



**The following *draft* Minutes of the meeting of the Toronto Police Services Board held on May 21, are subject to adoption at its next regularly scheduled meeting.**

**The Minutes of the meeting held on April 17, 2008, previously circulated in draft form, were approved by the Toronto Police Service Board at its meeting held on May 21, 2008.**

**MINUTES OF THE PUBLIC MEETING** of the Toronto Police Services Board held on **MAY 21, 2008** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

**PRESENT:**

**Dr. Alok Mukherjee**, Chair  
**Ms. Pam McConnell**, Councillor & Vice-Chair  
**Mr. Frank Di Giorgio**, Councillor & Member  
**Mr. Hamlin Grange**, Member  
**The Honourable Hugh Locke, Q.C.**, Member

**ABSENT:**

**Mr. David Miller**, Mayor & Member  
**Ms. Judi Cohen**, Member

**ALSO PRESENT:**

**Mr. William Blair**, Chief of Police  
**Mr. Albert Cohen**, City of Toronto - Legal Services Division  
**Ms. Deirdre Williams**, Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P125. POLICE OFFICER OF THE YEAR AWARDS RECEPTIONS 2008, 2009  
AND 2010**

The Board was in receipt of the attached correspondence dated May 09, 2008 from Michael D'Agostino, Event Specialist, Toronto Board of Trade, with regard to the 2008 Police Officer of the Year Awards Reception.

Mr. Chris Worth, Toronto Board of Trade, was in attendance and delivered a presentation to the Board on the 2008 Police Officer of the Years Awards Reception.

The Board was also in receipt of the following report dated April 28, 2008 from William Blair, Chief of Police:

Subject: REQUEST FOR FUNDS: POLICE OFFICER OF THE YEAR AWARDS  
RECEPTION

Recommendation:

It is recommended that: the Board approve an annual expenditure from the Board's Special Fund in an amount not to exceed \$3,500.00 per year for the years 2008 to 2010, in support of the Police Officer of the Year Awards Reception.

Financial Implications:

The Board's Special Fund will be reduced by the amount of \$10,500.00.

Background/Purpose:

The Police Officer of the Year Awards was initiated in 1967 by the Toronto Board of Trade Young Professionals. The purpose of the event is to formally recognize the admirable contributions by members of the Toronto Police Service who in many instances put their lives on the line due to their dedication to the community. All nominations are initiated through the Awards Co-ordinator, Professional Standards Unit and a panel of judges comprised of members of the media and a representative from the Toronto Board of Trade.

Nominees are judged from according to the following criteria:

Bravery  
Humanitarianism  
Superior Investigative Work; and  
Outstanding Police Skills

Each year the event is typically held on the second Thursday in the month of June at the Toronto Board of Trade, Downtown Club, First Canadian Place. A notable keynote speaker and Master of Ceremonies are selected each year to assist in the order of events. Each year an average of twenty four members of the Toronto Police Service are recognized for their outstanding contributions to policing the citizens of Toronto.

Discussion:

The Toronto Board of Trade undertakes an aggressive campaign to obtain appropriate funding from corporate supporters and Board of Trade members, however financial shortfalls have been experienced in the past few years.

In an effort to maintain the event to the standard of previous years, the Board's contribution will allow each recipient, their guest and their Unit Commander attend the event without incurring personal expense or cost to the Service.

This request is consistent with the Board's Special Fund policy of funding co-operative police community issues.

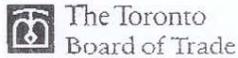
The Service recognizes and appreciates the generous contributions from the Toronto Board of Trade in recognizing and supporting members of the Toronto Police Service for over forty years.

Conclusion:

In summary, the Service is requesting that the Board approve an annual funding in the amount not to exceed \$3,500.00 from the Board's Special Fund in support of the Toronto Board of Trade annual Police Officer of the Year Awards Reception.

Deputy Chief Jane Dick of Executive Command will in attendance to answer any question the Board members may have.

**The Board received the presentation by Mr. Worth and approved the report from the Chief of Police.**



The Toronto  
Board of Trade

May 9, 2008

Dr. Alok Mukherjee  
Chair, Toronto Police Services Board  
40 College Street  
Toronto, Ontario  
M5G 2J3

Dear Dr. Mukherjee:

My name is Michael D'Agostino and I am an Event Specialist with the Toronto Board of Trade and the event lead for the 41<sup>st</sup> Annual Police Officer of the Year Awards. I am writing you today to request permission to present to the Toronto Police Services Board, along with my colleague Chris Worth, about the event.

We would like the opportunity to showcase the upcoming awards and encourage the rest of the board to attend.

I am personally very excited with the potential success of this years awards and I look forward to sharing this with you on May 21, 2008.

Sincerely,

Michael D'Agostino,  
Event Specialist, Toronto Board of Trade

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THE BOARD OF TRADE

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P126. SEXUAL ASSAULT AUDIT STEERING COMMITTEE – STATUS  
UPDATE**

The Board was in receipt of the following report dated March 06, 2008 from Alok Mukherjee, Chair:

Subject: SEXUAL ASSAULT AUDIT STEERING COMMITTEE – STATUS UPDATE

Recommendation:

It is recommended that the Board:

- (1) receive this report for information; and
- (2) forward a copy of this report to the Auditor General, City of Toronto

Financial Implications:

There are no financial implications associated with this report.

Background/Purpose:

The Board, at its meeting of February 10, 2005, received from Mr. Jeff Griffiths, Auditor General, City of Toronto, the following report: “Follow-Up Review on the October 1999 Report Entitled” Review of the Investigation of Sexual Assaults – Toronto Police Service.” (Min. No. P34/05 refers.)

At the February 10, 2005 meeting, the Board adopted all the 25 recommendations contained in the Auditor General’s follow-up report. The Board also approved the establishment of a Steering Committee to provide expertise with respect to the implementation of these recommendations. The motion required the Board to “ensure that the Steering Committee also includes at least three senior officers from the Service and an equal number of women from the anti-violence community with knowledge of the audit process.”

The Board issued a public invitation for applications from women from the anti-violence community interested in serving on the proposed Steering Committee. Community members were selected after a review of applications submitted. At its meeting of April 7, 2005, the Board received a report which stated that three individuals had been selected as members of the Steering Committee: Beverly Bain, Amanda Dale and Peggy Gail DeHal-Ramson (Min. No. P148/05 refers).

A fourth person, Jane Doe, was named as a Special Advisor to the Steering Committee. At its meeting of October 14, 2005, the Board approved a recommendation from the Chair that Jane Doe's title be changed from that of "Special Advisor" to that of "community member" as this was seen to be a more appropriate description of her role on the Steering Committee. (Min. No. P324/05 refers).

Amanda Dale and Peggy Gail DeHal-Ramson are not currently serving members of the Steering Committee. In May of this year, Wendy Komiotis was named as a community member to replace Amanda Dale until the end of Ms. Dale's leave of absence (Min. No. P187/07 refers).

At the time that the Steering Committee was established, the Board also approved a motion that it "...ensure that the Steering Committee includes a professional facilitator from St. Stephen's Community House." Following a selection process, Margaret Corion, a trained facilitator from St. Stephen's Community House, was selected.

### Discussion:

#### *Mandate and Status*

Since its establishment in 2005, the Steering Committee has been meeting regularly. The Steering Committee developed and approved Terms of Reference that included a mandate to provide expertise to the Board and the Service in implementing the recommendations contained in the Auditor General's Follow-up Report. It was also recognized that the ultimate responsibility for implementation of the recommendations rests with the Chief.

Based on considerable discussion the Steering Committee agreed that several of the Auditor General's recommendations were strictly technical in nature and could be addressed by the Service without the Steering Committee's input. The Steering Committee agreed that it would focus on four broad areas of recommendations made by the Auditor General: (1) complaints (related to sexual assault investigations, and, specific to women of colour); (2) warnings (community safety notifications) and a protocol; (3) technology and VICLAS; and (4) training. In addition, as part of its work, the Steering Committee also spent considerable time dealing with Toronto Police Service Procedure 05-05, which deals with Sexual Assault.

The Steering Committee developed a workplan to deal with each of these four areas. Perhaps the most significant area that required attention was training. Two community members of the Steering Committee observed the two weeks of training on investigation of sexual assault and child abuse provided at the C. O. Bick College, and brought forward a detailed analysis with extensive recommendations. Over a number of meetings with Service staff, the community members' findings were reviewed and changes identified. I would like to complement community members for a very useful and detailed report, and College staff for their very positive response. The Unit Commander of the College has advised that the recommendations are being reviewed, with a view to implementation.

With respect to complaints, the Steering Committee discussed complaint processing models which might be most suitable. There was agreement that changes to complaint processing are required; however, there have been no material changes to the Toronto Police Service's procedures in light of the impending changes to the public complaints system. While Bill 103 (Independent Police Review Act) has been passed and received Royal Assent it has not been proclaimed; therefore, any changes or amendments to procedure would be premature. In the interim, the Toronto Police Services is committed to working with agencies, such as the Sexual Assault Care Centres, to address any of their concerns in a timely, professional and sensitive manner.

Another area in which the Steering Committee did very good work was that of public warnings and notifications. Working with staff of the Service's Public Information Unit, the Steering Committee examined and analyzed the current language of these important communications, and proposed significant improvements. These have been implemented, to a great extent. Through their engagement with the community members, TPS staff enhanced their understanding of and sensitivity to the nuances of language used in these communications. This, I am confident, will have a long-term impact on the way the Service warns and notifies women about threats to their safety.

In the area of technology, the Steering Committee provided very useful assistance in the design and use of the Sex Crimes Unit's website, which provides information, establishes links in the community and receives feedback from members of the public. As a result, the Unit has identified and implemented important changes to its website, making it more user-friendly and relevant than before.

One aspect of technology that is of considerable concern to community members of the Steering Committee is the Violent Crime Linkage Analysis System, or ViCLAS which is a national database designed for the tracking and identification of serial or predatory offenders through behavioral analysis. While compliance with ViCLAS is legally required under a provincial regulation, and the Auditor General has reinforced the need to comply with ViCLAS, community members have expressed serious reservations about the tool itself. It was the topic of some discussion, and Steering Committee members are aware that any concerns regarding ViCLAS would have to be pursued through discussions with the provincial Ministry of Community Safety and Correctional Services and the federal Ministry of Public Safety.

Finally, with respect to Procedure 05-05 related to the investigation of sexual assaults, Service staff have consulted with some of the community members of the Steering Committee regarding suggested changes. At this time, some recommended changes have already been implemented and the Service will continue to review the Procedure, changing and enhancing it as necessary,

At this time, I believe that the Steering Committee has completed its work in each of these areas. As I have noted above, the work has included comprehensive and thoughtful discussion and recommendations for change. In making this observation, I do not wish to imply that there is no need for further changes in regard to how the Service conducts investigations of sexual assaults against adult women. That must be an ongoing endeavour. However, I do wish to say that, in my view, the Steering Committee has addressed the four areas that it selected for attention. It is important that the Service now be allowed to move forward with full implementation of the

recommendations in each of these areas, particularly, and of all the recommendations from the Auditor General, generally.

I am attaching to this report, a status update entitled “Appendix A” that details the work done to date with respect to the Auditor General’s recommendations. As is clear from this status update, a significant amount of work has been accomplished and the Steering Committee has played a key role in making positive strides forward.

#### *Costs*

When the Board established the Steering Committee, it approved that community members would be compensated for their work on the Steering Committee (Min. No. P34/05 refers.) A letter of agreement was drafted, providing the details of compensation. The agreement stated that community members would be entitled to \$100.00 for attendance at each meeting of the Steering Committee and \$50.00 for attendance at each meeting for the purpose of preparing for Steering Committee meetings. Amounts included reimbursement for any associated childcare and travel expenses. The agreement also stipulated that there would be an annual maximum of \$1,250.00 to be paid to each community member in each year of her participation on the Steering Committee. Each community member signed an individual letter of agreement.

In 2006, the Board also approved an additional unbudgeted expenditure of \$21,260 for the work of the two community members who attended and observed the Sexual Assault and Child Abuse (SACA) course at C.O. Bick College and prepared a report on their findings (Min. No. P199/06 refers).

The total cost to the Board for compensation for the community members since the Steering Committee was established is \$26,209.20.

The mediator who has been working with the Steering Committee since its inception has been paid a total fee of \$12,240.00. This cost has been borne by the Toronto Police Service.

Therefore, expenditures for the work of the Steering Committee total \$38,449.20

#### *Follow-up by Auditor General*

Mr. Jeff Griffiths, Auditor General, City of Toronto, has recently proposed to include in his 2008 Work Plan a follow-up audit for his two previous audits on the investigation of sexual assaults by the Toronto Police Service. At its meeting of February 21, 2008, the Board approved this proposal. (Min. No. P24/08 refers). As part of his work, the Auditor General conducts follow-up audits on outstanding recommendations from previously issued reports in order to determine the status of the recommendations contained in each of these reports. Mr. Griffiths intends to conduct this follow-up audit later in 2008.

Conclusion:

I believe that the Steering Committee has successfully fulfilled its mandate and its recommendations will lead to real, substantive change in the way in which sexual assaults investigations in cases involving adult women are carried out by the Toronto Police Service. At this time, on behalf of Vice Chair McConnell and myself, I would like to place on record our appreciation of the important contribution that all members of the Steering Committee – community and Service – have made to ensure that the Steering Committee fulfils its mandate. In particular, we wish to express our thanks to the community members for the enormous expertise that they brought to the Steering Committee and the commitment they demonstrated.

Therefore, it is recommended that the Board receive this report for information and forward a copy to the Auditor General, City of Toronto.

**The Board was also in receipt of a report entitled *Sexual Assault Audit Steering Committee – Community Summary Report* (dated April 17, 2008) submitted by the community members of the Sexual Assault Audit Steering Committee. A copy of the report is appended to this Minute for information.**

**The following persons were in attendance and delivered a presentation to the Board on behalf of the community members of the Steering Committee:**

**Jane Doe  
Beverly Bain**

**Chair Mukherjee noted that Ms. Doe cannot be filmed, taped, photographed or identified by name pursuant to court order.**

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

- **Sri-Guggan Sri-Skanda-Rajah & Michelle Cho \***  
**Urban Alliance on Race Relations**
- **Anna Willats \***  
**Toronto Rape Crisis Centre/Multicultural Women Against Rape**
- **John Sewell \***  
**Toronto Police Accountability Coalition**
- **Andrea Gunraj \***  
**METRAC – Metropolitan Action Committee on Violence Against Women and Children**
- **Kara Gillis \***  
**Maggie's**

- Marilyn Oladimeji \*  
Ontario Coalition of Rape Crisis Centres
- Amanda Dale \* - deputation delivered by Alys Murphy  
YWCA - Toronto
- Alys Murphy \*  
Ernestine's Women's Shelter

\* written submission also provided; copy on file in the Board office.

Staff Inspector Elizabeth Byrnes, Sex Crimes Unit, was in attendance and delivered a presentation to the Board. A paper copy of S/Insp. Byrnes' presentation is on file in the Board office.

The Board approved the following Motions:

1. THAT the Chair's report be received and that a copy be forwarded to the Auditor General – City of Toronto for information;
2. THAT the *Sexual Assault Audit Steering Committee – Community Summary Report* be received;
3. THAT the presentations, deputations and written submissions be received;
4. THAT the Chief of Police, in consultation with the Chair, establish an advisory committee composed of community practitioners, Service representatives and experts in the issues associated with the sexual assault of women, using a framework similar to that used for the domestic violence work;
5. THAT the Chief of Police provide a report, in consultation with the Chair, on the terms of reference, mandate and structure of the advisory committee noted in Motion No. 4;
6. THAT the Chief of Police provide a report to the Board in August 2008 on a process that will be developed, for the Board's approval, to evaluate the changes to training as it relates to sexual assault investigations, that will include experts in sexual assault and adult education, and that the evaluation be completed by the fall of 2009;

- 7. THAT, prior to the spring of 2010, the Board hold a community forum on the investigation of sexual assault to discuss changes arising from the discussions by the Sexual Assault Audit Steering Committee, recommendations made by the Auditor General in his follow-up audit to be conducted in late 2008 and the evaluation of the SACA training course conducted by community members of the Sexual Assault Audit Steering Committee;**
- 8. THAT the Board provide copies of all the written materials before the Board on this matter today to the Auditor General; and**
- 9. THAT the Chief of Police provide a semi-annual report to the Board on the progress of the implementation of the Auditor General's follow-up report and improvements in training on sexual assault investigations.**

**Appendix A**  
**Status Update – Auditor General’s Recommendations**

**2004 RECOMMENDATIONS**

1. The Chief of Police re-evaluate the staffing complement in the Sexual Assault Section of the Sex Crimes Unit in order to ensure that the level of staff is commensurate with the increase in workload experienced since 1999.
  - *2005 – Human Resources conducted a review with the Unit Commander and D/Sgt. In charge of the Sexual Assault Squad*
  - *Recommendations for training constable positions to be established in the unit.*
  
2. The Chief of Police, in consultation with the City’s Internet Web site administrators, consider enhancing the Internet Web Page of the Sex Crimes Unit to include information relevant to those women who have been sexually assaulted. In particular, the Internet Web site include information on:
  - the roles and responsibilities of the first-response police officer;
  - the roles and responsibilities of the divisional investigating police officer;
  - the roles and responsibilities of the Sexual Assault Section within the Sex Crimes Unit;
  - the availability of police officers of either gender in the interview and investigative process of a sexual assault;
  - the availability of translation services to women reporting a sexual assault;
  - the roles of the Sexual Assault Care Centres, the Victim Services Program, and various other community support services; and
  - the ensuing legal process pertaining to a sexual assault.
    - *Ready to post to site; recognize that updates need to be done regarding statistics as discussed in the Committee meetings.*
  
3. The Chief of Police direct all first-response officers immediately that policies and procedures must be complied with. Consideration be given to the re-issue of Criminal Investigations Procedure 05-05, Sexual Assault. In particular, first-response officers attending incidents of sexual assault be immediately directed that:
  - (a) officers collect only basic information concerning the assault from the woman who has been sexually assaulted;
  - (b) only those officers with specific training in sexual assault investigations be allowed to conduct detailed interviews with the woman who has been sexually assaulted; and
  - (c) interpretation services be provided by the Multilingual Community Interpreter Services or other police officers.
    - *Routine order published in January 2005; procedure 05-05 updated (Rec. #4) and ready to be published.*
    - *On going training of officers and monitoring by supervisors*

4. The Chief of Police give consideration to amending Criminal Investigations Procedure 05-05, Sexual Assault, to clarify the circumstances during which officers in charge are required to attend the scene of a sexual assault. The amendment outline specific criteria and circumstances in terms of when attendance at the scene of a sexual assault is required. Reasons for non-attendance at any scene where a sexual assault has occurred should be documented in writing and approved by appropriate supervisory staff.
  - *05-05 has been amended and reviewed by Committee members; ready to be published (officers in charge should read: Sergeants) The Service believes Sergeants should attend all sexual assault reports unless exceptional circumstances exist.*
5. The Chief of Police ensure that whenever possible, only those officers with specific training in sexual assault investigations be allowed to conduct sexual assault investigations.
  - *05-05 has been amended and reviewed by Committee members; ready to be published. The Service is committed to ensuring this is followed and quality control is in place to verify this.*
6. The Chief of Police give consideration to the implementation of a supervisory/monitoring/reporting process to identify areas of non-compliance with published procedures. Instances of non-compliance be appropriately dealt with including the imposition of necessary discipline.
  - *Quality issues with sexual assault occurrences are monitored in quality control checks throughout the process from the supervisory approval, to quality control at the division and through random quality control checks of occurrence reports*
7. The Chief of Police direct that all occurrence reports relating to sexual assault be reviewed by supervisory staff at the divisional level upon receipt of the initial reports and at the completion of the investigation. Evidence of the review be appropriately documented in the information system. Incomplete or inappropriate occurrence reports be discussed with the officer concerned and amendments made where necessary. Continued deficiencies in the preparation of occurrence reports be dealt with through existing training, and if necessary, discipline. Occurrence reports prepared by members of the Sex Crimes Unit be reviewed and approved by supervisory staff within the Unit.
  - *This is part of the review function in the current RMS where reports are reviewed by immediate supervisors. Sex Crimes receives copies via email and fax and can locate new occurrences through Analyst searches.*
8. The Chief of Police direct that all sexual assault occurrence reports be promptly forwarded to the Sex Crimes Unit for review and analysis. The Sex Crimes Unit be responsible for the tracking and detailed analysis of all sexual assault occurrences on a City-wide basis.
  - *See above – reports arrive via email and fax; also through Crime Analyst download*

9. The Chief of Police ensure that under no circumstances should a first-response officer make a determination as to whether a sexual assault is unfounded. The determination of this matter be reviewed and approved by a sexual assault investigator. The Chief of Police further ensure that all occurrence reports contain an appropriate level of information to substantiate conclusions and that all such reports be approved in writing by supervisory officers.
  - *Amendment of 05-05 makes this clearer including the role of the Detective Sergeant in reviewing content of reports, including those thought to be unfounded.*
10. The Chief of Police ensure that divisional investigators are in compliance with Criminal Investigations Procedure 05-05, Sexual Assault, as it applies to maintaining consistent and regular contact with women who have been sexually assaulted. Such contact be maintained throughout the investigative and legal process and be appropriately documented.
  - *Amendment of 05-05 makes this clearer; as well, eCops amended to provide capacity to note victim contact in a recordable field.*
11. The Chief of Police revise the internal administrative accounting structure in order to accurately account for all costs relating to sexual assault investigative training activities throughout the Toronto Police Service. The accounting for these costs include training expenditures incurred at the C.O. Bick College, expenditures incurred by the Sex Crimes Unit, including all costs relating to attendance at outside training courses and conferences, and any expenditures incurred relating to decentralised training at the division.
  - *Since 2003, the TPS has improved corporate time and attendance recording and employee records software systems. The costs for all training delivered to members of the TPS can be derived from these systems but it is fairly time-consuming. SAP provides costing for external training. Training and Education will work with Human Resources, Finance and Corporate Planning to improve procedures and forms to simplify records keeping to better track these expenditures.*
12. The Chief of Police be requested to conduct an evaluation in regard to the projected long-term requirements for police officers trained the investigation of sexual assaults. This analysis take into account potential retirees over the next number of years, as well as the anticipated demands for officers trained in sexual assault investigations. This analysis be used to determine the adequacy or otherwise of the current training schedule and, if appropriate, the training program be amended. Information relating to those officers who have attended the Sexual Assault and Child Abuse Course be brought up to date and maintained.
  - *Training and Education conducts demand analysis to determine the number of courses each year. Information is provided by the training coordinator from each unit and is based on unit needs and predictions of those needs.*

13. The Chief of Police give consideration to amending the mandate of the Sex Crimes Unit to include an general consultative and oversight role relating to the training of sexual assault investigators. The Training and Education Unit, in designing and delivering training activities relating to sexual assault investigations, consult with the Sex Crimes Unit to ensure that the course content is relevant and practical.
  - *Sexual Assault investigations and training for these investigations is a very complex issue, governed by Provincial Adequacy legislation. The Service does not agree that training oversight should be the responsibility of Sex Crimes Unit, though the unit can and should be involved in consultation, as should community representation. The Committee has had a key role in identifying training issues that need to be addressed.*
  
14. The Chief of Police, in consultation with the Sex Crimes Unit and the Training and Education Unit, review the current structure, content, and delivery of the Sexual Assault and Child Abuse Course with a view to:
  - increasing its relevance to the course participants; and
  - involving community organizations who work with women who have been sexually assaulted in the design and delivery of the training program.
  - *The Committee has had a key role in identifying training issues that need to be addressed, including these areas; this will be on-going.*
  
15. The Chief of Police direct that a written evaluation of the Annual Sex Crimes Investigations Conference be conducted in order to determine its effectiveness, relevance and costs. Such an evaluation be reviewed by senior staff.
  - *A review of the 2005 conference was undertaken; overall the Service is committed to the issues raised by the Auditor about this and other conferences. Units including Sex Crimes will deliver conferences every second year, and only if needed or prudent. Prep time and costs will be monitored.*
  
16. The Chief of Police evaluate the training resources available for the Sexual Assault and Child Abuse Course. Such an evaluation determine whether the effectiveness of the course could be improved by integrating in the training process the expertise of those community organizations who support women who have been sexually assaulted. Compensation to these organizations be provided on the same basis as the compensation provided to other third parties. Participants from the community be required to possess an appropriate level of presentation skills.
  - *The Committee has had a key role in identifying training issues that need to be addressed, including these areas; this will be on-going.*

17. The Chief of Police ensure that detailed staffing objectives and projections are developed prior to the expenditure of significant funds on external courses. Such a process take into account individual staffing requirements and longer term officer commitment to the Unit. Staff attending such courses be required to remain with their Unit for a reasonable period of time in order to take advantage of the training received.
  - *Staffing objectives and projections are improved to ensure proper return on investment for all training. This includes revised procedures and forms to identify the goals of the course/conference and necessity to attend. Now implemented within Detective Services.*
18. The Chief of Police and the City's Commissioner of Corporate Services develop an ongoing protocol and working relationship in order to ensure that:
  - technology developments do not occur in isolation from each other;
  - technology developments are in accordance with the long term objectives of both organizations; and
  - the purchase of any computer hardware and software is co-ordinated.
  - *The Director of ITS maintains frequent and regular contact with the City of Toronto's Executive Director, Corporate Information and Technology. Issues related to technology are discussed, including development, joint projects and purchasing*
19. The Chief of Police take immediate action to ensure that the Violent Crime Linkage Analysis System (VICLAS) reports relating to sexual assaults are completed and submitted within the prescribed time limits of the Toronto Police Service (21 days) and the Police Services Act (30 days). The responsibility for ensuring compliance be clearly defined. Monthly status reports on the extent of compliance by division be prepared and submitted to the Chief of Police and appropriate action be taken for instances of non-compliance.
  - *Routine Order published January 18, 2005; compliance rate for ViClas monitored in Executive Dashboard process; action has been undertaken for non-compliance.*
20. The Chief of Police ensure that the project pertaining to the electronic transmission of VICLAS data to the Provincial VICLAS Centre in Orillia is expedited as quickly as possible. Staff responsible for this project be required to provide specific deadlines for completion. Periodic updates regarding the progress of the project be reported to the Chief of Police.
  - *The RCMP have provided an electronic version of ViClas which has been tested by TPS in Sex Crimes Unit, however they have not successfully implemented the electronic version. Since 2005 the electronic version has been used however computer glitches have caused the system to be started and stopped several times over the years. The Service has no control over the process.*

21. The Chief of Police in consultation with the Sex Crimes Unit, ensure that all police officers have a clear understanding of the revised consent procedures relating to the sexual assault medical evidence kit. In particular, women who have been sexually assaulted be provided with detailed explanations pertaining to the consent form by divisional Sexual Assault Investigators only.
  - *Amendment of 05-05 makes this clearer, as well; amended training processes should focus in this area. The Committee has had a key role in identifying training issues that need to be addressed, including these areas; this will be on-going.*
22. The Chief of Police ensure that when the required consent forms have been signed by the woman who has been sexually assaulted, medical evidence kits be collected from the Sexual Assault Care Centres immediately.
  - *Amendment of 05-05 makes this clearer, as well; amended training processes should focus in this area. The Committee has had a key role in identifying training issues that need to be addressed, including these areas; this will be on-going. Part of the Provincial Audit recommendations includes development of protocols with the Care Centres – an issue that should be included in those protocols (not yet developed over concerns of overriding Steering Committees role)*
23. The Chief of Police review the protocol in connection with the issue of general community warnings contained in the Procedure entitled “Community Safety Notification”. Such a review take into account that such warnings by their nature are meant for the community at large and as a result, and in accordance with the mandate of the Sex Crimes Unit, the development and subsequent issue of such warnings be the responsibility of the Sex Crimes Unit. Such a process would ensure that warnings are consistent, appropriate, accurate and complete and should be issued in consultation with Divisional Unit Commanders.
  - *The Committee has had a key role in identifying issues that need to be addressed in this area and Public Information have learned a great deal about the content and delivery of these releases. The Service has identified almost 100 agencies that may wish to receive warnings directly; have not been able to commence registrations with these agencies due to web site issues but that is underway. Procedure 17-04 will be amended but there are issues to be addressed by the Committee in terms of when releases are issued. The Service will ensure that a release is done when a stranger sexual assault occurs and investigation is undertaken by Sex Crimes – logistics and determinations in other cases needs to be discussed further.*
24. The Chief of Police assign responsibility for the review and evaluation of the recommendations in this report to a Senior Officer within the Sex Crimes Unit. The Chief of Police report to the Toronto Police Services Board on an action plan, along with a specific timetable for the implementation of the recommendations.

25. The Toronto Police Services Board be required to forward this follow-up report to the City's Audit Committee for information purposes.

# **Sexual Assault Audit Steering Committee**

## **Community Summary Report**

**April 17, 2008**

## REPORT OVERVIEW

The following report is a summary of the outcomes and challenges of the work carried out by community members of the Sexual Assault Audit Steering Committee (The Steering Committee) from July 2005 to November 2007. The purpose of our work was to provide expertise to the Toronto Police Service (TPS) and the Toronto Police Services Board (TPSB) in the implementation of the recommendations contained in the City Auditor General's Follow-up Report (2004) entitled "*Review of the Investigation of Sexual Assaults – Toronto Police Service*". It states that recommendations put forward by the Auditor General in 1999 in his original audit of TPS policies and practices for investigating sexual assault have not been implemented.

This report begins with background information about the Sexual Assault Audit Steering Committee (SAASC), how the committee evolved and the values guiding its work. (Please see Appendix 1 for a more detailed account). Following this, we describe the committee's mandate and the results of its activities. While attention is given to the accomplishments of the committee, we also highlight its shortcomings. In particular, we discuss issues pertaining to incomplete work charters and the sudden decision of the TPSB and the TPS to terminate the work of the Steering Committee.

We have read the report submitted by TPSB Chair Alok Mukherjee, *Sexual Assault Steering Committee –Status Update*, dated March 6, 2008, and understand it to be an administrative document designed to conform to the institutional discourses of the TPS. In serving that function it fails to articulate or reflect the intellectual and experiential body of work and resources prepared and delivered by community members of the Steering Committee regarding the police investigation of sexual assault. Too often and historically, the administrative process of the institution of policing has subverted the voice of community women who are experts in the area of sexual assault. As full, founding and original members of the Steering Committee it is crucial that our

accomplishments and the barriers we encountered be evident and presented in a transparent manner. To that end, we have the commitment of the Chair and Vice chair of the TPSB that the full content of this document will be accepted and fully integrated into any and all official reports circulated or distributed regarding the Sexual Assault Audit Steering Committee.

Attached to this report are several appendices, as listed below:

1. The Terms of Reference for the Sexual Assault Audit Steering Committee which contains:
  - A description of the structure of the Steering Committee \
  - A description of the decision making and conflict management process.
  - A description of members' roles and meeting processes.
  - Steering Committee make- up and membership.
  - The role of the facilitator.
2. An Executive Summary of the Sexual Assault and Child Abuse (SACA) Police Training Course
3. A presentation on the use and efficacy of sexual assault warnings or community alerts.
4. A presentation on the specificity of women of colour who experience sexual assault.
5. A critique of ViCLAS (Violent Crime Linkage Analysis System)
6. A presentation on sex workers and sexual assault
7. Research on the use and efficacy of the Sexual Assault Evidence Kit (SAEK)

## **Evolution of the Sexual Assault Audit Steering Committee**

In June of 1998 the Ontario Court of Justice found the Toronto Police Force guilty of negligence in their investigation of sexual assault. (*Jane Doe v the Metropolitan Toronto Board of Commissioners*) Further, Justice McFarland found the police conduct to constitute gender discrimination and/or discrimination against women, ruling that both sections 7 and 15 of the *Canadian Charter of Rights and Freedoms* had been breached in the police investigation. These sections pertain to the right to equality and the right to life, liberty and the security of the person.

In response to that decision, Toronto City Council ordered Auditor General Jeffrey Griffiths to conduct a social audit or report into the policing of sexual assault. Released in October of 1999 and titled "*Review of the Investigation of Sexual Assaults - Toronto Police Service*", the audit produced 57 recommendations for change and called for the collaboration of the police with the women's anti-violence community to effect that change.

The concept of a Steering Committee to implement the audit recommendations was initiated by community members. They proposed that the committee be composed of an equal number of women from the VAW (Violence against Women) sector who were experts in the area of sexual assault, and police officers of senior command; that women be paid for their expertise; and, that the committee work with an outside facilitator. Their proposal was supported by the City of Toronto's Audit Committee and adopted by City Council at its meeting in February of 2000.

Attempts to engage the TPS in an inclusive dialogue or process on the subject of the sexual assault of adult women were not successful until the inception of the Sexual Assault Steering Committee in 2003.

But it was not until February of 2005 that the TPSB officially approved the establishment of a Steering Committee to provide expertise with respect to the implementation of the recommendations contained in the 2004 Auditor General's Follow-Up Report.

## **Values Governing the Work of the Steering Committee**

From the start, the Steering Committee identified a set of values (commitment, collaboration, respect for differences, equity and inclusion) defining its approach to the work. The Committee recognized that to improve the policies and practices of police investigation of the sexual assault of adult women, its work must be driven by a commitment to implement the recommendations made by the City Auditor through a process of collaboration between TPS, TPSB, and the women's anti-violence community.

In agreeing to work together, members of the Steering Committee acknowledged the importance of being open to and respectful of the different viewpoints at the table. It was acknowledged that sexual assault impacted women as individuals and as members of groups - each group having unique features, different experiences of sexual violence, and different barriers to accessing police services. The investigation of sexual assaults therefore must be inclusive of women's various social identities. In our Terms of Reference (Appendix 1) the Steering Committee recognized that, among other things:

- The recommendations made by the City Auditor in the 1999 Report and in the Follow-up Report of 2004 have the potential to improve the police response to sexual assaults in the City of Toronto.
- Collaboration between anti-violence experts in the women's community, the TPS and the TPSB is important to the implementation of the recommendations made by the City Auditor, with potential outcomes to increase police success and women's access to quality police response, in investigating sexual assaults.
- Differences in perspectives and focus among Steering Committee members need not prevent the development of a creative and effective response to the Follow-up Report and, by extension, the 1999 Report.

- Women's experience of sexual violence, policing and community intervention may differ based on gender, age, class, race/cultural identity, ethnicity, faith/religion, sexual identity, first language and previous relationship to the criminal justice system. This differential impact of sexual violence upon women must be at the core of the work of the Steering Committee. In particular, there must be a focus on marginalized groups such as homeless women, women with disabilities, institutionalized women, psychiatrized women, sex workers and women of colour.”

## **The Mandate of the Steering Committee**

The Committee agreed to focus on recommendations in the audit(s) that were specific to the following areas:

- i) Sexual assault investigation training.
- ii) Warnings or community alerts delivered by police regarding sexual assault.
- iii) The use of technology in the investigation of sexual assault, in particular ViCLAS (Violent Crime Linkage Analysis System) and the Sexual Assault Evidence Kit (SAEK).
- iv) A complaints system for women who are sexually assaulted, with a specific focus on racialized women.

Apart from the four (4) targeted areas above, it was identified that Procedure 05-05 (which governs the investigation of sexual assault) and the TPS sexual assault web site should be assessed by the Steering Committee in order to implement the recommendations effectively.

