk". This CPLC strongly welcomes the Police Services Board's continued support. Funding is required to cover the operational expenses and activities of this CPLC for 2003.

Over-expenditures by the Gay, Lesbian, Bisexual & Transgender Consultative Committee and the Thirty Three Division CPLC in 2002.

The over expenditure by the Gay, Lesbian, Bisexual and Transgender Consultative Committee was absorbed by the previous 2002 Community Police Support Unit budget.

The over-expenditure by Thirty Three Division CPLC was absorbed by the Thirty Three Division budget.

The 2002 over-expenditures did not impact on the 2003 unit budgets.

On Tuesday June 3, 2003 the Chief of Police held a meeting with unit commanders at 40 College Street. At this meeting Staff Inspector James Sneep, Unit Commander of Community Programs advised that the divisional CPLCs and Consultative Committees track all CPLC expenditures, and use these funds "for expenses related to the operation of the Committees".

Deputy Chief Steven Reesor, Policing Operations Command will be in attendance to answer any questions that Board members may have.

The Board received the foregoing report and approved the following Motions:

- 1. THAT, effective January 2004, no over-expenditures by consultative committees or CPLC's will be permitted;**

cont...d

- 2. THAT, if an over-expenditure by a consultative committee or CPLC does occur, the over-expended amount will be absorbed by the committee and not the Toronto Police Service;**
- 3. THAT, effective 2004, the schedule for reporting the activities by the consultative and CPLC committees, including the request for annual funding, be revised from the current March due date to the January Board meeting each year, while the request for funds related to the annual CPLC conference continue to be submitted to the Board for consideration at its March meeting;**
- 4. THAT copies of this report and the decisions made by the Board today be forwarded to all the consultative and CPLC committees for information; and**
- 5. THAT, if it is anticipated that a special project might result in an over-expenditure, the Board may consider an exception to this new procedure on the basis of merit and upon a recommendation from the Chief of Police before the over-expenditure occurs.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF
THE TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P196. QUARTERLY REPORT: ENHANCED EMERGENCY
MANAGEMENT: APRIL – JUNE 2003**

The Board was in receipt of the following report JUNE 16, 2003 from Julian Fantino, Chief of Police:

Subject: QUARTERLY REPORT: APRIL – JUNE 2003,
ENHANCED EMERGENCY MANAGEMENT

Recommendation:

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

Background:

At its meeting of December 13, 2001 (Board Minute 356/01 refers), I was directed by the Board to report quarterly on the progress of the Enhanced Emergency Management Plan. This report is in response to that direction.

The Board was last updated at the April 24, 2003 Board meeting (Board Minute P112/03 refers).

In June 2003, Deputy Chief Michael Boyd met with other City of Toronto senior departmental command representatives at the Toronto Emergency Planning Committee. This was a regularly scheduled meeting for all City of Toronto Agencies, Boards and Commissions. The focus of the meeting was to co-ordinate inter-agency planning with respect to emergency operations. Agenda items from this meeting included briefings and updates on the Severe Acute Respiratory Syndrome (SARS) emergency, Chemical, Biological, Radiological and Nuclear (CBRN) operations, and the newly amended Emergency Management Act, RSO, (Bill 148).

The Toronto Police Service continues to participate in the Joint Operations Steering Group consisting of representatives from the Toronto Police Service (TPS), Toronto Fire Service (TFS), Emergency Medical Services (EMS), City of Toronto Office of Emergency Management (OEM) and Toronto Public Health. Joint emergency planning continues with particular respect to Chemical, Biological, Radiological and Nuclear (CBRN) operations, Heavy Urban Search and Rescue (HUSAR), medical – pandemic planning, and general joint emergency preparedness including specific risk and hazard analysis for Toronto.

The Emergency Management Section continued its operations with respect to proactively preparing all TPS members for exigencies resulting from the war in Iraq. This involved extensive monitoring of relevant information from intelligence briefs, news media, and inter-service sources as well as working with related municipal, provincial and federal emergency management and planning sections.

CBRN is of predominant importance and the joint city CBRN team (TPS, TFS and EMS) is now operating in phase two of a three-phase business plan. Phase two focuses on operational deployment, training, and protocols for chemical and biological incidents. Currently, the team is operational with respect to chemical and biological incident response. TPS, along with its counterparts in TFS and EMS, are regularly responding to calls for service involving potential CBRN events. Radiological and nuclear aspects of the plan will be the focus in phase three, later this year. In addition, the CBRN team is actively working with the federal Office of Critical Infrastructure Protection and Emergency Planning (OCIPEP) in developing CBRN training on a national scale. Phase three will focus on operational deployment, training and protocols for radiological and nuclear incident response and is scheduled to commence in the fall of this year.

The TPS component of the CBRN team is training target groups of officers to operate with the upgraded Provincial Protective Equipment (PPE). Presently, the TPS target groups include the Community Response Unit (CRU) officers and Public Safety Unit – Community Oriented Response Unit (COR) officers. The focus of the training for the CRU and COR officers will be to operate within a contaminated “warm zone” in order to provide perimeter security. A more advanced level of CBRN training continues for Emergency Task Force (ETF) personnel who will be conducting “hot zone” intervention.

Heavy Urban Search and Rescue (HUSAR) is a Toronto Fire Service lead initiative with a Toronto Police component. The HUSAR budget is set at \$2 million and is administered by TFS and the City of Toronto OEM. The team provides a response capability to the structural collapse of buildings and its tasks include searching for survivors and stabilizing buildings to prevent further collapse. Search dogs are an essential component of a HUSAR team. They aid in the search, as well as rescue and recovery operations, within collapsed structures and affected site areas. Police Dog Services is preparing to train two dogs in support of the joint HUSAR team. The training is scheduled to take place in August 2003 and will be done in conjunction with the Ontario Provincial Police (O.P.P.) at their training facility.

TPS currently has two Public Safety Unit (PSU) members involved in on-going HUSAR training who could function as search/incident managers during this type of incident. The HUSAR team, with its TPS component, was utilized to recover the seven victims of the Bloor Street Plaza explosion in Etobicoke on April 24, 2003. Reports indicate that the joint HUSAR team operated well during this incident in support of the recovery operations and debris management.

A number of emergency preparedness exercises are scheduled to take place within the next quarter of 2003. These include a nuclear event exercise for the Pickering nuclear station re-scheduled for October 2003, in conjunction with Ontario Power Generation and the Province of Ontario. In preparation for this exercise TPS, along with its emergency service counterparts in Works and Emergency Services, TFS, and EMS, conducted a nuclear drill on June 26, 2003 at Centennial College. The purpose of the drill was to test command and control of rescue workers and evacuees in Toronto from contaminated areas within Pickering.

In March 2003, under my direction, Inspector Tony Crawford was assigned to lead a task force comprised of representatives from Emergency Management, Intelligence Services, Detective Services, Corporate Communications, Training and Education, Corporate Planning and selected field units. The purpose of the 'Special Operations Task Force' is to develop and co-ordinate a comprehensive and integrated TPS plan to respond to major emergencies and disasters. The final report from this task force will be provided to Command for review by July 2003.

