



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on October 16, 2008 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on September 18, 2008, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on October 16, 2008 with the exception of Minute Nos. P251/08 and P253/08 which were amended. Details of the amendments are noted in the Minutes.

The Board also amended Minute No. P246/08 from the August 21, 2008 meeting with regard to the appointment of 15 special constables for the TTC. Details of the amendment are noted in the Minute.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **OCTOBER 16, 2008** at 1:30 PM in Committee Room 1, Toronto City Hall, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Ms. Judi Cohen, Member
Mr. Hamlin Grange, Member
The Honourable Hugh Locke, Q.C., Member

ABSENT:

Mr. Frank Di Giorgio, Councillor & Member
Mr. David Miller, Mayor & 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 OCTOBER 16, 2008**

#P277. INDEPENDENT POLICE REVIEW SYSTEM

Mr. Gerry McNeilly, Director, Office of the Independent Police Review Director, delivered a presentation to the Board on the work that will be performed by the new independent civilian organization with respect to public complaints about municipal and provincial police officers in Ontario.

This organization was created in response to recommendations contained in Chief Justice Patrick LeSage's 2005 report on the police complaints system in Ontario.

The Board thanked Mr. McNeilly for attending the meeting and received his presentation.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P278. TORONTO POLICE SERVICE – REVISED 2009-2013 CAPITAL
PROGRAM REQUEST**

The Board was in receipt of the following report October 16, 2008 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE - REVISED 2009-2013 CAPITAL PROGRAM
REQUEST

Recommendations:

It is recommended that:

- (1) the Board approve a revised 2009-2013 Capital Program (as summarized in Attachment A), with a 2009 net request of \$24.4M (excluding cashflow carry forwards from 2008), and a net total of \$163.4M for 2009-2013 (an average of \$32.7M per year); and
- (2) the Board forward a copy of this report to the City of Toronto Budget Committee for approval, and to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

A revised capital program request is being submitted to the Board for approval, following discussions with City Finance staff and the City Budget Committee members assigned to review the Service's budget. This revised capital request is in the net amount of \$24.4M net for 2009 (a decrease of \$0.4M from the original Board-approved amount, and excluding cash-flow carry forwards from 2008). The Service's capital request is, on average, \$4.6M per year above the City's affordability debt target for the years 2009-2013.

Projects that have or will be completed in 2008 or 2009 result in an operating impact of \$4.0M in 2009. This operating impact is mainly attributable to an increase in the contribution to the Vehicle & Equipment Reserve and the operating requirements for the new training facility which is scheduled to open in 2009. In addition, approval of the 2009-2013 program, as requested, will result in an estimated annualized pressure to the Service's operating budget of \$17.3M by 2013, of which approximately \$10M is attributable to the increased Reserve contributions to meet the Service's fleet and equipment lifecycle replacement requirements (see attachment B). These impacts will be included in future operating budget requests, as required.

Background/Purpose:

The Board approved the Service's 2009-2013 Capital Program at its September 18, 2008 meeting at a net amount of \$24.8M for 2009 (excluding cash flow carry forwards from 2008) and a net total of \$163.8M for the five years 2009-2013, as detailed in Attachment C.

As indicated in the September 2008 capital program report to the Board, capital debt targets for Agencies, Boards, Commissions and Departments (ABCDs) are allocated by the City's Deputy City Manager and Chief Financial Officer (CFO). The City's targets are provided on an annual basis. However, based on the need to allocate cashflow to projects (most of which are multi-year) based on projected annual requirements, and taking into consideration City Council's approval in 2007 to approve the Service's budget based on a five-year average, the Service strives to meet City targets on an average, rather than an annual, basis.

Table 1 provides the City's annual debt targets for the Service, as compared to the Board-approved capital budget. The Service's 2009-2013 program exceeds City debt targets by an average of \$4.7M per year.

Table 1: 2009-2018 Capital Plan and Forecast, Compared to City Target (\$Ms)

	2009	2010	2011	2012	2013	2009-2013		2014-2018	
						Total	Avg.	Total	Avg.
TPS Board-Approved Program	24.8	55.0	59.1	20.1	4.8	163.8	32.8	196.1	39.2
City Target	25.2	34.0	33.3	23.9	23.9	140.3	28.1	119.6	23.9
Variance to target:	0.4	(21.0)	(25.8)	3.8	19.1	(23.5)	(4.7)	(76.5)	(15.3)

Discussion:

The Chair and Service staff presented and discussed the Board-approved capital budget with the City Manager and City Finance staff at a meeting on October 3, 2008. Subsequently, additional meetings have been held with City staff and the two City Budget Committee members assigned to review the Service's budget, Councillors Ainslie and Mihevc. Over the course of these meetings, the Service has been asked to review its 2009-2018 capital plan and forecast, and consider any further potential reductions or deferrals that would result in a capital budget request that is in line with the City's debt targets.

Service staff has reviewed the total budget and cashflow for each project in the ten-year program, with particular attention to the years 2009 to 2013. Every attempt has been made to reduce the scope of, or defer, capital projects to meet City targets. Based on this review, the following changes to the Board-approved 2009-2013 capital budget are being recommended at this time.

Radio Replacement

Total debt funding required for this project remains the same at \$29.5M. However, \$5.7M from 2011 has been deferred to 2012 to help smooth out the year to year debt requirements.

Property & Evidence Management Storage Facility

The total budget request of \$35.3M remains unchanged for this project. However, \$3M has been deferred from 2012 to 2013 with the understanding that this deferral would not impact the construction schedule.

AFIS/Livescan/RICI

This project combined the need for the replacement and upgrade of three systems in 2010.

- RICI (Repository for Integrated Criminalistic Imaging) is the mugshot system where all photographs and descriptions of charged persons are stored. There is an urgent need to replace the current RICI software, and \$0.3M has been moved from 2010 to 2009 for this purpose.
- Livescan is the system which enables electronic capture of fingerprints of all arrested parties, and transmission of this data from Central Lockup locations to a data storage system. The replacement of Livescan machines is more appropriately funded through the Service's Vehicle and Equipment Reserve, and \$0.4M has therefore been deleted from this project.
- AFIS (Automated Fingerprint Identification System) is the system where fingerprints are stored, processed and managed. Although AFIS needs to be upgraded or replaced, two factors may impact the approach to be taken: the Royal Canadian Mounted Police's (RCMP) plan to replace their fingerprint identification system; and the Service's plan to replace its Records Management System. With the assumption that some synergies will result from one or both of these initiatives, the replacement cost has been reduced from \$4.3M to \$3.0M, and deferred to 2011.

As a result of the foregoing adjustments, the total cost estimate for this project has been reduced from \$5.1M to \$3.3M.

Acquisition and Implementation of a New Records Management System

Given the overall cost of this project, and the scope of work required, completion of this project has been deferred by one year. Some funding has, however, been maintained in 2009 to ensure necessary planning and preparation for the project can be carried out. This deferral has resulted in \$0.99M being moved beyond the five-year program, to 2014-2018.

Funding from Development Charges

Funding from development charges is allocated by the City to applicable projects. This funding helps reduce the amount of debt funding required for the projects. Funding from development charges has been adjusted by City Finance staff based on the previously noted cash flow change to the Property & Evidence Management Storage facility. Total development charges funding assumed for 2009-2013 has been reduced by \$2.3M (from \$10.3M to \$8.0M). However, development charges for 2014-2018 have been increased by \$3.5M (from \$2.0M to \$5.5M).

Projects in the 2014-2018 Forecast

Several long-term facility projects (replacement of 41 and 13 Divisions, and renovations of other facilities) have been deferred within and beyond the 2014-2018 period, and the scope of anticipated new Information Technology projects has been reduced in the 2014-2018 time frame. The entire 2014-2018 program, after all of the changes noted above, has also been reduced from \$196.1M to \$162.3M.

Conclusion:

A detailed review of all projects, with respect to overall cost and annual cashflow, was conducted by the Command and the Board's Budget Sub-Committee to ensure that the Capital Program reflects the operational needs and priorities of the Service, and is consistent with its strategic objectives. Wherever possible, capital projects have been deferred, or reduced in scope.

As a result of the changes outlined in this report, the Service's 2009-2013 capital budget request, previously approved by the Board, has been reduced. Table 2 (below) provides summary information, and Attachment A provides detailed information on the revised program.

Table 2: Revised 2009-2018 Capital Plan and Forecast, Compared to City Target (\$Ms)

	2009	2010	2011	2012	2013	2009-2013		2014-2018	
						Total	Avg.	Total	Avg.
TPS Revised Capital Program:	24.4	44.7	55.6	26.9	11.9	163.4	32.7	162.3	32.5
City Target	25.2	34.0	33.3	23.9	23.9	140.3	28.1	119.6	23.9
Variance to target:	0.8	(10.7)	(22.3)	(2.9)	12.0	(23.1)	(4.6)	(42.7)	(8.5)

The revised 2009-2013 Capital Program, at the net amount of \$24.4M in 2009, and \$163.4M for the five year period maintains the Service's cashflow requirements for those years. However, it exceeds the City's capital targets by \$4.6M on average over the five years, with the most significant pressures occurring in 2010 and 2011. The Service is mindful of the City's budget pressures. However, continual reductions to the Service's capital funding targets impact on the Service's ability to properly plan and deliver the capital projects required to effectively meet our operational requirements.

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

Mr. Tony Veneziano, Chief Administrative Officer, Mr. Angelo Cristofaro, Director of Finance and Administration, and Mr. Steve Conforti, City of Toronto - Senior Financial Planning Analyst, were in attendance and responded to questions about this report.

The Board approved the foregoing report.

2009-2013 CAPITAL BUDGET REQUEST (\$000s)
Revised as of October 16, 2008

Proj. #	Project Name	Plan to end of 2008	2009-2013 Request					Total 2009-2013 Request	Total 2014-2018 Forecast	Total Project Cost
			2009	2010	2011	2012	2013			
On-Going Projects										
1	New Training Facility	70,732	5,072	0	0	0	0	5,072	0	75,804
2	In - Car Camera	3,962	2,300	2,400	0	0	0	4,700	0	8,662
3	Digital Video Asset Management II	4,365	1,300	0	0	0	0	1,300	0	5,665
4	State-of-Good-Repair - Police	14,230	2,300	2,300	2,500	2,553	2,647	12,300	15,358	41,888
5	Intelligence / Special Investigations Facility	1,765	2,800	0	0	0	0	2,800	0	4,565
6	Radio Replacement	10,685	0	7,448	5,700	5,700	0	18,848	0	29,533
Total On-Going Projects		105,739	13,772	12,148	8,200	8,253	2,647	45,020	15,358	166,117
New Projects										
7	11 Division - Central Lockup	366	2,946	15,715	7,918	0	0	26,578	0	26,944
8	14 Division - Central Lockup	0	326	8,048	17,666	8,883	0	34,923	0	34,923
9	Property & Evidence Management Storage	258	10,000	8,700	11,800	1,500	3,000	35,000	0	35,258
10	Acquisition, Impl'n of New RMS	0	400	1,564	8,092	8,752	4,670	23,478	990	24,468
11	911 Hardware / Handsets	0	0	292	421	432	0	1,145	0	1,145
12	AFIS/Livescan/RICI	0	324	0	3,000	0	0	3,324	3,000	6,324
13	HRMS - Additional functionality	0	108	346	0	0	0	454	0	454
14	Replacement of Voice Mail	0	0	864	0	0	0	864	0	864
15	Data Warehouse Establishment	0	0	0	0	343	2,411	2,754	6,003	8,757
16	54 Division (includes land)	0	0	0	0	0	300	300	36,012	36,312
17	41 Division (includes land)	0	0	0	0	0	0	0	38,403	38,403
18	13 Division (includes land)	0	0	0	0	0	0	0	29,901	29,901
19	Long Term Facility Plan	0	0	0	0	0	0	0	6,000	6,000
20	Fuel Management System	0	0	0	0	0	0	0	697	697
21	HRMS Upgrade	0	0	0	0	0	0	0	822	822
22	TRMS Upgrade	0	0	0	0	0	0	0	3,354	3,354
23	Fibre Optics	0	0	0	0	0	0	0	11,800	11,800
24	Electronic Document Management	0	0	0	0	0	0	0	500	500
25	Anticipated New IT Projects	0	0	0	0	0	0	0	15,000	15,000
Total New Projects:		624	14,103	35,529	48,897	19,909	10,381	128,820	152,481	281,925
Total Debt-Funded Projects:		106,362	27,876	47,677	57,097	28,162	13,028	173,841	167,839	448,042