Lastly, community members requested the right to deliver a general critique of the audit.

## **Work Results of the Steering Committee**

This section of our report describes the results and outcomes of the work of the Steering Committee from the perspective of community members. We comment on what has been accomplished and to what degree. We also highlight charted work items that were not addressed.

The work of the Steering Committee began on a high note and with a mutual desire to effect change in sexual assault training and practice that would assist officers in investigating those crimes and encourage women to report. The auditor's expectation of a six-month turn-around was deemed as impractical given the scope and intensity of our mandate and that timelines could not and should not affect the committee's work.

In brief, community members attended and monitored the Sexual Assault and Child Abuse (SACA) training program at C.O. Bick College. An Executive Summary (Appendix 2) and curriculum assessments of the content and methodology of the SACA course have been compiled and presented with extensive recommendations to the Steering Committee.

Community members provided a critique of police warnings and community alerts regarding sexual assault to members of the Steering Committee. (Appendix 3).

A presentation on the intersectionality of race and the sexual assault of women of colour was made. (Appendix 4) We delivered a presentation on ViCLAS, a database for collecting information in the investigation of sexual assault. (Appendix 5) We also arranged for a community member (not on the Steering Committee) to address the committee regarding sex work and sexual assault. (Appendix 6) Working with the TPS Public Information Department, we provided resources and guidance to TPS staff on how to eliminate gender, race and socio-economic biases embedded in the language of police warnings and alerts.

In pursuit of quality control and to maximize the expertise available to the group, community members supplied the committee with information drawn from current research, theories of promising practices and literature on a range of topics especially rape mythology and the implications for Aboriginal, immigrant and racialized women who experience sexual assault.

A more detailed account of the work conducted by the committee is described in the following pages.

**i) Sexual assault investigation training:**

Ongoing requests for officers in charge of training to join or be present at the Steering Committee meetings and for community members to attend training sessions were responded to in May of 2006. Community members were invited to attend and monitor the Sexual Assault and Child Abuse (SACA) training program held over a two-week period, at C.O. Bick College. SACA is mandatory for all detectives charged with investigating sexual assault.

As a result of our observations, community members compiled curriculum assessments based on the 18 training modules offered in the first week of the course. The Executive Summary of our assessment of the trainings was presented in part to the TPSB in February 07. (Appendix 2) Our findings were well received by TPS and TPSB members of the Steering committee and Deputy Chief Keith Forde, Superintendent Darren Smith and Director Chuck Lawrence of the TPS Training and Education Unit.

Community members found that sexist and racist stereotypes and language permeated the training, as well as an adherence to rape mythology especially the notion of “False Allegations”. Our recommendations generally stated the imperatives that:

- Training should be redesigned within a gendered anti-racist analysis and must focus on adult women (currently the focus is on youth and children).

- Training should be delivered by professional adult educators (external to TPS) with expertise in the subject of sexual assault, not untrained police officers, some of whom were on duty while teaching.

Although recommendations to improve training were enthusiastically received, and despite the agreement of the committee to follow-up on our assessments, community members were not informed of any actions taken or in progress.

Neither has there been any formal invitation extended to community members to participate in a process to monitor changes to training.

## **ii) Warnings or community alerts delivered by police regarding sexual assault**

In April of 2007 it was agreed that Meaghan Gray of the TPS Public Information section would attend Steering Committee meetings to lend her expertise and to work with the committee on the issue of Warnings and/or community alerts. Considerable progress was made in communicating the necessity to utilize gender specific and anti-racist language in such communiqués and interactions with the media generally.

Community members requested that warnings/community alerts remain on the agenda and that they should be systemically reflected and integrated into other recommendations in the committee's purview.

It was agreed that the TPS Public Information section would provide the committee with information regarding the response of investigating officers to this new procedure. To date, there has been no follow-up and community members have not received any progress report or plan for reporting on the implementation of this new procedure.

## **iii) The use of technology as a crime fighting tool especially ViCLAS and the Sexual Assault Evidence Kit**

The SAEK is central to the investigation of sexual assault cases. Although a presentation on the kit was on the agenda for the next Steering Committee meeting and

current literature/research on the kit was distributed to police and TPSB members, (Appendix 7) the subject has not been addressed by the Steering Committee.

In September of 07 community members presented a draft overview on the use and efficacy of ViCLAS as an investigative tool.(Appendix 5) It concluded that the victim and offender profiling categories in the 35-page booklet which investigating officers are mandated to submit reinforce racist and sexist stereotypes and mythology about sexual assault. Here again, the codification of so-called False Allegations as a significant category was highlighted. It was agreed by the Committee that ViCLAS be tabled for future work and discussion at upcoming meetings.

**iv) A complaints system for women who are sexually assaulted with a focus on racialized women who experience the crime.**

This recommendation was never discussed by the Steering Committee.

**v) Procedure 0505 and the sexual assault web site**

Both were identified as critical pieces to assess in order to implement recommendations.

A sub-committee was formed to examine Procedure 05-05 but it was recommended to the larger group that the document could not be appropriately reviewed until the work of the committee neared completion. The procedure has not been discussed since then. Likewise, it was agreed that the sexual assault web site be re-evaluated at that time.

**vi) General critique of the audit**

The opportunity to deliver a general critique of the audit has not been made available to community members.

## **Incomplete Work Charters of the Steering Committee**

While the committee experienced some success, most notably in the area of the intent to utilize gendered language, our work as laid out in the mandate and terms of reference is by no means complete in any of the targeted areas. In fact the committee did not approach several areas designated as part of our warrant.

While small steps were taken by the Steering Committee to implement the recommendations in the 2004 report, we are deeply disappointed that the work we have initiated has been partially implemented or is pending future action and there remains one (1) recommendation still to be tabled for discussion and action.

Furthermore, in addition to the four (4) areas arising from the Auditor's recommendations, the Steering Committee identified two (2) other important areas requiring attention to make their work complete: (1) the assessment of procedure 0505 and the sexual assault website and (2) a general critique of the audit by community members. These items remain as part of the unfinished business of the committee.

Similarly, in the course of the work of the Steering Committee, there are other outstanding matters which the committee discussed as worthy of review and attention. These are:

- A review of the mandate of the Special Victims Section of the Sex Crimes Unit, which deals exclusively with the sexual assault of sex workers.
- A review of the document "2004 Recommendations" presented to the Steering Committee by the Chair in November 07.
- Presentations on sexual assault investigative procedures and practices regarding women who are psychiatricized, homeless, and or economically disenfranchised.

## **Notice of Closure of the Steering Committee**

Community members of the Steering Committee received letters, dated December 18<sup>th</sup>, 2007, from Police Service Board Chair, Alok Mukherjee informing us that:

“At this time, it is my view that the Steering Committee has completed its work in each of the four broad areas arising from the recommendations made by the Auditor General in his review of the investigation of sexual assault by the Toronto Police Service: (1) complaints (related to sexual assault investigations, and, specific to women of colour); (2) warnings (community safety notifications) and a protocol; (3) technology and VICLAS; and (4) training”.

The Chair went on to state that:

“The Board has not allocated any funds to the Steering Committee in 2008. However, we need to bring closure to the work of the Steering Committee. To that end, the Board has set aside \$150 per community member to cover payments for a meeting in January as well as a preparatory meeting”.

In accordance with the mandate, terms and values of the Sexual Assault Audit Steering Committee, community members found the letter of December 18<sup>th</sup> from the Chair of the TPSB to be unacceptable. The decision to issue notice of closure of the Steering Committee, without due process or consultation with community members contravened several conditions agreed to by members the Steering Committee in our Terms of Reference (Appendix 1) In particular:

1. Representatives of the Steering Committee work collaboratively and by consensus.
2. All members of the Steering Committee are equal partners and carry equal weight and no organization/individual carries a veto within the Steering Committee Process.

3. If the ultimate implementation of a recommendation differs from that of the recommendation made by the Steering Committee, the Chief will be required to provide a rationale for the difference to both the Steering Committee and the Police services Board.

Although the letter from the Chair presented the work of the Steering Committee as a *fait accompli*, community members find that the recommendations and policy reform issues as outlined in the original and follow-up audits have not been completed on any significant level. For this reason, we have provided a brief account of our view of the actual work completed to date in this summary report. It is critical that the work of the Steering Committee be fully and accurately presented to the broader community of women seeking improvements in the police response to investigating sexual assaults in the City of Toronto.

Lastly, in reference to the letter from the TPSB Chair, we would like to comment on the issue of honorariums for community members. Dating back to the formation of the Steering Committee, it was acknowledged and supported that as expert consultants, educators and trainers, community members (who leave paid work to attend Steering Committee meetings) must be financially compensated. Contracts were signed for honorariums not to exceed \$1,200.00 per year.

However, in November of 07, committee members were informed by letter that honoraria for this work were no longer available retroactive to September of that year. This was not in keeping with the TPSB contracts which were signed in good faith and with verbal assurances that community women would receive minimal financial recognition for our work. This is made more problematic by the fact that three members of the community did not apply for and have never received honoraria for their contributions to the Steering Committee during the entire period of its operation.

## **Barriers to Civic Engagement on the Steering Committee**

Historically, the women's anti-violence community has experienced great difficulties in our attempts to address police training and other areas of policy and procedure in the investigation of sexual assault. In 1987 women from a variety of agencies (some of which were represented on the Steering Committee) formed an umbrella group known as WAVAW (Women Against Violence Against Women). They met with the then "Police Commission" and senior ranking officers to discuss police training and protocol specific to sexual assault. After one year, the committee broke down. Women's groups cited police failure to acknowledge gender and race stereotypes and the inherent systemic issues as the chief obstacles.

While the TPSB did not initiate the Steering Committee, the decision to allow it to proceed was made under the leadership of those who envisioned a responsive approach to community-police relations and interactions located in progressive, anti-oppressive methodology. It was our belief that the TPS and the TPSB were committed to realizing comprehensive change to police procedures and practices in the investigation of sexual assault of women and that this could be accomplished via the Steering Committee

There were clear benefits and progress in the work of the Steering Committee. The curriculum assessments we undertook and the recommendations arising from them held promise of transforming the content and relevancy of TPS sexual assault investigation training. Significant strategies were developed to remodel sexual assault warnings. That and other material we brought to the SASC table were enthusiastically received by police personnel and management who articulated the timeliness and usefulness of our work to their personal and professional knowledge bases. There was a sense of openness and sharing amongst committee members. This is what makes the sudden closure of the committee so unfortunate.

When it appeared that progress was being made, it was our experience that it was soon curtailed, disallowed, refused entry or validity in the infrastructural processes of the TPS and the TPSB who re- engaged in impression management, as was clearly identified and condemned in both reports from the auditor and the judge's decision in *Jane Doe v the Metropolitan Toronto Board of Commissioners of Police*.

In his letter, the Chair writes:

*“the ultimate responsibility for the implementation rests with the Toronto Police Service and the Chief of Police, who in turn, reports directly to the Toronto Police Services Board”.*

This statement suggests that the regulatory and institutional practices of TPS and the TPSB override the legitimate and democratic process of the Steering Committee as laid out and agreed upon in its mandate and terms of reference. In our view, the work of the Steering Committee encountered resistance from the very institutions best positioned to facilitate and accommodate infrastructural change.

The management of the work charters in the Steering Committee's purview as single issues, versus components in a systemic problem regarding sexual assault investigation further explain the failure of the Committee to realize its goals.

From the committee's inception, community member's attempts to expose the problems of that management style were perceived as pushing the process beyond boundaries and limits defined for us. We were constantly reminded of our role as outsiders - inside a process that was not ours, as an institutional framework was imposed upon the committee's mandate. This despite the agreed upon values and terms of reference that situate community members as equal players and with no one group or individual holding veto powers, or with the power to function unilaterally. (Appendix 1)

Specific examples include:

- Community members were not consulted or involved in the assessment of the Steering Committee's work or the decision to close down the process.
- The invitation and inclusion of police personnel in committee business without consultation or agreement from committee members.

The undermining of community members presentations to the committee by inviting non-committee members to 'answer questions'.

- Feminist research and academic theory were subverted and conflated by the institutional discourse of the TPS/TPSB in order to accommodate their regulatory requirements.
- Community members were not informed at all or in a timely manner when Steering Committee business was discussed at TPSB meetings.

The lost opportunity the Sexual Assault Steering Committee represents is not particular to this one endeavor. A silo of TPSB/TPS community committees exist each one deliberately distanced from the other, functioning separately, none with the authority and ownership that is critical to effect civic engagement. Our requests to co-ordinate with them in order to not duplicate work and to advance our own went unanswered.

We recognize that the inflexibility of the structure of the Toronto Police Service and the Police Service Board will not allow for the analysis and civic engagement necessary to realize constructive change. We maintain therefore that that the full content of this summary report be an integral component of the final report to the Toronto Police Service Board or to any other governing or independent body, and that it be clearly identified as a report from community members of the Steering Committee. To do otherwise would be a disservice and dishonour to the work of all members of the committee and the countless agencies and individuals who supported it.

Beverly Bain

Jane Doe

Wendy Komiotis

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## **APPENDIX 1 – Terms of Reference.**

### **Sexual Assault Audit Steering Committee Terms of Reference**

#### **Steering Committee Background**

The Sexual Assault Audit Steering Committee is a joint committee of the Toronto Police Services Board, the Toronto Police Service and women’s anti-violence community members.

As noted in Board Minute No. P34/05, the Toronto Police Services Board, at its meeting of February 10, 2005, approved the establishment of a Steering Committee to provide expertise with respect to the implementation of the recommendations contained in the 2004 Auditor General’s Follow-Up Report on the October 1999 Report entitled “Review of the Investigation of Sexual Assaults – Toronto Police Service” (“The Follow-up Report.”)

The report issued in 1999 by the City Auditor entitled “Review of the Investigation of Sexual Assaults - Toronto Police Service” (“The 1999 Report”) called for the collaboration of the police and the women’s anti-violence community in dealing with the issue of sexual assault.

The establishment of a Steering Committee was initially recommended by the City of Toronto’s Audit Committee and adopted by City Council at its meeting of February 1, 2 and 3, 2000.

This motion of City Council followed the 1998 Ontario Court of Justice ruling against the Board of Commissioners of Police of the Municipality of Toronto, which found the police investigation of sexual assault in the so-called “Jane Doe” case to be negligent. In addition, Justice McFarland found the police conduct to constitute gender discrimination/discrimination against women, ruling that both sections 7 and 15 of the *Canadian Charter of Rights and Freedoms* had been breached in the police investigation. These sections pertain to the right to equality and the right to life, liberty and the security of the person.

### **Values Governing the Work of the Steering Committee:**

- The recommendations made by the City Auditor in the 1999 Report and the Follow-up Report have the potential of improving the police response to sexual assaults in the City of Toronto
- A collaborative approach between women's anti-violence experts, who are representatives of the women's community, the Toronto Police Service and the Toronto Police Services Board regarding the implementation of the recommendations made by the City Auditor has the potential of increasing women's access to quality police response and police success in investigating sexual assaults.
- Differences in perspectives and focus among Steering Committee members need not prevent the development of a creative and effective response to the Follow-up Report and, by extension, the 1999 Report.
- In instances of sexual assault, women experience policing and community intervention differently based on other aspects of their social identity such as age, class, race/cultural identity, ethnicity/religion, sexual identity, first language, and previous relationship to the criminal justice system. Addressing this differential impact needs to be a core consideration of the work of the Steering Committee. In particular, the Steering Committee is concerned about the following at-risk groups: homeless women, women with disabilities, institutionalized women, psychiatrized women, sex workers and women of colour.

### **Steering Committee Mandate**

The Steering Committee will provide expertise to the Toronto Police Service and the Toronto Police Services Board in the implementation of the recommendations contained in the Auditor General's Follow-up Report in a collaborative and effective manner.

It is recognized that, in carrying out its work, the Steering Committee will take into account the recommendations contained in the City Auditor's report entitled "*Review of the Investigation of Sexual Assaults - Toronto Police Service, 1999.*"

All implementation plans to be carried out in response to the Follow-up Report will be reviewed by the Steering Committee. The end goal is for the Toronto Police Service to adapt police response to sexual assault, following the Auditor General's recommendations, in a manner that has had the benefit of and is reflective of the expertise of the women's anti-violence community in the handling of sexual assault cases.

The ultimate responsibility for this implementation rests with the Toronto Police Service and the Chief of Police, who, in turn, reports directly to the Toronto Police Services Board.

### **Steering Committee Membership**

As directed by the Board (Min. No. P34/05 refers), the Steering Committee “includes at least three senior officers from the Service and an equal number of women from the anti-violence community with knowledge of the audit process.”

The Steering Committee’s membership is made up of: Chief William Blair, Deputy Chief Jane Dick and Detective Sergeant Elizabeth Byrnes. Four individuals from the community, Beverly Bain, Amanda Dale, Peggy-Gail DeHal-Ramson and the woman known as Jane Doe (Min. Nos. P148/05 and P324/05 refer) have been selected as the community members of the Steering Committee. In addition, from time to time, there may be individuals who are invited to attend the meetings of the Steering Committee either as observers or as resources to the Steering Committee; these individuals are not members of the Steering Committee. Steering Committee members will be informed in advance of any meeting at which an observer/resource person will be in attendance.

In the event that it is required to replace any member of the Steering Committee, a discussion amongst all members of the Steering Committee will take place and a rationale provided for the recommendation of a new member.

### **Steering Committee Structure**

The Steering Committee will be alternately chaired by Dr. Alok Mukherjee, Chair, Toronto Police Services Board and Councillor Pam McConnell, Vice-Chair, Toronto Police Services Board. Minutes will be taken for the Steering Committee by Sandy Adelson, Senior Advisor, Toronto Police Services Board and for the community by Alyssa Manning. Pursuant to Board Minute P34/05, which created the Steering Committee, membership also “includes a professional facilitator from St. Stephen’s Community House,” Margaret Corion, whose membership is related solely to her function in this role.

- Meetings will be in person at a mutually convenient time set with ample notice, unless otherwise decided
- Each meeting will end with the confirmation of the next meeting
- Communication related to regular Steering Committee business between meetings will be confidential and will take place in person or by e-mail
- Members will be responsible for ensuring their availability to participate in Steering Committee activities e.g. meetings and teleconferences as required. If the representative is not available, it is her/his responsibility to contact the Chair and to be briefed on the missed meeting or teleconference. Given the

intensity of the work and the short time frame, members who miss two consecutive meetings will be asked by the Chair to confirm their commitment.

- Confidentiality within the Steering Committee is required. No information is to be shared outside the Steering Committee unless the Steering Committee deems it appropriate for dissemination or clear permission to distribute is given. There may be situations in which the information provided by the Toronto Police Service cannot be shared with anyone outside the Steering Committee. The Steering Committee will carefully balance all issues of confidentiality, giving consideration to legal requirements and restrictions as well as the need to adequately inform members of the public.
- It is important to note that members of the Steering Committee are able to speak individually and should not feel that there are any limitations placed on them by the process. However, members of the Steering Committee should not speak to the media on behalf of the Steering Committee unless everyone has agreed to that.

### **Decision-making**

Decisions within the purview of the Steering Committee, i.e., recommendations regarding the implementation of recommendations contained in the reports will be made on the following basis.

Representatives of the Steering Committee work collaboratively and by consensus.

While striving for consensus in all decisions, it is expected that conflict may arise and will be resolved within the Steering Committee process. It is expected that resolution will occur through competent chairing, coordination, facilitation and the respectful conduct of individual members. But, where disagreements are fundamental in nature and cannot be resolved through discussion and reference to the principles and guidelines of the Steering Committee, a process of conflict resolution will be invoked (see below).

All members of the Steering Committee are equal partners and carry equal weight and no organization/individual carries a veto within the Steering Committee process. Decision-making regarding the implementation of the recommendations is ultimately the responsibility of the Chief, who, in turn, reports to the Police Services Board. If the ultimate implementation of a recommendation differs from that of the recommendation made by the Steering Committee, the Chief will be required to provide a rationale for the difference to both the Steering Committee and the Police Services Board.

## **Conflict Resolution Policy for the Sexual Assault Audit Steering Committee**

### **Step one:**

1. Members of the Steering Committee will name a fundamental conflict that involves a principle that cannot be resolved in the normal course of meeting business

### **Step two:**

2. The Chair will repeat back to the group the nature of the conflict as the Chair sees it, in order to determine that he or she has perceived the group's difficulty accurately.

### **Step three:**

3. The Chair will refer the conflict to the facilitator/mediator who will assess if a resolution is appropriate within the context of the meeting time. Where the conflict involves the entire Steering Committee, the Steering Committee will either call a special meeting or move to the conflict resolution process to work through the conflict so that the work of the Steering Committee can continue.
4. If not, the parties involved will agree on a time and place outside the regular meeting time to decide on a course of action to resolve the conflict with the assistance of the facilitator/mediator.

### **Step four:**

5. The proposal for the resolution of the conflict will be brought back to the steering committee meeting for discussion through the regular decision making process.

Prepared for the Sexual Assault Audit Steering Committee by: Beverly Bain, Amanda Dale, Jane Doe and Peggy Gail Dehal-Ramson.

## **APPENDIX 2 – An Executive Summary of the SACA Training**

### **EXECUTIVE SUMMARY OF THE ASSESSMENT OF THE SEXUAL ASSAULT AND CHILD ABUSE COURSE**

Beverly Bain, Amanda Dale, Jane Doe and Peggy Gail DeHal Ramson  
Sexual Assault Audit Steering Committee  
January 25, 2006

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## EXECUTIVE SUMMARY AND FRAMEWORK

### The Purpose

Anti-Violence Women's Community members have undertaken an analysis of the Toronto Police Services training on sexual assault investigations as one part of the work of the Sexual Assault Steering Committee. This review of training is pursuant to recommendations of the two audit reports from Jeffrey Griffiths, the Auditor General of the City of Toronto (*Review of the Investigation of Sexual Assaults: Toronto Police Service, 1999, 2004*) which state that:

**#14 The Chief of Police, in consultation with the Sex Crimes Unit and the Training Education Unit, review the current structure, content, and delivery of the Sexual Assault and Child Abuse Course with a view to:**

- **Increasing its relevance to course participants; and**
- **Involving community organizations that work with women who have been sexually assaulted in the design and delivery of the training program.**  
**(70, 2004).**

All elements of the training review relate back to the core grounds for findings against the Police Services in the case presided over by Justice Jean McFarland who ruled that the police investigation into the Jane Doe case was motivated by "serial rape mythology and discriminatory sexual stereotypes". (*Jane Doe v The Metropolitan Toronto Police Force 1998.*)

### The Process

From May 29<sup>th</sup> to June 9<sup>th</sup> 2006, Beverly Bain and the woman known as Jane Doe, members of the Sexual Assault Steering Committee (SASC) attended the Sexual Assault and Child Abuse (SACA) Training Course at C.O.Bick College in Toronto. Police members of the Steering Committee and members of the Toronto Police Training and Education Unit, especially training co-ordinators Detective Constables Valerie Colwell and Andrea Gillespie, Detective Sergeant Cory Backus and Superintendent Ken Cenzura negotiated their presence and the successful conclusion of this component of the Steering Committee's mandate.

The format designed for evaluating the SACA Course, which is composed of 18 modules, functions as a "map" to clearly identify the problems and contradictions evident in teaching methods, policies, and practices as they relate to the sexual assault of women and the Auditor General's recommendations.

This training review covers week one of the course, which is intended to focus on the sexual assault of women. While we also documented the second week of training on child sexual abuse, and although it is connected, we do not refer to it here.

Our recommendations deal with the necessity to revamp the training within a gendered, anti-racism, anti-oppression framework that utilizes adult education approaches to teaching and learning. Definitions and a framework of such approaches are included in this document.

Following are some of our key findings to support a reorganization of the first week of training. They include:

- The absence of a gendered analysis that is specific to adult women who experience sexual assault.  
This was evident in all of the training modules. There were no references to sexual assault as a crime of power and control committed overwhelmingly by men against women.
- The lack of anti-racist content, analysis and philosophy.  
The absence of a gendered anti-racism analysis allowed for the discussion of sexual assault of Black women, women of colour and Native/Aboriginal women to be reduced to culture, and therefore different from sexual assaults that white women experience. Similarly, we have documented a lack of material that addresses lesbian and trans women who experience sexual assault, immigrant women, women in poverty, sex workers and psychiatrized women.
- The persistent use of rape myths.  
The misleading emphasis on false allegations and the recommendations to obtain KGB statements from women who have been sexually assaulted/raped were repeated throughout the training. The rationale that women often lie about sexual assault/ rape or otherwise conspire to lay false charges was one of several myths embedded in training material.
- The use of gender-neutral and re-victimizing language.  
Gender neutral language was explained as a way to ensure inclusivity. The first week of training purports to focus on the sexual assault of adult women as supported by the Auditor General in his report: “Currently half of the 10-day Sexual Assault and Child Abuse Course is dedicated to issues specific to sexual assault involving adult women” (69,2004). This was not the case however as virtually all material referenced the sexual assault of men and/or was exclusive to children/youth.
- The use of racial stereotypes.  
Examples permeated the training that negatively presented women of colour and men of colour.
- The uniform lack of opportunity for questions, discussion and interactive learning methods.  
Presenters did not allow for interaction, discussion or questions and answers.

- Material that omits or contradicts audit recommendations. Several areas are itemized in the map documents attached. They highlight inconsistencies with the Auditor General's recommendations.

### **Some of our Recommendations For Change Include:**

- Redesign the material within a gendered anti-racist framework regarding the sexual assault of adult women. Make content of the Jane Doe Audit as well as recommendations in the Campbell Report a basis for training material.
- Utilize adult education training methods.
- Redesign the module on the Sexual Assault Evidence Kit (SAEK) to better represent the medico-legal requirements of the kit and women's negative experience of the kit process as reflected in current research and writing.
- Research and utilize existing gendered, anti-racist, anti-oppression handouts, research and literature as teaching tools.
- Design a gendered anti-racism framework for language interpretation that would include Sign Language and harm reduction culture and practices for dealing with psychiatrized and substance using women and immigrant women from countries engaged in torture and war.
- Review categories in VICLAS with the intention of removing those that reinforce rape myths and other stereotypes about women.
- Hire educators/trainers with expertise in the area of the sexual assault of adult women.
- Improve and update the physical environment, equipment and use of space in the current location as conditions there are not conducive to focused learning or training.
- Utilize Adult Education theories in the layout and dynamic interaction in the classroom.
- It is acknowledged and appreciated that change to police training must take place as designated by the Force's operations policies and the Police Services Act. Suggestions on how to set the groundwork and begin immediate non-operational modifications in the interim are included in the Framework section of this document.

### **The Framework**

This section of the Executive Summary is designed to present members of the Steering Committee and C.O. Bick College trainers and management with a framework that clarifies the meaning of an "anti-racist /gendered analysis of sexual assault", referred to throughout our review of the current SACA training programme.

In order to augment the material currently used in police training, we will also provide a discussion on the pervasiveness of rape myths that inform social, medical and legal procedures, materials and understandings of sexual assault. We include a glossary of some terms to clarify the analytic framework that forms a basis for change in keeping with the Auditor General's recommendations.

In addition, we refer to the findings of Toronto researchers such as Janice DuMont and Deborah Parnis (among others) and Justice McFarland's decision in the Jane Doe lawsuit. They present analytical and statistical evidence that sexist rape myths continue to fuel the investigation

practices of police officers in this country and in the United States. They place our observations of the ways in which the TPS training falls prey to these same stereotypes into a broader context, and position the Force to be at the forefront of positive change when it fulfills the audit recommendations.

### **Gender Matters**

Sexual assault and rape are crimes committed overwhelmingly by men against women. Yet we witnessed a de-gendering of those crimes that replaces adult women with the concept “victim” in the police training material on sexual assault. This approach renders the crime generic and dissolves the power imbalance that exists between men and women in society. By not naming sexual assault as a gendered crime or creating a training process that specifically attends to the gendered nature of this crime, rape myths maintain their authority and resiliency. Research has shown that even when changes are made to improve the sexual assault investigative process, if they do not incorporate a comprehensive gendered intersectional analysis, the regulatory nature of sexist rape myths continues to be activated in the police investigative process. (Kinsman, Parnis and DuMont, Denike).

### **A Gendered anti-Racism Framework<sup>1</sup>**

This approach to understanding sexual assault recognizes that while great strides have been made in some areas of formal equality before the law, women continue to be treated differently, unfairly & unequally as compared with men in society i.e. at home, at work, in religious institutions, in the law, sports, and so on. It recognizes that Black women, women of colour and aboriginal women are exposed to additional forms of stereotyping and discrimination that result in their physical and emotional harm.

### **Intersections**

Intersections recognize that when gender combines with race, class, disability, sexual orientation etc., women have different or ‘combined’ experiences of the sexual assault investigation process. The reality of racism in our society has produced racist myths about Black women and women of colour who are sexually assaulted/raped and often times determine the reporting process and outcome of the sexual assault investigation process.

We use a gendered/anti-racism analysis as a way to attend to the complexity of women’s lived experiences. While revealing the existence of racist, ableist, classist stereotypes about women and women who are raped, this approach calls for creative strategies/approaches to improve investigation practices and protocols. The framework invites an active stance against these inequities, and acknowledges their interplay in the lives of individuals whose social identity may span several oppressed groupings. With this deepened understanding in relation to race, class and other forms of “difference”, we can refer to the whole package as an “**anti-racist, anti-oppression gender analysis**”.

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<sup>1</sup> The terms for this emerging area of theory are in flux, but the concepts remain useful to our work in the context of sexual assault training.

## **Sexist Rape Myths: Where Do They Come From?**

Sexist rape myths are constructed out of the unequal relations that exist between men and women as described above. They became encoded formally and informally in legislations and practices, often unconsciously held by all members of society. Some of the ways in which rape myths were fuelled was in the legislated requirement of obtaining women's past sexual history and corroboration of her sexual assault/rape. This was a clear indication that women could not be trusted to tell the truth unless there was evidence to corroborate their story. Although the legislation was formally changed in 1983, evidence collected in the sexual assault evidence kit (SAEK) for example, functions to uphold the myth that women are not truthful.

In a study on the impact of rape myths on reporting, Parnis and DuMont have stated that:

“Some feminists have argued that rape myths constrain women's reporting of sexual assault to the police. The authors investigated whether myth-associated characteristics of sexual assaults play a role in police reporting behaviours of women. A sample of 186 sexual assaults cases seen at a hospital-based sexual assault centre was analyzed. A positive association was found between reporting a sexual assault to the police and two overtly violent components of the “real rape” myth: the use of physical force and the occurrence of physical injury.

*(The Role of “Real Rape” and “Real Victim” Stereotypes in the Police Reporting Practices of Sexually Abused Women/Dumont et al Sunnybrook & Women's College Health Service, University of Toronto, 2003.)*

This, compounded with existing criminal investigation practices, formed the basis of apparently intractable yet invisible attitudes to the crime of rape that actually hinder its reporting and investigation.

The intention here is not to suggest that individual officers consciously and intentionally harbour sexist stereotypes about women who are sexually assaulted or raped. Rather it is the institutional organization of sexual assault as a de-gendered crime, evident in regulations, policies, protocols and practices related to sexual assault investigations, that is of concern.

We found overwhelming evidence of the persistence of rape myths in the underpinnings and core curriculum of the TPS Sexual Assault training.

For instance, the content and centrality of "false allegations" in police training on sexual assault investigations presents an obvious, if only the most blatant, example of the perpetuation of the central myth that women lie about rape. It is reinforced by the absence of any other training content that focuses on the sexual assault of adult women from an educational perspective.

Research shows that these false beliefs and negative stereotypes about rape and women who are raped are pernicious and widespread (Giacopassi and Dull), and are certainly not restricted to TPS training. However, they are critical in debunking the error-ridden investigation process that leads to faulty police work and inappropriate responses to the crime of sexual assault. Holding such myths have been linked to the likelihood of labelling rape "rape" (Burt and Albin; Norris and Cubbins), stereotyped expectations of women's behaviour (Burt 1980; Check and [N.

Malamuth]; stereotyped notions of male sexuality (Cowan and Quinton) beliefs that sexual relationships are inherently adversarial (Burt 1980; Caron and [D. B. Carter]; the acceptance of interpersonal violence (Burt 1980; Check and Malamuth; Quackenbush), the self-reported likelihood of raping (Bohner, et al.; [Briere] and Malamuth; self-reported sexual aggression (Koss, Leonard, Beezley, and Oros; Muehlenhard and Linton), and higher rates of reported sexual assault (Muir, Lonsway, and [D. L. Payne]). These beliefs have been associated with an unwillingness to convict an assailant of rape (Burt and Albin) and to sentence offenders. (Quackenbush). Martha Burt (1980) found that more than 50 per cent of the 598 Minnesota residents whom she surveyed endorsed rape myths regarding the woman's moral character and her propensity to lie. Of 122 West Virginian adolescents aged 14 to 19 surveyed by Ruth Kershner, over half strongly agreed that some women fantasize about being raped (52 per cent) and provoke men into sexually assaulting them (53 per cent).  
*(Judging women: the pernicious effects of rape mythology Dumont, Janice, Parnis, Deborah. Canadian Woman Studies. Downsview: Spring/Summer 1999. Vol.19. 1/2, p. 102.)*

We observed that the Toronto Police Services sexual assault training, despite the findings of two audits and the original findings of Judge McFarlane 8 years ago, enshrines the centrality of rape myths in a variety of ways that require a redevelopment of curriculum from a “gendered anti-racism perspective” (as above).

### **Rape Myths and The Difference Between Culture and Race**

The refusal of many women from communities of colour to report sexual assault/rape is often explained as a part of a “cultural difference” that makes violence a norm in these communities.

Well-meaning as it may be, any framework that tries to understand difference from a perspective of culture as something static, unchanging, and experienced as the same to all who are members of it, risks a simple default to stereotype. In this sort of framework, easy short hands such as “Aboriginal people think this about sexual assault”, and “people from South Asian countries think this about sexual assault” substitutes for a framework that sees power difference within communities as relevant to what and how things are investigated. It also misses the opportunity to engage with the agents of change within a group, who may in fact be part of an historical shift in attitudes and approaches.

At its best, multiculturalism values the diversity of the immigrant society by accepting difference as ‘not better, not worse but equal’. At its worst, it is an approach that ignores real structural (economic and legalistic) inequalities, such as employment barriers, and the privilege that comes from being part of the dominant cultural values and institutions.

Many critics of official multiculturalism have predicted that the surface niceness of Canadian society leaves open the possibility for overt racism on the one side and intra-cultural domination of “minorities within minorities” on the other. This latter category would most certainly include women, ethnic minorities, sexual minorities, and those with class differences from the leadership of their “culture”.

We found evidence that such a “culture” approach to the understanding of difference still informs the police training approach to investigating sexual assault in Toronto in 2006, an approach with limitations in a multicultural city of this size.

A gendered anti-racist approach to sexual assault training that equally addresses all aspects of rape myths, stereotypes and power imbalances is critical to assist police officers to focus on how they can best perform their work and close cases, versus a preoccupation with women’s behaviours. This latter preoccupation in the training and culture of rape investigation communicates to officers that it is the women who experience sexual assault themselves who are something to be studied. This is not to say that the investigation of major crime must rest on the catch-all terminologies of “diversity” “cultural” and “sensitivity” issues. These categories unintentionally reproduce stereotypes by focusing their concern on various groups of women who report- versus what is wrong with current police practices.

