



**The following *draft* Minutes of the meeting of the Toronto Police Services Board held on APRIL 29, 2004 are subject to adoption at its next regularly scheduled meeting.**

**The Minutes of the meeting held on MARCH 25, 2004 previously circulated in draft form were approved by the Toronto Police Service Board at its meeting held on APRIL 29, 2004.**

**MINUTES OF THE PUBLIC MEETING** of the Toronto Police Services Board held on **APRIL 29, 2004** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

**PRESENT:**

**A. Milliken Heisey, Q.C.**, Chair  
**Pam McConnell**, Councillor & Vice Chair  
**John Filion**, Councillor & Member  
**Benson Lau, M.D.**, Member  
**Hugh Locke**, Member  
**Case Ootes**, 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 APRIL 29, 2004**

**#P108. SWEARING – IN PROCEEDINGS: THE HONOURABLE HUGH LOCKE**

Chair Alan Heisey administered the oath of office and oath of secrecy to The Honourable Hugh Locke who was appointed to the Board by the Lieutenant Governor for a three year term effective April 14, 2004.



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,

Hugh R. Locke, Toronto

be appointed a member of the Toronto Police Services Board for a period of three years, effective from the date of the Order-in-Council.

And that Order-in-Council numbered O.C. 1384/2003, dated the 25<sup>th</sup> day of June, 2003, reappointing Allan Leach as a member of the Toronto Police Services Board, be revoked.

Recommended

A handwritten signature in black ink, appearing to be "Mike R. Harris".

Premier and President  
of the Council

Concurred

A handwritten signature in black ink, appearing to be "John D. Baird".

Chair of Cabinet

Approved and Ordered

APR 14 2004

Date

A handwritten signature in black ink, appearing to be "John Paul McMillan".

Lieutenant Governor

O.C./Décret

680/2004



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P109.           MOMENT OF SILENCE**

A moment of silence was observed in memory of Police Constable Ian Beattie (5674) of No. 12 Division who passed away while at work on Saturday, April 17, 2004. Constable Beattie had been a member of the Toronto Police Service for 29 years.



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P110. INTRODUCTION**

The following members of the Service were introduced to the Board and congratulated on their recent promotions:

Superintendent Glenn Decaire  
Staff Inspector Wayne Peden  
Inspector David Mark Fenton  
Staff Sergeant Mark Tilley  
Sergeant Murray Barnes  
Sergeant Giuseppe DiGiovanni  
Sergeant Christine Farrell  
Sergeant Wendy Gales  
Sergeant Fiona Greenaway  
Sergeant Gerald Heaney  
Sergeant Antonio Macias  
Sergeant Roderick Maclean  
Sergeant Teresa Monaghan  
Sergeant Peter Morreia  
Sergeant John Murphy  
Sergeant Branko Novinc  
Sergeant Gary Olson  
Sergeant Mark Phair  
Sergeant Suzanne Redman  
Sergeant John Rossano  
Sergeant Cheryl-Ann Sanson  
Sergeant Tina Stewart  
Sergeant Steven Tedford  
Sergeant Shehara Valles  
Sergeant David Zebeski





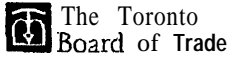
**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P111. UPDATE AND DETAILS ON THE POLICE OFFICER OF THE YEAR  
AWARDS DINNER**

The Board was in receipt of the attached correspondence, dated April 13, 2004, from Jasmine Tehara, Chair, The Toronto Board of Trade, with regard to the 37<sup>th</sup> Annual Police Officer of the Year Awards Dinner.

Ms. Tehara was in attendance and provided a presentation to the Board about the 2004 awards dinner.

**The Board received the foregoing.**



April 13, 2004

Ms. Deirdre Williams  
Board Administrator  
Toronto Police Services Board  
40 College Street  
Toronto, Ontario  
M5G 2J3

Dear Ms. Williams:

As Chair of the 37<sup>th</sup> Annual Police Officer of the Year Awards, I would like to present for approximately 5 to 10 minutes at the upcoming April 29<sup>th</sup> Toronto Police Services Board meeting,

During my presentation, I would like to formally invite the members of the board to the dinner on June 1<sup>st</sup>, provide some background information on the event, and answer any questions the board may have. I will come prepared with a short visual presentation in Microsoft PowerPoint format.

For your reference, the awards were originally established in 1967. The Police Officer of the Month and the Police Officer of the Year Awards recognize the outstanding public service, dedicated professionalism and selfless bravery of Toronto's police officers. Every year the Board of Trade holds a dinner and tribute in appreciation of these men and women. The charitable recipient of the dinner will be The Gatehouse, a charity that works very closely with members of the Toronto Police Services.

If you have any questions, please don't hesitate to contact me directly.

Sincerely,

Jasmine Tehara  
Chair, 37<sup>th</sup> Annual Police Officer of the Year Awards  
Phone: 416-308-5170  
Email: [jasmine.tehara@td.com](mailto:jasmine.tehara@td.com)

cc: Detective Cameron Field (997)

1 First Canadian Place, P.O. Box 60  
Toronto, Ontario, Canada M5X 1C1  
Telephone 416 366 6811  
Facsimile 416 366 4906  
[www.bct.com](http://www.bct.com)

Apr 22 10:54 AM '04

Fax: 416-366-5620

THE BOARD OF TRADE

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P112.           OUTSTANDING REPORTS - PUBLIC**

The Board was in receipt of the following report APRIL 06, 2004 from A. Milliken Heisey, Q.C., 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 received the foregoing as reports regarding these two outstanding matters were considered on the walk-on agenda.**

Board Reference	Issue - Pending Reports	Report Status	Recommendation Action Required
P27/04	<p><i><b>Review and Recommendations Concerning Various Aspects of Police Misconduct</b></i></p> <ul style="list-style-type: none"> <li>• <u>Issue</u>: status of recommendations that have been implemented and the Service's future plans for the recommend's that have not been implemented</li> </ul>	<p>Report Due: Apr. 29/04            Extension Reqs'd:            Extension Granted:            Revised Due Date:  <b>Status:.....outstanding</b></p>	Chief of Police
P84/04	<p><b>Searches of Persons</b></p> <ul style="list-style-type: none"> <li>• <u>Issue</u>: history of search of persons policies and guidelines and details of previous reports to the Board</li> </ul>	<p>Report Due: Apr. 29/04            Extension Reqs'd:            Extension Granted:            Revised Due Date:  <b>Status:.....outstanding</b></p>	Chief of Police



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P113.           DECRIMINALIZATION OF MARIHUANA**

The Board was in receipt of the following report JANUARY 31, 2004 from A. Milliken Heisey, Q.C., Chair:

Subject:           DECRIMINALIZATION OF MARIHUANA

Recommendations:

It is recommended:

THAT the Board determine whether it wishes to support the Regional Municipality of York Police Services Board's position with respect to the decriminalization of marihuana.

THAT the Board advise the Ontario Association of Police Services Boards Board of Directors of its position.

Background:

On September 18 and 19, 2003, I attended the Ontario Association of Police Services Boards (OAPSB) Board of Directors meeting. Chairman David Barrow of the Regional Municipality of York Police Services Board (York Police Board) requested that the OAPSB discuss the York Police Board's position with respect to the decriminalization of marihuana in Canada.

I asked that the item be deferred so that I could confer with the members of the Toronto Police Services Board and seek their direction with respect to the York Police Services Board's position.

As a result, I have conducted research with respect to the decriminalization of marihuana, in an attempt to provide you with a basic overview of this subject matter. The information is general in nature and should not be interpreted as a scientific study.

**OVERVIEW**

In July 2000, the Ontario Court of Appeal ruled in *R v Parker* that banning marihuana for medicinal purposes violates the Canadian *Charter of Rights and Freedoms*. Striking down a federal law prohibiting the possession of less than 30 grams of marihuana, the Court ruled that the law violates the rights of the sick to use the drug for medical purposes. The Court gave the government one year to change the law and make provisions for medical use of marihuana or the whole law against marihuana would be struck down.

One year later, the government created new medical marihuana regulations, but did not change the actual law. As a result, the Court declared that the government did not live up to its court-ordered legal obligation and, therefore, Canada's marihuana law was null and void.

The ruling set off discussions across the country, as well as resulting in some police services virtually stopping enforcement of the possession law.

### **Senate Committee Reports**

Two Special Parliamentary Committees released reports in 2002 on the issue of illegal drugs. In September 2002, the Senate Special Committee on Illegal Drugs stated that the current drug policy and the supply and reduction policies are ineffective. The Committee called on the Government of Canada to adopt an integrated policy addressing the harmful effects of drug use. In December 2002, the House of Commons Special Committee on the Non-medical Use of Drugs released its report calling for a renewed federal drug strategy and some form of decriminalization of possession and cultivation of small amounts of cannabis. In the September 30, 2002 Speech from the Throne, the Government of Canada committed to responding to the results of these parliamentary consultations.

### **Cannabis Reform Act**

In May 2003, the House of Commons proposed legislative reforms that would modernize the way Canada enforces cannabis possession laws. Cannabis possession and production would remain illegal in Canada. However, the approach to enforcement would change. The Cannabis Reform Bill proposes, among other things:

- replacing the current criminal court process and resulting criminal penalties with alternative penalties for **possession of 15 grams or less of marihuana or one gram or less of cannabis resin** (hashish)
- providing law enforcement officers the discretion to give a ticket or issue a summons to appear in criminal court for **possession of more than 15 grams and up to 30 grams of marihuana**
- providing for greater alternative penalties when aggravating factors are present, including possession while committing an indictable offence, while operating a motor vehicle or while on or near school grounds; and
- creating **new offences providing tougher penalties for illegal growers**. The larger the operation, the greater the penalty, with a maximum 14 years in prison for anyone found with more than 50 marihuana plants. This is double the current maximum penalty of seven years.

Prime Minister Paul Martin has expressed support for the Bill introduced by his predecessor and intends to reintroduce the Bill in early 2004.

## **SUPREME COURT OF CANADA RULINGS**

The Supreme Court of Canada recently considered a trilogy of cases, *R. v. Malmo-Levine*, *R. v. Caine* and *R. v. Clay*, which challenged the constitutionality of being charged with marihuana possession.

The first case involved Mr. David Malmo –Levine, who once ran the Harm Reduction Club, a non-profit co-operative in East Vancouver that offered advice on safe pot use while supplying marihuana to some 1,800 people. In December 1996, police entered the premises of the club and seized over 300 grams of marihuana. Mr. Malmo-Levine was charged with simple possession of marihuana and with possession for the purpose of trafficking.

The second challenge came from Mr. Victor Caine, who was arrested by a police officer after lighting a joint in a van in a parking lot in White Rock, B.C. He had 0.5 grams of marihuana in his possession. In *R. v. Caine*, federal lawyers argued that there is "no free-standing right to get stoned" and said Parliament must be free, within reason, to criminalize behaviour as it sees fit. Defence lawyers said criminal penalties for minor drug offences are disproportionate and violate the guarantee of fundamental justice in the *Charter*.

The third case concerned Mr. Christopher James Clay, a store owner in London, Ontario, who was charged with several offences including the possession of cannabis sativa (marihuana), after an undercover officer bought a small marihuana cutting at his store. The police also seized marihuana seedlings and a small amount of marihuana (6.1 grams) when they executed search warrants at Mr. Clay's store and home. Mr. Clay also appealed his conviction for the possession of marihuana to the Supreme Court of Canada on the grounds that the prohibition of the possession of marihuana infringed s. 7 (life, liberty and security of the person) of the Canadian *Charter of Rights and Freedoms*.

Trial Judge McCart of the Ontario Court of Justice in his ruling in *R. v. Clay* stated that after reviewing the law and practice in a number of foreign jurisdictions, the national governments of Canada and the United States appear to be somewhat out of step with most of the rest of the western world, in terms of easing the impact of cannabis laws.

In all three of the above cited cases, the Supreme Court upheld that the federal law banning possession of small amounts of marihuana does not violate the *Charter of Rights and Freedoms* and is, therefore, constitutional. The Court upheld the law concerning the possession of marihuana for the purpose of trafficking.

The Court also concluded that "it is within Parliament's jurisdiction to criminalize the possession of marihuana should it choose to continue to do so, but it is equally open to Parliament to decriminalize or otherwise soften any aspect of the marihuana laws that it no longer considers to be good public policy."

The judgements ends a period of chaos for law enforcement.



## **GROW OPERATIONS**

In partnership with many police agencies throughout the province and the Criminal Intelligence Services of Ontario, the Ontario Provincial Police conduct yearly land and air sweeps for outdoor marihuana grow locations.

With the co-operation of the numerous police services and their officers, as well as helicopter and airplane services, approximately 150 separate outdoor marihuana plots were destroyed estimated at \$88 million dollars and an additional ½ million dollars worth of property was seized in 2000.

The yearly success of the Provincial Marihuana Eradication Program can be directly attributed to participating agencies sharing intelligence, technology and resources.

The Ontario Association of Chiefs of Police recently released a study entitled “Green Tide” which revealed that indoor marihuana grow operations pose an increasing threat to public and officer safety, as the potential for violence in and around grow houses is high and many houses are booby-trapped. The report also stated that grow operations cost Ontario millions of dollars in stolen electricity and insurance costs.

According to the Green Tide report, between 2000 and 2002, it is estimated that indoor “grow ops” increased by 250 per cent, with as many as 15,000 commercial grow ops in operation in 2002 and 1.2 million plants seized by police. The report also stated that, during this period, grow ops produced and housed as much as 1.2 million kilograms of marketable marihuana and related products. Revenue from this illegal activity is estimated to be as high as \$12.7 billion. Taking into consideration factors such as hydro theft, hydro repairs, fire-related costs and law enforcement, the report estimates that from 2000 to 2003 grow ops may have cost Ontario \$260 million.

The report also highlights that approximately 10,000 children may have been raised in grow ops, Ontario’s electricity sector may have lost \$85 million to illegal electricity theft, the likelihood of a fire in a grow op may be as much as 40 times greater and that commercial grow ops are increasingly found near schools and residential neighbourhoods.

O.P.P. Deputy Commissioner and Co-Chair of the OACP Organized Crime Committee Vaughn Collins believes that grow ops are of grave concern for police and Ontarians, as organized crime seem to be fuelling their expansion.

OACP President Ean Algar says Ontario’s police will use the Green Tide report as the basis for working with government and industry groups on a provincial strategy for combating commercial marihuana grow operations.

Monte Kwinter, Minister of Community Safety and Correctional Services, will be calling on his colleagues in other affected ministries to work with his ministry to help eliminate illegal marihuana grow operations.

Minister Kwinter and Chief Ean Algar, President of OACP co-hosted the Green Tide Summit on March 4 to 5, 2004. More than 160 delegates from the private sector, police organizations and all three levels of government met in Toronto to determine ways to better prevent and detect grow operations across the province. Minister Kwinter said, "the Green Tide Summit was a big success." The Minister also stated that the Summit is an important first step in developing concrete co-ordinated action plans to combat marijuana grow operations and improve the safety of our communities.

## **POSITIONS ON DECRIMINALIZATION**

As a result of the proposed changes to the legislation, various organizations have adopted positions with respect to the decriminalization of cannabis.

### **Regional Municipality of York Police Services Board**

At its meeting held on July 23, 2003, the York Police Services Board submitted a report with respect to its position on the proposed legislation.

It is the position of the York Police Services Board that any legislation or policy initiative by the federal government to decriminalize marijuana in Canada will succeed in undermining the primary aims of Canada's Drug Strategy.

Therefore, the York Police Services Board adopted the position that it opposes the decriminalization of marijuana in Canada. Attached for your information is a copy of the York Police Services Board report.

### **Ontario Association of Chiefs of Police**

The Ontario Association of Chiefs of Police believes that relaxing Canada's law governing marijuana possession will send the wrong signal about the dangers illegal drugs pose to our communities. According to Chief Thomas Kaye, President of the OACP, legislation inadequacies include the fact that the decriminalized amount of less than 15 grams is a huge exaggeration of what Ontario's police leaders consider to be a "small amount of marijuana." Fifteen grams equates to approximately 20 cigarettes with an estimated street value of \$150.00 - \$300.00. The removal of police discretion for amounts between 0-15 grams is of grave concern to the OACP. An officer's discretion to impose more serious measures is crucial to effectively deal with certain, aggravated situations. It is the OACP's position that the fines imposed for possession under 15 grams are inconsequential in relation to the street value of the drug; this lack of deterrent promotes the sale and use of drugs and creates an expanded opportunity for organized crime without meaningful consequences. The OACP feels that the legislation, as it is currently written, has no effective method of enforcing penalties. As there is no mechanism for collecting fines imposed, violators may not be held accountable for their actions. The OACP has

also expressed a concern with respect to drivers impaired by marihuana use and the additional dangers they may present.

The OACP believes that the federal government should support law enforcement efforts to rid our streets of all illegal substances, including marihuana. However, in the opinion of the OACP, cracking down on grow operations while relaxing the law governing possession sends a contradictory message to Canadians about the dangers of marihuana.

### **Canadian Bar Association**

On the other hand, the Canadian Bar Association advocates for the decriminalization of simple possession of cannabis for personal use and the non-profit transfer of small amounts of the drug between adults. The CBA argues that incarcerating cannabis users does not reduce crime or decrease drug use.

States CBA President Simon Potter: “enforcement of the possession of small amounts of marihuana absorbs public resources that are badly needed in other areas such as legal aid, health and education. It also paves the way towards differential prosecutions depending on geography and, where the provision is enforced, to minor offenders being imprisoned at great public and social expense.”

### **Criminal Lawyers Association**

The Criminal Lawyers Association (CLA) opposes the current laws as they apply to the criminalization of marihuana possession. The CLA feels that a criminal record for possession of marihuana stigmatizes youth and engenders disrespect for the law. In addition, it is the CLA’s view that criminalization of marihuana prevents dialogue with youth and young adults about safe smoking habits, which prevents harm reduction, as well as creating a black market in which organized crime can thrive.

## **CANADA**

Research shows that 50% of the cannabis available in Canada is produced in the country, with main producer provinces being British Columbia, Ontario and Quebec. Although figures are unreliable, it is estimated that the value of Canadian production is between \$6 – \$650 billion per year.

The Canadian government spends approximately \$700 million to \$1.3 billion on drug enforcement each year, with an estimated \$300 - \$500 million on cannabis enforcement.

According to an RCMP report, based on seizures and average yield per plant, it is estimated that Canada produces 800 tonnes of marihuana.

Public opinion varies from one region to another as to whether marihuana possession should be an offence, with one in three Canadians believing that possession of a small quantity of marihuana should not be a criminal offence. Forty-four per cent of British Columbians favour decriminalization, followed closely by Quebec with 41%, the Atlantic provinces with 38% and Ontario with 35%.

According to the Senate Special Committee, Canada would appear to have one of the highest rates of cannabis use among youth. The report stated that approximately 1 million youth in the 12 – 17 age group would appear to have used cannabis in the previous 12 months (2002).

If the government decriminalizes the possession of a small amount of marihuana, it must also consider the issue of illegal supply. Some European countries such as Sweden and the Netherlands deal with this issue by running government-sponsored grow operations.

## **OTHER JURISDICTIONS**

A number of countries including Sweden, Spain, Germany, United Kingdom, the Netherlands and France have decriminalized or have experienced a de facto decriminalization of the possession of small amounts of marihuana. Twelve U.S. States, including California, Colorado and Minnesota have done the same. Although actual statistics on the impact of decriminalization are obscure at best, some countries and states are claiming to have saved millions of dollars as a result of decreased enforcement of marihuana possession laws.

### **United Kingdom**

The United Kingdom reported 104,400 arrests for drug-related offences in 2000; 67% (or 70,306) were cannabis related.

In 2001, Scotland Yard endorsed a plan that would relax enforcement with respect to cannabis possession. People will be given warnings rather than being cautioned, arrested and possibly charged. Scotland Yard anticipates the plan will start as a pilot project and if successful will roll out across London.

In 2002, the United Kingdom reclassified cannabis from a class B drug which are hard drugs such as cocaine and heroin, to a class C drug which are softer drugs such as cannabis and steroids. As a result, the U.K. has experienced a de facto decriminalization effect. The argument is that this essentially frees up resources to tackle harder drugs such as heroin and crack cocaine. Under a typical fine levied, prosecuting a possession charge in the U.K. costs \$14,000, of which \$14.00 is recovered. Based on a pilot project conducted in Brixton, a suburb of London, in which police stopped enforcing marihuana possession laws, savings in police resources were realized and a 10% increase in arrest of hard drug dealers was achieved.

Although some studies suggest that the U.K. has experienced a decline in use, the UK continues to experience high marihuana use rates among teens.

## **Netherlands**

The Netherlands, long notorious for its pro-drug policies, has a lifetime cannabis prevalence rate of 28.6% among youth. The lifetime prevalence rate is a frequently used indicator of cannabis use among youth. The Netherlands has a policy of separating the illicit drug market into hard and soft drugs. Hemp products such as marihuana and hashish fit into the soft drug category. Cannabis is primarily purchased through municipal sponsored coffee shops, which must adhere to strict guidelines that are stringently enforced. They offer no or few possibilities for purchasing illicit drugs other than cannabis. Thus, the Netherlands achieves a separation of the soft drug market from the hard drug market and a separation of the 'acceptable risk' drug user from the 'unacceptable risk' drug user.

The most obvious example of the relationship between restrictive governmental policies/anti-drug public attitudes and low drug use is in Sweden, where marihuana lifetime prevalence rate among youth is very low (8%).

## **Spain**

Spain, which no longer arrests people for possession of “soft” drugs such as marihuana, appears to have a teen lifetime cannabis prevalence rate approximately that of the Netherlands (30%). Portugal essentially decriminalized drug possession, on the other hand, and has a low lifetime prevalence rate amongst its youth (9.4%).

## **Australia (South)**

South Australia has also decriminalized small amounts of marihuana and although it has experienced an increase from 26% to 36% over a ten year period, similar increases were observed in other Australian jurisdictions where cannabis is illegal. Australia has recorded a 42.6% use rate among 20 – 29 year olds.

It was also noted that offence notices in South Australia increased from 6,000 to 17,000 over a 6year period, but not as a result of change in cannabis use, but rather because of a shift away from police discretion in cautioning, to formally recording all minor offences.

Total revenue estimated from offence notices is \$1.7 million. However, the cost of enforcement is estimated at AUD \$404.2 million. Fines in Australia range from \$50 to 150 for 25 grams or less. Each fine costs \$30.00 to issue and process, which is estimated to cost \$1.2 million. This does not include police time detecting offences. Although fines produce revenue, the cost of enforcement negates that fact.

Both prohibition and decriminalization approaches have had little deterrent effect upon cannabis users in Australia.

## **U.S.A.**

The *Controlled Substances Act* (CSA) is the major federal legislative instrument of control over illicit substances in the U.S. The CSA places marihuana in the same category as heroin and PCB, all of which are deemed to have "a high potential for abuse and no accepted medical use." Many states have adopted most provisions of the CSA, and some states have laws supporting the medical use of marijuana. That said, it is suprising to know that there are major variations between states and cities within the U.S. with respect to drug laws.

Although the federal goveral is conducting a "war on drugs" and has a prohibitionist approach to enforcing its drug laws, there are currently twelve states that have decriminalized marihuana possession. Even with the war on drugs, the U.S. has an overall lifetime cannabis prevalence use rate of 34% among youth and a 26.5% use rate among 19-28 year olds.

The cost of drug enforcement in the U.S. is estimated at \$17.4 billion.

With respect to the issue of decriminalization affecting Canada-U.S. trade, Mr. John P. Walters, who was appointed Director of National Drug Control Policy, by the Bush administration and is referred to in the media as the U.S. Drug Czar, has acknowledged that Canada has the right to set its own policy. However, Mr. Walter has also stated that he hopes Canada does not head down the risky path of decriminalization or legalizaton.

Mark Souder, Chairman of the House of Representatives Subcommittee on Criminal Justice, said decriminalization would make Canada a centre of supply and traffic of marihuana, which would prompt Congress and the Bush administration to take tougher measures to police the border, thereby disrupting Canada-U.S. trade.

## **California**

California, as a result of skyrocketing marihuana use and increased costs to enforce marihuana possession laws, decriminalized the possession of small amounts of marihuana in 1976 (*Moscone Act*). It is estimated that as a result of decriminalization, taking into account the decrease in felony arrest and the slight increase in misdemeanor citations, the overall effect has been a reduction of 39% in marihuana arrests from 1975 to 1985. As a result, California has realized average savings of \$958 million over a ten-year period.

## **CONCLUSION**

The House of Commons Special Committee concluded that although billions of dollars have been spent on enforcement in an effort to reduce supply, it has been largely ineffective. Cannabis is more available than ever. It is cultivated on a large scale, even exported, with more consumers, more adolescents users, while swelling the coiffers of organized crime making organized crime more powerful.

Although there have been tens of thousands of arrests and convictions, including incarceration for possession of cannabis, use trends remain totally unaffected. However the gap between the law and public compliance continues to widen. According to the Senate Special Committee, it is time to recognize that our policies have been ineffective because they are poor policies.

The Senate Committee report also noted that most studies suggest that reduction in penalties did not lead to significant changes in rates of marihuana use.

## **TORONTO POLICE SERVICES BOARD**

At the very least, this subject is contentious. However, as the largest municipal oversight body in Canada, I believe it is incumbent on the Toronto Police Services Board to adopt a position with respect to this issue.

Therefore, it is recommended that the Board determine whether it wishes to support the York Police Services Board's position with respect to the decriminalization of marihuana.

**The Board received the foregoing report.**

## Sources

<sup>1</sup> <http://members.lycos.nl/medicalinfo/nl.html> - Source: Abraham, Manja D., University of Amsterdam, Centre for Drug Research, Places of Drug Purchase in The Netherlands (Amsterdam: University of Amsterdam, September 1999), pp. 1-5.

Source 1: US Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, National Household Survey on Drug Abuse: Main Findings 1998 (Washington, DC: US Department of Health and Human Services, March 2000), pp. 18, 24

Department of Justice Research and Statistics Division  
Drug Use and Offending, pg 4,  
Natalie Quann, Research Analyst

Senate Special Committee on Illegal Drugs Cannabis – Chapter 5, 20,

[http://www.ctv.ca/generic/WebSpecials/marijuana/index\\_numbers.html](http://www.ctv.ca/generic/WebSpecials/marijuana/index_numbers.html)

Crime Reduction.gov.uk – Drugs and Alcohol

USA Today – 07/11/2002

Home Office Building a Safe, Just and Tolerant Society

[www.mapinc.org/drugnew/v01/n1220/a03.html](http://www.mapinc.org/drugnew/v01/n1220/a03.html) - Chicago Tribune (IL)

[http://www.unodc.org/unodc/world\\_drug\\_report.html](http://www.unodc.org/unodc/world_drug_report.html)

[http://www.oacp.on.ca/news/pdfs/Green\\_Tide\\_Public.pdf](http://www.oacp.on.ca/news/pdfs/Green_Tide_Public.pdf)

Ministry of Community Safety and Correctional Services – Press Release Dec 18/03

[www.newswire.ca/en/releases/archive/december2003](http://www.newswire.ca/en/releases/archive/december2003)

Mr. Frank Addario, Criminal Lawyers Association





## Regional Municipality of York Police Services Board

17250 Yonge Street, Newmarket, Ontario, Canada L3Y 4W5  
(905) 830-0303 or Toronto line (905) 773-1222 (Ext. 7906)  
Fax: (905) 895-5249 E-mail: psb@police.york.on.ca

*The Benchmark of Excellence in Policing*

12 a(vi)

July 24, 2003

AUG 20 2003

Chair

**David Barrow**

Regional Councillor

Vice-Chair

**Ricky Chan**

Provincial Appointee

Members

**Robert B. Callow**

Provincial Appointee

**Mario Cortellucci**

Provincial Appointee

**Bill Fisch**

Regional Chair

**Danny Wheeler**

Regional Councillor  
and Deputy Mayor

**Vic Wilson**

Regional Appointee

**Executive Director**

**Connie Mahaffy**

Mr. Don Robinson  
President, Ontario Association of Police Services Boards  
10 Peel Centre Drive  
Brampton, Ontario  
L6T 4B9

Dear Mr. Robinson:

At our meeting on July 23, 2003, the Regional Municipality of York Police Services Board considered the attached report from our Executive Director and adopted the following position on the decriminalization of marihuana:

**It is the position of the Regional Municipality of York Police Services Board that any legislation or policy initiative by the federal government to decriminalize marihuana in Canada will succeed in undermining the primary aims of Canada's Drug Strategy.**

**Therefore, in view of the numerous law enforcement and public safety concerns associated with drug use, the Regional Municipality of York Police Services Board opposes any legislation which results in the decriminalization of marihuana in Canada.**

The Board urges the federal government to deal with the situation created by the courts forthwith, so that Police Services are not compromised in carrying out their law enforcement duties.

I have also advised the federal and provincial governments and the Canadian Association of Police Boards of our position on this important issue, and have requested that this issue be discussed at the upcoming meeting of Big 12 Boards.

Yours truly,

David Barrow  
Regional Councillor and  
Chair, Police Services Board



Printed on recycled paper

Regional Municipality of York Police Services Board

Report of the Executive Director

**Board Position - Decriminalization of Marihuana**

July 23, 2003

---

**Recommendations**

- (1) That the Board adopt the position that it opposes the decriminalization of marihuana in Canada; and
- (2) That the Board advise the Ontario and Federal Governments, the Ontario Association of Police Services Boards and the Canadian Association of Police Boards of its position.

**Background**

At its April 30, 2003 meeting, the Board received a report on Cannabis (Marihuana) Use in York Region prepared by the Health and Emergency Medical Services Committee and adopted by Regional Council on April 17, 2003.

The Board requested that the Executive Director, in conjunction with the Chief of Police, prepare a report to reflect its position with respect to the decriminalization of marihuana.

In preparing this report, the Executive Director consulted with Chief of Police Armand P. La Barge, and reviewed background papers issued by the policing community, and the Federal Government, including Health Canada.

**House of Commons Special Committee Report**

On December 13, 2002, the House of Commons Special Committee on Non-Medical Use of Drugs put forward a number of recommendations in support of a national drug strategy. One recommendation called for the government to establish a 'comprehensive strategy for decriminalizing the possession and cultivation of not more than 30 grams of cannabis for personal use.' Federal Justice Minister Martin Cauchon announced that he would proceed with legislation to decriminalize marihuana. Solicitor General Wayne Easter indicated his support for Minister Cauchon's position. *Report to Regional Council.*

## The Drug

Cannabis refers to the flowering or fruiting tops of the cannabis plant, *Cannabis sativa* (Latin for cultivated hemp). The term cannabis is commonly used as a generic name for a variety of preparations including marihuana, hashish and hash oil. Delta-9-tetrahydrocannabinol (YHC) is the major psychoactive ingredient in cannabis products which acts upon specific receptors in the brain. Cannabis products are usually smoked or orally ingested (food or tea). *Interim Report of the Special Committee on Non-Medical Use of Drugs, December 2002, House of Commons, Canada, p. 19*

## The Legislation

The *Controlled Drugs and Substances Act* provides for offences that include the production (cultivation or manufacture), importation, exportation, possession, trafficking and possession for the purposes (of exportation or trafficking) of a long list of psychoactive substances.

Cannabis is currently regulated under the *Controlled Drugs and Substances Act*. In July 2001, the legislation was amended to permit the medical use of marihuana.

### Cannabis Reform Bill

According to Health Canada, rising rates of marihuana use and decreasing support for incarceration as a penalty for cannabis possession underscore the need to modernize current laws. Under the proposals included in Bill 38, cannabis possession and production would remain illegal in Canada under the *Controlled Drugs and Substances Act*. What will change is the approach to enforcement.

The *Cannabis Reform Bill* includes measures that:

- Replace the current criminal court process and resulting criminal penalties with alternative penalties for **possession of 15 grams or less of marihuana or one gram or less of cannabis resin** (hashish);
- Provide police the discretion to give a ticket or issue a summons to appear in criminal **court for possession of more than 15 grams and up to 30 grams of marihuana**;
- Provide for greater alternative penalties when aggravating factors are present, including possession while committing an indictable offence, while operating a motor vehicle or while on or near school grounds; and
- Create **new offences providing tougher penalties for illegal growers**. The larger the operation, the greater the penalty, with a maximum 14

years in prison for anyone found with more than 50 marihuana plants. This is double the current maximum penalty of seven years. **Health Canada web site.**

The *Cannabis Reform Bill* received first Reading on May 27, 2003.

### **The Courts**

On January 2, 2003, Mr. Justice Phillips, Ontario Court of Justice, held that it was not an offence in law to possess less than 30 grams of cannabis marihuana, and that section 4 (1) of the *Controlled Drugs and Substances Act* (CDSA) had been of no force or effect since July 31, 2001. His finding was based on the July 2000 decision of the Ontario Court of Appeal in R. v. Parker.

In R. v. Parker, the Ontario Court of Appeal declared the prohibition against possession of cannabis marihuana in section 4 (1) to be of no force and effect because it failed to provide a constitutionally required exemption for the medical use of cannabis. The declaration was suspended for one year (i.e. until July 31, 2001) to allow Parliament an opportunity to provide an exemption for medical use.

The government did enact regulations to provide for the exemption for medical use, but did not re-enact section 4 (1) of the CDSA. *Justice Phillips found that Parliament was required to re-enact section 4 (1) of the CDSA, if it wished to continue to prohibit the possession of cannabis marihuana.*

In his May 16, 2003 decision, Justice Rogin of the Ontario Superior Court of Justice, confirmed the lower court decision based essentially on the reasons cited by Justice Phillips.

The Department of Justice is appealing this Judgement to the Ontario Court of Appeal. *CACP Position Paper*

### **Reaction from the Policing Community**

Opposition to the decriminalization of marihuana has been loud and strong from the law enforcement community in Ontario, Canada, and the United States.

Public Safety and Security Minister Bob Runciman expressed disbelief that the decriminalization of marihuana was more important to the Federal Government than the national sex offender registry that would help protect the safety of innocent children.

On June 18, 2003, the Ontario Association of Chiefs of Police issued a news release denouncing the government's inaction and an accompanying open

letter (attached) to the citizens of Ontario urging them to write to Prime Minister Jean Chrétien and Premier Ernie Eves to demand a speedy resolution to this critical public safety issue.

Blueline News Week (May 1, 2003) reported concerns expressed by David Murray, Special Assistant in the Office of National Drug Control Policy, United States, that Canada and Vancouver's drug policies will likely force the United States to tighten border controls to slow drug trafficking.

Chief Armand P. La Barge has identified a number of public safety concerns with respect to the decriminalization of marihuana.

First and foremost, marihuana is a drug that can negatively influence judgement and behaviour. The impairment of judgement is particularly problematic when an individual chooses to drive a vehicle. According to Chief La Barge, driving under the influence of marihuana will become more prevalent if marihuana is decriminalized, and furthermore, police lack adequate tools and training to deal with the increase in individuals driving while under the influence of a narcotic. Furthermore, the social stigma associated with drinking and driving does not currently extend to those who smoke marihuana before or while driving. In the absence of a societal norm that discourages driving while impaired by marihuana, some people will engage in this practice to the ultimate detriment of themselves and others.

**Mothers Against Drunk Driving** (MADD) have called on Justice Minister Martin Cauchon to ensure Canadians' safety from drug-impaired driving. MADD opposes any decriminalization of drugs until the proper measures are put into place to effectively deal with drugs and driving.

Secondly, Chief La Barge is concerned about the confusing message the decriminalization of marihuana is sending to young people. You can use marihuana, but you can't grow it, buy it or sell it. It's doublespeak at its best. Young people should have the opportunity to live and grow in as drug free a society as possible and without reliance on drugs like marihuana.

According to the March 2003 Report on Cannabis (Marihuana) Use in York Region, reference is made to student use of the drug. Using 2001 data, it is projected that 9% of students from grade 7 to OAC use the drug daily, and 21% use it more than 40 times yearly. Furthermore, the School Boards have reported a dramatic increase in the suspension rate for students using and trafficking drugs in schools.

With respect to York Region residents over the age of 18, it is projected that over 3,000 individuals in York Region meet dependence criteria (i.e. report uncontrolled use and sustained daily use or recent, unsuccessful attempts to reduce use.)

According to Department of Justice data, 21,000 people were charged with simple possession of cannabis in 1999, 11% more than in 1995.

In a cooperative effort, the Canadian Association of Chiefs of Police and the Canadian Police Association, supported by the Canadian Association of Police Boards, the Canadian Centre on Substance Abuse and the Canadian Medical Association, among others, has called for the creation of a National Drug Strategy to reduce drug use in Canada.

Thirdly, Chief La Barge has stated unequivocally that the decriminalization of marihuana can only aid the cause of organized crime as evidenced by the epidemic of marihuana grow operations in York Region. Between 2000 and 2002, the number of warrants issued increased 654% (26 to 170) and there was a 643% increase in charges laid by the York Regional Police (6 to 746). In 2002, York Regional Police executed 170 search warrants and seized \$51 million worth of marihuana.

During this same three-year period, Ontario had the greatest number of grow house operations seized in Canada, and today, Canada has surpassed Mexico as a source country for marihuana and chemical drugs to the United States.

Ultimately, it's a question of supply and demand. The decriminalization of marihuana increases demand for the drug produced in marihuana grow operations run by organized crime. Ultimately, the presence of organized crime brings violence, and the erosion of community safety.

The increasing demand for marihuana increases the demand on police services, already stretched to meet public expectations on many fronts.

### **Canadian Bar Association Position**

In its May 27, 2003 Media Release (attached), the Canadian Bar Association noted that it has supported *the decriminalization of simple possession of cannabis for an adult's own use and the non-profit transfer of small amounts of the drug between adults since 1978*. Furthermore, the Association argues that incarcerating cannabis users neither reduces crime nor drug use.

### **Health Canada**

Health Canada provides leadership and national coordination for Canada's Drug Strategy – a federally coordinated initiative to reduce the harm associated with the use of narcotics and controlled substances and the abuse of alcohol and prescription drugs. According to Health Canada, the Government of Canada is committed to a National Drug Strategy that aims to:

- decrease the prevalence of harmful drug use;

- decrease the number of young Canadians who experiment with drugs;
- decrease the incidence of communicable diseases related to substance abuse;
- increase the use of alternative justice measures like drug treatment courts;
- decrease the illicit drug supply and address new and emerging drug trends; and
- decrease avoidable health, social and economic costs.

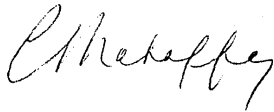
In addition, Canada's Drug Strategy is designed to address the growing problem of large-scale marihuana grow operations and the export of illegal drugs across the Canada-United States border.

### **Board Position**

**It is the position of the Regional Municipality of York Police Services Board that any legislation or policy initiative by the federal government to decriminalize marihuana in Canada will succeed in undermining the primary aims of Canada's Drug Strategy.**

**Therefore, in view of the numerous law enforcement and public safety concerns associated with drug use, the Regional Municipality of York Police Services Board opposes any legislation which results in the decriminalization of marihuana in Canada.**

**The Board urges the federal government to deal with the situation created by the courts forthwith, so that Police Services are not compromised in carrying out their law enforcement duties.**



Connie Mahaffy  
Executive Director

Attachments



June 18, 2003

## AN OPEN LETTER TO THE CITIZENS OF ONTARIO

### FROM THE ONTARIO ASSOCIATION OF CHIEFS OF POLICE

At a time when the combined efforts of all levels of government seem to be focused on creating healthier lifestyles, preventing smoking, getting people off drugs and prolonging life, we are shocked that law enforcement and the citizens of Ontario have been left in a state of confusion, uncertainty, and danger over the laws relating to the possession of marihuana.

A judge of the Ontario Superior Court of Justice recently ruled that simple possession of marihuana **is no longer an offence "known to law"**. This decision is being appealed by the federal Department of Justice, however, in the interim, Ontario courts are refusing to hear charges of possession of marihuana. While the federal government has been wrestling with the notion of decriminalizing the drug, the **courts** have, in effect, **LEGALIZED** the simple possession of cannabis in Ontario.

The message created by this court decision is disturbing. Police have been left with NO legislative authority for action as they strive to fulfill their duties to serve and protect the citizens of Ontario:

- Drinking a beer while driving a motor vehicle is an offense, while smoking a marihuana cigarette while driving is not!
- A 12-year-old cannot legally obtain a commercially manufactured cigarette made of tobacco, but they can possess and smoke marihuana, even within a school environment!
- While it is contrary to most city by-laws to smoke tobacco in public places, it is not an offence to smoke marihuana!

Carnage caused by impaired drivers each year includes hundreds of victims killed and thousands injured. There is no satisfactory process to assist police to identify drivers under the influence of marihuana.

Evidence clearly indicates that organized crime is heavily involved in marihuana grow operations in the neighbourhoods of our communities and in the distribution of homegrown marihuana in Canada and internationally. Violence in our communities is often a result of these lucrative operations.

9.2(f)



Open Letter to the Citizens of Ontario

Our communities require immediate resolve to this issue. To ensure the safety of our communities, especially our children, the Ontario Association of Chiefs of Police urges the Citizens of Ontario to demand a speedy resolution to this critical public safety issue by contacting the office of the Prime Minister, the Premier of Ontario, and their local Members of Parliament.

Prime Minister Jean Chretien  
80 Wellington Street  
Ottawa, ON K1A 0A2  
Fax: 613-941-6900  
E-mail: [pm@pm.gc.ca](mailto:pm@pm.gc.ca)

Premier Ernie Eves  
Legislative Building  
Queen's Park  
Toronto ON M7A 1A1  
Fax: 416-325-3745  
[webprem@gov.on.ca](mailto:webprem@gov.on.ca)

On behalf of Ontario's Chiefs of Police,

Chief Thomas Kaye  
President  
Ontario Association of Chiefs of Police

c.c. Prime Minister Jean Chretien  
Premier Ernie Eves

**CBA. ORG**

## **CBA Applauds Justice Minister for Tackling Controversial Issue of Possession of Marijuana**

---

FOR IMMEDIATE RELEASE  
May 27, 2003

OTTAWA - The Canadian Bar Association welcomes federal Justice Minister Martin Cauchon's proposal to move Canada's drug policy toward a more rational approach to the offence of simple possession of marijuana.