2009-2013 CAPITAL BUDGET REQUEST (\$000s)
Revised as of October 16, 2008

Proj. #	Project Name	Plan to end of 2008	2009-2013 Request					Total 2009-2013 Request	Totqal 2014-2018 Forecast	Total Project Cost
			2009	2010	2011	2012	2013			
	Other than debt expenditure (Draw from Reserve)									
26	Vehicle and Equipment Replacement	25,230	5,617	5,617	5,617	5,617	5,617	28,085	28,085	81,400
27	Workstation, Laptop, Printer Lifecycle	15,173	4,785	4,816	4,826	3,774	4,785	22,986	22,986	61,145
28	Servers Lifecycle	7,316	2,910	3,010	3,120	3,230	3,340	15,610	15,610	38,536
29	IT business resumption Lifecycle	6,923	0	1,588	1,644	1,701	1,761	6,693	6,693	20,310
30	Mobile Workstations Lifecycle	7,970	0	0	250	7,500	1,500	9,250	9,250	26,470
31	Network Equipment Lifecycle	1,600	1,723	480	500	520	2,603	5,826	5,826	13,252
32	Locker Replacement Lifecycle	1,100	550	550	0	0	0	1,100	0	2,200
33	Furniture Replacement Lifecycle	750	750	750	750	750	750	3,750	3,750	8,250
34	AVLS Replacement Lifecycle	0	0	316	593	639	0	1,548	1,547	3,095
35	In - Car Camera lifecycle Replacement	0	0	0	0	33	655	687	851	1,538
36	Voice Logging lifecycle Replacement	0	0	459	324	0	370	1,153	1,153	2,306
37	CAD - Computer Aided Dispatch System	0	0	0	0	100	331	431	431	862
38	Electronic Surveillance Lifecycle Replacement	0	0	0	1,977	0	0	1,977	1,977	3,954
39	Digital Photography lifecycle Replacement	0	0	126	130	0	0	256	256	512
40	DVAM I Lifecycle Replacement	0	0	1,109	0	0	0	1,109	1,109	2,218
41	Repl. of Call Centre Application (ACD-X)	0	0	315	0	0	0	315	315	630
42	DVAM II Lifecycle Replacement	0	0	0	0	0	0	0	1,417	1,417
43	Asset and Inventory Mgmt. System (AIMS)	0	0	0	127	0	0	127	127	254
44	Property & Evidence Scanners Lifecycle	0	0	0	65	0	0	65	65	129
45	DPLN Replacement	0	0	0	0	778	0	778	778	1,556
46	Telephone Handset Replacement	0	0	300	300	300	300	1,200	1,500	2,700
47	Radio Replacement	4,000	2,000	0	0	0	0	2,000	0	6,000
48	Livescan Machines	0	0	435	0	0	0	435	435	870
49	Wireless Parking System	0	0	0	3,060	0	0	3,060	3,060	6,120
Total Reserve Projects:		70,062	18,335	19,871	23,283	24,941	22,011	108,441	107,220	285,723
Total Gross Projects		176,424	46,211	67,548	80,380	53,104	35,040	282,282	275,059	733,765
Funding Sources:										
	Vehicle and Equipment Reserve	(70,062)	(18,335)	(19,871)	(23,283)	(24,941)	(22,011)	(108,441)	(107,220)	(285,723)
	Funding from DND	(7,374)	(2,458)	0	0	0	0	(2,458)	0	(9,832)
	Funding from Development Charges	0	(1,052)	(3,000)	(1,503)	(1,300)	(1,100)	(7,955)	(5,500)	(13,455)
Total Funding Sources:		(77,436)	(21,845)	(22,871)	(24,786)	(26,241)	(23,111)	(118,854)	(112,720)	(309,010)
Total Net Request		98,988	24,366	44,677	55,594	26,862	11,928	163,428	162,339	424,755
5-year Average:								32,686	32,468	
City Target:			25,206	33,968	33,299	23,919	23,919	140,311	119,595	
City Target - 5-year Average:								28,062	23,919	
Variance to Target			840	(10,709)	(22,295)	(2,943)	11,991	(23,117)	(42,744)	
Variance to Target - 5-year Average:								(4,623)	(8,549)	

2009-2013 CAPITAL BUDGET REQUEST (\$000s)
Operating Impact From Capital, Revised as of October 16, 2008

Proj. #	Project Name	2009-2013 Operating Impact					Total 2009-2013 Impact	Total 2014-2018 Op. Impact
		2009	2010	2011	2012	2013		
	On-Going Projects							
1	New Training Facility	1,040.0	0.0	0.0	0.0	0.0	1,040.0	0
2	In - Car Camera	0.0	0.0	200.0	0.0	0.0	200.0	0
3	Digital Video Asset Management II	0.0	0.0	200.0	0.0	0.0	200.0	0
4	State-of-Good-Repair - Police	0.0	0.0	0.0	0.0	0.0	0.0	0
5	Intelligence / Special Investigations Facility	0.0	0.0	0.0	0.0	0.0	0.0	0
6	Radio Replacement	0.0	0.0	0.0	0.0	0.0	0.0	0
	Total On-Going Projects	1,040.0	0.0	400.0	0.0	0.0	1,440.0	0
	New Projects							
7	11 Division - Central Lockup	0.0	0.0	101.0	101.0	0.0	202.0	0
8	14 Division - Central Lockup	0.0	0.0	0.0	104.0	104.0	208.0	0
9	Property & Evidence Management Storage	0.0	0.0	0.0	83.0	0.0	83.0	0
10	Acquisition, Impl'n of New RMS	0.0	0.0	2,588.0	987.0	650.0	4,225.0	825
11	911 Hardware / Handsets	0.0	0.0	0.0	0.0	0.0	0.0	0
12	AFIS/Livescan/RICI	0.0	0.0	50.0	0.0	0.0	50.0	0
13	HRMS - Additional functionality	0.0	0.0	120.0	0.0	0.0	120.0	0
14	Replacement of Voice Mail	0.0	50.0	0.0	0.0	0.0	50.0	0
15	Data Warehouse Establishment	0.0	0.0	0.0	0.0	1,043.0	1,043.0	0
16	54 Division (includes land)	0.0	0.0	0.0	0.0	0.0	0.0	200
17	41 Division (includes land)	0.0	0.0	0.0	0.0	0.0	0.0	200
18	13 Division (includes land)	0.0	0.0	0.0	0.0	0.0	0.0	200
19	Long Term Facility Plan	0.0	0.0	0.0	0.0	0.0	0.0	0
20	Fuel Management System	0.0	0.0	0.0	0.0	0.0	0.0	0
21	HRMS Upgrade	0.0	0.0	0.0	0.0	0.0	0.0	20
22	TRMS Upgrade	0.0	0.0	0.0	0.0	0.0	0.0	20
23	Fibre Optics	0.0	0.0	0.0	0.0	0.0	0.0	1,500
24	Electronic Document Management	0.0	0.0	0.0	0.0	0.0	0.0	53
25	Anticipated New IT Projects	0.0	0.0	0.0	0.0	0.0	0.0	0
	Total New Projects:	0.0	50.0	2,859.0	1,275.0	1,797.0	5,981.0	3,018
	Total Debt-Funded Projects:	1,040.0	50.0	3,259.0	1,275.0	1,797.0	7,421.0	3,018
	Total Contribution To Reserve Impact	2,950.0	2,800.0	2,800.0	2,800.0	(1,500.0)	9,850.0	
	Total Incremental Impact from Capital:	3,990.0	2,850.0	6,059.0	4,075.0	297.0	17,271.0	
	Total Staff Complement Change	0	0	0	67	0	67	

2009-2013 CAPITAL BUDGET REQUEST (\$000s)
As Approved by the Toronto Police Services Board, September 18, 2008

Proj. #	Project Name	Plan to end of 2008	2008 Carry Forward	2009-2013 Request					2009-2013 Proj. Total	2014-2018 Proj. Total	Total Project Cost
				2009	2010	2011	2012	2013			
	On-Going Projects										
1	New Training Facility	70,732	0	5,072	0	0	0	0	5,072	0	75,804
2	In - Car Camera	3,962	0	2,300	2,400	0	0	0	4,700	0	8,662
3	Digital Video Asset Management II	4,365	0	1,300	0	0	0	0	1,300	0	5,665
4	State-of-Good-Repair - Police	14,230	0	2,300	2,300	2,500	2,553	2,647	12,300	13,235	39,765
5	Intelligence / Special Investigations Facility	1,765	0	2,800	0	0	0	0	2,800	0	4,565
6	Radio Replacement	10,685	0	0	7,448	11,400	0	0	18,848	0	29,533
	Total On-Going Projects	105,739	0	13,772	12,148	13,900	2,553	2,647	45,020	13,235	163,994
	New Projects										
7	11 Division - Central Lockup	366	0	2,946	15,715	7,918	0	0	26,578	0	26,944
8	14 Division - Central Lockup	0	0	326	8,048	17,666	8,883	0	34,923	0	34,923
9	Property & Evidence Management Storage	258	0	10,000	8,700	11,800	4,500	0	35,000	0	35,258
10	Acquisition, Impl'n of New RMS	0	0	1,564	8,192	8,852	4,870	990	24,468	0	24,468
11	911 Hardware / Handsets	0	0	0	292	421	432	0	1,145	0	1,145
12	AFIS/Livescan/RICI	0	0	0	5,060	0	0	0	5,060	6,000	11,060
13	HRMS - Additional functionality	0	0	108	346	0	0	0	454	0	454
14	Replacement of Voice Mail	0	0	0	864	0	0	0	864	0	864
15	Data Warehousing System	0	0	0	0	0	343	2,411	2,754	6,003	8,757
16	54 Division (includes land)	0	0	0	0	0	0	300	300	36,779	37,079
17	Long Term Facility Plan	0	0	0	0	0	0	0	0	124,848	124,848
18	Fuel Management System	0	0	0	0	0	0	0	0	697	697
19	HRMS Upgrade	0	0	0	0	0	0	0	0	822	822
20	TRMS Upgrade	0	0	0	0	0	0	0	0	3,354	3,354
21	Fibre Optics	0	0	0	0	0	0	0	0	5,900	5,900
22	Electronic Document Management	0	0	0	0	0	0	0	0	500	500
23	Content Manager Integration	0	0	0	0	0	0	0	0	0	0
24	Telephone Replacement	0	0	0	0	0	0	0	0	0	0
25	eTicketing	0	0	0	0	0	0	0	0	0	0
26	Disaster Recovery Site (To be determined)	0	0	0	0	0	0	0	0	0	0
	Total New Projects:	15,274	0	14,943	47,217	46,657	19,028	3,701	131,546	184,903	331,723
	Total Debt-Funded Projects:	121,012	0	28,716	59,365	60,557	21,581	6,348	176,566	198,138	495,717

2009-2013 CAPITAL BUDGET REQUEST (\$000s)
As Approved by the Toronto Police Services Board, September 18, 2008