“Sexual assault is often secret and private. Also the way in which women experience this crime, the whole notion of power and gender [must be examined.] Also, the way in which different women experience it differently, such as immigrant women and sex workers. So it is a time in which we should have a lot of community knowledge, a lot of understanding as to where this crime is located and why, as police move through the investigation, It (training) isn’t the ten steps, it is to explain to officers why it is that these rules and procedures are in place and how they relate to the crime that was committed”

*(Pam McConnell, vice-chair, Police Service Board  
Steering Committee Minutes May 1, 2006)*

### **Adult Education vs. Training**

Adult education is the process of teaching and educating adults.

Educating adults differs from educating children in several ways. One of the most important differences is that adults have accumulated knowledge and experience which can either add value to a learning experience or hinder it.

Another important difference is that adults frequently must apply their knowledge in some practical fashion in order to learn effectively; there must be a goal and a reasonable expectation that the new knowledge will help them further that goal. One example, common in the 1990’s, was the proliferation of computer training courses in which adults (not children or adolescents), most of whom were office workers, could enroll. These courses would teach basic use of the operating system or specific application of software. Because the abstractions governing the user’s interactions with a PC were so new, many people who had been working white-collar jobs for ten years or more eventually took such training courses, either at their own whim (to gain computer skills and thus earn higher pay) or at the behest of their managers.

Adult educators are educated through University degree programs to incorporate educational techniques and theories that use the classroom as a learning environment, and not simply as a place to impart information.

Our further observations are that an area equally ripe for reform as the “content” outlined above is the “form” of the sexual assault training offered at CO Bick. To date, discussions have surfaced that seem to suggest a perceived split between “training” and “education”. In this split, training is seen as practical and education as the opposite of practical, or not applicable to career oriented education, such as policing. It is our position that all police training on sexual assault investigations must instead be considered as “educational”. This does not require that technical training be substituted with "education", but rather an integration of both technical and educational.

Understanding the issues of sexual assault of women in the context of training allows for a thorough comprehension of the issues of sexual assault of women in relation to other policy and procedural areas such as VICLAS and KGB.

### **Sexual Assault Statistics Sheet METRAC (Metropolitan Toronto Action Committee on the Status of Women)**

Sexual assault is any unwanted sexual act done by one person to another, and statistics show that most abusers are men and most people who experience sexual assault are women. Sexual assault can be anything from unwanted touching of a sexual nature to rape.

Many types of sexual assault are addressed in Canadian criminal law. They deal with different kinds of abuse (e.g. using a weapon, causing bodily harm, and making threats) as well as different types of relationships where sexual contact can be a criminal offence (e.g. where one person is in a position of authority over the other or where there is a relationship of dependency by one person towards the other). Legal penalties for different types of sexual offences vary.

### **General Sexual Assault Statistics**

51% of all Canadian women have experienced at least one incident of sexual or physical violence. Close to 60% of these women have survived more than one incident of violence. (Statistics Canada, 1993, "Violence Against Women Survey", *The Daily*, 18 November, p. 1, 3)

In 2000, women made up the vast majority of victims of sexual assault (86%) and other types of sexual offences (78%). (Statistics Canada, 2001, *Family Violence in Canada: A Statistical Profile*, 2001)

80% of sexual assaults occur at home; 49% in broad daylight. (Sexual Assault Care Centre, 1999, *Myths and Facts About Sexual Assault*)

In cases reported to police, 80% of sexual assault survivors knew their abusers. About 10% were assaulted by a friend and 41% were assaulted by an acquaintance. 28% were assaulted by a family member, while the remaining 20% were assaulted by a stranger. (Statistics Canada, 2003, *The Daily*, 23 July)

## **Reporting Sexual Assault**

Victimization surveys show that less than 10% of women who are sexually assaulted report the assault to the police. (Federal/Provincial/Territorial Ministers Responsible for the Status of Women, 2002, *Assessing Violence Against Women: A Statistical Profile*, p.19)

It is estimated that over 80% of women who are sexually assaulted do not report due to humiliation or fear of re-victimization in the legal process. For women of colour, that fear is worsened by the experience of racism. (Ontario Women's Directorate, 2002, *Sexual Assault: Reporting Issues*)

## **Women Living with Disabilities**

83% of women with disabilities will be sexually assaulted during their lifetime. (L. Stimpson and M. Best, 1991, *Courage Above All: Sexual Assault against Women with Disabilities*)

The rate of sexual abuse of girls with disabilities is four times that of the national average. (S. Razack, 1994, *From Consent to Responsibility, from Pity to Respect: Subtexts in Cases of Sexual Violence involving Girls and Women with Developmental Disabilities, Law and Social Inquiry*, Vol.19, No. 4, p. 891-922)

## **First Nations Women**

Frontline organizations confirmed that racist and sexist attitudes toward Aboriginal women continue to make them vulnerable to sexual assaults in Canadian cities. (Amnesty International, 2004, *Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada*)

Up to 75% of survivors of sexual assaults in Aboriginal communities are young women under 18 years old. 50% of those are under 14 years old, and almost 25% are younger than 7 years old. (S. D. McIvor and T. Nahanee, 1998, "Aboriginal Women: Invisible Victims of Violence", in K. Bonnycastle and G. S. Rigakos, eds., *Unsettling Truths: Battered Women, Policy, Politics and Contemporary Research in Canada*, p.65)

## **Women of Colour**

Women of colour may be more vulnerable to sexual assault because of racist sexual stereotypes, and these stereotypes on the part of the police and the courts mean they may have less access to justice. (Canadian Research Institute for the Advancement of Women, 2002, *Factsheet: Women's Experience of Racism: How Race and Gender Interact*).

Sexual assault and abuse are rarely discussed in low-income Toronto communities where women of colour live, and most resources are concentrated on preventing young men from committing crimes. (P. Kholosa, 2003, *If Low Income Women of Colour Counted in Toronto*, p. 59)

## **Women Living in Poverty**

Combined with stigmatization, stereotyping, state scrutiny, and inadequate social support, poverty and unemployment are significant predictors of being vulnerable to violence. (Y. Jiwani, 2002, *Mapping Violence: A Work in Progress*)

Women with low household incomes, low levels of education and/or who are unemployed are at higher risk of being sexually assaulted than women in general. (H. Johnson, 1996, *Dangerous Domains: Violence Against Women in Canada*, p.108-109)

## **Women and War**

Women are sexually abused during times of war - they are raped, abducted, humiliated and made to undergo forced pregnancy, sexual abuse, and slavery (Unifem, *Facts and Figures: Crimes Against Women in War and Armed Conflict*)

Sexual violation of women can destroy a community in a way that few weapons can. The damage can be devastating because entire families will take on the violation and pain of sexual assault. (UNICEF, 1996, "Sexual Violence as a Weapon of War", UNICEF, *Marking 50 Years for Children, Launches Anti-War Agenda*).

## **What Is Next?**

Following are suggestions for change that can potentially be immediately incorporated into SACA training by coordinators and management of the Training and Education Unit:

- The first week of the training should focus on the sexual assault of adult women as is stipulated in the SACA training guidelines and referred to by the auditor in his report of 1999. Observations by Training and Education personnel as to existing content and time devoted to adult women would benefit strategic planning.
- Institute a code of conduct for the classroom that uses an educational approach to inappropriate comments and dynamics such as but not limited to:
  - A list of guidelines/ground rules for appropriate/inappropriate behaviour, responses/participation should be discussed at the beginning of training and presented on power point and available in training packages. For example:
    - No inappropriate joking about sexual assault, no sexist, racist, homophobic jokes/ comments/media or printed material.
    - All beepers, phones should be turned off during sessions.
    - Trainers must remain in the room for each training module so as to observe dynamics and to ensure continuity of the learning process i.e. sufficient time for Q&A and clarification of issues.

- Trainers should provide orientation to training packages and
  - Review existing material to determine its relevance and gendered, anti-racist content.
  - Review training material in packages with learners so they are familiar with its content and use.
  - Incorporate training material into course content in inter-active modules.
  
- Modules should reflect continuity and reduce duplication.
  - Discussions and examples should focus on adult women.
  - Modules on Drug Facilitated Sexual Assaults and forensic matters can be folded into two instead of four sessions and should focus on adult women. Material relating to children and youth should be presented in the second week.
  
- Reduce the reliance on false allegations as an underpinning of the training
  - Make this content no more than 10 minutes of the presentation on Interviewing the Victim as is done in sessions in the second week.
  - In the training module titled “Interviewing the Victim”, a practical piece should be inserted where learners engage in role plays/scenarios on how to interview a woman who has been sexually assaulted. This would enhance learner’s skills and awareness and allow for input within a supportive environment. Consider the use of videos of women who would present within a gendered anti-racist framework.
  
- Shift the nature of the “victim” presenter to address real problems and community resources.
  - Presenter should be a woman familiar with the experiences and issues of sexual assault of adult women, women of colour, women with disabilities and so on and able to present within a gendered anti-racist framework.
  
- Presenters from the SACC should focus on the sexual assault of adult women, utilize the gendered, anti-racist resources and material their agency produces and incorporate existing critiques of the use and efficacy of the Sexual Assault Evidence Kit.

Aspects of implementation of change to be dealt with by the Steering Committee are contained in the recommendations put forward on page three of the Executive Summary.

## **Appendix A**

### **Sexual Assault Audit Steering Committee Members**

Dr. Alok Mukherjee - Chair, Toronto Police Services Board  
-Co-Chair, SAASC

Councillor Pam McConnell –Co-Chair SAASC

Sandy Adelson - Senior Policy Advisor of TPSB

Beverly Bain -Women's Anti-Violence Community

Inspector Liz Burns

Margaret Corion - Mediator/Facilitator

Jane Doe - Women's Anti-violence Community

Amanda Dale - Women's Anti-violence Community (on-leave)

Peggy - Gail De-Hal Women's Anti-Violence Community

Deputy Chief Jane Dick

Staff Inspector Jane Wilcox

### **APPENDIX 3 – A Presentation on the Use and Efficacy of Sexual Assault Warnings/Alerts**

Excerpted from: “Bound by Law: How Canada’s Protectionist Public Policies in the Areas of Both Rape and Prostitution Limit Women’s Choices, Agency and Activities”.

By Nora Currie and Kara Gillies

For Status of Women Canada 2007. (Unpublished)

*(Note: the term ‘experiential’ refers to women who have experienced sexual assault. ‘Key informant’ indicates women who work in community based or hospital based organizations who advocate for and counsel ‘experiential’ women.)*

#### *Theoretical Framework*

Feminist activists, researchers and scholars have been examining rape and its significance on women’s equality, agency and choice for decades. (Brownmiller 1975, Boyle 1984, MacKinnon 1993, Smart 1998, Sheehy 2004). Critiques of the legislation and policies that govern the crime are certainly not original to this paper. Our research concept of looking at distinct policy areas that affect two ostensibly different groups of women is not new either. Nor is it unique in requiring a mental and logistic gathering and sorting of related streams of information that ultimately affect all women. In this case however, our critiques require a shift of the popular moral/emotional lens through which we view sexually assaulted and sex working women to one with a political focus that reflects the agency, choice and activity of all women.

We are socialized, politicized and moralized to view raped women as fallen. As victims. We provide them partial support to get back up, but not completely, and not if they speak outside of, or in the absence of, the medico-legal, religious and social work notions of pain and trauma that now define them. “Raped women are fallen women. Pushed really, but the shame is on them. A stain like original sin, not of their making but never to be removed or forgotten. Raped women cannot display their rage or joy or sexuality. They cannot be glamorous or successful or funny. They certainly cannot be agents of social and political change.” (Doe 2003:113)

We are concerned with practice in the Violence Against Women (VAW) movement in Canada that designates sexually assaulted women as victims, survivors and recently ‘thrivers’. Such labelling originates in the medical community and is applied to cancer, HIV and premature babies/patients who die, do well or overcome the infirmities that have beset them. As if sexual assault is an illness. The reduction of the complexity of raped women’s experience to three tiers of health status fits current medico-legal and social work bureaucracy requirements. It also promotes a survival of the fittest rubric that marks and defines raped women through their pain and suffering, so much so that their stories must be mediated for them. And when space is provided for raped women to ‘tell’ it is usually in the context of victims of individual instances of terror and trauma without any examination of systemic and institutional responsibility. It is our intention to recognize and promote the analyses and expertise of experiential women to articulate systemic barriers and craft solutions regarding rape. We do not deny or minimize the suffering or horror raped women endure, nor are we in denial of their ability to exercise agency, choice and control.

Sexually assaulted/raped women are traditionally “hard to find”. Ninety percent do not report the crimes that have been committed against them (Statistics Canada 1993). Seventy-five percent have been sexually assaulted by men they know (Statistics Canada 1993). Sexually assaulted women who do report, must deal with police and other legal players trained to investigate the possibility of women’s false allegations and prior consent before filing sexual assault charges.(Police Training Material 2006). The conviction rate for sexual assault (including cases where the police do not file or ‘found’ charges) varies in cities from region to region (Light and Ruebsaat 2006). In Toronto, police statistics indicate that sexual assault convictions hover around 19% - which does not include sexual assault allegations that do not result in charges (Police Training Material 2006). The Ontario Women’s Directorate and the Ontario Women’s Justice Network indicate that a 5% conviction rate is more accurate and includes cases where a sexual assault has occurred but does not proceed to court.

In addition to the knowledge women hold about the difficulties they will encounter in securing charges and a conviction, other predominant factors in their decisions not to file charges include fear of: retribution, shame, guilt, the loss of economic support, ableism, racism, trans and lesbophobia and fear of not being believed (<<http://www.criaw-icref.ca>>).

There is a convenient and popular belief that racialized women report their rapes less because they are more subject to shame, community censure, disbelief and the fear of powerful men, than are white women (Wente 2006). While such strictures certainly exist, it is the nature and consequence of racism and systemic racist beliefs and stereotypes that further prohibit racialized women from reporting to the police or accessing the legal system. Sharene Razack examines the degree to which we allow the term ‘culture’ to replace words of oppression in and outside of the courtroom, especially for Aboriginal women, Black women, women of colour and immigrant women:

A knowledge of cultural difference of the Other helps those in dominant groups to classify and manage subordinate groups. The eagerness with which theories of cultural difference are taken up in the justice system, while racism, and sexism remain unnamed is a reminder that culture is a treacherous ground to travel in a white supremacist and patriarchal society. (Razack 1998:80).

In writing about the Indian sub-continent, Ratna Kapur speaks of competing understandings between ‘the West and the Rest’ and the essentializing of gender, culture and victim rhetoric.

"The exclusive focus on violence against women does not reveal the complexity of women’s lives, but only the different ways in which they may experience violence. Thus, culture is involved primarily to explain the different ways in which women experience violence, in the process often reinforcing essentialist understandings of culture and representing particular cultures as brutal and barbaric.” (Kapur 2005:104).

In response to our research question: “Do you think that different women are treated differently when they have been sexually assaulted?” there was unanimous consent from participants that Aboriginal women, Black women and women of colour endure racism when they report their rapes. Young women, poor women, lesbians, trans-women and sex working women were also identified as less likely to be believed by police and the courts because of their social placement,

and therefore less likely to report, whereas 100% of participants stated that what women needed most was to be believed.

### *Methodology*

In-depth interviews were held with 12 experiential women who had been sexually assaulted. Their rapes took place between 1998 and 2004. Six key informant women who work or have worked as counsellor/advocates in feminist community rape crisis or hospital based sexual assault centres, (one of whom worked in both and one who also works as an RN). Five key informant women who currently work in hospital based Sexual Assault Care and Treatment Centres (SACTC) also participated.

Of those 23 women, two were Aboriginal, (experiential) two were Black (one experiential, one key informant) and three were women of colour (two experiential, one key informant). Of the white women, four were Quebecoise, (two experiential, two key informant) one was Acadian (experiential). Three key informant women self identified as Jewish and eight (six key informant and 2 experiential) that they were lesbian. Five women disclosed that they lived at or below the poverty line (experiential) and two had previously been homeless (experiential). Ages ranged from 20 to 63. The majority of key informant women were over 40 years of age.

Because women with disabilities are sexually assaulted at twice the rate of the able-bodied (Statistics Canada 1993), it felt important to ask participants about ability status. One woman identified as deaf, another as hearing impaired and one woman lived with fibromyalgia. Six experiential women identified post-traumatic stress syndrome or disorder, bi-polar disorder, panic attacks as disabilities that had been diagnosed since their rapes or were negative factors in the outcome of their investigations/trials.

One-on-one semi-structured interviews lasted between one-and-a-half to two hours and took place in six cities. Four interviews were conducted via telephone. All save one focused on both the areas of police warning regarding stranger rapes and the sexual assault evidence kit. (Time constraints prevented a key informant who worked in a clinic based Sexual Assault Care and Treatment Centre from full participation.)

Participants were asked if they were familiar with legislation regarding sexual assault. Overwhelmingly, experiential and key informant women were not knowledgeable of the names of the laws or criminal codes that identify and differentiate between levels of sexual assault or the court cases and challenges from which they resulted. When prompted however, it was clear that most women were familiar with their content and relevance.

The first part of this section of the research deals with the policy of police warnings or alerts, released through the media when a serial or stranger rapist is operating in a certain area. The second focuses on elements of the sexual assault evidence kit (SAEK), especially women's informed consent to undergo one. While there are other policies that limit the choice, agency and activity of sexually assaulted women, these two are highly influenced by police force practice and protocol. Little is known or spoken of rape warning or sexual assault evidence kit

policies although they are both seen to function as critical elements in the prevention and prosecution of the crime. It was our original intent to broaden the scope of our observations to include the medico-legal use of psychiatric testing, diagnosis and testimony regarding raped women's histories. While we were able to collect material on that matter, circumstances restricted our ability to proceed in that direction at this time.

## B. Some Warnings about Warnings: The Impact of Police Rape Warnings on Women's Choices, Activities and Agency

### 1. Context and Background

Police departments across the country follow the practice of issuing community safety alerts, public alerts, or warnings when they wish the public to be aware of the risk, or commission, of a variety of crimes. They give information to alert the public and seek cooperation in prevention or arrest. Such communications are most familiar in the form of Crime Stoppers, wherein the police give the media information about unsolved crime for publication or broadcast. The public is encouraged to assist, often through the offer of a cash reward. (McCormack 1995).

The practice of warning the public dates back to the American 'Wild West', where sheriffs didn't have the resources to track down outlaws who roamed the land. Instead, they distributed "Wanted" posters offering huge rewards for their capture.

Today, the issuance of community safety alerts or warnings is in the purview of provincial police acts. Regarding alerts made when the police know of a man who is committing sexual assaults, not much is known - about the rapist's method of operation ("MO" in police parlance) - or the methodology of the alert itself. While there is no legislation, official policy or protocol to regulate such practice, the production and distribution of "rape warnings" are regular functions of police departments and law enforcement agencies across the country.

The issue of police *failure to warn* in such circumstances was decided in the civil courts in the law suit *Jane Doe v the Metropolitan Toronto Police Force* when Madame Justice Jane McFarland ruled against the police citing their duty to warn Jane Doe and other women in her community of the existence of a serial rapist who was preying on women in a small neighbourhood. The court made the following observations:

The police failed utterly in their duty to protect these women and [Jane Doe] in particular from the serial rapist the police knew to be in their midst by failing to warn so that they may have had an opportunity to take steps to protect themselves.

It is no answer for the police to say women are always at risk and as an urban adult living in downtown Toronto they have an obligation to look out for themselves. Women generally do, everyday of their lives, conduct themselves and their lives in such a way as to avoid the general pervasive threat of male violence which exists in our society. Here police were aware of a specific threat or a risk to a specific group of women and they did nothing to warn those women of the danger they were in, nor did they take any measures to protect them. (*Jane Doe v The Metropolitan Toronto Police Force 1997.*)

The court then went on to find that the police had breached Doe's Charter rights. In particular, the court held that:

[Police] deprived [Jane Doe] of her right to security of the person by subjecting her to the very real risk of attack by a serial rapist – a risk of which they were aware but about which they quite deliberately failed to inform the plaintiff [or other women] and where, in the face of that knowledge and their belief that the rapist would certainly attack again, they additionally failed to take any steps to protect the plaintiff or other women like her.

More importantly, on the issue of equality rights as guaranteed by s. 15(1) of the Canadian Charter of Rights, the court concluded as follows:

The conduct of this investigation and the failure to warn in particular, was motivated and informed by the adherence to rape myths as well as sexist stereotypical reasoning about rape, about women and about women who are raped. [Jane Doe] therefore has been discriminated against by reason of her gender and as the result [her] rights to equal protection and equal benefit of the law were compromised.

This is the victory of Jane Doe.

The consequences of *Doe* however are ambiguous. Unfortunately, *Doe* provides no guidance or ruling to police and their governing bodies to discharge this new found duty to warn women regarding sexual assault, and the charter sex equality violation has been divorced from any legal understanding of that duty. *Doe* argued, and the courts agreed, that social and legal myths and stereotypes about female gender identity and the historical targeting of women as objects of male sexual violence was, and is, a systemic violation of women's equality rights. Enforcement or implementation of that decision is another matter entirely.

The myth of *Doe* is that the police now warn more as a result, and that such practice is the law. It is however simply a practice that the police engage in at their discretion and without public accountability versus a protocol or policy enshrined in regional police acts. And, as the women we interviewed expressed, when the police do issue warnings, their content and intent are seen to deny women choice, agency and freedom of activity.

## 2. The Manipulation of Fear

In discussing rape warnings, participants focused largely on their overriding message to be afraid:

*“Stay inside and lock ourselves up, never go out. You need to have a knife under your pillow kind of feeling” Brenda, key informant, Eastern*

*“Terror breeds terror. I wish that they would give warnings without fear mongering”. Esther, key informant, Central*

*“You know this person’s in your community and now you’re scared and you have to lock all your windows and lock all your doors because he just might come into your house”. Ronnie, experiential, Central*

Participants agreed that remedies or precautions contained in warnings are reactionary and require women to take responsibility for prevention. Those sentiments are summarized here:

Current warnings issued by police to alert communities of a serial rapist are fear-based and hysterical in language and nature. Instead of factual warnings that give us information about the dangerous men in our midst, they issue “don’ts” directed toward women, the people most at risk. The don’ts include:

Don’t go out alone. Don’t go out alone at night. Don’t go out alone or at night unless accompanied by someone (male). Don’t open the windows. Don’t open the doors. Lock the windows and doors. Don’t talk to strangers (men). Don’t take shortcuts. Alternate your daily routine and routes to work or school. Don’t take elevators by yourself (or with strange men). Monitor the motions of the men around you. Don’t ride the bus alone. Don’t get off the bus alone. Leave your lights on. Don’t use underground parking. Don’t park on the street. Walk in pairs. Walk on the road. Walk down the middle of the road. Carry a cell phone. Don’t struggle. Don’t resist. Don’t fight back. Don’t arm yourself. Eat grass. (Doe 2003: 153)

Women we interviewed regarding the subject of police warnings or alerts of a stranger serial rapist in a specific area,.

*I think it’s victim blaming. It’s like, he went through the park and you were told not to go through the park! What did you think was going to happen? You were told to take your dog and your cell phone and you left them at home, or didn’t get yourself a dog, so look what happens! Margaret, key informant, West*

Some participants were clear that the focus of warnings needs to shift from the woman who experiences the crime to the men who commit it.

*Without much thought, police warnings let all the men who are reading the paper go ahead and terrorize. It’s more than the myth of the stranger attack. Men read it and understand that the community is not responding. The police are helpless and can’t get the rapist themselves and the best they can do right now is tell women to be afraid of him –which is what he is trying to make sure happens. Men who are experimenting with attacking get reinforced. The warnings are directed at women versus at men and that is a problem. Warnings or alerts should contain commentary to indicate that rape is unacceptable. The police should participate in community meetings; respect the expertise of women’s community agencies who carry that message. I think a lot of men know about the men who are attacking. It would be beneficial for police to use their resources to talk to men. The message would be ‘men, the police are on this, they are watching! They are going to get you! Ramat, key informant, West*

The manipulated fear of ‘stranger danger’ is supported by British author and academic Elizabeth Stanko. She identifies that police warnings or advice to women about safety fail to question why the group ‘women’ are specifically at risk, why it is assumed that ‘correct and responsible’ behaviour by individual women can prevent male violence, how such assumptions reinforce women’s fear and the imperative to seek the protection of ‘good’ men to protect them from the ‘bad’ men thereby removing adult women’s agency, activity and choice:

Within this arena of crime, prevention initiatives embrace individual obligation and specify the burdens of individuals to protect themselves. Within this opportunity-reduction initiative, gender has particular salience. Women – the generic audience of the advice- represent a stereotypical, gendered vulnerability. There is, for instance, no special advice for young men, the population according to official data that is most at risk from assault in public (Stanko 1996:16).

Research participants were asked if they had ever heard a police warning (about a known rapist operating in a certain area), if they thought such practice was enshrined in policy, if it should be, what they thought/felt when they heard warnings, what the message was, and what might constitute a better or more effective warning. Of the 23 women interviewed, eight responded that they had never heard of such a warning, even in cities where they had certainly been widely released. Their reasoning for this was that they do not follow the news, or the warnings are disappeared into other small, bad news stories and do not register at all.

*“Never, not once in 6 years of work in the women’s anti-violence movement.” Ramat, key informant, West*

*No, I have helped individual women create warnings for women - only to have those torn down by the police - but I have never been asked [by them] what would one look like, or what information should be involved, in over 20 years of work. Hannah, key informant, Central*

If we are to purposefully assess the validity and substance of warnings regarding stranger rape, it should be from the perspective of women who have experienced sexual assault and women who work in the area. Women who would rightly be described as experts and stakeholders. By excluding them from meaningful input in policy design and content, we are not advantaged by the expertise of professional women who have designed, implemented and maintained an entire sector or industry which provides critical services and employment nationally.

*Are you kidding? Police and other lawmakers do not consult with women’s groups, certainly not in the true meaning of the word. They might lecture us in the media or blame us after the fact, or include us on a committee where we have no real power, but violence against women - forget individual or specific warnings about rape - is not on the agenda. We can’t even get them to say ‘woman’ let alone include us in policy decisions or the drafting of protocol that would affect women. It would of course make sense for them to work with us. To design effective and useful information that gives women information so that they can make the best decisions. A true form of crime prevention. We [women’s anti-violence groups] have networks and infrastructures in every city and province - nationally too. We could get information out, but not as carriers for messages and information that don’t work, or don’t work in the best interest of women. And not without an analysis that represents women of colour, sex trade workers, women whose first*

*language isn't English.... those women don't get police warnings even when they are released. So, no... the answer is no. The police don't consult with us. Tia, key informant, Central*

There was agreement amongst participants that the racial identity of men who rape should be revealed as long as:

*They said white as often as they said Black, but they don't. They only identify something other than the status quo, and when rapists are identified as outside of that, racism rears its head. Lillian, key informant, Central*

This 'othering' of rapists is rooted in historical and current racist presumptions that identifiable minorities (and/or immigrants), easily distinguished by their (non-white) skin colour are particular sources of sexual violence and to white women in particular. (Brownmiller, 1975). This was also true with early immigration to Canada. In *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925*. (1991), Mariana Valverde documents how Chinese men were seen to be dangerous to young white Toronto women at the turn of the century. Participants identified that we harbour the same presumptions in 2006.

*I want to hear and identify that most aggressors are white. Michelle, experiential, Central*

*It's a fact and we need it. The problem is that we are a racist society. It is not a radical response to racism to disguise someone's race. It's part of who he is. Racism is a problem but not a reason to disenfranchise women in danger of violence. Ramat, key informant, West*

In her soon to be published research on print media representations of sexual assault, Shannon Sempert examines relevant articles in four English language Canadian newspapers over a five-year period. Her data supports that the rape warnings the police release are informed by myths of victim blaming and victim provoking. In some stories, police warned women not to walk alone in secluded areas. In others, police warned women never to leave their drinks unattended at social events because of the use of date rape drugs.

Put another way, we seldom read that a mugging victim was drinking prior to being robbed and we never hear police warning men not to be out late at night when they may be more likely to be mugged. (Sempert 2006:266)

There is an inherent violation of rights when half of humanity i.e. women, are expected to censor their everyday behaviour and alter their daily movements because their sex promotes male violence. These expectations, and the subsequent policies they spawn, are sexist and undemocratic. But when women resist these policies through political and community efforts, state paternalism interprets their actions negatively.

### 3. Postering, Bad Dates and Rape Spam

Communities of women have been crafting and executing effective alternatives to paternalistic and infantilizing legislation and policies for decades. These reactions are varied, and call for a community strategy and response that can compliment and improve legal response. Unfortunately such acts are often criminalized, unreported in the media, and/or expensive. While effective, they are not legitimized, and usually play out below the radar of mainstream media coverage and analysis.

Many of the women we queried regarding community or individual initiatives to alert women about male violence, named postering as a viable (if illegal) action. A woman in Halifax referred to postering favourably as “bounty hunting”. Postering, as adopted by second wave feminists, especially in 1970’s and 1980’s Rape Crisis Centres, was both celebrated and reviled as a guerrilla tactic in the war against violence against women. Not to be confused with spontaneous tactics, such as the graffiti image of a gun with the message: “You can’t rape a .38” that appeared on buildings in North American cities (including Toronto) in the early 1990’s, postering is more organized and directed. Feminist postering is designed to give women information that will allow them to make informed decisions about threats or danger to which they might be subject in the absence of any state or police notice or preventative action.

Rape crisis centres in British Columbia and Ontario engaged in postering regularly in response to police inaction, or as an alternative in support of women who chose not to report to the police. Feminist political action of this sort serves many purposes. Respondents revealed that it allows the woman involved to take action and control while addressing the systemic nature of violence against women and enables the community members in specific neighbourhoods to come together and craft solutions.

*They never arrested the guy who raped me. They [the police] believed me but they never found him. So when the idea of postering came up it was perfect, and we did it to let other women know, not in a scary way but to let them know. It was very important for me; no one was saying anything, as if it didn’t happen, as if it didn’t matter. I don’t know how I would have gotten through it all if I hadn’t had that. If I had to act like it never happened too. And we didn’t just put up posters, we had a meeting where women who lived in the same area got to sit down together and talk and share information and fears and ideas.*

*Sheena, experiential, Central*

*We postered a week later, because they [the police] didn’t inform the public. I don’t even think they looked for anyone in the neighbourhood at the time. I wanted to do it to get some closure. I thought if he [the attacker] saw them [he would know that] you’re not getting away with this, whoever you are. You’re going to see this. It was very empowering. [Afterwards] Detective X called me. He’s very chauvinistic and cocky, and he said it wasn’t a good thing what you did and you’re tainting a police investigation and I could charge you. They [posters] were all ripped down within two or three days. Melissa, experiential, Central*

It is also documented in *The Story of Jane Doe* (2003) that police can respond to such organizing with threats to, and the arrest of the women involved.

The action of postering is not supported by all community based women's groups.

*There was an incident that was nothing short of vigilante-ism. I'm not saying that the perpetrator deserved better, but what happened was the community members broke the law, so our board of directors decided they wouldn't get involved in that [postering] anymore. They would support the police in their warnings.*

*Margaret, key informant, West*

Respondents were clear that better and alternative action is called for regarding the high and increasing incidence of male violence in women's lives. "Take Back the Night" (TBTN) marches are celebrated internationally as perhaps the single time or opportunity groups of women are afforded to walk freely and speak freely regarding sexual assault. They originated in Germany in 1976 in response to high levels of male violence against women. They now take place internationally usually in the later months of the year. Women come together and walk in the night to reclaim their equal right to be safe in the streets of their communities. Marches are designed to be loud and are joyful. Many include a candlelight vigil. Vancouver women held the first Canadian TBTN in 1979, followed by Toronto in 1981.

*It was in my own neighbourhood and walking through that neighbourhood and screaming imperatives towards men about rape and sexual assault, it was cathartic, it was like good crying, for a really long time, and with a really big stick. Barbara, experiential, Central*

Increasingly, TBTN marches are no longer the domain of feminist political action in resistance to oppression and assault.

*It's not so easy anymore. Our funders, private and public will not support the exclusion of men on the marches or as organizers and speakers. Some of our Boards won't. In the past and still in some cities, male allies are asked to support women from the sides and see to childcare. Now, that's seen as discriminating against men. Can you imagine? And the police are involved in selecting dates, charting the course, the length and duration of the march and leading and following marchers. That is, if they grant you a permit in the first place. Take Back the Night has lost it's relevance in many ways. Women are raped in private spaces. In their homes in their offices, schools and churches. It's important still because of its symbolism but once a year isn't going to do it and women aren't being seen taking back the night or heard talking about the things we really need. Lillian, key informant, Central*

A cursory review of media stories across the country reveals that when thousands of women take to the streets to decry male violence it is seldom reported and if so, reportage is devoid of analysis or political comment. It would appear that any actions women independently take to raise awareness about sexual assault, any warning or community alert outside of the standard and accepted police format are denied credibility.

Ramat, a woman in the West of Canada, spoke of her agency's analysis regarding alternatives to traditional police warnings:

*We have a shared analysis here in order to stop a man from raping and in order to respond to him when he has. We want him to know that the woman involved isn't as isolated or alone as he thought. We might initiate a series of actions through media, public meetings, or confrontations – which are less used - but I would argue, the most effective. There are other possibilities in terms of building a community response to hold him accountable, but those are difficult because we must rely on more and varied people with whom we have little unity.*

*Self defence in the form of physical as well as psychological resistance is also championed as a logical and healthy response to violence:*

*I think women are brilliant because we have come up with hundreds of things we do to survive male violence that never get talked about. We learn young how to calm violent men down, a way of talking to them, we learn how to defuse situations. It's good, but problematic too. [Our agency] teaches self-defence. It's a two-day course that teaches women how to resist, how to fight back physically and otherwise. Tools women are not given as children, not encouraged to use.*

*Frankie, key informant, Central*

Police forces take different positions on self-defence at different times. In the 1980's Toronto police advised women to eat grass in order to induce vomiting which would turn the attacker off sexually (Doe, 2003, 54). In 2004, they advised women to "hide under cars" in the event of attack. In between, police have been known to sometimes support fighting back especially if the rapist attempts to move a woman from one place to another. But the concept of women feeling confident about self-defence and exercising their own ability to resist is never part of their message.

*I think a lot of policemen don't believe in self-defence generally for women. I think they don't see our particular brand of self-defence as realistic because cops often work only on cases of stranger assault, and we work most often with women who have been assaulted by people they know. The reactions can be the same but they are different. So they'll refer [women] to a cop who teaches self defence before they refer to us, which is scary because they'll never talk to you about your boss, your colleague, your brother or cousin. Frankie, key informant, Central*

The Internet can be a perfect format to distribute accountable and informed warnings, dialogue and feminist education about sexual assault. The flipside to this well used tool is "rape spam". Miss Trixie hosts the website <<http://www.iblamethepatriarchy.com>> and posts the following about this trend:

I allude to those rape-avoidance-tips emails, the kind written by 'the police department' and sent by your well-meaning friend, warning you to always look under your car for attackers (or up in the trees for ninja attackers!), and to stroll around town with your keys sticking out of your white-knuckled fist.