"The Minister has shown courage and leadership in bringing forward a concrete proposal that allows this controversial subject to move into the arena of productive debate," says CBA President Simon Potter of Montreal. "We hope that this debate will lead to a fairer and more equitable application of the law across the country."

The approach of outright criminalization of possession of even small amounts of marijuana has to date been expensive, ineffectual and counterproductive, according to the CBA. "We have argued for decades that the heavy hand of our criminal law should be reserved for problems that cause serious harm, and that it is counterproductive to saddle law enforcement agencies and prisons with offences which, in the grand scheme of things, are minor," says Mr. Potter.

The CBA's position, adopted by resolution as long ago as 1978, advocates decriminalization of simple possession of cannabis for an adult's own use and the non-profit transfer of small amounts of the drug between adults. The CBA argues that incarcerating cannabis users does not reduce crime or decrease drug use.

"Instead," says Mr. Potter, "it absorbs public resources that are badly needed in other areas such as legal aid, health and education. It also paves the way towards differential prosecutions depending on geography and, where the provision is enforced, to minor offenders being imprisoned at great public and social expense."

In the coming weeks, the CBA's National Criminal Justice Section will analyze and review the legislation in detail and make its views known to Parliament. "Our initial reaction to the overall package is that it represents a positive shift in direction. We encourage an approach outside the criminal law for something that in reality is a social problem. We look forward to reviewing the details of the legislative proposal and to helping the government to get it right," says Mr. Potter.

"In that regard, the CBA is disappointed to see continued reliance on criminal sanctions even for minor offences, and we will be carefully scrutinizing all aspects of the proposed legislation and offering our suggestions to make it better," adds Mr. Potter.

The Canadian Bar Association is dedicated to improvement in the law and the administration of justice. Some 38,000 lawyers, notaries, law teachers, and law students from across Canada are members.

- 30 -

9.2(10)

<http://www.cba.org/cba/News/2003/05-27-03.html>



## News Release

### **Ontario Police Chiefs Denounce Government Inaction on Pot Law** *Public Safety At Risk Due to "Confusion, Uncertainty" Over Court Ruling*

**For immediate release: June 18, 2003**

**(Richmond Hill, ON)** In a stinging rebuke to elected **officials** who have failed to act on a recent court decision effectively legalizing the simple possession of **marihuana** in the province, Ontario Police Chiefs today issued an open letter to the citizens of Ontario warning that lives are being **put** at risk because of this inaction and called on Ontarians to demand action from their elected representatives,

"At a time when the combined efforts of all levels of government seem to be focused on creating healthier lifestyles, preventing smoking, getting people off drugs, and prolonging life, we are shocked that law enforcement and the citizens of Ontario have been left in a state of confusion, uncertainty and danger over the laws relating to the Possession of **Marihuana**," said Chief Tom Kaye, President of the Ontario Association of Chiefs of Police (OACP).

A recent ruling by the Ontario Superior Court of Justice found that simple possession of marihuana is no longer an **offence** "known to law". While the decision is being appealed by the federal Department of Justice, Ontario Courts are already refusing to hear charges of possession of marihuana.

The message from the court is disturbing, said Kaye, and leaves police with no legislative **authority** to fulfill their duties to serve and protect their communities when it comes to possession of marihuana. For example, he noted that the ruling means police **officers** can charge an individual who is drinking a beer while driving a motor vehicle but can do nothing if that individual drives while smoking a marihuana cigarette. Similarly, a 12-year-old cannot legally obtain a cigarette, but can possess and smoke marihuana.

Kaye also noted that organized crime is heavily involved in marihuana grow operations and in the distribution of homegrown marihuana in Canada and overseas and that violence is often a result of these lucrative operations. The court ruling will only encourage this type of activity, said Kaye.

The open letter was issued today as senior police leaders concluded the OACP's 52<sup>nd</sup> Annual General Meeting in Richmond Hill.

The OACP is urging Ontarians to contact Prime Minister Jean Chretien, Premier Ernie Eves, and their local **MPs** and **MPPs** to demand an end to the state of legal limbo in which police **officers** find themselves in regarding the simple possession of marihuana in Ontario.

-30-

**For more information:**

**Chief Tom Kaye**, President, OACP -- 5 19-373-2123

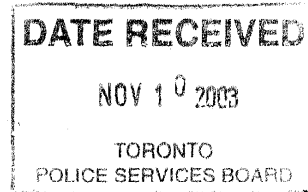
Supt. Ron Taverner, Chair, OACP Substance Abuse Committee -- 4 16-808-23 14

**Joe Couto**, OACP Media Relations -- 416-270-0372

9-1-1



To: Zone Chairs  
CC: OAPSB Zone Directors  
From: D. K Robinson, QC, President  
Date: November 4, 2003



**RE: Item for Consultation at Upcoming Zone Meetings**

At the September meeting of the OAPSB Board of Directors the attached item on the decriminalization of marihuana from the York Region Police Services Board was before the Board for consideration.

The OAPSB Board of Directors passed the following motion:

**“That a notice be sent to the Zone Chairs asking that this item be added to an upcoming agenda of Zone Meetings across the province to determine the position of OAPSB’s key stakeholders; and**

**Further that this item be reconsidered by the OAPSB Board of Directors after input has been received from the Zones and from the Toronto Police Services Board.”**

I am therefore asking that you place the attached information before your Zone membership to that the motion from the Region of York Police Services Board may be discussed. I would appreciate hearing back from you regarding the disposition of this matter at your Zone meeting.

Encl (1)

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P114. TECHNICAL ENHANCED 9-1-1 PHASE II WIRELESS TRIAL**

The Board was in receipt of the following report MARCH 26, 2004 from Julian Fantino, Chief of Police:

Subject: TECHNICAL ENHANCED 9-1-1 PHASE II WIRELESS TRIAL

Recommendation:

It is recommended that the Board authorize the Chair, on the advice of the Chief of Police and the City Solicitor, to execute any agreement or memorandum of understanding that may be required with other participants in a technical Wireless E9-1-1 Phase II Trial discussed in this report.

Background:

The 9-1-1 voice and data network was originally designed in 1982 for wireline telephones. It was designed to route the call to the correct local 9-1-1 centre for the quickest possible response from local Emergency Agencies, and to display the physical address of the 9-1-1 caller. This data component containing location information is key in circumstances where callers are not able to verbally communicate the location of their emergency, (panic, medical condition, language barrier). This timely flow of information is the basis of effective wireline 9-1-1 systems and was implemented on the response criteria that "seconds save lives".

Unfortunately, many emergency calls from wireless subscribers do not go as efficiently as wireline. With the introduction of wireless technology important data information was not available on 9-1-1 wireless calls. Critical information such as the name, telephone number and, most importantly, location of the caller was unavailable. The impact was such that 40%-50% of all 9-1-1 calls answered daily in Toronto began with no verifiable location information. The 9-1-1 operator spent valuable time attempting to ascertain the exact location of the emergency being reported. Based on U.S. statistics, due to these problems, wireless 9-1-1 calls take approximately 25% longer to process. No less important are the many added frustrations to both the emergency victims and the 9-1-1 operators.

In 2001, the Toronto Police Service, York Region Police and various wireless telecommunications providers participated in a Wireless E9-1-1 Phase 1 Technical Trial to find a means of improving the technology (Board Minute P365/00 refers). As a result of the Phase I Technical Trial, emergency operators can now automatically identify the general area from where a wireless 9-1-1 call has been placed, as well as the 10-digit wireless phone number of the mobile phone that originated the 9-1-1 call. This data can reduce emergency response time and

give the emergency operator crucial call-back information should the operator and the emergency caller become disconnected for any reason.

In light of the success of the Phase I Technical Trial, Bell Canada and Bell Mobility have now requested the Toronto Police Service to participate in another technical trial to further improve existing Wireless E9-1-1 Service for their customers. ( Correspondence in Appendices A, B, C, D and E refers). This will be the first trial of its kind in Canada. Wireless E9-1-1 Phase II will use assisted Global Positioning Satellite (GPS) technology to assess whether use of such technology would allow emergency operators to pinpoint the exact location of callers who use GPS-enabled wireless handsets.

Prior to commencement of this project, Bell Mobility, Bell Canada and the Toronto Police Service may be required to develop agreements to identify roles, responsibilities and liabilities in respect to the Trial. Similar agreements were entered into in respect to the Phase I Technical Trial. The Toronto Police Service will be working with staff of the City of Toronto Legal Division in the development of any required documents. Upon completion of any such agreements to the satisfaction of all parties, the agreement would be brought to the Chair for signature.

The Toronto Police Service considers this an excellent opportunity to further enhance the safety of all Toronto citizens and visitors by improving the information made available to 9-1-1 emergency service operators when contacted by wireless telephone during an emergency.

Staff in the City of Toronto Legal Division have reviewed this report and are satisfied with its contents.

Acting Deputy Chief David Dicks, Policing Support Command will be in attendance at the Board meeting to answer any questions with respect to this report.

**The Board approved the foregoing.**



September 29, 2003

Chief Julian Fantino  
Toronto Police Service  
40 College St.,  
Toronto, Ontario  
M5G 2J3

TORONTO POLICE SERVICE  
OFFICE OF THE CHIEF OF POLICE  
REGISTER # 2693 / 2003  
PROCESSED BY # 75  
DATE 2003/10/02

Michael A. Neuman  
President

Dear Chief Fantino,

At Bell Mobility we have undertaken significant network development over the past three years in the area of wireless user location on our CDMA digital network. Today, we offer the most comprehensive Location Services of any Canadian wireless carrier. From an Emergency Services perspective, we are aggressively rolling out across our service area, Wireless E911 Phase 1, which provides cell site location and calling number of the wireless caller.

Yesterday, representatives from Bell Mobility met with the Toronto 9-1-1 Committee to explain our current network capabilities in the area of Location Services, and to discuss how Bell Mobility, Bell Canada and the Toronto Emergency Services community could work together to trial our enhanced location technology. This technology could potentially provide your 9-1-1 calltakers with the geographic location of Bell Mobility 9-1-1 callers in emergency circumstances.

We are very encouraged by the verbal support we received, and we collectively feel that a trial would advance our mutual understanding of this technology as it applies to Emergency Services, and ultimately benefit the PSAP community, Bell Mobility, our customers, and the public at large.

Bell Mobility  
5099 Creeksbank Road, 6E  
Mississauga, Ontario L4W 5N2

Telephone: (905) 282-4000  
Facsimile: (905) 282-3553  
mneuman@mobility.com

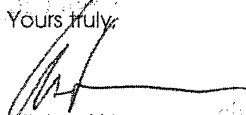
... / 2

Page 2

As a follow up to our meeting with the Toronto 9-1-1 Committee, on behalf of Bell Mobility and Bell Canada, we are formally requesting that the Toronto Police proceed in the planning and execution of a Wireless E911 Phase II technical trial. This trial would be in support of a common objective to enhance emergency services for wireless callers.

We look forward to working with the PSAP community on this exciting opportunity.

Yours truly,



Michael Neuman  
President, Bell Mobility

cc:

Superintendent William Holdridge  
Communications Services  
703 Don Mills Rd.,  
8th floor  
Toronto, Ontario  
M3C 3N3

Judy Broomfield  
TPS 9-1-1 Coordinator  
703 Don Mills Rd.,  
8th floor  
Toronto, Ontario  
M3C 3N3





## Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: www.TorontoPolice.on.ca



Julian Fantino  
Chief of Police

File Number: 2693/2003

October 2, 2003

Bell Mobility  
5099 Creekbank Road, 6E  
Mississauga, Ontario  
L4W 5N2

Attention: Michael Neuman  
President

Dear Mr. Neuman:

The Office of the Chief of Police is in receipt of your correspondence dated September 29, 2003, regarding a trial of your wireless location technology.

To address your specific request, your letter has been forwarded to Mr. Frank Chen C.A.O. – Policing, Corporate Support Command, for his attention/action. A member of his area of Command will contact you in the near future.

Sincerely,

Wayne Cotgreave, Superintendent  
Executive Officer  
Office of the Chief of Police

:ds

*To Serve and Protect - Working with the Community*



## Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: www.TorontoPolice.on.ca



Julian Fantino  
Chief of Police

2693103  
File Number.....

Mr. Michael Neuman  
President  
Bell Mobility  
5099 Creebank Road, 6E  
Mississauga, ON. L4W 5N2

2003-I O-I 4

Dear Mr. Neuman:

In reference to your correspondence dated 2003.10.10, I wish to advise you that your request is being directed to the Toronto Police Services Board for response.

At this time, while the Toronto Police Service is quite anxious to work with any vendor or industry segment that will contribute to community safety and enhance access to emergency services, we have a number of technical hurdles to overcome.


We are anticipating moving to a new computer aided dispatch (CAD) system release that will support the type of location information that has been suggested by Bell Mobility. We envision the migration to this new release to occur sometime in late 2004 through to mid-2005.

We also recognize that this process, in partnership with Bell Mobility, may have far reaching implications for other public safety answering points, as well as other cellular telephone service providers. As a result, we would want to ensure that such a process is fair and transparent, and that any contracts, agreements and memorandums of understanding, are reflective of those qualities.

Based on our preliminary discussions with Bell Mobility staff, I believe that we could work together to configure a system that provides enhanced location information for those members of the community dialling 9-1-1 for emergency services.

Pending your receipt of a response from the Toronto Police Services Board, I believe our respective staff can work collaboratively on this project to ensure the necessary foundation blocks are in place.

Yours truly,

  
Superintendent Wm. J. Holdridge  
Unit Commander  
Communications Services

WJH:jcb

*To Serve and Protect - Working with the Community*



## Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: www.TorontoPolice.on.ca



Julian Fantino  
Chief of Police

File Number: \*\*\*\*\* -

2003-10-28

Chief Superintendent John Carson  
Ontario Provincial Police  
Information Technologies Bureau  
777 Memorial Ave., 2<sup>nd</sup> Floor  
L3V 7V3

RE: Bell Mobility Technical 9-1-1 Wireless Trial in Toronto -- Agency Participation

Bell Mobility recently held a meeting with the Toronto Emergency Services (Police, EMS & Fire) to discuss the possibility of our collective agencies participating in a technical trial in Toronto. The trial would confirm their cellular phone technology being able to provide our calltakers with enhanced location information on wireless 9-1-1 calls.

Within the City of Toronto, the Ontario Provincial Police responds to many emergency calls for service on the "400" series highways. Callers using wireless phones report a significant number of these incidents to 9-1-1.

I am writing to encourage your agency's participation with our future discussions in this area, and our anticipated multi-agency technical wireless trial.

Should you require any further details regarding this joint venture, please feel free to contact me direct at 416-808-8870, or to have your staff contact our TPS 9-1-1 Coordinator Ms. Judy Broomfield at (416) 808-8899.

Yours truly,

William J. Holdridge  
Superintendent  
Communications Services

WJH:jb

Attachment:

cc: Mr. Ian MacLeod, Ontario Provincial Police, Telecommunications Branch  
Ms. Judy Broomfield, Toronto Police Service, Communications Support

*To Serve and Protect • Working with the Community*

Ontario  
Provincial  
Police

Dalton  
provinciale  
de l'Ontario



information Technologies Bureau

Bureau de gestion de la technologie de  
l'information

777 Memorial Ave.  
Orillia ON L3V 7V3

777, avenue Memorial  
Orillia ON L3V 7V3

Tel: (705) 329-6177

Fax: (705) 329-6176

File Reference  
Référence:

536-50-10

December 01, 2003

Superintendent William J. Holdridge  
Toronto Police Service  
Communication Services  
40 College Street  
Toronto, Ontario M5G 2J3

Dear Superintendent Holdridge

**Re: Bell Mobility Technical 9-1-1 Wireless Trial in Toronto - Agency Participation**

In response to your letter of October 28, 2003 on the above topic, I am pleased that you thought to include the OPP in this technical trial and wish to accept your invitation to participate.

Enhancements to service from wireless carriers will no doubt improve public safety and be very beneficial for the Toronto Police Service and the OPP, as well as other public safety agencies responding to wireless 9-1-1 calls.

The OPP lead on the technical trial will be Ian MacLeod - Telephone Systems Officer, who has already been in contact with Ms. Judy Broomfield regarding this initiative. Ian may be contacted directly at 705 329-7606, or by E-Mail at "[Ian.MacLeod@iust.gov.on.ca](mailto:Ian.MacLeod@iust.gov.on.ca)".

Yours truly

A handwritten signature in black ink that reads "J. Carson". The signature is written in a cursive style.

Chief Superintendent John Carson  
Information Technologies Bureau

cc. Insp. Murray Laberge - Manager Telecommunication Section  
S/Sgt. Pat Hebert - Manager Business Applications  
Mr. Ian MacLeod - Telephone Systems Officer

p:\infrastructuresupport\2003\admin\500 • logistics\accept invitation • wireless 911 .doc

03/12/09  
- Contents Noted  
- Copy to: Judy Broomfield  
w/ J. Carson  
Supt

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P115. RETENTION PAY AND COMPRESSED WORK WEEK**

The Board was in receipt of the following report MARCH 26, 2004 from William Gibson, Director, Human Resources:

Subject: RETENTION PAY AND COMPRESSED WORK WEEK

Recommendation:

It is recommended that: the Board adopt this report and forward it to the City's Employee and Labour Relations Committee for its information and referral to Toronto City Council.

Background:

At its special meeting on January 30 and February 12, 2004, Toronto City Council was in receipt of a report (January 16, 2004) on the Memorandum of Agreement between the City and the Toronto Professional Fire Fighters' Association concerning the Fire Fighters' collective agreement for the term 2002 to 2006. In consideration of this report, Council adopted a number of motions, including a resolution that the Chair of the Toronto Police Services Board be requested to report to City Council through the City's Employee and Labour Relations Committee, on the following:

- (1) how the retention bonus was included as part of the base salary of the Toronto Police Service; and
- (2) the current arrangements with regard to the compressed work week

The retention pay provisions in the 2002 – 2004 Uniform Collective Agreement and an accord on a new pilot compressed work week shift were agreed to between the parties on June 18, 2002 by a Memorandum of Agreement signed by Gloria Lindsay Luby, then Vice Chair of the Board, and the negotiating committee of the Toronto Police Association. The Memorandum was ratified by the Association on July 8, 2003 and by the Board at a special closed meeting on July 12, 2003. The members of the Board present at the meeting were Norm Gardner, Chairman, Gloria Lindsay Luby, Vice Chair, and members A. Milliken Heisey, Q.C., Benson Lau, M.D., and City Councillor Frances Nunziata.

**Bargaining Process and Context**

The bargaining process for the Board and the Association is governed by Part VIII of the Police Services Act. The Act mandates that the parties are to begin bargaining within fifteen days of one party giving notice to the other that they wish to commence the bargaining process. The

parties are required to bargain in good faith and make every reasonable effort to come to an agreement dealing with remuneration, pensions, sick leave credit gratuities, the grievance procedure, and working conditions. Either party may request the Solicitor General to appoint a conciliation officer at any time after the notice to bargain has been given, to assist the parties in meeting their bargaining obligations. The Act also mandates binding arbitration on the parties if they cannot come to an agreement with the assistance of the conciliator. The Uniform Collective Agreement with the Association covers the ranks from constable to staff (detective) sergeant, inclusive.

Bargaining for this contract began in 2001, when the Board and the Command faced serious challenges to the Service's ability to effectively and strategically respond to the policing needs of the community. Of immediate concern was the fact that the pay rate for a First Class Constable in Toronto had fallen in the ranking of this key rate as paid by other Services across the country. Clearly, this was not consistent with the longstanding sense shared by the Board and the Command that officers policing the largest and most diverse city in Canada should be amongst the best paid. It also seriously jeopardized the Service's position as a competitive employer at a time when the organization was experiencing unprecedented losses of personnel due to the OMERS retirement incentive.

Going into 2001, it was determined that over 1,350 officers would be eligible to retire by year end. Attrition trends since the OMERS incentive had been announced in May, 1999 indicated that the Toronto Police Service was facing potentially catastrophic losses over the life of the program, which originally was due to close at the end of 2001 but was subsequently extended to the end of 2004. The following were the grim statistics that had accumulated by the time of the first bargaining meeting on November 8, 2001:

- in 1999, a total of 138 officers separated, including 52 retirements
- in 2000, a total of 273 officers separated, almost double the number of the year before. Retirements alone totalled 174, or more than three times the number of the previous year
- at the beginning of November 2001, a total of 445 officers had separated, an unprecedented number in the history of the Service. By the end of the year, this total had reached 476, a considerably higher number than the entire complement of the city's largest police division, No. 52 Division, which was staffed by 354 officers at that time

The extensive uptake of this incentive and its continuation for the next several years posed a myriad of concerns to the Service in addition to the basic loss of institutional wisdom and experience. In this environment, it was very difficult to estimate future separations, a necessity for planning recruit class sizes. Recruit classes must be defined well in advance and training spaces negotiated with the Ontario Police College in order that fully-trained officers are available for deployment when required. The volume of separations in 2001 complicated this process and contributed to concerns about whether sufficient deployment could continue to be maintained on a timely basis. In addition, many losses were occurring in the ranks of Sergeant and Staff Sergeant, hampering the smooth management of succession planning to these supervisory roles.

There was the constant prospect of the Service having to promote very large numbers of new, inexperienced supervisors to cover front-line vacancies, a less than optimal staffing situation.

Of particular and relatively unique concern to the Toronto Police Service however, was the number of officers resigning to join other police services. Other police services in Ontario were being similarly affected by the OMERS incentive, and were not averse to accepting trained and highly qualified Toronto police officers to maintain policing standards in their own communities. The attraction of these opportunities for TPS members has always been difficult for the Service to counteract: lower house prices, shorter commute times, and the expectation of a less demanding workload. In the year 2000, over half the 95 uniform resignations were to join another service; in 2001 this rose to nearly 70% of 109 resignations that were incurred that year.

These concerns, if not their eventual magnitude, were known prior to the commencement of the bargaining process. At its meeting on January 25, 2001 the retention strategies of the Service were discussed with the Board during the presentation of the Human Resources Strategy for 2001 – 2005. These included the Service's compensation package with salary premiums for senior constables and coach officers; diversity recruitment and mentoring; extensive recruit training and subsequent professional training and development; significant promotional opportunities only available in a large service; and a variety of workplace wellness and other support programs. Nevertheless, it was clear by the time bargaining began in November that attrition was still taking an inordinate toll on the ability of the Service to meet its staffing needs.

#### The Board's Role in Bargaining

Prior to the commencement of bargaining, the Director, Human Resources, and Manager, Labour Relations, canvassed the Senior Officers, the Command, and the Board for issues they felt should be addressed in the negotiations. These became part of the Board's discussion of this topic, at which time the Board also appointed the members of its bargaining team and advised on a financial envelope for the negotiations. For this process, the Board appointed Chairman Norman Gardner and Vice Chair Gloria Lindsay Luby to its bargaining committee, supported by senior staff from Human Resources, Labour Relations, Policing Operations Command, and labour relations counsel. Pursuant to sections 34 and 119 (2) of the Police Services Act, the "Board" must attend bargaining sessions.

The respective bargaining teams of the Board and the Association met numerous times over the seven month period from November 2001 until a tentative settlement was reached in June 2002. The Board was regularly updated on the progress of these discussions, and gave direction to its bargaining team when required. The provisions relating to the retention pay/service pay were ultimately mediated by retired Judge the Honorable George Adams. This made a negotiated settlement possible, thus avoiding the financial risks, the serious morale implications, and the prolonged additional time that would have been involved in forcing this matter to binding arbitration.

For the purposes of resolving this issue, the retention pay/service pay provision was treated as part of "total compensation", meaning that it would be included in the calculation of overtime, court time, sick pay, vacation, etc. It was certainly the result of hard bargaining, but it also

involved the Police Association giving up a number of significant monetary items which had been long entrenched in the Collective Agreement. These “take backs”, now deleted from the Collective Agreement, included the following:

- service pay – a sliding annual lump-sum payment ranging from \$105.00 (for five years of service) to \$735.00 (for 35 years of service) payable on November 30<sup>th</sup> every year
- senior constable pay - a premium of 2% of the 1<sup>st</sup> Class Constable rate, which was rolled into base salary, payable to eligible police constables with ten or more years of sworn service
- court elect – a provision allowing officers, at the completion of their midnight shift, to stay on duty, at overtime rates, if they had court scheduled to commence within four hours of the end of their shift

Taken in isolation, the cost of the retention pay provision may appear to be dramatic, but it has been significantly offset by the savings achieved through these take backs over the life of the agreement. It should also be noted that this settlement fell within the financial envelope set by the Board.

#### Impact

The retention pay provision had an immediate impact on the Service’s separation rate and has continued to moderate our separation experience. As noted above, the new Collective Agreement was ratified in mid-July, 2002. The separation rate for the first seven months of that year averaged 23 officers per month; from August forward to the end of the year, that number fell to single digits. The end of 2002 saw a total of 322 officers leave, a drop of 32% from the previous year. Uniform separations fell again in 2003, to a total of 148. In 2004, we are expecting an increase in our separation experience, as this is the final year of the OMERS reduced factor incentive program and the obligation to pay pension premiums has also resumed.

#### Compressed Work Week

The Compressed Work Week schedule covers over 3000 members of the Service, including all members assigned to patrol duties at the divisional stations and civilians in the 24/7 Communications Operator and Parking Enforcement positions. Its provisions are governed by the Collective Agreement, which defines compressed work week shifts as consisting of 8 and 10 hour shifts worked in a cycle that repeats every five weeks. In the 35 days of each cycle, a member is assigned to work a total of 21 days in three 7-day blocks, and is off duty for a total of 14 days.

This arrangement has its advantages with respect to supporting the personal well-being of officers and maintaining an approximately constant number of uniform personnel available throughout the day. While alternative approaches might strive to more closely match staffing with predictable patterns of high and low calls for service, this would have to be weighed against



the fact that emergencies can arise at any time, and the safety of the city or a particular neighbourhood could be put at risk if an emergency occurred during a “low” staffing period.

The Board and the Service attempted to find an appropriate balance between these competing considerations by proposing a 11.5 hour shift as a pilot project in the last round of collective bargaining. The Association agreed to this project, which was implemented in 23 Division, 55 Division, 42 Division, and Forensic Identification Services, for the six month period of January 1<sup>st</sup>, 2003 to June 30<sup>th</sup>, 2003. Although some smaller Ontario police services were working a shift very similar to the one proposed, it was initiated as a pilot because there was not an absolute certainty that it would work in a large, diverse, high workload locality like Toronto. Both the Board and the Association had the right to resile from the project after its trial period.

At the end of the six month test, the Association held a vote amongst its participating members who, by a large majority, voted to revert to the status quo compressed work week shift. The pilot ended accordingly on October 13, 2003. The reasons the members gave for turning down this option were as follows:

- the shifts were too long, especially when commuting time and court attendance were factored in
- fatigue was a significant factor, related to the abovenoted concerns
- not enough weekends off work
- insufficient time to spend with family on days worked

Management generally found the experimental shift to be a success, allowing the Service to better match staffing levels to the volume of calls for service. This understanding, however, was not unanimous, with many managers citing the “costs” identified above by the Association as having a material personal effect on the members working the shift and their ability to perform their duties.

Although this pilot was not a success, the subject of shift schedules continues to be a matter of active review between the Board (represented by Labour Relations) and the Toronto Police Association. Both parties recognize the value of having workable shift schedules that balance the needs of the Service and the membership.

## Conclusion

As with any negotiated collective agreement, the process is one of give and take, with trade offs made by both sides.

I believe the settlement of the 2002 – 2004 Uniform Collective Agreement secured a good working relationship with the Police Association while containing important trade offs benefiting management, and achieved the goal of averting a serious staffing crisis in the Toronto Police Service.

**The Board discussed the Board's role in bargaining, specifically given sections 34 and 119(2) of the *Police Services Act* that one or more Board Members must attend bargaining sessions.**

**The Board referred this item to the *PSA* Board and Service Joint Working Group to include in their recommendations for amendments to the *PSA* so that Board Members are not required to attend bargaining.**

**The Board received the foregoing and agreed to forward a copy to the City of Toronto – Employee and Labour Relations Committee for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P116. UPDATE REPORT ON THE “60/40” STAFFING MODEL**

The Board was in receipt of the following report APRIL 06, 2004 from Julian Fantino, Chief of Police:

Subject: UPDATE REPORT ON THE “60/40” STAFFING MODEL

Recommendation:

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

Background:

At its meeting on March 25, 2004, the Board requested that the Chief provide an update report on the staffing results in each division following a recalculation of the “60/40” model. This report represents the staffing results based on the recalculation of the formula effective April 2, 2004.

As of April 2, the average divisional primary response constable strength was at 84.9% of the “60/40” target strength. The average divisional strength was at 97.8 % of the budgeted target strength. The budgeted target strength refers to the total number of constable positions in the primary response function. Detailed statistics on staffing results as of April 2 are appended to this report (see Appendix ‘A’).

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

**The Board received the foregoing.**

**APPENDIX 'A'**

<b>60/40 Constable Staffing Model</b>			
<b>Effective April 02, 2004</b>			
<b>UNIT</b>	<b>60/40 Target Strength</b>	<b>Budgeted Strength</b>	<b>% of 60/40 Target Strength</b>
11D	149	129	86.6
12D	151	131	86.8
13D	162	141	87.0
14D	300	260	86.7
51D	156	136	87.2
52D	345	299	86.7
53D	126	109	86.5
54D	165	143	86.7
55D	202	176	87.1
Central Field	6	6	
22D	221	192	86.9
23D	205	178	86.8
31D	265	230	86.8
32D	260	226	86.9
33D	162	150	87.0
41D	336	292	86.9
42D	334	290	86.8
Area Field	2	2	
			<b>Variance</b>
<b>TOTAL DIVISION ONLY</b>	<b>3539</b>	<b>3073</b>	<b>-466</b>

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P117. YOUTH AND POLICE SUMMIT UPDATE**

The Board was in receipt of the following report APRIL 02, 2004 from A. Milliken Heisey, Q.C., Chair:

Subject: YOUTH AND POLICE SUMMIT UPDATE

Recommendation:

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

Background:

At its December 11, 2003 meeting, the Toronto Police Services Board approved the Board's participation in the organizing and hosting of an upcoming Youth and Police Summit (Board Min. No. P348/03 refers).

The Youth and Police Summit, which was approved by City Council at its September 2003 meeting, will bring together key decision makers including the Mayor, the Chief of Police and other senior officers of the Toronto Police Service (the Service), members of the Toronto Police Services Board (the Board) and the Toronto Youth Cabinet (TYC), as well as representatives of community agencies, the youth justice system, and the City of Toronto.

The objectives of the Summit are to begin a productive dialogue between youth, the police and others involved in the youth justice system and to develop recommendations related to enhancing community safety by examining the relationship between the Service and youth. The half-day summit will feature facilitated discussion groups that will allow a frank interchange between those most affected by youth-police relations.

Youth and Police Summit Update

The Summit will be held on Thursday, May 13, 2004, 9:00 a.m. to 1:00 p.m. at St Lawrence Hall, 157 King Street East. The Summit will be chaired by Justice Lauren E. Marshall, Senior Judge for the Toronto Region of the Ontario Court of Justice.

Mayor David Miller, Chief Julian Fantino, Ryan Teschner (TYC) and I have been invited to provide remarks at the Summit.

Service command officers, Board Members, the Mayor's designates, members of the TYC, and representatives of organizations which understand and reflect the diversity of Toronto will be invited to participate in panel discussions. Community members with an interest in youth-police

issues will also be able to take part in the moderated discussion. To ensure a diverse mix of informed viewpoints, the Summit Planning Committee has developed the list of invited participants. In addition, the planning committee will invite a group of specialists in the field to submit written recommendations for the consideration of Summit participants.

The Service, Board and Youth Cabinet have been each asked to identify approximately six representatives to participate in the roundtable discussions. The organizing committee will also identify appropriate city staff and facilitators to participate.

Upon arrival, the participants will be assigned to one of approximately six discussion group tables. Each table will be composed of a mix of senior police officers, youth, community representatives and City staff. A facilitator will be assigned to each table. Following opening remarks from the Summit moderator, each table will be asked to discuss a set of questions based on the themes/approaches identified in the review of submissions.

Following the table discussions, the Mayor, the Chief of Police, the Chair of the Police Services Board and a representative of the TYC will speak to the Summit, responding to the submissions and table discussions. The table facilitators will then report on the outcomes of the table discussions to the Summit. The panel of sponsors will be invited to respond to the report on discussion outcomes.

The Board has identified its involvement with youth as a priority it wishes to continue. Therefore, I recommend that the Board receive this report for information and I strongly urge Board Members' participation in the Summit.

**The Board received the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P118. THE TORONTO JUNIOR BLUES HOCKEY ASSOCIATION**

The Board was in receipt of the following report APRIL 02, 2004 from Julian Fantino, Chief of Police:

Subject: THE TORONTO JUNIOR BLUES HOCKEY ASSOCIATION

Recommendation:

It is recommended that:

(1) the Board receive the following report for information

Background:

At its meeting of November 13, 2003, the Board was in receipt of a report from me with respect to a request for funds from the Special Fund in the amount of \$22,000.00 for the 2003-2004 budget of the Toronto Junior Blues Hockey Association (Board Minute #P318 refers). At that meeting, in addition to approving the requested funding, the Board directed that I, 'consider the feasibility of extending the Toronto Junior Blues Hockey program across the City in addition to the divisions noted in the report'.

The Toronto Junior Blues Hockey (Junior Blues) program is one of the longest running community based policing programs within the Service. In early 1989, as the Unit Commander of No. 31 Division, I joined with the then Chair of the Board of Commissioners, Metropolitan Toronto Police Force, June Rowlands, to create new community based initiatives which were intended to assist in the development of 'at risk youth'. Such youth, living in largely, what were known then as Metropolitan Toronto Housing Authority (MTHA) communities, were all too often confronted by the frequent presence of drug dealing, prostitution and street level violence in their neighbourhoods. There was a noticeable absence of youth programs, limited examples of positive role models within the communities and, with the exception of individual efforts by some police personnel, limited activity between the police and youth.

The Toronto Junior Blues Hockey program was designed to give children the opportunity to be involved in this Canadian pastime and had the following objectives:

- to provide boys and girls, seven to nine years of age, an opportunity to enjoy a sport activity,
- to provide a non traditional, engaging experience for children and police to interact with each other and,

- to assist children in developing a positive, drug-free lifestyle, while developing and demonstrating respect for themselves and others.

This latter component, developed by staff from the Housing Authority, was a theme that was carried through the hockey program at the arena to a one-day a week, after-school 'lifestyles' session. The overall evaluation of each youth's performance went beyond hockey skills. It included a comprehensive assessment, within the hockey program and at their respective schools, in regard to social skills, attitude, attendance, care of equipment and sportsmanship.

At the outset, the Police Services Board committed to fund, as much as possible. Key partners included the MTHA, the Service, the Board, the Toronto Maple Leafs, the City of North York, Parks and Recreation, the Metropolitan Toronto Hockey League, respective public schools, and two local North York business interests.

For the first nine years of operation, the Junior Blues program was comprised of four teams drawn from communities serviced by No. 12, 23, 31 and 32 Divisions. The site of operations, provided free of charge by the Parks Department, was John Booth Arena located in No. 31 Division. In the tenth year of operation, the League expanded to six teams, adding No. 11 and 33 Divisions. However, a year later, the League returned to its original four-team configuration.

In the 1999 expansion year, the program was severely challenged in No. 11 and 33 Divisions. There was a limited availability of eligible children in each division, transportation times to the arena more lengthy, and there was a limited availability for increased suitable ice time.

Based on the experience of the past 13 years, there are a number of key challenges that must be addressed before expansion can be considered. Such issues include, but are not necessarily limited to; sustainable funding, community demographics, arena locations and ice times, transportation, staffing and community partnerships.

#### Funding:

Historically, the Police Services Board and the Toronto Community Housing Corporation (TCHC), formerly Metropolitan Toronto Housing Authority, have provided the essential funding. The Board's contribution is supplied through the Special Fund. The monies are utilised to purchase hockey equipment, transportation services (shared with the TCHC), training, trophies and sundry items. The TCHC provided funding through its budget, for staff, transportation (shared with the Service) and limited equipment purchases. Based on a four-team configuration, involving approximately one hundred children, the cost for the Board ranges between \$20,000.00 and \$25,000.00 per season. This expense is largely based on how much equipment needs to be replaced or repaired each season. From the Board's perspective, on average, the incremental cost per team would be in the range of \$5,000.00 to \$6,000.00 per season. Involved police personnel are usually drawn from Community Response Units. There are no salary implications for the Service since staff availability is dictated by exigencies of the Service, as well as the availability of members who attend on their own time.



The approximate cost for the TCHC is about equal to that of the Board; their expenses are largely for salaries and transportation.

#### Community Demographics:

The respective communities and selected schools must have sufficient children in the requisite age group (boys and girls, seven to nine years of age), in order to be eligible for the program. Since inception, the children have been drawn from TCHC communities and usually from the same school within the community. This has been done for several practical reasons: ease of access to the children for administrative and transportation services and after school sessions, continuity of peer group relationships, and avoidance of duplication in administration in dealing with more than one Board of Education in the same community.

#### Arena Locations and Ice Times:

At the outset, the League was fortunate to have the support of the City of North York, the Mayor's Committee on Race Relations and the Commissioner of Parks. Their support was instrumental in providing access to John Booth Arena during times that were advantageous to the program, i.e. 4:00-6:00 p.m. on Tuesdays and Wednesdays from mid-October to mid-March. The League has continued to benefit from the support of the Department of Parks and Recreation following the amalgamation of the City of Toronto.

If any form of expansion is contemplated, continued support from the Department of Parks and Recreation is essential in order to have access to an appropriate number of arena sites. Such sites must be identified and selected on the basis of several factors; proximity to involved communities, major thoroughfare access, available ice times and provisions for equipment storage.

#### Community Partnerships:

One of the most challenging aspects of this program has been the ability to maintain or increase the community base in terms of participation by parents and/or business interests. The family situations, at times, can present a barrier, i.e. employment commitments, single parents with more than one child and availability of timely public transportation.

Involvement by local business interests has been difficult to maintain due to the ever-changing economic climate in various sectors of the city. To be effective it is recommended that business interests be located in close proximity to the involved community and police facility. This helps ensure a high level of interest and provides regular opportunities to network. It also supports the ongoing interest of all parties.

#### Conclusion:

In light of the foregoing comments, additional work is warranted if the Board wishes to see an expansion of this program. Key partners need to be consulted and the necessary need and availability of communities and facilities must be determined. A detailed proposal and business

plan needs to be created in order to fully assess the potential for League expansion, the location of such and the degree of financial resources required. Such a report can be completed for the September Board meeting, thus permitting sufficient time to organize for the 2004-2005 season.

I recommend that the Board receive this report for information.

**The Board received the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P119. QUARTERLY REPORT: ENHANCED EMERGENCY MANAGEMENT:  
JANUARY – MARCH 2004**

The Board was in receipt of the following report MARCH 22, 2004 from Julian Fantino, Chief of Police

Subject: QUARTERLY REPORT: JANUARY – MARCH 2004,  
ENHANCED EMERGENCY MANAGEMENT

Recommendation:

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

Background:

At it's meeting of December 13, 2001 (Board Minute P356/01 refers), I was directed by the Board to report quarterly on the progress of Enhanced Emergency Management. This report is in response to that direction.

The Board was last updated at the January 22, 2004 Board meeting (Board Minute P19/04 refers).

The Toronto Police Service (TPS) Emergency Management Section has been involved in a number of operational activities throughout the winter. In January, Emergency Management participated in the Chemical, Biological, Radiological, and Nuclear (CBRN) conference hosted by the Royal Canadian Mounted Police (RCMP) that was held in Toronto. The CBRN conference focused on the potential use of CBRN weaponry on targets within Canada. The conference also highlighted how CBRN teams across Canada, including Vancouver, Ottawa, and the United States are preparing to respond to CBRN events.

The Emergency Management Section assisted in numerous hazardous materials (HAZMAT) incidents that occurred within the city. These incidents included a minor train derailment, natural gas leaks and transportation mishaps.

In February, the Emergency Management Section participated in the Integrated National Security Enforcement Team (INSET) conference hosted by the RCMP. The INSET conference focused on the sharing of terrorism related information between police and security agencies throughout Ontario and Canada. Emergency Management also sent representatives to participate in an emergency management exercise with the Ottawa Police. This exercise focused on a terrorist-based assassination attempt on an internationally protected person.

Emergency Management is preparing specifications for renovations to the Police Command Centre (PCC) in order to make it more functional. Specifications for the new Mobile Command Vehicle (MCV) have also been prepared.

Heavy Urban Search and Rescue (HUSAR) is a Toronto Fire Service (TFS) led initiative with a TPS component. Joint HUSAR training with TFS is ongoing. Police Dog Services (PDS) and Public Safety Unit (PSU) form the TPS portion of the team.

A number of emergency preparedness exercises have been scheduled to take place in 2004. Exercise Collaboration is scheduled for April 30, at the Humber Institute of Technology & Advanced Learning (Humber College – North Campus). This exercise will test and provide further training for the Joint CBRN team and the TPS Incident Management System, in response to a terrorist situation. The exercise will involve elements from TFS and Toronto Emergency Medical Services, (EMS), Humber College and the Sunnybrook and Women's College Health Sciences Centre. On May 6, a nuclear exercise, in conjunction with Ontario Power Generation (OPG) and the Province of Ontario, will be conducted to test nuclear emergency preparedness. The Emergency Management Section will also participate in multiple exercises to be scheduled in the fall with the Community Awareness Environment Response (CAER) group in Toronto. CAER is a private organization that consists of representatives from chemical companies. There are four separate CAER groups in Toronto. This organization assists with the development of emergency response protocols for chemical spills and other chemical hazards. The exercises allow TPS personnel, along with other agencies, to learn and practice emergency response to hazardous chemical spills. Additionally, TPS specific exercises will be developed to test and practice major emergency responsiveness with respect to incident command and control.