The Emergency Management Section, along with members of other city departments, have continued to jointly train members of the Toronto Police Service in emergency management planning, site incident management, command operations and conducting operations within an Emergency Operations Centre. The Emergency Management Section is working with C.O. Bick College to develop advanced police-specific courses involving the Incident Management System for senior police site commanders and emergency management for supervisory personnel and new recruits. Information involving emergency management operations continues to be disseminated to front line responders through a variety of mediums. The mediums include, short videos focusing on TPS preparedness with emergency management operations, service directives for CBRN operations through routine orders, amendments to policies and procedures involving emergency operations, and personal safety education through training materials sent directly to units.

TPS continues to support Health Sector led operations with respect to the Severe Acute Respiratory Syndrome (SARS) emergency. In March and April TPS, along with other municipal and provincial agencies, activated the Police Command Centre (PCC) during the SARS emergency. The PCC is located in a secure facility in a site other than Headquarters and is equipped to facilitate command and control of police operations during a major event. TPS provided site security to medical facilities, support in the enforcement of health orders for isolation and quarantine, and, in conjunction with Occupational Health and Safety, provided direction in order to protect TPS members from SARS and mitigate any contamination to our employee population.

The Emergency Management Act, RSO, (Bill 148) has passed the Provincial Legislature and has been proclaimed. Regulations supporting adequacy standards for the legislation are now being prepared through the Ministry of Public Safety and Security. TPS has been proactive in its own preparation to meet the standards under the newly revised legislation. The Emergency Management Section continues to work with the City's

Office of Emergency Management in preparation for establishing joint emergency plans, operating procedures and training for Service members. TPS, along with the City of Toronto's emergency services, conducted an initial self-audit with respect to fulfilling requirements of the Act. As a result we are confident that at this time we are in compliance with the "essential program" aspects of the legislation.

Last year TPS submitted 3 separate applications totalling \$428,299.75 for Joint Emergency Preparedness Program (JEPP) grants to the federal government to assist with the purchase of capital equipment to support emergency management operations and for the renovations to the Police Command Centre. As of this date, no response has been received regarding these applications.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions.

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 17, 2003**

**#P197. SEMI-ANNUAL REPORT: IMPLEMENTATION STATUS OF
THE BOARD'S INSTRUCTIONS**

The Board was in receipt of the following report JUNE 23, 2003 from Julian Fantino, Chief of Police:

Subject: SEMI-ANNUAL REPORT ON THE IMPLEMENTATION STATUS OF
THE BOARD'S INSTRUCTIONS

Recommendation:

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

Background:

To comply with Recommendation #18, from the Ontario Civilian Commission on Police Services (OCCPS) report dated July 1999, a semi-annual report is required from the Chief of Police to update the Board on the status of the Board's directions that otherwise would not require a report to the Board. (Board Minute #156/00 refers).

A review of the Board's public and confidential minutes for the period of January 1, 2003 – June 30, 2003 has identified one item to which this recommendation applies.

Item #1

At its meeting of April 25, 2002, the Board received a presentation by Staff Sergeant Heinz Kuck (2289), Graffiti Eradication Co-ordinator, on the results of the Toronto Police Service's 2001 Graffiti Eradication Program. (Board Minute #115/02 refers). In an effort to recognize the efforts of the many community personnel who work cooperatively with members of the Toronto Police Service to combat graffiti, I made a verbal commitment to acknowledge the valuable contributions of all the community members who participated in this worthwhile endeavour.

Response Item #1

The Service has acknowledged the contributions of each community member involved in this initiative by way of Letters of Appreciation or presentations of Plaques of Appreciation.

Superintendent Wayne Cotgreave of the Chief's Office will be in attendance at the Board meeting to respond to any questions, if required.

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 17, 2003**

**#P198. ANNUAL REPORT: 2002 SERVICE PERFORMANCE YEAR END
REPORT**

The Board was in receipt of the following report MAY 15, 2003 from Julian Fantino, Chief of Police:

Subject: 2002 SERVICE PERFORMANCE YEAR END REPORT

Recommendation:

It is recommended that: the Board receive the report on 2002 Service Performance.

Background:

Each year, as part of the strategic planning process, the Service prepares an annual report on the activities of the previous year. Attached for the information of the Board is the 2002 Service Performance Year End Report. The first section of the report provides the results of the 2002 measurement of the 2002-2004 Service Priorities, using the performance indicators set out in the 2002-2004 Business Plan. The second section of the report provides an overview of Service performance on a number of general indicators of demand, service, effectiveness, and efficiency. This latter section also includes the results of the community surveys conducted each year by and for the Service. This year-end report provides an overview of our performance relative to our core responsibilities as mandated by the *Police Services Act*, as well as what we accomplished in those areas within our mandated responsibilities to which we gave special emphasis during 2002.

In summarising Service achievements for 2002, a goal was considered to have been achieved if **all** performance objectives/indicators were accomplished. Likewise, a goal was classified as having not been achieved if **none** of the performance objectives for the goal were reached. The Board will note that strict adherence to the definitions of "achieved" and "not achieved" were observed in the summation of Service achievements of the 2002 Service Priorities.

The number of objectives/indicators varied with each goal. In the development of the Business Plan, in each instance, the objectives/indicators were identified as realistic, measurable indicators of the proposed goal. The objectives/indicators were approved along with the proposed priorities and goals, and were reported in the 2002-2004 Business Plan (Board Minute P301/2001 refers).

For 2002-2004, 7 priorities were identified with 37 specific goals. During 2002, the majority of goals were achieved (10) or partially achieved (25). While two goals were not achieved during this first year, it should be emphasized that the priorities and goals are set as part of a longer term, three year plan. The two goals considered 'not achieved' during 2002, were:

(i) Priority: Youth Violence and Victimization of Youth

Goal: Increase efforts to educate Service members about issues relating to youth street gangs, including the link between street gangs and organised crime.

This goal was considered 'not achieved' at this stage as neither performance indicator (number of training sessions and number of Service members trained) showed an increase between 2001 and 2002. Topics related to youth violence are part of the mandatory Advanced Patrol Training course at CO Bick College. Training topics cycle through this course; youth violence issues were included in 2001 and will be included again in 2003. It should be noted, however, that while in 2002 the number of Service members receiving training directly did not increase, Training & Education and the Gang Task Force did prepare a TPS training video entitled 'Gang Update', which was broadcast to Service members through LiveLink.

(ii) Priority: Infrastructure

Goal: Standardise and improve information systems and production of information within the Service.

While this goal was considered 'not achieved' as none of the performance objectives were achieved during 2002, work was ongoing in each of the areas represented by the indicators. The production of standard crime statistics and analysis definitions and parameters, and the establishment of an integrated, flexible database, has been linked to the eCOPS project. Implementation of eCOPS, in limited scope and in one division only, is not expected until August 2003.

While the records management system was not implemented during 2002, system development was essentially completed and user acceptance testing was begun.

And, similarly, while the Professional Standards Information System was not implemented in 2002, a software program was identified and the vendor worked with the Service to modify the program from a US to a Canadian basis. Several other modifications were also undertaken to meet legislative requirements for Ontario and a long-term contract was drafted, with the signatory provisions expected in early 2003.

Again, the current results represent an interim report on progress made during the first year of implementation. The Service continues to develop and refine strategies that will bring us closer to achieving our goal; we will continue to monitor our progress toward that end.