Proj. #	Project Name	Plan to end of 2008	2008 Carry Forward	2009-2013 Request					2009-2013 Proj. Total	2014-2018 Proj. Total	Total Project Cost
				2009	2010	2011	2012	2013			
Other than debt expenditure (Draw from Reserve)											
27	Vehicle and Equipment Replacement	25,230	0	5,617	5,617	5,617	5,617	5,617	28,085	28,085	81,400
28	Workstation, Laptop, Printer Lifecycle	15,173	0	4,785	4,816	4,826	3,774	4,785	22,986	22,986	61,145
29	Servers Lifecycle	7,316	0	2,910	3,010	3,120	3,230	3,340	15,610	15,610	38,536
30	IT business resumption Lifecycle	6,923	0	0	1,588	1,644	1,701	1,761	6,693	6,693	20,309
31	Mobile Workstations Lifecycle	7,970	0	0	0	250	7,500	1,500	9,250	9,250	26,470
32	Network Equipment Lifecycle	1,600	0	1,723	480	500	520	2,603	5,826	5,826	13,252
33	Locker Replacement Lifecycle	1,100	0	550	550	0	0	0	1,100	0	2,200
34	Furniture Replacement Lifecycle	750	0	750	750	750	750	750	3,750	3,750	8,250
35	AVLS Replacement Lifecycle	0	0	0	316	593	639	0	1,548	1,548	3,095
36	In - Car Camera lifecycle Replacement	0	0	0	0	0	33	655	687	851	1,538
37	Voice Logging lifecycle Replacement	0	0	0	459	324	0	370	1,153	1,153	2,306
38	CAD - Computer Aided Dispatch System	0	0	0	0	0	100	331	431	431	862
39	Electronic Surveillance Lifecycle Replacement	0	0	0	0	1,977	0	0	1,977	1,977	3,954
40	Digital Photography lifecycle Replacement	0	0	0	126	130	0	0	256	256	512
41	DVAM I Lifecycle Replacement	0	0	0	1,109	0	0	0	1,109	1,109	2,218
42	Replacement of Call Centre Application (ACD-X)	0	0	0	315	0	0	0	315	315	630
43	DVAM II Lifecycle Replacement	0	0	0	0	0	0	0	0	1,417	1,417
44	Asset and Inventory Management System (AIMS)	0	0	0	0	127	0	0	127	127	254
45	Property & Evidence Scanners Lifecycle	0	0	0	0	65	0	0	65	65	129
46	DPLN Replacement	0	0	0	0	0	778	0	778	778	1,556
47	Telephone Handset Replacement	0	0	0	300	300	300	300	1,200	1,500	2,700
48	Radio Replacement	4,000	0	2,000	0	0	0	0	2,000	0	6,000
Total Reserve Projects:		70,062	0	18,335	19,436	20,223	24,941	22,011	104,946	103,726	278,734
Total Gross Projects		191,074	0	47,051	78,800	80,780	46,522	28,359	281,513	301,864	774,451
Funding Sources:											
	Vehicle and Equipment Reserve	(70,062)	0	(18,335)	(19,436)	(20,223)	(24,941)	(22,011)	(104,946)	(103,726)	(278,734)
	Funding from Department of National Defence (DND)	(7,374)	0	(2,458)	0	0	0	0	(2,458)	0	(9,832)
	Funding from Development Charges	0	0	(1,421)	(4,405)	(1,503)	(1,503)	(1,503)	(10,335)	(2,000)	(12,335)
Total Funding Sources:		(92,086)	0	(22,214)	(23,841)	(21,726)	(26,444)	(23,514)	(117,739)	(105,726)	(315,551)
Total Net Request		98,988	0	24,837	54,960	59,054	20,078	4,845	163,773	196,138	458,900
City Target (5-year average = \$28.1M)				25,206	33,968	33,299	23,919	23,919	140,311		32,755
Variance to Target				(369)	20,992	25,755	(3,841)	(19,074)	(23,462)		4,692

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P279. NOTIFICATION PROCEDURE: COMMUNICATING WITH A CITY
COUNCILLOR FOLLOWING A MAJOR INCIDENT**

The Board was in receipt of the following report June 24, 2008 from William Blair, Chief of Police:

Subject: NOTIFICATION PROCEDURE: COMMUNICATING WITH A CITY
COUNCILLOR FOLLOWING A MAJOR INCIDENT

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 April 17, 2008, the Board received correspondence from Paula Fletcher, Councillor, City of Toronto, regarding the feasibility of establishing a notification procedure for divisional unit commanders at the time of a major incident within their division and requested that the Chief in consultation with the Chair, consider whether or not a notification protocol is necessary (Min. No. P103/08 refers).

The following information is provided in response to this request.

Discussion:

The Service has in place a procedure for the release of information to the public. Procedure 17-02, Major News Reports, designates the "Major News Report" as a means of communication between the police and the news media. This in turn allows the public to be informed of major occurrences, major arrests and newsworthy items. The Major News Report is released by authorized members of the Service in accordance with Service guidelines, procedures and governance, and the Municipal Freedom of Information and Protection of Privacy Act. The information contained within the report also respects the confidentiality of criminal investigations. In addition to the news media, Major News Reports and general media releases are made available directly to the public by way of the Toronto Police Service Internet site.

In addition to the information released through the Public Information Unit, the implementation of the Police and Community Automated Notification System (PCANS) in the near future will allow any member of the public to be added to a dissemination list to receive community notifications in relation to any specifically designated geographic location in the city.

Conclusion:

There is no need for a direct notification process between divisional unit commanders and their respective City of Toronto councillors regarding major incidents. The information that can be released to the public is made available through the current reporting process and through the pending implementation of the Police and Community Automated Notification System. This process avoids the potential perception of preferential treatment or breaches of confidentiality.

The Toronto Police Service prides itself on its relationship with its community and elected officials and will continue to work together to address any major incidents where police, government and the community are affected.

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

Councillor Paula Fletcher, City of Toronto, was in attendance and delivered a deputation to the Board about this report.

In response to questions by the Board, Chief Blair explained how city councillors can currently obtain information about incidents in their wards.

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

- 1. THAT the foregoing report be referred to the Chair to determine, in consultation with the Chief of Police, whether there can be a resolution which is satisfactory to ensure timely notification to councillors of tragic events in their wards; and**
- 2. THAT the Chief of Police provide a presentation on the provision of information and communication regarding incidents in the community at a future Board meeting.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P280. FOLLOW-UP AUDIT ON THE REVIEW OF SEXUAL ASSAULT
INVESTIGATIONS – TORONTO POLICE SERVICE**

The Board was in receipt of the following report September 29, 2008 from Jeff Griffiths, Auditor General, City of Toronto:

SUMMARY

The purpose of this report is to advise the Toronto Police Services Board that the Auditor General is deferring the Follow-Up Audit on the “Review of the Investigation of Sexual Assaults – Toronto Police Service.” This follow-up audit work was originally included in the Auditor General’s 2008 Audit Work Plan and was to begin in late 2008. Subsequent to discussions with Senior Management at the Police Service the Auditor General has determined that it would be more practical to defer this work until 2009.

FINANCIAL IMPACT

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

DECISION HISTORY

In 1999, the Auditor General issued a report entitled “Review of the Investigation of Sexual Assaults – Toronto Police Service” which contained 57 recommendations.

In 2005, the Auditor General issued a follow-up report on the recommendations made to the Toronto Police Services Board regarding the investigation of sexual assaults. The audit follow-up found the Toronto Police Service had not addressed all of the original 57 audit recommendations and included 25 additional recommendations. The Board adopted the recommendations and approved the establishment of a Steering Committee to include three senior officers from the Service and an equal number of women from the anti-violence community to provide expertise with respect to the implementation of the Auditor General’s recommendations.

The Toronto Police Services Board requested the Auditor General to conduct a further follow-up audit on this matter within three years. The Auditor General included the follow-up work on the investigation of sexual assaults by the Toronto Police Service in the 2008 audit work plan.

COMMENTS

On May 21, 2008 the Sexual Assault Steering Committee presented their final report to the Toronto Police Services Board regarding the work accomplished by the Committee and additional action required by the Toronto Police Service.

The Toronto Police Services Board adopted a recommendation that the Chief of Police develop a process to evaluate the changes implemented to training as they relate to sexual assault and for the evaluation to be completed by the fall of 2009 subsequent to the report of the Chief.

The Auditor General has since met with Senior Police Management to discuss the timing of the police evaluation relative to the follow-up audit work planned for the fall of 2008. As a result of these discussions, the Auditor General determined that it would be more practical to postpone the follow-up audit work until 2009.

CONCLUSION

The Auditor General intends to defer the follow-up audit work on the report entitled "Review of the Investigation of Sexual Assaults - Toronto Police Service." This audit work was to begin in September 2008 and will now be included in the 2009 Audit Work Plan.

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 OCTOBER 16, 2008**

#P281. REVIEW OF SEXUAL ASSAULT INVESTIGATIONS

The Board was in receipt of the following report September 11, 2008 from William Blair, Chief of Police:

Subject: REVIEW OF SEXUAL ASSAULT INVESTIGATIONS

Recommendations:

It is recommended that:

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

Financial Implications:

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

Background/Purpose:

At its meeting on May 21, 2008, the Board requested that the Chief of Police provide information on a process that evaluates the changes to training as it relates to sexual assault investigations (Min. No. P126/08 refers). This report will outline the proposed evaluation process for the Board's information.

Discussion:

The Toronto Police Service's Training and Education Unit (T&E) is committed to implementing the recommendations from the City Auditor (1999 and 2004) and the Sexual Assault Steering Committee. The ongoing evaluation of training provided, and its impact within the community, is an important responsibility to the Service. It is important to note that issues raised by the City Auditor and the Steering Committee recommendations pertaining to training in regards to sexual assault investigations have already been implemented to improve investigative training.

Measuring the effectiveness of training is a complex and challenging process. Many variables, both external and internal, affect the performance of any organization. While inferences may be drawn that performance improvement is due to training, it is often difficult to substantiate. In order to effectively address this issue, the T&E Unit applies a four-level hierarchy of evaluation, commonly referred to as Kirkpatrick's Model of Evaluation, when assessing its programs. This form of assessment is described in detail in the Skills Development Learning Plan (Min. No. P330/08 refers). The levels include:

- **Reaction:** Did participants find the program positive and worthwhile? This question has many sub-parts relating to course content including: format, the approach taken by the facilitator, physical facilities and audio-visual aids. This assessment occurs during and immediately after the program. Concerns on the learning processes – for example, the adult educational approaches, or lack thereof used, in class often surface during this level of evaluation.
- **Learning:** Did participants learn? Training focuses on increasing knowledge, enhancing skills, and changing attitudes. To answer the question of whether participants learned involves measuring skill, knowledge and attitude on entry and again on exit in order to determine changes. This assessment occurs prior to, during, and at the end of a training program. For example, pre-testing provides baseline data of learner knowledge and skill levels which can be assessed against post-course tests. With respect to the sexual assault investigation training, the City Auditor’s report and a subsequent in-class audit by external parties helped provide baseline data.
- **Transfer of Learning:** Did the learning translate into changed behaviours in the workplace? This question asks if learners have been able to transfer their new skills back to the workplace or community. Often it is in this area of transfer that problems occur. There may not be opportunity or support to use what was learned. This may reflect on the course itself, but it may also be due to other variables. The typical methods used to measure transfer may include: participant course surveys several months following training; interviews with training co-ordinators and supervisors; and, in-field training session observance of students by co-ordinators. This assessment occurs after the learner has returned to his or her workplace. The standard used by the T&E Unit is to allow at least six weeks to elapse after the course to provide more probability that opportunities have arisen for the learner to apply the new learning as well as to measure learning retention.
- **Impact of Learning:** Did the program have the desired impact? Assuming that the training program was intended to solve an organizational problem, this question asks, “Was the problem or issue resolved?” This level of evaluation cannot be measured for at least six months and may not occur for considerable time after the delivery of a program. Many impacts must be pre-determined for evaluators to properly assess whether the training met its ultimate goal. The City Auditor’s report helps provide ‘impact data’ foci for this level.

Courses are generally evaluated on Reaction by the use of course evaluations. Learning is evaluated by testing, instructor observation and peer feedback. Transfer and Impact evaluations are much more time consuming and complex. They are part of long-term in-depth analysis. The Sexual Assault Investigators’ Course (SAIC) and the Child Abuse Investigators’ Course (CAIC) will be assessed using all four phases of evaluation. Notably, these are two separate training programs that evolved out of the former Sexual Assault and Child Abuse Investigators’ Course (SACA).

To facilitate the training evaluation process T&E has established the Learning Development and Standards Section. This allows for an expansion of evaluation strategies and an active audit process for all Service training. The new section is responsible for quality assurance, instructor accreditation, adult education, coordination of field training supervisors, e-learning, record coordination, amongst other duties. Furthermore, this section has specialized software, hardware and training that allows for much of the quantitative data collection to be automated.

Changes Specific to the Sexual Assault Investigators Course (SAIC)

In 2008, the SACA course was discontinued. It was replaced by the SAIC and the CAIC. Initially both of these courses were 5 days in length; however, the SAIC has been expanded to 10 days. The recommendations from the Auditor's report (2004) and the report from the subcommittee to the Sexual Assault Audit Steering Committee have played a significant role in the changes to both courses. The following changes have been made in response to City Auditor's report and subsequent work of the Sexual Assault Investigation Steering Committee.

- 1. Material has been redesigned within a gendered anti-racist framework regarding the sexual assault of adult women. The content of the Jane Doe audit as well as recommendations in the Campbell Report form a basis for training material.*

Speakers have been advised of the concerns of the subcommittee of the Sexual Assault Audit Steering Committee and they have adjusted their presentations, case examples and language, which focuses on the sexual assault of adult women.

The recommendations from the Sexual Assault Audit reports and Justice Archie Campbell's Review of the Bernardo Investigation have been incorporated into the course both as a specific topic and as an emphasis in the course content. More time on the first day has been allocated to allow for more information on the Audit recommendations, procedures, myths, stereotypes and barriers to reporting.