The Joint City CBRN team consisting of TPS, TFS and EMS continues to develop its response capability. Presently, the focus for the TPS component of the CBRN team is to train selected members of our service to operate with upgraded Personal Protective Equipment (PPE). The TPS target groups include Community Response Unit (CRU) and Public Safety Unit (PSU) officers. The purpose of training CRU and PSU officers is to allow them to operate within a contaminated 'warm zone' in order to perform police related duties, including perimeter security. A more advanced level of CBRN training has been completed for Emergency Task Force (ETF) and Forensic Identification Services (FIS) personnel, which enables them to operate in a 'hot zone' environment.

Our Service continues to meet with members of the Joint Operations Steering Group, consisting of representatives from the TPS, TFS, EMS, City of Toronto Office of Emergency Management (OEM) and Toronto Public Health. Joint emergency planning continues with respect to CBRN, HUSAR, medical pandemic planning, and general joint emergency preparedness, including specific risk and hazard analysis for Toronto.

At its meeting of January 22, 2004, the Board requested options be identified on how to improve the method in which key City representative could travel, or be transported, to the Emergency Operations Centre (EOC), (Board Minute P21/04 refers). Emergency Management has met with its counter parts within the Toronto OEM to discuss improved methods of facilitating the transport of key members of the Municipal Control Group (MCG) to the Emergency Operations

Centre during an emergency situation. Safe and speedy transport would be contingent on traffic conditions and the availability of police resources to assist with the escort of key MCG members.

There have been changes in emergency management at the Federal level due to Prime Minister Paul Martin's cabinet restructuring. A new Public Safety and Emergency Preparedness department has been established to coordinate and improve the Federal government's response to emergencies. This department will also handle border and port security, as well as oversee the Royal Canadian Mounted Police (RCMP) and Canadian Security Intelligence Service (CSIS). This new department has not yet officially released operational guidelines.

Acting Deputy Chief David Dicks, 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 APRIL 29, 2004**

**#P120. QUARTERLY REPORT: REPORT ON COMPLETE SEARCHES:  
JANUARY – MARCH 2004**

The Board was in receipt of the following report APRIL 06, 2004 from Julian Fantino, Chief of Police

Subject: QUARTERLY REPORT: JANUARY TO MARCH 2004: REPORT ON COMPLETE SEARCHES

Recommendation:

It is recommended that: the Board receive this report.

Background:

At its meeting of December 14, 2000, the Board directed quarterly status reports (Board Minute P529 refers), as follows:

“THAT the Chief provide the Board with quarterly reports on the implementation of CIPS enhancements into the new Records Management System and advise the Board if the Service is unable to provide electronic gathering of statistics by the third quarter of 2001.”

CIPS (Criminal Information Processing System) is the computerized case preparation system used by the Service to record all arrest information and has been identified as the best medium for collecting data relating to complete searches.

Information Technology Services (ITS) advises that CIPS functionality will be incorporated into the Service’s new Records Management System called eCOPS (Enterprise Case and Occurrence Management System). The eCOPS project is currently being reviewed as to any added functions required to meet the needs of the Service. The statistical component will be evaluated and assigned a priority within this review at which point a delivery date will be available.

As an interim measure, pending the deployment of eCOPS, a complete search template has been added to the CIPS application. This template allows the Service to collect complete search statistics.

It is recommended that the Board receive this quarterly status report. Mr. Frank Chen, Chief Administrative Officer, Corporate Support Command, will be in attendance to answer questions from Board members.

**The Board received the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P121. SEMI-ANNUAL REPORT: GRANT APPLICATIONS AND  
CONTRACTS: OCTOBER 2003 - MARCH 2004**

The Board was in receipt of the following report APRIL 01, 2004 from Julian Fantino, Chief of Police:

Subject: SEMI-ANNUAL REPORT: OCTOBER 2003 TO MARCH 2004: GRANT  
APPLICATIONS AND CONTRACTS

Recommendation:

It is recommended that the Board receive the following report.

Background:

At its meeting of February 28, 2002, the Board granted standing authority to the Chair of the Police Services Board, to sign all grant and funding applications and contracts on behalf of the Board (BM #P66/02 refers). The Board also agreed that a report would be provided on a semi-annual basis summarizing all applications and contracts signed by the Chair.

During the current reporting period, October 1, 2003 to March 31, 2004, the Chair of the Police Services Board signed six grant applications and three community partnership agreements. A partnership agreement formalises the extent of our participation in a grant application made by a community organisation. Although police perform a distinct role in the project, the Service does not receive any funding; the community organisation, as the primary applicant, receives and is ultimately accountable for all funding and project objectives. Partnership agreements were approved only where the proposed project addressed Service priorities. Appendix A lists all new applications and partnership agreements signed by the Chair in the current period. The Chair signed only one grant contract during this period, as is noted in Appendix B.

The grant application/approval cycle is closely tied to the Province of Ontario's fiscal year. Typically, grant submissions are due late in the fall and funding decisions are announced in early spring. However, several annual grant programs, including Youth Crime and Violence Initiatives and Partners Against Crime, were not offered by the new provincial government.

Currently, the Toronto Police Service has a total of seven active grants, including the Community Policing Partnership Program (CPP), Provincial Street Gang Database and Child Exploitation programs; the provincial government funds five programs and administers two on behalf of the federal government. Seven grant programs were completed during this period. The current grant inventory totals in excess of \$10,000,000 in revenues for the Service, with the majority of the funding (i.e. \$7.53M) received through the CPP grant.



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

**The Board received the foregoing.**



**Appendix A**  
**Grant Applications**  
**October 1, 2003 – March 31, 2004**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Status
<p><b>Reduce Impaired Driving Program (R.I.D.E.)</b></p> <ul style="list-style-type: none"> <li>In March 2004, the Toronto Police Service submitted an application, signed by the Chair, for funding from the 2004/2005 R.I.D.E. Program.</li> </ul>	\$188,300	April 1, 2004 to February 28, 2005	It is anticipated that the Ministry of Community Safety and Security will give notice of funding approval in October 2004.
<p><b>Joint Emergency Preparedness Program (J.E.P.P.) -</b></p> <ul style="list-style-type: none"> <li>In October 2003, the Toronto Police Service submitted four applications, signed by the Chairman, for the J.E.P.P. 2004/2005 program. J.E.P.P. is a Federal/Provincial Joint Program that provides partial funding (generally 45% of qualified elements) for projects that enhance the national emergency response capability. The four projects include: <ul style="list-style-type: none"> <li><b>Police Command Centre</b> Project to provide for the renovation and installation of state-of-the-art technology at 703 Don Mills to allow the TPS to assume a centralised command in the event of a disaster or major terrorist event in the City of Toronto or GTA. Total Project Cost: \$725,000.</li> <li><b>Mobile Command Post Vehicle</b> This project provides for the replacement of the ETFB Command Vehicle with a new and more functional vehicle that will support officers and public safety personnel at emergency and disaster sites. Total Project Cost: \$750,000.</li> <li><b>Remote Operation Vehicle</b> This project provides for the replacement and enhancement of underwater search and rescue equipment, specifically a remote operation vehicle. Total Project Cost: \$45,000.</li> <li><b>Dialogic Communication System</b> To standardise the TPS emergency notification and information system using a software package that may contact any form of telephone or internet based device. The objective is to provide the TPS a high-speed, efficient and effective means of contacting any officer or group (i.e. senior officers, auxiliary officers, personnel from a single division, etc.). Total Project Cost: \$211,282.</li> </ul> </li> </ul>	\$326,250  \$50,000  \$20,250  \$59,999	April 2004, or upon notification, to March 31, 2005	Based on the schedule communicated to TPS by Emergency Measures Ontario, it is anticipated that notice of funding approval will be given in April 2004.



**Appendix A  
Grant Applications  
October 1, 2003 – March 31, 2004**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Status
<p><b>A Family Justice Centre for Toronto – Creating a Seamless Response</b></p> <ul style="list-style-type: none"> <li>In October 2003, the Toronto Police Service submitted an application, signed by the Chair, for the Victim Services – Community Building Capacity 2004/2005 Grant Program. <i>A Family Justice Centre for Toronto – Creating a Seamless Response</i> proposes a conference to determine the feasibility of applying an integrated family justice system in Toronto.</li> </ul>	\$19,219.00	October 2004	Based on the schedule communicated to TPS by the Ministry of the Attorney General, it is anticipated that notice of funding approval will be given in April 2004.
<p><b>Police Linked Community Victims Services Grant Program-Community Submissions</b></p> <ul style="list-style-type: none"> <li>In October 2003, the following community organisations, partnered with the Toronto Police Service, submitted applications for funding under the Police-Linked Community Victims Services Grant Program. Each application was accompanied by a letter, signed by the Chair, detailing the role of the police as partners in the project.</li> <li>Save the Children – Sexual Exploitation and Awareness Campaign of Toronto</li> <li>Leave Out ViolencE – Police and Youth in Synch: Working Together to Prevent Victimisation</li> <li>Somali-Canadian Association of Etobicoke – Youth Reintegration and Victim Support</li> </ul>	<p style="text-align: center;">\$250,000*</p> <p style="text-align: center;">\$250,000*</p> <p style="text-align: center;">\$250,000*</p>	<p style="text-align: center;">April 1,2004 to March 31 2006</p> <p style="text-align: center;">April 1,2004 to March 31 2006</p> <p style="text-align: center;">April 1,2004 to March 31 2006</p>	Based on the schedule communicated to TPS by the Ministry of the Attorney General, it is anticipated that notice of funding approval will be given in April 2004.

\* Funding, if approved, will be provided directly to the community organisation, not the Toronto Police Service.

**Appendix A**  
**Grant Applications**  
**October 1, 2003 – March 31, 2004**

Name and Description of Grant	Amount of Funding Requested	Grant Term	Status
<p><b>Reduce Impaired Driving Program (R.I.D.E.)</b></p> <ul style="list-style-type: none"> <li>The TPS applied for funding from the 2003/2004 R.I.D.E. Program in February 2003; the Chair signed the contract in October 2003.</li> </ul>	\$94,558	April 1, 2003 to February 28, 2004	Program is complete and final reports have been submitted to the Ministry of Community Safety and Correctional Services.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P122. ANNUAL REPORT: 2003 USE OF THE TORONTO POLICE CREST**

The Board was in receipt of the following report MARCH 29, 2004 from Julian Fantino, Chief of Police:

Subject: ANNUAL REPORT – 2003 USE OF THE TORONTO POLICE CREST

Recommendation:

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

Background:

At its meeting of May 16, 1998, the Board approved a report from the Chief of Police regarding a policy pertaining to requests for the use of the Service Crest. (Board Minute #173/96 refers).

The Board also approved the following Motion:

**That, the Board designate authority to the Chair of the Police Services Board to approve requests for the use of the Service image, with an annual report submitted to the Board by the Chief of Police listing all requests for the use of the Service image.**

Please find attached a chronological listing of all requests submitted for the period of January 1, 2003 to December 31, 2003.

A total of four (4) requests were submitted, all of which were approved.

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

**The Board received the foregoing.**

**CENTRAL DIRECTORY  
2003**

External Requester:	Internal Requester	Purpose	Decision & Date
Weston Community Police Partnership Office		Use of Service image to be used on the Weston Community Police Partnership Letterhead, with the condition that the corporate image not be used in conjunction with any fundraising initiatives.	Approved by: Norman Gardner, Chairman, Toronto Police Services Board on April 15, 2003.
Glenn Murray, Assistant Deputy Minister, Ministry of Public Safety and Security		Use of Service image in recent publication, "Special Constables: A Practitioner's Handbook."	Approved by: Norman Gardner, Chairman, Toronto Police Services Board on May 23, 2003.
Seaton House		Use of Service image for display at the 2 <sup>nd</sup> Annual International Conference on Urban Health Issues, in New York City, October 15 – 17, 2003.	Approved by: Gloria Lindsay Luby, Acting Chair, Toronto Police Services Board on October 8, 2003.
City of Toronto Parks and Recreation		Use of Service image on City of Toronto Parks and Recreation sign in Dixon Park.	Approved by: Gloria Lindsay Luby, Acting Chair, Toronto Police Services Board on August 5, 2003.



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P123. ANNUAL REPORT: 2003 SPECIAL CONSTABLES REPORT –  
TORONTO TRANSIT COMMISSION**

The Board was in receipt of the following report MARCH 28, 2004 from Julian Fantino, Chief of Police:

Subject: SPECIAL CONSTABLES ANNUAL REPORT 2003 – TORONTO TRANSIT  
COMMISSION (TTC)

Recommendation:

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

Background:

Section 54 of the agreement between the Toronto Police Services Board and Toronto Transit Commission (TTC) regarding special constables states that:

The Commission shall provide to the Board an annual report with statistical information including but not limited to information regarding enforcement activities, training, supervision, complaints and other issues of concern to the parties and such further categories of information as may be requested by the Board from time to time.

Please find attached the 2003 Annual Report from the Toronto Transit Commission regarding special constables.

It is therefore recommended that the Board receive the 2003 Annual Report from the TTC for information.

Acting Deputy Chief David Dicks, Policing Support Command, will be in attendance at the meeting to respond to any questions that the Board may have.

**The Board received the foregoing.**

March 16, 2004

Julian Fantino, Esq.  
Chief of Police  
Toronto Police Service  
40 College Street  
Toronto, Ontario  
M5G 2J3

Dear Chief Fantino:

Re: TTC Special Constable Services  
2003 Annual Report

As required in Section 54 of the Special Constable Agreement between the Toronto Police Services Board and the Toronto Transit Commission, we are providing an annual report with information relative to TTC Special Constable Services enforcement activities, training, supervision and complaints received against Officers.

Attached, please find:

1. Special Constable Services organization chart
2. Security Activities (charts 1&2)
3. Enforcement Results (charts 3,4,&5)
4. Complaints Against Officers
5. Special Constable Training Summary

Please note the Transit Crime Statistics are not available at this time due to constraints posed by the implementation of E-cops. Special Constable Services is working closely with Toronto Police Services personnel to address this problem.

Should you require additional information or have any questions, please contact Terry Andrews, Chief Special Constable at (416) 393-3007.

Sincerely,

Lynn Hilborn  
Deputy General Manager - Corporate

28-15  
Attachment

***TORONTO TRANSIT COMMISSION***

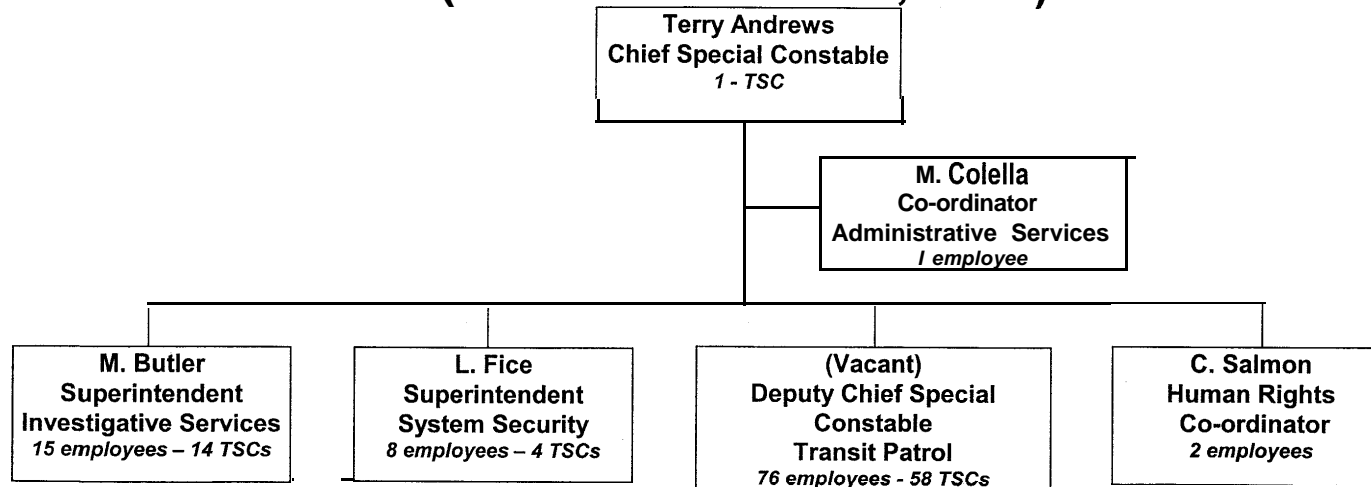
***Special Constable Services***

***2003 Annual Report***

---

# **ORGANIZATION CHART**

**(As at December 31, 2003)**

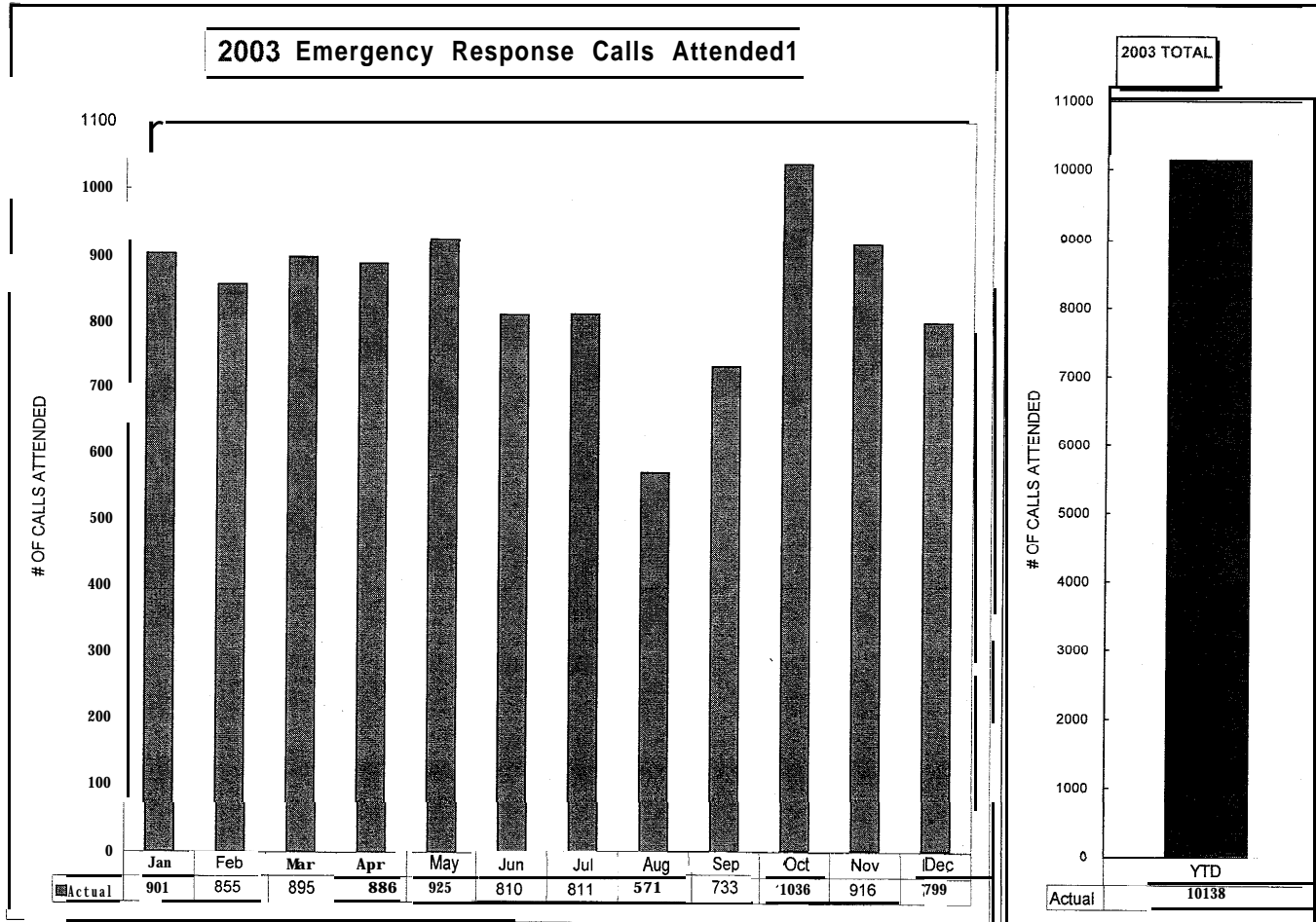


*Total Workforce = 103 employees  
(Includes 77 Transit Special Constables)*

---

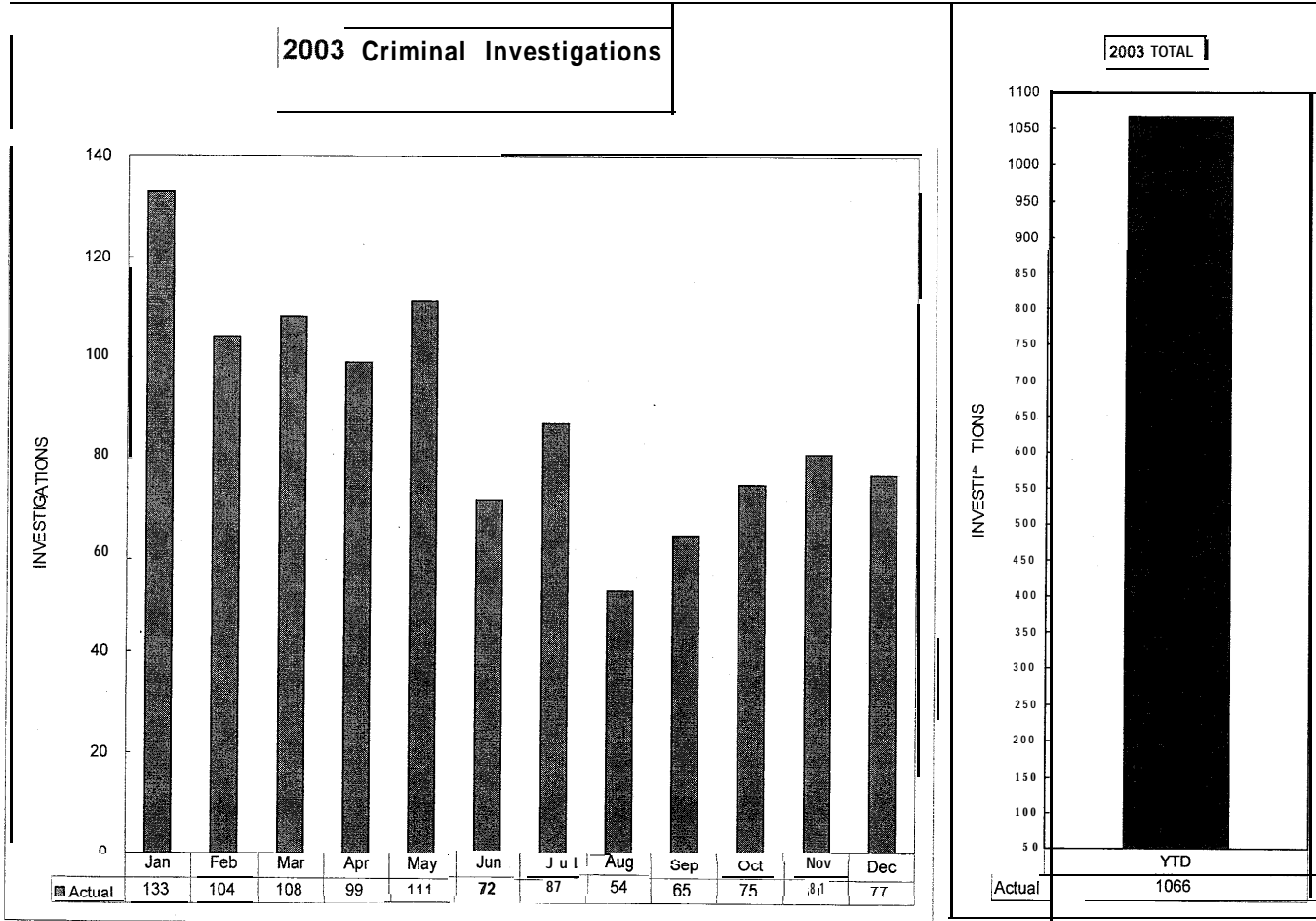
**SPECIAL CONSTABLE SERVICES**

**CHART 1**



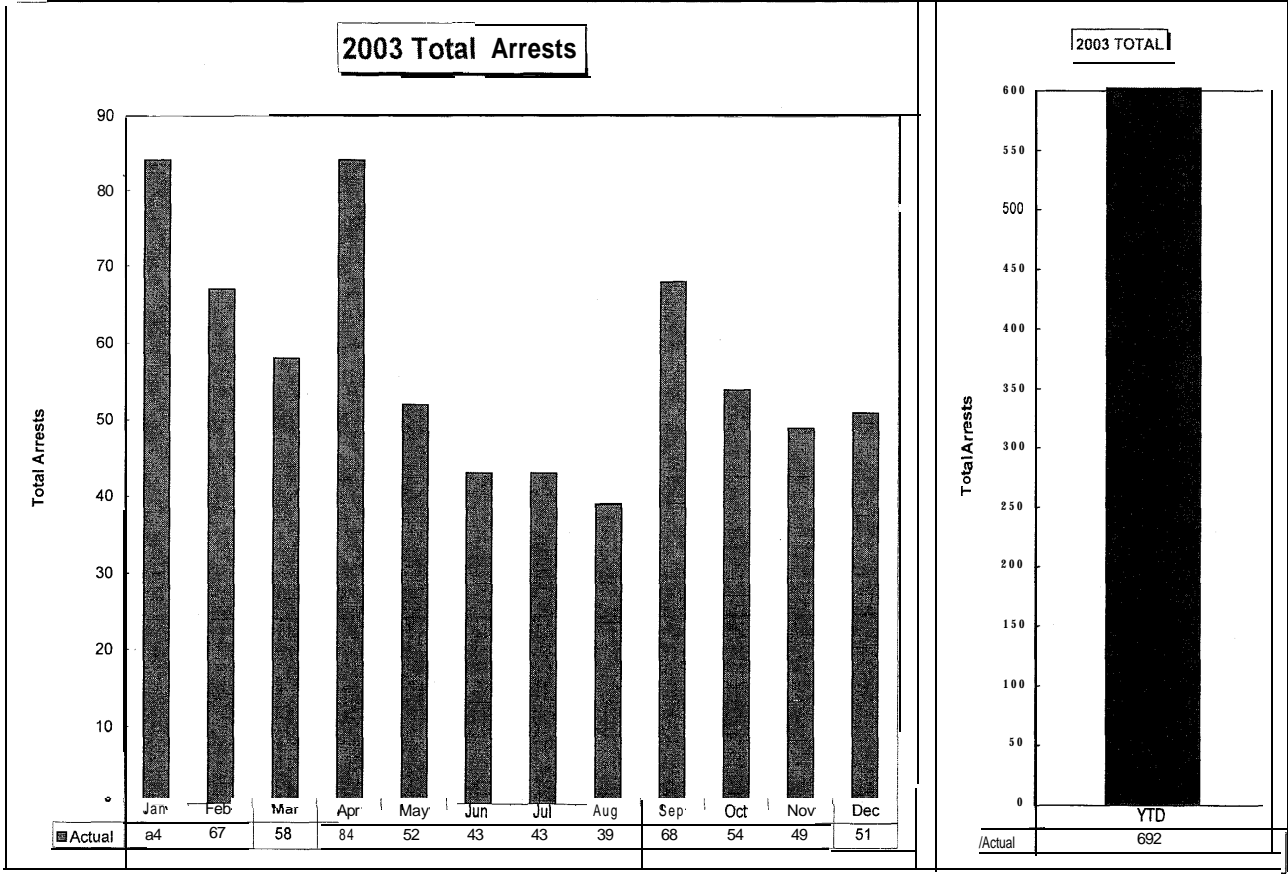
**SPECIAL CONSTABLE SERVICES**

**CHART 2**



**SPECIAL CONSTABLE SERVICES**

**CHART 3**

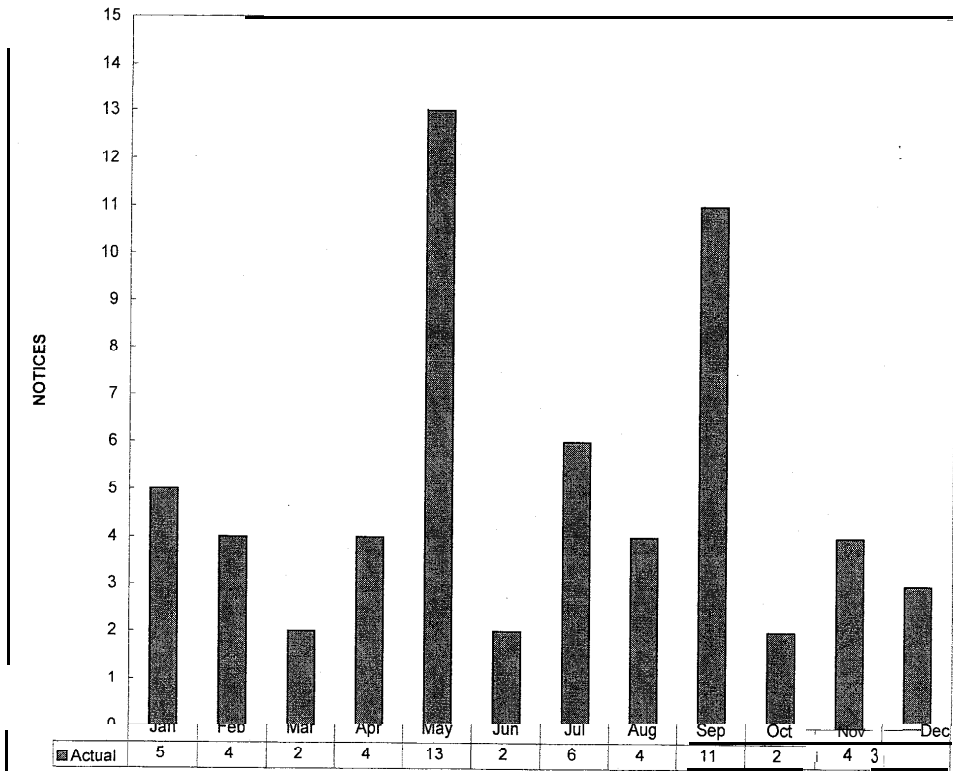




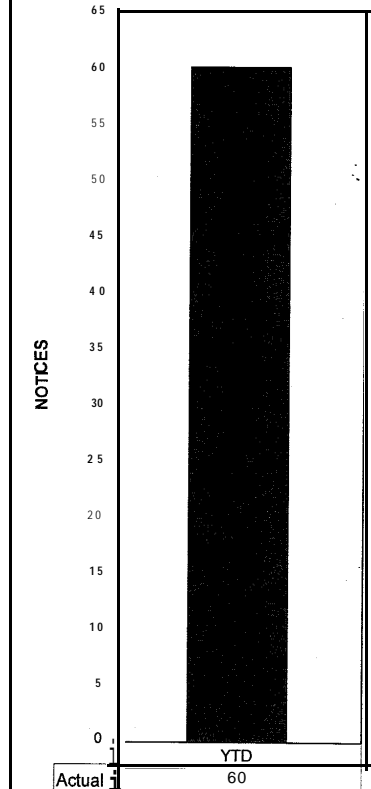
**SPECIAL CONSTABLE SERVICES**

**CHART 4**

**2003 Appearance Notices Issued**

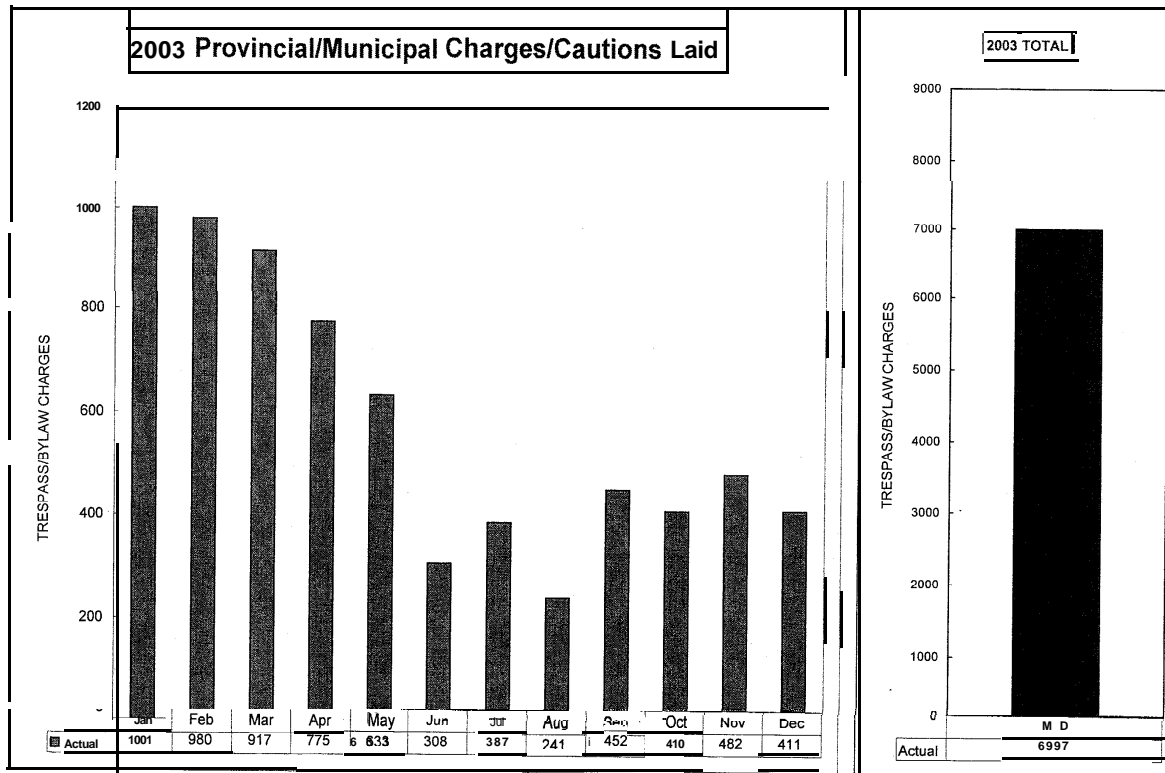


**2003 TOTAL**



SPECIAL CONSTABLE SERVICES

CHART 5



## **INVESTIGATION OF COMPLAINTS SUMMARY**

**JANUARY 1, 2003 – DECEMBER 31, 2003**

### **COMPLAINT INVESTIGATION PROCESS**

All public complaints relating to the conduct of Transit Special Constables are forward to the Toronto Police Service's Professional Standards Review Unit for assessment. All complaints are classified as either serious (e.g. criminal allegation) or less serious (e.g. minor breach of discipline). Public complaints classified as serious are investigated by the Toronto Police Service's Professional Standards Criminal and Conduct Investigations Unit. Less serious public complaints are investigated by TTC Special Constable Services' Unit Complaint Co-ordinator, in conjunction with the Department's Professional Standards Review Officer. All investigations are conducted in accordance with Toronto Police Service's Public Complaints Procedure. Complainants are advised of the findings of all investigations and informed of the option to appeal the findings to the Chief General Manager of the TTC.

The investigative findings categories are:

**Unsubstantiated:**     -no evidence exists to support the allegation  
                              -evidence exists, and if believed, would not constitute misconduct  
                              -the identification of the officer involved cannot be established

**Substantiated:**       Complaint found to be supported by statements or evidence

**Informal Resolution:** Mediation and successful conclusion of a less serious complaint.

**Pending:**             Investigation not yet completed.

There were 11 complaints against Transit Special Constables during the year 2003. The Toronto Police Professional Standards Criminal and Conduct Investigations Unit investigated 1 incident. Special Constable Services' Unit Complaints Co-ordinator investigated 9 incidents. One incident was not investigated as a result of being made more than six months after the incident.

**FILE #PC 01/03/03 – Misconduct**  
**February 21, 2003**

Officers were conducting a fare media check. Complainant reported that the Officers were overly aggressive and threatening to him while attempting to validate his metropass.

**Findings: Informal Resolution**

**FILE #PC 02/03/03 – Misconduct**  
**March 3, 2003**

Officers were conducting a fare media check. The Complainant alleged that the Officers were unprofessional in their conduct towards her, threatening her with a fine or arrest.

**Findings: Informal Resolution**

**FILE #PC 03/04/03 – Misconduct**  
**April 19, 2003**

Complainant alleged that the Officer swore at him and told him he could not use the Transit System or the payphones.

Report of investigation completed by the Unit Complaint Co-ordinator.

**Findings: Unsubstantiated**

**FILE #PC 04/05/03 – Misconduct**  
**May 14, 2003**

While being investigated for entering the station illegally the complainant alleged that the Officer accused her of being an illegal alien and a shoplifter. She further alleged that the Officer only stopped her because he stereotyped her.

Report of investigation completed by the Unit Complaint Co-ordinator.

**Findings: Unsubstantiated**

**Note:** Complainant appealed to the TTC Chief General Manager. Investigation findings were upheld.

**FILE # PC 05/06/03**

**May 29, 2003**

Complainant alleged that he was surrounded by four Special Constables and verbally abused by the subject Officer.

Report of Investigation completed by the Unit Complaint Co-ordinator.

**Findings: One allegation was substantiated.**

**FILE #PC 06/07/03**

**July 1, 2003**

Complainant alleged that he was treated unreasonably and that a Special Constable was arrogant and abused his authority while offloading a streetcar during an emergency situation.

Report of Investigation completed by the Unit Complaint Co-ordinator.

**Findings: Unsubstantiated**

**FILE #PC 07/08/03 – Misconduct**

**July 23, 2003**

Complainant alleged that he became involved in a dispute with a Customer Service Agent while in the TTC Customer Service Center, located at 1900 Yonge St. Transit Special Constables attended and allegedly illegally detained the complainant.

Report of investigation completed by the Unit Complaint Co-ordinator.

**Findings: Unsubstantiated**

**FILE #PC 08/08/03 – Misconduct**

**July 24, 2003**

Complainant alleged she was involved in a dispute on a bus with another patron. Transit Special Constables attended and commenced their investigation. During the investigation the complainant alleges the Officers used vulgar language and had poor attitudes.

Report of investigation completed by the Unit Complaint Co-ordinator.

**Findings: Unsubstantiated**

**FILE # PC 09/09/03 - Misconduct**  
**September 2, 2003**

Complainant was being investigated for a possible misuse of metropass. The complainant alleges that the Officer behaved in a threatening manner both verbally and physically and refused to let him board a train.

Report of Investigation completed by the Unit Complaint Co-ordinator.

**Findings: One allegation substantiated.**

**FILE #PC 10/11/03 – Misconduct**  
**November 5, 2003**

Complainant alleged that he was assaulted by the subject Officer while being investigated for a fare violation at the Eglinton Subway Station.

Report of Investigation completed by the Toronto Police Professional Standards Criminal and Conduct Investigations Unit.

**Findings: Unsubstantiated.**

**FILE #PC 11/11/03 – Misconduct**  
**February 25, 2003**

Complainant was issued a Provincial Offences ticket for a fare violation at Queen and Yonge Streets. He alleges the Officer was rude and treated him like a criminal.

Public complaint form submitted November 20, 2003 to Toronto Police Professional Standards Criminal and Conduct Investigations Unit.

**Findings: Complaint made more than six months after the incident, no further action taken.**

<b>Course</b>	<b>Delivered By</b>	<b>Attendees</b>
Alternate Dispute Resolution (ADR)	University of Windsor Law School	One per
Annual Gang Investigators Conference	Ontario Gang Investigators Association	One CIU
Annual Professional Standard Seminar	Toronto Police Service	Two Sta
Coach Officer Training	Ontario Police College	Five Pat
Counter Terrorism/Public Health	Canadian Public Health Association (CPHA)	One Sta
CPMP Conference	Queen's University School of Business	One Sta
Effective Presentations	Toronto Police Service – Training & Education	One Sys
Emergency First Aid <sup>1</sup>	TTC – Human Resources	Nineteen
General Investigator's Course	Toronto Police Service – Training & Education	One CIU
High Tech Crime Seminar	Southern Ontario Law Enforcement Training Assoc.	Three C
Lock Picking Emergency Entrance	High Park Lock	Two CI
Ontario Association of Police Educators Workshop	OAPE	Two FS
Policing a Diverse Community	Toronto Police Service – Training & Education	Thirty E
Search and Seizure Seminar	Southern Ontario Law Enforcement Training Assoc.	Two CI
Sensitivity Awareness	Respect Conciliation & Education	Two Sta
Subway/SRT Rulebook <sup>2</sup>	TTC – Training Department	Seventy
Youth Criminal Justice Act	Toronto Police Service – Training & Education	Two FS

---

<sup>1</sup> Qualification Required Every Three Years

<sup>2</sup> Annual Qualification Required

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P124. ANNUAL REPORT: 2003 SPECIAL CONSTABLES REPORT –  
TORONTO COMMUNITY HOUSING CORPORATION**

The Board was in receipt of the following report MARCH 28, 2004 from Julian Fantino, Chief of Police:

Subject: SPECIAL CONSTABLES ANNUAL REPORT 2003 – TORONTO  
COMMUNITY HOUSING CORPORATION (TCHC)

Recommendation:

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

Background:

Section 53 of the agreement between the Police Services Board and Toronto Community Housing Corporation (TCHC) regarding special constables states that:

The TCHC shall provide to the Board an annual report with statistical information including but not limited to information regarding enforcement activities, training, supervision, complaints and other issues of concern to the parties and such further categories of information as may be requested by the Board from time to time.

Please find attached the 2003 Annual Report from the Toronto Community Housing Corporation regarding special constables.

It is therefore recommended that the Board receive the 2003 Annual Report from the TCHC for information.

Acting Deputy Chief David Dicks, Policing Support Command, will be in attendance at the meeting to respond to any questions that the Board may have.

**The Board received the foregoing.**



Toronto Community  
Housing Corporation  
365 Bloor Street E.  
8<sup>th</sup> Floor  
Toronto, ON M4W 3L4  
Tel: 416-969-6000



March 12, 2004

Staff Sergeant Gord Barratt  
Special Constable Liaison  
Community Policing Support  
Toronto Police Services  
40 College Street 6<sup>th</sup> floor  
Toronto, Ontario  
M5G 2J3

Dear Staff Sergeant Barratt,

Re: TCHC Special Constable Program 2003 Annual Report

As required by Section 54 of the Special Constable Agreement between the Toronto Police Services Board and the Toronto Community Housing Corporation please find attached a copy of our 2003 Annual Report with information relative to the Special Constables' enforcement activities, supervision, training, community involvement and complaints received against officers.