At this time, the 2002 Service Performance Year End report is provided for the Board's information, consistent with the requirements for an annual report in Section 31 of the Adequacy Standards Regulation (Ontario Regulation 3/99). It is recommended that the Board receive the 2002 Service Performance Year End report.

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

Ms. Kristina Kijewski, Director, Corporate Planning, was in attendance and provided the Board with a presentation on the 2002 year-end performance by the Service.

The Board noted that the year-end report includes data for specific categories of information, for example; the numbers of complaints against police officers for each division, but does not compare those numbers to specific identifiers such as the numbers of arrests or contacts made by police officers in those divisions. Ms. Kijewski indicated that she would consider including specific identifiers in future reports.

The Board received the foregoing.



**EXECUTIVE SUMMARY:
2002 SERVICE PERFORMANCE**

PRIORITIES :

Toronto is Canada's largest and one of its most dynamic municipalities, with an enviable international reputation. Every three years, as part of the business planning cycle and in our efforts to maintain and improve the quality of life and level of safety in the City, the Toronto Police Service determines where our resources and activities will be focused. This is done within the context of responsibilities mandated by the *Police Services Act* and its accompanying regulations, and within the framework provided by the Service's own Mission Statement and Values. Our Priorities represent those areas within our mandated responsibilities to which we will give special emphasis and are presented in the Service's Business Plan.

Within each general area of priority, there were specific goals we wished to achieve and many strategies were used to help us work towards achieving our goals. These goals, along with the Performance Objectives/Indicators that were set to measure our success, are presented under each Priority in the pages that follow. The strategies, which are also shown, were written by operational units and submitted through the Senior Officers appointed by the Chief to co-ordinate Service efforts to addressing the Priorities.

The following tables summarise Service performance in 2002 relative to each of the goals within our Priorities. It should be noted again that the Priorities and goals presented will continue through 2004.

PRIORITY: YOUTH VIOLENCE AND VICTIMISATION OF YOUTH

Goal	Achieved*	Partially Achieved	Not Achieved
In partnership with the school boards, work to encourage reporting by students of crimes occurring on school premises, particularly violent crimes.			
Increase education and outreach efforts targeting 'at-risk' youth to deter and prevent involvement in violent crimes.			
Increase enforcement activities and education initiatives to encourage the reporting of sexual exploitation of children and child abuse.			
Increase enforcement activities and prevention initiatives that focus on decreasing the victimisation of youth by robberies (in particular, those involving swarming) and sexual assaults.			
Focus on disbanding and disrupting the activities of youth street gangs.			
Increase efforts to educate Service members about issues relating to youth street gangs, including the link between street gangs and organised crime.			

* 'Achieved' means **all** performance objectives for the goal were achieved; 'Partially Achieved' means some performance objectives for the goal were achieved; 'Not Achieved' means **none** of the performance objectives for the goal were achieved.



2002 SERVICE PERFORMANCE – EXECUTIVE SUMMARY

PRIORITY: ORGANISED CRIME

Continue partnerships with other law enforcement agencies (international, national, and regional) to work co-operatively to disrupt and dismantle organised crime groups.			
Improve the Service's ability to identify and disrupt international and domestic terrorist groups active within the City.			
Goal	Achieved	Partially Achieved	Not Achieved
Continue to educate members of the Service, the community, political representatives, and legislators on the actual impact and consequences of organised crime.			
Continue to develop and improve the processes by which the Service responds to all organised crime.			
Through increased training, improve the Service's ability to respond to organised crime.			

PRIORITY: TRAFFIC SAFETY

Goal	Achieved	Partially Achieved	Not Achieved
Increase enforcement of aggressive driving offences.			
Increase focus on pedestrian safety, especially seniors.			
Increase education and safety efforts that target high risk drivers.			
Use a crime analysis or intelligence-driven approach to identifying traffic safety issues to be addressed.			
Form or strengthen partnerships with community and government agencies to improve traffic safety.			

PRIORITY: DRUG ENFORCEMENT AND EDUCATION

Goal	Achieved	Partially Achieved	Not Achieved
Improve quality of life in neighbourhoods through increased enforcement of street-level drug activities.			
Broaden Service response to drug enforcement by increasing referrals to diversion programs.			
Strengthen partnerships with local, regional, and national law enforcement agencies to deal with high-level drug enforcement.			
Increase and strengthen partnerships with local agencies to provide a multi-faceted response to drug issues.			
Educate community and Service members on the connection between high level drug activities, organised crime, and problems in neighbourhoods.			



PRIORITY: HUMAN RESOURCE DEVELOPMENT

Goal	Achieved	Partially Achieved	Not Achieved
Increase training dealing with ethics and professional behaviour.			
Continue efforts to have the membership of the Toronto Police Service reflect the community we serve.			
Given Service demographics and expected retirement levels, develop succession planning processes for units requiring specialised skills.			

PRIORITY: SERVICE INFRASTRUCTURE

Goal	Achieved	Partially Achieved	Not Achieved
In partnership with other City emergency services and agencies, improve and expand disaster management response.			
Standardise and improve information systems and production of information within the Service.			
Improve information available to allow accurate, reliable measurement of response times to emergency calls.			
Improve the Service's response to crimes that involve computers.			
Develop and implement a formal special event planning process.			

PRIORITY: COMMUNITY SAFETY AND SATISFACTION

Goal	Achieved	Partially Achieved	Not Achieved
Increase public awareness of crime prevention through environmental design (CPTED) principles.			
Increase the visibility of officers in neighbourhoods through directed and proactive patrols.			
Ensure officers continue to display a high level of professionalism during any type of contact with members of the public.			
Strengthen the confidence of the public and Service members in the impartiality and the integrity of the Service's administration of Part V of the <i>Police Services Act</i> – the complaints system.			
Increase public awareness of the Crime Stoppers program to encourage information to police to help solve violent crimes.			
Focus resources on addressing residential break & enters, particularly in relation to apartments.			
Increase feeling of safety and security within the community by addressing violent crime.			
Ensure victims receive assistance and referrals as needed.			



GENERAL INDICATORS:

As stated previously, the Service Priorities represent those areas within our mandated responsibilities to which we give specific emphasis during the year. Therefore, in addition to measuring our performance as it specifically relates to the Service Priorities, it is important that we also measure our performance in carrying out the day-to-day business of policing. This section presents information on performance indicators not directly associated with the 2002 Service Priorities.

Three types of performance measures are used in this document: condition/demand indicators (indicators of the environment within which our services are provided), including number of calls for service, alarm statistics, and reported criminal victimisations; units of service indicators (measurable components that help to show how much service is being provided), including number of uniform and civilian members, number of police officers per population, officer availability, ratio of constables to Criminal Code offences, number of uniformed officers on the street, ratio of supervisors to police officers, and community participation, including Neighbourhood Watch; and, effectiveness/efficiency measures (indicators of how well the organisation is doing in various areas), including handling of calls for service, response times for Priority 1 calls, crime rates, specific crimes, arrests, clearance rates, cost of policing per capita and Service budget, complaints about police service, and various community survey results.