Like all these emails, the one I got today says, “This information is invaluable to women who could potentially be victims of crime. I would encourage everyone to read this, and pass it on to those you care for. It is not intended to scare anyone.

The subtext, of course, is:

“You should be scared shitless! You were born female, and rotten luck that is, because that means you are pretty much there for the taking whenever the fancy strikes, and nothing you can do will actually prevent some psycho shitbag from sexually assaulting you, and we really can’t help you by doing anything that will actually make a difference--like giving stiffer sentences to sex offenders or castrating known rapists with jagged bits of metal or suggesting to boys that a woman is not obligated to screw them just because she smiled at’em--so, just to make sure you feel like the entirely powerless speck of dirt you are, here are a few half-assed tricks we all know don’t work--like, 'practice screaming into your pillow,' or 'never go out alone'--but probably you ought to just be too scared to ever leave the house again, even though rape is most likely to occur in your own home by some fucktard you already know. Oh well! That’s the good old patriarchy, the social system of misogynist barbarians! Sucks to be you!”

Ms Trixie’s message and blog reflect the tone, language and analysis of younger women and create a virtual community that allows for a level of creativity, humour and sophistication about sexual assault policy that is accessible and immediate.

Women working in anti-violence sectors have long promoted art as an important tool to effect social change. Funding to pursue and promote that strategy however is difficult to find.

Aimee is an art student in a Central province. As she awaited a trial, she created a performance piece that involved her classmates.

*I was preparing for trial and I was reading the police report and going through the whole process while I was studying. I knew that one out of four women are sexually assaulted. There were 15 people in my class so I used that ratio to design little pockets or change purses, made out of plastic and a white dress I used to wear. When you opened them, one in four were red inside so I was saying to my class that anyone could be a victim of sexual assault and we don’t know about it. I also handed out pamphlets and there was discussion and [other students] became involved.*

The college/university site is a community with internal systems of communication that could disseminate information about violence on campus to the student body, staff and faculty in immediate ways. Statistics Canada tells us that the majority of sexual assaults are committed against women between the ages of 15 and 25 which reflects the average age of female university students. Incidents of sexual assault on campus, however, remain largely unreported. (Dekeseredy et.al. 1993, Take Back the Campus event University of Ottawa, 2005).

Strategies to spread such information internally to groups of women who live or work or study together are not unknown. For instance, Bad Date Books are produced and distributed in cities across Canada by sex workers and their allies. These books provide descriptions, dates, names

and other identifying information (when available) of men who have physically or sexually assaulted sex workers, robbed or otherwise violated them. Sex workers are often subject to a volatile work environment, which is fostered by social and legal prejudice. Bad Date Books were developed to provide sex-working women with pertinent information to pro-actively avoid dangerous situations. As with postering, public protest and other political community responses, Bad Date Books rally women to work together, in community, to provide agency and control over their physical security in their home, on the streets and at work. Versions of the books are published on line and now, increasingly, by police and social service agencies that do not employ sex workers nor support them politically. Even those that do often relegate experiential women to marginal status and control of the books in order to maximize political and practical gain for the agency.

It is important to consider who collects and distributes the information provided to women regarding male violence and how. Police and social service agencies (versus some women's community-based agencies) warn from a benevolent missionary position designed to protect the poor defenceless women (raped or sex-working). Moreover, their messages are hysterical and fear based, as opposed to allowing and supporting women to inform one another through building their own initiatives. The differences in these approaches are not only philosophical, but practical. With user-based information sharing initiatives there is community building, crime prevention, resource sharing, education and skills development. The current chill, or in many instances, prohibition (legal and institutional) against women's agencies to initiate or espouse such advocacy is another practice that limits women's control and activities both individually and as a group.

Women's communities do and can communicate with each other by using public space to give each other information in a political pro-active context. It's not something you can get into mainstream media. I believe that all forms of community physical discussion with each other are crucial. And I'm really sorry that postering, or anything, like rape crisis centres being creative with women to provide an opportunity for women to make informations to the public and the police are so under the radar.

Andy, key informant, Central

By allowing policy to be developed and carried out by so-called experts who assume that the more financial resources their institution has, the better able they are to protect women, we undermine women's knowledge and initiatives and deny them control over their activities. In its reportage of rape, the media largely ignores its social and historical roots. The information that in Canada a sexual assault is committed every 17 minutes (Statistics Canada 1993), primarily by men known to the women involved, is missing. The viewer or reader is absolved of any responsibility to pay attention, be concerned or expect policies and legislation that would address the true nature of rape and its harm. Conscious observations of the media as a conduit to government public policy and opinion are not generally part of our readings (Sempert 2006, Doe 2003). The distorted cultural messages we receive through the media about sexual assault are part of the reason it is under reported and under investigated. Their messages are ideological and displace a gendered and systemic understanding of a crime that is male specific, thereby transferring men's responsibility as the perpetrators to women who experience it.

We are interested to observe that women's narratives reveal many shared or parallel experiences of the policies we investigated that, in our opinion, reflect or support the academic discourse about public and private women. An example is the practice of warnings. At the turn of the nineteenth century, media, social, and religious organizations colluded to issue multiple warnings to "keep your girls at home". Ostensibly designed to protect 'good' women, they encouraged an atmosphere of moral panic that focused on women working in prostitution. A "Warnings to Girls" published in 1914 by the Social Service Council of Canada capitalized on the misconception of the social evil of prostitution and women who ran brothels to read: "Do not loiter in public places, and remember that there are women as well as men in strange cities or traveling by train who are watching for chances to decoy the innocent. They have many traps such as pretending to be in a faint, or wishing to be taken home; claiming to know you or to represent some society for the protection of strangers etc" (Valverde 1991: 98).

Valverde and others document that in fact such moralizing was a reaction to the flood of women out of the domestic realm and into public work and leisure space:

In 1913, Toronto's leading moral reformers joined together to investigate "social vice" in the city and their 1915 report does not recognize a distinction between prostitution and going out on dates. The investigators found very few bawdy houses and no evidence at all of coerced prostitution, but this did not lead them to conclude that all was well. On the contrary, they created a moral panic about the women who were not prostitutes but went out with men to parks and ice cream parlours and on occasion had sex with their male dates. (Valverde 1991: 98)

Because of the fears associated with this flood of women out of the home (private) and into the workforce (public), a fear-based social outcry was raised that worked to control and criminalize women's space and activities.

We note an interesting parallel that, despite the passage of 100 years, such infantilizing of adult women informs current police warning around stranger rape, and continues to serve a similar goal of controlling women's access to, and use of public space. The linkage of sexual violation to a public space allows us to define the woman who is willfully outside of a marital or normative relationship as 'public' or 'bad'. As such she can be perceived as common property to men at large, as with a prostitute, whereas 'good' women stay home. They are not prostitutes and are afforded protection through warnings, but any necessary or chosen forays into public space make them available to penalty by the (public) stranger rapist. Their failure to comply with the warning casts suspicion on the value they place on their own virtue, making them complicit in their own rapes – partially to blame, at blame or fair game. The coding of the 'rules of engagement' embedded in warnings reinforces such interpretations for women and for men.

The following chapter of this section begins with what has been described as the 'corporatization' of women's community anti-violence services. It serves also as a preface or introduction into sexual assault evidence kit (SAEK) or rape kit policies.

## **APPENDIX 4 - A Presentation on the Specificity of Women of Colour who Experience Sexual Assault.**

### **A Textual Analysis of Sexual Assault Alerts/Warnings on Racialized and Aboriginal Women of Colour**

Prepared by: Beverly Bain

This summary addresses the impact of sexual assault warnings known as safety alerts on the lives of racialized women of Colour and Aboriginal women. Yasmin Jiwani (2007) tells us that women of Colour get conflated with the label immigrant women as a way of denying the role that racialized women have played in Canadian nation building. The focus on immigrant women as opposed to women of colour or racialized women provide for a culturalization of these communities that reinforces the belief that racialized communities are tradition bound and frozen in time, not to mention inherently violent. Yasmin Jiwani (2007). Therefore, a refusal on the part of racialized women to report a sexual assault /rape is contextualized within a cultural framework that erases what these women experience as sexist and racist violence which leaves intact male privilege within racialized communities while further entrenching the racist notions of communities of colour as backward and inferior.

Currie and Gilles in their presentations on warnings revealed the regulatory nature of sexual assault alerts. The fear-mongering that characterizes much of these warnings serves to reinforce the sexist, racist and classist notions of public spaces as dangerous spaces for women - particularly white women. Therefore only “bad” or “careless” women will walk in public spaces at night unaccompanied by men. The regulation of morality and mobility inherent in the current sexual assault alerts often render women and, in particular, women of colour and Aboriginal women outside of the realm of “protection” (I put protection in quotation marks because the “protection” that is extended to “good women” is bounded up with paternalism, racism and classism).

#### **A textual analysis of Sexual assault Alerts/Warnings**

A couple of the safety alerts suggested that women should avoid walking alone. Many racialized women and Aboriginal women and, in particular, newly arrived residents to the City work night shifts and must travel and walk the streets alone at night. Many Aboriginal women who have migrated to the City live on the streets. A stipulation in an alert that cautions women to avoid travelling or walking alone locates many women from these communities outside the scope of protection. This fosters a cultural and racial resistance in many racialized communities that result in restricting women’s mobility while defining those spaces as contrary to the values of those communities.

Several of the sexual assault alerts reviewed identified the perpetrators as men of colour. The descriptions ranged from men who were black to brown, to brown skin, with a dark complexion. Many of these descriptions are vague and serve to reinforce racist stereotypes about men who rape. Many of the alerts where the attacker was described as black or brown were far more alarming. For example, some of the descriptions

included, “exercise caution and avoid travelling alone”, “exercise caution and vigilance”, “be vigilant in locking doors and windows especially at night.” In three alerts where it was evident that the perpetrators were white (attached photographs) two were serial sex offenders. The caution given to the community was much less alarming. It read as follows “use caution when travelling alone.” The racism that permeates the description of the dangerous sexual offender often act to hinder women from racialized and Aboriginal communities from reporting intra-community sexual assault for fear of opening the community up to more racism from the dominant society.

Sexual assault alerts must be written in ways that cease to perpetuate the gendered raced and classed notions of the “real victim” as someone in her home, in her bed, ‘white’, middle-classed and heterosexual. They must be constructed in ways that cease to promote the belief that sexual assault offenders ought not to be controlled in public spaces. In shifting the focus unto the perpetrators, it changes the way public spaces are defined as dangerous for certain women primarily “white” women middle class women. Sexual assault alerts must refrain from vague colour-coding of sexual perpetrators of colour that serve to foster the racist belief that black men and men of colour commit the majority of sexual assaults.

## **APPENDIX 5- A Critique of ViCLAS (Violent Crime Linkage Analysis System)**

By Jane Doe on behalf of Community Members of the SAASC

Community members of the Sexual Assault Steering Committee wish to address certain areas of technology in the investigation of sexual assault. Our focus is on the Violent Crime Linkage Analysis System or ViCLAS and the Sexual Assault Evidence Kit (SAEK). This is in accordance with the audit conducted by city of Toronto auditor general Jeffrey Griffiths. This area was also agreed upon as committee work in the beginning stages of the Steering committee process.

We will deal solely with issues regarding ViCLAS here.

We wish to state that this is not a full or complete piece of work due to a number of limitations, primarily a lack of resources to fully research and investigate the matter. Our presentation today is a draft critical overview and we anticipate the opportunity to broaden our examination. We welcome the expertise, insight and input of police personnel to do so.

In keeping with the mandate of the committee, and with the knowledge that ViCLAS is an Ontario government controlled tool in major crime investigations, we acknowledge that the committee has no authority or ability to address the system in its entirety or even in substantial ways. We are mandated however, to examine its intent and effect on sexual assault investigation and will begin to do so here.

Our focus is on content and intent in the phraseology and especially the structure or organization of the ViCLAS booklet itself. We believe it supports existing mythology about sexual assault and adult women who experience it. In particular we wish to focus on the over reliance on:

- i) so-called false allegations.
- ii) requirements for investigating officers to document the racial identity and sexuality of women who are reporting the crime
- iii) requirements to document their activities, occupation and workplace
- iv) language that allows for the de-gendering of sexual assault .

While we understand such information to be of potential value, our concern is that the organization of the document itself and it's rigidity in defining evidence contributes to sexist, racist and other assumptions that undermine the validity, utility and ethics of ViCLAS as an investigative tool.

We are also concerned that the offender profiling section likewise reinforces racial and other stereotypes and myths about men who rape.

The subsequent construction of offender typologies based on such information can be problematic if not erroneous. The terminology and philosophy used to describe those typologies are also questionable.

Our recommendation is that, at a minimum, additional training is designed that will assist officers to identify internal and socialized responses that support oppressive ideology inherent in the ViCLAS booklet directives.

Criminal investigative and analyses systems such as ViCLAS have gained prominence in recent years due in large to their exposure in popular media - rather than through positive empirical results. And therein lies the problem. Namely, that this sort of analysis generally has been poorly evaluated as an investigative aid or conceptual tool. Specific to ViCLAS we are unaware of any research or internal mechanism to track its accuracy or efficacy especially within a gendered, anti-racist framework.

In 2001, the National Post printed an in depth article on the connection between ViCLAS and false allegations (or “alligators” as they are referred to there). (National Post, September 8, 2001) Several Sex Crimes officers were interviewed and one went on record to indicate they (false allegations) are “a very significant problem”. The piece goes on to state that:

“In those cases where an investigator suspects the victim is lying, but cannot prove it and she does not recant, the assaults are counted as genuine on the ViCLAS books. Only another police officer, seeking information either on an offender or a victim in another case, would ever see his predecessor's full notes and get a whiff that the original complaint might not have been legitimate.”

The codification of false allegations as a category in ViCLAS communicates clearly the myth that women lie about their rapes. It appears on four occasions and there is reference to a Field Investigator’s Manual for even more information on how to spot those “alligators”.

The failure of women to report their rapes is one that government, police and community wish to address. How to do that when there is a procedural predisposition for investigating officers to disbelieve them, is central to the work of this committee.

When community members observed the SACA course at CO Bick College last year, learners were instructed as to the absolute imperative to fill out all categories in a sexual assault investigation. Very little time was dedicated however to assist them in identifying the complexities involved. The understanding was that they would practice and learn more while on the job.

ViCLAS categories that require officers to enter the race of the suspect and the woman involved are impressionistic and open-ended at best –and can be interpreted as openly racist at worst. Taken individually some of the descriptors are perhaps less problematic than others but repeated references to “Fu Manchu” and “Hitler” moustaches, for instance are revealing.

Under “factors contributing to the offence” officers must indicate if the woman involved is a “drug user” or “abuser”, “transient”, “prostitute”, “homosexual”, “alcoholic”, “loner”, “known criminal”, or “partier”. Again, such information can be relevant but their order and organization prompts the investigating officer to respond in a biased and negative manner. Likewise the analysts who ‘interpret’ the information are wide open to subjectively construe the data based on

their own biases and stereotypes.

Identical categories for the “offender” who is for instance a Black man or Aboriginal are grounds for racist interpretations.

Classifications labeled “head covering” “promiscuous” and “living quarter”, entries like “rooming house”, “shelter”, and “group home” to indicate where the woman involved and the offender reside cannot but precipitate an impressionistic response.

Perhaps one of the most egregious entries in the ViCLAS database calls for the officer to indicate if, based on his experience, the motive for the sexual assault is “sexual”. In addition to an absence of gender specificity regarding the crime, this understanding of rape as “sexual” telegraphs a dangerous and shameful lack of knowledge of the nature of sexual assault, and no understanding at all as to the power and violence that motivates it.

The section on rapist or offender typologies employs language and dogma that classify men who rape as “concerned”, “reassuring”, “apologetic”, “inquisitive” and “complimentary”. Their subsequent additional classification by ViCLAS analysts and profilers as “organized”, “disorganized” or even “gentlemanly” rapists, distances law enforcement officers of all stripes and stages from successfully understanding, investigating and prosecuting the crime. In fact, current Canadian Police College training curriculum for ViCLAS analysts duplicates all of the one-sided induction necessary to complete the initial data entry, including a focus on false allegations. ([www.cpc.ca/courses/descript/viclas](http://www.cpc.ca/courses/descript/viclas))

Under the heading “sexual dysfunction” the ViCLAS booklet centers the male erection - or lack of - as well as “premature”, “retarded” and “conditional” ejaculation as notable. Perhaps even as causal - depending on how you look at it and on your training- or lack of. Categories as to “who disrobed whom”, the extent of victim “negotiation” and other coded entries to indicate signs of her struggle, further mythologize rape and women’s responses to it.

The degree and manner in which ViCLAS does this, its singular focus on stranger or serial rape, and the abundance of resources it receives reinforce “stranger danger” as the single or largest threat of sexual assault women experience. There is no doubt or debate that this is false. And that overwhelmingly women are raped by men to whom they are emotionally or economically tied. Men they can readily identify. Men who do not hide. The high profile and growing budget line of ViCLAS are effective in removing policing and other services for women (in the 75% majority) who are sexually assaulted by men they know.

As we stated earlier, we are mindful that ViCLAS is under the jurisdiction of the Ontario government. Surely however it is within the jurisdiction of the Toronto Police Service to inform itself as to that technology’s problems and limitations as an investigative aid.

The design and implementation of a training module that deconstructs the booklet within the gendered, anti-racist framework this committee has adopted, is an opportunity for the Service to further establish itself as a leader in policing procedures. Procedure that will benefit women who are sexually assaulted and the officers who investigate the crime.

We are also mindful that at the Toronto Police Service Board meeting in February of this year, Chief Blair reported that he had implemented all of the audit recommendations regarding ViCLAS. Committee members requested at that time and as per our Terms of Reference that the Chief not act outside of committee concerns and authority. We respectfully await a response and indication from TPSB members of the Steering Committee as to how and when we may officially present our critique and recommendations

## **APPENDIX 6 - A Presentation on Sex Workers and Sexual Assault**

Excerpted from SAASC minutes July 4, 07.

Kara Gillies is attending the Steering Committee meeting in her capacity as a researcher. She will make a presentation to the Steering Committee. Kara told the Steering Committee that she is conducting research on women's experiences with police warning and police response to high-risk warnings. Kara said that she participated in the Sexual Assault Audit and that she has also participated on a Senate Committee regarding sex laws. Kara is providing input regarding warnings for women in sex trade. She said that her research also apply to men, transgendered and transsexual individuals and could also apply to minors, but focuses on adult women.

*(Note: Minutes for Kara's presentation provided by Joanna)*

### **Kara's Presentation**

- I am here primarily as a researcher
- Currently engaged in research project on women's response to existing legislation, specifically the solicitation laws.
- I have been involved with the sex trade for past 20 years
- 15 years experience doing support work and advocacy for sex workers through Maggie's
- I am also a Health Counsellor at the Hassle Free Clinic
- I was involved in the audit
- I organized and delivered consultations and a deputation to the recent parliamentary subcommittee review of prostitution laws
- Wanted to give input regarding warnings for women working in various sex trades. I say women because the trade is gendered; but also applies to men, particularly transgendered / transsexual.
- Talking primarily about adult women, important to not conflate them;
- That said, nothing I say about warnings can't apply to younger people in sex trade as well
- First question to answer: what would an appropriate warning be to put to women in the sex trade?
- Cannot underestimate the huge impact that marginalization has including how institutions like the police respond to assault. Primary message is that sex workers can't be raped, and if they are, they somehow brought it on themselves. This includes going through police.
- Sex workers are aware of this, so warnings from the police are often dismissed. Even when they are taken, women still anticipate a negative response because when they encounter police in other contexts, they are treated with derision, complaints are not responded to. Even when they get an appropriate police response, they know that the negative social messages and constructs will cause a negative outcome in court.
- Criminalization of work sites through legislation such as the solicitation, procuring and bawdy house laws.
- As long as these criminal sanctions exist and it is the job of police to enforce them, there will be inherent tension.
- Especially those targeted by the law (migrant workers, street workers)

- I can think of women I have known who say they believe police warnings are ploys to get their work numbers, locations, etc. Not far-fetched in context of what they have faced, i.e. massage parlour sweeps raids

#### Suggestions re: warnings for sex workers

- Language: if at all possible if talking about sex assault, use sector-specific language i.e. escort, exotic dancer, street level worker
- Recognizes the professional nature of the work
- Also lets women know if they should pay more attention
- Sex trade worker is better term to use
- Be cognizant of language in general (i.e. seedy part of the city; “high class” sex worker) conveys misperceptions, and negative attitudes
- Show recognition of language used with the sex work communities
- One general tip: describe a person’s circumstances rather than labelling them.
- Another consideration: Who reads the warning? Where is it going to go?
- Those warnings that go in very public places (i.e. TTC) that label women as sex workers, reinforce negative stereotypes etc.
- Example of a recent positive warning:
  - Woman working as escort was severely beaten and robbed
  - Initial reports in media referred to a woman who was assaulted, not specified that she worked as escort; but NOW Magazine had a prominent call for information, good way to get information to those who need to see it.
- What happens when media gets hold of information and want to talk to the police about it?
- All can go out window, messages out there get distorted, so training for police personnel around language and so-called ‘sensitivity’ should be implemented
- Media is another problem: may be useful to consider strategies around mediating this kind of media distortion. Possible that rather than a press release, it would be helpful to print up a full story with police logo etc. that would be there to be reproduced.
- Must distinguish warnings from calls for information
- Confuse goal of empowering women with information they can use to protect themselves with goal of informing police to aid in their work.
  - This is fairly dangerous

#### Special Victims Unit

- We have seen a huge improvement specific to unit; women are finding that when they go to the police, their complaints are being taken seriously and charges are not being laid against them. However, there are still many problems.
- Cautions around the “bad date” reporting line. Must ask honestly what is the true goal of this line? Is it to assist sex workers or is it a law enforcement tool? It may be anonymous, but anonymity is more than just not giving your name. i.e. if a woman reports a guy and police track him down about it, he will likely know full well who it was who reported it. Especially in small communities i.e. trans women, who are likely to be known if they report.
- A few instances where unit has been trying to lay charges against a serial attacker, then put out call for sex workers to come forward.

- This is the sort of ‘guilt tripping’ that is unacceptable when it comes to issuing warnings when it comes to giving to women information they can use to protect themselves. Again, important to keep law enforcement separate from this.
- Negative impact criminalization has on relations with police.
- We have a huge amount of evidence showing criminalization of prostitution increases violence against women in the sex trade.
- Can’t use your own space where you know the exits etc. because it becomes a “common bawdy house”. Management becomes the pimp. Living on the avails law serves to isolate and further marginalize women.
- Important that police services acknowledge it and speak up about it.
- The laws are a key component of this violence, not the only factor, but key.
- Also a host of other laws that can and should be used to enforce problems, i.e. municipal, etc.
- To wrap up this general overview, if you want to move forward on warnings for sex workers, I encourage you to consult with sex workers in the community.

## **APPENDIX 7 - Research on the Use and Efficacy of the Sexual Assault Evidence Kit (SAEK)**

Research by Georgina Feldberg (1999) Deborah Parnis JaniceDumont (2002, 2006) was distributed. All Toronto authors/researchers presented findings that the SAEK is seldom used, reinforces rape mythology and does not work in the best interests of women who experience sexual assault. Although a presentation on the SAEK by community members of the Steering Committee was on the agenda for the next meeting (November 2007) the Steering Committee was subsequently disbanded without notice or consultation.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P127. ANNUAL REPORT: 2007 PROFESSIONAL STANDARDS**

The Board was in receipt of a report dated April 24, 2008 from William Blair, Chief of Police, with regard to the 2007 Professional Standards Annual Report. A copy of the report is on file in the Board office.

**Due to limited time, the Board deferred consideration of the foregoing report to its June 2008 meeting.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P128.           REQUEST FOR LEGAL INDEMNIFICATION – CASE NO. LP/2008**

The Board was in receipt of a report dated February 05, 2008 from William Blair, Chief of Police, with regard to a request for legal indemnification by a former police constable.

**Due to limited time, the Board deferred consideration of the foregoing report to its June 2008 meeting.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P129. TRAINING FEES – STATUS OF BY-LAW**

The Board was in receipt of the following report dated May 07, 2008 from William Blair, Chief of Police:

Subject: TRAINING FEES BY-LAW

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

Historically the Service has recovered on average \$5,000 - \$10,000 annually for training services supplied to outside agencies. This practice has been suspended pending the development and implementation of a controlling by-law for training fees.

As a result, the historical annual recovery will not be received by the Service. Due to the ad-hoc nature of the recovery it is not included in the Service's operating revenue budget and becomes additional revenue in the year received. Therefore, the suspension of the recovery does not have an impact on the Service's operating budget.

Background/Purpose:

At its meeting of October 18, 2007, the Board was in receipt of a report from the Chief of Police William Blair, entitled Triennial Report – Skills Development and Learning Plan, (Min. No. P330/07 refers).

The Board received the report and approved the following Motion:

“THAT that the Chief of Police submit a further report outlining the various fees that the Service intends to charge for training services and that a By-Law be provided to the Board for approval before the fees are established.”

Discussion:

The fees referred to in the Skills Development and Learning Plan (SDLP) are cost recoveries charged to other agencies, in response to written requests approved by the Unit Commander of the Training and Education Unit (T&E).

The Unit Commander of T&E reserves the right to waive part of the fees charged, in cases where there is a mutually beneficial partnership between the agency and the Toronto Police Service (Service). Any tuition fees waived must be authorized in writing by the Unit Commander or designate. There are two fees, depending on the type of training program.

1. Where members of an outside agency attend an existing and scheduled Service course, the fee charged would be \$75.00 per student per day. The daily training rate of \$75.00 per outside student attending a Service training event is based on the hourly rate of a trainer, assuming an average eight-hour day, and assuming an average eight students per class.
2. Where the Service delivers an additional or adapted training program at the request of the outside agency, the fee is \$75.00 per trainer per hour with a minimum of three hours billed. These rates have been developed in consultation with Finance and Administration and take into account the cost to the Service of providing a Sergeant for training purposes.

These costs include salaries (average hourly wage for a sergeant, including retention pay) and fringe benefits (average cost of fringe benefits to the Service, including subsequent use of benefits that are continuously accumulated, such as annual leave and sick time).

A standard administrative and operational overhead of 30% is also added to salary costs to take into account indirect costs related to providing services (such as supervisory staff, support staff, maintenance of facilities, training of members, and costs of supplies and equipment).

On occasion, police instructors provide training in places other than Toronto, for other police agencies. When this occurs, approval must be granted by the Unit Commander of T&E. Additionally, as per the Chief's direction, all expenses related to travel, accommodation, meals and per diem amount are the responsibility of the external host agency.

T&E has consulted with staff in Toronto City Legal and they have advised that they will prepare a proposed by-law to reflect the Board's direction regarding fees for training as a result of its consideration of this report. They have also advised that if there are any legal issues that arise in respect to developing a by-law in accordance with this report, they will provide a separate report to the Board on this matter.

The proposed by-law will be presented to the Board in due course, until then cost recovery has been suspended, since without the by-law the practice might appear ungoverned.

#### Conclusion:

The Service will continue to work with Toronto City Legal to develop a by-law for the Board to approve. Until the by-law is passed, the practice of recovering expenses for supplying outside training services has been suspended.

Deputy Chief Keith Forde, Human Resources Command, will be in attendance to respond to any questions that the Board may have regarding this report.

**The foregoing report was withdrawn at the request of the Chief of Police.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P130. RESULTS OF FOLLOW-UP ON PREVIOUS AUDITOR GENERAL  
AUDIT RECOMMENDATIONS**

The Board was in receipt of the following report dated April 04, 2008 from Jeff Griffiths, Auditor General, City of Toronto:

**SUMMARY**

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This report provides the results of our annual follow-up process regarding the status of audit recommendations made by the City's Auditor General to the Toronto Police Services Board from January 1, 1999 to June 30, 2007.

The result of our review shows that Toronto Police Service staff have implemented all of the recommendations made in audit reports issued by the Auditor General's Office and included in this follow-up process. Audit recommendations fully implemented since our last follow-up review are listed in Attachment 1.

**FINANCIAL IMPACT**

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There is no financial impact resulting from the receipt of this report.

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**ISSUE BACKGROUND**

The Auditor General conducts an annual follow-up process to ensure management has taken appropriate action to implement recommendations contained in previously issued audit reports.

In accordance with the Auditor General's Work Plan, we have reviewed the status of outstanding audit recommendations made by the City's Auditor General to the Toronto Police Services Board from January 1, 1999 to June 30, 2007.

We conducted this follow-up audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained and reviewed provides a reasonable basis for our findings and conclusions based on our audit objectives.

While the Auditor General has performed several audits at the Toronto Police Service, the authority to conduct independent audits was restricted by the City of Toronto Act which came into effect on January 1, 2007. Under the new legislation the Auditor General does not have the authority to access police records or data. However under the Police Services Act, the Toronto Police Services Board as the governing body may request the Auditor General to perform independent audit work at the Toronto Police Service.

In conducting this follow-up review, the Auditor General’s Review of the Investigation of Sexual Assaults and the Review of Police Training have been excluded from this follow up process. The reasons these reviews have been excluded from the follow-up process are described below.

Review of the Investigation of Sexual Assaults – Toronto Police Service

In 1999, the Auditor General issued a report entitled “Review of the Investigation of Sexual Assaults – Toronto Police Service” which contained 57 recommendations. The Auditor General issued a follow-up report on these recommendations to the Toronto Police Services Board in February 2005. This follow-up found the Toronto Police Service had not addressed all of the original 57 audit recommendations and included 25 additional recommendations. The Toronto Police Services Board requested the Auditor General to conduct a further follow-up audit on this matter within three years. This follow-up work is included in the Auditor General’s 2008 audit work plan.

Review of Police Training - Opportunities for Improvement – Toronto Police Service

The Auditor General issued the Review of Police Training – Opportunities for Improvement at the January 2007 meeting of the Toronto Police Services Board. At this meeting the Board adopted the 39 recommendations included in the report and approved a motion for the Auditor General to perform a follow up in 18 months. The Auditor General is planning to include this work in the 2009 audit work plan.

**COMMENTS**

The Auditor General’s follow-up review process requires that management provide a written response on the status of each recommendation contained in the audit reports previously issued and included in this follow up period. Where management indicated that a recommendation was not implemented no audit work was performed. For those recommendations noted as implemented, audit staff conducted testing to verify management’s assertions. Table 1 shows the results of the follow-up on the one outstanding audit recommendation for the Toronto Police Service. The audit recommendation that has been fully implemented since our last follow-up is listed in Attachment 1.

**Table 1:**

**RESULTS OF THE CURRENT REVIEW**

Report Title and Date	Total	Previously Reported		Results of Current Review		
		Fully Implemented	Not Applicable	Fully Implemented	Not Fully Implemented	Not Applicable
Enterprise Case and Occurrence Processing System (eCOPS) – Toronto Police Service - 2005	32	30	1	1		
<b>Total</b>	<b>32</b>	<b>30</b>	<b>1</b>	<b>1</b>		

For the two reports issued in this reporting period but excluded from this follow up process, the Auditor General will be following up and reporting to the Toronto Police Services Board separately regarding the status of the recommendations in each report.

## **CONCLUSION**

A consolidated report which includes follow-up results for all outstanding Auditor General recommendations for the City and its Agencies, Boards and Commissions will be tabled at the July 10, 2008 meeting of the Audit Committee. The results of the current follow-up review for the Toronto Police Service will be included in that report.

## **CONTACT**

Jeff Griffiths, Auditor General

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**The Board received the foregoing report.**

**TORONTO POLICE SERVICE  
RECOMMENDATIONS - FULLY IMPLEMENTED**

**Report Title:**           **Review of the Enterprise Case and Occurrence Processing System (eCOPS) Project – Toronto Police Service**

**Report Date:**           **April 29, 2005**

**Recommendation:**

- (12) The Chief Administrative Officer, in consultation with the City's Commissioners, identify areas where departments have skill shortages or insufficient staff resulting in the consistent and extensive long-term use of consultants and:
- (a) present the appropriate business cases justifying meeting long-term operational demands by increasing staffing levels, such increases to be financed by the transfer of funds from consulting budgets to salaries and wages budgets;
  - (b) where possible, ensure sufficient City staff are trained in skills required frequently and on a long-term basis, thus reducing the City's reliance on consultants to perform such duties; and
  - (c) ensure that the continuous operation of critical management information systems is not dependant upon a single individual consultant.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P131. RESULTS OF THE TORONTO POLICE SERVICE - LAW AND MENTAL  
HEALTH SYMPOSIUM**

The Board was in receipt of the following report dated April 25, 2008 from William Blair, Chief of Police:

Subject: LAW AND MENTAL HEALTH SYMPOSIUM

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

The Toronto Police Service Mobile Crisis Intervention Team (MCIT) and Legal Services identified a need for dialogue between law enforcement and mental health providers to better serve the vulnerable persons afflicted with mental health issues.

Discussion:

In a pro-active effort to provide an opportunity for professionals to foster a mutual understanding of their roles and responsibilities, the Toronto Police Service hosted a Law and Mental Health Symposium on Tuesday, February 26, 2008 at Toronto City Hall. There were 175 registrants for the symposium which was open to professionals from the law enforcement, mental health field, community resources and the judiciary.

The Law and Mental Health Symposium was divided into three sessions which covered a range of mental health topics. The topics discussed in the first session were “Existing Resources” and “Diversion to Nowhere”. Existing Resources provided a comprehensive overview of Toronto’s Mental Health Courts including the history, the process and the effect on accused persons. Diversion to Nowhere focused on the medical health care perspective when an accused from 102 Court is transferred to a psychiatric hospital.

The second session covered “MCIT Partnerships – Access Line” and the “Ontario Review Board”. The former showcased TPS MCIT initiatives in co-operation with local hospitals and stakeholders to develop and implement symbiotic relationships benefiting vulnerable persons in crisis. The Ontario Review Board presentation provided an overview of their operations and a case study of a panel review.

The final session encompassed “Forensic” and “Non-Forensic” Perspectives. These topics covered the Law and Mental Health Program at the Centre for Addiction and Mental Health (C.A.M.H.) which is a secure facility housing persons with mental illness presently involved with the Criminal Justice System and available programs and resources within the community aimed at persons with a mental illness. Appendix A outlines the agenda. “The presentations were followed by the Panel Discussion where a series of questions and answers allowed for an open discussion between all the presenters and law enforcement and mental health providers.

Conclusion:

The Law and Mental Health Symposium provided an opportunity for timely information and interaction between all participants with an aim to develop relationships between these professionals. The symposium is an indication of the Toronto Police Service’s continued commitment to enhancing partnerships that directly impact the welfare of persons faced with mental health issues.

Deputy Chief Kim Derry, Divisional Policing Command, will be in attendance to answer any questions that the Board members may have regarding this report.