If you require any further information please contact us and we will answer any questions that you may have.

Sincerely,

Terry Skelton  
Director, Community Safety Unit

**TORONTO COMMUNITY HOUSING  
CORPORATION  
COMMUNITY SAFETY UNIT**

**365 Bloor Street E. 8th Floor  
Toronto, Ontario  
M4W 3L4  
General (416) 981-4000 Fax (416) 981-4425**



**ANNUAL REPORT 2003**

The 2003 Annual Report that follows provides an overview of the third year of the Special Constable Program at Toronto Community Housing Corporation. The purpose, mandate and values cited within the report are those developed by the Community Safety Unit (CSU) that reflect the mandate of the Toronto Community Housing Corporation (TCHC).

## **COMMUNITY SAFETY UNIT**

### **Statement of Purpose**

The fundamental purpose of TCHC's Community Safety Unit is to partner with communities to enable a safe environment for persons residing in TCHC communities, and to preserve the buildings and property managed by TCHC.

### **Mandate**

Building on the best practices of the two legacy companies, The Community Safety Unit (CSU) will be the most innovative and value added provider of sector-sensitive safety promotion and security services in Canada.

### **CSU Service Concept and Principles**

The CSU will:

- Deliver or broker a full range of sector-sensitive safety promotion and security services to CHU customers and their communities.
- Enable community development approaches to safety promotion rather than being a guardian of those communities
- Provide expert and best practices advice to CHU managers on safety and security issues, options and services
- Maintain high service standards by continually measuring and improving service quality and customer satisfaction
- Incorporate anti-oppression and social inclusion concepts in all its services and build a competitive advantage in this area of sector-sensitive service delivery over competitors
- Partner with its customers and their communities to develop solutions to problems they define and own.

### **List of CSU Services to CHU Managers:**

The Community Housing Managers will have immediate access to a Community Safety Consultant, who will act as a service representative, assist the community with safety planning, and arrange for appropriate safety services which include the following:

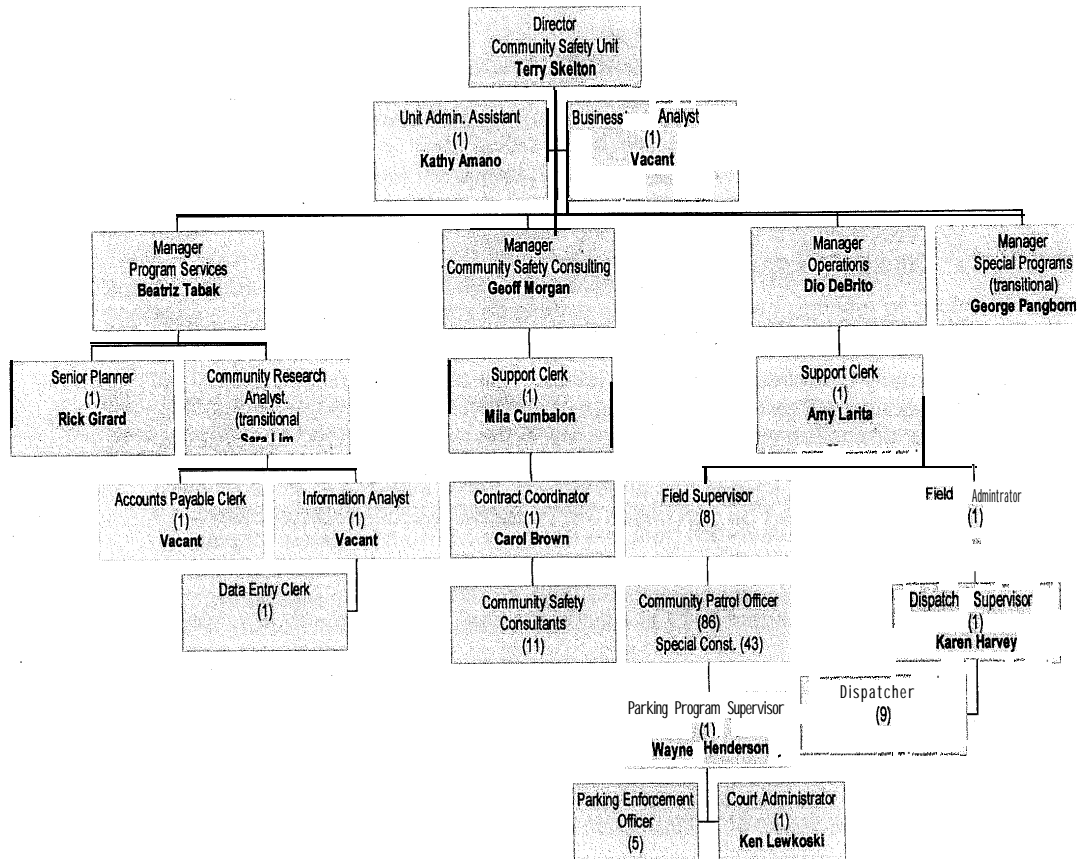
- ◆ Conducting community safety audits
- ◆ Helping communities develop indicators of community safety
- ◆ Safety promotion programs
- ◆ Identification and development of partnerships
- ◆ Direct service delivery personnel on site, or by way of mobile security coverage to address low risk to high risk situations (this will include services of Special Constables in higher risk situations)
- ◆ A resource directory of approved security service providers
- ◆ Contract service consulting and/or administration including the following elements:
  - Support and advice
  - Development of protocols/leading CHU Managers through contract processes
  - Training and coaching to set up and manage contract security services
  - Problem resolution
  - Monitoring and evaluation/analysis of contract services
- ◆ Parking control services(pending cost/revenue assessment)
- ◆ Others to be developed

An increased choice will be provided to enhance the ability of CHU Managers and communities to choose from a flexible range of services internally and externally to address local safety issues. The ability to change or adjust services as required will exist, and the range of available services will include community safety promotion and security services. A focus will be placed on ensuring that services are less costly than now, and in-house safety delivery staff that are high caliber, well trained and professional. Some services such as on-site security patrols will be purchased from external (security companies)

A final list of safety services, costs and pricing will be developed after engagement with customers.

# ORGANIZATION CHART FOR COMMUNITY SAFETY UNIT

## Community Safety Unit (CSU) February 2004



## **TRAINING FOR SPECIAL CONSTABLES**

Our staff training program is specially designed to coincide with the needs of our communities in combination with directives from the Toronto Police Services Board, legislation, court decisions, and Federal and Provincial standards that follow present law enforcement requirements. Our contract with the Toronto Police Services Board requires that our staff training for Special Constables be maintained at a standard that is acceptable to the Board. Annually our members are required to meet these standards to maintain their present status.

### **Special Constable Training during 2003**

<b>Course/Topic</b>	<b>Duration</b>	<b>Staff</b>
Arrest and Control Training Techniques	One Day	All
Trespass to Property Act Seminar	Three hour	All
Computer Training (New Reporting System)	1 Day	All
Training and Education Focus Groups	Three hours	All
Report Writing (TPS reports)	1-2 hours	All

In addition to mandatory training , staff requested to participate in non-mandatory courses or educational events, which are job related. This is expected to continue during 2004;

### **Non- Mandatory courses and educational events**

<b>Course/Topic</b>	<b>Duration</b>	<b>Staff</b>
Critical Incident Debriefing Seminar	Three Days	13
CPTED Course	Five days	14
PPCT Training	Three days	1
Diversity training	Seven days	2
Street Survival Seminar	Three Days	8
Regent Park training Pilot	3-4 hours	11
Community Police Partners	Three Days	6
TPS Liaison (C.O. Bick College)	2-3 hours (on-going)	1
Labour Relations Training	One Day	16
Community Policing Partnership (Barrie)	Three days	6
Bike Training	2 Days	4
Community base Policing for Management	4 Days	6
Youth Safety Symposium	3 Days	1

## **Future Development**

As the Community safety unit is going through an organizational development process, staff is identifying areas for organizational change and training. Two standing committees have been formed through a process of nominations and elections. The committees (Diversity Initiatives Action Group and the Training and Educational Committee) are mandated to assess the training needs, prepare a training plan and implement it. In some cases, staff attends train the trainer sessions and becomes the trainer in a specific area. The goal is to have staff that is able and willing to facilitate learning to others.

Some of the training areas identified by staff and CHMs are Conflict Resolution, Working with Youth, Human Rights and Equity, Dealing with Mental Health Issues, Domestic Violence, Report Writing

## **STATISTICAL BREAKDOWN OF SPECIAL CONSTABLE ACTIVITY A THREE-YEAR COMPARISON**

The Toronto Community Housing Corporation (TCHC) provides housing for 164,000 tenants, in 57,500 units. This makes us one of the largest housing providers in North America. Tenants include seniors, families with and without children and singles. The portfolio includes high-rise apartment buildings, low-rise apartment buildings, townhouses, rooming houses and single houses.

TCHC also has its own in-house Community Safety Unit with a total complement of 141 (as of Dec 2003) staff. Our Unit consisted of Parking Enforcement Officers, Security Officers, Community Patrol Officers and Special Constables each having different levels of authority to meet the needs of the diverse TCHC communities. In 2003 this Unit provided support only to the former MTHC, part of TCHC communities, which encompasses 29,400 housing units.

We currently have forty-two Community Safety staff who presently have Special Constable Status. These forty-two staff represent various functions, from being detailed as on-site officers in our Regent Park and Finch Birchmount communities to performing mobile duties to carrying out supervisory or support functions. Mobile duties include performing routine patrols from community to community, responding to calls and assisting other officers in need of back up.

In the year 2003 the Community Safety Unit received 49,311 calls for service. TCHC Special Constables investigated or assisted in 10,829 investigations on or in relation to TCHC property. Of these reports 175 were classified as violent crime offences, 165 were classified as property crime offences, 6302 were classified as other offences and 4187 were classified as non-offences.

A breakdown of the range of calls the Special Constables responded to is given below. The calls have been broken into four tables, violent crime reports, property crime reports, other offences and non- offence.

### **VIOLENT CRIME**

<b>REPORTS</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
<b>ASSAULT</b>	73	97	86
<b>ASSAULT BODILY HARM</b>	25	27	11
<b>ASSAULT WITH A WEAPON</b>	43	48	25
<b>SEXUAL ASSAULT</b>	6	10	10
<b>ATTEMPT HOMICIDE</b>	10	14	1
<b>HOMICIDE</b>	12	7	2
<b>ROBBERY</b>	25	35	40
<b>TOTAL</b>	<b>194</b>	<b>238</b>	<b>175</b>

### **PROPERTY CRIME**

<b>REPORTS</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
<b>ATTEMPT B &amp; E</b>	13	10	12
<b>BREAK AND ENTER</b>	49	36	50
<b>ATTEMPT THEFT</b>	0	6	8
<b>THEFT AUTO</b>	9	10	25
<b>THEFT FROM AUTO</b>	20	24	2
<b>THEFT OVER</b>	4	1	3
<b>THEFT UNDER</b>	25	36	65
<b>TOTAL</b>	<b>120</b>	<b>123</b>	<b>165</b>



## **OTHER OFFENCES**

<b>REPORTS</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
<b>DRUG OFFENCES</b>	74	44	26
<b>UTTER THREATS</b>	35	46	34
<b>MISCHIEF</b>	275	446	329
<b>LIQUOR LICENCE</b>	116	164	67
<b>TRESPASS</b>	2518	1985	1103
<b>*MISCELLANEOUS</b>	1622	2643	4743
<b><i>TOTAL</i></b>	<b><i>4640</i></b>	<b><i>5328</i></b>	<b><i>6302</i></b>

(\*The miscellaneous category is defined as any offence under the federal, provincial or municipal statute that is not specified under another statistical heading. It includes such offences as weapons offences, fraud offences, the *Dog Owners Liability Act*, offences against the administration of justice and *the Mental Health Act*).

## **NON – OFFENCES**

<b>REPORTS</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
<b><i>TOTAL</i></b>	<b><i>3264</i></b>	<b><i>4291</i></b>	<b><i>4187</i></b>

(The non-offence category consists of calls for service that includes providing access to residents, locating missing persons, providing medical assistance to injured persons, responding to calls regarding defective equipment, neighbour disputes, hazardous conditions, alarms sounding, insecure buildings and more.)

## **STATISTICAL OVERVIEW**

The violent crime reports have decreased from 194 in 2001, 238 in 2002 to 175 in 2003. Prior to the Special Constable status, security staff were limited in how they could investigate Criminal Code offences. Reports have illustrated that these issues are being dealt with at a level far beyond what has transpired traditionally.

We have also observed a decrease in drug offences and people trespassing in TCHC communities. We have a new Interim Trespass policy (Nov. 2002) which promotes a consistent and equitable way to work with non-residents. The increased presence of Special may also be acting as a deterrent to individuals who would normally be involved in anti-social behaviour

A further break down of Special Constable's activities during 2003 can be observed in the table in Appendix A. This table breaks down the number of arrests, charges, releases and warrants.

## **PARTNERSHIPS WITH LAW ENFORCEMENT AGENCIES**

TCHC Community Safety Unit maintains strong partnerships with Toronto Police. Many of our employees attend regular Community Police Liaison Committee meetings, Community Police Partnership meetings, resident group meetings such as the Jamestown Safe and Friendly Community and the Toronto Police Services Intelligence Committee meetings. These are just to name a few of the interest groups that our employees have contact with on a regular basis.

The Special Constable status has enhanced these relationships, and it enables us to identify new planning resources focused on problem solving methods to address resident concerns that exist in our communities.

The partnerships also lead to special initiatives. The operation of the initiatives described below are part of a larger network of law enforcement and community agencies that work together to help build stronger relationships and to create a safer environment.

### **Regent Park Initiatives**

Our officers that are detailed to the Regent Park community have always maintained a good relationship with the Toronto Police Service. Their Special Constable status has enabled them to work closely with the Toronto Police Service as well as respond to requests from Community Housing Managers to focus their attention on problem areas. Some of the initiatives below are just a few examples of the work that they have been able to perform as a result of their status.

In 2003, Special Constables have actively worked on a daily basis using a variety of early intervention and community development methods and programs with local Community agencies such as Pathways to Education, Regent Park Resident Council Revitalization Committee, Toronto Parks and Recreation, South Regent Park Community Center, Regent Park Resident Council Security Committee and 51 division Community Police Liaison committee .

Special Constables and TCHC Management Staff also engaged in active Community participation. In 2003 Special Constable Officers participated in several Community efforts to promote a safe and healthy Community.

Combined with promoting a professional image of the Special constable program for Regent Park and area neighbourhoods, Special Constables participated in -community events (i.e. The Cabbagetown Parade., Sunday in the Park and Block-O-Rama ) Duing such events, TCHC

residents and the community at large have the opportunity to meet and interact with Special Constable staff, ask questions and state concerns and learn first hand about the status, authority and limitations Special Constables have. Information booklets, various awareness pamphlets from emergency service numbers to general assistance are offered to those in attendance.

In 2003 Special Constable Officers started handing out pamphlets and actively promoting KID PRINZ, a compact identification kit that allows parents to keep a fingerprint record of their children, together with a current photograph for identification purposes should they become lost or in need of assistance. The attendance and participation of Special Constables at these community events has been a key component in the Special Constables being seen as a community based asset as well as having enhanced enforcement authority.

TCHC Special Constables, Toronto Police Community Response Officers and St Stephens conflict resolution agency jointly participated in Community outreach by attending local area Public and Catholic Schools as well as meeting with faculty, and students in efforts to assist with problems and concerns involving students who reside in Regent Park Communities or, problems originating at the Schools being taken into the Community .

Liaison with various local law enforcement Units such as , Toronto Police Gun Task Force, Toronto Police Gang Task Force, 51 Division Order Management Unit and 51 Division Community Response Unit have greatly increased the interest and uniformed presence of Special Constables and Police in the Regent Park Community.

Special Constables are relied upon as an integral source of information to tenants and staff due to their ongoing presence in the community. Their knowledge of the geographical area, the tenant population and their enhanced powers such as being able to act on Reasonable Grounds, has been an undeniable asset in making the area safer for tenants. The number of Criminal Charges, Provincial offences Tickets, Court Summons, Probation Orders, Liquor License Tickets that have been issued by Special Constables had a huge impact on making Regent Park a safer place to live.

Special Constable Officers and Property Management have combined their efforts to reduce and eliminate the ongoing problem of alcohol consumption in the community common areas. This effort was met with great success due to a combination of the following factors:

Identified all common areas of concern and documented incidents, occurrences of alcohol consumption noting the impacts of the activities upon the well-being of the community for further intervention by Special Constables and Property Management at a later date.

Signs prohibiting the consumption of alcohol were posted in all buildings and common areas in efforts to educate residents and visitors to the community of the prohibition and an information campaign conducted by Special Constables to make offenders aware of possible fines and or arrests for violations under the Liquor License Act.

It also allowed Special constables the ability to assist community members and general public by taking intoxicated persons to detox centers and assisting rather than charging alcohol addicted persons which was primarily a police function . This service also assisted in building partnerships with various community social based agencies and rehabilitation and detoxification centers .

The final step was the identification and charging of continued repeat offenders with in the Community's designated common areas with ongoing enforcement and education.

The combined efforts of the Special Constable Officers and Property Management have greatly reduced the illegal consumption of alcohol in the Community .

The combination of high visibility patrols in the active areas along with the assistance of Toronto Police has helped address the concern of purse snatching in the Community. Special Constables also worked with 51 Division in making several key arrests of 5 individuals . These individuals were suspected of being involved in the purse snatchings and similar robberies such as the robbery and assault on fast food delivery persons in and around the Community. Since the arrests of the suspects, purse snatches and similar type robberies have not been reported .

Toronto Police 51 Division Order Management Unit and Community Response Unit have also participated in special joint patrols in the Regent Park Community. They have requested that Special Constables attend 51 Division prior to conducting special attention Patrols in order to brief Police and Regent Park officers on what areas of concern the special patrols will be addressed.

These special patrols result in the arrest of wanted persons, removes threats to Officer's safety and generally assists the community by removing anti-social behaviour. Several divisions of Toronto Police such as the Order Management Unit and the Gun and Gangs Task Force have worked in Regent Park to conduct observations and gather information and intelligence before removing persons involved in crime.

Special Constables are recognised as being the influence bringing about this intervention by police thereby making the area a safer place for tenants to live. Several arrests of wanted people have taken place in large part as the result of Special Constable being able to identify and recognize "modus operandi" of several area drug dealers.

There have also been several documented incidents of Special Constable and Toronto Police working on a Community level in efforts to provide a higher level of community service. The following is just a few documented incidents that reflect the individual and team dedication to improving and maintaining a high quality of life and service delivery:

- 1) On Jan 5th Special Constable Officers encountered a group of area drug dealers in the lobby of a TCHC building. Upon investigation a male in the group became assaultive and was subsequently arrested for assault on 2 Special Constables. During the arrest of the suspect other members of the group intervened and helped the initial suspect to escape custody. Special Constables did not pursue the suspects as one male reached

into his jacket and appeared to be holding a weapon. Follow up investigations at 51 Division Toronto Police Detective office assisted by Police led to the identity and arrest and charge of all parties involved.

- 2) On Feb 20th Special Constables were on patrol and observed 2 teens loitering around the building in the early morning hours. Subsequent investigations revealed that both teens were in possession of burglary tools. Toronto Police were notified and as result of joint efforts, both arrested and charged, and it was revealed that they had been attempting to break into resident motor vehicles.
- 3) On March 22nd Special Constables were dispatched to a TCHC address to investigate a domestic dispute inside the unit between family members. Investigations by Special Constables revealed that an elderly female had been assaulted by a 15yr old male family member who was investigated / arrested and turned over to Toronto Police. Several charges were laid and conditions stipulated in order to prevent any re occurrence.
- 4) On April 14th Special Constables were given a series of threatening letters mailed to the Property Management Office by a TCHC resident. The content of the letters was very threatening and of major concern as it suggested that the resident was going to commit acts of arson in the building and target various resident and Staff. Toronto Police were advised and further investigations revealed that the suspect had mental health issues. Toronto Police Crisis Intervention team was advised and investigated the above matter in effort to assist the resident in dealing with his issues.
- 5) On June 27th a local drug dealer was shot at close range in the mid-torso area by another drug dealer who was struck by a shotgun blast and survived. TPS conducted a search for the individual responsible for wielding the gun but could not identify the shooter at that time. Days later the Special Constables determined the identity of the shooter and passed information onto TPS who were still actively searching for that person.
- 6) On July 6th Special Constable encountered a local youth female that was a well-known child prostitute. The girl was only known by an alias. Through diligent investigation and enquiries the real identity of the girl was established and it was revealed she was a 16-year-old runaway from Ottawa, Ontario. After learning of this, members of the Special Constable group got involved and the girl was eventually returned safely to her birth parents in Ottawa.
- 7) On August 28th Special Constables were called to assist TPS officers who had found an elderly handicapped tenant having problems standing up near the intersections of Gerrard and Broadview. Once the tenant was returned to his unit, Special Constables realized that the tenant was living in substandard conditions that posed a serious health hazard. Immediate intervention was needed. Special Constables were instrumental in assisting this tenant to a bottom floor apartment in a nearby building where access and coping would be much easier.

- 8) On September 14th Special Constables were directly involved in an investigation that encompassed the torture and eventual euthanasia of a raccoon. This animal wandered into a common area of a townhouse complex where it was beaten to death by a tenant. The incident was doubly traumatic because it was witnessed by several local youth. Together with TPS, Special Constables implemented an immediate awareness and education program regarding woodland creatures and their habits in and around the neighbourhood. A large part of this educational process involved bridging cultural differences in the community.
- 9) On October 14th Special Constables were involved in a purse snatching style robbery. Investigation by the Special Constables revealed the so-called victims were actually drug dealers and were in possession of one pound of cocaine in the car they were sitting in. Police were summoned and arrested four persons. It was later revealed that this drug seizure accounted for the largest single drug seizure in 51 Division.
- 10) On October 24th Special Constables encountered a 16-year-old male runaway from Montreal. After lengthy intervention and later TPS liaison the 16-year-old was reunited with his father in Hamilton, Ontario.
- 11) On November 7th Special Constables were approached by TPS Anti-Gang Intelligence Section to assist in identifying persons suspected in criminal activities and exchanging information. As a result of this and other meetings, the TPS Task Force was able to identify several serious threats to the community and arrests were made. A Letter of appreciation was received from the TPS Task Force.
- 12) On November 16th Special Constables were approached by a local teenage prostitute and drug addict who expressed she no longer wanted to be on the streets. She stated she was hungry and was being beaten up continuously by her pimp/boyfriend. She further stated that she was pregnant and had not slept for several days, and that she was "coming" down from her "crack cocaine high" in an unusual manner. Special Constables tirelessly telephoned social support agencies and were able to find a shelter for youth females on Spadina Road. The victim had just turned 18 years of age and admitted to having a past involving physical, sexual and emotional abuse.
- 13) On November 18th Special Constables were asked to escort police to a TCHC building because the police were executing a search warrant on a known drug unit which was being occupied by persons in possession of various firearms. The warrant recovered \$33K of drugs and evidence that one or more handguns had been inside the unit. Body armour was also recovered. The unit was found to have been sub-leased by area drug dealers who had reconstructed the unit into a music studio and were conducting a high volume of drug business. The original leaseholder was identified, located and signed off all rights to the unit, which was returned to TCHC stock to be leased to a person on the waiting list.

- 14) On November 25TH SPC'S encountered a group of unknown males loitering in the Stairwell of a TCHC building. After a short foot pursuit a gym bag was recovered. Inside the bag SPCs found a sawed off shotgun and ammunition. The weapon was handed over to Toronto Police by SCsts who secured the weapon until police arrived.
- 15) On December 12th Special Constables encountered a male person inside a stolen minivan containing a variety of stolen items. The male lied about his identity and attempted to struggle and resist arrest. He was taken to 51 Division where he was charged and the stolen minivan returned to the rightful owner. Further evidence found that the male suspect was connected with a series of other vehicle thefts and break ins.
- 16) On December 14th Special Constables were involved in a joint effort with TPS Guns and Gangs Task Force in an area associated with high drug trafficking. As a result of Special Constable information, a local dealer was arrested without incident .She was found to have about \$10K worth of crack cocaine on her person. Appropriate charges were laid.
- 17) On December 26th Special Constables received calls regarding tenants' autos being broken into and various items being stolen. Through diligent enquiries and investigative know-how, three males were later found in possession of burglary tools, backpacks and disguises in the very near vicinity. The arrests took place one hour after the original complaint was received.

There are many other ways that TCHC Special Constables have worked in partnership with Toronto Police Services. TCHC officers have been instrumental in providing the Toronto Police Service with information on individuals wanted for anti social activity. Our officers have also been instrumental in assisting the police in locating and removing these individuals from our communities.

## **COMMUNITY INVOLVEMENT**

Community Safety Unit in partnership with TCHC Property Management is committed to developing stronger partnerships with residents and stakeholders to promote a safe environment, community involvement and awareness. TCHC Special Constables regularly participate in numerous community-oriented events and security initiatives to improve the safety of persons residing or working in TCHC communities.

Some examples of this work are:

### **Summer Community Festivals**

During the summer months Community safety staff in conjunction with Community Housing Managers, residents and other interest groups annually organize and participate in resident appreciation barbeques and community festivals in many TCHC communities. Our officers

perform multiple functions during these events from volunteering in the organizing of the events to interacting with residents and staff.

### **Community Centre Christmas Fund Raiser**

Annually the Community Centre located in Regent Park holds a Christmas initiative to raise funds to assist the residents living in the Regent Park communities. Many TCHC Special Constables volunteered their personal time to raise money to buy toys, clothing and family baskets for the residents. The officers were also instrumental in obtaining donations from many TCHC Departments including the Security Services Unit.

### **Clothing and Toy Drive**

During the summer of 2003 TCHC Special Constables organized a clothing and toy drive for residents living in the Greater Toronto Area. The TCHC officers delivered a large room full of toys and clothing to four social services related agencies within the downtown area.

### **51 Division – Riverdale Farm Community Social**

In June, 2003 TCHC Special Constables attended the 51 Division community get together at Riverdale Farm, which is located just north of Regent Park. The officers interacted with over one hundred children from the Regent Park community. The event was a huge success.

### **Candle Light March and Vigil**

In March 2003, TCHC officers participated in a Candle Light March and Vigil at Thorncliffe Park Public school to mark the International Day for the Elimination of Racial Discrimination. The evening included several entertainers and guest speakers advocating for the end of racial discrimination in our society. TCHC officers joined together in partnership with police, community leaders and residents from across the city.

### **Rookie Ball**

Every year TCHC collects money donations and baseball glove donations, so that children from TCHC communities can play baseball. TCHC Community Safety Unit have always participated in this event. Many of them have volunteered their personal time by either standing at the gates at the Skydome trying to collect donations from people attending games or attending seasonal games to interact with the many children who participate in this event.



## **Albion Hills Conservation Park**

Every year many children who are TCHC residents attend a camp located at the Albion Hills Conservation Park. Our officers participate by interacting with the children and youth and volunteering their time to participate in many of the activities that take place.

## **Regent Park Revitalization**

TCHC Officers played an integral part during the communication phase of the plan to revitalize Regent Park by going to every Tenants door (2500) to deliver flyers and to speak to the Tenants about the plan to revitalize the Regent Part area. This was also an opportunity for all the tenants in Regent Park to meet and dialogue with the Special Constables about the Special Constable program.

## **TCHC Tenant Elections**

In June 2003, TCHC implemented a new Tenant Participation System by having Tenants vote for representatives for their communities. Again TCHC Officers played an integral part during the communication phase of the plan of the new Tenant Participation System by going to every Tenants door (2500) to deliver flyers and to speak to the Tenants about the Tenant Participation System. This was another opportunity for the tenants in Regent Park to meet and dialogue with the Special Constables about the Special Constable program.

## **Community and Charity Events**

TCHC officers have also always participated in community and charity events such as the Dave Stewart's Christmas party, the Torch Run for Special Olympics and Cops for Cancer.

The TCHC Security Services Unit has played an integral role in all of these events by promoting healthy lifestyles, drug awareness and community involvement.

## **PUBLIC COMPLAINTS INVESTIGATION**

During 2003 two complaints were lodged with Toronto Police Services Public Complaints Unit. However, neither complaint was against a Special Constable. Both complaints were classified as "service" complaints.

The first complaint was in the form of a letter sent directly to Toronto Police Complaints Bureau. The letter stated that the Toronto Police and TCHC Security are not doing their job and therefore crime is running rampant throughout the TCHC Community. The complaint was given to the appropriate TCHC Housing Manager to deal with.

The second complaint was also in the form of a letter sent directly to Toronto Police Complaints Bureau from a TCHC resident. The complaint was in regards to a parking violation. The complainant was issued a parking violation for an unroadworthy vehicle and explained the TCHC policy regarding parking of vehicles on TCHC property. The complainant claims that he was issued the parking violation because he is a visible minority. This complaint was unsubstantiated.

## **CONCLUSION**

TCHC Special Constables spend a great deal of their time working in and contributing to the safety and health of TCHC communities. This is accomplished either through organizing and/or participating in community events, enforcing legislation and conducting initiatives or by simply identifying problem areas and working with the Community Housing Managers to ensure that communities are made as safe as possible. It could be as simple as requesting improved lighting in some areas or conducting special attention patrols. The Special Constables work closely with the Community Housing Managers to deal with offence related problems that are happening in some communities. The statistics also illustrate that the officers spend a great deal of their time assisting residents and other staff with non-offence related issues such as, providing access or information, looking for missing persons, providing medical assistance, responding to alarms, neighbour disputes and much more.

The Special Constable Program has assisted TCHC during the year 2003 to provide enhanced security services to social housing communities. The increased educational resources provided to our Special Constables and the enhanced partnerships have enabled TCHC to more fully support the promotion of safe, secure and healthy communities.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P125. ANNUAL REPORT: 2003 SPECIAL CONSTABLES REPORT –  
UNIVERSITY OF TORONTO**

The Board was in receipt of the following report MARCH 28, 2004 from Julian Fantino, Chief of Police:

Subject: SPECIAL CONSTABLES ANNUAL REPORT 2003 - UNIVERSITY OF  
TORONTO (U of T) POLICE

Recommendation:

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

Background:

Section 45 of the agreement between the Police Services Board and the Governing Council of the University of Toronto (the University) regarding special constables states that:

The University shall provide to the Board an annual report with statistical information including but not limited to information as to enforcement activities, training, supervision, complaints and other issues of concern to the parties and such further relevant information as may be requested by the Board.

Please find attached the 2003 Annual Report from the Scarborough and St. George Campuses of the University of Toronto (U of T) Police regarding special constables.

It is therefore recommended that the Board receive the 2003 Annual Reports from the U of T Police for information.

Acting Deputy Chief David Dicks, Policing Support Command, will be in attendance at the meeting to respond to any questions that the Board may have.

**The Board received the foregoing.**



University of Toronto FACILITIES AND SERVICES

Police Services 21 Sussex Ave Toronto Canada M5S 1A1 Tel 416/ 978-2323 Fax: 4161978-1 099

March 22, 2004

Toronto Police Service  
Community Liaison,  
Special Constable Liaison Section  
40 College Street  
Toronto, Ontario M5G 2J3

2004.056  
**Community Liaison Unit**

Date Received : 04.03.24

Date Due : 04.04.06

Assigned to : M. Sgt. Barratt

Approved by : I. H. Hutt

Attention: Staff Sergeant Gordon Barratt

**Re: University of Toronto Police, St. George Campus, Annual Report 2003**

Dear Staff Sergeant Barratt; *Gord*

Attached please find the annual report of the St. George Campus, University of Toronto Police for the year 2003.

Please advise the date of the Board Meeting where this will be discussed and a member of the Service will attend to answer questions if there are any. An electronic copy was sent to you by email last week.

Yours truly,

Dan Hutt  
Manager, Police Services  
St. George Campus.



**UNIVERSITY OF TORONTO POLICE**  
**St. George Campus**

**ANNUAL REPORT**

**2003**

## **THE YEAR IN REVIEW**

The year 2003 was very active for the St. George Campus Police Service. In addition to managing and coping with the August 14 Blackout, the usual protests, demonstrations, VIP visits and increased calls for service from the community, a large number of proactive initiatives were undertaken.

The Police Service underwent significant changes in dispatch, record management and resource management systems in prior years. In designing the new facilities for the Police (occupied in February 2002), uninterrupted power supply was included for computer and radio communications systems, thus ensuring continued operation during power failures. The value of this decision was realized during the August blackout. University Police provided an operations centre during the whole period proving, that we can manage emergency response for extended critical incidents. However, we also learned the limit of the system.

### **Events of Note**

The University of Toronto Police Service were involved in many important events on campus throughout 2003. Of particular note were:

#### ***Remembrance Day Participation***

A highlight of the formal year for Campus Police is participation in the University's Remembrance Day ceremonies where we honour those who went to war and those who did not return.

#### ***The Blackout***

August 14, 2003 started one of the longest periods without electricity in the history of North America. Campus Police became the operations centre for managing the University's protection of its people and facilities. As power failed in fire and intrusion alarm systems, dozens of alarms were checked out. The most serious was when the North West Chiller Plant sprinklers activated as pressure dropped in the lines. Partial power was restored within 12 hours, approximately 15 minutes after the Campus Police UPS system failed.

A budget request has been submitted for 2004 to provide emergency power in addition to the UPS, extending system life to ten hours beyond the failure of the emergency power.

Heroic efforts were taken by all Facilities and Services staff, developing a team that ensured the University remained safe and secure.

#### ***Protests***

University Police managed 23 protests on Campus during 2003 without injury or arrests. The events that consumed the most time were the Canadian Federation of Students Days of Action Protests and protests and demonstrations at Governing Council and other university management board meetings.

#### ***Special Events and VIP Security***

The University continues to be a destination of choice for many internationally protected persons and prominent people. The Community Resource Unit is responsible for planning and co-ordinating special events and V.I.P. visits at the University of Toronto. In 2003 the C.R.U. was involved with a variety of events, including Peace Rallies, Governing Council meetings, Public Forums and Anti-War Marches.

In addition, security plans were drawn and implemented for the following V.I.P. visits:

- Right Honourable Brian Mulroney, February 2003.
- Israeli Cabinet Minister, Natan Sharansky, September 2003.
- Author and activist Norman Finkelstein, October 2003.
- His Excellency, Thabo Mbeki, President of South Africa, November 2003.

## **STAFFING**

The Campus Police Service has been reviewed internally and externally. Positions were developed for “civilian” personnel – those who do not require designation as a special constable, based on a successful pilot project with Communications Operators. With the installation of a CPIC terminal in August, the communications centre requires skilled workers with systems and critical thinking aptitude to manage the workload. Additional communications operators were added during 2003.

A Community Response Unit has been created and is staffed by two personnel, whose full time task is to provide specialized services, including investigations. Strategies are under development with Human Resources to minimize the impact of turnover at the St. George Campus but it has been consistent at approximately 25% per year for the past four years.

### **Workload Analysis**

Dr. Susan Woolfenden, QPM, PhD, Strategic Directions, reviewed the workload of the Campus Police Service and its staff scheduling practices. Her field of expertise is shift work and its effect on workers leading to shift designs that maximize efficiency and do the least harm to the worker. Her study focused on the work we do organizationally, the work schedule required to meet demand and its effect on the workers. The study found that the efficiency rating of the personnel in the service is as high as comparable organizations but that the shift schedule did not maximize the human resources available to do the work.

A shift schedule has been devised that examines all of the factors and is expected to be implemented in the early months of 2004.

### **Recruiting**

The Service continues to face significant challenges in the recruitment and retention of qualified staff. Municipal and other police forces are hiring significant numbers of new officers. Members of University Police with their background in community policing, experience and training are favoured candidates. The University must now compete in the same applicant pool for qualified personnel to provide the level of service expected by its students, faculty and staff.

Recruiting has become a constant activity at St. George Campus. Most prospective candidates for employment must have graduated from a recognized Community College Police Foundations program, a two-year Law and Security Diploma program or a recognized provincial police college. A combination of education and experience is accepted provided they successfully complete the University’s intake and training programs. The community college programs provide a solid foundation for campus policing, balancing social sciences, social awareness and police-related law with an intense focus on community policing. Most candidates have additional credentials to augment the minimum requirements.

Screening hundreds of applications, conducting numerous interviews and testing candidates resulted in adding the following new members to the service in 2003:

<b>Recruiting 2003</b>	
Special Constables	8
Station Operators	2
Communications Operators	2

### ***Recruit Training***

Recruits receive a core-training program when hired. During 2002, in-house staff delivered it. While the training was adequate, concerns about standards were shared with colleagues across Canada and Ontario. Working with all of the Colleges and Universities in the Province who are members of OACUSA (Ontario Association of College and University Security Administrators), a provincial standard for both security and special constable services has been developed. The first program was delivered in February 2003 after five weeks of in-class instruction.

The pilot course was delivered on-site at Centennial College, February 10th, 2003 to March 14th, 2003.

<b>OACUSA Pilot On-site Training Program 2003</b>	
<b>Course/Topic</b>	<b>Duration/Hou rs</b>
Campus Needs and Issues	3
Communications	24
Community Policing	24
Conflict Management	8
CPTED	8
Criminal and Civil Law	24
Customer Service	8
Diversity	8
Ethics	8
Interviewing, Investigation	24
Provincial Offences	16
Police Powers	32

A review was conducted of the program to determine its effectiveness and continuance. Based on the comments of the instructors and the candidates, a combination on-line and in-class course was developed. A second course was run in July. Through technology and training methods which support the training, the equivalent of two weeks of training for the core program and



three weeks for the advanced program have been put on-line. The on-line portion uses the same skilled instructors and is an interactive course.

The core program of the course is taken over a ten week period. It has been developed in modules, and is meant to be taken by students on available time.

<b>OACUSA Core On-line Training Program 2003</b>	
<b>Course/Topic</b>	<b>Duration/Hours</b>
Campus Needs and Issues and Conflict Management	45
Communications For Protective Services	45
Criminal and Civil Law For Protective Services	45
Investigation and Evidence For Protective Services	45
Issues in Diversity For Protective Services	45
Police Powers For Protective Services	45
Provincial Offences For Protective Services	45
Community Policing For Protective Services	45
Principles of Ethical Reasoning For Protective Services	45

The core on-site program is followed by one week at Centennial and the Advanced (special constable portion) is followed by a second week at the college.

<b>OACUSA Core On-site Training Program 2003</b>	
<b>Course/Topic</b>	<b>Duration/Hours</b>
Bail and Charged Persons	3
Bomb Threats	3.5
CPTED Practice for Protective Services	8
Cross Examination Skills	8
Customer Service for Protective Services	8
Interviewing for Protective Services	16
Police Powers for Protective Services	8
Principles of Ethical Reasoning for Protective Services	3
Sexual Assault for Protective Services	8

Once the intake-training program is complete, working under the guidance of an experienced constable or corporal for the first six months, recruits are assigned to increasingly more difficult tasks. The Coach Officer is responsible for ensuring that the recruit receives wide exposure to university policing situations, policies and procedures, and learns the physical campus.

## **STAFF DEVELOPMENT**

The University is committed to recruiting constables who have demonstrated high standards of achievement in their academic and previous work histories. It is also committed to providing an ongoing program that ensures knowledge and skills are pertinent, relevant and current in the University environment.

### **How Our Training Needs Are Determined**

Our training mandate is designed to meet the needs of the University in combination with directives from the Toronto Police Services Board, law, court decisions, Federal, and Provincial standards that follow current law enforcement trends. Our contract with the Toronto Police Services Board requires that training be maintained at a standard acceptable to the Board. The training program is developed through consultation with the community, other institutions and case debriefing of situations. The Service welcomes constructive comment from its clients. Recommendations from all levels of police personnel contribute to the process of designing the courses to meet the specific needs of the University police and the community. The training curriculum is designed to ensure a balanced mix of mandatory skills training, sensitivity to the University environment and practical field experience. The use of classroom lectures, seminars and participative in-group discussions approximate campus-policing situations. Campus resources are used whenever possible, but due to the unique style of policing that is required on campus, outside resources are occasionally used.

### **Core-Training Program**

Because law and procedures change with great frequency, members need to be kept current. Resources are drawn from the law, court decisions (which become law once accepted at the appeal levels), Federal and Provincial standards and current law enforcement trends. Every member attends refresher courses that provide up to date information. The program meets the standards set by the Toronto Police Services Board.

<b>Core Training Programs 2003</b>	
<b>Course/Topic</b>	<b>Duration/Hours</b>
Arrest and Release Authorities	12
Booking Procedures at 52 Division	1
Community Policing	24
Counterfeit Money Recognition	2
ENTERPOL Training	16
Environmental Protection	4
Fire Prevention	3
First Officer / Crime Scene Management	4
Insurance and Risk Management Issues	1
Interviewing, Investigation and Evidence	16
Interim Room Procedures	1
LGBTQ Community Issues	2
LGBT Police Issues	2
Media Relations	2
Non Violent Crisis Intervention	6
Note Book Entries	2
Police Service Excellence	8
Provincial Offences Act	1
Sexual Assault / Criminal Harassment/ Threat Assessment	4
Student Crisis Response/Community Safety Coordinator	3
Trespass To Property Act / Liquor Licence Act/ Mental Health Act	4
Understanding University Governance	2
Use of Force/Criminal Code (annual re-qualification is mandatory)	6
Use of Force Options (annual re-qualification is mandatory)	6
Work Place Harassment Prevention	2

### **Specialized Courses**

The Manager of Police Services receives numerous requests from members to attend courses in addition to the mandatory ones that are attended yearly (Core). The criteria used to select attendees is transparent. The member must have demonstrated an interest and above average skills in the course topic and the course must be job related or an identified community need. The information obtained from the course requested must be applicable to an existing community-policing program, or will assist in the development of a new one.