Brought together, these indicators give a picture of the performance of the Police Service as a whole during the past year and compared to the previous year. Longer-term trends and changes are provided in the 2003 Environmental Scan Update. Some of the highlights of this section include:

- The total number of calls for service received by central communications increased 2.7% between 2001 and 2002; the number of priority 1 calls (the highest priority emergency calls, typically involving situations requiring immediate response, including a person at risk or a crime in progress) increased 3.4% between 2001 and 2002; and in 2002, 45.8% of calls for service were dispatched for response compared to 46.2% in 2001.
- The number of uniform members in the Service increased 1.3% between 2001 and 2002, while the number of civilian Service members increased 3.9%.
- The population per officer decreased between 2001 and 2002. While there was 1 officer for about every 493 people in 2001, there was 1 officer for about every 491 people in 2002.
- Between 2001 and 2002, the total number of reported non-traffic Criminal Code offences decreased by 0.5%. The number of violent crimes decreased by 4.8% and the number of property crimes increased by 1.2%.
- The total number of public complaints against the police decreased 5.1%.

- And, in the December 2002 community survey, people were asked how safe they felt the City was in general: almost 9 in 10 (87%) felt that Toronto in general was very or reasonably safe; only 2 in 100 (2%) felt the City was very unsafe.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P199. ANNUAL REPORT: 2002 SPECIAL FUND, TRUST FUNDS AND
MUSEUM RESERVE FUND FINANCIAL STATEMENTS**

The Board was in receipt of the following report JUNE 12, 2003 from Julian Fantino, Chief of Police:

Subject: TORONTO POLICE SERVICES BOARD'S SPECIAL FUND, TRUST FUNDS
AND MUSEUM RESERVE FUND FINANCIAL STATEMENTS AS AT
DECEMBER 31, 2002

Recommendation:

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

Background:

Attached are the audited financial statements by Ernst & Young, Chartered Accountants, for the Toronto Police Services Board's Special Fund, Trust Funds and Museum Reserve Fund for the year ended December 31, 2002. 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 received the foregoing.

AUDITORS' REPORT

To the Chair and Members of
the City of Toronto Police Services Board

We have audited the balance sheet of the **City of Toronto Police Services Board Special Fund** as at December 31, 2002 and the statement of operations and change in fund balance for the year then ended. These financial statements are the responsibility of the Board's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Special Fund as at December 31, 2002 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Toronto, Canada,
May 9, 2003.

Ernst & Young LLP

Chartered Accountants

 ERNST & YOUNG



City of Toronto
Police Services Board Special Fund

BALANCE SHEET

As at December 31

	2002	2001
	\$	\$
ASSETS		
Cash	332,657	123,361
Accounts receivable	39,783	1,116
	<u>372,440</u>	<u>124,477</u>
LIABILITIES AND FUND BALANCE		
Liabilities		
Accounts payable	31,108	14,992
	<u>341,332</u>	<u>109,485</u>
Fund balance	<u>372,440</u>	<u>124,477</u>

See accompanying notes



City of Toronto
Police Services Board Special Fund

**STATEMENT OF OPERATIONS AND
CHANGE IN FUND BALANCE**

Year ended December 31

	2002	2001
	\$	\$
REVENUE		
Proceeds from auction sale of unclaimed goods <i>[note 3]</i>	86,206	160,121
Unclaimed money from Found and Evidence	66,284	39,002
City of Toronto Police Services Board Trust Funds <i>[note 4]</i>	210,948	2,090
Interest	5,680	3,843
Other	55,365	1,739
	<u>424,483</u>	<u>206,795</u>
EXPENSES		
Board and Police Service relations	20,950	42,656
Police Service and community relations	83,598	105,037
Board and community consultations	—	6,500
Catering services	67,900	32,038
Board approved exception	3,000	—
Other	16,788	1,678
Donations	400	50
	<u>192,636</u>	<u>187,959</u>
Excess of revenue over expenses for the year	<u>231,847</u>	<u>18,836</u>
Fund balance, beginning of year	109,485	90,649
Fund balance, end of year	<u>341,332</u>	<u>109,485</u>

See accompanying notes



**City of Toronto
Police Services Board Special Fund**

NOTES TO FINANCIAL STATEMENTS

December 31, 2002

4. CITY OF TORONTO POLICE SERVICES BOARD TRUST FUNDS

The money found on deceased persons is paid to next-of-kin, estates or trusts upon establishment of proper legal claims. Any monies not claimed within a specified time, or for which no owner can be identified, are transferred to the Special Fund, net of any funeral costs, in accordance with provisions of the Police Services Act.

In the case of other found cash, the finder is entitled to the money if the owner does not claim it within three months. If the finder does not claim the cash, this money is transferred to the Special Fund.

During the year, the Special Fund received the following amounts from the City of Toronto Police Services Board Trust Funds:

	2002	2001
Unclaimed cash from Property and Evidence Management Unit General Fund	210,948	---
Unclaimed cash from Deceased Persons' Fund	---	2,090
	<u>210,948</u>	<u>2,090</u>

5. RELATED PARTY TRANSACTIONS

Administrative staff of the Board provides administrative services for the Special Fund. The Board does not charge for these services.

6. STATEMENT OF CASH FLOWS

A separate statement of cash flows has not been presented since cash flows from operating, investing and financing activities are readily apparent from the other financial statements.



AUDITORS' REPORT

To the Chairman and Members of
the City of Toronto Police Services Board

We have audited the balance sheet of the **City of Toronto Police Services Board Trust Funds** as at December 31, 2002 and the statement of operations and changes in fund balances for the year then ended. These financial statements are the responsibility of the Boards management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

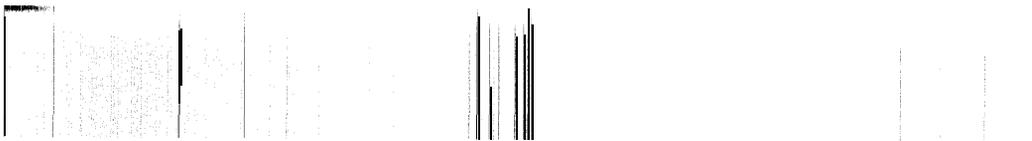
In our opinion, these financial statements present fairly, in all material respects, the financial position of the Trust as at December 31, 2002 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Toronto, Canada,
May 9, 2003.

Ernst & Young LLP

Chartered Accountants

 ERNST & YOUNG



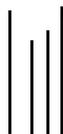
**City of Toronto
Police Services Board Trust Funds**

BALANCE SHEET

As at December 31

	2002 \$	2001 \$
ASSETS		
Cash	2,159,532	2,681,133
Accounts receivable	3,896	3,855
	2,163,428	2,684,988
LIABILITIES AND FUND BALANCES		
Liabilities		
Accounts payable	992,439	1,156,240
Fund balances		
Witness Protection Fund [note 3]	86,421	63,112
Deceased Persons' Fund [note 4]	962	962
Property and Evidence Management Unit General Fund [note 5]	1,083,606	1,464,674
Total fund balances	1,170,989	1,528,748
	2,163,428	2,684,988