Material will be continually adjusted and revised to reflect the gendered anti-racist framework standard.

- 2. Adult education training methodologies are being utilized.*

Several initiatives have been commenced to provide training to T&E staff on adult education techniques and methods. The facilitators for the SAIC attended 'Train-the-Trainer' instruction provided by the Children's Aid Society to its trainers, and studied various adult education techniques. Several facilitators from the Investigative Section of T&E have completed the adult education training provided through Humber College, which is mandatory for all instructors. As new officers arrive for instructional duties at T&E, they are scheduled for training in adult education methodologies.

Based on the training received, facilitators are encouraging presenters to use various and appropriate adult education techniques during their presentations.

- 3. The module on the Sexual Assault Evidence Kit (SAEK) has been redesigned 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.*

The module on the SAEK has been revised to reflect the medico-legal requirements of the kit and includes information about the negative impact of the process. Officers are encouraged to assess the actual benefits for having the woman that has experienced a sexual assault to go through the SAEK process in the context of that investigation.

- 4. Research continues and gendered, anti-racist, anti-oppression handouts, research and literature are being used as teaching tools.*

Information has been provided by the sub-committee to the Sexual Assault Audit Steering Committee that has been incorporated into the curriculum and available in the resource material for the course. As trainers continue to become aware of, and have access to, gendered, anti-racist, anti-oppression handouts, research and literature, it is incorporated into discussion and made available in the resource material. These materials will also be reviewed by external experts.

- 5. Gendered anti-racism issues 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 are being incorporated into the SAIC.*

The issues raised in this initial recommendation (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) have been incorporated into the training. The language used by facilitators and presenters is scrutinized for words or phrases that perpetuate myths and/or stereotypes. The addition of a section on 'Human Trafficking' has added significantly to the understanding of woman from countries engaged in torture and war.

- 6. Categories in ViCLAS have been reviewed.*

Although the Service recognizes that some of the questions in the ViCLAS book may need to be reviewed for their content, it has to be recognized that the ViCLAS book and its contents are the responsibility of the Royal Canadian Mounted Police and it is not within the authority of the Service to make changes. That said, emphasis during training is on the offender's behaviour toward the person being assaulted to help avoid reinforcement of rape myths and other stereotypes about women.

- 7. It was recommended that the physical environment be improved and updated as equipment and use of space in the current location are not conducive to focussed learning or training.*

The Service has recognized the limitations of the T&E facility located at 4620 Finch Ave East and is currently involved in building a new training facility at 70 Birmingham Street in the former City of Etobicoke. Resources are being focused on the new College and an assessment of

the effectiveness and efficiency of those resources will be completed once training operations have transferred there.

8. *Adult education theories are being implemented with respect to the layout and dynamic interaction in the classroom.*

Facilitators are being taught adult education theories and techniques, which includes classroom configuration, group process dynamics amongst many others. Further enhancement of the course by using adult education theories promoting dynamic interaction will be enhanced by the layout of the new T&E facility. Students will have access to break out rooms to encourage discussion, practical exercises and role plays. As previously noted, a more comprehensive evaluation of the physical training resources and how these support the learning environment will take place after the transfer of operations to the new training facility.

9. *Training now focuses on the sexual assault of adult women.*

The SACA Course has been discontinued. It was replaced by the SAIC and the CAIC. Initially both of these courses were 5 days in length; however, the SAIC has been expanded to 10 days. The recommendations from the City Auditor's report (2004) and the report from the subcommittee to the Sexual Assault Audit Steering Committee have played a significant role in the changes to both courses. The restructure and implementation of the new SAIC course will be assessed at all levels of the evaluation hierarchy and compared to the data and results of the former SACA Course.

10. *A code of conduct for the classroom has been implemented that uses an educational approach to inappropriate comments and dynamics. This code of conduct has been placed into existing T&E Unit Specific Policies.*

A 'Classroom Code of Conduct' has been drafted that incorporates the recommendations of this review, as well as existing standards of behaviour as outlined in Governance documents. This 'Classroom Code of Conduct' forms part of the T&E's Unit Specific Policies (USP) - 'Student Conduct at Charles O. Bick College (USP #34), which includes (as examples):

- Guidelines for appropriate and inappropriate behaviour, responses / participation should be discussed at the beginning of the course.
- Prohibition on inappropriate joking about sexual assault, sexist, racist, homophobic jokes / comments including media or printed material.
- All beepers, phones turned off during sessions.
- T&E trainers remain in the classroom for each training module to monitor dynamics, to ensure continuity of the learning process and to clarify or address issues both in terms of content and process

The issue of conduct / behaviour is addressed verbally during the introduction (first class) of every course which is the introduction to the course. Copies of the USP are available both electronically and in paper.

11. Trainers provide orientation to the training package.

The contents of the orientation package have been reviewed and updated to ensure that it is relevant especially in terms of gendered and anti-racist content. During the introductory session (first class), the contents of the orientation package are reviewed with the students. The content of the orientation package will be updated as material changes or new material becomes necessary.

12. Modules have continuity and others have been deleted or amended to reduce duplication.

Substantial changes have been made to the syllabus to reflect continuity and reduce duplication. Discussion and examples are now focused on adults who have experienced sexual assault. The modules on forensics and drug facilitated sexual assaults have been changed to reflect the focus on adult women. The module “Investigating a Drug Facilitated Sexual Assault” has been removed.

13. There is a reduction on the reliance on false allegations as an underpinning of the training.

The initial recommendation was to make this content no more than 10 minutes of the presentation on ‘Interviewing the Victim.’ Further review has led to the removal of the module on ‘False Allegations’. The emphasis on false reports has been reduced and replaced with a discussion of issues of truthfulness and honest mistake, which may affect witness statements, emphasizing the need for investigative objectivity and a balanced professional approach to reconciling investigative inconsistencies.

The use of a role play exercise that addresses interviewing the woman has also been incorporated into the training for the SAIC. The role play is based upon the scenario used for practical exercises throughout the course.

14. The nature of the “victim presenter” is being shifted.

The Victim presenter has been removed from the course. A video that involves women who have been sexually assaulted is being developed.

15. Presenters from the Sexual Assault Care Centre (SACC) focus on the sexual assault of adult women, utilizing the gendered, anti-racist resources and material from their agency.

The SACC module has been given more time and now has a more interactive component in their presentation. SACC presenters utilize the gendered, anti-racist resources of their agency.

Evaluation of the Changes

The training provided to officers on sexual assault investigations has undergone substantial revisions, with every change made to the course based on the recommendations from the City Auditor and the Steering Committee. These substantial changes will be assessed using the previously noted framework of measuring the training in four contexts – learner reaction,

learning gain, transfer of learning to the workplace and impact of the learning. The evaluation will comprise both quantitative and qualitative methodologies. For example, preliminary plans are to have a transfer-level questionnaire applied to all candidates who have taken the newly structured course.

The Service has also implemented a Sexual Assault Steering Committee, on which members of T&E participate. This committee, which has broad community representation, will be a source of information to properly evaluate the training.

All evaluative data collected will be collated and analyzed. The results will be included in the Service's annual report to the Board on the evaluation of training programs.

Conclusion:

The training provided to officers on sexual assault investigations is being enhanced, with every change made to the course based on the recommendations from the City Auditor and the Steering Committee. Training within the Service is an activity that supports identified needs, policies and statutes. It is recognized that courses will evolve and change to address issues surrounding community and organizational needs. The use of standard methodological processes in training evaluation helps ensure that these needs are satisfied.

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 asked for a clarification of the name of the sub-committee identified in the response to point no. 4 under the heading "Changes Specific to the Sexual Assault Investigators Course". The Board was advised that the correct name of the sub-committee is the Sexual Assault Advisory Committee and not the Sexual Assault Audit Steering Committee as noted in the report.

The Board received the foregoing report and agreed to forward a copy to the Auditor General for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P282. RESPONSE TO THE AUDITOR GENERAL'S REPORT ENTITLED
"REVIEW OF COURT SERVICES, TORONTO POLICE SERVICE"**

The Board was in receipt of the following report September 19, 2008 from William Blair, Chief of Police:

Subject: RESPONSE TO THE AUDITOR GENERAL'S REPORT ENTITLED "REVIEW
OF COURT SERVICES, TORONTO POLICE SERVICE"

Recommendations:

It is recommended that:

- (1) the Board receive this report; and,
- (2) the Board forward a copy of this report to the City Audit Committee for information.

Financial Implications:

There are no financial implications relating to the recommendations contained within this report. The Auditor General's (AG's) report identified several areas where recommended changes would result in approximately \$0.9M in annual operating budget savings. Each recommendation has been considered carefully, and commented on in detail in this report (appendix A). Although action has been taken to address the AG's concerns wherever possible, the largest potential savings cannot be realized, as explained in appendix A. The impact of any changes that can or have been implemented has been taken into consideration in the development of the 2009 Operating Budget request for Court Services.

Background/Purpose:

At its meeting of July 24, 2008, the Board received a presentation and report from Mr. Alan Ash, Director, AG's Office, with respect to the results of the audit of Court Services (Min. No. P194/08 refers). Following consideration of this presentation and report, the Board approved the following Motions:

- (1) *THAT the Board approve the foregoing report;*
- (2) *THAT the correspondence to be sent by the Board with regard to recommendation No. 1 in the Auditor General's report be copied to the Minister of Finance for information;*
- (3) *THAT the Chief of Police prepare a response to the Auditor General's report and provide it to the Board; and*
- (4) *THAT the Board request the Auditor General to conduct a follow-up audit at a time he determines is appropriate.*

Discussion:

The objective of this audit was to assess and determine the extent to which resources of the Toronto Police Service (TPS) were deployed efficiently and effectively in ensuring courthouse security and prisoner transportation, and to identify potential opportunities for cost savings.

The issues identified in the report centre around three separate but related themes. These themes relate to the following areas:

Section A: Funding Arrangements Pertaining to Court Security and Prisoner Transportation;

Section B: Administrative and Staff Resource Issues Identified Within the Jurisdiction of the Toronto Police Service; and

Section C: Administrative, Staff and Facility Resource Issues Identified Outside the Jurisdiction of the Toronto Police Service.

The review identified the need for fundamental change in the funding relationship between the City of Toronto and the Province of Ontario in relation to court security and prisoner transportation. Currently, the TPS is in the position of having to adjust to increasing provincial demands in court security and prisoner transportation services without any authority or control over related funding issues.

Some of the issues raised in the report are complex and difficult to remedy because of the various governmental jurisdictions involved in the administration of the judicial process. While many opportunities for efficiencies and cost savings within the jurisdiction of the TPS were identified in the report, the TPS under current funding arrangements has no option but to continue to operate within a system over which the TPS has limited control.

During the course of their review, representatives from the AG's Office met frequently with members of the TPS to discuss the identified issues. A number of these issues have the potential to reduce the operating costs of Court Services. Several of these identified issues were acted upon immediately upon notification to management. Other remaining issues are currently being evaluated.

Attached to this report (Appendix "A") is an overview of the recommendations contained within the Auditor's Report and the TPS response to any action taken with regard to each recommendation.

Conclusion:

The review of Court Services identified the need for fundamental change in the funding relationship between the City of Toronto and the Province of Ontario in relation to court security and prisoner transportation. At the present time the TPS is in the position of having to adjust to increasing provincial demands in court security and prisoner transportation services without any authority or control over related funding issues.

Some of the issues raised in the AG's report are complex and difficult to remedy because of the various governmental jurisdictions involved in the administration of the judicial process. While many opportunities for efficiencies and cost savings within the jurisdiction of the TPS were identified in the report, the TPS under current funding arrangements has no option but to continue to operate within a system over which the TPS has limited control.

For their part, Court Services is committed to working with our partners from the city and the province to ensure that prisoner transportation services are delivered in the most efficient, cost effective manner possible. The AG's Review of Court Services identified some areas where cost savings could be achieved through restructuring or variation in the day to day operation of the unit. Court Services is moving forward with those recommendations that can be implemented to ensure that prisoner transportation costs remain in line with the operating budget of Court Services and the TPS.

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

The Board was also in receipt of correspondence (dated October 07, 2008) from Laura Miller, Director of Operations, Office of the Premier, containing a response to the Board's correspondence regarding the uploading of court security and prisoner transportation costs to the province. Copies of both letters are appended to this Minute for information.

The Board commended Chief Blair for a comprehensive response to the Auditor General's report. Chief Blair extended his appreciation to the Auditor General for conducting the audit at his request.