<b>Specialized Courses 2003</b>	
<b>Course/Topic</b>	<b>Duration/Hours</b>
Canadian symposium on Forensic DNA Evidence	6
Certified Mountain Bike Maintenance Course (IPMBA)	40
Coach Officer Course (Toronto Police Service)	24
Community Policing Management Program (CPMP)	32
CPIC Query Narrative Course	24
Crime Prevention through Environmental Design (CPTED)	40
Crime Prevention through Social Development (hosted by Ryerson)	80
Defensive Driving Skills	16
Honeywell EBI Training	36
ENTERPOL	20
Scenes of Crime Officer	80
Symposium on Issues in Search and Seizure Law in Canada	6
Young Offender Act Update	4

### **Instructor Development**

In some instances, it is cost effective to train our personnel to be the instructors in specific job-related skills. The scope of these courses provide selected members with the skills needed to train adults in such areas as Officer Safety, First Aid/CPR, Rape Aggression Defence [RAD] and Police Mountain Bike Operation. During the past year, qualification was obtained as outlined below. All qualifications are renewed as required by the specific disciplines.

<b>Instructor Development 2003</b>	
<b>Course/Topic</b>	<b>Duration/Hours</b>
The Ontario Association of Police Educators Conference	40
Police Mountain Bike Instructor (IPMBA)	40

### **Training for the Future**

Courses are being developed to deal with Mental Health Issues and Alternatives, Policing a Diverse University Community, University Policy on Sexual Harassment and Human Rights and the Student Code of Conduct. Additional training is being developed on Risk Management, the Fire Code, Occupational Health and Safety Investigation including workplace accidents and dispute resolution through mediation. The service will train every member as a first responder to emergency situations such as fires, floods, chemical and explosive threats, based on the Incident Command System as modified for policing, during the second half of 2004.

## COMMUNITY POLICING

Community-Based Policing is a proactive approach to crime prevention and safety awareness that places much of the emphasis and initiative for safety in the hands of the community. University Police are committed to meeting the needs of the community and acting as partners in establishing and maintaining a safe and secure environment. The Community Safety Coordinator's position, in particular, is responsible for coordinating ongoing education and outreach initiatives directed at improving personal safety and security on campus, and for the coordination of the university's personal safety program.

### Crime Prevention Programs

- **Operation Provident Program** is designed for business to serve as a deterrent to theft of property by providing a means of identifying property and returning recovered stolen property to the owner;
- **Operation Property Identification** is a program designed to discourage theft of valuables from an office or residence;
- **Bicycle Registration Program** is offered to the University Community in deterring bicycle theft by allowing the University Police to verify the ownership of a bicycle. The bicycle registration program works in conjunction with the Toronto Police bicycle registration program;
- **Date Rape Drug** information and education training for women;
- Graffiti Alert Program was introduced to identify and reduce graffiti on campus;
- **False Alarm Reduction Program** is designed to reduce the false intrusion alarms through co-operation and education.
- **Safety Awareness Week** is a community project initiated by the University of Toronto Police Service. The focus of the event is to promote safety, security and services to the community. The project was initiated in 2000 and has grown yearly. It is a full week of events incorporated with maximum community involvement. The week ends with a pancake breakfast on the steps of Sidney Smith Hall and a bicycle safety check on St. George Street.
- The **Working Alone Service** is provided by the University Police and is available to all members of the community who work on the campus during the quiet hours of the evening, weekends and statutory holidays.
- Five officers are **CPTED** (Crime Prevention through Environmental Design) certified to conduct vulnerability and threat assessments for the University. Using architectural drawings, on-site visits and consultation with architects, engineers and the end users, practitioners provide advice to avoid creation of areas "friendly" to crime. The assessments evaluate not only existing university structures, but also new construction and renovations. This process addresses security needs quickly and effectively. CPTED audits were conducted on various residences and buildings at the request of users and managers.

- **The Safety Audit Program** is designed to assist people who want to feel safer in their space and who are prepared to do something towards achieving that goal. Safety Audits are about improving the physical environment in ways that will reduce the opportunities for crime through community development.
- **Building Watch Program** is a partnership program, organized by the University Police and coordinated by building occupants. The program's objectives are to create an awareness of criminal activities in the building, and to encourage all building occupants to become more responsible for the overall safety and security of their building. The service hosted two fraud seminars for cashiers and managers of campus businesses. Businesses include faculties, franchisees and directly operated university and student organizations. The Business Watch Program is a partnership program offered to help reduce crime and increase personal safety awareness for businesses and their employees.
- **On-line safety and security material** available to the community include: Safety Audit Guideline, How to use 978-2222 Emergency Service, Safer Campus Survey, Violence Management Guide, Guide to Crisis, Response and Management, How to stop criminal harassment, Dating Abuse Prevention, Cyberstalking, A Guide to Suicide Prevention, etc.

## **COMMUNITY INVOLVEMENT**

Members of the Police Service recognize the importance of participating in the community through the initiation and support of a variety of special events and fund raising campaigns.

- Volunteering officers represented the University Police at the PRIDE parade, Cops for Cancer, Special Olympics and Police Week at Nathan Phillips Square, Golf Tournament for the United Way;
- Participating in students' orientation week events;
- Participated in safety and security awareness for students living off campus. University Police met with the guardians and students living at the 89 Chestnut Residence.
- Membership on the 52 Division Community Police Liaison Committee
- Development and delivery of personal safety seminars, self-defence and protective skills courses for members of the campus community.
- Issued Community Advisory alerts to the community.
- Participated in the Student Leaders Orientation Training. Provided information to attendees on their responsibilities to hold safe orientation events and inoffensive "scavenger hunts".
- Emergency Procedures Guide has been designed to provide a basic manual for the University community to prepare for campus emergencies through planned responses.

## **PERSONAL SAFETY EDUCATION**

Personal safety and crime prevention education has the potential to improve the safety of community members, thereby enhancing the quality of their campus life. To improve safety through education and awareness of crime, the University of Toronto Police provided a variety of programs to the University community. These programs targeted significant topics ranging

from personal safety/crime prevention strategies to teaching women how to defend themselves. Programs include:

- Coordinating, scheduling and promotion of self-defence/protective skills course for community members.
- Facilitating Non-violent Crisis Intervention Courses for staff members
- University of Toronto Police web site features information on police programs, services, campus safety and security features and Campus resources
- RAD (Rape Aggression Defence) training for women is provided through the Athletics program and is designed to reduce victimization of women.

### **WALKSAFER STUDENT PATROL SERVICE**

The University of Toronto WALKsafer Service is designed to provide a safe and reliable on-campus escort to students, staff, faculty and visitors after dark. The primary goal of the WALKsafer Service is to enable people to travel from one campus location to another, with a sense of security and without fear of harassment, intimidation, verbal abuse, or assault. WALKsafer teams patrol campus buildings, check campus emergency phones, report suspicious behaviour to the University police, and check exterior lighting on a regular basis.

The WALKsafer Service employs approximately 15 University of Toronto students as patrollers. A hiring committee screens patrollers before being employed. Patrollers work in pairs (at least one of whom is a female) and may be identified by University of Toronto photo cards and distinctive jackets worn while on duty. They are in radio contact with the University of Toronto Police. The WALKsafer Service operates from September to the last day of regular classes, five days a week, from 7:00 p.m. to 12:00 a.m. but service is adjusted to meet demand. At other times, University Police will provide escorts as time and availability permit.

<b>WALKsafer Service</b>	
Walks/Escorts	690

### **BIKE PATROL**

The University of Toronto Police bike unit was initiated in the summer of 1992. At that time, eight officers were trained and issued bike patrol equipment. Today, all but five members have been trained and equipped. The bike unit has proven to be an efficient form of patrol on the St. George campus. Its advantages are accessibility to off-street paths and trails, quicker response time (in cases of heavy vehicular traffic or foot patrol), and cost advantage (fuel and maintenance). There are two Police Bike Instructors at St. George campus. Both instructors have received International Police Mountain Bike Association (PMBA) instructor training. As qualified instructors, most of the classes taught are to new recruits of the University of Toronto Police although, outside agencies are welcome and do attend for the course. Some of these agencies include: University of Guelph Police, Carleton University Security, York University Security and CN Police.

## **COMMUNITY SAFETY COORDINATOR**

The Community Safety Coordinator is responsible for coordinating ongoing education and outreach initiatives, directed at improving safety on campus, and for the co-ordination of the university's personal safety programmes. The Community Safety Coordinator works closely with other University offices including, the University Police; the University's other Equity Officers, Counselling and Learning Skills Service, Human Resources Department, and the Office of Student Affairs. This year the Community Safety Coordinator dealt with approximately 90 cases. The office has increased the number of in referrals each of the last four years. Referrals were initiated by:

- Individuals experiencing a threat to their personal safety;
- By supervisors concerned about the safety of an employee or concerned about the behaviour of an employee that posed a potential or actual threat to others; and
- By people who, although not in a supervisory role, were concerned about the safety of others.

As part of the Police Service, the Community Safety Coordinator is a valuable resource to the campus community. The issues dealt with in this office include self-defence courses, criminal harassment, critical incident response and on-going support, information and referrals. We are able to provide a holistic approach to situations requiring more than a law enforcement approach.

The Community Safety Coordinator reports separately to the University Affairs Board.



## CASE MANAGEMENT

With the introduction of an investigative capability within the Community Resource Unit, the Service is better able to respond to the needs of the University community when crimes occur on campus. There are two full-time members assigned to the unit.

A large part of the case management function requires the service to manage cases once a charge is laid and the matter is before the courts. To ensure we meet the standards expected by the courts, all cases are managed centrally. Additionally, crimes reported to us are investigated in conjunction with Toronto Police investigators. The chart below details the work done by the Community Resources Unit.

<b>Case Manager Statistics</b>	<b>2003</b>
<b>Offences</b>	
Property	37
Persons	127
Vehicles	0
Suspects Arrested	59
SOCO Jobs	10
Other Investigations	98
<b>Crime Scene Information</b>	
Fingerprints Found	2
Photos Taken	13
Other Evidence Seized	16
<b>Cases Managed</b>	
Release at Scene	14
Release to Police	12
Provincial Offence Tickets	36
Other releases	28

As science and technology become more common and practical tools for crime solving, practitioners must be prepared to use it to advantage. Two members of the service are qualified Scenes of Crime Officers (SOCO) who attend crime scenes for the purpose of retrieving forensic evidence (DNA, fingerprints, distinctive fibres, footprints or tool marks). An additional two members will be trained in 2004.

All scenes of crime on campus are the responsibility of the Toronto Police Service once reported to them. In every instance, a SOCO is requested from Toronto Police. If there is no SOCO available or they decline to examine the scene forensically, a member of UTP staff will attend to conduct the examination. In 2003, ten scenes were examined forensically and fingerprints were found at two scenes. Additional scenes were photographed after Toronto Police conducted the examination. A number of instances where an investigation is necessary for risk management purposes but are not reported to Toronto Police were also attended.

## **COMPLAINTS**

The University of Toronto Police received three letters of complaint during 2003.

Complaint 1, 2003 –a conduct complaint involving two Special Constables investigating three individuals outside a restaurant that bordered the campus boundary. A complaint was lodged by one of the individuals but was later withdrawn.

Complaint 2, 2003 – a conduct complaint involving one Special Constable during a ‘Walk Safe’ Program home escort. The complaint, investigated by the UTPS, was unsubstantiated.

Complaint 3, 2003 – a complaint of conduct and allegations of assault against two Special Constables at a paid duty event at the Art Centre. Because of the criminal allegations, the complaint was turned over to the Toronto Police Service. The investigation is still on going

## STATISTICAL OVERVIEW

<b>Incident Types</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
Break and enter	33	45	30	49	65
Robbery	3	3	2	5	1
Theft Over \$5000	28	20	27	31	18
Theft Under \$5000	929	927	763	358	507
Theft Bicycles	92	68	67	128	145
Possess stolen property	4	3	39	2	0
Disturb Peace	14	23	28	23	5
Indecent Acts	14	16	13	18	11
Mischief/Damage	25	11	51	132	88
Other Offences	148	68	67	44	48
Arrest Warrants	47	42	28	7	16
Sexual Assaults	3	7	4	4	2
Assault	20	22	35	30	23
Impaired Driving	0	0	1	0	0
Harassment/Threatening	34	51	35	55	16
Homophobic/Hate Crimes	15	8	4	4	2
Homicide	1	0	1	0	0
<b>Crime Occurrences</b>	<b>1410</b>	<b>1314</b>	<b>1195</b>	<b>890</b>	<b>947</b>

<b>Other Activity</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
Alarms	182	200	254	456	768
Fire Alarms				161	314
Assist other police	0	0	1	53	122
Assist Community Member	0	59	120	783	928
Community Services	1	0	11	136	132
Disturbances				121	164
Demonstrations/Protests				22	23
Inv. Suspicious Persons	0	0	41	372	404
Inv. Suspicious Circumstances	0	0	37	210	272
Trespasser Charged	38	29	40	141	46
Trespasser Cautioned	159	114	123	109	64
Medical Assistance	153	148	116	184	135
Insecure Premises	9	5	8	47	54
Motor Vehicle Collision	18	15	21	36	33
Mental Health Act	0	0	2	11	12
Suicide/Attempt Suicide	1	0	3	4	1
Sudden Death	0	0	1	2	2
Fires				12	14
Building Patrols				7373	6859
Underground Garage Patrols				585	717

In addition to services provided under the authority of a Special Constable, University Police provide security services and support to the community. The Operations Centre has become a clearinghouse for after-hours emergency calls and is the Campus Fire and Intrusion Alarm Systems monitoring centre. The number of installed alarms on campus has grown during the past three years and at the same time, so have false alarms.

Many of the changes noted in statistics are indicative of the role expected of the Service and our ability to keep accurate records. 2002 is the first full year of operation using the records management system purchased in 2001. Scarborough Campus commenced using the system in mid-2003. As the system matures, statistical reporting and comparisons will become more meaningful.

After September 11, 2001, a sharp increase was noted in the number of calls being received about circumstances and people that made our community uncomfortable. It was expected that this would return to levels experienced before that day. There has not been a decrease but rather it continues to grow. More community members are reporting harassment and threatening behaviours. University Police encourage early reporting rather than waiting until the situation has become out of control. Without diminishing the seriousness of the behaviour, it is noted that more cases have less serious consequences.

Sharp increases in reports of suspicious persons and activity categories are indicative of the number of trespassers charged and cautioned. It should be noted that unless a trespasser refuses to leave the property the first time University Police deal with them, they are all cautioned and only those who return after a caution are charged. A significant decrease is noted in the number of trespassers who are cautioned and a similar decrease in the number subsequently charged, despite a significant increase in the cases of suspicious circumstances and persons investigated.

While the campus community had enjoyed a decrease in thefts in 2002, an increase is noted in 2003. There has been a significant increase in break and enter offences. The most significant increase is in the value of personal property stolen, including the theft of bicycles. Despite the best efforts of the library patrol staff, unattended property continues to be stolen in the libraries.

### Monetary Values Reported

	1999	2000	2001	2002	2003
<b>THEFTS</b>					
U of T	\$ 214,700	\$ 106,400	\$ 178,892	\$ 359,881	\$ 383,703
Personal Property	\$ 264,700	\$ 384,100	\$ 321,734	\$ 185,194	\$ 304,704
<b>MISCHIEF</b>					
U of T	\$ 50,600	\$ 12,200	\$ 39,917	\$ 107,833	\$ 46,655
Personal Property	\$ 7,800	\$ 1,400	\$ 6,089	\$ 2,572	\$ 9,875
<b>RECOVERY</b>					
U of T	\$ 9,000	\$ 15,600	\$ 960	\$ 1,638	\$ 3,000
Personal Property	\$ 31,700	\$ 6,600	\$ 3,483	\$ 35,237	\$ 27,115

A Special Constable Service

# **ANNUAL REPORT 2003**

**1265 Military Trail**

**Toronto, Ontario**

**M1C 1A4**

**Tel: 416-287-7398**

**Fax: 416-287-7641**

**E-Mail: [police@utsc.utoronto.ca](mailto:police@utsc.utoronto.ca)**

**<http://www.utsc.utoronto.ca/~police/>**

# **TABLE OF CONTENTS**

<b>The University of Toronto at Scarborough</b>	<b>1</b>
<b>The University of Toronto Police at Scarborough</b>	<b>1</b>
<b>Mandate/Purpose</b>	<b>2</b>
<b>Department Rank Structure</b>	<b>3</b>
<b>Community Based Policing at Scarborough</b>	<b>4</b>
<b>Campus Safety Programs</b>	<b>4,5,6</b>
<b>Community Participation</b>	<b>7,8</b>
<b>Keeping The UTSC Community Informed</b>	<b>9</b>
<b>Training</b>	<b>10</b>
<b>Complaints</b>	<b>11</b>
<b>2003 Statistics</b>	<b>12</b>
<b>Statistics – A Four Year Comparison</b>	<b>13</b>
<b>Statistical Overview</b>	<b>14,15</b>
<b>Monetary Values</b>	<b>16</b>
<b>Training Initiatives 2003</b>	<b>17</b>
<b>Parking Enforcement</b>	<b>18</b>

**UNIVERSITY OF TORONTO AT SCARBOROUGH**

The University of Toronto at Scarborough is one of the University's two suburban campuses, and one of its nine colleges. UTSC provides its students with the amenities of an internationally renowned university in a small, friendly academic community. Established in 1964, the campus is located on the east end of the City of Toronto.

UTSC's interconnected buildings house modern laboratories, lecture halls, seminar rooms, a computer centre linked to the University's downtown computing facilities, a multimedia language resource centre, a greenhouse, an astronomy observatory, and much more. Originally an integrated part of the University's Faculty of Arts and Science, in 1972 UTSC became a separate arts and science division of the University of Toronto which allowed it more independence in curriculum development. Located on 300 acres of parkland, UTSC is one of Canada's most beautiful and picturesque campuses.

With a population of approximately 8035 full and part-time undergraduate students and 562 staff and faculty, Scarborough has its own distinctive character. UTSC student residences are divided into four phases consisting of 114 townhouses and 59 apartment suites accommodating approximately 767 students and visitors year-round.

**UNIVERSITY OF TORONTO POLICE AT SCARBOROUGH**

The University of Toronto at Scarborough Police has, as its primary responsibility, the safety and security of the University community.

The UTSC Police Service consists of the Manager, an Assistant Manager, three Corporals, and eight Constables. All officers are sworn special constables and act under the authority of the Ontario Police Services Act to enforce federal and provincial statutes and municipal by-laws on University of Toronto property. Officers also enforce certain University and parking regulations.

UTSC Police are on duty 24 hours a day, seven days a week and patrol the campus property by foot, bicycle and car. The purpose of these patrols is to enhance personal safety, to prevent property crime, and to monitor for fire and other hazardous conditions on campus. The UTSC Police office is located at the main entrance of the Science Wing.

UTSC Police coordinate community relations programs, provide speakers, answer inquiries on matters of law enforcement, advise on personal safety and security and other related topics. UTSC Police also coordinate the UTSC Student Patrol, which operates from September to April. This service is available to all students, staff, faculty and visitors and, as well as being a safer alternative to walking alone at night, the patrollers are also responsible for building checks and general foot patrols.

## **PURPOSE/MANDATE**

### **PURPOSE**

The University of Toronto Police at Scarborough are dedicated to creating a safe and secure working and living environment for students, staff, faculty, and visitors as they go about their academic work and extracurricular activities.

### **MANDATE**

In fulfilling this purpose, UTSC Police work with the community in a police-community partnership developing programs and conducting activities which contribute to safety and security on campus and delivering police services, as follows:

- personal safety
- protection of property
- conflict resolution
- maintenance of public order
- community service and referral
- emergency response assistance
- crime prevention and detection
- enforcement of the criminal code and selected provincial and municipal statutes and University policies and regulations, as appropriate

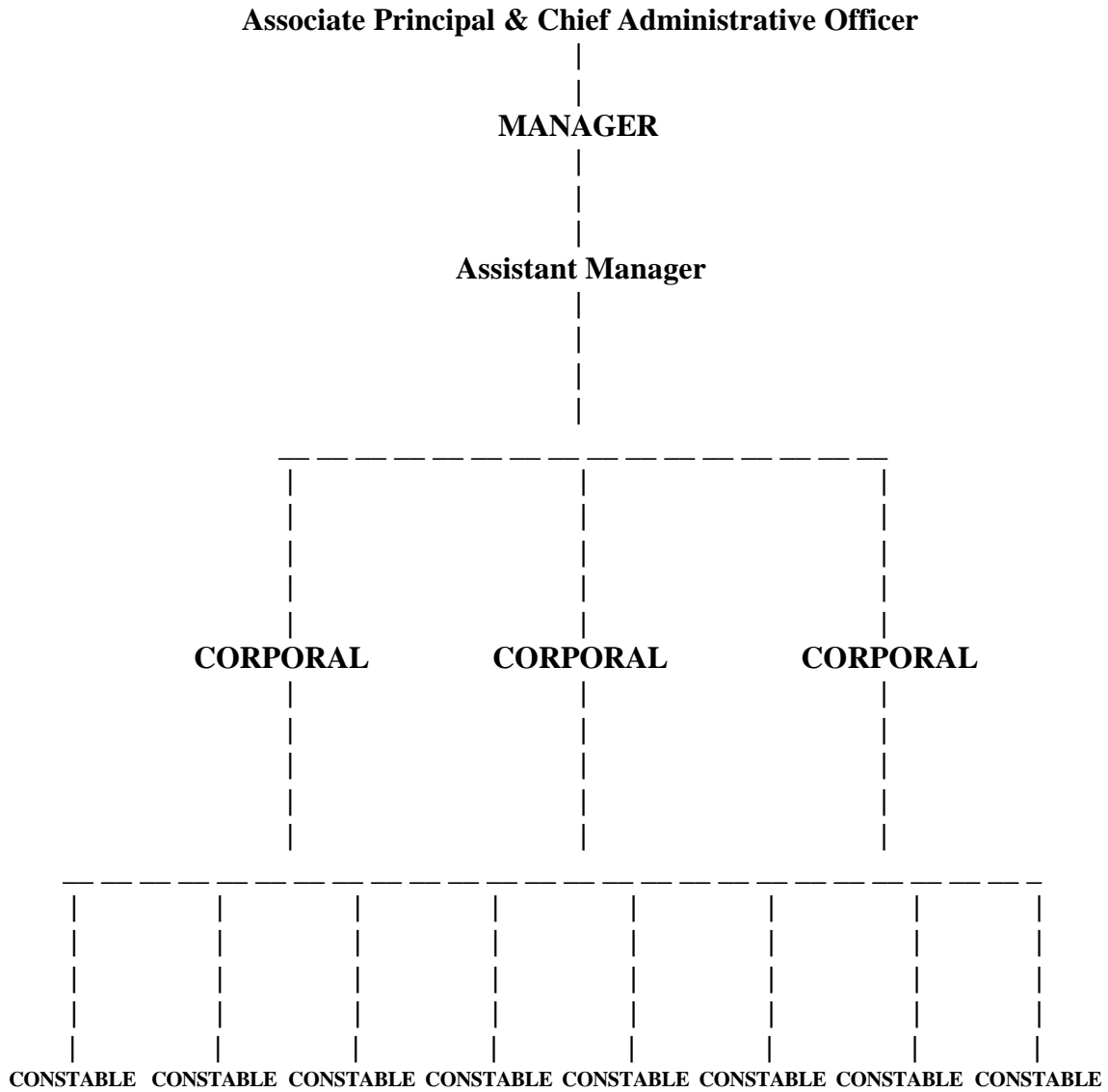
### **VALUES**

In meeting this mandate, the actions of the UTSC Police will be guided by the following principals and values:

- respect for the dignity, worth, and diversity of all persons
- fair and impartial treatment of all individuals
- an approach to policing that welcomes and encourages community involvement
- a departmental philosophy that promotes safety and security as a responsibility of all members of the community
- reliability
- competence
- accountability
- teamwork and open communication



## DEPARTMENT RANK STRUCTURE



## COMMUNITY-BASED POLICING AT SCARBOROUGH

Community –Based Policing is a proactive approach to crime prevention and safety awareness that places much of the initiative for safety in the hands of the community that the officers serve. UTSC Police are committed to meeting the needs of the community and acting as partners in maintaining a safe and secure environment. The community based policing philosophy at UTSC was adopted to establish a working relationship with all segments of the campus community and to enhance the department’s ability to serve the community. This philosophy encourages UTSC Police officers to get to know their community and to act as community problem solvers.

The following campus safety programs are operated or organized by the UTSC Police Service:

- **RideSafer Service** - operating year-round, the service transports community members by shuttle bus to and from the outer parking lots in the evenings during the academic year.
- **UTSC Patrol** - operated during the academic year, the service uses student patrollers working in pairs to escort community members to or from any campus location or nearby public transit stops during the evenings. Patrollers are also responsible for checking identification and ensuring that campus users are part of the UofT community. Patrollers also report hazardous conditions such as lighting defects or icy walkways found on campus to the Facilities Management Division for repair.
- **Lone Worker Program** - initiated during the 1998 academic year, the program allows staff & faculty on campus to “check in” with the Police Service while working after hours.
- **Emergency Locating Service** - operating since 1996, the service allows community members to register their schedule with UTSC Police to assist in locating the registered person in the event of an unforeseen emergency.
- **Residence Watch** - like Neighbourhood Watch, this program involves the residence community in crime prevention and the reporting of suspicious persons or circumstances and raises awareness of such issues.
- **Safety Audits** - performed upon request and in response to renovations or as new situations arise, audits are done and recommendations are made with respect to the safety of people and property. This year, safety audits were conducted on campus emergency phones, traffic safety, the summer science outreach camp and the 4<sup>th</sup> level of the Science Building.
- **Car-Booster Battery** - UTSC Police maintain a number of battery packs for sign-out to assist persons with dead car batteries.

- **Anti-Graffiti Program** - Initiated in 1998 in response to a growing concern about the damage caused by graffiti, the program raises awareness on campus among community members through advertising and enforcement.
- **Student Orientation Events** - UTSC Police provide an officer to sit on the planning committee to assist in ensuring that safety considerations are adequate during the Orientation week.
- **Residence Advisor Training** – UTSC Police participate in the annual Residence Advisor training providing resource material and an introduction into services available. Emphasis is made on sexual assault response and to Rohypnol (the “Date Rape Drug”) and alcohol abuse issues.
- **Attend Residence Advisor Meetings** – Officers meet with Residence Advisors regularly and discuss safety related issues.
- **Fire Safety Committee** - Members participate in the quarterly Fire Safety Meeting with other Facilities Services personnel and with the Fire Safety Consultant to discuss matters relating to Fire Safety. In addition, UTSC Police prepare a Fire Safety Report for the consultant detailing events of interest to ensure that appropriate attention and follow-up.
- **Emergency Telephone Monitoring and Response** - UTSC Police monitor and respond to calls placed from the 31 emergency telephones on campus. In addition, UTSC Police print and distribute emergency telephone number stickers to all internal telephones on campus and maintain a telephone number location directory to assist in responding to emergency calls.
- **Alarm Monitoring and Response** - Several intrusion and panic alarms are monitored internally by UTSC Police. These alarms and others (monitored by contract companies) are all responded to by UTSC Police when activated.
- **Information Bulletins, etc.** – UTSC Police keep the community informed about campus incidents and news using various methods. Safety Maps are printed as needed for distribution (ongoing) and a web site is maintained.
- **“Call Police” Highway Signs** - signs are distributed each September to promote safety while traveling and to assist in the introduction of community members to UTSC Police personnel (by attracting visitors to displays, the Police Office, etc.)
- **Student Crimestoppers** – UTSC Police work in partnership with the University community and encourage students to come forward with information regarding criminal activity. This program is designed to bring students, the community and police together to create a harmonious and safe learning environment.
- **Crisis Response Team** - includes the Manager of Police Services for UTSC. Police personnel notify the team as required in response to serious emergencies.

- **Interim Room** - UTSC Police assist victims as needed in finding safe emergency shelter, including an Interim Room at UTSC.
- **General Police Patrol** – UTSC Police maintain a high visibility status on campus through the use of uniformed mobile, foot and bicycle patrols. Officers routinely report lighting and grounds defects, enforce fire route and smoking by-laws and investigate safety complaints in addition to their other duties.
- **Advisory Board on Campus Safety and Security** - meets at least 4 times yearly since 1992 to discuss Policing and related security issues on campus. Committee involvement from faculty, administration, student groups and staff members ensure that there is representation from all segments of the community.
- **Student Leaders Orientation Training** - Organizers attend a seminar about “non-offensive” scavenger hunts and events and receive information about safety during Orientation.
- **Underground Newspaper Safety Articles** – Officers prepare safety related articles which are printed in the Underground student newspaper. The articles relate to safety issues, matters of law enforcement and crime prevention techniques.
- **Orientation Presentations** – UTSC Police provide officers to speak with Orientation leaders. Officers answer safety related questions and advise leaders on safety related issues.
- **Fatal Vision Goggles** – Alcohol awareness seminars are conducted by UTSC Police using Fatal Vision Goggles to simulate alcohol impairment. Students perform various functions while wearing goggles that impair their sense of perception, similar to alcohol.

## COMMUNITY PARTICIPATION

**Traffic Safety Program** - Traffic Safety Program to increase the safety of the campus for all users. UTSC Police increased mobile patrols and investigated motorists for various traffic safety related occurrences on campus.

**Cops For Cancer Head Shaving Event** – UTSC Police officers participated in the Cops For Cancer Head Shaving Event in April. This was the 3<sup>rd</sup> annual head shave event on campus held in the Meeting Place at the University of Toronto at Scarborough. The event was attended by students, staff, faculty and visitors and all funds raised were donated to the Canadian Cancer Society.

**Law Enforcement Torch Run** – UTSC Police participated in the Law Enforcement Torch Run held in Toronto. Officers participate annually in this event. Money raised by officers was donated to the Special Olympics Fund.

**Community Safety Booths** – UTSC Police officers participated in many Community Safety Booths on campus, providing crime prevention and personal safety awareness tips to members of the University of Toronto at Scarborough community.

**Child Safety Seat Coalition** – UTSC Police have one officer trained as a child safety seat inspector. The officer, as part of the Child Safety Seat Coalition, attends day long child safety seat clinics throughout the city of Toronto.

**UTSC Police Ride-Along Program** – This program gives community members the opportunity to patrol with a UTSC Police Officer. It provides participants an opportunity to learn about the UTSC Police, its functions, personnel and the department policies and procedures.

**Crime Prevention Through Environmental Design (CPTED)** – Two UTSC Police Officers are certified to conduct vulnerability and threat assessments for the campus. Using architectural drawings, on-site visits and consultations with architects and engineers, practitioners provide advice to avoid creation of areas that could be considered “crime friendly”. The assessments evaluate both existing on campus sites as well as new construction and renovation sites. This process addresses security needs quickly and effectively.

**Ontario Police Officer Memorial** – UTSC Police officers attended and participated in the annual march to Queens Park Circle.

**Sparky's ABC's of Fire Safety** – UTSC Police officers attended the N'Sheemaehn Child Care Centre and provided a nationally recognized program on Fire Safety to children of various ages.

**Advisory Committee on Safety and Security** – A UTSC Police officer sits on this committee and represents the Service.

**Fire Safety Committee** – A UTSC Police officer sits on this committee and represents the Service.

**Health and Safety Committee** – A UTSC Police officer sits on this committee and represents the Service.

## **KEEPING THE UTSC COMMUNITY INFORMED**

- Development and delivery of personal safety seminars to various divisions, departments or student groups on campus. This service is available to all members of the campus community.
- Issued Community Advisory alerts to the campus community through the use of designated bulletin boards.
- Participated in the hiring and training of Residence Advisors for the Student Housing and Residence Life office.
- Prepared a handbook entitled Guide To UTSC Police Services and Community Partnership Programs. This handbook is available to all community members and can be obtained from the UTSC Police office.
- UTSC Police website features information on police programs, services, campus safety and security and campus resources.
- Campus wide e-mail distribution informing or advising the UTSC community of recent crime patterns, alerts and/or public safety notices.
- Door-to-door canvassing in the student residences alerting students to potential offenders seen within the campus residence community.
- Co-Ordinate Student Crime Stoppers by publicizing various crimes and seeking the assistance of the community in solving them.

## TRAINING

Our training is designed to meet the needs of the UTSC community in combination with directives from the Toronto Police Services Board. Our contract with the Toronto Police Services Board requires that training be maintained at a standard acceptable to the Board. The training program is developed through consultation with the community, other institutions and debriefing of situations. Recommendations from all levels of police personnel contribute to the process of designing the courses to meet the specific needs of the UTSC Police and the community. The training curriculum is designed to ensure a balanced mix of mandatory skills training, sensitivity to a University environment and practical field experience. The use of classroom lectures, seminars and the participation of in-group discussions approximate campus-policing situations. Campus resources are used where possible, but due to the unique policing challenges on a campus setting, outside resources are occasionally used as well.

Most prospective candidates for employment must have graduated from a recognized Community College Police Foundations program or a 2-year Law and Security program or be a graduate from a recognized police college which provides a solid foundation for campus policing. A combination of education and work experience is acceptable provided the candidate meets all other recruiting conditions. Most candidates have additional education or work experiences that augment the minimum requirements.

New recruits receive a core-training program when hired. The recruits attend Centennial College for a ten week on-line training program. This is followed by one week in-house training at UofT and then two weeks in-class back at Centennial College. Working with all the Universities in the Province who are members of OACUSA (Ontario Association of College and University Security Administrators) and employ Special Constables, a provincial standard for special constable services has been developed. Once the training is complete, new recruits work under the guidance of of an experienced constable or corporal for the first six months. The Coach Officer is responsible for ensuring that the recruit receives wide exposure to university policing situations, understands the policies and procedures and learns the physical layout of the campus and its buildings.

The UTSC Police Service is committed to recruiting constables who have demonstrated high standards of achievement in their academic and previous work experiences. It is also committed to providing on-going training that ensures knowledge and skills are pertinent, relevant and current in the University environment.

Please see the Training Initiatives on page 17 for a list of training course/sessions attended by UTSC Police Officers.



## **COMPLAINTS**

There were no formal complaints received by UTSC Police in the year 2003.

## 2003 STATISTICS

INCIDENT TYPE	2003
Break and Enter	2
Robbery	1
Theft Over \$5000	11
Theft Under \$5000	59
Theft Of Bicycles	0
Disturb Peace	6
Indecent Acts	2
Mischief/Damage	48
Warrants	1
Sexual Assaults	2
Assaults	7
Assault Police	1
Harassment/Threatening	19
Fail To Stop	18
Liquor License Act	3
Provincial/Municipal By-Laws	8
Drugs	2
Counterfeit Money	10
Fraud	1
Arson	1
Trespass By Night	2
False Alarm Of Fire	1
Other Criminal Code (not listed)	3
<b>TOTAL</b>	<b>208</b>
Other Activity	2003
Alarms	252
Fire Alarms/Fires	38
Assist Other Police	3
Inv. Suspicious Persons	16
Inv. Suspicious Circumstances	13
Inv. Suspicious Vehicles	2
Trespass Caution (including vehicle moving violations)	156
Trespass Charge	34
Medical Assistance	55
Insecure Premise	14
Motor Vehicle Collision	12
Mental Health Act	2
Suicide	1
Attempt Suicide	3
Miscellaneous	4
WalkSafe Escorts	978
I.D. Checks	2515
<b>TOTAL</b>	<b>4098</b>

## STATISTICS - A FOUR YEAR COMPARISON

## CRIME AND OCCURRENCE REPORTS

REPORTS	2002	2001	2000	1999
<b>OCCURRENCE TYPE</b>				
• Assaults (all except Sexual)	6	8	2	4
• Sexual Assaults	0	1	0	1
• Threats/Harassment	17	11	21	9
• Theft - UofT Property	11	14	15	9
• Theft - Personal Property (Except Bikes)	73	61	33	40
• Theft - Bikes/Bike parts	0	0	1	1
• Break, Enter and Theft	18	2	6	6
• Mischief (Damage) – UofT	34	44	19	15
• Mischief (Damage) – Personal	11	7	10	14
• Trespass (Cautioned)	145	151	37	11
• Trespass (Charged)	38	32	5	6
• LLA	2	15	19	16
• Municipal (By-Law)	29	9	8	33
• Other Criminal Code	51	54	98	50
<b>TOTAL:</b>	<b>435</b>	<b>409</b>	<b>274</b>	<b>215</b>
<b>NON-CRIME OCCURRENCES</b>				
• Personal Injury/Sickness	44	39	38	32
• Property Related	311	177	154	151
<b>TOTAL:</b>	<b>355</b>	<b>216</b>	<b>192</b>	<b>183</b>

## STATISTICAL OVERVIEW

In April of 2003, UTSC Police began using the Enterpol Record Management System. 2002 was the first full year of operation using this RMS on the St. George campus and it proved to be efficient and beneficial. As the system matures at UTSC, statistical reporting and comparisons will become more meaningful. Enterpol has provided the ability to link dispatch services between the St. George and Scarborough campuses, providing a more reliable and professional response from Scarborough officers. Officer safety has been improved as members of UTSC Police can now advise a dispatcher of their activities. Community safety has also been increased as the St. George Communication Centre is staffed 24 hours a day and dispatchers have direct communications with UTSC Police officers on the road.

In addition to services provided under the authority of a Special Constable, UTSC Police provide security services and support to the campus community. The number of installed intrusion alarms has increased this year, and so have false alarms (252 in 2003). Construction on campus has changed the look of UTSC. This has affected traffic safety on campus as some parking lots have become smaller and roadways more heavily used. Traffic safety remains a priority to the UTSC Police and enforcement has been increased. A Traffic Safety Week is planned for early 2004 to educate the campus community and instill a level of comfort for motorists and pedestrians alike.

The UTSC Patrol Service, formally called the WalkSafer Service, took on additional responsibilities in 2003. The student patrollers, paid employees of the UTSC Police Service, are now responsible for checking identification of persons found using UTSC facilities. Construction on campus has drastically reduced study space, therefore causing problems with non-students using the facilities. UTSC students have been instructed to display their UofT student identification when studying or using the facilities on campus. Those not displaying identification are asked to leave the campus by the student patrollers. The patrollers performed 2515 identification checks from September through December of 2003 as well as escorted 978 community members to various locations on campus after dark.

There was little change in the theft of UofT property between 2002 (\$4,380 loss value) and 2003 (\$3,545.00 loss value). UTSC staff and faculty have become more aware of their surroundings, ensuring that labs, offices and other areas are locked when not in use. Suspicious people or activity is reported to the UTSC Police and investigated by officers immediately, reducing the possibility of break-ins. Building checks have been increased for a higher visibility of uniformed officers in campus buildings. The presence of UTSC student patrollers has also been a deterrent to criminal activity as the patrollers are uniformed and can communicate directly with UTSC Police officers, advising of suspicious people or activities. Statistics indicate a significant increase in the theft of personal property on campus, \$55,041.00 in 2002 and \$174,237.00 in 2003. The monetary increase can be attributed to vehicle thefts from campus parking lots.

In early October 2003, a number of parking lots were renovated with new and improved parking control gate arms. The new parking control system requires motorists to use a proximity card to enter and, more importantly, exit the lots. Since the implementation of the proximity card system, UTSC did not experience any thefts of autos from these lots.

Although mischief to property reports remained relatively low, just 48 reports in 2003, the monetary loss value decreased dramatically. In 2002, a total of \$37,355.00 was lost due to damages caused to both UofT and privately owned property. In 2003, a loss value of just \$7,792.00 was reported to the UTSC Police. Many of the mischief related reports on campus are of a minor nature and loss values are moderately low. Increased building checks, mobile/foot and bicycle patrols, as well as the presence of the UTSC Patrol personnel all contributed to a higher degree of uniformed presence and the reduction of property damage.

In 2002, UTSC Police recovered stolen property totaling \$2,000.00. In 2003, a total of \$47,566.00 was recovered. This increase can be credited to the recovery of a number of stolen vehicles from campus parking lots by UTSC Police officers.

In 2003, UTSC Police investigated 3 suicide attempts on campus. All of the victim's recovered and received professional help and counseling using UTSC and other resources. In July of 2003, a suicide victim was found on campus in a wooded area. The victim was not a UofT student or affiliated with the University in any way. The Toronto Police Service investigated this occurrence.

**MONETARY VALUES**

<b>CATEGORY</b>	<b>2003</b>	<b>2002</b>
<b>THEFT:</b>		
- UofT (including losses due to Break and Enters)	<b>\$3,545.00</b>	<b>\$4,380.00</b>
- Personal Property	<b>\$174,237.00</b>	<b>\$55,041.00</b>
<b>MISCHIEF:</b>		
- UofT	<b>\$4,382.00</b>	<b>\$15,680.00</b>
- Personal Property	<b>\$3,410.00</b>	<b>\$21,675.00</b>
<b>RECOVERY:</b>		
- UofT	<b>\$320.00</b>	<b>\$0</b>
- Personal Property	<b>\$47,566.00</b>	<b>\$2,000.00</b>

## UNIVERSITY OF TORONTO POLICE SERVICE

## TRAINING INITIATIVES

Course/Topic	Duration
Basic Recruit Training	13 weeks
Advanced Special Constable Training Program	2 weeks
Use of Force Re-qualification	8 hours
MLEO Certification Training	8 hours
MLEO Re-certification Training	4 hours
MLEO Manager's Certification Training	4 hours
Standard First Aid	2 days
Basic Rescuer CPR	4 hours
Toronto Police Live Link Video Training	Varied
<b>WHIMS Training</b>	1.5 hours
Emergency Preparedness	16 hours
Advanced Dream Weaver	8 hours
Crime Prevention Through Environmental Design (C.P.T.E.D.)	1 week
Sexual Diversity Training	4 hours
Gang Investigators Conference	24 hours
Advanced Driver Training	16 hours
Issues and Themes in Police Leadership (OPC)	8 hours
Sexual Harassment Training	2 hours

Instructor Development Programs	DURATION
First Aid/CPR Instructors Certificaton	32 hours
Rape Aggression Defense Instructor Certification	1 week
Non-Violent Crisis Intervention Instructor Certification	1 week

**PARKING ENFORCEMENT 2001**

<b>PARKING ENFORCEMENT</b>	<b>CHARGED</b>
<b>PARKING TICKETS ISSUED AT UTSC</b>	<b>3333</b>



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P126. ANNUAL REPORT: 2003 CORPORATE & COMMUNITY DONATIONS**

The Board was in receipt of the following report MARCH 29, 2004 from Julian Fantino, Chief of Police

Subject: ANNUAL REPORT - 2003 CORPORATE & COMMUNITY DONATIONS

Recommendation:

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

Background:

At its meeting of March 26, 1998, the Board approved a report from the Chief of Police regarding a policy with respect to the acceptance of donations to the Service and requested that regular updates be provided to the Board for its information. (Board Minute #113/98 refers). Acceptance of donations valued at more than one thousand five hundred dollars (\$1,500) require the approval of the Police Services Board. Acceptance of donations valued at one thousand five hundred dollars (\$1,500) or less requires the approval of the Chief of Police.