See accompanying notes



City of Toronto
Police Services Board Trust Funds

STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES

Year ended December 31

	Witness Protection Fund		Deceased Persons' Fund		Property and Evidence Management Unit General Fund		Total 2002	Total 2001
	2002	2001	2002	2001	2002	2001		
	\$	\$	\$	\$	\$	\$	\$	\$
REVENUES	[note 3]		[note 4]		[note 5]			
Attorney General's Office	428,529	154,074	—	—	—	—	428,529	154,074
Seized cash	—	—	—	—	210,948	16,346	210,948	16,346
Other	—	1,449	—	—	—	158	—	1,607
	428,529	155,523	—	—	210,948	16,504	639,477	172,027
EXPENSES								
For safekeeping of witnesses	405,220	97,000	—	—	—	—	405,220	97,000
Next-of-kin, estates and trustees	—	—	—	44,668	—	—	—	44,668
Seized funds	—	—	—	—	381,068	2,613,610	381,068	2,613,610
Returned to owners	—	—	—	—	—	17	—	17
City of Toronto Police Services Board Special Fund [notes 4 and 5]	—	—	—	2,090	210,948	—	210,948	2,090
	405,220	97,000	—	46,758	592,016	2,613,627	997,236	2,757,385
Excess (deficiency) of revenues over expenses for the year	23,309	58,523	—	(46,758)	(381,068)	(2,597,123)	(357,759)	(2,585,358)
Fund balances, beginning of year	63,112	4,589	962	47,720	1,464,674	4,061,797	1,528,748	4,114,106
Fund balances, end of year	86,421	63,112	962	962	1,083,606	1,464,674	1,170,989	1,528,748

See accompanying notes



**City of Toronto
Police Services Board Trust Funds**

NOTES TO FINANCIAL STATEMENTS

December 31, 2002

1. DESCRIPTION OF THE ORGANIZATION

The financial statements of the City of Toronto Police Services Board Trust Funds [the "Trust"] reflect the combined financial position and activities of the following Trust's Funds administered by the Toronto Police Services Board [the "Board"]:

Witness Protection Fund [note 3]
Deceased Persons' Fund [note 4]
Property and Evidence Management Unit General Fund [note 5]

The Trust is exempt from income taxes under Section 149(1) of the Income Tax Act (Canada).

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles. They are the representation of management and necessarily involve the use of best estimates and careful judgment. The significant accounting policies are summarized below:

Fund accounting

The Trust follows the restricted fund method of accounting for contributions. The Board ensures, as part of its fiduciary responsibilities, that all funds received with a restricted purpose are expended for the purpose for which they were provided.

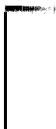
For financial reporting purposes, the Trust's Funds have been classified into three categories as described in notes 3, 4 and 5.

Revenue recognition

Contributions received are recognized as revenue of the Trust's Funds in the year in which they are received or receivable when the amounts to be received can be reasonably estimated and collection is reasonably assured.

3. WITNESS PROTECTION FUND

The Witness Protection Fund records receipts and disbursements of funds for the protection of witnesses. The funds are provided by the Attorney General's Office and are disbursed by the Board.



**City of Toronto
Police Services Board Trust Funds**

NOTES TO FINANCIAL STATEMENTS

December 31, 2002

4. DECEASED PERSONS' FUND

The Deceased Persons' Fund records the transactions relating to money found in the possession of deceased persons by police officers. Property of an unusual value, such as silver and gold coins or paper money worth more than face value, is placed in safekeeping in the Property and Evidence Management Unit and recorded in the fund at face value.

The money found on deceased persons is paid to next-of-kin, estates or trustees upon establishment of proper legal claims. Any monies not claimed within a specified time, or for which no owner can be identified, are transferred to the City of Toronto Police Services Board Special Fund, net of any funeral costs, in accordance with provisions of the Police Services Act.

**5. PROPERTY AND EVIDENCE MANAGEMENT UNIT
GENERAL FUND**

The Property and Evidence Management Unit General Fund is used to record found cash where the finder is entitled to the money if it is not claimed by the owner within three months. If the finder does not claim the cash, this money is transferred to the City of Toronto Police Services Board Special Fund. Monies, if determined to be the proceeds of crime, are transferred to the appropriate recipient based on the relevant legislation.

Cash received as a result of seizures is also kept on deposit within the Property and Evidence Management Unit. The interest on this cash is transferred to a separate bank account. The monies seized, and its interest, is kept until such time as the determination has been made as to whom it should be paid.

6. RELATED PARTY TRANSACTIONS

Administrative staff of the Board provides administrative services for the Trust. The Board does not charge for these services.

7. STATEMENT OF CASH FLOWS

A separate statement of cash flows has not been presented since cash flows from operating, investing and financing activities are readily apparent from the other financial statements.



1000



AUDITORS' REPORT

To the Chairman and Members of
the City of Toronto Police Services Board

We have audited the statement of financial position of the **City of Toronto Police Services Board Museum Reserve Fund** as at December 31, 2002 and the statement of financial activities and change in fund balance for the year then ended. These financial statements are the responsibility of the Boards management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Museum as at December 31, 2002 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Toronto, Canada,
May 9, 2003.

Ernst & Young LLP

Chartered Accountants

 ERNST & YOUNG



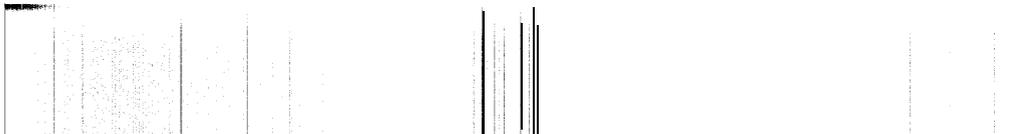
City of Toronto
Police Services Board Museum Reserve Fund

STATEMENT OF FINANCIAL POSITION

As at December 31

	2002 \$	2001 \$
FINANCIAL ASSETS		
Accounts receivable - Toronto Police Services Board	456,589	418,496
• Other	946	-
Total financial assets	457,535	418,496
LIABILITIES		
Liabilities		
Accounts payable	5,500	-
Net financial assets	452,035	418,496
Fund balance	452,035	418,496

See accompanying notes



City of Toronto
Police Services Board Museum Reserve Fund

**STATEMENT OF FINANCIAL ACTIVITIES AND
CHANGE IN FUND BALANCE**

Year ended December 31

	2002	2001
REVENUE		
Gift shop sales	276,452	248,686
Less cost of sales	197,111	176,106
Gross margin	79,341	72,580
EXPENSES		
Wages and benefits	64,940	52,130
Professional services	5,500	—
Visa and other service charges	3,471	2,722
Supplies	500	557
Miscellaneous	453	1,570
	74,864	56,979
Excess of revenue over expenses before the following	4,477	15,601
Donations	8,061	3,707
Interest income	21,001	20,662
Excess of revenue over expenses and change in net financial assets for the year	33,539	39,970
Fund balance, beginning of year	418,496	378,526
Fund balance, end of year	452,035	418,496

See accompanying notes



**City of Toronto
Police Services Board Museum Reserve Fund**

NOTES TO FINANCIAL STATEMENTS

December 31, 2002

1. DESCRIPTION OF THE ORGANIZATION

The financial statements of the City of Toronto Police Services Board Museum Reserve Fund [the "Museum"] reflect the financial position and activities of the police tuck shop administered by the Toronto Police Services Board [the "Board"].

The Museum is exempt from income taxes under Section 149(1) of the Income Tax Act (Canada).

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles as prescribed by the Public Sector Accounting Board. They are the representation of management and necessarily involve the use of best estimates and careful judgment. The significant accounting policies are summarized below:

Revenue recognition

Contributions received are recognized as revenue of the fund in the year in which they are received or receivable when the amounts to be received can be reasonably estimated and collection is reasonably assured.