**The Board received the foregoing report.**



# Toronto Police Service Law & Mental Health Symposium Agenda Tuesday, February 26, 2008

<u>Time</u>	<u>Agenda Item</u>	<u>Format</u>	<u>Speaker/Facilitator</u>	<u>Location</u>
08:00	Registration			Rotunda
08:15				
08:30				
08:45				
09:00	Welcome Address	Speaker	William Blair, Chief of Police	Council Chambers
09:15	Existing Resources/ 102 Court Diversion	Speakers	Assistant Crown Attorney Margaret Creal The Honourable Mr. Justice Richard Schneider Dr. David Gottlib, St. Joseph's Health Centre	
09:30	Diversion to Nowhere, When the Mentally Ill Offend			
09:45				
10:00	<b>A.M. BREAK</b>			
10:15				
10:30	MCIT Partnerships & Access Line	Presentation & Speakers	Mr. Eric MacMullen, MCIT Scarborough Grace Ms. Joanne Walsh, MCIT St. Mike's Hospital Staff Supt. Mike Federico, Toronto Police Service Mohamed Badshaw, Reconnect Jennifer Zosky, Reconnect Lana Frado, Sound Times	Council Chambers
10:45				
11:00				
11:15				
11:30				
11:45	Ontario Review Board	Speaker	Mr. Joe Wright, Ontario Review Board	
12:00				
12:15				
12:30	<b>LUNCH</b>			
12:45				
13:00				
13:15				
13:30	Forensic & Non-Forensic Perspectives	Speakers	Dr. Howard Barbaree, CAMH Mr. Steve Lurie, Canadian Mental Health Association	Council Chambers
13:45				
14:00				
14:15				
14:30	<b>P.M. BREAK</b>			
14:45	Mental Health Panel	Panel Discussion with Q & A	Assistant Crown Attorney Margaret Creal The Honourable Mr. Justice Richard Schneider Dr. David Gottlib, St. Joseph's Health Centre Mr. Joe Wright, Ontario Review Board Mr. Eric MacMullen, MCIT Scarborough Grace Staff Supt. Mike Federico, Toronto Police Service Dr. Howard Barbaree, CAMH Mr. Steve Lurie, Canadian Mental Health Association	Council Chambers
15:00				
15:15				
15:30				
15:45				
16:00	Closing Remarks			

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P132.       RESPONSE TO REGIONAL MUNICIPALITY OF YORK'S REQUEST  
THAT YORK REGION'S SPECIAL CONSTABLES BE APPOINTED AS  
SPECIAL CONSTABLES IN THE CITY OF TORONTO**

The Board was in receipt of the following report dated April 18, 2008 from William Blair, Chief of Police:

Subject:       STATUS REPORT - YORK REGION TRANSIT REQUEST FOR SPECIAL  
CONSTABLE APPOINTMENT WITHIN THE CITY OF TORONTO

Recommendation:

It is recommended that:

- (1) the Board receive this status report; and forward a copy of this report to the Council of the Regional Municipality of York and the Regional Municipality of York Transit Committee.

Financial Implications:

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

Background/Purpose:

At its meeting on November 15, 2007, the Council of the Regional Municipality of York (Regional Council) adopted without amendment Clause No. 3, Report No. 8 of the Transit Committee. By the adoption of the foregoing clause, Regional Council authorized the following:

1. The City of Toronto be requested to consent to the enforcement of By-law R-1415-2005-028 by York Region Transit enforcement staff within the jurisdictional boundary of the City of Toronto.
2. The Region enter into an agreement with the City of Toronto, if required, for the enforcement of the By-law, on terms satisfactory to the General Manager, Transit.
3. Regional staff be authorized to request the Toronto Police Services Board to appoint York Region's Special Constables as Special Constables within the City of Toronto.
4. The Region enter into to an agreement with the Toronto Police Services Board governing the powers and duties of Special Constables within the boundaries of the City.

5. The Regional Chair and Regional Clerk be authorized to sign the agreements with the City of Toronto and the Toronto Police Services Board, respectively, subject to approval by Legal services.
6. The Regional Solicitor review and amend the Transit By-law, if necessary, to ensure enforceability within the City.
7. The Regional Clerk forward this report to the City of Toronto and the Toronto Police Services Board for appropriate action.

The York Regional Clerk's Office forwarded a copy of Clause No. 3, Report No. 8 of York Region's Transit Committee to the Chair of the Toronto Police Services Board (the Board). The Board's Executive Director, Joanne Campbell requested the Chief of Police to review the York Transit Committee recommendations and provide a report to the Board. In light of the direction provided by the Board through the Chief of Police, the purpose of this report is to provide a report on the status of the York Transit Committee's recommendations as outlined in Clause No. 3, Report No. 8.

### Historical Overview

In January 2001, the Regional Municipality of York (York Region) amalgamated the local conventional transit systems in Vaughan, Aurora, Richmond Hill, and Markham to create York Region Transit (YRT). The YRT has a fleet of over 300 vehicles and an annual ridership in excess of 15 million trips.

In April 2005, the Regional Council enacted By-law R-1415-2005-028 to regulate the use of public transit vehicles and facilities in the York Region.

YRT is responsible for the management of the operations of the new rapid transit service called "Viva", on behalf of the York Region Rapid Transit Corporation. Commencing in September 2005, YRT implemented the first phase of Viva, which is a rapid transit network along 4 key transportation corridors in York Region.

YRT initiated the use of a Proof-of-Payment (POP) fare collection system on the rapid transit service rather than the traditional Pay-on-Entry fare collection system currently in use on the conventional bus service. POP is an honour-based fare collection system, similar to the system used by GO Transit, requiring the passenger to purchase a ticket before boarding. To increase the speed of boarding, there is no checking of tickets at the door however, random inspections are conducted to ensure that fares have been properly paid. YRT has been using two person teams comprised of a ticket inspector and a special constable to perform these inspections.

In September 2005, the York Regional Police Services Board and the York Region entered into a joint services agreement to facilitate an 18 month YRT special constable pilot project. The pilot project commenced on January 1, 2006 and concluded on June 30, 2007. Pursuant to Section 53 of the *Police Services Act* (the Act), the York Board, with the approval of the Minister of Community Safety and Correctional Services appointed 8 YRT special constables with the

following specific enforcement powers to perform the fare enforcement activities for the newly implemented POP system.

Specific Enforcement Powers – York Regional Transit Special Constables

York Regional Transit special constables have the following Peace Officer powers as set out in the Criminal Code of Canada, with respect to the sections indicated below:

Section 129	Obstructing or Resisting a Peace Officer
Section 139(2)	Obstructing Justice
Section 362 (2)(b)	False Pretence Under \$5000.00
Sections 366, 367 (1)	Forgery
Section 368	Utter a Forged Document
Section 380	Fraud Under \$5000.00

Police Officer powers under various other provincial statutes were not requested by the YRT as part of the pilot project.

YRT special constables act in a law enforcement capacity by enforcing the YRT by-law, which covers both POP and conduct, and can escalate to criminal charges, if warranted, for issues that arise from fare evasion. Other matters are dealt with either through police intervention or utilizing authorities under the *Trespass to Property Act* as agents of the owner, or the arrest without warrant by anyone and owner of property sections [494.(1), 494.(2)] of the Criminal Code of Canada.

The geographic jurisdiction of the YRT special constables is restricted to the property and vehicles under the control of the Regional Council situated within the boundaries of York Region.

The Ministry of Community Safety and Correctional Services (Ministry) established a YRT Special Constable Pilot Project Review Team. The team reviewed all aspects of the pilot project performance measures and confirmed YRT's compliance with the York Police Services Board agreement and the terms and conditions established by the Ministry.

At the conclusion of the successful YRT pilot project, the York Police Services Board supported ongoing special constable status for YRT special constables for a five-year period with the same geographic jurisdiction and purpose as exercised during the pilot project.

Discussion:

The Toronto Police Service (TPS) has established an excellent working relationship with non-police employers of special constables participating in the Board's special constable program, as well as, other agencies and police services across Ontario.

As part of our Service's ongoing partnership with special constable agencies, the TPS Special Constable Liaison Officer, Staff Sergeant Gord Barratt, was a member of the Ministry's YRT Special Constable Pilot Project Review Team. The YRT special constable program has now been operating for almost one-year, following the successful 18-month pilot project.

The 4 key YRT transportation corridors in York Region all have Viva bus routes crossing into the City of Toronto, with destination/turnaround locations at York University, Toronto Transit Commission (TTC) subway stations at Downsview and Don Mills, the GO Transit Finch Terminal, Woodbine Race Track and Humber College. The YRT special constables are limited to conducting fare enforcement only within the geographic jurisdiction of their special constable appointments which currently does not include the City of Toronto.

Pursuant to Section 53 of the Act, YRT is seeking Board appointment of their special constables as special constables to conduct fare enforcement within the boundaries of the City of Toronto.

The request by YRT to appoint their special constables in more than one jurisdiction is not unprecedented. Several years ago, the TTC entered into separate agreements with the York Region and Peel Region Police Services' Boards for the administration of TTC special constables while conducting enforcement activities on TTC bus routes in their respective regions. The TTC special constables are not authorized to enforce TTC By-law No. 1 when outside the boundaries of the City of Toronto.

The TPS, Special Constable Liaison Officer has reviewed the correspondence from the York Regional Clerk's Office, regarding the York Council Transit Committee's recommendations contained in Clause No. 3, Report No. 8. As a result, Mr. Angelo Apfelbaum, the YRT Supervisor of Transit Enforcement has been consulted. Mr. Apfelbaum was instrumental in the development, implementation and successful completion of the YRT special constable pilot project and he currently manages the YRT special constable program.

Mr. Apfelbaum advises that Recommendation No. 1 is currently being reviewed by the York Regional Solicitor to determine the feasibility of the request. At the time of this report it has been confirmed that the By-law referred to in Recommendation No. 1 has not been forwarded to the City of Toronto for its consideration. As a result, any further action on Recommendation No's. 2 and 6 is dependent upon a final decision by the City of Toronto.

In order to determine the feasibility of proceeding with Recommendation No's. 3, 4, and 5, YRT has been requested by the TPS Special Constable Liaison Officer to prepare and submit to the TPS a business case outlining the justification for the appointment of YRT special constables as special constables within the boundaries of the City of Toronto.

Recommendation No. 7 was completed by the York Regional Clerks Office and led to the creation of this status report.

Conclusion:

There are many issues which need to be resolved before the Board makes a final decision on bestowing special constable status to York Region's special constables. Most importantly, there needs to be consent by the City of Toronto to allow for the enforcement of By-law R-1415-2005-028 by York Region Transit enforcement staff within the jurisdictional boundary of the City of Toronto. Secondly, subject to the receipt and review of a formal business case from York Region Transit to justify the appointment of YRT special constables as special constables within the boundaries of the City of Toronto, a report, complete with recommendations will be submitted to the Board at a future meeting.

Deputy Chief A.J. Warr, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board received the foregoing report and agreed to forward a copy to the Council of the Regional Municipality of York and the York Transit Committee.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P133. PROGRESS REPORT – IMPLEMENTATION OF BOARD POLICIES:  
POLICE ATTENDANCE AT LOCATIONS OCCUPIED SOLELY BY  
WOMEN IN A STATE OF PARTIAL OR COMPLETE UNDRESS AND  
INCIDENTS INVOLVING THE SEARCH AND DETENTION OF  
TRANSGENDER PEOPLE**

The Board was in receipt of the following report dated April 29, 2008 from William Blair, Chief of Police:

Subject: PROGRESS REPORT – IMPLEMENTATION OF BOARD POLICIES:  
POLICE ATTENDANCE AT LOCATIONS OCCUPIED SOLELY BY  
WOMEN IN A STATE OF PARTIAL OR COMPLETE UNDRESS AND  
SEARCH AND DETENTION OF TRANSGENDER PEOPLE

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting of February 21, 2008, the Board received two reports from the Chief entitled “Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress” and “Search and Detention of Transgender People” and approved the following Motion:

*THAT the Chief of Police provide a report on the implementation of the two policies and the new procedures, what is being done now, how the officers are actioning the procedures, what is being done about reporting in the future and any other issues that have been raised as a result of the new policies (Min. No. P26/08 refers).*

Discussion:

At its meeting of June 15, 2006, the Board approved two Board Policies (policies) entitled “Search and Detention of Transgender People” and “Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress” (Min. No. P191/06 refers).

At the same meeting, the Board received a report from the Chief with the draft amended procedures and associated wordings to address the content of the two policies (Min. No. P192/06 refers).

On August 11, 2006, the policies were operationalized as the applicable amendments to procedures came into effect with notification to all members by way of Routine Orders from the Chief.

Operationalization of the two policies in procedures, fulfilled the requirements of Clause #4 and Clause #5 of the Minutes of Settlement pertaining to the Human Rights Complaints by members of the Toronto Women's Bathhouse Committee (TWBC).

#### POLICE ATTENDANCE AT LOCATIONS OCCUPIED SOLELY BY WOMEN IN A STATE OF PARTIAL OR COMPLETE UNDRESS

As indicated previously, the Service operationalized the policy "Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress" on August 11, 2006, with amendments to Service Procedures "Executing a Search Warrant" and "Licenced Premises".

Members are required to comply with the above procedures.

As part of the Course Training Standard of the Plainclothes Investigator and Plainclothes Update courses offered by the Training and Education Unit (T&E), officers attending the courses receive two lectures that incorporate the above policies and procedures.

The "Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress" policy requires that the Chief "submit an annual report to the Board on all incidents covered by this policy".

Consultations held with key stakeholders from Corporate Planning and Records Management Services (RMS) have identified a viable solution for capturing data for this component within a data system currently being used by the Service.

It is anticipated that the technical solution and instruction to members will be in place by the end of April 2008. The Service will then be in a position to commence collecting the required data electronically for reporting purposes.

#### SEARCH AND DETENTION OF TRANSGENDER PEOPLE

As indicated previously, the Service operationalized the policy "Search and Detention of Transgender People" on August 11, 2006, with amendments to Service Procedures "Search of Persons" and "Persons in Custody".

Members are required to comply with the above procedures.

In addition to notes made by the Officer in Charge regarding actions taken in response to direction contained in the above Procedures, all Level 3 searches are captured on a Search of Person template. The information from these notes and this template is not, however, readily searchable. As reported previously to the Board, the development of a Case Management System designed to provide statistical information on searches of this nature would enhance the ability to provide detailed reporting (Min. No. P15/06 refers).

One of the goals of the 2007 Crisis Resolution Officer Safety course (CROS) and the Policing and Community Expectations course (PACE) was to increase the awareness of all frontline and non-frontline officers regarding sensitivity issues affecting the transgender and transsexual community. Instruction was delivered concerning the Toronto Police Service policies and procedures governing the search and lodging of transgender and transsexual persons.

T&E have undertaken to provide e-learning specifically relating to the transgender community and police interactions. This learning will not only be available to members of the Service, but to members of any law enforcement organization nationwide, will have access to the program through the Canadian Police Knowledge Network.

The “Search and Detention of Transgender People” policy requires that the Chief “submit an annual report to the Board on all incidents covered by this policy”.

Consultations held with key stakeholders from Corporate Planning and Information Technology Services (ITS) have identified what appears to be a viable solution to enable the Service to capture the required data and report to the Board in relation to the policy requirement.

ITS is scheduled to commence work on this project in June of this year, with an estimated design and development period of three to four months. It is anticipated that the technical solution and instruction to members will be in place in October 2008. The Service will then be in a position to commence collecting the required data electronically for reporting purposes.

The Service has been committed to developing methods of obtaining the necessary data for analysis. There will be an interim solution of manually collecting the required data for the “Search and Detention of Transgender People” which will be in place by May 2008. A permanent solution for the collection of data for “Police Attendance at Locations Solely Occupied By Women in a State of Partial or Complete Undress” will be operational by the end of April 2008.

#### Conclusion:

It is expected that all officers will conduct themselves in a manner sensitive and appropriate to each situation, in order to respect the dignity of any person, having regard to human rights principles. There should be consistency in application with the caveat that there may be occasions when officers will be required to interpret the procedures in light of the circumstances they are confronted with using their knowledge, skills and training to take the most appropriate action. This consistency will also ensure the most reliable data is captured as it relates to the policies.

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board received the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P134. ANNUAL REPORT – 2007 RECRUITMENT INITIATIVES IN THE  
LESBIAN, GAY, BISEXUAL AND TRANSGENDER COMMUNITY**

The Board was in receipt of the following report dated April 28, 2008 from William Blair, Chief of Police:

Subject: ANNUAL REPORT - 2007 RECRUITMENT INITIATIVES IN THE LESBIAN,  
GAY, BISEXUAL AND TRANSGENDER COMMUNITY (LGBT)

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its meeting of May 12, 2005, the Board received a report with the Minutes of Settlement pertaining to the Human Rights Complaints by members of the Toronto Women's Bathhouse Committee regarding the September 2000 incident at the Pussy Palace (Min. No. P155 refers). The Board forwarded the Minutes of Settlement to the Chief of Police for review and preparation of a report to the Board, with respect to the implementation of the recommendations.

The Minutes of Settlement #2 states that the Toronto Police Service will continue for three years to implement a recruitment policy targeting Toronto's gay, lesbian, bisexual, and transgender community (the "Community"). Recruitment efforts may include, but need not be limited to, activities already undertaken by the Service, including a recruitment booth at the annual Pride Day, a recruitment booth at townhall meetings, and advertisements in newspapers directed at the Community. The Service will also consider such other recruitment initiatives as are brought forward to the Service by the Community. The Service will provide an annual report over the next three years (April 2004, 2005, 2006) to the Commission as to its recruitment activities aforesaid.

The Minutes of Settlement were not finalized until late 2005, therefore the first report was not submitted until 2006. This report is the third of the three required by the Minutes of Settlement.

## Discussion:

In 2007, the Employment Unit Recruiting Section, consisting of Staff Sergeant Riyaz Hussein, Sergeant Milton (Paul) Myers, Constables Gail Steed, Teresa Verrette, Feisal Rawji, Neil Rambharack, Laurie McCann, Randall Lee, Judith Russell and Ramon Manota continued to enhance its outreach initiatives in the LGBT community. This specialized and diverse recruiting team worked diligently throughout the year to promote the Service in the LGBT community.

### *Partnerships*

Partnerships developed in 2006 were strengthened in 2007. Efforts were co-ordinated with a variety of public and private agencies including Toronto Fire Services, Toronto Ambulance Services, Department of National Defence, Ministry of Transportation, Ministry of Citizenship and Immigration, Human Resources Development Canada, the Toronto Catholic District School Board, and the Toronto District School Board.

The Recruiting Section participated in joint initiatives with the LGBT liaison officer of the Community Mobilization Unit. The Recruiting Coalition Advisory Committee (RCAC) and the Chief's LGBT Community Consultative Committee (CCC) were also invited to presentations and special events held in the community.

The Employment Unit will continue to invite the stakeholders to the consultative process in an effort to strengthen the bonds with the LGBT community.

### *General Information Sessions in the LGBT Community*

The officer assigned to the LGBT community, along with other members of the Recruiting Section, planned and executed two specialized information sessions at strategic locations within the community. The positioning of these events, coupled with positive feedback from previous sessions, contributed to increased interest and attendance in 2007.

These events were:

- February 10, 2007 – General Information Session at the 519 Church Street Community Centre
- September 22, 2007 – General Information Session at the 519 Church Street Community Centre

### *Community Events*

The Recruiting Section was also invited to participate in several events in the community:

- June 19, 2007 – Chief's Pride Week Reception
- June 23, 2007 – Dyke March
- June 24, 2007 – Pride Parade
- October 21, 2007 – Police Appreciation Day, Metropolitan Community Church

### *Other Strategies*

Members of the LGBT community were also invited to participate in various recruiting initiatives. Although not specifically aimed at the LGBT community, it is believed that the broad reach of these events and programs produced a ripple outreach within the LGBT community. These initiatives are listed below.

- 19 General Information Sessions, outlining the Ontario Association of Chiefs of Police (OACP) Constable Selection System (CSS)
- 42 mentoring sessions for the Police Analytical Thinking Inventory (PATI) and the Written Communication Test (WCT)
- 35 Local Focus Interview (LFI) and Essential Competency Interview (ECI) mentoring sessions
- 48 Physical Readiness Evaluation for Police (PREP) mentoring sessions
- Female Intensive Program

To address one of the Service's specific organizational needs, the Employment Unit conducted eight sessions of a female-intensive supplemental fitness program. The program focused exclusively on female applicants requiring assistance in upper body strength training.

- Individual Candidate Mentoring

The Recruiting Section constantly provided feedback, encouragement and guidance to potential applicants and maintained personal contact with candidates who were in the constable selection process. Furthermore, candidates were given the opportunity to avail themselves of the mentoring sessions, as well as opportunities to practise for the PREP at C.O. Bick College on a frequent and ongoing basis.

Members from other areas of the Service were selected as positive role models to speak about their experiences at mentoring sessions presented to specific communities including the LGBT community.

- Ambassador Program

To further utilize the Service's resources, the Employment Unit has implemented the first three of the four phases of the Ambassador Program. The program consists of members from all ranks (uniform and civilian) and all commands, as well as the major demographics represented in the Service's membership. The Ambassadors are trained, equipped and invited to become actively involved in the recruitment of qualified candidates who are interested in a policing career with the Service.

Phase One of the program was launched in the fall of 2006. Phase Two, the tracking of the program participants, was initiated in the fall of 2007. In Phase Three, the Employment Unit invited recently retired members (2004-present) to participate in the program. There was an immediate and positive response. An information session was conducted in January 2008 for these new Ambassadors.

The Ambassador Program is set to connect directly with the many diverse communities of Toronto in the summer of 2008. Through the Chief's Community Consultative Committees, the Employment Unit will invite representatives from the different communities, including the LGBT community, to be Ambassadors.

- Media Outreach

In an effort to fulfill the requirement of the Service mandate, the Recruiting Section launched an advertising campaign in various media outlets, focusing on specific communities in order to reflect the diversity of the city. Specific outlets in the LGBT community were also included. Television, newspapers, and magazines were utilized to further our goals and included the following: FAB Magazine, Proud FM, Asian Connection Radio Show, Toronto Chinese Radio, Pot Pourri South Asian Radio Show, Media Day at C.O. Bick College, Caribbean Camera, Sage Magazine, First Nation Drum, Toronto Jobs Newspaper, Ming Pao, Weekly Magazine, Korea Times, Sway Magazine, Latin Life News, Anishinabek News, Black Pages Directory, Black Business and Professional Association, Spectrum University of Toronto Press and Canada Extra, Toronto Sun, Toronto Star, Omni Television, Fairchild, and CTV.ca. Furthermore, the Employment Unit has created an enhanced image website where candidates can direct their questions to a specific recruiter's internal e-mail by simply clicking on the recruiter's image.

These specific and other strategies are constantly critiqued and assessed as to their overall effect on the Service's outreach to the LGBT community. Administratively, the unit implemented two systems in 2007. The first is an event tracking system, which quantifies the results of the Service's attendance at recruiting-specific events, and the second is a candidate tracking system which follows a potential applicant from his/her first contact with the recruiting office to the submission of his/her application.

#### *Recruiting Statistics*

Because the members of the Employment Unit are prohibited by the *Ontario Human Rights Code* from enquiring about candidates' sexual orientation, data on hires from this community is limited to self-disclosure. One known application was received from a member of the LGBT community, in 2007. This individual was hired in 2008.

Conclusion:

The partnerships and initiatives formed and implemented during 2005 and 2006 were continued and built upon in 2007. Participation at events such as the Dyke March and the Gay Pride Parade, the creation of LGBT-specific information sessions, mentoring sessions, the Ambassador Program, and the increased co-ordination between the recruiting office and the LGBT liaison officer of the Community Mobilization Unit all produced an increased awareness and viability of a career with the Service. This was quantified by the increase in attendance at the community-specific information sessions. The attendance grew from 21 persons in 2006 to 60 persons in 2007.

The Recruiting Section will continue to aggressively promote the Service as a career of choice within its many diverse communities in 2008.

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

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

**THAT the Chief of Police provide a further report clarifying whether the Ontario *Human Rights Code* prohibits members of the Employment Unit from “enquiring about candidates’ sexual orientation” and whether data on hires from members of the LGBT community must be limited to that which is obtained through self-disclosure.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P135. NEW GEOCODING ENGINE SYSTEM**

The Board was in receipt of the following report dated April 04, 2008 from William Blair, Chief of Police:

Subject: NEW GEOCODING ENGINE SYSTEM

Recommendations:

It is recommended that:

- (1) The Board approve the selection of Pitney Bowes – MapInfo to provide a new geocoding engine, which includes installation and professional services at a maximum cost of \$442,639 including all applicable taxes;
- (2) The Board approve the selection of Pitney Bowes – MapInfo to provide maintenance and support services for the new geocoding engine over a 5 year period at a maximum cost of \$315,404, including all applicable taxes;
- (3) The Board authorize the Chair to execute the agreement and related documentation with Pitney Bowes MapInfo, pending approval as to form by the City Solicitor; and
- (4) The Chief, or his designate, notify the City Chief Financial Officer and Treasurer of the specific recommendations contained herein, pursuant to the requirements of Section 65 of the Ontario Municipal Board Act (Min. No. P84/03 refers).

Financial Implications:

Funding for the MapInfo proposal, including the necessary hardware and operating software, is available in the geocoding capital project which was approved as part of the Toronto Police Service 2007 – 2011 capital program (Min. No. P325/06 refers). Vendor selection and contract negotiations were not finalized in 2007 and as a result, none of the \$0.46 M approved funding was spent, and therefore has been carried forward to 2008 in the capital program. The first year of maintenance costs are included in the cost of the packaged software. The annual maintenance and support costs for the following years are summarized below and will be included in the Service's Operating Budget requests for future years, commencing in 2009.

	Year 2 (2009)	Year 3 (2010)	Year 4 (2011)	Year 5 (2012)	Total
Annual Cost	\$78,851	\$78,851	\$78,851	\$78,851	\$315,404

## Background/Purpose:

Geocoding is the process of assigning geographic coordinates to records. Associating a latitude and longitude value to a street address is a common example of this practice. The vast majority of Service location data does not have corresponding geographical coordinates, and the Service has no adequate system in place to automatically geocode new or existing data.

This geocoding solution will automate the repetitive and laborious manual geocoding process, significantly enhancing analytical capabilities across the Service.

## Discussion:

In October 2007, a team from Corporate Planning-Analysis Support and Information Systems began a review of the business requirements for the creation of a Request for Proposal (RFP). The RFP was reviewed by various Service units, to ensure that the solution being sought would meet the current and future needs of the Service, and would fit our technology infrastructure. RFP No. 1096973-08 was issued on January 7, 2008, with a closing date of February 5, 2008.

There were two respondents to the RFP: Pitney Bowes – MapInfo and DMTI Spatial. Both responses were evaluated by a team comprised of members from Corporate Planning-Analysis Support and from Information Technology Services. The evaluation consisted of an assessment and scoring of each proponent's solution, including the written responses, an information session, and a demonstration of the proposed product's functions and features. The proposals were evaluated on the following criteria:

### Compliance with Specifications and Consistency with TPS Architecture (60%)

The selection committee looked for a solution that best met the business needs of the Service. It assessed the bidder's proposed solution with regard to robustness, reliability, and continued support, as well as architecture fit with the Service's technology direction.

### Bidder's Record of Performance and Maturity (20%)

The selection committee considered the proponent's ability to deliver the proposed solution and whether the proponent had an industry-recognized level of competency within the geocoding sector. Maturity in the geographic information systems (GIS) market place was also an important factor, including the bidder's future commitment to the product(s).

### Cost of the Proposed Solution (20%)

The selection committee evaluated each proponent's cost submissions in relation to the other.

During the information sessions, Pitney Bowes – MapInfo clearly demonstrated an understanding of the proposal and the challenges facing TPS as we move towards an implementation of a new geocoding engine. Overall, Pitney Bowes – MapInfo received the highest score in all the areas of evaluation. Their proposal also offered fixed operating costs for five years after implementation.

If the Board approves this contract award, the timeline for completion of the project is estimated to be four to six months, with a targeted implementation by the end of 2008.

The total cost of the project, based on the Pitney Bowes – MapInfo proposal and including necessary hardware and operating software, is summarized below.

Professional Services, including system configuration, training, implementation, and project management:	\$208,000
Packaged Software, including licenses and first year maintenance and support:	126,851
PST	26,788
GST	<u>16,742</u>
Total Pitney Bowes – MapInfo Cost:	\$378,381
Servers and Operating Software (to be acquired from current vendor of record):	\$ 75,000
PST	6,000
GST	<u>3,750</u>
Total Hardware and Operating Software Cost:	\$ 84,750
Total Project Gross Cost:	\$463,131
Less GST Rebate:	<u>( 20,492)</u>
<b>Total Project Net Cost:</b>	<b>\$442,639</b>

Internal staff costs required for this project are estimated at \$100,000 and consist of the time involvement of the Service’s project manager, database analysts, technical support staff, and security specialists, as well as quality assurance, user acceptance testing, and training.

The impact on the operating budget will consist of annual maintenance and support costs. The first year costs are included in the cost of the packaged software. The effective date of the second year maintenance is the first anniversary date of the implementation of the system into use at the Service.

The annual maintenance and support costs are summarized below and will be included in the Service’s Operating Budget requests for future years, commencing in 2009.

	Year 2 (2009)	Year 3 (2010)	Year 4 (2011)	Year 5 (2012)	Total
Annual Cost	\$78,851	\$78,851	\$78,851	\$78,851	\$315,404

Annual maintenance and support costs are \$26,851 above the anticipated costs set out in the capital business case, for a total of \$107,404 from Year 2 through Year 5.

From June to December 2007, the project team defined the requirements, created the project charter, and completed the RFP document for issuance to vendors. Vendor selection and contract negotiation are estimated to be finalized in the second quarter of 2008. As a result, none of the \$0.46M available 2007 funding was spent, and therefore has been carried forward to 2008 in the capital program.

Conclusion:

Pitney Bowes – MapInfo provides the Service with the best solution to fulfil current and future geocoding needs and was given the highest overall score by the selection committee. They have the necessary resources to complete the project and have shown a long-term commitment to the products offered. It is therefore recommended that the contract for a geocoding engine for the Service be awarded to Pitney Bowes – MapInfo.

Deputy Chief Jane Dick, Executive Support Command, will be in attendance to answer any questions from the Board.

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P136. VENDOR FOR POLICE AND COMMUNITY AUTOMATED  
NOTIFICATION SYSTEM**

The Board was in receipt of the following report dated April 28, 2008 from William Blair, Chief of Police:

Subject: VENDOR FOR POLICE AND COMMUNITY AUTOMATED NOTIFICATION  
SYSTEM (PCANS)

Recommendations:

It is recommended that:

- (1) The Board approve the acquisition of software and professional services from Semotus Solutions Inc. (Semotus) for the creation and deployment of an automated community and police notification system, at a cost of \$685,492 including all taxes; and
- (2) The Board authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

Funding has been allocated for this purchase in the Toronto Police Service's (TPS) capital budget, in the Police and Community Automated Notification System project.

Background/Purpose:

The Toronto Police Services Board approved the 2007-2011 Capital program on October 19, 2006 (Min. No. #P325/06, refers), including \$0.9M for the PCANS project. The main objective of the project is to replace the currently outdated autodialler with a completely automated community notification system capable of reaching citizens through various platforms (email, text messaging, voice, PDA).

The solution will enable the Toronto Police Service to broadcast to community members in a multi language format, whereby Service personnel will create, interpret and disseminate voice messages to an identified community member or group. The solution will provide all community members, dependent upon technical means, the ability to receive telephone voice messages, emails or PDA text messages. A Geographical Information System (GIS) component will assist in targeting messages in a selected region, including identified community groups such as senior citizens, schools or social groups.

The Board approved \$927,000 for the PCANS project in the 2007-2011 Capital program. Due to the city's cash flow carry forward rule, PCANS funding is to be expended by year end 2008 or the funding is lost.

To achieve the goals and objectives of the business case, a Request for Proposal (RFP) was issued by the Service (RFP #1097110-08). The RFP objective was to invite proposals from qualified vendors to provide the products and services required for the implementation of a community automated notification system suitable for use by the Toronto Police Service.

The RFP was released to the public on January 8, 2008, with a closing date of February 5, 2008. Copies of the RFP were released to various companies located in Canada, Australia and the United States. By the proposal due date of February 5, 2008, three proposals were received. One proposal was subsequently disqualified and the remaining two proposals did not meet the mandatory requirements as indicated in the RFP. Therefore, the RFP was cancelled.

The PCANS steering committee reviewed the original RFP and adjusted the requirements. The RFP was re-released on March 3, 2008, with a closing date of March 26, 2008 (RFP # 1099041-08).

Three vendors submitted proposals; one was disqualified and the two remaining proposals were forwarded to the PCANS steering committee for appraisal.

The PCANS evaluation team consisted of representatives from Policing Operations Command, Communications, Community Mobilization and (Information System Services).

The evaluation process was based on three main criteria:

1. Compliance with Specifications and Supportability (60%),
2. Proposed Solution Cost (20%)
3. Bidder's Record of Performance and Stability (20%).

The bid evaluation process was conducted in several steps. During the first phase, the PCANS evaluation team reviewed all the responses to the RFP on an individual basis. The two vendors responding were as follows: Semotus Solutions Inc. and Ahearn & Soper Inc.

During the second phase, members of the PCANS Evaluation team met to discuss the evaluation process and the presentation schedules for each vendor.

As a result of the detailed review of the bids, the vendors were requested to place a trial version of their software on the TPS network. This was conducted at the vendors' own cost, and was conducted as part of the RFP proposal agreement. The trial version enabled the PCANS evaluation team an opportunity to conduct an independent review of the product.

Both vendors were asked to present their solution to the PCANS evaluation team including a real-time demonstration of the product. Each vendor was expected to explain in detail their operational plan in realizing full system functionality prior to December 31, 2008.

The final phase of the evaluation process included the scoring of all the vendor components including written RFP submissions, presentations and product functionality, based on the three

main categories previously identified. Each category was further evaluated through the use of sub categories.

Based on the above criteria, Semotus Inc. received the highest overall score and was the lowest bid. The PCANS evaluation team recommends that Semotus Solutions Inc. be selected as the vendor to supply their communications solution for the Police and Community Automated Notification System.

The cost breakdown for this contract is as follows: Software Package application \$286,860, software Support and maintenance (2 year) \$103,270, for a total of \$390,130. Professional Services and maintenance costing is \$216,500 for a total of \$685,492 including applicable taxes. Remaining project costs (such as computer servers, workstations microphones, etc.) will be managed within the overall available funding for the project.

Conclusion:

In summary, the awarding of this contract will provide the Toronto Police Service with a robust communications solution that will greatly enhance the Service's ability to reach the community.

The contract award will go a long way in meeting the PCANS projects goals and objectives while remaining within the \$927,000 project budget.

Deputy Chief Kim Derry, Policing Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

**Staff Superintendent Glenn DeCaire, and Staff Sergeant Michael Gottschalk, Central Field, were in attendance and responded to questions about this report.**

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P137. TORONTO POLICE SERVICE – 2008 CAPITAL BUDGET VARIANCE  
REPORT ENDING MARCH 2008**

The Board was in receipt of the following report dated May 01, 2008 from William Blair, Chief of Police:

Subject: 2008 CAPITAL BUDGET VARIANCE REPORT FOR THE TORONTO  
POLICE SERVICE – PERIOD ENDING MARCH 31, 2008

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

Capital projects are managed within a total approved project amount that can span over several years. Any unspent budget allocation in a particular year can be carried forward for one year. The approved gross available funding for 2008 is \$99.7 million (M) comprised of \$57.2M (debt-funded) and \$42.5M (reserve funded), including \$24.6M debt and reserve funding carried forward from 2007.