Please find attached a chronological listing of all request submitted for the period of January 1, 2003 to December 31, 2003.

A total of eleven (11) requests were received, all of which were approved.

All donations accepted were in compliance with the criteria as outlined in Service Procedure 18-08, entitled Donations governing corporate and community donations.

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

**The Board received the foregoing.**

**CENTRAL DIRECTORY  
2003**

Donor	Purpose	Decision & Date
Community Investment Group of Enbridge Commercial Services	Donation of the Towne Crier and The Neighbourhood Database Software System valued at \$6,612.50 (taxes included) for the No. 33 Division Community Policing and Crime Prevention initiatives.	Approved by: Norman Gardner, Chairman, Toronto Police Services Board, January 30, 2003. (Board Minute #P9/03 refers).
The American Trucking Association & The Ontario Trucking Association	Donation of entrance fees for three (3) officers to attend the 2003 Claims/Loss Prevention & Security Annual Conference & Exhibition. Also donation of the cost for the accommodation of two (2) rooms for four (4) nights at \$99.00 (US) per night. The total cost was approximately \$800.00 (US).	Approved by: Chief Fantino on March 17, 2003.
Microsoft Canada	Donation of the following: 20 Windows 2000 Pro Operating System, 20 Windows XP Pro Operating System, 1 Small Business Server 2000 Operating System, 4 Small Business Server (5) Clients Operating System, 2 Windows 2000 Server Operating System, 3 Windows 2000 Server (10) Clients Operating System and 20 Office XP Pro Business Productivity Software valued at \$66,565.45 including taxes to support computer forensic examination and internet investigation of child sexual exploitation.	Approved by: Norman Gardner, Chairman, Toronto Police Services Board on March 7, 2003. (Board Minute #P83/03/ refers).

**CENTRAL DIRECTORY  
2003**

Donor	Purpose	Decision & Date
The Toronto West Community Awareness and Emergency Response (CAER) Committee	Donation of two (2) new Pentium IV computers, along with two (2) new printers and maintenance contract to 22/23 Divisions valued at approximately \$5,000.00.	Approved by: Norman Gardner, Chairman, Toronto Police Services Board on April 30, 2003. (Board Minute #P134/03 refers).
Mr. & Mrs. D. Burnside	Donation of \$1000.00 to be used towards the purchase of a new police Service Dog.	Approved by: Chief Julian Fantino on July 9, 2003.
Mothers Against Drunk Driving	Donation of Three (3) Alcotest 7410 GLC Roadside Screening Devices valued at \$4,467.00 (taxes included).	Approved by: Acting Chair, Gloria Lindsay Luby, Toronto Police Services Board on July 14, 2003.
Microsoft Canada	Donation of \$25,000.00 from Microsoft Canada Corporation towards the cost of hosting the 2003 International Conference on Exploited Children.	Approved by: Acting Chair, Gloria Lindsay Luby on July 2, 2004. (Board Minute #P212/03 refers).
York Lions Club/Mount Dennis Lions Club/Weston Lions Club & the Weston Community Police Partnership Office	Donation of \$800.00 from the York Lions Club, \$500.00 from the Mount Dennis Lions Club, \$835.00 from the Weston Lions Club and \$1,330.00 from Weston Community Police Partnership to be used towards the purchase of the Radar Speed Board.	Approved by: Chief Julian Fantino on August 21, 2003.
The Fairlawn Neighbourhood Centre (FNC)	Donation of computer and software valued at \$3,201.39 (including taxes) for No. 32 Division Crime Prevention Program.	Approved by: Acting Chair, Gloria Lindsay Luby, Toronto Police Services Board on September 18, 2003. (Board Minute #P244/03 refers).

**CENTRAL DIRECTORY  
2003**

Donor	Purpose	Decision & Date
Police Mounts of Camelot	Donation of "Blue Moon" Police Horse: Grand Prize awarded to the Toronto Police Service Mounted Unit valued at approximately \$10,000.00 U.S.	Approved by: Acting Chair, Gloria Lindsay Luby, Toronto Police Services Board on October 27, 2003. (Board Minute #P303/03 refers).
Mothers Against Drunk Driving	Donation of \$5000.00 for the Toronto Police Service R.I.D.E. spot checks.	Approved by: Acting Chair, Gloria Lindsay Luby, Toronto Police Services Board on December 1, 2003. (Board Minute #P19/03 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P127. ANNUAL REPORT: 2003 PUBLIC SECTOR SALARY DISCLOSURE**

The Board was in receipt of the following report MARCH 10, 2004 from Julian Fantino, Chief of Police:

Subject: 2003 PUBLIC SECTOR SALARY DISCLOSURE

Recommendation:

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

Background:

In accordance with the *Public Sector Salary Disclosure Act, 1996*, the Toronto Police Service is required to disclose the names, positions, salaries and taxable benefits of employees who were paid \$100,000 or more in a year. This information is submitted to the City of Toronto Finance Department to be included in a corporate report filed with the Ministry of Municipal Affairs and Housing.

In 2003, seventy-six (76) staff, whose base salary is normally under \$100,000, earned over \$100,000. This is forty-four (44) more staff than reported in 2002. These earnings were the result of their combined base salary and premium pay (see Attachment A for details). Several factors have contributed to these individuals reaching the legislated disclosure level:

- The SARS Relief/Rolling Stones concert and the August 15 blackout required additional premium pay to police these events. The SARS Relief/Rolling Stones event required a significant amount of planning and the involvement of officers from across the Service to police this event. The August 15 blackout was an unanticipated event that required overtime and callback.
- The majority of the premium pay earned by the officers relates to court attendance. The implementation of proactive and enforcement strategies by the Service usually translates into the requirement for court attendance by an officer. Prior to the court attendance, there is a significant amount of work in case preparation, disclosure and trial preparation.
- The Solicitor General RIDE Program and Community RIDE are externally funded programs and do not impact the Service's budget. However, officers sign up to perform duties for these programs during off duty time, and as a result, earn premium pay.
- The following items highlight some of the 2003 occurrences/initiatives that generated the workload above and affected officers across the Service:

- The 11.5 hour compressed work week pilot project
- Special projects (e.g. Project Karton, Project 8T)
- Complex homicide cases (e.g. Holly Jones, 15 year old Terrence Ali, Tamil youth gang shooting)
- Cecilia Zhang abduction investigation
- Gangs and Guns task force
- Street Violence task force
- Domestic violence investigations

As part of the Chief's monitoring and control mandate, the Toronto Police Service has established aggressive strategies to control premium pay expenditures. For example, overtime incurred must be of an emergent nature, be authorized by a Supervisor, and reported to the Unit Commander daily. Unit Commanders are responsible and accountable for the controllable costs such as premium pay. During the monthly variance reporting process, a review of the actuals against the budget figures is provided to each Unit Commander to assist them in identifying problems so that corrective action may be taken.

Unit Commanders receive the appropriate information to access and further control or curtail undue increases by:

- Monitoring officer court attendance;
- Reducing police witness attendance, where possible;
- Requesting staff to use lieu time to avoid large cash payouts.

However, it is difficult to foresee overtime for special events as these costs are estimated based on past experiences, and are subject to change. In many cases, overtime court attendance is not within the control of TPS, but controlled by outside sources. Based on our experiences, officers appearing in court do not get to testify a majority of the time, but TPS is required to pay the callback minimum.

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

**The Board received the foregoing and requested Chief Fantino to provide a report to the Board for its May 27, 2004 meeting on whether or not he had identified any specific issues with regard to the 2003 disclosures.**

**PUBLIC SECTOR SALARY DISCLOSURE ACT**  
**Employees Paid \$100,000 or More in 2003**  
**TORONTO POLICE SERVICE**  
 Prepared Under Public Sector Disclosure Act

<b>Name</b>	<b>Position</b>	<b>Salary Paid</b>	<b>Taxable Benefits</b>	<b>Notes</b>
Abbott, Michael	Detective	101,040.19	187.85	Includes regular salary plus special pay from acting, court, lieu paydown, overtime, statutory holiday worked.
Andrew, Nelson	Detective	101,961.67	189.28	Includes regular salary plus overtime, callback, acting, court time, lieu paydown, shift bonus and statutory holiday worked.
Angle, Brian	Detective	101,259.67	189.28	Includes regular salary plus special pay from call back, overtime, court time, lieu time paydown , statutory holiday worked and shift bonus.
Babiar, John	Detective	113,831.73	187.29	Includes regular salary plus overtime, callback, court time, lieu pay down, shift bonus and statutory holiday worked.
Bamford, John	Superintendent	122,995.73	7,024.96	IncludesRtdsfz regular salary plus taxable benefit for vehicle use and life insurance coverage
Barwell, David	Detective	111,502.13	188.73	Includes regular salary plus special pay from court time, lieu paydown, shift bonus and statutory holiday worked.
Bell, Daniel	Detective	107,497.10	186.81	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus and statutory holiday worked.
Berger, Brian	Detective	105,426.73	189.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Black, Marinella	A/Manager, Compensation and Benefits	110,045.07	320.54	Amount represents regular salary plus taxable benefit from life insurance coverage
Blair, William	Staff Superintendent	136,006.56	7,725.88	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Bockus, Cory	Detective	102,735.31	207.48	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Boyd, Michael	Deputy Chief	187,298.92	9,217.24	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Brar, Satinder	Inspector	109,003.82	361.85	Amount represents regular salary plus taxable benefit from life insurance coverage
Breen, Francis	Staff Inspector	106,158.63	7690.53	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage

Briggs, Ian	Sergeant	101,108.35	187.85	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown and shift bonus.
Brown, Allen	Detective	108,915.67	189.29	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked.
Bruce, Leslie	Staff Inspector	110,104.81	7,444.23	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Bryson, Lawrence	Staff Sergeant	106,682.30	208.52	Includes regular salary plus special pay from overtime, callback, lieu paydown, shift bonus and statutory holiday worked.
Buck, Christopher	Detective	108,007.28	207.08	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, and shift bonus.
Burks, Charles	Sergeant	101,688.31	186.81	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus and statutory holiday worked.
Califaretti, Sandra	Manager, Financial Management	114,778.69	265.06	Amount represents regular salary plus taxable benefit from life insurance coverage
Campbell, Donald	Inspector	105,057.58	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Canepa, Antonio	Plainclothes Constable	104,318.82	177.97	Includes regular salary plus special pay from overtime, court time, lieu paydown and shift bonus.
Cashman, Gerald	Detective	119,416.96	206.98	Includes regular salary plus special pay from overtime, callback, acting, lieu paydown, shift bonus and retro pay.
Cenzura, Kenneth	Superintendent	122,815.92	7,926.72	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Chen, Francis	Chief Administrative Officer	186,908.71	9,678.13	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Ciani, Maria	Manager, Labour Relations	123,250.53	284.90	Amount represents regular salary plus taxable benefit from life insurance coverage
Clarke, Robert	Superintendent	112,921.14	7,780.27	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Clifford, Ronald	Detective	108,506.39	188.63	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown , shift bonus and retro pay.
Comeau, Alan	Detective	121,913.75	207.48	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus and retro pay.
Cook, Olga	Inspector	108,072.00	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Corrie, Anthony	Superintendent	114,948.23	8,708.26	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage



Cotgreave, Wayne	Superintendent	122,815.92	284.66	Amount represents regular salary plus taxable benefit from life insurance coverage
Cowley, George	Inspector	102,207.62	331.44	Amount represents regular salary plus taxable benefit from life insurance coverage
Crawford, Christian	Inspector	103,520.90	334.68	Amount represents regular salary plus taxable benefit from life insurance coverage
Crawford, Paul	Inspector	105,014.62	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Cristofaro, Angelo	Director, Finance & Administration	134,951.31	446.50	Amount represents regular salary plus taxable benefit from life insurance coverage
Curtin, Helen	Manager, Customer Service	109,679.01	253.29	Amount represents regular salary plus taxable benefit from life insurance coverage
Dalziel, Thomas	Staff Inspector	110,104.81	11,289.65	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Davis, Karl	Staff Inspector	110,104.81	9,242.08	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Decaire, Glenn	Staff Inspector	106,278.80	347.76	Amount represents regular salary plus taxable benefit from life insurance coverage
Dennis, John	Superintendent	122,985.73	13,228.53	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Derry, Kim	Staff Superintendent	126,536.30	9,145.05	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Dick, Jane	Superintendent	118,921.05	10,178.82	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Dicks, James	Staff Inspector	107,043.63	8,196.52	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Dicks, William	Staff Superintendent	135,692.53	8,692.45	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Duchak, Michael	Detective	100,066.94	189.28	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday pay.
Dunstan, Douglas	Detective	101,221.96	187.85	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked.
Durancik, Stephen	Police Constable	106,356.58	169.13	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Dziemianko, Staislaw	Plainclothes Constable	100,109.02	175.36	Includes regular salary plus special pay from overtime, callback, court time, shift bonus statutory holiday worked and non permanent plainclothes.

Earl, Michael	Detective-Sergeant	107,135.95	208.52	Includes regular salary plus special pay from overtime, callback, lieu paydown, shift bonus.
Ellis, Gary	Staff Inspector	107,938.07	3,902.36	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Ellis, Michael	Manager, Facilities Management	107,240.08	329.28	Amount represents regular salary plus taxable benefit from life insurance coverage
Ellison, William	Inspector	100,300.37	269.45	Amount represents regular salary plus taxable benefit from life insurance coverage
Erwick, Dale	Detective	101,052.85	187.85	Includes regular salary plus special pay from overtime, court time, lieu time paydown, shift bonus and statutory holiday worked.
Evans, Bryce	Detective-Sergeant	106,932.97	208.12	Includes regular salary plus special pay from overtime, callback, lieu paydown and shift bonus.
Fairman, Paula	Manager, Compensation & Benefits	123,250.53	406.57	Amount represents regular salary plus taxable benefit from life insurance coverage
Fantino, Julian	Chief of Police	238,192.59	729.40	Amount represents regular salary plus taxable benefit from life insurance coverage
Farrar, Michael	Staff Inspector	106,075.65	7,323.59	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage.
Faul, Leonard	Inspector	101,552.90	273.08	Amount represents regular salary plus taxable benefit from life insurance coverage
Federico, Michael	Staff Inspector	109,622.01	6,934.19	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Ferguson, Stephen	Detective	100,350.56	189.28	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown ,shift bonus and retro pay.
Ferguson, Hugh	Staff Sergeant	101,393.10	208.12	Includes regular salary plus special pay from overtime, callback, acting, lieu paydown, shift bonus and retro pay.
Fernandes, Selwyn	Staff Inspector	110,104.81	5,961.38	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Forde, Keith	Superintendent	122,815.92	6,951.18	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
French, Martin	Detective	100,763.41	189.28	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus, statutory holiday worked and retro pay.
Gauthier, Richard	Staff Inspector	109,622.01	8,574.28	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Gauthier, Helen	Inspector	102,187.59	313.64	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage

Genno, Robert	Inspector	105,057.58	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Getty, Shawn	Detective	109,650.80	187.85	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, and shift bonus.
Gerry, Daryl	Sergeant	102,559.13	189.28	Includes regular salary plus special pay from overtime, callback, acting, court time, shift bonus statutory holiday worked and retro pay.
Gibson, William	Director, Human Resources	149,163.15	8,659.93	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Gilbert, Emory	Staff Superintendent	135,692.53	7,111.45	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Giroux, Gary	Detective-Sergeant	109,934.45	208.52	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, and shift bonus.
Goebell, Nad	Police Constable	102,043.61	167.83	Includes regular salary plus special pay from overtime, callback, coach officer pay, court time, lieu paydown, and shift bonus.
Gordon, Robert	Detective	106,295.34	189.28	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown, shift bonus and statutory holiday worked.
Gottschalk, Paul	Superintendent	122,985.73	10,654.72	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Grady, Douglas	Inspector	102,502.49	241.80	Amount represents regular salary plus taxable benefit from life insurance coverage
Grant, Stephen	Superintendent	118,423.50	9,891.66	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Grant, Gary	Staff Superintendent	128,178.86	7,793.64	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Grosvenor, Susan	Staff Inspector	110,104.81	9,594.58	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Haines, Keith	Sergeant	103,119.98	188.63	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown and shift bonus.
Halman, Darren	Sergeant	112,617.27	186.81	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus, service pay and retro pay.
Hanlon, Graham	Detective	103,655.44	189.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Harris, Stephen	Staff Inspector	110,104.81	8,509.79	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Hayes, Daniel	Staff Inspector	103,864.90	1,685.91	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage

Hegney, Edward	Staff Inspector	110,104.81	6,901.45	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Henderson, Norman	Fleet Administrator	123,124.16	406.33	Amount represents regular salary plus taxable benefit from life insurance coverage
Holdridge, William	Superintendent	122,985.73	8,541.19	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Hoey, Stanley	Superintendent	122,842.93	9,365.18	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Howes, Peter	Manager, Information Access	104,759.86	342.99	Amount represents regular salary plus taxable benefit from life insurance coverage
Hussein, Riyaz	Detective	105,773.38	186.81	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown, shift bonus, statutory holiday worked and service pay.
Jones, Douglas	Plainclothes Constable	104,449.65	174.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus, statutory holiday worked, service pay and non permanent plainclothes pay.
Karklins, Imants	Police Constable	102,604.73	167.83	Includes regular salary plus special pay from overtime, coach officer pay, court time, lieu paydown and shift bonus.
Keller, Darson	Detective	105,057.58	340.23	Includes regular salary plus special pay from acting, call back, court time, lieu time paydown, overtime, retro pay and shift bonus
Kijewski, Kristine	Director, Corporate Planning	123,124.16	406.33	Amount represents regular salary plus taxable benefit from life insurance coverage
Kinsman, Kenneth	Inspector	103,520.90	334.68	Amount represents regular salary plus taxable benefit from life insurance coverage
Kulmatycki, Joel	Detective	111,615.38	186.81	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and service pay.
Lawrence, Charles	Manager, Training and Education	113,112.25	372.54	Amount represents regular salary plus taxable benefit from life insurance coverage
Lum, Soon	Plainclothes Constable	107,000.10	177.19	Includes regular salary plus special pay from overtime, callback, court time, shift bonus and statutory holiday worked.
Macchiusi, John	Manager, System Operations	114,821.55	377.37	Amount represents regular salary plus taxable benefit from life insurance coverage
Marks, David	Inspector	105,013.67	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Margetson, John	Plainclothes Constable	104,150.76	176.02	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and service pay.
Martin, Kathryn	Detective-Sergeant	104,515.08	207.48	Includes regular salary plus special pay from callback, court time, overtime and shift bonus.

Matthews, Raymond	Sergeant	103,904.89	189.28	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown and shift bonus.
Mason, Martin	Sergeant	101,302.98	189.28	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown and shift bonus.
McCourt, Walter	Inspector	104,965.81	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
McDonald, John	Detective	100,576.18	187.85	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown and shift bonus.
McGuire, Jeffrey	Inspector	102,211.86	331.44	Amount represents regular salary plus taxable benefit from life insurance coverage
Mellor, John	Superintendent	122,935.45	10,376.68	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Monaghan, Cecil	Detective	108,952.04	189.28	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown, shift bonus and statutory holiday worked.
Munroe, Bartley	Superintendent	114,980.98	9,250.90	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Murray, David	Detective	101,514.92	187.45	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Neadles, William	Detective	103,770.32	208.52	Includes regular salary plus special pay from overtime, callback, acting, court time shift bonus and retro pay.
Page, Howard	Detective	109,803.39	188.03	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown , shift bonus and retro pay.
Paproski, Glenn	Superintendent	122,985.73	9,372.00	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Parkin, James	Superintendent	122,985.73	8,910.42	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Peden, Wayne	Inspector	105,111.98	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Perlstein, Dan	Program Manager, Wireless Net	114,811.51	265.06	Amount represents regular salary plus taxable benefit from life insurance coverage
Perry, David	Detective-Sergeant	104,954.11	208.52	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Pilkington, Roy	Superintendent	118,921.05	7,656.88	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Pitts, Reginald	Detective	100,380.04	208.52	Includes regular salary plus special pay from overtime, callback, court time and shift bonus.

Power, Bernard	Inspector	105,430.92	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Pye, Norman	Inspector	101,329.07	264.47	Amount represents regular salary plus taxable benefit from life insurance coverage
Pyke, Donald	Detective	105,407.24	189.28	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked.
Qualtrough, Robert	Inspector	105,057.58	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Ramer, Donald	Inspector	103,520.90	334.68	Amount represents regular salary plus taxable benefit from life insurance coverage
Raybould, Brian	Inspector	102,861.81	332.88	Amount represents regular salary plus taxable benefit from life insurance coverage
Reesor, Steven	Deputy, Policing Operations	187,298.92	9,820.81	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Rew, Stephen	Detective	108,194.90	189.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Reynolds, Douglas	Superintendent	122,985.73	10,295.79	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Ross, Daniel	Detective	102,419.84	188.63	Includes regular salary plus special pay from overtime, callback, acting, court time, shift bonus, statutory holiday worked and retro pay.
Ryan, Ernest	Staff Inspector	105,407.24	189.28	Amount represents regular salary plus taxable benefit from life insurance coverage
Sandeman, John	Manager, Video Services	106,091.12	335.32	Amount represents regular salary plus taxable benefit from life insurance coverage
Sanson, Craig	Detective	101,810.12	208.52	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Scott, Gordon	Detective	118,219.01	187.85	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Sheppard, Daniel	Detective	101,519.77	188.33	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Sinopoli, Domenic	Detective	105,351.73	186.81	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Sinclair, Larry	Inspector	105,057.58	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Skubic, Frank	Detective	108,532.35	205.94	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.

Sloly, Peter	Staff Inspector	106,574.68	244.86	Amount represents regular salary plus taxable benefit from life insurance coverage
Smart, Leonard	Sergeant	102,826.60	189.28	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus and statutory holiday worked.
Smith, Frederick	Inspector	101,012.63	328.52	Amount represents regular salary plus taxable benefit from life insurance coverage
Smith, Michael	Manager, Fleet Equipment & Supply	104,759.86	342.99	Amount represents regular salary plus taxable benefit from life insurance coverage
Smollett, Brody	Staff Inspector	107,528.42	9,263.60	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Smollett, Bruce	Staff Inspector	106,683.08	6,803.10	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Sneep, James	Staff Inspector	106,090.22	4,979.27	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Stewart, Edward	Staff Inspector	110,105.42	9,121.05	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Stinson, Robert	Director, Information Technology Services	150,223.74	498.75	Amount represents regular salary plus taxable benefit from life insurance coverage
Stowell, Ronald	Detective	100,687.29	189.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Stratford, Ian	Detective	114,973.47	187.85	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Strathdee, Robert	Superintendent	122,985.73	8,635.88	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Styra, Dana	Manager, Professional Standards	114,821.55	377.37	Amount represents regular salary plus taxable benefit from life insurance coverage
Taverner, Ronald	Superintendent	122,985.73	12,754.22	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Taylor, Kenneth	Detective-Sergeant	114,428.29	207.08	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Thompson, Michael	Police Constable	111,100.74	167.18	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown and shift bonus.
Thorne, Ronald	Detective	101,920.04	189.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Tomei, Giuseppe	Inspector	105,057.58	238.52	Amount represents regular salary plus taxable benefit from life insurance coverage

Tweedy, Neale	Superintendent	112,921.14	8,689.47	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Van Andel, Phillip	Detective	108,640.02	187.00	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Vieira, Abilio	Detective	114,338.82	188.98	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Virani, Abdulhameed	Police Constable	123,931.85	166.53	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and service pay.
Vorvis, Paul	Inspector	103,520.80	334.68	Amount represents regular salary plus taxable benefit from life insurance coverage
Wallace, John	Inspector	105,035.15	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Wark, Terry	Detective	111,911.49	208.52	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and retro pay.
Warr, Anthony	Staff Inspector	109,622.01	9,722.57	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Watson, Marlene	Staff Inspector	110,104.81	8,478.51	Amount represents regular salary plus taxable benefit from life insurance coverage
White, Christopher	Inspector	103,520.90	334.68	Amount represents regular salary plus taxable benefit from life insurance coverage
White, Ruth	Staff Inspector	103,864.90	2,848.78	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Whittle, Roy	Staff Inspector	110,104.81	9,979.29	Includes regular salary plus taxable benefit for vehicle use and life insurance coverage
Whitworth, Ernest	Detective	100,637.05	186.81	Includes regular salary plus special pay from overtime, court time, lieu paydown, shift bonus and statutory holiday worked.
Wilcox, Jane	Inspector	103,520.90	334.68	Amount represents regular salary plus taxable benefit from life insurance coverage
Wiley, Jerome	Criminal & Corporation Counsel	147,736.33	490.65	Amount represents regular salary plus taxable benefit from life insurance coverage
Willms, David	Project Leader, Information Technology	105,565.50	207.48	Includes regular salary plus special pay from overtime, callback, service pay and standby pay.
Witty, Earl	Inspector	105,038.31	340.23	Amount represents regular salary plus taxable benefit from life insurance coverage
Woodhouse, Martin	Detective	100,714.06	189.28	Includes regular salary plus special pay from overtime, callback, acting, court time, lieu paydown, shift bonus and retro pay.



Yarenko, John	Detective	132,869.70	189.28	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and statutory holiday worked.
Young, Derek	Detective	104,352.25	188.63	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown, shift bonus and retro pay.
Young, Ronald	Detective	102,955.47	187.85	Includes regular salary plus special pay from overtime, acting, court time, lieu paydown, shift bonus and service pay.
Zeleny, John	Detective	109,151.99	186.81	Includes regular salary plus special pay from overtime, callback, court time, lieu paydown, shift bonus and service pay.
Ziraldo, Paul	Inspector	105,342.19	353.41	Amount represents regular salary plus taxable benefit from life insurance coverage

## NOTES:

According to Provincial instructions, the column entitled 'Salary Paid' represents the "amount paid by the employer to the employee in 2003 as reported on the T4 slip (box 14 minus Taxable Benefits total)". The salary paid amount may include "such things as retroactive pay", which would increase the normal base salary for the position. The column entitled 'Taxable Benefits' represents "amount paid by the employer to the employee in 2003 as reported on the T4 slip (total of boxes 30-40)".

The Provincial definition of an employee is "anyone to whom your organization provides a T4 slip is considered an employee".

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P128. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: UPDATE  
ON THE eCOPS PROGRAM**

The Board was in receipt of the following report APRIL 06, 2004 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR ONE-MONTH EXTENSION TO SUBMIT REPORT ON THE  
eCOPS PROGRAM

Recommendation:

It is recommended that: the Board approve the request for a one-month extension to submit the report on the eCOPS Program.

Background:

At its meeting of February 26, 2004, the Board requested that I provide a report on the Service's strategy for the complete implementation of eCOPS and the Service's plans to address budget issues associated with eCOPS. This report was requested for the Board meeting of April 29, 2004 (Board minute #P71/04 refers).

With the retirement of the Director, Information Technology Services, Superintendent Glenn DeCaire has been assigned to oversee the program, conduct a comprehensive review of the eCOPS program, and validate the implementation plan as outlined to the Board at its December 11, 2003 meeting (Board minute #P339/03 refers). Unfortunately, due to the need to review various options and related budgets, I am unable to provide the Board with a full report for the April 29, 2004 Board meeting, as requested.

I am, however, pleased to inform you that additional controls have been put in place and some major milestones have been met. The Steering Committee, program management, user testing, and communication to the users have been augmented. An Advisory Committee, comprised of users, has been established to review business functions and assist in functional design. With the leadership and new structure for the program, the development team is more focussed on priorities and will ensure realistic deadline implementation and deliverables.

Over the last two months, many of the complaints from users in regards to system response time and other technical problems have been addressed, including the fixing of various defects associated to Occurrence Review by supervisors. As of last week, the Unified Search (search of multiple data bases) module has been installed in over 400 mobile workstations, allowing officers in vehicles to conduct searches more effectively. Work is continuing in streamlining the occurrence entry both from the desktop workstation and in the mobile environment. This would

allow officers to perform all data entry at source, without intervention of clerical staff, which would in turn allow access to this information on a more timely basis.

It is my intent to provide the Board with a more comprehensive report at its May meeting. Therefore, it is recommended that the Board approve the request for a one-month extension to submit the report on the eCOPS Program.

Mr. Frank Chen, Chief Administrative Officer, will be available to answer any questions that you may have.

**The Board approved the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P129. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT: PARKING  
ENFORCEMENT UNIT: FACILITY REQUIREMENTS**

The Board was in receipt of the following report APRIL 01, 2004 from Julian Fantino, Chief of Police

Subject: PARKING ENFORCEMENT UNIT: FACILITY REQUIREMENTS

Recommendation:

It is recommended that: the Board approve a request for a three month extension to submit a report on the relocation of Parking Enforcement facilities

Background:

At its meeting of January 22, 2004 (Board Minute P23/04 refers), the Board was in receipt of a Board Report entitled Parking Enforcement Unit: Facility Requirements. At this meeting, the Board approved a three-month extension, pending a Service review of Divisional Boundaries and Patrol Areas.

The realignment of divisional boundaries may result in movement of staff and, as a result, space may become available, thus making it feasible to relocate some parking enforcement officers and equipment to a downtown police facility. The review of Divisional Boundaries and Patrol Areas has resulted in a restructuring plan. Implementation is scheduled for Sunday, May 30, 2004. The operational components of the implementation (transfers of personnel and equipment), are currently being finalised. Until staffing and equipment levels are determined, it is not possible to project suitable vacancies appropriate for the needs of Parking Enforcement.

Upon completion of the Divisional Boundary and Patrol Area implementation May 30, 2004, Parking Enforcement Unit needs will be reviewed relative to available space, and the decision will be made as to whether there will be an opportunity to relocate some parking enforcement officers and equipment to a downtown facility.

Conclusion:

I am requesting that the Board approve a request for a three-month extension to submit a report on the relocation of Parking Enforcement Facilities.

Acting Deputy Chief, David Dicks, Policing Support Command, will be present 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 APRIL 29, 2004**

**#P130.           CORRESPONDENCE**

The Board was in receipt of a summary of the public correspondence received in the Board office between March 04, 2004 and April 06, 2004. A copy of the summary is on file in the Board office.

**The Board received the foregoing.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P131.           RIGHTS OF AND PROTECTIONS FOR PEDESTRIANS**

The Board was in receipt of the following report MARCH 18, 2004 from A. Milliken Heisey, Q.C., Chair:

Subject:        RIGHTS OF AND PROTECTIONS FOR PEDESTRIANS

Recommendation:

It is recommended that:

- (1) the Board ask the Chief to respond to the report entitled “Rights of and Protections for Pedestrians” and the proposed legislative amendment and to provide his comments as to what additional changes could be implemented to make Toronto a safer place for pedestrians; and
- (2) after receiving the Chief’s response, the Board consider sending a request to Toronto City Council to amend the Metropolitan Toronto Uniform Traffic By-law 32-92 by:
  - (a) repealing section 10 of the Metropolitan Toronto Uniform Traffic By-law 32-92 and the requirement for a pedestrian to yield the right-of-way;
  - (b) adopting a new section 10 the Metropolitan Toronto Uniform Traffic By-law 32-92 that imposes obligations on pedestrians crossing at a place other than at a pedestrian crossing to cross only where traffic conditions warrant, using the shortest path necessary, as quickly as reasonably possible and being aware of all vehicle traffic as outlined in the parallel legislation used in the Netherlands and Germany; and
  - (c) making it an offence to fail to yield to a pedestrian within a pedestrian crossing as outlined in the parallel legislation used in England.

Background:

The Board, at its August 14, 2003 meeting, discussed the number of traffic fatalities involving pedestrians. (Board Minute No. P232 refers) Chief Fantino expressed concern about the increasing number of pedestrians who had been injured or killed in traffic-related incidents. He added that many motorists are ignoring the rules of the road and that police officers observe violations on a regular basis. He also indicated that the Service would like to work with City of Toronto – Transportation Services to examine the current traffic controls in place, such as traffic signals or flashing lights, and develop recommendations, where possible, to improve safety for pedestrians in the City of Toronto.

The Board requested that Chief Fantino, in partnership with the General Manager, City of Toronto – Transportation Services, review the current legislation and provide a report to the Board for a future meeting containing recommendations for the Board to approve and forward, where necessary, requests for amendments to the legislation in order to improve safety for pedestrians in Toronto.

The Board, at its November 13, 2003 meeting, approved a report from Chief Fantino entitled “Pedestrian Safety.” This report outlined awareness, education and enforcement related to pedestrian safety and described penalties for those who disobey traffic laws. It was noted that the Service is working in partnership with the City of Toronto in order to improve pedestrian safety. The report also discussed pedestrian crossovers and the responsibilities of both motorists and pedestrians at these crossovers.

The Board noted that, based upon the current provisions of the *Highway Traffic Act*, motorists are not required to yield to pedestrians at crossovers when the illuminated signs are flashing amber beacons until a pedestrian actually begins to cross and enters the half of the roadway upon which the vehicle is travelling.

Thus, the Board approved the report, along with the following Motion:

THAT the Board send correspondence to the Ministry of Transportation recommending that the *Highway Traffic Act* be amended by indicating that operators of motor vehicles, travelling in both directions, are required to stop at pedestrian crossovers as soon as the overhead illuminated signs begin to flash amber beacons.

On February 13, 2004, the Board received a response in a letter from the Honourable Harinder Takhar, Minister of Transportation. In his letter, Minister Takhar indicates that “the province has been in contact with municipal stakeholders to create uniform standards for pedestrian crossovers that are currently being used by municipalities.” He also states that he has “passed [the Board’s] recommendations onto ministry staff for their review and assessment” and will keep the Board “informed of any developments on this issue.”

### **Pedestrians Killed in Traffic Collisions**

I, like Chief Fantino, am concerned about the number of pedestrians who are being killed as a result of traffic collisions. The following information has been provided by Toronto Police Service Traffic Services.

In 2002, 97 people were killed in traffic collisions, a increase of 70.2% over the 57 killed in 2001 and a 10.2% increase from the 88 killed in 1998. In 2001, the number of persons killed in collisions represented the lowest number recorded. To give this data a historical perspective, the greatest number of persons killed in traffic collisions was the 137 recorded in 1969. This number is even more significant as there were only 38,942 reportable collisions in that year compared to the 71,760 in 2002.

In 2002, 32 drivers were killed in traffic collisions, a 166.7% increase from 2001, when 12 drivers were killed. The number of passengers killed in traffic collisions has not changed as much as other groups during the past five years, but still increased by one in 2002. There were 50 pedestrians killed in traffic collisions in 2002, up 56.3% from the 32 killed in 2001, and up 28.2% from the 39 pedestrians killed in 1998. The highest recorded number of pedestrians killed was 83 in 1972. While no cyclists were killed in 2001, 2 were killed in 2002.

### Traffic Laws Regarding Pedestrians in Other Jurisdictions

I believe that, in order to make the streets safer for pedestrians, changes to our legislation are required. In proposing amendments to legislation for Toronto, more pedestrian-friendly models in use in other jurisdictions have been reviewed and are outlined below.

#### **England**

Section 25 (5) of the *Road Traffic Regulation Act* makes it an offence to fail to yield to a pedestrian within a pedestrian crossing. This traffic offence falls under the "Level 3 offence" under the *Road Traffic Offenders' Act* and the penalty is given on the standard scale for this type of offence. This penalty is a fixed rate of 60 pounds and three demerit points. Offenders are given 24 days to pay. If a plea of not guilty is entered, then the presiding magistrate can impose up to the maximum penalty for Level 3 offences. The magistrate can also increase the points up to 12 depending on the seriousness of or circumstances surrounding the offence.

There is no penalty for a pedestrian who fails to yield to traffic or disobeys a red light. The spirit of the law is that motorists have to be mindful of pedestrians.

There are also a number of pedestrian offences under the *Road Traffic Regulation Act*. Section 37 of the *Act* makes it a Level 3 offence for a pedestrian who fails to stop when directed by a constable regulating traffic. Section 169 makes it a Level 1 offence for a pedestrian who fails to give a constable his or her name and address after failing to stop when directed by a constable directing traffic.

#### **The Netherlands**

In the Netherlands, the governing legislation for pedestrians is *the Traffic Regulations and Road Signs 1990* (RVV 1990). Article 49 of this legislation states that drivers must give way at all times to pedestrians who are crossing, or waiting to cross, at a pedestrian crossing. In addition, drivers must give priority at all times to blind pedestrians as well as to all other persons with disabilities. Pedestrians may cross at mid-block provided that they use as little time and distance as necessary to cross the road.

Like England, the Netherlands has what is called "zebra crossings" and the law has special requirements for these. Zebra crossings are rectangles painted on the road surface creating a 'pathway' across the road. Pedestrians in the zebra crossing has the right of way. Although a requirement for pedestrians within 30 meters of a zebra crossing to use the crossing has been removed, pedestrians opting not to use the crossing must now consider the rules as articulated



above. However, municipalities may erect roadside barriers to force pedestrians to use the zebra crossing.

In the Netherlands, there are fines of varying amounts for pedestrian-related offences.

## **Germany**

The relevant legislation governing pedestrians in Germany is the *Road Traffic Ordinance* or *Strassenverkehrs-Ordnung*.

Section 25 of this legislation states that pedestrians must use the sidewalk when it is provided. If they use the roadway, they must walk within certain sections or on the left hand side. When walking in the dark, pedestrians must walk in single file. Pedestrians that have cargo or bulky items must use the street if they would obstruct other pedestrians using the sidewalk. Pedestrians have to cross the road using the shortest possible path and must do so briskly. They must be aware of vehicle traffic. If traffic conditions warrant, then they may only cross at a crossing. Where roadways are channeled, pedestrians must use the crosswalk. If there are barriers or railings on a roadway, the pedestrian is forbidden from entering the locked roadway and must cross at a crossing. Lastly, pedestrians at railway tracks may only cross at a place that is designated for the crossing of pedestrians.

Pedestrians who commit any violations of this section are subject to a fine, which differs depending on whether danger or damage to property was involved.

Section 26 of the *Road Traffic Ordinance* provides that at pedestrian crossing, all vehicles, street cars and ambulances must give the right of way to pedestrians and drivers of wheelchairs that are crossing or about to cross. In addition, if traffic is backed up, vehicles cannot stop on the crosswalk and there is no overtaking or passing at a crosswalk. Lastly, if the crosswalk transverses a bicycle path or any other part of the roadway, the legislation also applies.

There are fines for failing to yield to a pedestrian or person in a wheelchair who is crossing or about to cross as well as for stopping on or obstructing the crossing.

### Toronto Police Services Initiatives to Improve Pedestrian Safety:

The Toronto Police Service has made Traffic Safety, and in particular, pedestrian safety, a Service priority. Most recently, Operation Ped Safe, a combined public awareness and enforcement campaign ran from March 15 until March 21, 2004, coinciding with the March Break school holiday. During this time, all police officers were directed to pay particular attention to those motorists and cyclists who commit offences at pedestrian crossovers, sidewalks/footpaths and crosswalks and to pedestrians who disobey traffic signals, fail to yield to traffic or commit any other pedestrian violations.

### City Initiatives to Improve Pedestrian Safety:

The City of Toronto has also, in recent years, made the rights of pedestrians a paramount concern. In October 2002, the Toronto Pedestrian Charter was unveiled at City Council. The Charter sets out six principles necessary to ensure that walking is a safe and convenient mode of urban travel and reflects the notion that “a city’s walkability is one of the most important measures of the quality of its public realm, and of its health and safety.”

In addition, the City has announced a “We’re all Pedestrians Program” that evaluates new techniques and emerging technologies for improving pedestrian safety. In the 2003/2004 year, the program plans to test three different techniques for reducing pedestrian-motor vehicle conflicts at signalized intersections: (1) broad “zebra-striped” painted markings for crosswalks; (2) leading pedestrian phase which gives pedestrians an advance “walk” signal at crosswalks and; (3) passive pedestrian detection where automatic detection is used to detect the presence of pedestrians in a crosswalk during the “flashing, don’t walk” phase.

### Provincial Legislation:

Section 193 of the *Highway Traffic Act* (HTA) states the following:

Onus of Disproving Negligence

***193.1 When loss or damage is sustained by any person by reason of a motor vehicle on a highway, the onus of proof that the loss or damage did not arise through the negligence or improper conduct of the owner or driver of the motor vehicle is upon the owner or driver.***

Application

(2) This section does not apply in cases of a collision between motor vehicles or to an action brought by a passenger in a motor vehicle in respect of any injuries sustained while a passenger.

It is clear, then, that under this legislation, the presumption of fault lies with the driver of the motor vehicle.

### Request for Amendment to Metropolitan Toronto Uniform Traffic By-law 32-92:

Section 10 of the Metropolitan Toronto Uniform Traffic By-law 32-92 states the following:

Except where the traffic control signals are in operation or where traffic is being controlled by a police officer, a pedestrian crossing a highway at a place other than a pedestrian crossover shall yield the right-of-way to all vehicles and streetcars upon the roadway, but nothing in the section shall relieve the driver of a vehicle or

streetcar from the obligation of taking all due care to avoid an accident.

The legislation as it now stands gives the right-of-way to “all vehicles and streetcars.” I note that while this section falls under the heading of “Pedestrians’ Rights and Duties,” there are no duties for pedestrians, other than to yield to vehicles.

It is my belief that Metropolitan Toronto Uniform Traffic By-law 32-92 is fundamentally flawed. It is my personal opinion that the current legislative framework is not one that satisfactorily addresses the needs of pedestrians or adequately protects their interests. It does not fit within the philosophical framework of the HTA nor with the current trend towards making the city more pedestrian-friendly. As evidenced by both Service and City initiatives cited above, Toronto is moving in a direction that places greater emphasis on the rights of pedestrians and cyclists.