Inventory

Inventory for the Museum gift shop is held by the Board and transferred to the Museum at cost at the point of ultimate sale.

Capital assets

The historical cost and accumulated amortization of capital assets are not reported. Capital assets are reported as an expense on the statement of financial activities and change in fund balance in the year of acquisition.

3. RELATED PARTY TRANSACTIONS

Administrative staff of the Board provides accounting services for the Museum. The Board does not charge for these services.

4. STATEMENT OF CASH FLOWS

A separate statement of cash flows has not been presented since cash flows from operating, investing and financing activities are readily apparent from the other financial statements.



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P200. RESPONSE TO CORRESPONDENCE REGARDING CHANGES TO THE
CRIMINAL CODE OF CANADA DUE TO BILL C-15 A**

The Board was in receipt of the attached correspondence, dated June 18, 2003, from Barbara Hume-Wright, Consulting Executive Coordinator, Ontario Association of Police Services Boards, in response to the Board's earlier correspondence regarding changes to the *Criminal Code* due to Bill C-15A.

The Board received the foregoing.



**ONTARIO ASSOCIATION OF
POLICE SERVICES BOARDS**
"Commitment to Excellence in Civilian Police Governance"

10 Peel Centre Drive, Brampton, Ontario L6T 4B9
Tel. 905-458-1488 1-800-831-7727 Fax 905-458-2260

June 18, 2003

Deirdre Williams
Board Administrator,
Toronto Police Services Board
40 College Street, 7th Floor
Toronto, ON M5G 2J3



Dear Ms Williams,

Please accept my apologies in being so tardy in advising you on the action the OAPSB Board took on your letter on behalf of the Toronto Police Services Board regarding changes to the Criminal Code of Canada due to Bill C-1 5 A.

The OAPSB Board of Directors reviewed your letter and attachments to this letter at its February 2003 meeting. It appreciated the Toronto Police Services Board taking the time and care to forward this information to its attention. The Board further directed that your letter and attachments be sent to the CAPB and the CACP for information, since the legislation it deals with falls under federal jurisdiction, As such the material has been forwarded to both parties.

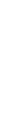
Thank you once again for your letter and attachments.

Yours truly,

A handwritten signature in cursive script, appearing to read "B. Hume-Wright".

Handwritten initials in cursive, possibly "BH".
Barbara Hume-Wright
Consulting Executive Coordinator

c.c. CACP
CAPB





16 a (iii)

Toronto Police Services Board

40 College Street, Toronto, Ontario, Canada. M5G 2J3
(416) 808-8080 FAX (416) 808-8082
www.torontopoliceboard.on.ca



NORMAN GARDNER
Chairman

December 6, 2002

DEC 10 2002

Ms. Barbara Hume-Wright
Executive Director
Ontario Association of Police Services Boards
10 Peel Centre Dr,
Brampton, Ontario
L6T 4B9

Dear Ms. Hume-Wright:

Re: Changes to the *Criminal Code of Canada* due to Bill C-15A

At its meeting on October 24, 2002, the Toronto Police Services Board was in receipt of a report from Chief of Police Julian Fantino regarding the changes that were made to the *Criminal Code of Canada* as the result of Bill C-15A.

The Board received the report from Chief Fantino and requested that copies be forwarded to the Ontario Association of Police Services Boards, the Minister of Justice and Attorney General for Canada and the members of Toronto City Council for information.

A copy of Board Minute No. P271/02 from that meeting with respect to this matter is attached for information.

Yours truly,

A handwritten signature in cursive script, appearing to read "Deirdre Williams".

Deirdre Williams
Board Administrator

attachment: Minute No. P27 1/02



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P201. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: AIR
SUPPORT UNIT**

The Board was in receipt of the following report JUNE 19, 2003 from Julian Fantino, Chief of Police:

Subject: AIR SUPPORT UNIT

Recommendation:

It is recommended that: the Board approve the request for a two-month extension to submit the report it requested detailing the financial plan, the financial impacts and all agreements with regards to the Air Support Unit.

Background:

At its meeting on September 26, 2002 the Board requested that the Chief prepare a report detailing the financial plan, the financial impacts, and all agreements with regards to the Air Support project (Board Minute P240/02 refers).

At its January 30, 2003 meeting I advised the Board that a financial plan would be submitted at the July 17, 2003 meeting (Board Minute P11/03 refers).

In the 2003 Ontario Budget speech delivered on March 27, Finance Minister Janet Ecker stated that the provincial government would help fund the purchase of a police helicopter to enhance security in Canada's largest city through the Helicopter Evaluation Project for Large Urban Areas. It is anticipated that monies received from the province will partially fund the purchase of a helicopter. Discussions are currently ongoing to determine exact details of the funding.

Our Service is in the initial stages of consultations with other key interested parties who are in the process of identifying additional funding sources for our Air Support program. Detailed information from these parties has not yet been received, therefore; the financial plan or financial impacts cannot be determined.

It is anticipated that this information will be forthcoming over the summer months and I request a two-month extension of time to allow for a full and proper report to be prepared on these issues.

Deputy Chief Michael Boyd, Policing Support Command, will be in attendance to answer any questions.

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 17, 2003**

#P202. CORRESPONDENCE

The Board was in receipt of a summary of the public correspondence received in the Board office between June 5, 2003 and June 26, 2003. A copy of the summary is on file in the Board office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P203. BOARD POLICY: AUTHORIZING EXPENSES FOR TORONTO POLICE
SERVICES BOARD CHAIR AND BOARD MEMBERS**

The Board was in receipt of the following report JULY 14, 2003 from Gloria Lindsay Luby, Acting Chair:

Subject: BOARD POLICY: AUTHORIZING EXPENSES FOR TORONTO POLICE
SERVICES BOARD CHAIR AND BOARD MEMBERS

Recommendation:

It is recommended that:

- (1) the Board adopt a policy wherein expense claim forms must be signed, by both the Toronto Police Services Board member making the claim and the Chair of the Board authorizing the claim, before submitting it to staff for processing;
- (2) when the claim form submitted is for expenses incurred by the Chair, another Board member must sign the claim form for the Board Chair; and
- (3) the Board forward this report to the City of Toronto's ABC Ad Hoc Committee for information.

Background:

At its meeting held on February 13-15, 2002, Toronto City Council established the ABC Ad Hoc Committee to address outstanding governance issues respecting the City's Agencies, Board, Commissions and Corporations (ABC's). The purpose of the Committee was to develop a framework for governance of ABC's, to rationalize existing models and make improvements, to develop reporting requirements and accountability mechanisms, to review processes for selecting boards and to articulate expectations and relations to the City.

At its meeting on November 21, 2002, the ABC Ad Hoc Committee considered a draft remuneration and expense policy for the City's ABC's. The Committee forwarded the draft policies to the Toronto Police Services Board for comment.

At its meeting held on March 27, 2003, the Board was in receipt of a report from the Chairman, dated February 7, 2003, containing a number of recommendations with regard to the City of Toronto's Draft Remuneration and Draft Expense and Travel Policies for ABC's (Board Minute No. P73/03 refers). The Board approved the report which included among others, the following recommendations:

1. that the Board request the ABC Ad Hoc Committee to consider amending the Draft Expense and Travel Policy as it relates to requiring Board approval in advance of travelling on Board business; and
2. that the Board request the ABC Ad Hoc Committee to consider amending the Draft Expense and Travel Policy to include levels of authorization similar to the TPSB By-Law No. 100.