The Board received the foregoing report and the correspondence from the Office of the Premier. The Board also agreed to forward copies of this matter to the following for information:

- **the Premier of Ontario;**
- **the Honourable Warren Winkler, Chief Justice of Ontario; and**
- **the City of Toronto – Audit Committee.**

Appendix “A”

Response to Recommendations

Section A: Funding Arrangements Pertaining to Court Security and Prisoner Transportation		
Recommendation	Agree Partially Agree Disagree	Action Taken
<p>Toronto City Council, the Toronto Police Services Board and the Chief of Police continue to petition the Ontario Government in connection with the uploading of court security and prisoner transportation costs to the Province. Ongoing efforts be directed to the Provincial Municipal Fiscal and Service Delivery review Team in connection with the transfer of responsibility for such funding.</p>	Agree	<p>The Toronto Police Services Board has forwarded copies of the Auditor’s report to the Premier, the Attorney General, Minister of Community Safety and Correctional Services and a representative of the Provincial Municipal Fiscal Review Team as the Audit’s Report recommended.</p> <p>Status: complete</p>
Section B: Administrative And Staff Resource Issues Identified Within The Jurisdiction Of The Toronto Police Service		
<p>The Chief of Police evaluate the cost saving opportunities identified in this report in the following areas:</p> <p style="margin-left: 40px;">i. Prisoner transportation:</p> <ul style="list-style-type: none"> • The reassignment of prisoner transportation officers to court security duties after peak transportation duties. <p>In conducting this evaluation, the Chief of Police review the documentation prepared by the Auditor General supporting these cost reductions. Where appropriate, such cost saving measures be implemented.</p>	Partially Agree	<p>Court Services has an established practice whereby prisoner transportation officers report to the cell supervisor and assist with controlling prisoners at the courthouse during times of reduced transportation demands. The prisoner transportation unit can be called away with minimal notice to move a prisoner from an arresting division to a central lockup facility. This 24 hour service is provided to avoid the higher costs of having police officers transport prisoners. It also helps to ensure police officers remain engaged in front line duties. Prisoner transportation officers should not be assigned to duties or responsibilities that cannot be easily backfilled when they are operationally required to fulfil their primary job functions.</p> <p>Status: complete</p>
<p>Recommendation continued:</p> <p style="margin-left: 40px;">i. Prisoner transportation:</p> <ul style="list-style-type: none"> • The need to make better use of technology in the management of prisoner transportation 	Agree	<p>Court Services is continually exploring new and innovative methods to improve technical capabilities within the unit.</p> <p>An in house application has been implemented that provides a level of prisoner management. Support from Information Technology Services (ITS) is required to network and improve technical capabilities within the unit. We will continue to work with ITS to improve operability in relation to management of prisoner transportation.</p> <p>Status: ongoing</p>

<p>Recommendation continued:</p> <p>ii. Courtroom security during weekdays, weekends and statutory holidays:</p> <ul style="list-style-type: none"> The staggering of start and finish times of prisoner transportation officers working midnight shifts. <p>In conducting this evaluation, the Chief of Police review the documentation prepared by the Auditor General supporting these cost reductions. Where appropriate, such cost saving measures be implemented.</p>	<p>Partially Agree</p>	<p>Court Services is bound by the requirements of the Collective Working Agreement concerning the compressed work week schedule; however, some of the recommended adjustments to start times have been implemented. The afternoon start time has been changed from 1400 to 1500 hours and two of the four night wagons start at 2330 instead of 2100 hours. The 1500 start time allows for better coverage for hospital runs and reduces overtime. The 2330 start time extends into the day shift and allows the night wagon to assist with regular early morning pickups from GTA detention centres. These shift changes were implemented in consultation with City auditors during the audit process and prior to the submission of the final report.</p> <p>Status: complete</p>
<p>Recommendation continued:</p> <p>ii. Courtroom security during weekdays, weekends and statutory holidays:</p> <ul style="list-style-type: none"> The reduction of supervisory staff during early morning shifts 	<p>Disagree</p>	<p>The province funds the TPS for transportation to certain detention centres outside the City of Toronto. Included in the funding is the salary for a number of court officers and one supervisor. The province has also provided two “MCI” busses specifically outfitted for prisoner transportation. The additional supervisor is responsible for co-ordinating and providing training on bus operations and procedures. This individual also monitors the out of town transports, gathers daily statistics and manages the processes. Reducing this supervisory position would result in no cost savings to the TPS and would increase the workload of the regular supervisor, while reducing span of control.</p> <p>Status: not implemented</p>
<p>Recommendation continued:</p> <p>ii. Courtroom security during weekdays, weekends and statutory holidays:</p> <ul style="list-style-type: none"> The possibility of installing fingerprinting equipment at more local police stations in order to reduce prisoner transportation from and to police stations. A business case should be developed in support of any increase in fingerprint equipment. 	<p>Disagree</p>	<p>A business case could be commissioned by Command, but would likely reveal a high cost to the TPS through the need for additional booking room officers at each police division to support the additional responsibilities. Any financial benefits realized in Court Services would be offset by costs incurred by front line policing divisions.</p> <p>Status: not implemented</p>

<p>Recommendation continued:</p> <p>ii. Courtroom security during weekdays, weekends and statutory holidays:</p> <ul style="list-style-type: none"> • Court officer hours are 0830 to 1700 hours with court hearings scheduled to begin between 0900 and 1000 hours. A number of Toronto courthouses are open to the public as early as 0700 hours. Consequently, the presence of one or more officers is required at that time to manage access security. Allowing public access at 0830 hours has the potential to save approximately \$100,000 on an annual basis. 	<p>Disagree</p>	<p>The Ministry of the Attorney General controls the operating hours of the courthouses. The TPS cannot alter the operating times set by the Ministry. No alternative strategies exist for this recommendation.</p> <p>Status: not implemented</p>
<p>Recommendation continued:</p> <p>ii. Courtroom security during weekdays, weekends and statutory holidays:</p> <ul style="list-style-type: none"> • Staffing levels at each court location varies depending on factors such as variations in facility design and size, and the security posed by various cases. 	<p>Agree</p>	<p>A detailed study of all positions within Court Services has been conducted. The focus of the study was to determine the optimum distribution of part time and full time staff in relation to courthouse tasks. During this study, a standard deployment model was developed and is being used to provide a base to determine best practices in the area of resource deployment. Courthouse security demands are dynamic and require ongoing re-evaluation throughout the day to meet the fluctuating needs of the courthouse.</p> <p>Status: complete</p>
<p>Recommendation continued:</p> <p>ii. Courtroom security during weekdays, weekends and statutory holidays:</p> <ul style="list-style-type: none"> • Court Costs on Weekends and Statutory Holidays. The Old City Hall Provincial Court operates two bail and remand courts on weekends and statutory holidays. At the same time, prisoner transportation officers are scheduled to provide transportation services at all police central lock-ups and transport prisoners to the Old City Hall Provincial Court for court appearances. The review identified possible savings in relation to the possibility of shift changes for both full time and part time court officers, including the possibility of staggered start and finish times could save approximately \$160,000 annually. 	<p>Partially Agree</p>	<p>The scheduled hours of two court officer positions were altered. The staggering of remaining shifts has been considered but cannot be implemented without significant risk.</p> <p>A complete review of Weekend and Statutory Holiday staffing was conducted. The review identified \$50,000 in annual call-back costs to replace members booking off sick or being called in to provide additional security when the volume of prisoners was unusually high. An additional member was added to the regular weekend and statutory holiday court roster to alleviate the workload pressures and reduce call-backs. Strict regulatory practices were implemented to monitor attendance. Court Services has almost eradicated the call-back costs associated with weekend and statutory holiday court since implementing these changes.</p> <p>Status: complete</p>

<p>Recommendation continued:</p> <p>iii. Court officers working lunches.</p> <ul style="list-style-type: none"> On many occasions, prisoner transportation officers work without a lunch break. This has become a common and generally accepted practice. Officers are compensated either by completing their shift one hour early or booking an additional hour at regular pay. Officers performing courtroom duties may occasionally work without lunch. Based on the review, it is felt that better management control and supervision in this area could significantly reduce the extent of working lunches. A 75% reduction in working lunches would generate annual cost savings of approximately \$600,000. 	<p>Disagree</p>	<p>Court Services assigns a lunch hour to each court officer each day. It is not always operationally possible for officers to use their allotted lunch break. There is an accord between the TPS and the Toronto Police Association formalizing a Revised Shift Schedule for officers assigned to PTU on the compressed work week. Under this accord, officers may work through their lunch hour and use the credit earned to leave one hour early. This practice improves efficiency by eliminating overlapping shifts. Court Services attempted to implement mandatory lunch breaks and immediately began incurring overtime. There was also a negative impact to Correctional Services resulting from the delayed return of prisoners.</p> <p>Court Services closely monitors lunch credits and has implemented additional in-house tracking programs to monitor premium pay costs, including lunch credits.</p> <p>Status: not implemented</p>
<p>The Chief of Police review the recommendations contained in the report entitled “Review of Police Training, Opportunities for Improvement – Toronto Police Service” in order to ensure that the recommendations in the report which have relevance to court officer training are properly addressed.</p> <p>i. Court Officer Training:</p> <ul style="list-style-type: none"> In 2007, the Auditor General’s Office issued a report relating to Toronto police training entitled “Review of Police Training, Opportunities for Improvement, Toronto Police Service”. Certain of the recommendations contained in the audit report are applicable to the training of court officers. 	<p>Agree</p>	<p>Court Services is creating a new front line supervisory course and a leadership development plan.</p> <p>Supervisor learning sessions have been provided to all front line supervisors and managers in the interim. Leadership development is currently being provided to members interested in promotion or identified as candidates for promotion.</p> <p>Status: ongoing</p>

<p>Recommendation continued:</p> <p>i. Court Officer Training:</p> <ul style="list-style-type: none"> • In the Auditor General's 2006 Police Training Review report, recommendations were made regarding new officer training, including issues relating to non-compliance with internal policy on qualification and training of police coach officers, number of coach officers required to be trained each year, length of classroom and field training, evaluation of training, and procedures concerning the appointment of coach officers. All of these recommendations are applicable to TPS divisions, including Court Services. 	<p>Agree</p>	<p>Court Services has reviewed and updated their new officer and field training coach officer programs.</p> <p>Included in the program are selection criteria and training requirements for new coach officers</p> <p>Status: complete</p>
<p>The Chief of Police ensures that court officers are trained in use of force requirements every 12 months as required by legislation.</p>	<p>Agree</p>	<p>The Auditor General's office has been advised by the Chief of Police that the TPS is now in compliance with the legislation. Court Services has implemented a process that closely monitors compliance with use of force training. There are 45 use of force training days available for the 581 court officers. The 2007 to 2008 transition is currently 99% compliant. Immediate action is taken with any incident of non compliance. In 2009, Court Services will have a spring and fall training program that will allow for expanded training opportunities, ensuring consistency and compliance with the Use of Force training legislation.</p> <p>Status: complete</p>
<p>The Chief of Police be required to establish criteria in relation to the selection of qualified trainers.</p>	<p>Agree</p>	<p>The coach officer program has been developed and the first group of coach officers received the course in September 2008. Any member of Court Services assigned coach officer duties must successfully complete the Court Services Coaching and Mentoring Course.</p> <p>Status: complete</p>

<p>The Chief of Police review the training schedule for court officer trainers in order to ensure that the training time is commensurate with the training demands.</p>	<p>Disagree</p>	<p>Based on the Auditor General's Review of the course teaching schedule, each recruit trainer on average was responsible for 14 days of "stand-up" classroom teaching in delivering three recruit courses each year. Even with the classroom time for delivering other courses in 2007, as well as the estimated preparation time for each class, total teaching related activities provided by the recruit trainers accounted for approximately 15% of available staff time. Non-teaching functions such as applicant interviews, research, and maintaining the Court Services intranet website do not, in the view of the Auditor General's office, fully account for remaining staff time.</p> <p>Status: no further action</p>
<p>Recommendation continued:</p> <p>Based on the above, it is the view of the Auditor General's office that there are opportunities to realign teaching responsibilities so that they are more in line with demands.</p>	<p>Partially agree</p>	<p>The Court Service's Training Unit was responsible for many additional unstructured functions, including monitoring and distributing officer safety and occupational health/wellness information, legislative research and the revision and maintenance of unit specific policies. The audit did not capture the full range of unstructured duties performed by the Training Unit. The training section is currently undergoing a complete review of processes and practices. The review should be complete by the fall of 2008. Court Services is working closely with Training and Education to ensure training schedules are accommodated in a manner that is effective and efficient for Court Services. It is anticipated that an improved structure in the training unit will allow for effective monitoring of workload.</p> <p>Status: complete.</p>