Therefore, I believe that the Board should now adopt a position that requests changes to be made which would bring Toronto closer to the model adopted in many European countries as described above. This would help to reassert the rights of pedestrians on city streets.

Specifically, I recommend that:

- (1) the Board ask the Chief to respond to the report entitled “Rights of and Protections for Pedestrians” and the proposed legislative amendment and to provide his comments as to what additional changes could be implemented to make Toronto a safer place for pedestrians; and
- (2) after receiving the Chief’s response, the Board consider sending a request to Toronto City Council to amend the Metropolitan Toronto Uniform Traffic By-law 32-92 by:
  - (a) repealing section 10 of the Metropolitan Toronto Uniform Traffic By-law 32-92 and the requirement for a pedestrian to yield the right-of-way;
  - (b) adopting a new section 10 the Metropolitan Toronto Uniform Traffic By-law 32-92 that imposes obligations on pedestrians crossing at a place other than at a pedestrian crossing to cross only where traffic conditions warrant, using the shortest path necessary, as quickly as reasonably possible and being aware of all vehicle traffic as outlined in the parallel legislation used in the Netherlands and Germany; and
  - (c) making it an offence to fail to yield to a pedestrian within a pedestrian crossing as outlined in the parallel legislation used in England.

**Ms. Rhona Swarbrick was in attendance and made a deputation to the Board. Ms. Swarbrick also provided a written submission; copy on file in the Board office.**

**cont...d**

**The Board approved the following Motions:**

- 1. THAT the deputation by Ms. Swarbrick and her written submission be received;**
- 2. THAT Chair Heisey meet with members of the Pedestrian Planning Network to listen to their concerns regarding pedestrian safety issues in Toronto;**
- 3. THAT the Board approve the foregoing report and request that the report to be submitted by Chief Fantino be prepared in consultation with representatives of the City of Toronto and that, in addition to the rights and protections of pedestrians, the report also include pedestrians' responsibilities.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P132. BOARD INDEPENDENCE**

The Board was in receipt of the following report APRIL 14, 2004 from A. Milliken Heisey, Q.C., Chair:

Subject: BOARD INDEPENDENCE

Recommendations:

It is recommended:

THAT the Board ensure that the agenda for the next Board retreat include the issue of Board independence and the issue of the location of the office of the Liaison Officer; and,

THAT, following the retreat, the Chair draft for the Board's approval a report which includes a recommendation with respect to the location of the office of the Liaison Officer.

Background:

At its meeting on March 22 and 24, 2004 the Board considered two reports with respect to the Chief's Liaison Officer with the Board (Board Min. P75/04 refers). The Board approved the following motions:

*THAT the funds within the Board's 2004 operating budget (approved by the Board at its November 13, 2003 meeting) which were allocated for the salary and benefits for the position of Liaison Officer be transferred to the operating budget of the Office of the Chief of Police; and,*

*THAT the Chair, in consultation with Board staff, Mr. Albert Cohen and Chief Julian Fantino, submit a report to the Board for its April 29, 2004 meeting on issues of Board independence from the Service consistent with its civilian governance role and that the report also include a recommended location for the office of the Liaison Officer.*

In drafting a response to Motion No. 2 it became evident that the issue of Board independence is multi-faceted and too complex to be canvassed within such a short period of time.

I recommend that the Board refer the issue of Board independence and the issue of the location of the office of the Liaison Officer to a Board retreat. This will provide an opportunity for Board members to discuss and provide direction on issues such as the location of the Board's offices, budgetary independence, staff independence and the location of the office of the Liaison Officer.

Any recommendations arising from the retreat will be formally reported at a public meeting of 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 APRIL 29, 2004**

**#P133. REVIEW OF THE PROVINCE'S PUBLIC COMPLAINTS SYSTEM  
REGARDING POLICE CONDUCT**

The Board was in receipt of the attached correspondence, dated APRIL 07, 2004, from The Honourable Michael Bryant, Attorney General, with regard to a review of the province's public complaints system involving police conduct.

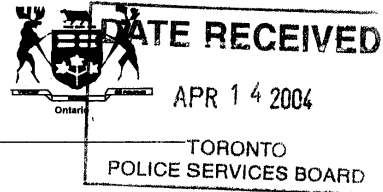
**The Board agreed to write to the Honourable Michael Bryant, Attorney General advising that it will seek community input at a Board meeting to be held on June 16, 2004, with respect to the province's public complaints system.**

Attorney General  
Minister Responsible for Native Affairs  
*Minister Responsable for Democratic Renewal*

The Hon. Michael Bryant

Procureur général  
ministre délégué aux Affaires autochtones  
ministre responsable du Renouveau  
démocratique

L'hon. Michael Bryant



Ministry of the Attorney General  
720 Bay Street  
11th Floor  
Toronto ON M5G 2K1  
Tel: 416-326-4000  
Fax: 416-326-4016

Ministère du Procureur général  
720, rue Bay  
11<sup>e</sup> étage  
Toronto ON M5G 2K1  
Tél.: 416-326-4000  
Télééc.: 416-326-4016

Our Reference #: M04-01595

Mr. Alan M. Heisey, QC  
Chair  
Toronto Police Services Board  
40 College Street  
Toronto, ON, M5G 2J3

April 7, 2004

Dear Mr. Heisey:

I am writing today to inform you that I have been asked by Premier Dalton McGuinty to review the province's system of public complaints about police conduct, one of the most important aspects of civilian oversight of police.

As you know, the McGuinty government is working to deliver real, positive change in the priority areas that matter most to Ontarians. That's why we're working with people across the province to build strong, safe communities that work. Our communities rely on excellent police work. And our police depend on the confidence and cooperation of the public. So a strong civilian oversight system that is fair and equitable to both the public and the police is enormously important to our government and the people we serve. While I have the utmost faith in the integrity and professionalism of our province's police services, complaints against individual officers do arise. How those complaints are considered and resolved is critical to sustaining or strengthening the bond between police and citizens – and public safety is only as strong as that bond.

We plan on engaging people in a review of civilian oversight during the late spring or early summer. Once we have received the public's and stakeholders' advice, the government will take the necessary steps to meet its commitment to implement a stronger police complaints system.

I am interested in knowing which groups and individuals you think we should consult with. Please share this letter with anyone you believe would be interested. If you have ideas on issues you believe need to be canvassed, I would also be interested in hearing them at this time. I would ask that you provide your suggestions no later than May 7, 2004.

Please send your response to me at the above address or, if it is more convenient, please feel free to submit your response to me by email at the following address: [civilianoversight@jus.gov.on.ca](mailto:civilianoversight@jus.gov.on.ca).

Yours truly,

Michael Bryant  
Attorney General  
Minister Responsible for Native Affairs  
Minister Responsible for Democratic Renewal

c: The Honourable Monte Kwinter, Minister of Community Safety & Correctional Services



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF  
THE TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P134.       RESPONSE TO RECOMMENDATIONS CONTAINED IN THE  
REPORT: *REVIEW AND RECOMMENDATIONS CONCERNING  
VARIOUS ASPECTS OF POLICE MISCONDUCT***

The Board was in receipt of the following report MARCH 26, 2004 from Julian Fantino, Chief of Police:

Subject:       RESPONSE TO RECOMMENDATIONS OF THE HONOURABLE  
                  JUSTICE GEORGE FERGUSON

Recommendation:

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

Background:

At its meeting of February 26, 2004, the Board received the *Review and Recommendations Concerning Various Aspects of Police Misconduct* report, as prepared by the Honourable Justice George Ferguson, Q.C. (Board Minute P67/2004 refers).

The report by His Honour was commissioned by myself to thoroughly research and make recommendations concerning enhancing the Service's response to preventing police misconduct. Since its reception in March 2003, the Service has been actively pursuing an implementation plan to accommodate the various recommendations. An Implementation Committee has been struck comprising staff from Professional Standards, Detective Services, Detective Support, Training & Education, Human Resources and Corporate Planning. I have charged this committee with the responsibility of reviewing the report and assessing the feasibility of implementing its recommendations.

Of the thirty recommendations to be addressed, fourteen have been fully implemented, while the remaining 16 have either been partially addressed or may require funding to implement.

## **Part I: Disclosure of Police Misconduct**

1. **That, upon written request from the Crown Attorney to the Chief of Police for information regarding acts of misconduct by a member of the Service who may be a witness or who was otherwise involved in a case before the court, the Chief of Police or his designate shall supply the Crown Attorney with the following information:**
  - i. **Any conviction or finding of guilty under the Canadian Criminal Code or under the Controlled Drugs and Substances Act for which a pardon has not been granted.**
  - ii. **Any outstanding charges under the Canadian Criminal Code or the Controlled Drugs and Substances Act.**
  - iii. **Any conviction or finding of guilt under any other federal or provincial statute.**
  - iv. **Any finding of guilt for misconduct after a hearing under the Police Services Act or its predecessor Act.**
  - v. **Any current charge of misconduct under the Police Services Act for which a Notice of Hearing has been issued.**

Response: Agree  
Status: Implemented

The process has been incorporated and is currently being operated under the direction of the Professional Standards-Risk Management Unit (Legal & Prosecutions section).

2. **Applications or subpoenas for personnel, employment, complaint, Professional Standards Investigative Unit - Criminal Investigations, or other related information will be contested and will not be produced, unless ordered to do so by a court of competent jurisdiction.**

Response: Agree  
Status: Implemented

This recommendation reflects the current position of the Service. Service counsel appear in court and in all but one case have successfully argued in having these matters dealt with in accordance with the two-step process contained in the 1995 Supreme Court of Canada decision in Regina vs. O'Connor.

3. **Any member whose records are to be produced to the Crown pursuant to Recommendation #1 above or whose records are the subject of an application or subpoena pursuant to Recommendation #2 above shall be notified in writing.**

Response: Agree  
Status: Implemented

The process has been incorporated and is currently being operated under the direction of the Professional Standards-Risk Management Unit (Legal & Prosecutions section).

**4. Any information to be produced to the Crown pursuant to Recommendation #1 above shall be obtained through the Toronto Police Service, Professional Standards Information System (PSIS).**

Response: Agree in principle

Status: Implemented

The PSIS system does not currently contain all of the information necessary to meet the criteria established in Recommendation 1. The PSIS system will not be fully populated with sufficient background information to operate as the sole information source for approximately 5 years. Information technology experts have cautioned against entering the historical information contained in a variety of databases, as it may tend to corrupt the PSIS database, given the various formats utilized in the past. Therefore while the PSIS system continues to be populated with data, the Service will rely on the historic databases, in conjunction with PSIS, to provide the necessary information to the Crown.

**Part II – Recruitment & Employment**

**1. The status of the Employment Unit must be substantially upgraded within the organizational structure of the Service and be provided with additional financial resources and sufficiently skilled personnel.**

Response: Agree

Status: Ongoing

The Service recognized the need to maintain a high quality recruitment program, and recently filled the position of Unit Commander-Employment Unit, at the same time elevating that role to a civilian manager equivalent to a uniform superintendent. (Board Minute P268/03 refers) This person has prepared a project plan which addresses staffing issues within the employment unit and is presently involved in high level discussions surrounding the implementation of this plan.

**2. The Employment Unit personnel must develop and implement a professionally targeted and focused recruitment program.**

Response: Agree

Status: Implemented

The Manager-Employment Unit has been tasked with reviewing the recruitment program and advising on any enhancements to ensure that it remains focused on achieving the

most effective results. A targeted and focused recruiting plan has been developed and implemented. The recruiting plan is an on-going, living document developed to meet the organizational needs of the Service, and will be continually monitored and amended when necessary.

**3. Background investigations of candidates must be expanded by more comprehensive interviews of references and more professional investigations.**

Response: Agree  
Status: On-going

The issue of background investigations of candidates is part of the project plan developed by the Manager-Employment Unit. This recommendation is impacted by staffing and financial limitations.

**4. The Employment Unit must increase exposure of the Service to students in universities, community colleges, high schools, and other educational institutions who are enrolled in courses relating to law enforcement.**

Response: Agree in principle  
Status: Implemented

The Service is aware of the benefits of reaching potential candidates in the high schools, but the Employment Unit does not have the resources to attend all the schools. As an alternative, the recruit team has trained members of the divisional community response units in the Constable Selection System, and has provided the divisions with recruiting posters and information for mentoring purposes to solicit candidates at this level. Universities and colleges are attended by members of the Employment Unit, and the recommendation has been captured in the Employment Unit's overall recruitment plan.

**5. The Service should explore co-operative or joint programs with universities, community colleges, and other educational institutions that provide courses in law enforcement for the purpose of establishing a priority in recruitment selection.**

Response: Agree  
Status: Implemented

As noted in the response to Recommendation 4, the Service actively recruits at colleges and universities in the Greater Toronto Area through job fairs and advertisements. Special emphasis is placed on seeking the interest of students enrolled in Police Foundations courses.

The Manager of the Employment Unit has included this initiative in her recruitment plan in order to develop partnerships that can be expanded to further support our recruitment goals.

- 6. The Service should employ two full-time, fully qualified psychologists to conduct all psychological testing of potential recruits as well as members of the Service seeking promotion or members of the Service seeking transfer to sensitive or high-risk areas. The psychologists' positions should not be held on a contract basis, as is the current practice.**

Response: Agree in part

Status: On-going

The Service is disinclined to agree with the concept of hiring psychologists on a permanent basis. Psychologists, under contract with the Service, can be used to meet the intent of this recommendation. Given the budgetary limitations that currently exist, and the moratorium on hiring civilian staff, contracted services are the most prudent course of action to address this recommendation.

The Service has long recognized the value of psychological assessment of new recruits as part of the selection process, and will continue with this practice. However, based upon the premise that the Service should continue with contracted psychological services, conducting psychological interviews for all promotional candidates would not be economically feasible.

The Service does agree with the concept of conducting psychological tests for potential transfers to sensitive or high-risk areas, and the Implementation Committee is striving to define the exact criteria associated with this recommendation.

- 7. In order to attract a greater number of qualified candidates, including minority groups, the Employment Unit should conduct well-structured seminars or tutorials at various locations in the community to explain the entire recruitment process and employment policies of the Service.**

Response: Agree

Status: Implemented

With the assistance of members of the community, the recruitment team currently delivers comprehensive information sessions for applicants at Police Headquarters on a bi-monthly basis. As noted in the response to Recommendation 2, information on the recruitment process is also regularly provided at job fairs and community events.

The Manager-Employment Unit has reviewed and implemented this recommendation, having changed the venues for the community information seminars to include such events as: Scarborough Surf n' Turf Job Fair, Mandarin Speaking Career Fair, Jamacian Canadian Centre Youth Career Expo, Malvern Christian Assembly Police Association Day and the CHIN International Picnic.

**8. The Service should establish a new Special Recruitment Committee to act in an advisory capacity to the Employment Unit in developing and maintaining a recruitment strategy.**

**The committee should consist of six individuals: two members of the Service, appointed by the Chief; two members of the Service, appointed by the Police Association; and two private citizens who have experience in promotional programs, advertising, and recruitment, to be appointed by the Chief. The private citizens will serve alternatively, as Chair, for a period of one year. All members of the committee shall be appointed for two years, subject to one renewal appointment for two years. All committee members shall receive an appropriate honourarium from the Service. Representation of minority groups on the Committee should always be a consideration when selecting committee members.**

Response: Agree in part  
Status: Implemented

The Employment Unit currently works with a previously established Recruiting Coalition Advisory Committee, which is comprised of community members, Service members and representatives of Toronto Residents in Partnership (TRIP). This group discusses the progress of current initiatives and advises on further strategies in order to meet our organizational needs and forms part of the Employment Unit's project plan. The Service is working towards a more structured, formal scenario over a period of time, as recommended by Justice Ferguson, but is reluctant to enter into a situation that will require the payment of an honourarium. Rather, the Service would prefer to continue working in partnership with community members, who volunteer their time.

**9. The position of “Career Development Officer” for uniform members should be re-implemented and moved to the Employment Unit. Having expertise in human resource development, this individual will assist members in assessing and achieving their career paths and promotional opportunities.**

Response: Agree in part  
Status: On-going

The role of a Career Development Officer is viewed as significant and as such, the position should be targeted at a senior officer level (either uniform or civilian).

Recognizing the importance of this position and realizing that it will have carriage over a member's long term career goals, the position should be established in Human Resources, as opposed to the limited area of employment, outlined in the recommendation. The implementation of this recommendation is impacted by staffing and financial limitations.

### **Part III – Transfers, Promotions, Supervision, Training & Continuing Education**

- 1. No member of the Service shall be promoted to a management or supervisory position or transferred to a sensitive or high-risk unit unless he or she has successfully completed psychological testing and assessment, and provided personal financial background information.**

Response: Agree in part  
Status: On-going

The Service agrees with the intent of this recommendation, but is concerned with its scope. In particular, the inclusion of all management and supervisory positions is not necessary, and a determination made on what are sensitive or high-risk units. A sub-committee has been tasked with defining those unit functions, roles or personnel that should fall within the testing framework and the depth of that framework.

- 2. No member of the Service shall be promoted to a management or supervisory position unless he or she has successfully completed a designated course on management skills required in the higher rank, in addition to training in ethics and integrity.**

Response: Agree  
Status: On-going

The Training & Education Unit has incorporated an ethics and integrity component into all of the courses offered through the institution. Presently, Constables identified for promotion to the rank of Sergeant are required to complete the Management Level 1 Supervisory Course, prior to being promoted. An executive development course for more senior positions is being formulated, and when the course is available, promotional candidates will have to attend the course prior to promotion. In the interim, staff sergeants, civilian supervisors and senior officers will continue to be trained following promotion and will receive the ethics component at that time.

- 3. Ethics and integrity must be incorporated as important components in all training and continuing education courses provided by the Service.**

Response: Agree  
Status: Implemented

The Training and Education Unit has adopted this recommendation in all courses provided by the institution. Ethics, integrity, diversity, customer service, communications and overall professional behaviour are the cornerstones of all courses currently offered by the unit.

- 4. All members of the Service shall be required to attend a one-day course on ethics, integrity and corruption. The course should include lectures on the forms, causes and prevention of serious police misconduct and corruption and recognized procedures that may be employed to detect and investigate same and deal with complaints of serious misconduct.**

Response: Agree  
Status: On-going

The Training and Education Unit currently offers a dedicated training course on ethics and integrity. The Management and Evaluation of Risks in Investigations (MERI) course is specifically geared towards members attached to high-risk units such as: Drug Squads, Tactical Units, Internal Affairs Units, etc.

Service-wide, all front line officers are mandated to take a comprehensive five day advanced patrol training course. Ethics is a mandatory component of this course.

The development of a one-day, mandatory, Service-wide ethics training course is currently on-going.

- 5. The Service should form a small committee to develop a system for mandatory transfers following a specific term of service in sensitive or high-risk areas.**

Response: Agree  
Status: On-going

The Service agrees with this recommendation in principle. A committee will be established to develop a system for mandatory transfers following a specific term of service in sensitive or high-risk area.

#### **Part IV – Professional Standards – Investigative Unit**

- 1. Aside from having a representative at Headquarters, the entire operation of Professional Standards Investigative Unit - Criminal Investigations must be moved to a separate, independent location.**



Response: Agree  
Status: On-going

In order to achieve this recommendation, the Service would incur a substantial financial obligation. Given the present budget situation, this recommendation will continue to be reviewed for fiscally responsible opportunities to implement.

**2. Professional Standards Investigative Unit must ensure that a sufficient number of highly skilled investigators are adequately trained to provide prompt, thorough and professional investigations of all complaints and early warnings of serious police misconduct or corruption.**

Response: Agree  
Status: Implemented

The Service has established the Professional Standards-Risk Management Unit, complete with an Analysis and Assessment section, to oversee a behavioural early warning system (Board Minute P43/2003 refers). Professional Standards has reorganized its structure, and continues to staff its ranks with highly skilled and experienced investigators.

**3. When warranted, personnel within Professional Standards Investigative Unit - Criminal Investigations must have the capacity to conduct integrity testing of targeted areas in a professional manner that is free from all aspects of entrapment.**

Response: Agree  
Status: Implemented

The Service concurs with this recommendation and has recently established an Investigative Support Section within the Professional Standards-Investigative Unit. This section will provide 'intelligence lead' integrity testing, or surveillance operations, directed at allegations of criminal or serious misconduct.

**4. Investigators employed in Professional Standards Investigative Unit-Criminal Investigations shall be transferred out of the Unit after a specific number of years and shall be accorded special recognition for their service in the Unit for the purpose of future promotional opportunities.**

Response: Agree in part  
Status: On-going

The Service agrees personnel should not be compelled to remain in a given area, especially a sensitive section, such as the Professional Standards-Investigative Unit.

However, the reorganization of Professional Standards conducted in February of 2003 (Board Minute P43/2003 refers) included in the management portfolio, a comprehensive succession planning model for the entire scope of the Professional Standards area. Recommendation 4 isolates one section of Professional Standards and discussions are ongoing as to how implementation of this recommendation may impact on the overall succession planning model.

### **Part V – Use of Alcohol, Drugs and Other Substances**

**1. The Service must develop and implement a comprehensive policy that incorporates the following elements:**

**Members shall not engage in:**

- a. the illegal use or possession of any of the substances listed in Schedules I, II, III and IV of the Controlled Drugs and Substances Act;**
- b. the use of any other substance, not named in the Schedules to the Controlled Drugs and Substances Act, to the extent that the said substance may have an adverse effect on the performance of his or her duties as a member of the Service; and**
- c. the consumption of any alcoholic beverage contrary to the policy of the Service.**

Response: Agree  
Status: On-going

A general prohibition on the use of these substances currently exists in the Rules and Procedures of the Service. However, the procedure entitled 'Substance Abuse' (08-05) dealing with alcohol and substance abuse will be amended to further detail the specifics contained in the recommendation. In addition, direction has been given to address the prohibitions when preparing amendments for the Service Rules.

**2. Members who violate the above policy shall be subject to disciplinary action, up to and including dismissal.**

Response: Agree  
Status: Implemented

Members who disobey Service Rules or Procedures have always been subject to disciplinary action, which can include the full spectrum from reprimand to dismissal.

**3. As a condition of transfer, promotion or reassignment, members shall be required to acknowledge, in writing, that they have read and understand the above-mentioned policy.**

Response: Agree in part  
Status: Implemented

The Service Rule (3.1.1 – Member's General Responsibilities) currently compels every member to be conversant with Rules, Procedures and the contents of Routine Orders.

- 4. As a condition of promotion or reassignment to a sensitive or high-risk area (e.g. drug squads, major crime units, Emergency Task Force, Intelligence Services, Mobile Support Unit, Professional Standards, Professional Standards Investigative Unit - Criminal Investigations, etc.), members shall be required to submit to a drug testing program.**

Response: Agree in principle  
Status: On-going

The Service supports this recommendation and agrees it has merit and is applicable in certain sensitive or high-risk areas. However, before agreeing to implementing such a program, a further legal review will be undertaken to consider human rights issues, potential legal challenges, accommodation needs and the inherit management requirements of such a program.

- 5. Applicants for employment with the Service shall be required to consent to acknowledge, in writing, that they have read and understand the above-mentioned policy.**

Response: Agree  
Status: On-going

Human Resources has been directed to include a consent provision in the "offer of employment", when the drug testing provisions are incorporated into Service policy.

## **Part VI – Informers and Agents**

- 1. The Service should take immediate steps to study and implement the Source Management System now used by the Metropolitan Police Service; London, England.**

Response: Agree in principle  
Status: On-going

Due to the differences in legal processes between Canada & England, the London-based Source Management System could not be utilized directly. A working group has

generated a draft plan for implementing a Toronto-based version of the Source Management System, formulated on Canadian law.

**2. When the Source Management System has been implemented, the Service shall require an annual audit of the performance of the new system.**

Response: Agree  
Status: On-going

The handling of informants is currently subject to a regular audit, and when implemented the new Source Management System will be subject to a similar audit.

**3. The annual audit shall be completed by a person who has extensive experience in law enforcement procedure and is totally independent from the Service and the City of Toronto.**

Response: Agree in part  
Status: On-going

The Service currently employs a number of individuals who have experience in law enforcement, and are professionals in auditing & accounting. This unit reports directly to the Chief of Police, as part of Professional Standards, and it is therefore unnecessary to take the recommended audit outside of the Service.

**Conclusion**

The majority of the Ferguson recommendations will require varying periods of time to assess and implement. On a semi-annual basis, I will advise the Board of the implementation process, or revised status of any recommendation. The first status update will be submitted for the October 2004 meeting of the Board.

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

**The Board was also in receipt of a report dated APRIL 26, 2004 from Julian Fantino, Chief of Police:**

Subject: **SUPPLEMENTARY REPORT - RESPONSE TO  
RECOMMENDATIONS OF THE HONOURABLE JUSTICE  
GEORGE FERGUSON**

Recommendation:

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

Background:

At its meeting of February 26, 2004, the Board received the *Review and Recommendations Concerning Various Aspects of Police Misconduct* report, as prepared by the Honourable Justice George Ferguson, Q.C. (Board Minute P67/2004 refers).

The Service response to the recommendations, detailing the implementation to date, was previously submitted to the Board for inclusion at the regular meeting of the Board in April 2004. A subsequent review of the submitted document revealed that several items that should have been reported on were accidentally not included in the document. Included in these items were new initiatives that had been implemented since receiving Justice Ferguson's report and other items that augmented both the spirit and the intent of Justice Ferguson's recommendations. Also omitted were two recommendations that have been acted upon.

The implementation process for the recommendations contained in Justice Ferguson's report is a work in progress, a course of action involving various command areas and units. The omissions identified above were due to the collation and revision of the numerous progress reports submitted by the various Service areas involved in the implementation process into one document.

In considering the progress achieved to date it must be borne in mind that it was my initiative to engage Justice Ferguson to thoroughly research and make recommendations concerning enhancing the Service's response to preventing police misconduct. Since it was received in March 2003, the Service has been actively pursuing an evaluation and implementation plan. To accomplish this, an Implementation Committee has been struck with representation from such units as Professional Standards, Detective Services, Detective Support, Training and Education, Human Resources, Corporate Planning and Finance. This Committee, under the direction of Acting Deputy David Dicks, Policing Support Command has been charged by me with the responsibility of reviewing the report, evaluating and implementing its recommendations.

Of the thirty-two recommendations contained in the report fourteen have been fully implemented, while the remaining 18 have either been partially addressed or are being evaluated with a view as to how best to achieve implementation within the context of the Toronto Police Service.

The following are the two recommendations that were omitted from the original report submitted to the Board.

#### **Part IV – Professional Standards – Investigative Unit**

- 5. PRS Investigative Unit (Criminal Investigations) shall establish independent telephone lines, available to members of the public or members of the Service to report serious police misconduct or corruption on an anonymous basis.**

Response: Agree  
Status: On-going

The Service concurs with this recommendation, and will borrow from the experiences of the current 'Crime Stoppers' program to establish this function. The recently established Investigative Support Section within the Professional Standards-Investigative Unit was selected as the oversight unit for this program. The criteria by which reports of police misconduct or corruption received by this mechanism is processed, investigated and the protocols to ensure anonymity are being developed. Included in the development process is a publicity component by which this mechanism will be made known to members of the Service and the public.

- 6. Professional Standards-Investigative Unit must design and implement a process whereby "whistle-blowers" are provided adequate protection.**

Response: Agree  
Status: On-going

The issue of “whistle-blower” protection is one that is being studied for implementation in legislation at both the federal and provincial level. Currently the Service has a Rule (Rule 4.2.0 – Conduct) requiring a member of the Service to report any discreditable conduct by any member of the Service to either their supervisor or to a member of Internal Affairs. In addition, the Code of Conduct contained in the Police Services Act (O.Reg. 123/98) contains additional obligation on the part of a police officer who becomes aware of conduct that is included in this Code of Conduct. Professional Standards, in conjunction with Corporate Planning, have created an initial draft for a procedure to more fully address this recommendation. This draft procedure is being reviewed and will be presented to the Chief and Command Officers in the near future.

## **Added Initiatives**

### **Implementation Oversight**

In addition to Justice Ferguson's involvement in the preparation of the recommendations contained in his report I have also retained his services to oversee the implementation of the recommendations. I have requested Justice Ferguson to independently evaluate, assess and report to me on the implementation of his recommendations. I will in turn report his independent assessment to the Board on a regular basis. This will permit an objective assessment of both the implementation and effectiveness of the recommendations as they are implemented by the Service. It will also provide for an independent assessment of their effectiveness that will allow immediate "fine-tuning" to achieve optimal benefits from the recommendations.

### **Corporate Self-Audit**

Acting upon extending the intent of Justice Ferguson's recommendations to their applicability on a corporate basis I have also initiated a Service-wide "self-audit" process. Under the directions of Professional Standards a self-evaluation process to ensure compliance with all Rules, Policies, Directives and Orders will be developed and conducted by the end of 2004. This process was in development but had been initially limited to identified "high-risk" areas but on evaluation it was decided to expand both its scope and purpose. This process will require Unit Commanders to fully and completely review all areas under their command to ensure compliance. Where less than full compliance is identified they will be required to identify and implement corrective measures which will form part of their assessment criteria. All self audits will be evaluated through their respective chain of command and ultimately reported to and assessed by Professional Standards - Quality Assurance. To ensure the integrity of this process, Professional Standards – Quality Assurance will also conduct spot checks on both the process and identified high risk or exposure areas.

The implementation of this self-audit process has several benefits. It will ensure a routine Service-wide compliance audit and it will also identify areas of non-compliance permitting preventative corrective measures to be taken. By engaging all Unit Commanders and their respective Command structure in this process the Service will ensure maximum benefits and it will also permit an identification of "best practices" at the unit level that can then be implemented on a corporate basis. Such a process allows for innovative and immediate responses to a changing environment and a shifting risk scale. It will identify those areas where the standard needs to be raised or amended in light of changes in either the internal or external environment resulting from such things as legislative change, amendments to working agreements or other contractual matters and operational priorities.

## Inspection Teams

Outside of the parameters of the Ferguson Report I have expanded the role of the Duty Inspectors to include, as part of their regular duties outside of normal business hours, an on-site assessment of the units they visit in the course of their shifts. This assessment includes an evaluation of a unit's compliance with the Service directions in such areas as supervisor availability, members on patrol, prisoner security and appropriate staffing. This unit "snap-shot" is reported routinely to me by the Duty Inspectors.

As an added safeguard, I have implemented the formation of an Inspection Team under the direction of Professional Standards. This inspection team will be staffed by a Senior Officer and two Detective Sergeants who will randomly visit units within the Service and conduct in-depth "spot-checks" of the units' functions including compliance with all existing directives and requirements applicable to that unit as well as adherence to corporate goals and objectives.

## Financial Implications of Ferguson Recommendations

As I indicated in my initial report to the Board on the recommendations contained in the report prepared by Justice Ferguson (BM # P67/04 refers) I believe that the recommendations are both practical and achievable. Many aspects of these recommendations have already been implemented and others are in the process of being implemented. While most have little or no financial impacts there are some that do require additional funding. While the Service acknowledged that and was taking steps to ensure that funding was not a reason for any recommendation to not be fully achieved, a full financial costing was not included in my original report. Of the thirty-two recommendations made by Justice Ferguson, I only indicated funding was a factor in implementing five of the recommendations. It was my intent, as indicated in my initial report to the Board, to evaluate those recommendations to the Board that were not fully implemented and report subsequently to the Board at its October 2004 meeting if not before. Of those five recommendations where financial considerations are a factor to be considered, funding is not the primary factor. The evaluation of the criteria by which a recommendation was to be implemented was more the factor that was under study and therefore the costing portion could not be accurately reported on. There was only one recommendation where it was identified that the Service would incur a substantial financial obligation. Even here the Service explained that it would continue to explore fiscally responsible opportunities to implement the recommendation.

For example, recommendation 6 under Part II Recruitment & Employment of Justice Ferguson's Report proposes the employment of two full-time psychologists to conduct psychological testing. As I indicated in my response the Service is striving to define the exact criteria for those to which this recommendation would be applicable. It is only upon establishing that criteria that an accurate costing could be provided. It was my intent to further evaluate all recommendations where funding implications were



contained to identify specific budgetary amounts. It would then be reviewed in light of the existing 2004 Operational and Capital Budget as established by Council. Where the implementation of the recommendations could not be achieved within the existing budget a supplementary budget report would have been brought forward to the Board for their consideration. In light of that, the following are the existing financial estimates and proposed timelines relating to those recommendations where funding is a factor.

## **PART II Recruitment & Employment**

### **Recommendation 3 (previously reported to the Board)**

*Background Investigations of candidates must be expanded by more comprehensive interviews of references and more professional investigations*

As previously stated this recommendation is being reviewed to ascertain if it can be achieved within existing staff resources through redeployment. Should this not be possible, the following is an estimate of the costs involved in implementing this recommendation by adding staff.

A preliminary review of the staffing required to fully implement this recommendation is that four (4) first class constables would be required. This would require an additional estimated \$324,700 (salaries and benefits included). If the additional funding were to be obtained it is estimated that this could be achieved by the third quarter of 2004.

### **Recommendation 6 (previously reported to the Board)**

*The Service should employ two full-time, fully qualified psychologists to conduct all psychological testing of potential recruits as well as members of the Service seeking promotion or members of the Service seeking transfer to sensitive or high-risk areas. The psychologists' positions should not be held on a contract basis, as is the current practice.*

The estimated cost for implementing this recommendation using psychological services on a contracted basis is \$ 150,000, based on one-half of a year (i.e. Q3 & Q4, 2004)

### **Recommendation 8 (previously reported to the Board)**

*The Service should establish a new Special Recruitment Committee to act in an advisory capacity to the Employment Unit in developing and maintaining a recruitment strategy.*

*The committee should consist of six individuals: two members of the Service, appointed by the Chief; two members of the Service, appointed by the Police Association; and two private citizens who have experience in promotional programs, advertising, and recruitment, to be appointed by the Chief. The private citizens will serve alternatively, as Chair, for a period of one year. All members of the committee shall be appointed for two years, subject to one renewal appointment for two years. All committee members shall*

*receive an appropriate honourarium from the Service. Representation of minority groups on the Committee should always be a consideration when selecting committee members.*

As indicated in my initial response to the recommendations contained within Justice Ferguson's report, it is the position of the Service that current community committee – Recruit Coalition Committee is an existing advisory group that addresses this recommendation. The Service believes that this Committee, which is comprised of community members who volunteer their time, is the maximal method of achieving the greatest efficiency and effectiveness.

*Recommendation 9 (previously reported to the Board)*

*The position of "Career Development Officer" for uniform members should be re-implemented and moved to the Employment Unit. Having expertise in human resource development, this individual will assist members in assessing and achieving their career paths and promotional opportunities.*

The creation of this position, at the senior officer level (either uniform or civilian) as previously indicated, would require additional funding of \$118,035 (salary and benefits included). If the additional funding were to be obtained it is estimated that this could be achieved by the third quarter of 2004.

As previously stated this recommendation is being reviewed to ascertain if it can be achieved within existing staff resources through redeployment

**Part IV – Professional Standards – Investigative Unit**

*Recommendation 1 (previously reported to the Board)*

*Aside from having a representative at Headquarters, the entire operation of Professional Standards Investigative Unit - Criminal Investigations must be moved to a separate, independent location.*

This recommendation calls for the establishment of a facility for the Investigative Unit – Criminal Investigations, outside of Headquarters and outside of any existing police facility. Recent inquiries with the City of Toronto have indicated that no space is available for the relocation of a unit of this size (approximately 50 people). Therefore, reallocation of, or additional, funds will be required to acquire and renovate a suitable facility. Based on an estimated 50 staff, a facility with approximately 12,000 square feet would be optimal.

Facilities Management has identified the following options that could be implemented to accommodate this recommendation.

### **Option 1: 21 Division (22 sub-station)**

The facility that previously housed 21 Division has sufficient space to accommodate the Investigative Unit. The facility is currently being used as a sub-station for 22 Division, and provides a storefront police facility.

#### **Considerations:**

- Facility would be independent, but next door to Public Property (may be viewed as not independent).
- Staff currently assigned to this function would be moved to 22 Division, until the new college is completed (scheduled for early 2008). At that time, the sub-station would be located at the new college. Citizens will not be pleased with the storefront closing.

#### **Cost and timing:**

- Renovations to modify the space to meet Unit requirements are estimated to cost \$850,000.
- Renovations would be completed in approximately 4 months, assuming no building permit issues arise.

### **Option 2: 42 (Sub)-Division**

This facility is currently being used as a sub-station for 42 Division, and will be closed upon completion of the new 43 Division. However, 43 Division is scheduled for completion by late 2005.

#### **Considerations:**

- Move could not occur for approximately 2 years.
- Staff currently assigned to this function would be moved to 43 Division.

#### **Cost and timing:**

- Renovations to modify the space to meet Unit requirements are estimated to cost \$875,000.
- Renovations would be completed in approximately 6 months after start; start would be delayed to early 2006.

### **Option 3: Leasing a new facility**

Leasing a facility would provide space as soon as possible, without being associated with any existing police facility.

#### **Considerations:**

- Contrary to City's direction to move out of leased premises.
- Site selection may take some time.
- Lease commitment assumed to be at least 3 years.

### Cost and timing:

- Renovations to modify the space to meet Unit requirements are estimated to cost \$850,000 (may vary greatly, depending on site selection).
- Lease costs are estimated at approximately \$200,000 per year.
- Renovations would be completed in approximately 4 months, although this will vary depending on site selection.

Option 1 is recommended because it is the lowest cost option, with the earliest implementation date. However, the issues of closing the storefront operation until the new College is built, and being next door to a police facility, are significant ones that will require further review.

### Conclusion

Some of the recommendations made by Justice Ferguson (e.g. drug testing) while agreed to by the Service require continuing negotiation with the stakeholders involved. Both the Toronto Police Association and the Senior Officer's Organization have agreements in place that may require negotiation to amend or modify in order that Justice Ferguson's recommendations can be achieved. In addition to the foregoing some of the recommendations have significant legal implications in that their implementation could have an impact upon an employee's rights as guaranteed under the Charter of Rights and Freedoms, privacy legislation and existing labour statutes to name a few.

Justice Ferguson's report is innovative and forward thinking in light of existing policing practices in Canada. To fully achieve both the specific and the intent of the recommendation will require additional research of contractual or statutory obligations that could be in place on either the Service, its members or their respective bargaining agents. This will require that the Implementation Committee research, identify and continue or initiate discussions or negotiations to fully achieve.

Due to the complexity of the implementation process in responding to Justice Ferguson's recommendations and to the numerous initiatives that have been undertaken outside the parameters of his report, several items were inadvertently omitted in my initial report on the progress of the Service's implementation of the recommendations. This supplementary report addresses those omissions.

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

### **The Board approved the following Motions:**

- 1. THAT the foregoing reports be received;**

2. **THAT the Board approve all 32 recommendations made by the Honourable Justice George Ferguson, Q.C., in his report entitled *Review and Recommendations Concerning Various Aspects of Police Misconduct*;**
3. **THAT the Board establish a schedule, to commence immediately and to continue until the recommendations made by the Honourable Justice George Ferguson, Q.C., are fully implemented, whereby the Chair and Members of the Police Services Board will be briefed by the Chief of Police and Justice Ferguson on a bi-weekly basis on the status of the implementation of Justice Ferguson's recommendations and any issues arising from same; and that the Chair be required to file a report with the Board containing the full details of the briefing;**
4. **THAT the Board/Service joint working group on changes to the *Police Services Act* report to the Board with recommended amendments to the Act to achieve greater civilian oversight and transparency for the May 27, 2004 meeting;**
5. **THAT the Chair write to the Minister of Community Safety and Correctional Services and Attorney General requesting the province to review, reform and strengthen the *Police Services Act* in this legislative session and advise the Minister that the Board's recommended changes will be forthcoming in June 2004;**
6. **THAT the Board convene an evening public meeting on June 16, 2004 to hear public deputations on reform to the public complaints systems and amendments to the *Police Services Act*;**
7. **THAT the Board request the Chief to provide a report for the June 29th Board meeting on an implementation plan, including timelines and target dates to implement the "drug testing" recommendation contained in Justice Ferguson's report and that such report also include a feasibility study and implementation plan to establish a random drug testing policy applicable to all members of the Service;**
8. (a) **THAT the Board request the Chief to provide a report for the June 29<sup>th</sup> Board meeting on the implementation of the following recommendation made by Justice Ferguson, to be implemented by January 2005:**

**Aside from having a representative at Headquarters, the entire operation of Internal Affairs must be moved to a separate, independent location.**

- (b) **THAT the Board write to the Mayor and request that he convene a meeting with the City Chief Administrative Officer, City Chief Financial**

**Officer and Treasurer, Commissioner of Corporate Services and the Executive Director of Facilities and Real Estate to determine whether there are any available facilities at Metro Hall and report back to the Board;**

- 9. THAT in addition to receiving detailed reports on those matters meeting the criteria for reporting to the Board (Board Minute No. 285/00 refers), the Board also receive, as part of the Professional Standards report, a statistical analysis of all allegations of misconduct against members of the Toronto Police Service and that this analysis include open cases, closed cases, cases opened and closed since last reported and identify the unit conducting the investigation and that the categories of investigations, listed be categorized in a format consistent with the Professional Standards bi-annual report and that such analysis also include any identifiable trends noted by the Service;**
- 10. THAT, for the remainder of 2004, in addition to receiving detailed reports on those cases meeting the criteria for reporting to the Board (Board Min. No. 285/00 refers), the Board request the Chief continue to provide reports on all ongoing internal affairs investigations. These reports are to include, among other information, the allegations in each case, the date the Service became aware of the allegations, case numbers, the identities of all Service members involved and the anticipated next steps;**
- 11. THAT the Board request the Chief to review all internal affairs matters reported to the Board since 1999 and to ensure that where initial reports were provided, interim and/or final reports are also provided;**
- 12. THAT the Board request the Chief to provide a report for the June 29<sup>th</sup> Board meeting to advise the Board as to whether the Chief is in compliance with the requirement that he report to the Board within 30 days any findings made and actions recommended as a result of an administrative review into a matter investigated by the Special Investigations Unit (S.I.U.) as provided by ss.11(4) of Ontario Regulation 673/98;**
- 13. THAT the Board request Justice Ferguson and Chief Fantino to report back in June 2004 on which types of management or supervisory positions should also require the same screening process as high risk areas;**
- 14. THAT the Board request Justice Ferguson and Chief Fantino to report back in September 2004 on the design of a process to protect “whistle-blowers”;**
- 15. THAT Justice Ferguson and Chief Fantino report back to the Board at its May 27, 2004 meeting on timelines for addressing each recommendation;**

**The Board also considered the following Motion by Councillor McConnell:**

**16. THAT the Board retain an independent party to:**

- (a) identify management and operational gaps or deficiencies which may create conditions for or exacerbate unlawful activity;**
- (b) recommend management and operational changes which should be made in order to prevent the development of unlawful activity;**
- (c) conduct a review that involves a comprehensive assessment of the experience and response of other police services operating in liberal democratic environments to similar challenges;**
- (d) provide a detailed implementation plan for management and operational reform; and**
- (e) provide a report and recommendations that will be made public.**

**The Board approved the following Motion:**

**17. THAT the consideration of Vice-Chair McConnell's request (Motion No. 16 above) for an external audit be deferred for one month and that, in the interim, a subcommittee composed of the Chair Heisey, Vice-Chair McConnell, and Mr. Justice Locke be established to consider the matter further and report back to the Board.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF  
THE TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P135. POLICE TOWING AND POUND SERVICES CONTRACTS:  
2004 TO 2007**

The Board was in receipt of the following report APRIL 21, 2004 from Julian Fantino, Chief of Police

Subject: POLICE TOWING CONTRACTS

Recommendation:

It is recommended that the Board:

- (1) award the towing and pound services contracts effective June 1, 2004 to May 31, 2007, to the following towing companies:

Towing District No. 1 – J.P. Towing Service & Storage

Towing District No. 2 – Walsh's Auto Service Limited

Towing District No. 4 – Williams Towing Service Ltd.