As of March 31, 2008, the Service is projecting a total gross expenditure of \$95.5M, compared to \$99.7M in available funding (a spending rate of 95.8% for 2008). From a net debt-funded perspective, the Service is projecting total expenditures of \$45.9M, compared to \$49.8M in available funding (a spending rate of 92.2%). The projected (net) under-expenditure for 2008 is \$3.9M.

Background:

The Toronto Police Services Board at its meeting of October 8, 2007 approved the Toronto Police Service's (TPS) 2008-2012 Capital Program of \$256.6M, which included a 2008 request of \$99.7M comprised of new debt, reserve funding and cashflow carryover (Min. No. P339/07 refers). Toronto City Council, at its meeting of December 11, 2007 approved the TPS 2008–2012 Board-approved Capital Budget.

The Service's 2008-2012 approved Capital Program averages \$30.9M in annual debt funding over the five-year period.

Discussion:

*Summary of Capital Projects:*

This capital variance report provides the status of project spending as at March 31, 2008.

Appendix 1 provides a status summary of the on-going projects from 2007 as well as those projects that started in 2008. Any significant issues or concerns have been highlighted below in the “Key Highlights/Issues” section of this report. Appendix 2 provides the 2008-2012 approved Capital Program for reference.

*Key Highlights/Issues:*

As part of its project management practices, the Service has adopted a colour code (i.e. green, yellow or red) to reflect the health status of capital projects. Commencing with this variance report, and for all future reports, each project summary will include the project health status (current and previous). The overall health of each capital project is based on budget, schedule and scope considerations. The colour codes are defined as follows:

- Green – on target to meet project goals (scope/functionalities), and on budget and schedule;
- Yellow – at risk of not meeting certain goals, some scope, budget and or schedule issues, and corrective action required; and
- Red – high risk of not meeting goals, significant scope, budget and or schedule issues, and corrective action required.

The following provides summary information on key projects within the Capital Program.

- New Training Facility (Gross \$75.8M, net \$66.0M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
GREEN	N/A

The Board was provided with a semi-annual report at its February 2008 meeting (Min. No. P31/08 refers). Construction has been delayed due to a combination of labour disruptions in June 2007, earlier-than-expected winter conditions in 2007 and heavy snow falls in 2008. As a result, construction substantial completion is projected to be approximately nine weeks behind schedule. While this delay is not expected to have an impact on the move-in date (scheduled for September 2009), it will impact on general condition costs (e.g. site services, site utilities, equipment rental). Any additional general condition costs caused by the construction delay can currently be accommodated from the project contingency amount or through reprioritization of non-construction costs. The non-construction components are now in the process of being finalized, and will provide more definite cost estimates for this portion of the project. The overall project cost is still projected to be within the approved budget.

The lease agreement with the Department of National Defence (DND) is now finalized, and the maximum contribution by DND of \$12.6M has been deposited into a City trust account. The Service will be drawing against the trust account in accordance with the lease agreement. The minimum guaranteed contribution from DND, as per the lease agreement, is \$9.83M. The final per square foot construction cost for the new training facility will determine the final contribution amount from DND, up to the maximum recovery of \$12.6M.

- Intelligence / Special Investigation Facility (\$4.6M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
GREEN	N/A

This project provides upgrades to the existing Special Investigation Services (SIS)/ Intelligence facility. The first phase of the project in 2007 was for the installation of a “Dry” Fire Suppression System in the computer room, a security system upgrade and office space renovation. Of the \$1.0M 2007 available funding, \$0.55M was spent. The remaining funds were carried forward to 2008, and the first phase was completed in the first quarter of 2008 at an approximate cost of \$0.7M.

The second phase, which includes major renovations to investigative areas, is currently in the design stage and it is anticipated that construction will commence later in 2008, with completion planned for 2009. At this time, the Service expects that this project can be completed within the remaining funds available.

- 11 Division (\$25.5M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
YELLOW	N/A

This project is for the construction of a new 11 Division. A surplus school site (owned by the Toronto District School Board (TDSB), located at 2054 Davenport Road) has been approved for sale by the TDSB. The acquisition of the TDSB property has been approved by City Council, and City Legal Services and City Facilities and Real Estate are currently in the process of completing the real estate transaction. City Staff have commissioned an environmental consultant to prepare the necessary documents that will form part of the due diligence process for the acquisition of the property. The sale transaction should be closed by no later than September 2008, and the \$8.7M cost for the property will be provided from the City’s Land Acquisition Reserve Fund (LARF).

A project plan for the 11 Division project was provided to the Board at its March 2008 meeting (Min. No. P69/08 refers). The total cost estimate will be updated as the project progresses through the design, site plan and permit approval processes.

The Service was advised in late February 2008 that City Heritage and Preservation Services staff will be recommending that City Council include Carleton Village Public School (the building on the site) on the City’s inventory of heritage properties, and designate this property under Part IV of the Ontario Heritage Act. Designating the current building as heritage will have significant financial implications on the project, based on the heritage attributes identified by Heritage Service staff that would have to be accommodated. It will also result in delays to the project schedule which could cause further cost increases, and will impact the ability of the Service to construct an operationally efficient facility as cost-effectively as possible. The Board was advised of this issue at the March 2008 Board meeting, and authorized the Board Chair to take any action required to represent the interests of the Board.

The Chief Administrative Officer has met with Heritage Services staff to advise them of the aforementioned implications. It is anticipated that the Heritage Services report will be tabled at the May 22, 2008 meeting of the Preservation Board, and subsequently considered by the Etobicoke-York Community Council at its meeting on June 10, 2008. The Chair and senior representatives of the Service will be attending both of these meetings to ensure the Board’s and Service’s interests are represented. The Board will be kept apprised accordingly.

- TRMS Upgrade and Additional Functionality (\$3.6M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
YELLOW	N/A

This project provides for the upgrade of the Service’s Time Resource Management System (TRMS), to ensure the system is current and can be more cost-effectively supported in the future. The project is in its final (“build”) phase and will be going live on May 16, 2008. Due to its complexity, the TRMS “go-live” has been broken down into three stages: technical upgrade, implementation of a new reporting environment (plus other enhancements); and court kiosk functionality. The technical upgrade is scheduled to go-live on May 16, 2008. The new reporting environment, as well as historical, analytical, and trend-reporting capabilities, and the court kiosk functionality are scheduled for implementation in July 2008.

The Board was provided with a status report on this project at its April 17, 2008 meeting (Min. No. P110/08 refers). This project has been challenged by the turnover of key vendor staff resources. Despite these challenges, much effort has been expended to maintain the go-live target dates of May and July 2008. This project is currently being managed for completion within the available budget. However, given the Service’s experience with the vendor’s resource difficulties, there is potential for further unforeseen challenges. The project plan, resources, and budget have no further ability to absorb any additional pressures that may arise during the remaining project period. The Board will be kept apprised accordingly.

- In-Car Camera (\$8.7M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
GREEN	N/A

Funding for this project was reduced in the 2007-2011 Capital Program (from \$11M to \$8.7M) due to capital funding pressures. This project initially experienced significant technical challenges, but is now proceeding well. At its January 2008 meeting, the Board approved Panasonic as the Vendor of Record (VOR) for In-Car Cameras (ICCs) and authorized the Service to move ahead with the implementation of 168 ICC systems (Min. No. P8/08 refers).

The Board was provided with a status report on this project at its April 17, 2008 meeting (Min. No. P109/08 refers). Given the VOR agreement, the Service will now be able to install 168 cameras (increased from the previously approved 140 cameras), using the available funding. The Service is still committed to installing as many of the originally targeted 460 cameras as possible within the reduced funding approved for this project, and taking into account the necessary infrastructure required for the ICC system.

- Digital Video Asset Management System (DVAMS) (\$5.7M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
GREEN	N/A

This project is currently on schedule and on budget. Two of five phases are complete (project initiation and project planning). The project is currently in phase 3 (solution development), with project tasks that include DVAMS functional requirements analysis and system design. In parallel, the project team is managing the DVAMS central repository integration requirements from inter-related projects such as In-Car Camera, public space Closed Circuit Television (CCTV) and the Toronto Transit Commission CCTV initiatives.

- Radio Replacement (\$35.5M)

<b>Overall Project Health Status</b>	
<b>Current</b>	<b>Previous Variance Report</b>
GREEN	N/A

This project provides funding for the replacement of the Service's current communication radios which are obsolete, and to ensure operability on the new platform being implemented through the City-managed Radio Infrastructure Replacement project. The replacement of the radios commenced in 2006 and will be completed in 2011. While the majority of this project is debt-funded, \$6M is being borrowed from the Service's Vehicle and Equipment Reserve, to fund the purchase of radios in 2008 and 2009. This project is on schedule and on budget.

Conclusion:

The Service is projecting a total gross expenditure of \$95.5M, compared to \$99.7M in available funding (a spending rate of 95.8% for 2008). Most projects are on budget and on schedule. The projected (net) under-expenditure for 2008 is \$3.9M, which would be carried forward to 2009. Most of the projects are currently proceeding well. However, there are issues with the new 11 Division project and the TRMS upgrade project that are currently being dealt with, and that could have an adverse effect on the overall success of those projects, depending on the resolution of the issues.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

**The Board received the foregoing report.**

## CAPITAL BUDGET VARIANCE REPORT AS AT March 31, 2008 (\$000s)

Project Name	Available to Spend in 2008	YTD Actual excluding Commitment as at March 31/08	2008 Projected Actual	Year-End Variance (Over)/ Under	Total Project Cost	Comments	Overall Project Health
<b>Facility Projects:</b>							
23 Division	340.8	2.9	110.0	230.8	17,665.0	Move was completed on May 7, 2007. \$110,000 to cover final grading and landscaping requirements.	Green
Traffic Services and Garage Facility	19.9	18.9	19.9	0.0	7,350.0	Work is complete.	n/a
New Training Facility	42,933.3	3,974.3	41,000.0	1,933.3	75,804.4	Please refer to the body of the report.	Green
Intelligence/Special Investigation Facility	1,219.9	111.2	1,219.9	0.0	4,565.0	Project is on budget and on schedule.	Green
11 Division	365.6	0.0	20.0	345.6	25,474.9	Please refer to the body of the report.	Yellow
<b>Information Technology Projects:</b>							
Geocoding Engine	457.0	0.0	440.0	17.0	457.0	Project is on budget and on schedule.	Green
CASC System	1,046.2	130.0	482.3	563.9	1,500.0	Project is below budget but slightly behind schedule.	Green
TRMS Upgrade and Additional functionality	1,195.0	127.7	1,195.0	0.0	3,648.0	Please refer to the body of the report.	Yellow
Police Community Automated Notification System (PCANS)	927.0	0.0	927.0	0.0	927.0	Project is on budget and on schedule.	Green
In-Car Camera	3,015.0	47.9	2,550.2	464.8	8,662.0	Please refer to the body of the report.	Green
Automated Vehicle Location System Expansion	615.2	24.3	250.0	365.2	1,590.0	Project is on budget but behind schedule (will be completed by Q3,2009).	Yellow
Digital Video Asset Management II	2,015.0	81.9	2,015.0	0.0	5,665.0	Please refer to the body of the report.	Green
<b>Replacements / Maintenance / Equipment Projects:</b>							
State of Good Repair-Police	2,100.6	0.0	2,100.6	0.0	On going	Project is on budget and on schedule.	Green
Facility Security	237.2	0.0	237.2	0.0	3,660.0	Work is complete.	n/a
Furniture Lifecycle replacement	51.4	0.0	51.4	0.0	51.4	Project is on budget and on schedule.	Green
Power Supply-Fire/EMS/TPS	618.0	19.4	618.0	0.0	618.0	City-managed project.	n/a
<b>Total Gross Debt Expenditures</b>	<b>57,157.1</b>	<b>4,538.5</b>	<b>53,236.5</b>	<b>3,920.6</b>			
Vehicle Replacement (lifecycle)	5,033.0	2,550.5	5,033.0	0.0	On going	Projects are on budget and on schedule.	Green
IT-Related Replacements (lifecycle)	21,487.9	59.7	21,232.2	255.8	On going	Projects are on budget and on schedule.	Green
Other Equipment (lifecycle)	1,354.6	0.0	1,354.6	0.0	On going	Projects are on budget and on schedule.	Green
<b>Total Reserve Exepnditures</b>	<b>27,875.6</b>	<b>2,610.2</b>	<b>27,619.8</b>	<b>255.8</b>			
<b>Land Acquisition Reserve Fund</b>	<b>14,650.0</b>	<b>0.0</b>	<b>14,650.0</b>	<b>0.0</b>			
<b>Total Gross Expenditures</b>	<b>99,682.7</b>	<b>7,148.7</b>	<b>95,506.3</b>	<b>4,176.4</b>			
<b>Less Reserve funding</b>	<b>(27,875.6)</b>	<b>(2,610.2)</b>	<b>(27,619.8)</b>	<b>(255.8)</b>			
<b>Less LARF Funding</b>	<b>(14,650.0)</b>	<b>0.0</b>	<b>(14,650.0)</b>	<b>0.0</b>			
<b>Less funding from DND</b>	<b>(7,374.0)</b>	<b>0.0</b>	<b>(7,374.0)</b>	<b>0.0</b>			
<b>Total Net Debt</b>	<b>49,783.1</b>	<b>4,538.5</b>	<b>45,862.5</b>	<b>3,920.6</b>			

REVISED 2008-2012 CAPITAL BUDGET REQUEST (\$000s)

Appendix 2

Proj. #	Project Name	Plan	2007	2008-2012 Request						2008-2012	2013-2017	Total
		to end of 2007	Carry forward	2008	2008 Total Request	2009	2010	2011	2012	Proj. Total	Proj. Total	Project Cost
<b>Facility Projects</b>												
1	New training Facility (Replacement of C.O. Bick College)	32,069.0	4,270.2	38,663.0	42,933.2	5,072.4	0.0	0.0	0.0	43,735.4	0.0	75,804.4
2	11 Division - Central Lockup	0.0		365.6	365.6	7,398.0	11,957.0	5,754.3	0.0	25,474.9	0.0	25,474.9
3	14 Division - Central Lockup	0.0	0.0	0.0	0.0	591.0	10,561.0	14,257.3	5,388.6	30,797.8	0.0	30,797.8
4	Intelligence / Special Investigations Facility	1,000.0	454.9	765.0	1,219.9	2,800.0	0.0	0.0	0.0	3,565.0	0.0	4,565.0
5	Property & Evidence Management Storage	258.0	8.0	0.0	8.0	0.0	0.0	0.0	1,155.0	1,155.0	21,541.0	22,954.0
6	Long Term Facility Plan	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	77,121.9	77,121.9
7	54 Division (includes land)	0.0		0.0	0.0	0.0	0.0	0.0	5,500.0	5,500.0	31,000.7	36,500.7
8	41 Division (includes land)	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	40,334.3	40,334.3
<b>Information Technology Projects</b>												
9	Geocoding	457.0	457.0	0.0	457.0	0.0	0.0	0.0	0.0	0.0	0.0	457.0
10	PCANS	927.0	927.0	0.0	927.0	0.0	0.0	0.0	0.0	0.0	0.0	927.0
11	Automated Vehicle Location System Expansion	1,185.0	210.2	405.0	615.2	0.0	0.0	0.0	0.0	405.0	0.0	1,590.0
12	HRMS upgrade and additional functionality	750.0	-75.574	0.0	-75.6	0.0	0.0	0.0	265.0	265.0		1,015.0
13	TRMS upgrade and additional functionality	2,453.0		1,195.0	1,195.0	0.0	0.0	0.0	0.0	1,195.0	0.0	3,648.0
14	In - Car Camera	1,662.0	715.1	2,300.0	3,015.1	2,300.0	2,400.0	0.0	0.0	7,000.0	0.0	8,662.0
15	Digital Video Asset Management II	2,350.0		2,015.0	2,015.0	1,300.0	0.0	0.0	0.0	3,315.0	0.0	5,665.0
16	Data Warehouse Establishment	0.0		0.0	0.0	0.0	0.0	0.0	1,500.0	1,500.0	5,014.0	6,514.0
17	Electronic Document Management	0.0		0.0	0.0	0.0	0.0	0.0	500.0	500.0	0.0	500.0
18	Record Management System Replacement	0.0		0.0	0.0	0.0	0.0	0.0	4,000.0	4,000.0	4,000.0	8,000.0
19	Disaster Recovery Site	0.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Replacements / Maintenance / Equipment</b>												
20	State-of-Good-Repair - Police	12,430.0	302.5	1,800.0	1,800.0	1,800.0	2,000.0	2,500.0	2,553.0	10,653.0	13,047.0	36,130.0
21	Facility Security	3,145.0	-277.8	515.0	237.2	0.0	0.0	0.0	0.0	515.0	0.0	3,660.0
22	Fuel Management System	0.0		0.0	0.0	0.0	0.0	0.0	600.0	600.0	0.0	600.0
23	Power Supply - Fire/EMS/TPS	0.0		618.0	618.0	0.0	0.0	0.0	0.0	618.0	0.0	618.0
24	Radio Replacement	10,684.9		0.0	0.0	0.0	7,440.8	11,400.0	0.0	18,840.8	0.0	29,525.7
<b>Total Capital Budget Request</b>		<b>69,370.9</b>	<b>6,991.5</b>	<b>48,641.6</b>	<b>55,330.6</b>	<b>21,261.4</b>	<b>34,358.8</b>	<b>33,911.6</b>	<b>21,461.6</b>	<b>159,634.9</b>	<b>192,058.9</b>	<b>421,064.8</b>
<b>Other than debt expenditure (Draw from Reserve)</b>												
25	Vehicle and Equipment Replacement	20,197.0		5,033.0	5,033.0	5,033.0	5,033.0	5,033.0	5,033.0	25,165.0	25,165.0	70,527.0
26	Workstation, Laptop, Printer - Lifecycle plan	11,399.0	2,550.2	3,774.0	6,324.2	4,785.0	4,816.0	3,774.0	3,774.0	20,923.0	20,922.2	53,244.2
27	Servers - Lifecycle Plan	4,506.0	-1,476.2	2,810.0	1,333.8	2,910.0	3,010.0	3,120.0	3,230.0	15,080.0	17,180.0	36,766.0
28	IT business resumption- Lifecycle Plan	6,923.0	260.0	0.0	260.0	0.0	1,590.0	1,640.0	1,700.0	4,930.0	9,050.0	20,903.0
29	Mobile Workstations	0.0		7,970.0	7,970.0	0.0	0.0	0.0	7,970.0	15,940.0	7,970.0	23,910.0
30	Network Equipment	0.0		1,600.0	1,600.0	970.0	480.0	500.0	520.0	4,070.0	4,610.0	8,680.0
31	Locker Replacement	550.0	54.6	550.0	604.6	550.0	550.0	0.0	0.0	1,650.0	0.0	2,200.0
32	Furniture Replacement	0.0	51.4	750.0	801.4	750.0	750.0	750.0	750.0	3,750.0	3,750.0	7,500.0
33	Radio Replacement	0.0		4,000.0	4,000.0	2,000.0	0.0	0.0	0.0	6,000.0	0.0	6,000.0
<b>Total - Other than debt expenditure</b>		<b>43,575.0</b>	<b>1,439.9</b>	<b>26,487.0</b>	<b>27,926.9</b>	<b>16,998.0</b>	<b>16,229.0</b>	<b>14,817.0</b>	<b>22,977.0</b>	<b>97,508.0</b>	<b>88,647.2</b>	<b>229,730.2</b>
<b>Land Acquisition Reserve Fund (LARF)</b>												
34	14 Division	5,950.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5,950.0
35	11 Division	8,700.0		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8,700.0
<b>Total Land Request</b>		<b>14,650.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>14,650.0</b>
<b>Total Gross Request</b>		<b>127,595.9</b>	<b>8,431.4</b>	<b>75,128.6</b>	<b>83,257.5</b>	<b>38,259.4</b>	<b>50,587.8</b>	<b>48,728.6</b>	<b>44,438.6</b>	<b>257,142.9</b>	<b>280,706.1</b>	<b>665,445.0</b>
<b>Total - Other than debt expenditure</b>		<b>-43,575.0</b>	<b>-1,439.9</b>	<b>-26,487.0</b>	<b>-27,926.9</b>	<b>-16,998.0</b>	<b>-16,229.0</b>	<b>-14,817.0</b>	<b>-22,977.0</b>	<b>-97,508.0</b>	<b>-88,647.2</b>	<b>-229,730.2</b>
<b>Total Land Request</b>		<b>-14,650.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>-14,650.0</b>
<b>Funding from Department of National Defence (DND)</b>		<b>-4,916.0</b>	<b>-4,916.0</b>	<b>-2,458.0</b>	<b>-7,374.0</b>	<b>-2,458.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>-4,916.0</b>	<b>0.0</b>	<b>-9,832.0</b>
<b>Total Net Request</b>		<b>64,454.9</b>	<b>2,075.5</b>	<b>46,183.6</b>	<b>47,956.6</b>	<b>18,803.4</b>	<b>34,358.8</b>	<b>33,911.6</b>	<b>21,461.6</b>	<b>154,718.9</b>	<b>192,058.9</b>	<b>411,232.8</b>

2007 Carryforward is estimated at time of budget approval; Attachment A reflects year-end carryforward amounts.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P138. TORONTO POLICE SERVICES BOARD – 2008 OPERATING BUDGET  
VARIANCE REPORT ENDING MARCH 2008**

The Board was in receipt of the following report dated April 23, 2008 from Alok Mukherjee, Chair:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE SERVICES BOARD – PERIOD ENDING MARCH 31, 2008

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

Toronto City Council, at its meeting of March 31, 2008, approved the Toronto Police Services Board Operating Budget at a net amount of \$2,233,900. This funding level excludes any impact from the working agreement negotiations currently in progress. The impact on the 2008 budget, from a contractual settlement, is expected to be funded by the City.

The purpose of this report is to provide information on the Board’s 2008 projected year-end variance.

Discussion:

The following chart summarizes the variance by category of expenditure.

<b>Expenditure Category</b>	<b>2008 Budget (\$000s)</b>	<b>Actual Expend. to Mar 31/08 (\$000s)</b>	<b>Projected Year-End Actual Expend. (\$000s)</b>	<b>Projected (Under)/Over-Expend. (\$000s)</b>
Salaries & Benefits (incl. premium pay)	\$801.3	\$195.3	\$801.3	\$0.0
Non-Salary Expenditures	<u>\$1,432.6</u>	<u>\$77.7</u>	<u>\$1,432.6</u>	<u>\$0.0</u>
<b>Total</b>	<b><u>\$2,233.9</u></b>	<b><u>\$273.0</u></b>	<b><u>\$2,233.9</u></b>	<b><u>\$0.0</u></b>

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

As at March 31, 2008, no variance is anticipated. Details are discussed below.

*Salaries & Benefits (including Premium Pay)*

Year-to-date expenditures are consistent with the estimate and therefore no year-end variance is projected.

*Non-salary Budget*

The majority of the costs in this category are for arbitrations / grievances and City charge backs for legal services. No variance is anticipated in these accounts at this time.

Conclusion:

The most significant expenditure risk for the Board is legal costs for arbitration grievances. At the end of the first quarter the actual spending does not reflect any concerns; however, this will be monitored closely and reported in subsequent variance reports.

**The Board received the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P139. TORONTO POLICE SERVICE – 2008 OPERATING BUDGET  
VARIANCE REPORT ENDING MARCH 2008**

The Board was in receipt of the following report dated April 28, 2008 from William Blair, Chief of Police:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE SERVICE – PERIOD ENDING MARCH 31, 2008

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

The Board, at its March 27, 2008 meeting, approved the 2008 Operating Budget at a net amount of \$798.26 Million (M), including an unspecified reduction of \$2.8M recommended by the City’s Executive Committee (Min. No. P47/08 refers). Subsequently, Toronto City Council, at its meeting of March 31, 2008, approved the Service’s 2008 Operating Budget at the net amount approved by the Board.

The purpose of this report is to provide information on the Service’s 2008 projected year-end variance.

Discussion:

The following chart summarizes the variance by expenditure category and revenue.

<b>Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Salaries	576.9	141.2	576.9	0.0
Premium Pay	42.4	7.3	42.4	0.0
Benefits	139.9	41.7	139.9	0.0
Materials and Equipment	19.3	8.0	19.3	0.0
Services	<u>82.7</u>	<u>11.7</u>	<u>82.7</u>	<u>0.0</u>
<b>Total Gross</b>	<b><u>861.2</u></b>	<b><u>209.9</u></b>	<b><u>861.2</u></b>	<b><u>0.0</u></b>
Revenue	<u>(62.9)</u>	<u>(8.6)</u>	<u>(62.9)</u>	<u>0.0</u>
<b>Total Net</b>	<b><u>798.3</u></b>	<b><u>201.3</u></b>	<b><u>798.3</u></b>	<b><u>0.0</u></b>

*It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in year grant funding and the revenue and expense budgets are adjusted when receipt of funds is confirmed.*

As at March 31, 2008, no year-end variance is anticipated. However, the \$2.8M unallocated reduction is still outstanding, and is addressed later in this report. Details of each major expenditure category are discussed below.

*Salaries:*

No variance is projected in the Salaries category.

<b>Expenditure Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Uniform Salaries	\$437.1	\$109.0	\$437.1	\$0.0
Civilian Salaries	<u>\$139.8</u>	<u>\$32.2</u>	<u>\$139.8</u>	<u>\$0.0</u>
<b>Total Salaries</b>	<b><u>\$576.9</u></b>	<b><u>\$141.2</u></b>	<b><u>\$576.9</u></b>	<b><u>\$0.0</u></b>

Uniform separations are projected to be on budget at 275, compared to the actual experience of 253 in 2007. Separations have occurred earlier in the year than expected and, as a result, the April 2008 recruit class size was adjusted in order to maintain an average deployed strength of 5,510.

*Premium Pay:*

No variance is projected in the Premium Pay category.

<b>Expenditure Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Court	\$12.3	\$2.6	\$12.3	\$0.0
Overtime	\$6.1	\$1.2	\$6.1	\$0.0
Callback	\$5.3	\$1.0	\$5.3	\$0.0
Lieutime Cash Payment	<u>\$18.7</u>	<u>\$2.5</u>	<u>\$18.7</u>	<u>\$0.0</u>
<b>Total Premium Pay</b>	<b><u>\$42.4</u></b>	<b><u>\$7.3</u></b>	<b><u>\$42.4</u></b>	<b><u>\$0.0</u></b>

The Service continues to strictly enforce the monitoring and control of premium pay. Overtime is to be authorized by supervisory personnel based on activities for protection of life (i.e., where persons are at risk), protection of property, processing of arrested persons, priority calls for service (i.e., where it would be inappropriate to wait for the relieving shift), and case preparation (where overtime is required to ensure court documentation is completed within required time limits).

It must be noted, however, that premium pay is subject to the exigencies of policing and uncontrollable events could have an impact on expenditures. Furthermore, there could be an impact on court attendance in 2008 due to increased enforcement from policing initiatives in 2007. Nonetheless, court attendance is being monitored to ensure that it is limited to the required witnesses for each case and any impacts will be reflected in these variance reports.

As per the working agreement, lieu-time cash payments to staff are made four (4) times per year with the last payment occurring in December. The final payment is the largest of the four, and is impacted by how members use their accumulated time prior to the cut-off date of November 30th. The Service projects these payouts based on historical actual data and patterns. Any time not paid out or used by the end of the year is treated as a liability, and therefore becomes an expenditure in the year earned.

*Benefits:*

No variance is projected in the benefit category.

<b>Expenditure Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Medical/Dental	\$33.6	\$8.3	\$33.6	\$0.0
OMERS/ CPP/EI/EHT	\$83.7	\$25.8	\$83.7	\$0.0
Sick Pay/CSB/LTD	\$12.6	\$5.3	\$12.6	\$0.0
Other (e.g. WSIB, life ins.)	<u>\$10.0</u>	<u>\$2.3</u>	<u>\$10.0</u>	<u>\$0.0</u>
<b>Total Benefits</b>	<b><u>\$139.9</u></b>	<b><u>\$41.7</u></b>	<b><u>\$139.9</u></b>	<b><u>\$0.0</u></b>

Trends for medical/dental costs are continuously monitored so that variances can be anticipated as soon as possible. At this point in time, no variance is expected for the benefit accounts.

*Materials and Equipment:*

Expenditures in this category are projected to be on budget.

<b>Expenditure Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Vehicles (gas, parts)	\$10.1	\$3.0	\$10.1	\$0.0
Uniforms	\$3.5	\$2.5	\$3.5	\$0.0
Other Materials	\$4.8	\$2.2	\$4.8	\$0.0
Other Equipment*	<u>\$0.9</u>	<u>\$0.3</u>	<u>\$0.9</u>	<u>\$0.0</u>
<b>Total Materials &amp; Equip</b>	<b><u>\$19.3</u></b>	<b><u>\$8.0</u></b>	<b><u>\$19.3</u></b>	<b><u>\$0.0</u></b>

\* Approx. \$0.2M is attributed to grant-funded expenditures (revenue budget has been increased by same amount).

The Service is closely monitoring the recent increase in fuel prices. At this time, it is too early in the year to project the budgetary impact of these increases. The next variance report will include more information on the budget pressure the higher than budgeted gas prices are expected to create over the year.

*Services:*

Expenditures in this category are projected to be on budget.

<b>Expenditure Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Legal Indemnification	\$0.6	\$0.0	\$0.6	\$0.0
Uniform Cleaning Contract	\$2.2	\$2.0	\$2.2	\$0.0
Courses/Conferences	\$2.0	\$0.1	\$2.0	\$0.0
Clothing Reimbursement	\$1.6	\$0.0	\$1.6	\$0.0
Computer Lease/Maint	\$12.7	\$4.3	\$12.7	\$0.0
Phones/Cell Phones/911	\$7.1	\$1.1	\$7.1	\$0.0
Reserve Contributions	\$27.1	\$0.0	\$27.1	\$0.0
Caretaking / Maintenance	\$15.2	\$0.0	\$15.2	\$0.0
Other Services*	<u>\$14.2</u>	<u>\$4.2</u>	<u>\$14.2</u>	<u>\$0.0</u>
<b>Total Services</b>	<b><u>\$82.7</u></b>	<b><u>\$11.7</u></b>	<b><u>\$82.7</u></b>	<b><u>\$0.0</u></b>

\* Approx. \$0.4M is attributed to grant-funded expenditures (revenue budget has been increased by same amount).

As part of the 2008 operating budget process, the Service reduced the budget request for legal indemnification of officers by \$0.5M. While this is in line with recent expenditure history, the number of claims are unpredictable and to a large extent, beyond the control of the Service.

*Revenue:*

A zero variance is projected in this category.

<b>Revenue Category</b>	<b>2008 Budget (\$Ms)</b>	<b>Actual to Mar 31/08 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Projected (Under)/Over (\$Ms)</b>
Recoveries from City	(\$7.5)	(\$0.6)	(\$7.5)	\$0.0
CPP and Safer	(\$15.9)	(\$0.0)	(\$15.9)	\$0.0
Communities Grants				
Other Government Grants	(\$4.6)	(\$4.0)	(\$4.6)	\$0.0
Fees (e.g. paid duties, alarms, reference checks)	(\$9.7)	(\$1.9)	(\$9.7)	\$0.0
Secondments	(\$2.3)	(\$0.6)	(\$2.3)	\$0.0
Draws from Reserves	(\$12.5)	(\$0.0)	(\$12.5)	\$0.0
Other Revenues (e.g. prisoner returns)	<u>(\$10.4)</u>	<u>(\$1.5)</u>	<u>(\$10.4)</u>	<u>\$0.0</u>
<b>Total Revenues</b>	<b><u>(\$62.9)</u></b>	<b><u>(\$8.6)</u></b>	<b><u>(\$62.9)</u></b>	<b><u>\$0.0</u></b>

The other revenue budget was increased by \$2.8M to accommodate City Council's unspecified budget reduction. As the year progresses, the Service's financial situation will be carefully monitored and any areas that can be reduced will be identified to the Board through the variance reporting process, and will be reported to the City's Budget Committee through the third-quarter variance report. The Service will be allocating this reduction to specific areas based on 2008 spending and sustainability for 2009 and future years.

Conclusion:

As at March 31, 2008, the Service is projecting to be within the Board-approved budget at year end. Expenditures and revenues will be closely monitored throughout the year, and any necessary action will be taken to ensure the Service remains within the approved 2008 net operating budget, including the \$2.8M unspecified budget reduction.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

**The Board received the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P140. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:  
2008 OPERATING BUDGET VARIANCE REPORT ENDING MARCH  
2008**

The Board was in receipt of the following report dated April 25, 2008 from William Blair, Chief of Police:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE  
PARKING ENFORCEMENT UNIT – PERIOD ENDING MARCH 31, 2008

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

Toronto City Council, at its meeting of March 31, 2008, approved the Toronto Police Parking Enforcement Operating Budget at a net amount of \$33.9 Million (M). This funding level excludes any impact from the collective agreement negotiations currently in progress.

The purpose of this report is to provide information on the Parking Enforcement's 2008 projected year-end variance.

Discussion:

The following chart summarizes the variance by category of expenditure.

<b>Expenditure Category</b>	<b>2008 Budget (\$000s)</b>	<b>Actual Expend. to Mar 31/08 (\$000s)</b>	<b>Projected Year- End Actual Expend. (\$000s)</b>	<b>Projected (Under)/Over- Expend. (\$000s)</b>
Salaries	\$23,242.1	\$5,869.8	\$23,242.1	\$0.0
Benefits	\$4,696.3	\$809.2	\$4,696.3	\$0.0
Premium Pay	<u>\$1,307.5</u>	<u>\$222.7</u>	<u>\$1,307.5</u>	<u>\$0.0</u>
Total Salaries & Benefits	\$29,245.9	\$6,901.7	\$29,245.9	\$0.0
Materials	\$1,492.4	\$172.5	\$1,492.4	\$0.0
Equipment	\$90.0	\$0.0	\$90.0	\$0.0
Services	\$3,699.1	\$834.5	\$3,699.1	\$0.0
Revenue	<u>(\$615.0)</u>	<u>\$0.0</u>	<u>(\$615.0)</u>	<u>\$0.0</u>
Total Non Salary	\$4,666.5	\$1,007.0	\$4,666.5	\$0.0
<b>Total</b>	<b><u>\$33,912.4</u></b>	<b><u>\$7,908.7</u></b>	<b><u>\$33,912.4</u></b>	<b><u>\$0.0</u></b>

*It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.*

As at March 31, 2008, no variance is anticipated. Details are discussed below.

*Salaries & Benefits (including Premium Pay):*

Staff attrition is in line with the anticipated levels included in the 2008 approved budget. Benefits are also trending to be within the approved budget amounts. As a result, no variance is projected in this category.

*Non-salary Expenditures:*

Expenditures in this category are projected to be on budget.

Conclusion:

The year-to-date expenditure pattern is consistent with the approved estimate. As a result, projections to year end indicate no variance to the approved budget.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command will be in attendance to answer any questions from the Board.