Section C: Administrative, Staff and Facility Resource Issues Identified Outside the Jurisdiction of the Toronto Police Service

<p>Under the current administrative structure, the Toronto Police Service is one of four bodies involved in administering the Ontario justice system within Toronto. The other three bodies are; The Judiciary; The Ontario Ministry of the Attorney General and the Ontario Ministry of Community Safety and Correctional Services.</p> <p>Each one of these entities has their own pre-defined roles and responsibilities in the administration of the Ontario court system. It is clear, however, that certain of these roles and responsibilities have a significant impact on the way the Toronto Police Services Board is able to fulfil its role in connection with court security and prisoner transportation.</p> <p>The funding of court security and prisoner transportation costs by police services is unique to Ontario. In all other Canadian provinces funding for these services is a responsibility of the provincial government. It is anticipated that the ongoing Provincial-Municipal-Fiscal and Service Delivery Review will address the issue of the funding relationship between the province and the City of Toronto.</p>	<p>Agree</p>	<p>Various factors affecting court security and prisoner transportation costs are completely outside the control of the TPS. Until each one of these is addressed, costs relating to court security and prisoner transportation will continue to increase. At the present time the province has no incentive to address these issues as the costs relating to them have no impact on expenditures incurred by the province. Until the province assumes the costs relating to court security and prisoner transportation will there be an impetus to reduce such costs.</p> <p>While the police service is not in a position to address any of the following issues, we are of the view that the disclosure of such issues in this report has some validity in the context of identifying the fact that cost savings to all taxpayers are in fact possible on a provincial wide perspective.</p> <p>Remedies for each one of the issues impacting court security and prisoner transportation costs are generally long term, likely require significant infrastructure investment and, as a result, short term solutions for the most part are not possible. The province needs to address each of the following if potential cost savings are to be realized for both the Province and the City</p> <p>Status: no action required</p>
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Office of the
Premier

Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A1

Cabinet du
Premier ministre

Édifice de l'Assemblée législative
Queen's Park
Toronto (Ontario)
M7A 1A1



October 7, 2008

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

Dear Dr. Mukherjee:

Thank you very much for writing to request a meeting with Premier Dalton McGuinty. He values the issues you raised and appreciates your bringing them to his attention.

Unfortunately, due to scheduling constraints, the Premier is unable to meet with you.

On behalf of Premier McGuinty, thank you again for writing.

Sincerely,

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

Laura Miller
Director of Operations





Toronto Police Services Board

40 College Street, Toronto, Ontario, Canada. M5G 2J3
(416) 808-8080 FAX (416) 808-8082
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September 15, 2008

The Honourable Dalton McGuinty
Premier
Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A1

Dear Sir:

At its meeting on July 24, 2008, the Toronto Police Services Board ("the Board") received a report from the City of Toronto Auditor General, Mr. Jeffery Griffiths, on the results of an audit which had been conducted on the Toronto Police Service – Court Services Unit.

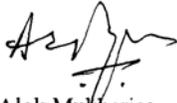
A copy of the Minute from that meeting which contains the Auditor General's report is attached for your information.

I would like to draw your attention to Recommendation No. 1 contained on page 22 of the report which recommends that the Board "continue to petition the Ontario Government in connection with the uploading of court security and prisoner transportation costs to the Province."

As directed by the Board, I am forwarding the foregoing recommendation to you for consideration. As you are, no doubt, aware the issue of court security and prisoner transportation cost has been of great concern to this Board for a long time. We would like to see some urgent movement in addressing this issue. The Board fully accepts the report of Auditor General Griffiths.

I, and members of my Board, would be pleased to meet with you, if necessary, to find a way of working collaboratively on this matter. In any event, I look forward to an early response from you.

Yours truly,



Alok Mukherjee,
Chair

attach: TPSB Minute No. P194/08

cc: The Honourable Dwight Duncan, Ministry of Finance

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

#P283. POSTING SERVICE PROCEDURES ON THE INTERNET

The Board was in receipt of the following report September 24, 2008 from William Blair, Chief of Police:

Subject: POSTING SERVICE PROCEDURES ON THE INTERNET

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 July 10, 2007 meeting, the Board received a report from the Chief of Police outlining the process for the publication of Service procedures on the Internet (Min. No. P230/07 refers).

Subsequently, at its November 15, 2007 meeting, the Board received a report from the Chief of Police advising that a condensed document, relating to each Service procedure, would be created for posting on the Internet (Min. No. P361/07 refers).

Discussion:

Corporate Planning (CPN) has begun reviewing Toronto Police Service (Service) procedures to create user-friendly procedure information sheets for publication on the Service Internet website.

The new procedure information sheets contain highlights from the Service procedures that will lead to greater understanding of our practices, and provide information about the role of the police. Each procedure information sheet is designed to be a user-friendly document, written in plain language and meant to provide information to the general community. Users are advised that these documents are not written to provide legal advice and if users have specific legal questions they should refer to the appropriate legislation and/or seek legal counsel.

CPN commenced posting the procedure information sheets in mid-September, beginning with the ten (10) procedures that are most often requested from the Access and Privacy Section of Records Management Services – Information Access.

Conclusion:

The Service commenced posting the procedure information sheets on the Service Internet website in mid-September, with a commitment to post the sheets for all Priority 1 and Priority 2 procedures by the end of 2008.

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 OCTOBER 16, 2008**

**#P284. OMBUDSMAN REPORT: “OVERSIGHT UNSEEN” – INVESTIGATION
INTO THE SPECIAL INVESTIGATION UNIT’S OPERATIONAL
EFFECTIVENESS AND CREDIBILITY**

The Board was in receipt of the following report September 30, 2008 from Alok Mukherjee,
Chair:

Subject: SPECIAL INVESTIGATIONS UNIT REPORT ENTITLED "OVERSIGHT
UNSEEN"

Recommendation:

It is recommended that:

1. the Board receive the attached report and forward a copy to the Chief with a request that he review the report, and;
2. request that the Chief review the report and provide the Board with his comments with respect to Mr. Marin’s recommendations regarding broadening of the definition of “serious injury” and his various recommendations concerning delay.

Financial Implications:

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

Background/Purpose:

Prompted by complaints and concerns raised by citizens and community groups, Mr. André Marin, Ombudsman of Ontario, launched a systemic investigation into the operational effectiveness and credibility of the province’s Special Investigations Unit (the SIU).

The report, entitled "Oversight Unseen" was released on September 29, 2008, and makes 46 recommendations, including proposed amendments to current legislation, in order to address the SIU’s operational deficiencies.

Discussion:

Of particular interest to the Board is Mr. Marin’s recommendations with respect to the broadening the definition of “serious injury” and recommendations dealing with a variety of delays in the course of SIU investigations.

Mr Marin states that “despite the fact that the SIU’s jurisdiction is triggered by police incidents in which serious injury or death of a civilian has occurred, the key term “serious injury” is not defined by the legislation.¹” According to Mr. Marin “the limitation of the current definition of “serious injury” are, in part, self-imposed, and reflect the SIU’s reluctance to apply the mandate beyond what has been grudgingly accepted in police circles².”

With respect to delay in police notifying, he makes a number of recommendations about delays at many states of the SIU investigative process. He also notes delays on the part of police services in notifying the SIU.

Conclusion:

It is recommended that the Chief review Mr. Marin’s report and provide the Board with his comments regarding broadening of the definition of “serious injury” and his various recommendations concerning delay.

The Board approved the foregoing report with an amendment to recommendation no. 2 as noted in italics below:

THAT the Chief review the report and provide the Board with his comments with respect to Mr. Marin’s recommendations regarding broadening of the definition of “serious injury”, his various recommendations concerning delay, and any other issues that are of relevance to the Toronto Police Service in terms of its advocacy and policy making roles.

¹Ombudsman Report, Andre Marin, Ombudsman of Ontario. Oversight Unseen – Investigation into the Special Investigation Unit’s operational effectiveness and credibility, 2008. pg. 19 para 65

² Ombudsman Report, Andre Marin, Ombudsman of Ontario. Oversight Unseen – Investigation into the Special Investigation Unit’s operational effectiveness and credibility, 2008. pg. 21 para 73



Ombudsman Report

**Investigation into the Special Investigations Unit's
operational effectiveness and credibility**

“Oversight Unseen”

André Marin
Ombudsman of Ontario
September 2008

Executive Summary

- 1 Canada received considerable unfavourable international attention last fall when millions witnessed the graphic video images of the last terrifying moments in the life of Robert Dziekanski. After a long and delayed international flight from his native Poland, Mr. Dziekanski arrived at Vancouver Airport, only to spend hours wandering hopelessly, unable to communicate or to obtain the assistance he needed to exit and meet up with his mother. As Mr. Dziekanski became increasingly confused and agitated, RCMP officers arrived and, within minutes, stunned him with a Taser. He was then restrained, and died shortly thereafter. In the aftermath of this tragedy, public accusations were made of coverup and police using excessive force. People demanded assurance that the truth surrounding his ill-fated encounter with police would be revealed, and many voiced distrust of any investigation that would involve police investigating police.
- 2 To Ontario's great credit, incidents in this province involving serious injury and death of civilians resulting from police contact are not investigated by police officials, but by the Special Investigations Unit (SIU), a civilian criminal investigative agency. Created in 1990, the SIU's existence is a testament to the strength of democratic principles in this province, and the value our government has placed on reinforcing public confidence in policing.
- 3 Unfortunately, over the past two years, several serious concerns have been raised by individuals, families, lawyers and community advocates who complained to my Office about the credibility and effectiveness of the SIU.
- 4 As previous independent reviews have documented, the SIU's early history was marked by successive governments failing to provide it with adequate resources, and by police officials aggressively resisting its oversight. While its resources have increased over time, and regulatory requirements now more clearly define police obligations, my investigation found that the Special Investigations Unit continues to struggle to assert its authority, maintain its balance against powerful police interests, and carry out its mandate effectively.
- 5 The SIU is still very much a fledgling organization. It does not have its own constituting legislation, its mandate lacks clarity, it is administratively and technically challenged and it is dependent on the Ministry of the Attorney General.
- 6 In turn, the Ministry of the Attorney General has relied on the SIU to soothe police and community sensibilities and to ward off controversy. But in doing so, it

has also overstepped the bounds of independent governance. The Director's performance is subjectively evaluated and rewarded, compromising the SIU's structural integrity and independence. Its credibility as an independent investigative agency is further undermined by the predominant presence and continuing police links of former police officials within the SIU. It is so steeped in police culture that it has, at times, even tolerated the blatant display of police insignia and police affiliation.

- 7 In addition to lacking the necessary statutory authority to act decisively when police officials fail to comply with regulatory requirements, the SIU often ignores the tools it does have, such as public censure, and adopts an impotent stance in the face of police challenge. Delays in police providing notice of incidents, in disclosing notes, and in submitting to interviews are endemic. Rather than vigorously inquiring into and documenting delays and other evidence of police resistance, the SIU deals with issues of police non-co-operation as isolated incidents. It ignores systemic implications and attempts to solve individual problems through a conciliatory approach.
- 8 The SIU has not only become complacent about ensuring that police officials follow the rules, it has bought into the fallacious argument that SIU investigations aren't like other criminal cases, and that it is acceptable to treat police witnesses differently from civilians. Police interviews are rarely held within the regulatory time frames, and are all too often postponed – for weeks, sometimes even months. The SIU will not inconvenience officers or police forces by interviewing officers off duty. When it encounters overt resistance from police officials, the SIU pursues a low-key diplomatic approach that flies under the public radar. If disagreement cannot be resolved, the SIU more often than not simply accepts defeat.
- 9 The SIU also fails to respond to incidents with rigour and urgency – at times inexplicably overlooking the closest investigators, and following routines that result in precious investigative minutes, sometimes hours, being lost. It has become mired in its own internal events, and introspective focus.
- 10 The SIU's system of oversight is out of balance. It must not only ensure accountability of police conduct, but be perceived by the public as doing so. At present, the public is expected to trust that the SIU conducts thorough and objective investigations and accept that its decisions are well founded when it decides, for example, not to charge officers. But much remains hidden from public view, including Director's reports and significant policy issues. In order to properly serve the function it was created to fulfill, greater transparency is required with respect to the SIU's investigative outcomes, as well as those of the

police disciplinary system triggered by SIU investigations.