Currently, the Board abides by the Toronto Police Service “Expense Authorization and Allowance” Procedure 18-01 and By-Law 147 (formerly By-Law No. 100) as it relates to business travel costs and expense authorizations for members of the Board. The current practice is relatively consistent with the draft expense and travel policy being proposed by the ABC Ad Hoc Committee. However, upon further review, there was uncertainty with regards to who was authorized to sign expense claim forms on behalf of the Chair and Board members.

It has also come to attention of the Board that if and when a Draft Expense and Travel Policy is approved by the ABC Ad Hoc Committee and subsequently by City Council, City staff recommend that the effective date shall coincide with the date of new board appointments in 2004. As there appears to be no reason to delay implementation, it is my recommendation that the Board approve the Board policy effective immediately.

Therefore, I recommend that the Board adopt a policy wherein expense claim forms must be signed, by both the Toronto Police Services Board member making the claim and the Chair of the Board authorizing the claim, before submitting it to staff for processing, and further, when the claim form submitted is for expenses incurred by the Chair, another Board member must sign the claim form on behalf of the Board Chair.

The Board approved the foregoing and the following Motion:

THAT, with respect to expenses incurred by the Chief of Police, claim forms must be signed by the Chief and forwarded to the Chair, or Vice Chair in his or her absence, monthly for authorization before any such claim is submitted to Service staff for processing and that this process be effective immediately.

The Board also received a copy of a communication, dated July 16, 2003, from Mr. Jeff Griffiths, Auditor General, City of Toronto, to the Acting Chair recommending a procedure for authorizing expenses which is consistent with procedure approved by the Board for the Chair and Chief of Police as noted above. A copy of the communication is on file in the Board office.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

**#P204. INSURANCE COVERAGE FOR MEMBERS OF THE TORONTO
POLICE SERVICE SENIOR OFFICERS' ORGANIZATION, TORONTO
POLICE ASSOCIATION AND EXCLUDED MEMBERS NAMED AS
DEFENDANTS IN CIVIL ACTIONS**

The Board was in receipt of the following report JULY 07, 2003 from Gloria Lindsay Luby, Acting Chair:

Subject: INSURANCE COVERAGE FOR MEMBERS OF THE TORONTO POLICE
SERVICE SENIOR OFFICERS' ORGANIZATION, TORONTO POLICE
ASSOCIATION AND EXCLUDED MEMBERS NAMED AS DEFENDANTS
IN CIVIL ACTIONS

Recommendations:

It is recommended that:

- (1) the Board receive the attached Memorandums of Understanding between the Senior Officers' Organization and the Toronto Police Services Board and the Toronto Police Association and the Toronto Police Services Board; and
- (2) the Board approve amendments to Article 20:03 of the Uniform Senior Officers' and Article 19:03 of the Civilian Senior Officers' 2002-2004 Collective Agreements to add clause (c) as indicated in this report.

Background:

On April 15, 2003 correspondence was sent from the Toronto Police Association to all members stating that civil matters involving Association members are not currently being defended by the Toronto Police Services Board. The Board, at its April 24, 2003 in-camera meeting, considered the matter and directed Ms. Maria Ciani, Manager of Labour Relations to meet with the stakeholder representatives of the Board/Service/City of Toronto and the Toronto Police Association to discuss the issue of insurance coverage for police officers named as defendants in civil suits (Min. No. C65/03 refers). The parties met on April 30, May 6 and May 8, 2003. The Toronto Police Association requested that the Board add provisions to its current collective agreements to include legal indemnification and/or provide legal representation for all civil actions, racial profiling and personnel records.

A special in-camera meeting was held on May 9, 2003 and the Board approved a new administrative process to deal with civil actions. In addition, the Board approved legal indemnification coverage of members for Human Rights complaints to be included in the current collective agreement. (Min. No. C83/03 refers). The Toronto Police Association was not in agreement with these changes and as a result it commenced a job action on May 13, 2003.

Subsequently, a Memorandum of Understanding was agreed to by the Toronto Police Association and approved by the Board at the in-camera meeting of May 29, 2003 (Min. No. C85/03 refers). This Memorandum of Understanding (Appendix A) would replace the original administrative procedure previously approved by the Board on May 9, 2003 (Min. No. C83/03 refers). The Board also agreed to extend a similar Memorandum of Understanding to all members of the Toronto Police Senior Officers' Organization and excluded members.

In this regard, a Memorandum of Understanding has been completed by the Senior Officers' Organization and the Board (Appendix B). In addition, an amendment is necessary to the Senior Officers' Organization Collective Agreement.

It is therefore recommended that the Board receive the attached Memorandums of Understanding and approve the addition of the following clause (c) to Article 20:03 of the Uniform Senior Officers' Collective Agreement and to Article 19:03 of the Civilian Senior Officers' Collective Agreement:

- (c) Where the Board's or the City of Toronto's insurer denies legal representation based upon any exclusion(s) in the applicable insurance contracts."

Ms. Marinella Black, Acting Director of Human Resources, and Mr. Eugene Kosziwka, Acting Manager of Labour Relations, will be in attendance to respond to any questions the Board may have.

The Board approved the foregoing.

Memorandum of Understanding between the Toronto Police Services Board and the Toronto Police Association

1. This Memorandum shall form part of each Collective Agreement between the parties. *GW GLL*
2. The Process of the Board set out in Schedule I to this Memorandum is ~~amended~~ *CB* introduced by the Board for the period ending December 31, 2004 [or until such later date when a new collective agreement is recalled or an award issued] in respect of the provision of legal counsel or the indemnification of legal costs in civil suits against a member pending the conclusion of such litigation. *CB*
3. The Reviewer referred to in paragraph 8 of the Process shall be appointed within 15 days of the date hereof by agreement of the Board and the Association and will serve as the Reviewer until December 31, 2004 subject to reappointment by agreement of the parties. It is the parties' current intention that the Reviewer be a retired judge. If the parties cannot agree, Owen Shime, Q.C. shall be requested to name the Reviewer.
4. Article 23.03 of the Uniform Agreement (and similar clauses in the civilian agreements) will be amended to confirm that Article 23.03 will apply to a member made the subject of a complaint under the *Ontario Human Rights Code* because of acts done by the member in the attempted performance in good faith of the member's duties as a member of the Toronto Police Service.
5. Article 23 of the Uniform Agreement (and similar clauses in the civilian agreements) shall be amended to add a new provision that the Board shall provide legal counsel to represent the member in respect of any attempt during a legal proceeding, where the member is a witness because of actions of the member in the attempted performance in good faith of the member's duties with the Toronto Police Service, to obtain access to the personnel ~~records~~ *or other records* of the member maintained on a confidential and restricted basis by the Toronto Police Service provided that adequate notice of the attempted access is given by the member in accordance with Service procedures and provided that the person designated by the Chief to appoint or designate such legal counsel is satisfied that, unless legal representation is provided, access to such personnel record may be ordered by the Court or other tribunal. *CB*

Effective the date hereof. *GW GLL*

Dated at Toronto this day of May 28, 2003

On behalf of the Board

[Signature]