**The Board received the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P141. SEMI-ANNUAL REPORT: GRANT APPLICATION AND CONTRACTS:  
OCTOBER 2007 TO MARCH 2008**

The Board was in receipt of the following report dated April 03, 2008 from William Blair, Chief of Police:

Subject: SEMI-ANNUAL REPORT: OCTOBER 1, 2007 TO MARCH 31, 2008 -  
GRANT APPLICATIONS AND CONTRACTS

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

There are no financial implications relating to the recommendation contained in this report. All active grants noted in this report are accounted for in the 2008 Operating Budget. If the outstanding grant applications noted in Appendix A are approved and the funds are provided to the Toronto Police Service, there will be no net financial impact to the Service as the funds will cover the costs incurred as a result of the grant program. The same is true for the contracts currently being finalized and executed.

Background/Purpose:

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 (Min. No. 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 (Min. Nos. P66/02 and P145/05 refer).

Discussion:

During the current reporting period, October 1, 2007 to March 31, 2008, the Chair of the Police Services Board signed one (1) grant application and one (1) contract amendment. Appendix A provides the details of grant applications submitted and Appendix B provides the details of new grants awarded or contracts signed.

As at March 31, 2008, the Toronto Police Service had a total of seven (7) active grants, as outlined below:

- Community Policing Partnership Program (\$7.5M annually)
- Safer Communities – 1,000 Officers Partnership Program (\$8.8M annually)

- Toronto Anti-Violence Intervention Strategy (\$5.0M - one-time funding)
- Closed Circuit Television (\$2.0M - one-time funding)
- A Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet (\$1.1M – one-time funding)
- Funding to Combat Child Pornography (\$0.3M - one-time funding)
- R.I.D.E. Grant Program (\$0.087M annual funding)

In addition to the above active grants, two (2) additional grants, approved by the Ministry of Community Safety and Correctional Services, will commence April 1, 2008 and are outlined below:

- Safe Schools Pilot Project (\$0.5M - one-time funding)
- Victim Safety Project (\$0.098M annual funding)

Conclusion:

This report provides the Board with information on the activity that occurred with respect to grants during the six month period ending March 31, 2008, as well as the active grants in place as at the same date.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, will be in attendance to answer any questions from the Board.

**The Board received the foregoing report.**

New Grant Applications  
October 1, 2007 to March 31, 2008

Name and Description of Grant	Amount of Funding Requested	Grant Term	Comments
<p><b>Youth in Policing Initiative</b></p> <ul style="list-style-type: none"> <li>A program to provide summer employment opportunities for youth who reside in at-risk communities.</li> </ul>	\$365,300	Existing contract in effect until terminated.	Application/budget submission was submitted to the Ministry of Children and Youth Services at the end of March.
<p><b>Reduce Driving Impaired Program (R.I.D.E.)</b></p>	\$245,846	April 1, 2008 to February 28, 2009	The Chair signed the application for funding for the 2008/2009 R.I.D.E. program. Application was submitted to the Ministry of Community Safety and Correctional Services and notification of approved amount is anticipated in the spring. Approved amount has historically been almost \$90,000.

New Grants Awarded  
October 1, 2007 to March 31, 2008

Name and Description of Grant	Amount of Funding Approved	Grant Term	Comments
<p><b>Closed Circuit Television (C.C.T.V) – A View to a Safer Community</b></p> <ul style="list-style-type: none"> <li>Funds for a project the purpose of which is to reduce crime through detection and deterrence and to enhance and promote public safety.</li> </ul>	\$2,000,000	September 1, 2006 to December 31, 2008	A contract amendment was signed by the Chair to extend the term of the contract end date from April 30, 2008 to December 31, 2008 to allow for an external evaluation of the project. No additional funds have been awarded.
<p><b>Safe Schools Pilot Project</b></p> <ul style="list-style-type: none"> <li>Funding to expand the Empowered Student Partnerships (ESP) Program to middle schools and to update the Elementary School Safety Program.</li> </ul>	\$510,000	April 1, 2008 to June 30, 2009	Contract has been received from the Ministry of Community Safety & Correctional Services and is undergoing our review and approval process to finalize and execute the contract.
<p><b>Victim Safety Project</b></p> <ul style="list-style-type: none"> <li>A victim safety initiative to address victim notification gaps and to develop safety planning strategies to prevent recurring victimization.</li> </ul>	\$97,500	April 1, 2008 to September 30, 2009	Contract has been received from the Ministry of Community Safety & Correctional Services and is undergoing our review and approval process to finalize and execute the contract.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P142. SPECIAL CONSTABLES – UNIVERSITY OF TORONTO -  
APPOINTMENTS**

The Board was in receipt of the following report dated May 01, 2008 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLES FOR THE UNIVERSITY OF  
TORONTO

Recommendation:

It is recommended that the Board approve the appointment and re-appointment of the individuals listed in this report as special constables for the University of Toronto, subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background/Purpose:

Under Section 53 of the *Police Services Act of Ontario* (the Act), the Board is authorized to appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the University of Toronto (U of T) for the administration of special constables (Min. No. P571/94 refers).

At its meeting on January 29, 1998, the Board approved a recommendation requiring requests for the appointment and re-appointment of special constables, who are not members of the Service, be forwarded to the Board with the Chief's recommendation, for the Board's consideration (Min. No. P41/98 refers).

The Service has received a request from the U of T to appoint for the first time the following individuals as special constables:

- |                       |                         |
|-----------------------|-------------------------|
| 1. ASELTON, Sean      | 3. SKELTON, Christopher |
| 2. IBELL, Christopher | 4. STEWART, Martin      |

The Service has also received a request from the U of T to re-appoint the following individual as a special constable:

1. O'BRIEN, Stanley Douglas

Discussion:

The U of T special constables are appointed to enforce the *Criminal Code of Canada, Controlled Drugs and Substances Act, Trespass to Property Act, Liquor Licence Act* and the *Mental Health Act* on U of T properties within the City of Toronto.

The agreement between the Board and the U of T requires that background investigations be conducted on all individuals recommended for appointment or re-appointment as a special constable. The Service's Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from becoming special constables for a five year term.

The U of T has advised that the individuals satisfy all the appointment criteria as set out in the agreement between the Board and the U of T for special constable appointment.

Conclusion:

The Toronto Police Service and the U of T work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well being of persons engaged in activities on U of T property. The individuals currently before the Board for consideration have satisfied the criteria contained in the agreement between the Board and the University of Toronto.

Deputy Chief A.J. (Tony) Warr, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P143. SPECIAL CONSTABLES – UNIVERSITY OF TORONTO – RE-  
APPOINTMENTS**

The Board was in receipt of the following report dated April 14, 2008 from William Blair, Chief of Police:

Subject: RE-APPOINTMENT OF SPECIAL CONSTABLES FOR THE UNIVERSITY  
OF TORONTO

Recommendation:

It is recommended that the Board approve the re-appointment of the individuals listed in this report as special constables for the University of Toronto, subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background/Purpose:

Under Section 53 of the Police Services Act of Ontario (the Act); the Board is authorized to appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the University of Toronto (U of T) for the administration of special constables (Min. No. P571/94 refers).

At its meeting of January 29, 1998, the Board approved a recommendation requiring requests for the appointment and re-appointment of special constables, who are not members of the Service, be forwarded to the Board with the Chief's recommendation, for the Board's consideration (Min. No. P41/98 refers).

The Service has received a request from the U of T to re-appoint the following individuals as special constables:

1. KIRKBY, Jason (32033)
2. SINCLAIR, John (32032)

Discussion:

The U of T special constables are appointed to enforce the Criminal Code of Canada, Controlled Drugs and Substances Act, Trespass to Property Act, Liquor Licence Act and Mental Health Act on U of T property within the boundaries of the City of Toronto.

The agreement between the Board and the U of T requires that background investigations be conducted on all individuals recommended for appointment or re-appointment as a special constable. The Service's Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from being re-appointed as special constables.

The U of T has advised that these individuals satisfy all the re-appointment criteria as set out in the agreement between the Board and the U of T for special constable appointment.

Conclusion:

The Toronto Police Service and the U of T work together in partnership to identify individuals for the position of special constable who will contribute positively to the safety and well-being of persons engaged in activities on U of T property. The individuals currently before the Board for consideration have satisfied the criteria contained in the agreement between the Board and the University of Toronto.

Deputy Chief A.J. Warr, Specialized Operations Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P144. REQUEST FOR LEGAL INDEMNIFICATION – CASE NO. DG/2008**

The Board was in receipt of the following report dated April 21, 2008 from William Blair, Chief of Police:

Subject: LEGAL INDEMNIFICATION - CASE NO. DG/2008

Recommendation:

It is recommended that the Board deny payment of the legal account from Mr. Ernest J. Guiste (dated May 17, 2002) in the amount of \$2,812.01 for his representation of a former Parking Enforcement Officer in a *Highway Traffic Act* matter.

Financial Implications:

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

Background/Purpose:

A former Parking Enforcement Officer has requested payment of his legal fees for \$2,812.01 under the legal indemnification clause of the Civilian Unit “C” Collective Agreement. The purpose of this report is to recommend denial of the member’s claim.

Discussion:

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

Conclusion:

The member was not performing his duties in good faith when the on-duty accident occurred. As such, his claim for legal indemnification in the amount of \$2,812.01 does not meet the criteria of “*acts done in the attempted performance in good faith of his/her duties as a member of the Service*” pursuant to Article 27 in the Civilian Unit “C” Collective Agreement. Therefore, payment of the legal bill should be denied.

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

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P145. QUARTERLY REPORT: COMPRESSED WORK WEEK SCHEDULING  
COMMITTEE: SEPTEMBER TO NOVEMBER 2007 AND DECEMBER  
2007 TO MARCH 2008; AND REQUEST TO PROVIDE REPORTS SEMI-  
ANNUALLY RATHER THAN QUARTERLY**

The Board was in receipt of the following report dated April 07, 2008 from William Blair, Chief of Police:

Subject: QUARTERLY STATUS REPORT: SEPTEMBER 2007 TO NOVEMBER 2007  
& DECEMBER 2007 TO MARCH 2008 COMPRESSED WORK WEEK  
SCHEDULING COMMITTEE.

Recommendations:

It is recommended that:

- (1) the Board receive the following quarterly status report for the Compressed Work Week Scheduling Committee for information
- (2) the Board approve a revised reporting schedule for future quarterly reports to be provided on a semi-annual basis in the months of April and November of each year.

Financial Implications:

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

Background/Purpose:

At its meeting of December 15, 2005, the Board requested that the Chief report quarterly on the progress and workings of the Compressed Work Week Scheduling Committee. (Min. No. P408/05 refers.) The following information is provided in response to the request.

The Compressed Work Week Scheduling Committee (Parent Committee) is a joint committee of the Toronto Police Services Board (Board) and the Toronto Police Association (TPA). The Parent Committee was struck in accordance with Schedule 1 of the Memorandum of Agreement in the 2005-2007 Collective Agreement between the Board and the TPA. The mission of the Parent Committee is to jointly study the possibility of a new Compressed Work Week (CWW) system including the possible modification or continuation of the current CWW system and attempt in good faith to develop one or more alternatives to the existing CWW schedule in accordance with the fundamental principles set out in paragraph 8 of Schedule 1.

### Discussion:

The Parent Committee has received the final presentation and reports from Strategic Direction. The last meeting occurred on October 4, 2007, and consisted of a teleconference between the Parent Committee and Strategic Direction Ltd. During this session, Strategic Direction fielded and answered questions from members of the Parent Committee. The Police Services Board was provided with a presentation on October 18, 2007 outlining Strategic Direction's final report.

Since that date, the Parent Committee has not met, and as such, there has not been any updates concerning the review.

The project office continues to research and study the health effects and ergonomic principles relating to shift work. To date, the project office has amassed a wealth of knowledge that could assist the Parent Committee once their meetings resume.

In order to comply with the deadline submissions of Board reports, it is necessary to amend the semi-annual reporting structure to April and November of each year. The Parent Committee consists of members of the Board, and as such, amending the reporting structure will allow the committee to report on a more substantive basis.

### Conclusion:

The project office continues to move forward in trying to arrange meeting dates whereby the Parent Committee can discuss the Strategic Direction reports, and the research compiled to date.

The Service has, and will continue to participate in wellness programs and initiatives to educate its officers of the health effects of working shifts.

Deputy Chief Kim Derry, Divisional Policing Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P146. REQUEST FOR USE OF THE SERVICE IMAGE: WORLD POLICE  
AND FIRE GAMES**

The Board was in receipt of the following report dated April 30, 2008 from William Blair, Chief of Police:

Subject: USE OF THE SERVICE IMAGE: WORLD POLICE AND FIRE GAMES

Recommendation:

It is recommended that the Board approve the use of the Service image, specifically on sporting uniforms promoting the Service's participation in future World Police and Fire Games.

Financial Implications:

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

Background/Purpose:

The World Police and Fire Games (WPFPG) is an Olympic type multi-sport program for full time professional law enforcement officers and fire-fighters. In recent years, 9,000-10,000 competitors have participated in over 60 sporting events during the ten day Games.

The first World Police and Fire Games were held in San Jose, California, U.S.A. in 1985. Since that time, other cities have hosted the Games in San Diego, Memphis, Colorado, Indiana, United States of America; Vancouver, Calgary, Alberta, Quebec City, Canada; Melbourne, Australia; Stockholm, Sweden and Barcelona, Spain. The most recent Games were hosted in Adelaide, Australia in March 2007, which were very successful.

The future Games will be hosted in British Columbia, Canada in 2009; New York, U.S.A. in 2011 and Belfast, Northern Ireland in 2013.

World Police & Fire Games  
Toronto Police Medal Standings

<b>Location</b>	<b>Year</b>	<b>Attendees</b>	<b>Gold</b>	<b>Silver</b>	<b>Bronze</b>
Stockholm	1999	12	1	4	4
Indianapolis	2001	96	6	12	33
Barcelona	2003	33	4	2	5
Quebec City	2005	191	14	15	68
Adelaide	2007	42	5	9	8

Discussion:

Service members, while participating off duty in their sporting events, as well as the parade of athletes during the opening and closing ceremonies will be clothed in their sporting uniform provided by the Toronto Police Amateur Athletic Association (TPAAA) at no cost to the members or the Service. It is consistent practice at the games for athlete uniforms, flags and banners to contain the crest and/or image of their police service.

Attached on Appendix A are images of uniforms worn by Service members from previous games, as well as a proposed uniform, and two proposed logo choices for consideration. (The logo represents the crest that is found on our uniform).

This request has been reviewed and it meets with the criteria outlined in Service Procedure 17-09, entitled Use of the Service Crest and Name.

Conclusion:

The Service and the Board have supported members since 1985 in the World Police and Fire Games, providing them the opportunity to interact and develop positive relationships with other services around the world.

Deputy Chief Kim Derry, Divisional Policing Command, will be in attendance to respond to any questions the Board may have.

**The Board approved the foregoing report.**

## APPENDIX A



Adelaide 2007



Calgary 1997



Calgary 1997



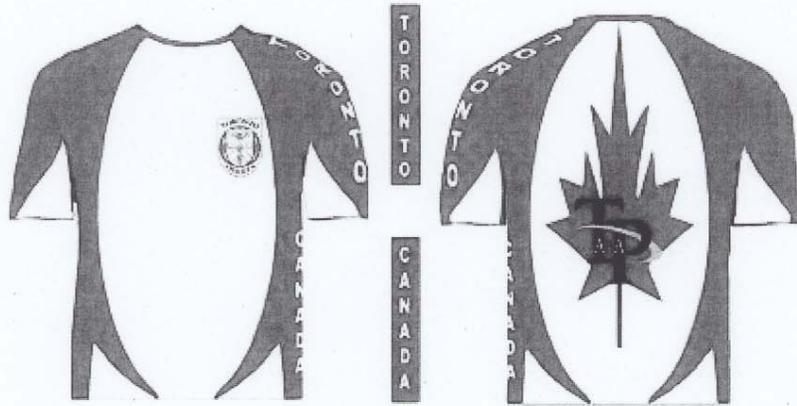
Indianapolis 2001



Quebec City 2005

## TPAAA Uniforms from Past Games

**APPENDIX A**



**Proposed Toronto Uniform**



**Proposed Logos**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P147. REQUEST FOR FUNDS: 6TH ANNUAL CANADIAN CRIME VICTIM  
FOUNDATION GALA**

The Board was in receipt of the following report dated May 05, 2008 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: 6<sup>th</sup> ANNUAL CANADIAN CRIME VICTIM  
FOUNDATION (CCVF) GALA IN SUPPORT OF ALL VICTIMS OF  
VIOLENCE

Recommendations:

It is recommended that

- (1) The Board approve an expenditure from the Special Fund, in an amount not to exceed \$1,000.00 to purchase tickets for a table at the 6<sup>th</sup> Annual CCVF Gala in Support of All Victims of Violence; and
- (2) Tickets be provided to interested Board members and that the remaining tickets be provided to the Chief for distribution as deemed appropriate

Financial Implications:

If the Board approves recommendation number one, the Board's Special Fund will be reduced by the amount of \$1,000.00.

Background/Purpose:

I am in receipt of correspondence dated April 25, 2008, from Senator Consiglio Di Nino (copy attached), regarding the 6<sup>th</sup> Annual CCVF Gala in Support of All Victims of Violence.

In 2002, Joe and Lozanne Wamback founded the CCVF after the brutal assault on their son, Jonathan. From that tragic moment in time, the Wamback's worked diligently and relentlessly to support other victims of crime overcome the imbalance in Canada's criminal justice system as well, available support services for victims of crime.

CCVF relies on financial contributions through donations, foundations and grants, fund raising and special events coordinated by CCVF or by other businesses and organizations. The CCVF Annual Gala Dinner is a major fund-raiser and awareness event coordinated by Joe and Lozanne Wamback.

The 6th Annual CCVF Gala in Support of All Victims of Violence will be held on June 6, 2008 at 6:30 p.m. at the Royalton Banquet and Convention Centre, 8201 Weston Road. The Honourable Peter MacKay, Minister of National Defence, will be in attendance along with many other special guests.

I, therefore, recommend that the Board approve an expenditure from the Special Fund, in an amount not to exceed \$1,000.00 to purchase tickets for a table at the 6<sup>th</sup> Annual CCVF Gala in Support of All Victims of Violence; and that tickets be provided to interested Board members and that the remaining tickets be provided to the Chief for distribution as deemed appropriate.

**The Board approved the foregoing report.**

SENATE



SÉNAT

THE HON. CONSIGLIO DI NINO

CANADA

OTTAWA, ONTARIO  
K1A 0A4

April 25, 2008

Tel: (613) 943-1454

Fax: (613) 943-1800

Dr. Alok Mukherjee  
Chair  
Toronto Police Service Board  
40 College Street  
Toronto, ON M5G 2j3

Dear Dr. Alok Mukherjee

As you consider this request please ask yourself “Who do I know that has been affected by violent crime.” All too often we hear and read about criminals, their rights, their punishment and their treatment under the judicial system. We seldom hear or read about how their victims and their families are coping with their broken lives. Do they have adequate support? Are there appropriate resources available to them?

Canadian Crime Victims Foundation (CCVF) is an organization whose founders, Joe and Lozanne Wamback, have experienced the loss and pain that result from violent crime.

Since the brutal assault on their young son Jonathan, they have dedicated themselves to working with victims, service providers and the justice system to try to understand criminal activity, the impact on the lives of victims, Canadian criminal legislation, our judicial system, and most importantly, the effectiveness of existing victims services. Through their own experience and close relationships with many others victims and organizations, they have learned that Canadian victims services are sporadic and underfunded at best, and that the systemic revictimization of Canadian crime victims remains largely unchecked and unaccountable.

CCVF is a growing organization dedicated to changing legislation, the way the system treats our victims and more importantly to support them take their lives back through such programs as the CCVF scholarship fund.

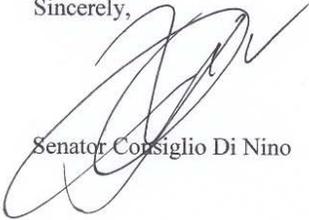
The impact of violence on victims is much greater than is generally recognized. The serious disruption of normal daily life affects not only the persons victimized but also the lives of their families, friends, and communities.

...2/

The CCVF annual fundraising gala is taking place on June 6, 2008 at the Royalton Banquet Centre in Vaughan. We need your support to help the Foundation's ongoing efforts to provide those who are left to pick up the pieces of shattered lives a strong voice, an effective advocate, and a sympathetic friend to lean on when needed.

Please give favorable consideration to our appeal.

Sincerely,



Senator Consiglio Di Nino



## **SPONSOR BENEFITS**

### ***Benefits for Gold Gala Sponsors - \$5,000***

- Name Premier Sponsor for Whole Event
- Table of 10 Guests
- Senior Representative of Corporation to sit at Head Table
- Listing in all CCVF promotional materials and website for one year
- Corporate Signage on Table
- Corporate Recognition at Press Conference
- Corporate Logo in Event Programme
- Favorable publicity in the media through other recognition avenues (releases, etc.)
- One full page ad in priority placement within the programme
- Framed photo of Senior Corporate Person with the Minister and the Wambacks
- Portion of Proceeds will go to a Scholarship
- Corporate Logo on Invitation and in event Advertising (Globe & Mail)
- Recognition in CCVF Annual Report
- Special VIP Reception with the Hon. Peter McKay, Minister of Defence



### ***Benefits for Silver Gala Sponsors - \$2,500***

- Table of 10 Guests
- Listing in all CCVF promotional materials and website for one year
- Corporate Signage on Table
- Corporate Recognition at Press Conference
- Corporate Logo in Event Programme
- Favorable publicity in the media through other recognition avenues (releases, etc.)
- Half page ad in priority placement within the programme
- Corporate Logo on Invitation and in event Advertising (Globe & Mail)
- Recognition in CCVF Annual Report
- Special VIP Reception with the Hon. Peter McKay, Minister of Defence

### ***Benefits for Bronze Gala Sponsors - \$1,000.00***

- Table of 10 Guests
- Listing in all CCVF promotional materials and website
- Corporate Signage on Table
- Corporate Logo in Event Programme
- Favorable publicity in the media through other recognition avenues (releases, etc.)
- One quarter page ad placement within the programme
- Recognition in CCVF Annual Report
- Special VIP Reception with the Hon. Peter McKay, Minister of Defence

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TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P148. REQUEST FOR FUNDS: TORONTO POLICE SERVICE 2008  
CARIBANA KICK-OFF CELEBRATION AND CARIBANA FLOAT**

The Board was in receipt of the following report dated April 24, 2008 from William Blair, Chief of Police:

Subject: REQUEST FOR FUNDING FOR THE TORONTO POLICE SERVICE 2008  
CARIBANA KICK-OFF CELEBRATION AND CARIBANA FLOAT

Recommendation:

It is recommended that the Board approve an expenditure not to exceed \$6,000.00 from the Board's Special Fund to offset expenses related to the Toronto Police Service's Caribana Celebrations and the refurbishment of the Service's Caribana float.

Financial Implications:

Funding to cover the cost of the event and the float would be drawn from the Board's Special Fund and would not exceed \$6,000.00.

Background/Purpose:

The Service began celebrating and participating in Caribana in 1991. In June 1991, the Board approved an expenditure of \$26,357.50 from the Special Fund, for the purpose of creating a police display on a float that participated in the 1991 Caribana Parade (Min. No. P475/91 refers).

The Service's participation in Caribana serves to increase awareness to the contributions of the Black community to Canadian culture. In addition, it educates Service personnel and community members about the diversity within the Black community. The Service annually enters a Caribana float to join the many other beautiful and culturally diverse displays to provide a visual demonstration of police and community members working together in the spirit of cooperation.

The annual Caribana Festival is one of the largest events held in Toronto and consistently attracts hundreds of thousands of people from many ethnic communities. In past years, the Community Unity Alliance, an established umbrella organization of fourteen groups, has worked with the Service to promote community partnership. Members of the Community Unity Alliance have once again volunteered to assist the Service by refurbishing and decorating the Service's Caribana float and Queen costume.

Discussion:

This year, the Service will be hosting the Annual Caribana Ceremony in the main lobby of Police Headquarters on Friday, August 1, 2008 at 12:00 noon. This year's theme is "Many Cultures, One Community" and it will highlight the cultural heritage of the Caribbean People.

The Service's Caribana float will participate in the following events in 2008:

- Mini Caribana Parade at Yorkgate Mall on Saturday, July 19, 2008;
- Caribana Kick-Off at Toronto Police Headquarters on Friday, August 1, 2008; and
- Caribana Parade on Saturday, August 2, 2008.

The following is the proposed budget for the Service's Caribana Kick-Off Celebration, and the refurbishment and equipping of the float and Queen costume.

National Anthem – Honorarium	\$ 100.00
Steel Pan Entertainment	\$ 200.00
Dance Performance Group	\$ 300.00
Refreshments	\$ 900.00
Caribana Poster for Presentation to Chief of Police	\$ 100.00
Miscellaneous and Float Driver Honorarium	\$ 400.00
Renewal Materials for Float and Queen Costume	\$ 2,000.00
Sound Equipment Rental and Operation	\$ 2,000.00
<b><i>TOTAL</i></b>	<b><i>\$ 6,000.00</i></b>

The funds requested are to offset the expenses incurred to enhance the Service float, Queen costume and Caribana Celebrations, and are consistent with the Board's Special Fund criteria.

Conclusion:

The Service has been celebrating and participating in Caribana celebrations since 1991. Our participation in the various events and the parade greatly demonstrates to the hundreds of thousands of people who attend, how members of the Service and the community work together in the spirit of cooperation.

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

**The Board approved the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P149.           REQUEST FOR FUNDS: UNITED WAY CAMPAIGN 2008**

The Board was in receipt of the following report dated April 21, 2008 from William Blair, Chief of Police:

Subject:       REQUEST FOR FUNDS: UNITED WAY CAMPAIGN 2008

Recommendation:

It is recommended that the Board approve the expenditure, from the Board's Special Fund, in an amount of \$10,000.00 to support the Toronto Police Service's 2008 United Way Campaign.

Financial Implications:

Funding to cover the costs of this campaign would be drawn from the Board's Special Fund and would not exceed \$10,000.00.

Background/Purpose:

The success of the Toronto Police Service's (TPS) annual United Way campaign is dependant upon the energetic and enthusiastic team of volunteers on the committee, and the funds that are provided from the Board's Special Fund to run a successful campaign. Historically, this initiative has always been tremendously successful, and in 2007 a new record high was raised of over \$598,000.

Discussion:

The United Way Committee is requesting a budget of \$10,000 to cover operating and incentive cost increases for the 2008 campaign. These funds would allow for a successful campaign, resulting in another generous donation to the United Way on behalf of the TPS.

As in the past funds made available by the Board's Special Fund support events and initiatives such as opening ceremonies, the annual stationery bike race, the final cheque presentation, as well as miscellaneous incentive items purchased throughout the campaign to encourage participation of TPS members.

There are additional costs being factored into the 2008 operating costs of this campaign. These costs include:

- Budgeting for 20 members to attend the annual celebration dinner. In the past, limited funds have prevented the entire committee from attending and celebrating their hard work and success.
- In 2008, we have budgeted for six cell phones to be used exclusively by key members of the campaign. In the past, these members have utilized their personal cell phones, and incurred the costs themselves.
- The costs incurred for special events, including Argo's Day, has always been taken from the proceeds of the campaign due to lack of funding. These costs are being incorporated into the operating costs for 2008.

Attached is a copy of the financial chart for the 2007 campaign which identifies the actual amounts spent last year, as well as the proposed 2008 campaign budget.

Staff Superintendent Tony Corrie will maintain his position as Chair of the TPS United Way Committee on behalf of the Service.

Conclusion:

Continued financial assistance from the Board will allow the TPS to continue to build on its successes and to encourage participation not only from TPS members but also from the general public. The high profile of the TPS in Toronto's United Way campaign benefits both the citizens of Toronto and the police officers who utilize the services provided by the United Way in their daily duties.

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions the Board members may have.

**The Board approved the foregoing report.**

## Appendix A

### 2007 UNITED WAY CAMPAIGN BUDGET/ACTUAL EXPENSES PLCC8ZZ 2999 (Internal Order #1000091) PLCC8ZZ 9030 (Revenue Account)

	<u>BUDGET</u>	<u>BUDGET</u> <u>AMT</u>	<u>ACTUAL</u>
Police Services Board Special Fund Request for \$4,000 (April 26, 2007- BM#165refers)			
<b>2007 OPENING BALANCE (2006 Balance Adj.)</b>	<b>\$ 3,560.92</b>		
<b>SPECIAL FUND APPROVAL (\$4,000)</b>	<b>\$ 4,000.00</b>		
<b>TOTAL 2007 BUDGET</b>	<b>\$ 7,560.92</b>		
Additional Expenses From 2006 – (Meeting With Area Co-Ordinators)			\$57.14
Meetings - United Way Committee / Canvassers' Briefing		\$ 149.23	\$247.43
Campaign Kick Off (pizza, pop, and banner)		\$ 200.00	\$149.04
Leadership Campaign (breakfast reception)		\$ 550.00	\$185.00
Pensioners' Campaign (promotion)		\$ 100.00	\$100.00
Cheque Presentation / Canvasser Appreciation		\$ 750.00	\$754.68
Celebration Dinner (2 tables) - January 17, 2008		\$ 780.00	\$845.00
Special Events (to promote events)		\$ -	
Stationary Bike Race -April 18, 2007		\$ 700.00	\$645.42
Miscellaneous (parking, UW insignias, t-shirts etc)		\$ 1,261.69	\$1,351.75
Cell phone & pagers		\$ 300.00	\$239.39
Marketing (Increase Donations / Participation {G&G - Quality Travel})		\$ 2,900.00	\$2,564.00
<b>TOTAL BUDGET / ACTUAL SPENT</b>	<b>\$ 7,560.92</b>		<b>\$7,138.85</b>
<b>BALANCE IN ACCOUNT</b>			<b>\$422.07</b>

### 2008 UNITED WAY CAMPAIGN BUDGET/ACTUAL EXPENSES PLCC8ZZ 2999 (Internal Order #1000091) PLCC8ZZ 9030 (Revenue Account)

	<u>BUDGET</u>	<u>BUDGET</u> <u>AMT</u>	<u>ACTUAL</u>
Police Services Board Special Fund Request for \$10,000.00			
<b>2008 OPENING BALANCE (2007 Balance Adj.)</b>	<b>\$ 422.07</b>		
<b>SPECIAL FUND REQUEST (\$10,000)</b>	<b>\$ 10,000.00</b>		
<b>TOTAL 2008 BUDGET</b>	<b>\$ 10,422.07</b>		
Meetings - United Way Committee / Canvassers' Briefing		\$ 350.00	
Campaign Kick Off (pizza, pop, and banner)		\$ 250.00	
Leadership Campaign (breakfast reception)		\$ 500.00	
Pensioners' Campaign (promotion)		\$ 100.00	
Cheque Presentation / Canvasser Appreciation		\$ 900.00	
Celebration Dinner (2 tables) - January 18, 2009		\$ 1,400.00	
Special Events (to promote events)		\$ 1,500.00	
Stationary Bike Race -April 9, 2008		\$ 1,200.00	
Miscellaneous (parking, UW insignias, t-shirts etc)		\$ 400.00	
Cell phone & pagers		\$ 800.00	
Marketing (Increase Donations / Participation {G&G - Quality Travel})		\$ 3,022.07	
<b>TOTAL BUDGET</b>		<b>\$ 10,422.07</b>	

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TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P150. QUARTERLY REPORT: TORONTO POLICE SERVICES BOARD  
SPECIAL FUND UNAUDITED STATEMENT: JANUARY TO MARCH  
2008**

The Board was in receipt of the following report dated April 23, 2008 from Alok Mukherjee, Chair:

Subject: QUARTERLY REPORT: TORONTO POLICE SERVICES BOARD SPECIAL  
FUND UNAUDITED STATEMENT: JANUARY TO MARCH 2008

Recommendation:

It is recommended that the Board receive the report on the Toronto Police Services Board's Special Fund un-audited statement for their information.

Financial Implications:

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

Background/Purpose:

As required by the Toronto Police Services Board (TPSB) Policy and Directions (Board Minute #P157/05) expenditures for the Special Fund shall be reported to the Board on a quarterly basis. This report is provided in accordance with such directive. The TPSB remains committed to promoting transparency and accountability in the area of finance.

Discussion:

Enclosed is the un-audited statement of receipts and disbursements with respect to the Toronto Police Services Board's Special Fund for the period January 1 to March 31, 2008.

As at March 31, 2008, the balance in the Special Fund was \$700,877. During the first quarter, the Special Fund recorded receipts of \$100,432 and disbursements of \$10,800. There has been a net increase of \$89,632 against the December 31, 2007 fund balance of \$611,245.

Auction proceeds have been estimated for the first quarter as the actual deposits have not yet been made. The Property and Evidence Management Unit of the Service and Rite Auction Limited continue their partnership in 2008. A 40% commission rate continues to apply to all auction proceeds earned.

Funds expended this quarter include Board approved contributions to Black History Month sponsorship, and the 2008 OAPSB Conference in April.

Board members are reminded of the following significant standing commitments which require monies from the Special Fund both within and beyond 2008:

- Futures program – the Board approved the allocation of \$100,000 in each of 2005, 2006, 2007, 2008 and 2009.
- Recognition of Long Service (civilian pins, 25 year watch event, tickets to retirement functions for senior officers)
- Recognition of Board Members who complete their appointments
- Various community sponsorships such as Habitat for Humanity, Victim Services Program, etc.
- Shared Funding for athletic competitions with the Toronto Police Amateur Athletic Association

Conclusion:

As required by Toronto Police Services Board Policy and Directions (Board Minute #P157/05), it is recommended that the Board receive the attached report.