- 11 In theory, the SIU is a fundamental pillar of accountability in Ontario. However, the reality is that the SIU is capable of much more than it is achieving at present. It is incumbent on government to provide the agencies it creates with the means to fully accomplish their mandates. The citizens of Ontario are entitled to a Special Investigations Unit with the necessary resources and tools to be the best that it can be. With that in mind, I have made 46 recommendations in this report, addressed at improving the system. The first 25 recommendations focus on the SIU itself. I believe that there is much that the SIU can do on its own to enhance and inject more rigour into its investigative practices, and its response to challenges to its authority. I have also made recommendations to address the issues created by a lingering police culture within the SIU, and to achieve greater transparency.
- 12 I have made six recommendations to the Ministry to address concerns about its failure to provide the SIU with the supports it needs, as well as the necessary distance to enable the SIU to properly function as an independent agency.
- 13 Finally, I have made 15 recommendations to the government of Ontario, because I believe the system for police oversight requires additional structural support that can only be provided through legislative amendment. It is time for the SIU to be accorded the respect and stature it deserves through its own constituting legislation. This is the next natural step in the evolution of the SIU. It is a necessary adaptation, in order to secure public confidence in the SIU, and in turn, foster public trust in policing in this province.

Investigative Process

- 14 On June 7, 2007, I launched a systemic investigation into the Special Investigations Unit's (SIU) operational effectiveness and credibility. The investigation was prompted by complaints received from affected individuals, family members, lawyers, and community groups who raised concerns about the SIU's independence and objectivity, as well as the thoroughness of its investigations. Concerns were also raised about the lack of information provided to the involved parties. We received dozens of additional complaints from members of the public following the announcement of the investigation.
- 15 Our investigation focused on the period subsequent to February 2003, since that was the last time an external review of the SIU was conducted.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P285. REQUEST FOR ONE YEAR EXTENSION – PHOTOCOPIER
CONTRACT**

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

Subject: REQUEST FOR ONE YEAR EXTENSION - PHOTOCOPIER CONTRACT

Recommendation:

It is recommended that the Board approve the option to extend the current contract with Toshiba of Canada Ltd., for the rental of digital plain bond paper photocopiers, for one year commencing January 1, 2009 and ending December 31, 2009 at a cost of \$0.0116 per copy (plus taxes) including rental costs, toner costs and service calls.

Financial Implications:

The proposed cost per copy for the one-year extension is less than the current cost. The lower per copy cost is due to a reduction in the number of hours that service would be provided by the vendor.

The Service has been experiencing a reduction in the number of photocopies since 2005, and the resultant savings have been reflected in the operating budget for the respective years. The 2008 budget for photocopying (not including the cost of paper) is \$380,000. Based on the proposed 2009 price and the anticipated number of photocopies in 2009, an estimated savings of \$100,000 would be realized over the 2008 budget. This savings will be reflected in the Service's 2009 operating budget request.

Background/Purpose:

At its meeting of November 17, 2005, the Board approved the rental of digital plain bond paper photocopiers from Toshiba of Canada Ltd. (Toshiba) commencing on December 1, 2005 and expiring on December 31, 2008, along with an option for two one-year extensions at the discretion of the Board (Min. No. P371/05 refers).

This report provides information on the Service's recommendation to exercise the option and extend the rental period for one year.

Discussion:

The current cost for the rental of photocopiers is \$0.0126 (plus taxes) per copy. This cost includes the rental of the photocopier, toner costs and service calls (Monday to Friday from 8:00 a.m. to 10:00 p.m.).

In determining whether to exercise the extension option with Toshiba, Purchasing Support Services (PSS) have compared the proposed cost per copy for the one-year extension against other government agency photocopier rental agreements (using similar photocopiers), and have found that the proposed cost from Toshiba is lower. PSS also reviewed the terms of the current rental agreement with Toshiba which provides for service calls Monday to Friday from 8:00 a.m. to 10:00 p.m., to determine if this level of service is still required. The Service's experience, over the last three years, with respect to the number of photocopier service calls requested between the hours of 4:00 p.m. to 10:00 p.m., is approximately two calls per week. Consequently, the need for service after 4 p.m. is minimal and can therefore be eliminated. Accordingly, under the one year extension, the Service has requested Toshiba to provide service calls Monday to Friday from 8:00 a.m. to 4:00 p.m. Under this arrangement, Toshiba has proposed a cost of \$0.0116 (plus taxes) per copy for the one-year extension. This cost per copy is 8% less than the current price. The Service has also experienced a reduction in the overall number of photocopies from an estimated 33 million in 2005 to a projected 24 million for 2009. Based on the proposed price per copy for 2009 and the projected number of copies in 2009, the photocopier rental cost for 2009 is estimated at \$278,400 (plus taxes), a reduction of almost \$100,000 from the 2008 budget.

Conclusion:

The current agreement with Toshiba which expires on December 31, 2008, includes an option to extend for two additional one-year periods. The Service has been satisfied with the performance of Toshiba over the term of the current contract, and the price per copy being proposed is very competitive. As a result, the Service is recommending that the Board approve the option to extend the current rental agreement for one year.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative 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 OCTOBER 16, 2008**

#P286. LEGAL FEES – TORONTO POLICE ASSOCIATION AND OCCPS

The Board was in receipt of the following report September 29, 2008 from Alok Mukherjee, Chair:

Subject: LEGAL FEES - TORONTO POLICE ASSOCIATION AND OCCPS

Recommendation:

It is recommended that the Board approve payment of the legal fees charged by Lenczner Slaght Royce Smith Griffin LLP in the amount of \$610.05.

Financial Implications:

The funding required to cover the cost of these legal fees is available within the Board's 2008 operating budget.

Background/Purpose:

Attached is a statement of account from the legal firm of Lenczner Slaght Royce Smith Griffin LLP for professional services rendered in connection with the above-noted matter. The attached account is for the period August 01, 2008 to August 31, 2008, in the amount of \$610.05.

Conclusion:

It is, therefore, recommended that the Board approve payment of this account from the Board's operating budget.

This report corresponds with additional information provided on the in-camera agenda.

The Board approved the foregoing report.

Details of the specific legal services provided were reviewed by the Board during the in-camera meeting (Min. No. C273/08 refers).

**LENCZNER SLAGHT ROYCE
SMITH GRIFFIN LLP**
BARRISTERS

Direct Line: (416) 865-3096
E-mail: tcurry@litigate.com

September 24, 2008

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

Dear Mr. Mukherjee:

Re: Toronto Police Services Association

Enclosed herewith please find our account for services rendered with respect to the above-noted matter during the period August 1 to August 31, 2008 which I trust you will find satisfactory. Should you have any questions, please feel free to give me a call.

Yours very truly,

J. Thomas Curry

:dh
Enc.



LENCZNER SLAGHT ROYCE
SMITH GRIFFIN LLP
BARRISTERS

Toronto Police Services Board
40 College Street
Toronto ON M5G 2J3
Attention: Alok Mukherjee

Date: September 24, 2008

Our file #: 36298
INVOICE NO. 77574

Re: v. Toronto Police Services Association

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period from August 1 to August 31, 2008:

FEES:

TOTAL FEES	\$ 575.00
G.S.T. @ 5%	28.75

DISBURSEMENTS

TOTAL DISBURSEMENTS	\$ 6.00
G.S.T. @ 5%	.30
TOTAL FEES AND DISBURSEMENTS	\$581.00

TOTAL TAXES

G.S.T. (Registration #: R133780817)	29.05
TOTAL BILL	\$610.05
TOTAL DUE AND OWING UPON RECEIPT	<u>\$610.05</u>

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P287. REQUEST FOR FUNDS: CABBAGETOWN/REGENT PARK
COMMUNITY MUSEUM INC. – 51 DIVISION DISPLAY**

The Board was in receipt of the following report September 29, 2008 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS – DISPLAY IN 51 DIVISION ON THE LOCAL HISTORY OF POLICING

Recommendation:

It is recommended that the Board approve funding in the amount of \$10,000.00 from the Board's Special Fund to cover the cost of an educational display in 51 Division on the local history of the Toronto Police Service.

Financial Implications:

If the Board approves this request, the Board's Special Fund will be reduced in the amount of \$10,000.00.

Background/Purpose:

The Cabbagetown/Regent Park Community Museum Inc. (CRP Museum) was established in February 2004 and is a partnership project between the Cabbagetown Preservation Association and the Regent Park Neighbourhood Initiative. The CRP Museum is a means by which the community can understand its past, and observe and record an on-going history. A permanent home will be established in the revitalized Regent Park development and will also consist of satellite and virtual displays making full use of leading-edge technology. The CRP Museum's first satellite exhibition is located in the lobby of 51 Division.

Discussion:

I am in receipt of a letter from Ms. Carol Moore-Ede, President, of the CRP Museum, a copy of which is attached for your information.

Ms. Moore-Ede is requesting funds in the amount of \$10,000.00 to help fund displays of police artifacts in the lobby of 51 Division, with the objective of sharing history, educating and entertaining. The CRP Museum will employ a number of strategies including organized tours with local schools, in order to promote this initiative.

Conclusion:

Thus, it is recommended that the Board approve funding in the amount of \$10,000.00 from the Board's Special Fund to cover the cost of an historical display in 51 Division.

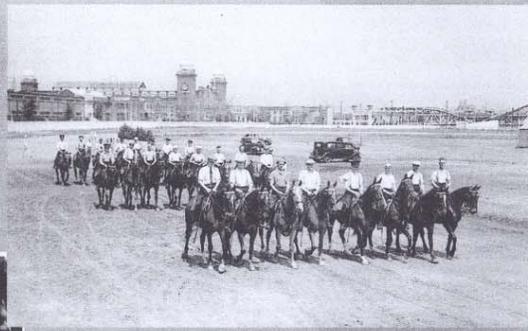
The Board approved the foregoing report.

CABBAGETOWN REGENT PARK COMMUNITY MUSEUM

WWW.CRPMUSEUM.COM



In the 1900s Toronto employed 295 Police officers. Toronto was still relatively small with a population of 200,000 people. However, it was becoming a major commercial centre, and traffic was starting to be a problem. The Chief of the day, H.J. Grasett, had complained about carts and wagons congesting King, Queen and Yonge Streets. Police were responding to calls faster than ever, limited only by the speed of their horses. Using four horse-drawn wagons, Toronto police travelled a total of 7,500 kilometers in 1900.



City of Toronto Archives, 1257-S1057-JT1410



City of Toronto Archives, F70-SS327 photo taken between 1912

The pressing problems for Police officers of the 1830s were speeding horses, cattle riding down the Street, dogs running at large, and swimming in Lake Ontario. Unlicensed "tippling" houses, and enforcing the rules that the Sabbath be observed as a day of worship and rest.

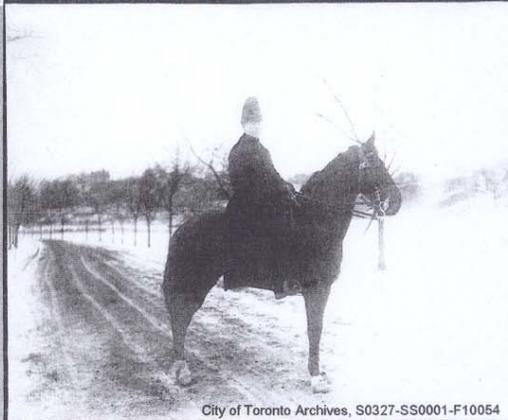
In the 1840s and 1850s, the most common offence was larceny, including cow stealing. And don't forget the charge of racing horses and carriages in the street.

In 1861 Toronto first began to use horse-drawn equipment. Privately owned horses pulling delivery wagons can be seen in photographs from World War II, because of gasoline rationing.

Until 1883, all patrols were done on foot. Officers had to walk offenders to the police station. In 1883, the police acquired a horse-drawn carriage followed by a patrol wagon in 1889.

The first Mounted Unit was organized in 1886. They patrolled outlying areas and controlled speeding horses. The Mounted Police comprised of "expert horsemen with cavalry experience".

October 1, 1859 "Acting Sergeant Bailey and Police Constable Cook reported that a house occupied by Furniss allows drinking and disorderly conduct to be carried on therein."



City of Toronto Archives, S0327-SS0001-F10054

CABBAGETOWN-REGENT PARK
COMMUNITY MUSEUM Inc.

165 Winchester Street, Toronto Ontario M6X 1B6 www.crpmuseum.com 416-962-9139

June 24, 2008

Dr. Alok Mukherjee,
Police services Board Chair,
40 College Street,
Toronto, ON M5G 2J3

**Re: Funding for an educational display
in the lobby of 51 Division, Toronto
on the local History of the Toronto Police Services**

Dear Dr. Mukherjee,

I am writing as a follow up to my letter of May 16, 2008.