[Signature]

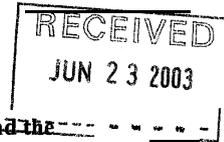
On behalf of the Association

[Signature]

[Signature]

[Signature]





Memorandum of Understanding between the Toronto Police Services Board and the Toronto Police Senior Officers' Organization

1. This Memorandum shall form part of each Collective Agreement between the parties.
2. The Process of the Board set out in Schedule 1 to this Memorandum is introduced by the Board for the period ending December 31, 2004 [or until such later date when a new collective agreement is recalled or an award issued] in respect of the provision of legal counsel or the indemnification of legal costs in civil suits against a member pending the conclusion of such litigation.
3. The Reviewer referred to in paragraph 8 of the Process shall be appointed within 15 days of the date hereof by agreement of the Board and the Senior Officers' Organization and will serve as the Reviewer until December 31, 2004 subject to reappointment by agreement of the parties. It is the parties' current intention that the Reviewer be a retired judge. If the parties cannot agree, Owen Shime, Q.C. shall be requested to name the Reviewer.
4. Article 20.03 of the Uniform Agreement (and similar clauses in the civilian agreement) will be amended to confirm that Article 20.03 will apply to a member made the subject of a complaint under the *Ontario Human Rights Code* because of acts done by the member in the attempted performance in good faith of the member's duties as a member of the Toronto Police Service.
5. Article 20 of the Uniform Agreement (and similar clauses in the civilian agreement) shall be amended to add a new provision that the Board shall provide legal counsel to represent the member in respect of any attempt during a legal proceeding, where the member is a witness because of actions of the member in the attempted performance in good faith of the member's duties with the Toronto Police Service, to obtain access to the personnel or other records of the member maintained on a confidential and restricted basis by the Toronto Police Service provided that adequate notice of the attempted access is given by the member in accordance with Service procedures and provided that the person designated by the Chief to appoint or designate such legal counsel is satisfied that, unless legal representation is provided, access to such personnel record may be ordered by the Court or other tribunal.

Effective the date hereof.

Dated at Toronto May 29, 2003

On behalf of the Board

On behalf of the Senior Officers' Organization



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

#P205. RELEASE OF SEX OFFENDER: MR. WALTER GARY JACOBSON

The Board was in receipt of the attached correspondence, dated July 10, 2003, from Gloria Lindsay Luby, Acting Chair, to Mr. Ian Glen, Chairperson, National Parole Board, and Ms. Lucie McClung, Commissioner, Correctional Service of Canada, regarding the release of sex offender, Mr. Walter Gary Jacobson, into a City of Toronto neighbourhood.

The Board received the foregoing.



Toronto Police Services Board

40 College Street, Toronto, Ontario, Canada. M5G 2J3
(416) 808-8080 FAX (416) 808-8082
www.torontopoliceboard.on.ca



NORMAN GARDNER
Chairman

July 10, 2003

Mr. Ian Glen
Chairperson
National Parole Board
410 Laurier Ave. West
Ottawa, ON
K1A 0R1

And to:

Ms **Lucie** McClung
Commissioner
Correctional Service of Canada
340 Laurier Ave. West
Ottawa, ON
K1A 0P9

Dear Mr. Glen and Ms McClung:

On behalf of the Toronto Police Services Board, I am writing to express my grave concern with the decision to release an individual, with a lifelong record of sex crime convictions, into the neighbourhood that is attempting to recover from the recent death of lo-year old Holly Jones (Toronto Sun, July 9/03). Although we understand and support the need to re-integrate offenders into the community in a manner that is safe and positive for both the community and the offender, our concern is one of timing and sensitivity.

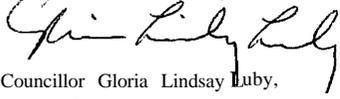
We are concerned that a Toronto neighbourhood is being re-traumatized by this particular release. We are also concerned that the conditions that have been attached to the release do little to reassure residents that the safety of their community will not be compromised.

The Toronto Police Services Board appeals to you to reconsider the decision to place Mr. Jacobson at the Keele Centre. We also urge you to take appropriate measures to ensure that, in all releases of sex offenders, conditions placed upon such releases are stringent and easily enforced.



Your prompt and decisive attention to this matter will be deeply appreciated by west Toronto residents and by the Toronto Police Service Board.

Yours truly,



Councillor Gloria Lindsay Luby,
Acting Chair

cc. The Honourable Wayne Easter, P.C., M.P., Solicitor General of Canada



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

#P206. RECOVERY OF AIRPLANE IN LAKE ONTARIO

Chief Fantino updated the Board on the recovery efforts to raise the small private airplane that is lying at the bottom of Lake Ontario.

A six-seat Beechcraft Baron airplane owned and piloted by Mr. Jon Gregg, a corporate lawyer with a Chicago law firm, crashed into Lake Ontario while attempting to land at the Toronto City Centre Airport during thick fog at approximately 10:00 AM on Monday, July 7, 2003. The Toronto Police Service was able to locate the point at which the airplane entered the water and confirmed that the airplane was lying in a position 220 feet below the surface. Through the use of a remote-controlled underwater camera, officers at the Marine Unit determined that the body of Mr. Gregg remains inside the cabin of the airplane.

The recovery of Mr. Gregg's body has been delayed because his insurance company has not agreed to fund the cost of raising the airplane. The Service's Legal department is making inquiries to determine who is responsible for the recovery costs.

Officers from the Marine Unit were involved with the initial search and rescue and have worked continuously with the Coroner's Office and the Transportation Safety Board of Canada since the day of the crash making arrangements for the use of the appropriate equipment that is required to recover the airplane. The equipment will be borrowed from the OPP.

Chief Fantino advised the Board that he was concerned about the length of time that the body of Mr. Gregg has had to remain at the bottom of the lake and that on July 16, 2003 he authorized the full and complete recovery of the airplane. The total cost of the recovery operation could reach \$150,000. He advised that Mr. Gregg's law firm had offered at least CDN\$100,000 towards the recovery costs. To-date, there have been extraordinary search-related costs as this area of the lake is considered a crime scene and must be protected.

The Board noted the tragic circumstances of this situation and indicated that the priority of the police will always be to provide immediate response to emergency situations or calls for assistance. In some cases, the need for police assistance may occur as the result of a person's involvement in a higher-risk sport or activity. The costs related to the emergency response provided by the police in those situations are usually absorbed by the Service in its operating budget.

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The Board received the update by Chief Fantino and approved the following Motion:

THAT, while the Toronto Police Service will continue to provide full and immediate assistance to persons involved in emergency situations regardless of circumstances, Board staff are requested to draft a policy for the Board's approval on cost-recovery options that could be considered after an emergency situation has been resolved for cases where higher-risk was one of the factors.

Amendment:

At its meeting on August 14, 2003, the Board agreed to amend the foregoing Minute by revising the Motion so that it now reads as follows:

THAT, while the Toronto Police Service – Marine Unit will continue to provide full and immediate assistance to persons involved in emergency situations regardless of circumstances, Board staff are requested to draft a policy for the Board's approval on cost-recovery options that could be considered after an emergency situation concerning boating or aviation on Lake Ontario has been resolved.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON JULY 17, 2003**

#P207. ADJOURNMENT

Gloria Lindsay Luby
Acting Chair