Towing District No. 5 – Diamond Towing Ltd.

Towing District No. 6 – A Towing Service Ltd.

- (2) re-issue the towing and pound services quotation request for Towing District No. 3;
- (3) request Abram's Towing Services Ltd., the current contract holder in Towing District No. 3, to extend its contract for three months, from June 1, 2004 to August 31, 2004; and
- (4) in the event Abram's Towing Services Ltd. is unwilling or unable to extend its current contract for the required period, authorize the Chief of Police to request the towing operators in adjacent towing districts to temporarily expand the boundaries of those districts until such time as a new contract for Towing District No. 3 can be awarded.



Background:

At its January 6, 2004 meeting, the Board approved the issuance of a quotation request for the police towing and pound services contracts (Board Minute P3/04 refers). As a result of that approval, a quotation request was issued which closed on February 9, 2004.

The contracts are scheduled to commence on June 1, 2004, and are to be in effect for a period of three years, with an option for a fourth year at the sole discretion of the Board. A total of six contracts are to be awarded, one for each district as described in the quotation request.

In accordance with the quotation request, towing operators were permitted to submit a response in respect to any or all of the towing districts; however the quotation request specified “the Board will not award contracts for more than one district to the same towing operator.”

Bid Information:

Bidders were instructed to submit a bid that was a combination of a towing charge and the first day storage charge (24- hour period) not to exceed \$150.00. The following bids were received:

District	Bidder	Towing Charge (\$)	Storage Charge (\$)	Total Bid (\$)
1	J P Towing Service and Storage Ltd.	118	32	150
2	Walsh's Auto Service Ltd.	100	50	150
3	1512081 Ontario Ltd.	100	50	150
4	Williams Towing Service Ltd.	42	28	70
4	LB Towing Ltd.	Declared Informal	Declared Informal	Declared Informal
5	Diamond Towing Ltd.	96	32	128
6	A Towing Service Ltd.	94	24	118

Compliance With Quotation Request:

During the month of February, staff from Traffic Services and Parking Enforcement conducted an inspection of the documentation, equipment, facilities and background of the towing companies. It was found that all the recommended bidding companies complied with the requirements of the quotation request.

For the Board's information, relevant portions of the quotation request require the following:

- \$100,000 line of credit
- Motor vehicle dealer's licence
- Toronto Licensing Commission public garage licence

- Must not be involved with an auto body repair business, provide municipal law enforcement services or operate a collision reporting centre
- Submit a current and certified survey of property indicating all buildings and storage space for vehicles, must meet square footage criteria
- Fences surrounding pound shall be a minimum of six feet in height and in good repair
- Pound area must have fence alarm or video surveillance
- All towing vehicles must be insured
- All towing vehicles must be registered in the name of the bidder and shall produce all vehicle leases, vehicle ownerships, by - law licences and vehicle lien searches.
- Must be in good standing with the City of Toronto, Municipal Licensing and Standards Division
- Must have an unrestricted right to occupy and lawfully operate a pound for the full period of the contract.

LB Towing Ltd. submitted a bid for Towing District No. 4, which was declared informal by Toronto Police Service purchasing staff. The representatives of LB Towing Ltd. had failed to complete and execute the quotation request form. The form itself indicated that failure to complete and properly sign the form would result in no consideration of the bid.

Downtown Towing Group Ltd. did not submit a bid. However, it requested to remain on the mailing list for future towing contracts.

#### Non-Compliant Bid – Towing District No. 3:

A problem was identified with the bid of 1512081 Ontario Ltd. in respect to the registration certificate issued under the *Motor Vehicle Dealers Act (MVDA)*, which is a requirement for all bidders under the quotation request. The certificate provided by 1512081 Ontario Ltd. at the time of bid closing was not in the name of the bidder. Although the bidder subsequently supplied a registration certificate in its name, at the time of bid closing, 1512081 Ontario Ltd. did not technically comply with the bid requirements for MVDA registration in its name. Consequently, the question arose as to whether 1512081 Ontario Ltd., which is the sole bidder for Towing District No. 3, should be rejected as non-compliant.

The Board received legal advice from TPS Legal Services regarding this matter. In light of that advice, the Board adopted the position that although no other bidders have submitted a bid for Towing District No. 3, the terms of the quotation request document apply to bidders in all districts and the Board is legally obligated to adhere to those terms. The quotation request document explicitly contemplates the situation where no compliant bids are received for one or more of the districts. It provides as follows:

In the event that there are no formal compliant quotations for one or more of the Towing Districts, the Board will issue a further quotation request for such District or

Districts, either separately or collectively in the Board's discretion....

If the Board issues such further quotation request for any Towing District or Districts, the Board may make arrangements for towing services for the relevant District or Districts in any manner it considers necessary and/or appropriate pending the award and the entering into of any contract under such quotation request. Such arrangements may include, but are not limited to, allowing a towing operator or operators to temporarily provide towing and storage services for the District or Districts without the issuance of any quotation request or tender.

The Board is obligated to adhere to this term of the quotation request and such obligation is owed to all bidders who submitted a response to the quotation request regardless of which districts they may have bid on. In addition, independent of any legal obligation that may or may not arise in this case, it is arguable that the non-compliant bid should not be accepted on the basis of general principles of fairness in the promotion of the integrity of the bidding process as a whole.

Therefore, the bid of 1512081 Ontario Ltd. for Towing District No. 3 should be rejected as non-compliant with the requirements of the quotation request.

### **Extension of Towing and Pound Services – Towing District No. 3:**

In light of this recommendation, the Service needs to ensure the continued provision of towing and pound services in Towing District No. 3 while a new quotation request for the district is issued. It is recommended that Abram's Towing Services Ltd., the current contract holder, be requested to extend its contract for a period of three months while the Board undertakes the process of awarding a contract for Towing District No. 3.

It is further recommended that if Abrams Towing is unwilling or unable to extend its current contract for the required period, the Chief of Police be authorized to request the towing operators in adjacent towing districts to temporarily expand the boundaries of those districts until such time as a new contract for Towing District No. 3 can be awarded. Any such expansion of adjacent districts would be apportioned based on the respective towing and storage capacity of the adjacent operators.

Acting Deputy Chief David Dicks, Policing Support Command, will be in attendance at the Board meeting to answer any questions with respect to this report.

**The Board was also in receipt of the attached correspondence, dated April 29, 2004, from Stephen LeDrew, LeDrew, Laishley Reed, regarding the police towing contracts.**

**Supt. Steve Grant, Traffic Services, and Mr. Karl Druckman, City of Toronto – Legal Services Division, were in attendance and responded to questions by the Board.**

**The Board approved the following Motions:**

- 1. THAT the foregoing report be approved; and**
- 2. THAT the correspondence from Mr. LeDrew be received.**
- 3. THAT City Legal provide a report in a timely manner outlining a process on how to deal with various towing issues prior to consideration of the next contract.**

**Councillor John Fillion requested that he be noted in the negative with regard to Motion No. 1.**

3 Church Street, Suite 505, Toronto, ON M5E 1M2  
Tel: 416.981.9401 Fax: 416.981.0060

Stephen LeDrew  
Direct Tel: 416.981.9460  
Direct Fax: 416.981.0060  
E-Mail: sledrew@llr-law.com

**BY FACSIMILE**

April 29, 2004

Toronto Police Services Board  
40 College Street  
Toronto, ON  
M5G 2J3

Attention: Chair and Board Members  
Toronto Police Services Board

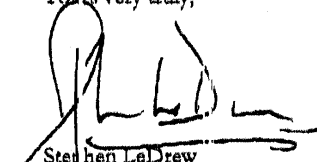
**Re: POLICE TOWING CONTRACTS**

I am writing on behalf of Abrams Towing Services Ltd., the current contract holder in Towing District No. 3, and have had the benefit of reading Chief Fantino's report to the Board dated April 21<sup>st</sup>, 2004.

At the time of the submission of the bid for Towing District No. 3, the certificate of registration under the *Motor Vehicle Dealer's Act* (MVDA) was issued to a company affiliated with, and related to, the bidding company. Abrams Towing understands the technicality, and therefore agrees to extend its present contract from June 1, 2004 to August 31, 2004 in accordance with recommendation number three of Chief Fantino's report, and will be responding to the re-issued Towing and Pound Services Quotation Request for Towing District No. 3.

Thank you,

Yours very truly,



Stephen LeDrew  
SL/sys

cc: Abrams Towing Services Ltd.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF  
THE TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P136.           DECISION REGARDING THE INQUIRY INTO THE CONDUCT  
AND PERFORMANCE OF DUTIES OF NORMAN GARDNER**

The Board was in receipt of the attached decision, dated APRIL 16, 2004, from the Ontario Civilian Commission on Police Services, with regard to the inquiry into the conduct and performance of duties of former Chairman Norman Gardner.

**The Board received the foregoing.**

## **ONTARIO CIVILIAN COMMISSION ON POLICE SERVICES**

### **IN THE MATTER OF AN INQUIRY INTO THE CONDUCT AND PERFORMANCE OF DUTIES OF NORMAN GARDNER OF THE TORONTO POLICE SERVICES BOARD**

#### **Presiding Members:**

Murray W. Chitra, Chair  
Barbara Morland Wellard, Member  
G. Douglas Smith, Member

#### **Appearances:**

D. Thomas H. Bell, Counsel, Ontario Civilian Commission on Police Services  
Frank N. Marrocco, Q.C., Counsel, Norman Gardner  
Derek A. Vanstone, Counsel, Norman Gardner  
Andrew P. McKay, Counsel, Constable Walter Kalynowysch, Staff Sergeant Peter Button and  
Toronto Police Association

**Hearing Dates:** January 12, 13, 14 and 15, 2004

**Written Penalty Submissions:** March 17, 2004

This is a decision with respect to penalty pursuant to section 25(5) of the Police Services Act, R.S.O. 1990, c. P.15 as amended (the “Act”) following an inquiry into the conduct and performance of duties of Norman Gardner.

#### **Background:**

On May 20, 2003 the Ontario Provincial Police (the “OPP”) wrote Chief Julian Fantino of the Toronto Police Service to advise the Chief of information obtained during the course of an OPP criminal investigation bearing on the conduct of Norman Gardner. At the time of this correspondence Mr. Gardner was both an appointee to and Chair of the Toronto Police Services Board (the “Board”).

The Chief directed this matter to the Board through his legal counsel. Subsequently, a letter was forwarded to the Ontario Civilian Commission on Police Services (the “Commission”) from the Board requesting “the Commission to deal with the matters raised by the OPP correspondence pursuant to s. 15(c) of the Code of Conduct and section 25 of the Police Services Act.”

This letter was tabled at a regularly scheduled meeting of the Commission on June 9, 2003. Commission members agreed to the Board's request to investigate Mr. Gardner's conduct. Mr. Kent Laidlaw and Mr. Terry Dickie were assigned to this task.

Over the course of the next several weeks the two Commission investigators interviewed or spoke to 17 individuals. They reviewed 945 pages of documents. On September 8, 2003 they reported to the Commission. Essentially, their conclusion was that there was sufficient evidence of misconduct to warrant convening a public inquiry under section 25(1)(a) of the Act. Commission members agreed.

D. Thomas H. Bell was appointed Commission Counsel. Terms of Reference for the inquiry were prepared and served on Mr. Gardner. The relevant sections read:

The Commission will hold a hearing to determine whether your conduct described below contravened the Members of Police Services Board – Code of Conduct, being O. Reg. 421/97 (the "Code of Conduct"), and specifically, ss. 8, 10 and/or 13 of the Code of Conduct, and, as such amounts to misconduct, or warrants a finding that you are not performing, or that you are incapable of performing your duties in a satisfactory manner.

The following behaviour will be considered at this hearing:

1. Your dealings with Mr. Thanos Polyzos in connection with your receipt from him on or about February, 2003 of a Para-Ordnance Tac. 4 firearm, and your subsequent possession of that firearm; and,
2. Your removal from the Toronto Police Service between June 1, 2001, and April 30, 2003, of a quantity of approximately 7900 rounds of various calibres and types of ammunition.

After discussions with Mr. Gardner's counsel the inquiry was scheduled to commence on January 12, 2004.

### **The Inquiry:**

Over the course of a number of days we heard from 13 witnesses. They included Mrs. Gloria Lindsay Luby, Mr. Thanos Polyzos, Staff Sergeant Peter Button, Constable Walter Kalynowysch, Superintendent Kenneth Cenzura and Superintendent Wayne Cotgreave.

Mr. Gardner testified. As well, several witnesses spoke on behalf of his character. They were former Chief of Police William Joseph McCormack, Craig Bromell, Senator Consiglio DiNino, Edwin Williams, Monica Willie, and Donald Robinson.

All witnesses (with the exception of Mr. Gardner) were excluded from the inquiry until they had completed giving their evidence. A total of 7 exhibits were admitted. A number of these were books containing multiple documents.

Following submissions we adjourned to consider the evidence.



## **Findings:**

Framed in accordance with our Terms of Reference, section 25(5) of the Act and sections 8, 10 and 13 of the Code of Conduct the issues before us were:

Did the evidence with respect to Mr. Gardner's dealings with Mr. Polyzos in connection with the receipt of a Tac .45 firearm and subsequent possession of that firearm and his removal of Service ammunition warrant a finding that he:

- had not upheld the letter and spirit of the Code or discharged his duties in a manner that would inspire public confidence in the abilities and integrity of the board; or
- used his office to advance his interests or the interests of a person or organization with whom or with which he was associated; or
- discredited or compromised the integrity of the Toronto Police Services Board or Toronto Police Force?

And if so, did this warrant a conclusion that Mr. Gardner was guilty of misconduct or was not performing or is incapable of performing the duties of his position in a satisfactory manner?

### Thanos Polyzos and the Para-Ordnance Tac .45 Semi-Automatic Handgun

We found that Mr. Polyzos was in the business of manufacturing semi-automatic handguns and that for the purpose of advancing his business interests he cultivated a relationship with Mr. Gardner.

At some point, this relationship developed aspects of a friendship. Whatever the nature of the relationship, it gave Mr. Polyzos access to Mr. Gardner on business related matters. This was evident from events in the summer of 2001 relating to a booth at the conference of the International Association of Chiefs of Police.

Mr. Polyzos contacted Mike Sale, a Toronto Police Service Inspector and Conference Chairman about the cost of a booth. Mr. Polyzos was not satisfied with the reply and decided to go right to the top of the chain of command and speak directly to Mr. Gardner. He requested that certain things be "impressed" upon the Inspector.

That being said, we found no evidence that a subsequent phone call by Mr. Gardner to Inspector Sale with respect to the booth advanced the interests of Para in a measurable way. Para ended up paying similar prices as other exhibitors. As a result, on this point, we found no contravention of the Code.

As well, the evidence did not disclose a direct connection between the booth and the offer by Para to make Mr. Gardner the gift of a handgun. Indeed, this offer was not made until the fall of 2002 and Mr. Gardner did not take possession of the Tac .45 until March 6, 2003. This was almost a year and a half after the conference. Objectively, the transactions did not appear to be linked.

We found that Mr. Polyzos arranged to have a Tac .45 delivered to Sport Shooter on February 24, 2003 in Mr. Gardner's name with an invoiced price below retail. Mr. Polyzos then made arrangements to have Mr. Gardner contacted by Sport Shooter. He then went on holiday to Europe until the end of March.

Mr. Gardner received a telephone call from Sport Shooter in late February and was told that they had a weapon for him from Para. He tried to contact Mr. Polyzos, but could not reach him. Instead of waiting for Mr. Polyzos to return and sort things out Mr. Gardner made arrangements to complete the necessary paperwork to transfer the pistol in his name. He picked up the gun on March 6, 2003, took it home and then went on holiday for two weeks.

He paid nothing for the weapon at the time. There was an outstanding invoice in his name for \$668.75. There was no clear understanding on Mr. Gardner's part about how much he was to pay and when he was to do so other than this was something that he would sort out with Mr. Polyzos at some unspecified point in time.

We found that in the circumstances, the prudent course would have been for Mr. Gardner to let the gun sit with Sport Shooter until these concerns were dealt with. The question of price and payment appeared only to have become a concern on May 16, 2003 when Mr. Gardner found himself being questioned about the transaction during the course of an interview by the OPP.

Mr. Gardner's explanation for the delay was that he was very busy with Board business. We did not doubt this was true. However, the fact that he had an unpaid handgun from a company that was in the business of selling firearms to police services, at his home, should have warranted his attention.

We concluded that his failure to take steps to avoid the situation that he found himself in, resolve the matter as soon as possible or advise fellow board members showed both a remarkable lack of foresight and poor judgment.

However, we accepted Mr. Gardner's evidence that he was not seeking a personal benefit and always intended to pay for the Tac .45. Further, we did not find in these events a clear intention on Mr. Gardner's part to deceive, enrich himself, take advantage of his position or advance the commercial interests of a party with whom he had an association.

While his actions from March 6, 2003 onwards with respect to the handgun might have been sloppy and were not to his credit we found that they did not rise to the level of misconduct. Overall, we were of the view that this conduct fell a 'hair' below the threshold for establishing a violation of the Code.

### The Ammunition

The evidence disclosed that part of Mr. Gardner's responsibilities as Chair of the Board included touring police facilities, speaking to police personnel, and familiarizing himself with Service practices.

One of the facilities that Mr. Gardner normally visited was the C.O. Bick Police College. This was usually for the purposes of officiating at police graduation ceremonies. During these visits, Mr. Gardner indicated that it was his practice to drop into the College Armament Office.

In June of 2001 on one such visit, Mr. Gardner had a conversation with Armament staff and the subject of ammunition came up. He was told about a Service policy to supply ammunition to "members of the Service" and asked if he would like some. There was some discussion about his entitlement. Sergeant Moxley provided him with 150 rounds of .38 calibre and 150 rounds of 9 mm ammunition to take away.

Mr. Gardner appears to have used the ammunition issued to him. On the morning of November 23, 2001 he called the Armament Unit and advised Constable Newton that he was "coming in for ammunition". He required this ammunition for a shooting competition in which he was participating in the United States.

This request was brought to the attention of Staff Sergeant Button. He was not aware of the fact that Mr. Gardner had been previously issued Service ammunition to take away. As a result, Staff Sergeant Button went to the office of Superintendent Kenneth Cenzura, who was at the time Commander for C.O. Bick College and expressed concern.

Superintendent Cenzura telephoned Superintendent Wayne Cotgreave. Superintendent Cotgreave was Executive Officer in the Office of the Chief.

The Superintendents subsequently, had a two to three minute conversation.

There was no discussion of a quantity of ammunition. However, in the mind of both officers the request was for a limited quantity of ammunition for the purposes of target practice on Service ranges.

Superintendent Cenzura subsequently told Staff Sergeant Button that there was no "problem" with "us giving ... Mr. Gardner the ammunition he wants." As a result of the above, Mr. Gardner was provided with a further 550 rounds.

Staff Sergeant Button instructed his staff to make entries in the ammunition journal of any future requests by Mr. Gardner, noting the quality and calibre of any ammunition received so that he could "track it". He also made a note of these events in his personal journal.

Mr. Gardner subsequently took the ammunition to the United States and used it in a shooting competition. On January 16, 2002 Mr. Gardner received a further 2000 rounds. These consisted of the following: 1000 .38 calibre, 500 .40 calibre and 500 9 mm. On June 5, 2002 he received 2250 rounds. These consisted of the following: 1000 .38 calibre, 500 .40 calibre, 500 9 mm and 250 16 gauge.

Mr. Gardner took the ammunition because his personal inventory was low. He used the ammunition at his private shooting club and the Emergency Task Force range.

On April 23, 2003 Mr. Gardner visited the College for a graduation ceremony. After doing some shooting at the College's indoor range a quantity of ammunition was put in a box, placed on a trolley and transferred to the trunk of Mr. Gardner's car. It consisted of approximately 600 rounds.

In summary, we found that on five occasions over a 23-month period Mr. Gardner received approximately 5,700 rounds of ammunition from the Armament Office of C.O. Bick College with a total retail value of between \$700 and \$1800.

Subsequently, the Chief initiated an investigation into the use of Service ammunition arising out of these events. Officers from Internal Affairs contacted Mr. Gardner's lawyer. As a result, Mr. Gardner returned 3,315 rounds of assorted Service ammunition.

Mr. Gardner testified that by receiving this ammunition he did not feel that he had acted inappropriately. He stated that he believed he was entitled to the ammunition as a "member of the Service" under the existing policy. He acknowledged that he had never asked for a copy of the relevant policies and that "it just didn't enter ... [his] mind" to speak to the chief of police about it.

By way of further explanation Mr. Gardner indicated that he had relied upon people to tell him he was eligible to receive ammunition. Further he never attempted to conceal his activities and assumed it was common knowledge. Further, on most occasions he stated that he did not solicit ammunition, but rather was offered it. For this reason and because he did not feel it was relevant, he did not raise the matter with any Board member.

Mr. Gardner said he did not view the free ammunition as a gift, but rather a "benefit" or "perk". He testified that had he felt that he was not entitled to the ammunition he would not have accepted it.

We found that Mr. Gardner was not a "member" of the Toronto Police Service. We concluded that given his 14 years experience on the Board that this was something that should have been evident to him.

We found that there is no requirement for Mr. Gardner to have any skills with a handgun to fulfill his duties as a Board appointee or Chair. We accepted that it was part of Mr. Gardner's role to tour police facilities, speak to staff and understand the essential elements of police training. We acknowledged that this might involve the odd demonstration of a weapon or use of force technique.

We found however, that this could not be stretched to encompass the regular use of police equipment and firing ranges to improve personal shooting proficiency. As well, we did not see how the use of police ammunition by a Board member at private clubs or shooting competitions in the United States can be said to have anything to do with Mr. Gardner's role as a Board member or Chair.

We concluded that police equipment and facilities are provided by the taxpayer for the use of Service personnel in the regular performance of their duties or to assist them in practicing their basic skills. They are not a “benefit” or “perk” of any job. Indeed, for police officers proficiency in the use of firearms is an essential employment requirement.

We found that with limited inquiry and relying on the assurance of an unidentified constable or sergeant, Mr. Gardner agreed to take free ammunition for his personal use. He did not ask for a copy of the policy. He did not feel it necessary to bring the question of his entitlement to senior College officials or the Chief. We concluded that this was neither reasonable nor prudent. It failed to demonstrate sufficient due diligence.

We acknowledged that the total amount received was not large in the context of the requirements of an experienced sport shooter. However, more to the point we found that the amounts that he took each time were far in excess of that necessary for police officer firearm requalification (i.e. 50 rounds), normally issued to police officers for off-site practice (i.e. 100 rounds) or on-site tactical training (300 to 350 rounds).

We concluded that Mr. Gardner was both taking and using this ammunition for his personal use and acknowledged main hobby. By any objective standard or reasonable community expectation this was not acceptable.

We found that such conduct advanced Mr. Gardner’s personal interests at the expense of the Service. It discredited and compromised the integrity of Board. It arose from a lack of diligence and that could not inspire public confidence in the abilities and integrity of the Board.

As such, we found that Mr. Gardner’s conduct with respect to the receipt of the 5,700 rounds of Toronto Police Service ammunition for his personal use warranted a finding that he contravened sections 8, 10 and 13 of the Code and was therefore not performing the duties of his position in a satisfactory manner.

These findings were reflected in a decision that was issued on March 1, 2004. At that time, we requested that we be provided with written submissions with respect to penalty prior to March 19, 2004.

**Submission:**

We received written submissions from Mr. Vanstone on behalf of Mr. Gardner on March 17, 2004. He made of a number of points.

First, he noted that given the application of section 14(1) of the Code that Mr. Gardner had in effect been suspended from his duties since June 9, 2003. As a result for almost nine months he has had to curtail his personal public activities.

That since January of 2004 that Mr. Gardner has no longer been Chair of the Board. The next elections for the position of Chair will take place in January of 2005. Given that Mr. Gardner's normal term will expire prior to that date, Mr. Vanstone suggested that there is no reasonable possibility that he will return to his former position.

Mr. Vanstone pointed out that as a result of the investigation and inquiry that Mr. Gardner's conduct has been the subject of intense media scrutiny – some of which has been negative and hurtful.

Mr. Vanstone noted that Mr. Gardner is 65 years old. He served for many years as a municipal councilor. This commenced in 1976 and with the exception of a three-year period (1982-1985) extended to 2000. While on Municipal Council, Mr. Gardner was appointed to the Police Services Board. He served as a municipal member for the six-year period from 1987 to 1992. He was reappointed as a municipal member in 1994 and subsequently elected Chair in 1999.

Mr. Vanstone noted that Mr. Gardner was described by various character witnesses and in several letters submitted in his behalf as being community minded, hardworking, reliable, straightforward, approachable, fair, honourable and of high integrity.

In particular, Mr. Vanstone highlighted testimony from former Chief William McCormack and Craig Bromell concerning Mr. Gardner's reputation for honesty, integrity and fairness. He noted evidence from Senator Consiglio DiNino and Edwin Williams concerning Mr. Gardner's community service orientation and the respect and affection that it had engendered.

Mr. Vanstone drew to our attention to testimony from Monica Willis describing Mr. Gardner as "very honest and decent", truthful and trustworthy. He also noted testimony from Mr. Robinson concerning Mr. Gardner's reputation for integrity amongst the broader police governance community.

Mr. Vanstone, raised several factors by way of mitigation. These included that:

- Mr. Gardner never attempted to covertly receive ammunition. He was always public and straightforward with his requests and did not use his position to intimidate anyone to provide him with ammunition;
- The quantity of ammunition received by Mr. Gardner over a two and a half year period was "not significant" and the total monetary value was "small";
- Upon learning of the allegations that it was improper of him to have received the ammunition, Mr. Gardner returned the Service ammunition that was still in his possession;
- Mr. Gardner never unilaterally demanded ammunition, but relied upon the advice of officers that he was entitled under the existing policy to receive some;
- The relevant policies of the Toronto Police Service were ambiguous;
- Mr. Gardner's interest in firearms and sport shooting were well known, even prior to his appointment to the Board; and
- No one ever voiced concern or objection to Mr. Gardner about his taking of the ammunition.

In light of the above, Mr. Vanstone submitted that the most appropriate penalty for Mr. Gardner would be a suspension for nine months. This would correspond with the suspension that he has in effect already served. In other words, no additional sanction was required.

**Decision:**

The Code of Conduct binds all Board members. The relevant sections for the purpose of this inquiry read:

8. Board members shall uphold the spirit and letter of the Code of Conduct set out in this Regulation and shall discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board.

10. Board members shall not use their offices to advance their interests or the interests of any person or organization with whom or with which they are associated.

13. Board members shall refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force.

It is these provisions that we have found Mr. Gardner contravened.

Essentially we concluded, that by taking 5,700 rounds of Service ammunition for his personal consumption, Mr. Gardner used his office to advance his personal interests, failed to discharge his duties in a manner that would inspire public confidence and discredited or compromised the integrity of the Board. As a result, he had not performed the duties of his position in a satisfactory manner.

Section 25(5) of the Act states that: “If the Commission concludes, after a hearing that a member of a board is guilty of misconduct or unsatisfactory work performance or is not performing ... the duties of his or her position in a satisfactory manner, it may remove or suspend the member.”

Section 25(9) of the Act provides that: “A member who has been removed shall not subsequently be a member of any board, and a member who has been suspended shall not be reappointed during the period of suspension.”

When attempting to impose an appropriate disposition under section 25(5) there are a number of factors to be taken into account. They can be either mitigating or aggravating. The considerations are well known to employment law and disciplinary proceedings.

For the purposes of this inquiry we believe that the relevant considerations are as follows:

1. Public Interest
2. Seriousness of Misconduct
3. Damage to Reputation of Board and Service

4. Recognition of Seriousness of Misconduct
5. Ability to Reform or Rehabilitate
6. General and specific deterrence
7. Employment History
8. Personal Circumstances

Other factors that could bear upon a disposition include handicap, procedural fairness, and provocation.

How do these factors relate to this case?

As noted in our earlier decision, every municipality in Ontario that maintains a police force is required by law to have a police services board. The members function in essence as a 'board of directors' to their police service. Their role is central to our concept of independent civilian governance of police services in Ontario.

In a very real way they act as public stewards by ensuring that police forces are accountable to the communities they serve. Board members represent the interests of the citizens in their communities. Mr. Gardner in his capacity of Chair was the acknowledged face of the board. As a result, the manner in which he carried out his duties and exercised his authority had a direct impact on how citizens would perceive how their interests were being served.

To our minds there is an obvious duty on members of a Board to ensure that this public trust has precedence over any personal interests. Taking Service ammunition paid for by municipal tax dollars for the purposes of a personal hobby is a clear failure to respect that public interest.

It has been suggested that the amount of ammunition taken in this case was "not significant" and the monetary value "small". This may well be. However, this must be placed in context.

The Board appoints all members of the police service and recruits and appoints the chief of police and any deputy chief. The Board directs the chief of police and monitors his or her performance and is responsible for any necessary discipline. The Board must establish policies for the effective management of the police force. The Board is in name, law and practice the employer of all members of a police service, both uniform and civilian staff. In effect the Board sets both the rules and the tone for the moral conduct of the Service.

Further, it is the role of the Board to ensure the provision of adequate and effective policing. Part of this function involves setting local law enforcement objectives. In other words, what the enforcement priorities of a community should be. On this point, we note the evidence before us with respect to the Board's concerns about the gun violence and the proliferation of firearms in the commission of offences. Further, Mr. Gardner was personally and very publicly involved in a number of these initiatives.

With this in mind, Mr. Gardner's removal of Service ammunition on several occasions over a period of many months for personal purposes cannot be viewed as an insignificant matter. It diminishes the Board's moral authority to establish rules that hold Service members accountable.



Even acknowledging Mr. Gardner's right to own and use handguns, his conduct brings into question the sincerity of the Board's efforts to enforce rules relating to weapons in the community.

Perhaps more to the point, as the Commission noted in a decision concerning the conduct of members of the Wallaceburg Police Services Board:

All Board members have an obligation to respect, uphold and follow the law. While this is true for every citizen, it is even more so for individuals who have the legislated responsibility for ensuring "law enforcement and crime prevention" in their community.<sup>3</sup>

The Commission described this as "a significant and unqualified commitment" imposing on Board members "a responsibility to conduct themselves with the utmost circumspection and prudence" and the "highest levels of honesty and integrity".<sup>4</sup>

This is most certainly the case for Board Chairs. In addition to their normal responsibilities they have a leadership role. Mr. Gardner as Chair, was at the apex of an organization whose primary objective is to ensure that the law was obeyed and the rules enforced. The obligation on him to conduct himself with integrity was at the highest end of the scale.

Given the above, notwithstanding the amount of ammunition in question, we find that Mr. Gardner's actions represent a serious misconduct.

Clearly, such misconduct can only diminish public confidence in both the Service and the ability of the Board to effectively carry out its essential oversight responsibilities to ensure effective law enforcement and crime prevention. It is obviously damaging to both the reputation of the Board and Service.

Recognition of misconduct is an important mitigating factor. It does not exist in this case. Mr. Gardner asserted that the rules of the Service were not clear and that he had been advised by unidentified officers that he was entitled to receive ammunition, never hid his actions and that he received no objection to his activities.

We find, these justifications to be troubling. As the Commission stated in the Wallaceburg Inquiry "The obligation of the Board to obey the law necessitates an effort to ensure the propriety of their actions when the question arises."<sup>5</sup> This effort must be both serious and considered.

---

<sup>3</sup> Inquiry Into The Conduct of Members of The Wallaceburg Police Services Board (19 June, 1996, O.C.C.P.S.) at page 24.

<sup>4</sup> Ibid., page 25.

<sup>5</sup> Inquiry Into the Conduct of Members of the Wallaceburg Police Services Board (19 June, 1996, O.C.C.P.S.) at page 24.

Further, as the Commission held in An Inquiry Into The Conduct of Chief Walter B. Faragher and The Owen Sound Police Services Board<sup>6</sup> this duty cannot be delegated, assigned or transferred to officers of junior rank. The responsibility to ensure scrupulous compliance with rules and policies is personal.

Accordingly, from the point of view of recognition of seriousness of misconduct, we are of the view that Mr. Gardner warrants no mitigation.

This leads to the question of the potential reform or rehabilitation. This normally, relates to the capacity of an individual to learn from a transgression and through supervision, education or other support avoid the recurrence of misconduct.

The facts of this case raised specific concerns in our minds with respect to Mr. Gardner's judgment, particularly in matters that touched upon his personal and long term acknowledged interest in firearms. We did receive evidence of Mr. Gardner's overall good character. Mr. Vanstone made the point that he returned a quantity of ammunition when he became aware of an investigation by Internal Affairs.

This speaks in a general way to a potential for rehabilitation, but does not satisfy our concerns with respect to Mr. Gardner's judgment on matters relating to firearms.

Perhaps more to the point is the issue of deterrence.

The conduct of Board appointees is regulated in a number of different ways. Prior to taking office a board appointee is required to take an oath of office. In this oath appointees solemnly swear or affirm that they will perform their duties to the best of their abilities "faithfully, impartially and according to the Police Services Act, any other Act, and any regulation, rule or by-law."<sup>7</sup> This is also expressed as a positive duty in regulation.<sup>8</sup>

These are not meaningless obligations or commitments. It is important that members who either do not meet these obligations are held accountable in a manner that promotes general deterrence. To our minds this is a relevant factor in this case.

We are less concerned with specific deterrence. Notwithstanding, Mr. Gardner's clear longtime interest in weapons, we do not believe there is any real chance that he would ever again have access to Service ammunition.

Further, we both note and acknowledge the character evidence presented on Mr. Gardner's behalf. As both a long time councilor and board member he has made a significant contribution to his community. This has engendered obvious support and respect. This is very much to his credit.

---

<sup>6</sup> 16 January, 1995, O.C.C.P.S.

<sup>7</sup> O. Reg. 144/91 as amended

<sup>8</sup> Section 7, O. Reg. 421/97 as amended

In addition, as Mr. Vanstone has pointed out the investigation and this inquiry has had personal consequences for Mr. Gardner. He has been the subject of adverse comment in the media and his personal reputation has no doubt suffered. While he has remained a Board member (with its entitlements and benefits) he has been compelled by section 14(1) of the Code to “decline to exercise his duties as a member of the board”. He is no longer Chair of the Board. This has no doubt been difficult for him.

In light of the mitigating factors relating to Mr. Gardner’s prior community service, we believe that removal is not called for. This is particularly the case, given that this would prohibit Mr. Gardner from being subsequently appointed to any board.

Even given the weight of these mitigating factors, we do not accept however, that no further sanction is warranted. Given the public interest, seriousness of misconduct, damage to the reputation of the Board and principles of general deterrence a significant penalty is called for.

For these reasons, pursuant to section 25(5) of the Act we suspend Mr. Gardner without pay from his position on the Board until December 5, 2004. This represents the full period of his remaining term and is the maximum suspension available to us to impose.

DATED AT TORONTO, THIS 16<sup>th</sup> DAY OF APRIL, 2004

Murray Chitra  
Chair, OCCPS

Barbara Morland Wellard  
Member, OCCPS

G. Douglas Smith  
Member, OCCPS

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P137. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:  
TRAFFIC CLEARWAYS AND PRIORITY LANES**

The Board was in receipt of the following report APRIL 21, 2004 from Julian Fantino, Chief of Police

Subject: TRAFFIC CLEARWAYS

Recommendation:

It is recommended that: the Board approve a request for a 6 month extension to submit a report on the operational feasibility of implementing photo-monitoring, for enforcement purposes, in traffic clearways and priority lanes.

Background:

At its April 1, 2004 meeting, the Board, approved the following motion:

7. THAT the Toronto Police Service, in consultation with City of Toronto Works and Emergency Services, City of Toronto Legal Department and the Toronto Transit Commission assess the operational feasibility of implementing photo-monitoring, for enforcement purposes, in transit clearways and priority lanes.

The Service is required to meet extensively with the various stakeholders to examine and review the feasibility of implementing photo-monitoring for enforcement purposes, in transit clearways and priority lanes. Traffic Services has been tasked with his initiative, and has commenced their review and examination of this issue.

The City of Toronto is meeting with all stakeholders on June 17, 2004 to discuss photo enforcement issues relating to traffic management.

Conclusion:

I am requesting that the Board approve a request for a 6 month extension to submit a report on the operational feasibility of implementing photo-monitoring, for enforcement purposes, in traffic clearways and priority lanes. This time frame is necessary in order to conduct a review of the relevant issues and impacts related to this initiative, in conjunction with all stakeholders.

Acting Deputy Chief, David Dicks, Policing Support Command, will be present to answer any questions.

**The Board approved the following Motion:**

**THAT the Board receive the foregoing report from Chief Fantino and agree that the report on traffic clearways and priority lanes be submitted in two months – for the June 29, 2004 meeting – and not six months as requested.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P138. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:  
SEARCH OF PERSONS – POLICIES AND GUIDELINES**

The Board was in receipt of the following report APRIL 06, 2004 from Julian Fantino, Chief of Police:

Subject: REQUEST FOR A THREE-MONTH EXTENSION TO SUBMIT A REPORT  
ON SEARCH OF PERSONS POLICY

Recommendation:

It is recommended that: the Board approve a three-month extension to submit a report with respect to a review of the Search of Persons policy.

Background:

At the March 25, 2004 Board meeting, the Board was in receipt of a report dated March 03, 2004, from A. Milliken Heisey, Q.C., Chair of the Police Services Board, with regard to a review of the search of persons policy.

The Board was also in receipt of a written submission, dated March 24, 2004, from the Toronto Police Accountability Coalition, with regard to the review of the search of persons policy.

The Board deferred both reports to its April 29, 2004 meeting and requested that "...Chief Fantino prepare a report containing the history of search of persons policies and guidelines and details of all previous reports submitted to the Board" (Board Minute P84/04 refers).

Due to the amount of information that requires gathering and the short turn around time for this report, it is recommended that the Board approve this request for a three-month extension.

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

**The Board approved the following Motion:**

**THAT the Board receive the foregoing report from Chief Fantino and agree that the report on the search of person policy be submitted for the July 29, 2004 Board meeting.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P139. No. 51 DIVISION – NAME OF NEW STATION**

The Board was in receipt of the attached correspondence, dated September 03, 2003, from Councillor Pam McConnell, recommending that the community room in the new No. 51 Division be named in honour of former Chair of the Board and former Mayor of the City of Toronto, Ms. June Rowlands.

**The Board received the foregoing correspondence and approved, with the agreement of Chief Fantino, that the community room in the new No. 51 Division be named in honour of Ms. Rowlands.**

**The Board also approved, as recommended by Chief Fantino, that the new No. 51 Division station be named in honour of former Chief of Police, the late Mr. Harold Adamson.**

RECEIVED SEP - 8 2003

**Pam McConnell**



Councillor, Ward 28  
Toronto Centre-Rosedale  
City of Toronto

City Hall, 2<sup>nd</sup> Floor  
100 Queen St. West  
Toronto, Ontario  
M5H 2N2

Tel: 416 392-7916  
Fax: 416 392-7296  
TTY: 416 392-1239  
councillor\_mcconnell@toronto.ca



September 3, 2003

Councillor Lindsay Luby, Chair  
Toronto Police Services Board, and  
Chief Julian Fantino  
Chief of Police  
40 College Street  
Toronto, Ont .  
M5G 2J3

Dear Councillor Lindsay Luby and Chief Fantino,

Re: Naming community meeting space in 5 1 Division

I wish to request officially that a worthy person be honoured by naming the community meeting space in the new 5 1 Division headquarters after June Rowlands.

I make this official request in recognition of June's long association with both the police and also with our community, June **Rowlands** worked as a social worker in the neighbourhoods of Toronto for which 5 1 Division has been responsible, including Regent Park and Corktown. Significantly, June is the first woman who served as Mayor of this city.

June **Rowlands** also contributed to the important role of the police in Toronto as the first woman who chaired the Toronto Police Services Board. In addition, June participated in the local 51 Division community police liaison committee.

Thank you for considering this appropriate recognition for one of Toronto's most admirable citizens.

Yours truly,

A handwritten signature in black ink that reads "Pam McConnell".

Pam McConnell  
Ward 28 - Toronto Centre Rosedale





**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON APRIL 29, 2004**

**#P140.        ADJOURNMENT**

---

A. Milliken Heisey, Q.C.  
Chair