**The Board received the foregoing report.**

THE TORONTO POLICE SERVICES BOARD SPECIAL FUND								
2008 FIRST QUARTER RESULTS WITH INITIAL PROJECTIONS								
PARTICULARS	2008					2007		COMMENTS
	INITIAL PROJ.	JAN 01 TO MAR 31/08	APR 01 TO JUN 30/08	JUL 01 TO SEPT 30/08	OCT 01 TO DEC 31/08	JAN 01 TO DEC 31/08 TOTALS	JAN 01 TO DEC 31/07 ACTUAL	
BALANCE FORWARD	611,245	611,245	700,877	700,877	700,877	700,877	909,118	2008 projections are based on 2007 actual results. The adjusted projection is based on the results to date as at the quarter.
<b>REVENUE</b>								
PROCEEDS FROM AUCTIONS	275,000	61,079	0	0	0	61,079	272,294	Auction proceeds for the first quarter were estimated as no deposits have been made as of yet.
LESS OVERHEAD COST	(110,000)	23,668	0	0	0	23,668	(123,539)	The overhead cost is calculated as 40% of the proceeds.
LESS RETURNED AUCTION PURCHASE	0	0	0	0	0	0	0	
UNCLAIMED MONEY	100,000	12,308	0	0	0	12,308	54,116	PEMU continues to clear out unclaimed cash to the Special Fund if rightful owners are not located.
LESS RETURN OF UNCLAIMED MONEY	0	0	0	0	0	0	(2,706)	
INTEREST	10,000	2,287	0	0	0	2,287	31,021	Interest income is based on the average monthly bank balance. The activity fee includes bank service charges and the activity fee allocation.
LESS ACTIVITY FEE	(500)	(63)	0	0	0	(63)	(449)	
LESS CHEQUE ORDER	(200)	0	0	0	0	0	(148)	
SEIZED LIQUOR CONTAINERS	0	1,162	0	0	0	1,162	1,392	
<b>TOTAL REVENUE</b>	<b>274,300</b>	<b>100,432</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>100,432</b>	<b>231,981</b>	
BALANCE FORWARD BEFORE EXPENSES	885,545	711,677	700,877	700,877	700,877	801,310	1,141,099	Rounding can impact the reported amounts from quarter to quarter and year to year. Rounding differences are not significant.
<b>DISBURSEMENTS</b>								
<b>POLICE COMMUNITY INITIATIVES</b>								
<b>SERVICE</b>								
CPLC & COMM. OUTREACH ASSIST	28,000	0	0	0	0	0	25,139	Police Community initiative payments are made at various times during the year based on Police Services Board approval.
UNITED WAY	4,000	0	0	0	0	0	4,000	
OTHER	40,000	0	0	0	0	0	37,500	
<b>COMMUNITY</b>								
RACE RELATIONS	3,500	0	0	0	0	0	3,513	
VICTIM SERVICES PROGRAM	5,000	0	0	0	0	0	105,000	
BLACK HISTORY MONTH	5,000	5,000	0	0	0	5,000	3,500	
VARIOUS ORGANIZATIONS	20,000	0	0	0	0	0	18,883	
TPAAA ASSISTANCE	25,000	0	0	0	0	0	24,200	
FITNESS FACILITIES	0	0	0	0	0	0	12,245	
FUTURES PROGRAM - YOUTH PROGRAMS	100,000	0	0	0	0	0	159,438	
<b>RECOGNITION OF SERVICE MEMBERS</b>								
AWARDS	50,000	0	0	0	0	0	53,371	Award and recognition ceremonies for Police Officers
CATERING	30,000	0	0	0	0	0	35,568	Civilians, Crossing Guards, and Auxiliary Members.
<b>RECOGNITION OF COMMUNITY MEMBERS</b>								
AWARDS	8,000	0	0	0	0	0	8,842	Award and recognition ceremonies for Community Members/Citizens.
CATERING	16,000	0	0	0	0	0	14,943	
<b>RECOGNITION OF BOARD MEMBERS</b>								
AWARDS	100	0	0	0	0	0	52	
CATERING	1,500	0	0	0	0	0	1,632	
<b>CONFERENCES</b>								
BOARD	0	0	0	0	0	0	0	
COMM. POLICE LIAISON COMMITTEES	7,000	0	0	0	0	0	7,040	
ONT. ASSO. OF POLICE SERVICES BOARD	5,500	5,500	0	0	0	5,500	5,500	
CDN ASSO. OF POLICE SERVICES BRDS	5,000	0	0	0	0	0	0	
OTHER	0	0	0	0	0	0	(462)	
<b>DONATIONS</b>								
IN MEMORIAM	1,000	300	0	0	0	300	800	
OTHER	0	0	0	0	0	0	0	
DINNER TICKETS	1,500	0	0	0	0	0	1,490	Dinner tickets includes retirements as approved on BM 414/95
AUDIT FEE	8,000	0	0	0	0	0	7,660	The audit fee is based on a contracted amount which expires after the 2007 year end. The contract was extended by Council to 2008.
<b>TOTAL DISBURSEMENTS</b>	<b>364,100</b>	<b>10,800</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10,800</b>	<b>529,854</b>	
<b>SPECIAL FUND BALANCE</b>	<b>521,445</b>	<b>700,877</b>	<b>700,877</b>	<b>700,877</b>	<b>700,877</b>	<b>790,510</b>	<b>611,245</b>	

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P151. DRAFT 2007 AUDITED FINANCIAL STATEMENTS OF THE BOARD  
SPECIAL FUND**

The Board was in receipt of the following report dated April 30, 2008 from Alok Mukherjee, Chair:

Subject: DRAFT 2007 AUDITED FINANCIAL STATEMENTS OF THE BOARD  
SPECIAL FUND

Recommendation:

It is recommended that:

1. the Board receive the 2007 Results of the Audit of the Financial Statements of the Board Special Fund; and
2. the Board approve the draft 2007 audited financial statements of the Board Special Fund.

Financial Implications:

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

Background/Purpose:

On an annual basis, the Toronto Police Service (TPS) prepares financial statements for the Board Special Fund. The financial statements represent the assets, liabilities and summary of operations for the fund for the fiscal year noted.

To ensure that the financial statements have integrity and can be relied upon, they are audited by the City's external auditor Ernst & Young LLP. The financial statements must be prepared in accordance with the generally accepted accounting principles as set by the Canadian Institute of Chartered Accountants' (CICA) Public Sector Accounting Board (PSAB).

The financial statements are comprised of the following individual items:

**Balance Sheet** - Provides a summary of the financial assets, liabilities and fund balance as at the end of the fiscal year.

**Statement of Operations and Change in Fund Balances** - Provides a summary of the source, allocation and use of monies flowing through the fund. The net gain or deficiency is important as it represents an addition to or a draw from the fund balance.

**Notes to the Financial Statements** - Provide information about the organization, the composition of the fund and the accounting policies used to prepare the statements. Notes are an integral part of financial statements.

Discussion:

Key highlights relating to the 2007 financial statements of the Board Special Fund are provided below:

- The cash balance has increased as a result of the funds transfer from the unclaimed money awarded to the Special Fund by the Ministry of the Attorney General. The amount was shown in the Due from the City of Toronto and the Unclaimed Cash from Found and Evidence monies amount in the 2006 financial statements. The inflow of cash into the fund resulted in higher interest earnings in 2007.
- Accounts payable includes the audit fee accrual for the 2007 audit. The fee has now been shown against the operations of the Special Fund rather than the Toronto Police Service. The balance also includes an accrual for catering expenses relating to retired members.
- Board and Police Service relations have increased from 2006. In 2007, the Board approved sponsorship of a number of events such as the Victim Services Program, Literature for Life, Caribbean Tales and Metrac. Catering service costs are based on the number of Service members honoured. All expenses were approved by the Board prior to being made.

*Management's role in the preparation of financial statements*

Management is responsible for adopting sound accounting policies, maintaining an adequate system of internal control and making fair representations in the financial statements. It is the responsibility of management to prepare the financial statements.

*Audits and the role of the external auditor*

An audit of financial statements is an independent review and examination of an organization's records and activities. Financial audits exist to ensure that the reported financial information fairly represents the organization's financial position and performance. A financial audit results in the publication of an independent opinion on whether or not the financial statements are relevant, accurate and complete.

An external audit is performed by an outside auditor who does not have any ties to the organization or its financial statements. The auditor examines the financial statements by performing the audit and reporting the results in accordance with generally accepted auditing standards. Based on the audit, the auditor can come to one of four conclusions:

- Unqualified – the audit is sound and no material deficiencies exist in the financial statements.
- Qualified – the auditor did not get a complete look at the audit or the statement does not completely satisfy the general accepted accounting principles.

- Disclaimer – the auditor could not form an opinion on the fairness of the financial statements.
- Adverse - the financial statements do not abide by generally accepted accounting principles.

The audited financial statements of the Board Special Fund contain a qualification relating to the completeness of revenues. The qualification means that the auditor's abilities to verify revenues were limited to the amounts recorded in the books of account of the fund. The auditors were not able to determine if any unrecorded revenue exists. The nature of the revenue gives rise to the qualification, not the surrounding internal controls or lack thereof.

#### *Role of the Police Services Board*

The Police Service Board acts as both the audit committee and Board of Directors when reviewing and approving the audited financial statements. The Board is responsible for ensuring that management fulfills its responsibility for financial reporting. The audited financial statements should be reviewed by the Board before they are approved. The review should include discussions with the administration and external auditors of significant issues regarding accounting principles, practices, and adequacy of disclosure.

In the past, the Board was presented with the signed, audited financial statements for their information only. The auditors have asked that the Board approve the draft financial statements before they are finalized, signed and released. This practice is consistent with the submission of the City of Toronto's draft audited consolidated financial statements to the City Audit Committee and Toronto City Council.

#### Conclusion:

In the past, the Board received the signed, audited financial statements of the Special Fund. In discussion with the Ernst and Young auditors, it was determined that the Board should in fact approve the draft financial statements before they are finalized. Approving the statements is an important part of the Board's oversight role.

Ms. Kathi Lavoie, Senior Manager, Ernst & Young will be in attendance to answer any questions from the Board.

**The Board approved the foregoing report.**

Financial Statements

**Toronto Police Services Board**  
**Special Fund**

December 31, 2007

## AUDITORS' REPORT

To the Chair and Members of the  
Toronto Police Services Board

We have audited the balance sheet of the **Toronto Police Services Board Special Fund** as at December 31, 2007 and the statement of operations and change in fund balance for the year then ended. These financial statements are the responsibility of the Board's management. Our responsibility is to express an opinion on these financial statements based on our audit.

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

The Special Fund derives revenue from found and/or seized cash and/or goods, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, our examination of this revenue was limited to the amounts recorded in the records of the Special Fund and we were unable to determine whether any adjustments for unrecorded revenue might be necessary within the statement of operations and change in fund balance.

In our opinion, except for the effect of adjustments, if any, which might have been required had we been able to satisfy ourselves with respect to the completeness of the revenue described in the preceding paragraph, these financial statements present fairly, in all material respects, the financial position of the Special Fund as at December 31, 2007 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Toronto, Canada,  
February 28, 2008.

Chartered Accountants  
Licensed Public Accountants

**Toronto Police Services Board Special Fund**

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

Year ended December 31

	2007	2006
	\$	\$
<b>REVENUE</b>		
Proceeds from auction sale of unclaimed goods <i>[note 3]</i>	148,755	170,702
Unclaimed cash from Found and Evidence	51,410	745,036
Interest	31,021	12,739
Other	1,392	3,448
	<u>232,578</u>	<u>931,925</u>
<b>EXPENSES</b>		
Board and Police Services relations	394,906	253,490
Police Services and community relations	62,265	47,670
Catering services	52,144	24,534
Conference	12,079	39,384
Audit fees	7,660	6,892
Donations	800	600
Bank services	597	219
	<u>530,451</u>	<u>372,789</u>
<b>Excess of (expenses over revenue)</b>		
<b>revenue over expenses for the year</b>	(297,873)	559,136
Fund balance, beginning of year	909,118	349,982
<b>Fund balance, end of year</b>	<u>611,245</u>	<u>909,118</u>

*See accompanying notes*

## **Toronto Police Services Board Special Fund**

### **NOTES TO FINANCIAL STATEMENTS**

December 31, 2007

#### **1. PURPOSE OF THE SPECIAL FUND**

The expenditures made by the Toronto Police Services Board Special Fund [the "Special Fund"] are for items and initiatives which the Toronto Police Services Board [the "Board"] deem beneficial to policing in the City of Toronto.

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

#### **2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles. The significant accounting policies are summarized below:

##### **Fund accounting**

The Special Fund follows the deferral method of accounting.

##### **Revenue recognition**

Revenue is recognized in the year received or receivable if the amounts to be received can be reasonably estimated and collection is reasonably assured.

##### **New and future accounting policy changes**

Effective January 1, 2007, the Special Fund adopted the recommendations of CICA 3855: *Financial Instruments – Recognition and Measurement* and CICA 3861: *Financial Instruments – Disclosure and Presentation*. CICA 3855 establishes standards for recognizing and measuring financial instruments including the accounting treatment for changes in fair value. As permitted by CICA 3855, the Special Fund's financial assets and liabilities continue to be presented at amortized cost, which approximates fair value. The adoption of these recommendations did not have an impact on the financial statements in the prior or current year.

The CICA has issued two new standards, CICA 3862: *Financial Instruments – Disclosures* and CICA 3863: *Financial Instruments – Presentation*, which enhance the abilities of users of financial statements to evaluate the significance of financial instruments to an entity, related exposures and the management of these risks.

## Toronto Police Services Board Special Fund

### NOTES TO FINANCIAL STATEMENTS

December 31, 2007

The CICA has issued a new accounting standard CICA 1535: *Capital Disclosures*, which requires the disclosure of qualitative and quantitative information that enables users of financial statements to evaluate the entity's objectives, policies and processes for managing capital.

The above two changes in accounting policies, which will be adopted effective January 1, 2009, will only require additional disclosures in the financial statements.

#### **3. PROCEEDS FROM AUCTION SALE OF UNCLAIMED GOODS**

With respect to unclaimed goods in the possession of the Board, Section 132(2) of the Police Services Act states that "the chief of police may cause the property to be sold, and the Board may use the proceeds for any purpose that it considers in the public interest".

#### **4. RELATED PARTY TRANSACTIONS**

Amounts due from the Board are non-interest bearing and due on demand.

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

#### **5. STATEMENT OF CASH FLOWS**

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P152. SUPPORT FOR BILL 50 – PROVINCIAL ANIMAL WELFARE ACT, 2008**

The Board was in receipt of copies of correspondence dated April 08, 2008 from Gloria Lindsay Luby, Councillor, City of Toronto, to Rick Bartolucci, Minister of Community Safety and Correctional Services; Peter Kormos, MPP; and Julia Munro, MPP. Copies of the correspondence are attached to this Minute for information.

Councillor Gloria Lindsay Luby was in attendance and delivered a deputation to the Board.

**The Board received the correspondence and Councillor Lindsay Luby's deputation and approved the following Motion:**

**THAT the Board write to the Minister of Community Safety and Correctional Services indicating that the Board supports the passing of Bill 50, the Provincial Animal Welfare Act, 2008.**



## Gloria Lindsay Luby

Councillor, Etobicoke Centre, Ward 4  
Chair, Government Management Committee  
Deputy Speaker  
City Hall, 2nd Floor  
100 Queen Street West, Suite B38  
Toronto, Ontario M5H 2N2

Tel: 416-392-1369  
Fax: 416-696-4138  
councillor\_lindsay\_luby@toronto.ca



April 8, 2008

The Honourable Rick Bartolucci,  
Minister of Community Safety and Correctional Services,  
18th Floor, 25 Grosvenor Street,  
Toronto Ontario M7A 1Y6

Dear Minister Bartolucci:

I am writing to commend and congratulate you on your proposed legislation, Bill 50, Provincial Animal Welfare Act, 2008.

Since significant animal protection amendments have not been introduced since 1919, it is about time that the Ontario government moves to protect animals from neglect, abuse, and cruelty.

While I strongly support all aspects of this legislation, the most significant matter is that this legislation specifically recognizes police service animals. As you may know, I have been working hard to raise awareness regarding "Brigadier's Law", which would amend the Federal Criminal Code to make it an indictable offence to harm police service animals when they are conducting their duties. Thousands across Canada have taken the time to sign my petition calling for this legislation. These highly trained animals currently have no protection even though they are a tremendous asset to our police services and the public. The least we could do is protect them and the officers who rely on their training to keep the peace. Bill 50 is an important step to protect police animals in Ontario and I applaud and thank you for this. The next logical step would be to codify their protection in the Federal Criminal Code so that police animals across Canada will be protected.

I will be writing to the opposition parties and asking that they give your bill the full support it deserves.

Once again, thank you for your efforts.

Yours very truly,

Gloria Lindsay Luby,  
Toronto City Councillor,  
Ward 4 – Etobicoke Centre.



cc. Mayor David Miller, TPSB Chair Alok Mukherjee, TPS Chief William Blair

**"Working for You to Build a Better Toronto"**



## Gloria Lindsay Luby

Councillor, Etobicoke Centre, Ward 4  
Chair, Government Management Committee  
Deputy Speaker  
City Hall, 2nd Floor  
100 Queen Street West, Suite B38  
Toronto, Ontario M5H 2N2

Tel: 416-392-1369  
Fax: 416-696-4138  
councillor\_lindsay\_luby@toronto.ca



April 8, 2008

Mr. Peter Kormos, MPP  
Queen's Park,  
Room 115, Main Legislative Building,  
Toronto, Ontario M7A 1A8

Dear Mr. Kormos:

I am writing to ask for the New Democratic Party's support regarding Bill 50, Provincial Animal Welfare Act, 2008.

Since significant animal protection amendments have not been introduced since 1919, it is about time that the Ontario government moves to protect animals from neglect, abuse, and cruelty.

While I strongly support all aspects of this legislation, the most significant matter is this legislation specifically recognizes police service animals. As you may know, I have been working hard to raise awareness regarding "Brigadier's Law", which would amend the Federal Criminal Code to make it an indictable offence to harm police animals when they are conducting their duties. Thousands across Canada have taken the time to sign my petition calling for this legislation. These highly trained animals currently have no protection even though they are a tremendous asset to our police services. The least we could do is protect them and the officers who rely on their training to keep the peace. Bill 50 is an important step to protect these animals in Ontario and I ask that Howard Hampton and the NDP caucus support this legislation in an unpartisan manner.

I thank you for your full consideration to support this bill.

Yours very truly,

Gloria Lindsay Luby,  
Toronto City Councillor,  
Ward 4 – Etobicoke Centre.

cc. Howard Hampton, NDP Leader, Mayor David Miller, TPSB Chair Alok Mukherjee, TPS Chief William Blair

**"Working for You to Build a Better Toronto"**



## Gloria Lindsay Luby

Councillor, Etobicoke Centre, Ward 4  
Chair, Government Management Committee  
Deputy Speaker  
City Hall, 2nd Floor  
100 Queen Street West, Suite B38  
Toronto, Ontario M5H 2N2

Tel: 416-392-1369  
Fax: 416-696-4138  
councillor\_lindsay\_luby@toronto.ca



April 8, 2008

Ms. Julia Munro, MPP  
Queen's Park,  
Room 204, NW Legislative Building,  
Toronto, Ontario M7A 1A8

Dear Ms. Munro:

I am writing to ask for the Progressive Conservative party's support regarding Bill 50, Provincial Animal Welfare Act, 2008.

Since significant animal protection amendments have not been introduced since 1919, it is about time that the Ontario government moves to protect animals from neglect, abuse, and cruelty.

While I strongly support all aspects of this legislation, the most significant matter is this legislation specifically recognizes police service animals. As you may know, I have been working hard to raise awareness regarding "Brigadier's Law", which would amend the Federal Criminal Code to make it an indictable offence to harm police animals when they are conducting their duties. Thousands across Canada have taken the time to sign my petition calling for this legislation. These highly trained animals currently have no protection even though they are a tremendous asset to our police services. The least we could do is protect them and the officers who rely on their training to keep the peace. Bill 50 is an important step to protect these animals in Ontario and I ask that John Tory and the Progressive Conservative caucus support this legislation in an unpartisan manner.

I thank you for your full consideration to support this bill.

Yours very truly,

Gloria Lindsay Luby,  
Toronto City Councillor,  
Ward 4 – Etobicoke Centre.

cc. John Tory, PC Party Leader, Mayor David Miller, TPSB Chair Alok Mukherjee, TPS Chief William Blair

**"Working for You to Build a Better Toronto"**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P153.       RESPONSE TO BOARD'S RECOMMENDATION FOR ADDITIONAL  
SUPPORTIVE HOUSING AND ADDITIONAL BEDS FOR PEOPLE WHO  
ARE HOMELESS IN THE CITY OF TORONTO**

The Board was in receipt of the attached correspondence dated April 21, 2008 from Jim Watson, Minister of Municipal Affairs and Housing, containing a response to the Board's recommendation for additional supportive housing and additional beds for people who are homeless in the City of Toronto.

**The Board received the foregoing correspondence.**

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel. (416) 585 7000  
Fax (416) 585 6470  
www.mah.gov.on.ca

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre  
777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M5G 2E5  
Tél. (416) 585 7000  
Télééc. (416) 585 6470  
www.mah.gov.on.ca



08-40166

April 21, 2008

Mr. Alok Mukherjee  
Chair  
Toronto Police Services Board  
40 College Street  
Toronto ON M5G 2J3

Dear Mr. Mukherjee:

Thank you for your letter of March 13, 2008 regarding the recommendation made at the meeting on February 21, 2008 of the Toronto Policy Services Board regarding the need for additional supportive housing and additional beds for people who are homeless.

Our government is currently working in partnership with municipalities to come up with affordable and sustainable ways to fund and deliver services. The joint provincial / municipal review will lead to a consensus-based public report in the spring of 2008 and will assist in the formulation of a long-term strategy for affordable housing throughout Ontario. Supportive housing is an important component of a housing strategy.

On March 17, 2008, our government announced three new priority programs under its Poverty Reduction Strategy, designed to tackle poverty and to build opportunities for Ontarians. These programs included the provision of \$100 million to assist the 47 service managers, including the City of Toronto, with repairs to approximately 4,000 affordable housing units.

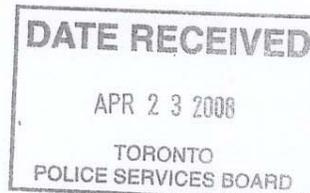
Once again, thank you for your concern and your recommendation regarding supportive housing for people who are homeless.

Sincerely yours,

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

Jim Watson, MPP  
Minister

c: The Honourable Dalton McGuinty  
Premier of Ontario



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P154.       RESPONSE TO RECOMMENDATION TO INCLUDE A CIVILIAN  
GOVERNANCE COMPONENT IN THE ONTARIO POLICE COLLEGE  
TRAINING PROGRAM**

The Board was in receipt of a copy of correspondence dated April 09, 2008 from Bernie Morelli, President, Ontario Association of Police Services Boards, to Rick Bartolucci, Minister of Community Safety and Correctional Services; and to John Milloy, Minister of Training, Colleges and Universities, indicating the OAPSB's support of the Board's recommendation for a civilian governance component in the Ontario Police College training program.

The Board was also in receipt of a copy of correspondence dated May 05, 2008 from Minister Bartolucci to Mr. Morelli in response to the recommendation for a civilian governance component in the Ontario Police College training program.

Copies of the foregoing correspondence are appended to this Minute for information.

**The Board received the foregoing correspondence.**



**ONTARIO ASSOCIATION OF  
POLICE SERVICES BOARDS**

*"Commitment to Excellence in Civilian Police Governance"*

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

April 9, 2008

The Honourable Rick Bartolucci  
Minister  
Community Safety and Correctional Services  
25 Grosvenor Street, 18<sup>th</sup> Floor  
Toronto, ON M7A 1Y6

The Honourable John Milloy  
Minister  
Training, Colleges & Universities  
Mowat Block, 3<sup>rd</sup> Floor  
900 Bay Street  
Toronto, ON M7A 1L2

**Subject: Civilian Governance Education**

Dear Ministers Bartolucci and Milloy,

I am writing to you on behalf of the Ontario Association of Police Services Boards (OAPSB) which represents most of the civilian police services governance oversight bodies across this province. This letter is written in support of the Toronto Police Services Board's correspondence to each of you on the need for education in civilian governance.

The OAPSB shares the Toronto Police Services Board's opinion that all students, whether in a college or university setting or at the Ontario Police College, who are embarking upon a career in police services in Ontario, should be informed about civilian governance. Civilian governance is a cornerstone of municipal policing in a democratic society and civilian oversight is critical for ensuring that the police are accountable to the communities they serve.

The OAPSB would be pleased to work with both of your Ministries to explore opportunities to enhance the education of future police officers in Ontario with regard to civilian governance as it relates to policing in Ontario. I look forward to hearing from you both in this regard

Yours truly,

A handwritten signature in cursive script that reads "Bernie Morelli".

Bernie Morelli,  
President, OAPSB

c.c. ✓ Dr. Alok Mukherjee  
Toronto Police Services Board



Ministry of Community Safety  
and Correctional Services

Office of the Minister

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

Ministère de la Sécurité communautaire  
et des Services correctionnels

Bureau du ministre

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

COPY



Ontario

CU08-01376

**MAY 05 2008**

Mr. Bernie Morelli  
President  
Ontario Association of Police Services Boards  
10 Peel Centre Drive  
Brampton ON L6T 4B9

Dear Mr. Morelli,

**DATE RECEIVED**

MAY 06 2008

TORONTO  
POLICE SERVICES BOARD

Thank you for your letter of April 9, 2008, also addressed to the Honourable John Milloy, Minister of Training, Colleges and Universities, advising of the Ontario Association of Police Services Boards' (OAPSB) support of the Toronto Police Service Board's (TPSB) request for ministry coordinated training on civilian governance in Ontario. I am pleased to respond.

As you know, the roles and responsibilities of the police services board, as set out in the *Police Services Act* (PSA), are an essential element in policing. The PSA and its supporting regulations and guidelines ensure that police services in Ontario have the tools and training to respond to needs within their communities. Police services boards are ultimately responsible for the provision of adequate and effective police services in their communities.

Staff at the Ontario Police College (OPC) have reviewed the TPSB's recommendation and indicated that the present syllabus for the Basic Constable Training Program is full. The additional components and class time associated with the TPSB's request would require the removal of existing material. OPC staff have indicated that recruits do receive copies of the PSA and are given an overview of its contents, along with information on civilian oversight.

Mr. Rudy Gheysen, Director, OPC, has advised that the college is receptive to distributing an information package, containing content recommended by the OAPSB, to students on all courses delivered by the college. This would ensure that all police officers, regardless of tenure or rank, would be provided with information that the TPSB and the OAPSB deem appropriate. For further information, please contact Mr. Gheysen at (519) 773-4200 or by e-mail at [rudy.gheysen@ontario.ca](mailto:rudy.gheysen@ontario.ca).

.../2

Mr. Bernie Morelli  
Page two

Again, thank you for writing.

Sincerely,



Rick Bartolucci, MPP, Sudbury  
Minister

*Thanks for everything, Bernie!!*

c: The Honourable John Milloy  
Minister of Training, Colleges and Universities

Dr. Alok Mukherjee, Chair ✓  
Toronto Police Services Board

Mr. Rudy Gheysen

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P155. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:  
UPDATE PRESENTATION ON THE DIGITAL VIDEO ASSET  
MANAGEMENT PROJECT (DVAM II PROJECT)**

The Board was in receipt of the following report dated April 14, 2008 from William Blair, Chief of Police:

Subject: UPDATE PRESENTATION ON THE DIGITAL VIDEO ASSET  
MANAGEMENT PROJECT (DVAM II PROJECT) – REQUEST FOR  
EXTENSION

Recommendations:

It is recommended that the Board approve the request for a two-month extension of time to present an update presentation on the Digital Video Asset Management Project (DVAM II Project).

Financial Implications:

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

Background/Purpose:

In February 2008, the Board received an update report on the DVAM II Project (Min. No. P30/08 refers). In responding to questions about the report, Mr. John Sandeman, Video Services Unit, noted that a presentation regarding the project would be provided to the Board in approximately three (3) months.

Discussion:

The DVAM II Project has completed two phases of the 5-phase project: Phase 1 - Project Initiation; and Phase 2 - Project Planning. The project is currently in Phase 3 - Solution Development with project tasks that include the Digital Video Asset Management System (DVAMS) requirements analysis and design. These tasks are jointly performed with the core DVAMS solution vendor, TranTech, (Min. No. P250/07 refers) and several stakeholder departments within the Toronto Police Service (Service). In parallel, the project is managing the DVAMS central repository integration requirements from inter-related projects such as: In-Car Camera, public space Closed Circuit Television (CCTV) and the Toronto Transit Commission CCTV. The timely completion of these parallel activities and milestones is a dependency to move forward with the DVAM system integration and development tasks.

Due to the current tight timeline to achieve these scheduled milestones, the project requests that this presentation to the Board be scheduled for July 2008.

Conclusion:

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board approved the foregoing report.**

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**#P156. REQUEST FOR FUNDS: FUNDRAISING DINNER IN SUPPORT OF  
THE BELKA ENRICHMENT CENTRE**

The Board was in receipt of the following report dated May 20, 2008 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: FUNDRAISING DINNER IN SUPPORT OF THE  
BELKA ENRICHMENT CENTRE

Recommendations:

It is recommended that:

- (1) The Board approve an expenditure from the Special Fund, in an amount not to exceed \$600.00, to purchase tickets for a table at the fundraising gala in support of the Belka Enrichment Centre; and
- (2) Tickets be provided to interested Board members and that the remaining tickets be provided to the Chief for distribution as deemed appropriate

Financial Implications:

If the Board approves recommendation number one, the Board's Special Fund will be reduced by the amount of \$600.00.

Background/Purpose:

I am in receipt of correspondence from Ms. Patricia Bebia Mawa, Planet Africa Group (copy attached), regarding a fundraising gala in support of the Belka Enrichment Centre.

The Belka Enrichment Centre was created following an attack on several teachers in the Jane/ Finch community. This incident occurred in late 2000 and served to highlight some of the social problems that were present in the community. The idea behind the Centre was to help youth to move beyond anger and despair.

The Belka Enrichment Centre creates innovative knowledge-based programs such as mobile or local station homes where youth, feel comfortable to explore and build their academic strengths.

The fundraising gala in support of the Belka Enrichment Centre will be held on June 6, 2008, at 7:00 p.m., at the Holiday Inn Hotel, 600 Dixon Road. The Honourable Jean Augustine will be in attendance along with many other special guests.

I, therefore, recommend that the Board approve an expenditure from the Special Fund, in an amount not to exceed \$600.00 to purchase tickets for a table at the fundraising gala in support of the Belka Enrichment Centre; and that tickets be provided to interested Board members and that the remaining tickets be provided to the Chief for distribution as deemed appropriate.

**The Board approved the foregoing report.**

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Dear Sir/Madam

### **SUPPORT FOR FUNDRAISING DINNER OF BELKA ENRICHMENT CENTRE**

Belka Enrichment Center continues to provide children and youth of the low income and inner-city communities secure economic self-reliance, equality, power and developmental tools. The organization does these by giving young people the opportunity to engage in after school programs that keep them off the streets. Their work has helped to reduce violence among youth in troubled neighborhoods.

We invite you to support the fundraising gala which will enable the organization to continue to provide these priceless services to young people in the community. Any support given to Belka Enrichment Centre will help build the future generation, especially in low income areas.

We thank you in advance for your support.

Sincerely,

Patricia Bebia Mawa.  
Host, Television  
Managing Editor, Magazine  
Planet Africa Group

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TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P157. REQUEST FOR FUNDS: UNITED MOTHERS OPPOSING VIOLENCE  
EVERYWHERE (UMOVE)**

The Board was in receipt of the following report dated May 21, 2008 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: UNITED MOTHERS OPPOSING VIOLENCE  
EVERYWHERE (UMOVE)

Recommendation:

It is recommended that the Board approve an expenditure from the Special Fund, in an amount not to exceed \$1,650.00, exclusive of taxes, to assist with the cost of printing 5000 postcards for United Mothers Opposing Violence Everywhere campaign against gun violence.

Financial Implications:

If the Board approves the recommendation contained in this report, the Board's Special fund will be reduced by an amount not to exceed \$1,650.00, exclusive of taxes.

Background/Purpose:

I am in receipt of correspondence dated May 15, 2008, from Ms. Audette Shephard, Chair, United Mothers Opposing Violence Everywhere (copy attached) requesting financial assistance with the printing cost of 5000 postcards for its campaign against gun violence.

UMOVE is a not-for-profit organization that was founded by a group of mothers who have all lost a child to a senseless act of violence. In an effort to support the Mayor's call for a ban on hand guns, UMOVE is launching a postcard campaign which is intended to obtain signatures of supporting members of the community and present them to Prime Minister Stephen Harper in June 2008.

Given the Board's ongoing support of the Mayor's call for a ban on handguns, and its position that all levels of government must work together to ensure that those who possess and use handguns are subject to serious consequences, I recommend that, the Board approve an expenditure from the Special Fund in an amount not to exceed \$1,650.00, exclusive of taxes, to assist with the cost of printing 5000 postcards for UMOVE's campaign against gun violence.

**The Board approved the foregoing report.**



2 Carlton Street  
Suite 500  
Toronto, Ontario M5B 1J3

Phone (416) 819-8628

May 15, 2008

Dear Mr. Mukherjee

UMOVE (United Mothers Opposing Violence Everywhere) is a non-profit organization made up of a group of mothers who have each lost a child to a senseless act of violence, along with supporting members from the community. Through our shared loss, we are committed to do all we can to prevent other youth and mothers from this horrifying experience.

We believe that violence tears at the fabric of society, creates feelings of hopelessness, fear and despair that destroys lives and the sense of community on which family and social well-being depend. This destruction is further exacerbated by the prevalence of guns in the hands of our people.

Our emphasis is on promoting unity, accountability, leadership and preservation of life within all communities,

We strongly support Mayor David Miller's call for a ban on handguns and want to do our part to re-enforce the need to implement this initiative. We have designed postcards depicting a picture and brief description of approximately 20 individuals whose lives have been cut short by gun violence.

We intend to print 5000 cards, (250 for each individual featured), obtain signatures of supporting members of the community, and present them to Prime Minister Stephen Harper in June.

We do not have available financial resources to facilitate the printing at this time. I have written this letter in an effort to solicit help for the printing cost. We would greatly appreciate any help you can give.

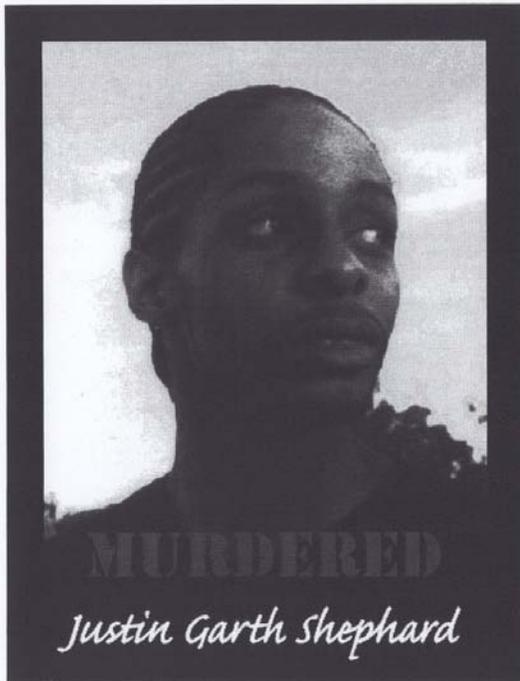
Along with this letter, you will find a sample of the postcard and the estimated cost for printing.

We thank you in advance for your time, consideration, and assistance.

**"The Chance of a lifetime to give a lifetime of Chance"**

Sincerely,

Audette Shephard  
Chair, United Mothers Opposing Violence Everywhere



**BAN  
HANDGUNS  
NOW**

**Justin Shephard**  
Killed by a handgun

**BORN**  
February 21, 1982

**DIED**  
June 23, 2001

**Justin Shephard** - Justin was one of Canada's most promising basketball stars. He had just been granted a basketball scholarship to the United States in the hope of joining his brother Jamaal Magloire in the NBA. Justin was shot twice in the head at the Rosedale Footbridge in Toronto on June 23, 2001. The murder has not been solved. But there will be justice for Justin.



**BAN  
HANDGUNS  
NOW**

Name \_\_\_\_\_

City \_\_\_\_\_

Signature \_\_\_\_\_



Postage  
Paid

The Right Honourable  
Stephen Harper  
Prime Minister of Canada  
Office of the Prime Minister  
80 Wellington Street  
Ottawa, ON K1A 0A2  
Canada

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TORONTO POLICE SERVICES BOARD HELD ON MAY 21, 2008**

**#P158. INTRODUCTIONS**

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

Ms. Debra Kelly, Executive Assistant  
Staff Inspector Thomas Russell  
Inspector Neil Corrigan

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**#P159.       ADJOURNMENT**

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Alok Mukherjee  
Chair