We apologize that we were misinformed about 51 Division's participation in Doors Open 2008. However, we have gone ahead and put in a display on some of the history of the Police and Fire Services regardless. I have attached copies of a few of the panels to give you an idea of some of the content. It is also being promoted on our site at: <http://www.crpmuseum.com/>

We are still in need of some funding and would appreciate a consideration from your board. We hope to have students from the various local schools, including Lord Dufferin at which there was a police presence at yesterday's graduation ceremony, to go to 51 Division to get a better idea of the role the police and firemen have played over the years. We would also like to include artifacts that relate to the police services in the same way that we have been provided with artifacts for the fire department. I understand there are many more items in the Police archives than the display area at the College Street building can display. We would welcome the opportunity to help Toronto Police Services show the public more of their history by including them in our exhibit at 51 Division.

We would appreciate it if you and your board would have the time to review our request and look forward to hearing from you at your convenience.

Yours sincerely,



Carol Moore-Ede
The Cabbagetown/Regent Park Museum Inc.



CABBAGETOWN REGENT PARK COMMUNITY MUSEUM

WWW.CRPMUSEUM.COM



A local community project

ENGLISH CHILDREN SMILE AS THEY REACH HAVEN HERE



WAR GUESTS & THE POLICE



In 1940, as the prospect of war loomed over the British Isles, great concern for the safety of the children was expressed in every quarter.

EMPRESS OF CANADA
20,000 Tons Gross Register
Captain:
E. A. BIRKBECK

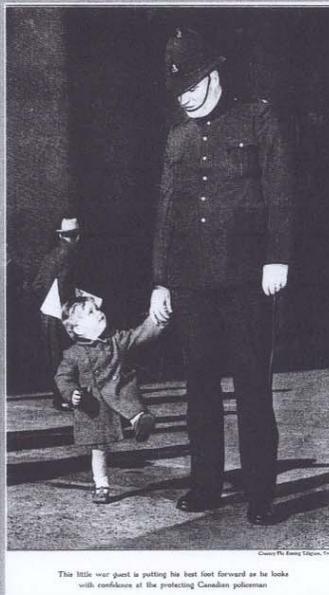


Thousands of children were evacuated from the big cities -likely bombing targets - to farms and homes in rural areas.

Others, in equally large numbers, were sent out of the country to stay with relatives and other families in far-away places such as Australia, South Africa, New Zealand and Canada.

Canada, because of its special relationship with Great Britain, was a popular destination and literally boat loads of children sailed from Southampton, often navigating through the U-boat infested waters of the North Atlantic, to safety in Canada.

Some of them, such as the little boy [Right] stayed in Toronto and were cared for by grandparents or other relatives. Others, such as artist and restaurateur Ben Wicks, were sent to work on farms in Ontario and throughout the Dominion of Canada.



This little war guest is getting his feet firm forward as he looks with confidence at the protecting Canadian policeman



**They were called
War Guests.**

"The Cop and the Kid", the picture of the Toronto Policeman holding the hand of the little refugee, was reprinted around the world and came to symbolize the friendship and safety that Canada offered to thousands of young War Guests.

When peace was declared in 1945 most children returned to England while some, when old enough chose to remain and settle in the country that had adopted them.

CABBAGETOWN REGENT PARK COMMUNITY MUSEUM

WWW.CRPMUSEUM.COM



Left, Police officer Adam ("Uncle Ned") McCullough, in the centre friend J. Harper and unknown man on step ladder, 174 River St. Toronto Ontario.



Above, The McCullough family in Cross Moorefields Garden in Northern Ireland. Front; George McCullough, Isabella (Hamilton) McCullough, back row; their children; Ellen, Adam (Ned), Jenny, David, and Minnie, Matilda.

During the period prior to 1858, all local police forces were under the direct authority of their municipal councils. In 1858 the government of the Province of Ontario amended its municipal code to enforce the creation of independent municipal boards of commissioners of police. In Toronto, a three-man commission was created that consisted of: the mayor; a provincially-appointed county-court judge, who functioned as senior commissioner; and a provincially-appointed experienced local magistrate whose detailed legal knowledge provided the foundation of commission legal judgments. This Board of Commissioners of Police was responsible for personnel, police department policy, and, after 1897, civic licensing of over 50 trades and small businesses. Under the Ontario legislation, the Board and its members, were "agents of the crown" and immune from civil suits. Their independence was only limited by the budget authority of City Council, which could control expansion of the force and total salaries paid to police. In 1920, a further amendment to the municipal code forced the police commission to submit annual detailed financial estimates to council. In 1933, another amendment removed the appointed magistrate (usually a political crony) from the board and replaced him with an "acting magistrate" chosen from the provinces barristers, thus adding a further degree of legal expertise. With the 1957 amalgamation of police forces within Metropolitan Toronto, the Toronto Board of Commissioners of Police was superseded by the Metropolitan Toronto Police Commission.

Images from the collection of Ellen Ragen Hughes

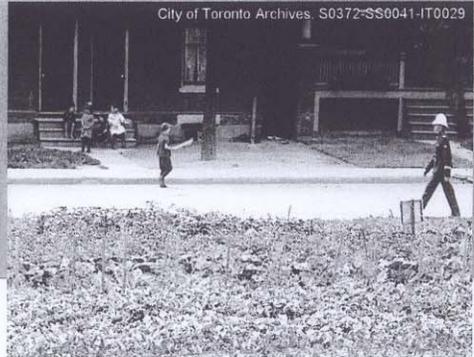
CABBAGETOWN REGENT PARK COMMUNITY MUSEUM

WWW.CRPMUSEUM.COM

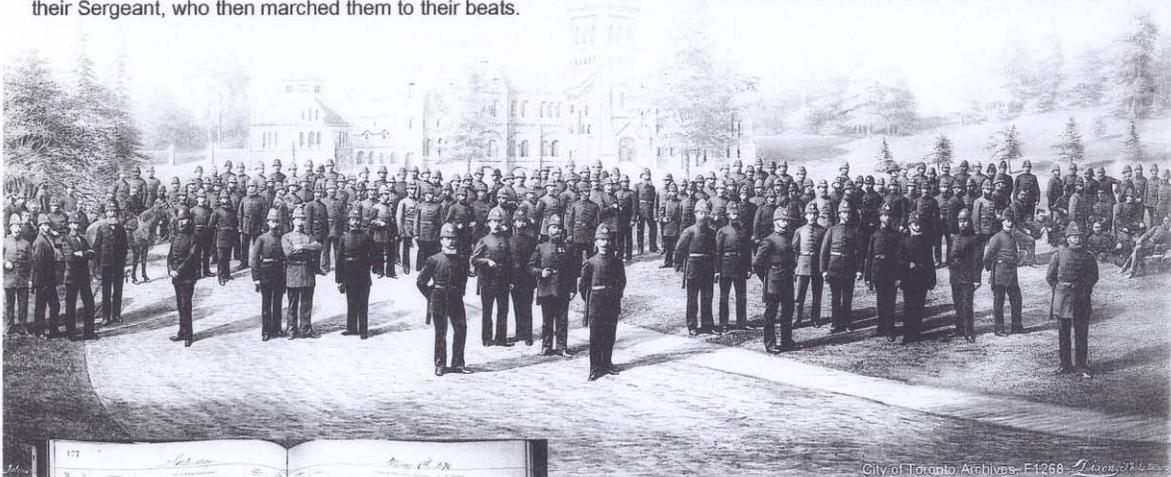


A local community project

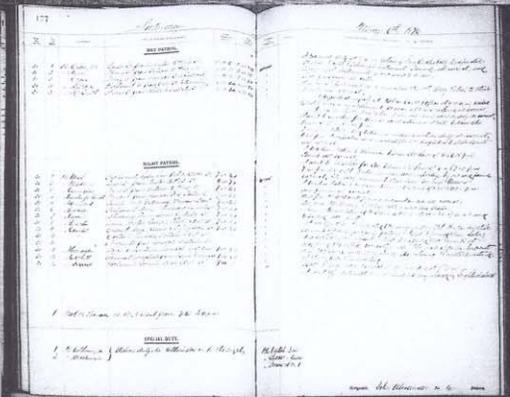
In 1876 the Police force in the Cabbagetown/Regent Park area had four main beats. They included Ontario, Beech, Parliament & Sydenham Streets; Pembroke, Gerrard, Seaton & Beech Streets as well as Parliament, Winchester, Spruce, & Sumach Streets and Parliament, Gerrard, River & Oak Streets. These were patrolled by officers Corbett, Dickson, Hetherington, Ross, Worth, McKay, Bowers, Coleman, and Murray. The local force boasted a Day Patrol and a Night Patrol; 2 detectives—Burrows & Reid, an undercover officer as well as officers on Station Duty, Wharf Duty and Rail Duty. Each day Sergeant Major Archibald of Police Station No. 4 routinely checked the bells, inspected the station and cells, and the Telegraph Instruments, and counted the number of prisoners—usually from 2 to 8. The officers on duty were inspected and more often than not found to be "all sober & correct" by their Sergeant, who then marched them to their beats.



City of Toronto Archives, S0372-SS0041-IT0029



City of Toronto Archives, F1268, Division 4



In Division 4's Daily Police records the following entries were made. On February 6, 1860 Police Constable Mitchell reported that around 2:00 am someone attempted to set fire to an unoccupied cottage. The interior was considerably burnt, and the fire was extinguished by some neighbours. The Constable suspected it was set on fire by some "loose women", who were in the habit of associating there.

On October 7, 1876 Sergeant Munroe was found sitting down and asleep on his beat, also having the appearance of being under the influence of liquor at 3:40 am.

CABBAGETOWN-REGENT PARK
COMMUNITY MUSEUM Inc.

155 Winchester Street, Toronto Ontario M4X 1B9 www.crpmuseum.com 416-962-9139

May 16, 2008

Dr. Alok Mukherjee,
Police services Board Chair,
40 College Street,
Toronto, ON M5G 2J3

**Re: Funding for an educational display
in the lobby of 51 Division, Toronto
on the local History of the Toronto Police Services**

Dear Dr. Mukherjee,

I am writing with the support of Councillor, Pam McConnell and Frank Bergen of 51 Division, to request on behalf of the Cabbagetown/Regent Park Museum Inc. funding for an educational and entertaining display on the history of the Police services in this area to be displayed in the lobby of 51 Division.

The Cabbagetown/Regent Park Museum Inc. has enjoyed an excellent partnership with 51 Division and opened its first display in their lobby on the history of toys, "Toys Were Us." It proved to be very well received and attracted many visitors that otherwise would not have had occasion to be on the premises. We also had a partnership exhibition with Toronto Culture entitled, "Oak Street Re-invented" about the history of the area from 1790 to the current Revitalization project. Copies of the didactic panels are currently on display in the lobby at 51 Division, and a 15-minute video loop will soon be running there on that same subject.

There are currently three empty 10' display cabinets in the lobby awaiting a display. We have a wealth of material from the Fire Department to fill one case relating to the time when the two services were adjoined. However, due to some changes at the Toronto Police Museum we are currently unable to access material from there. We need funding to rent artifacts from the City of Toronto Culture Conservation and Preservation division so that we can fill the other two 10' cases with police material. We do have some wonderful photographs in our own collection but only a couple of artifacts.

Cabbagetown/Regent Park Museum Inc. is actively involved with youth in this area. Our last exhibition held at the Residence at Riverdale Farm had groups attend from Regent Park's ArtHeart, as well as local school groups. We are also assisting with Pathways to Education, the Regent Park Film Festival, and FOCUS to tell positive stories about the rich history of this area. We hope that the exhibition at 51 Division will become a positive destination for the youth of this area, and the surrounding communities, to educate and entertain them about the importance of and fascinating history of the police services. We also plan to arrange for school visits and projects that would tie in with

CABBAGETOWN-REGENT PARK
COMMUNITY MUSEUM Inc.

156 Winchester Street, Toronto Ontario M4X 1B9 www.crpmuseum.com 416-962-9139

these objectives. It would make a wonderful destination for the Luminata project in which some of the students at Pathways to Education are involved.

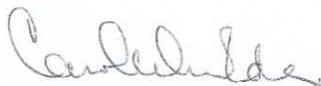
It is our intention to have some of the display in place for Doors Open, 2008. Obviously, time is of the essence. If we can get preliminary approval for funding, we can move ahead quickly and get some of the exhibition in place within a week, and then develop the display more intensively over the next couple of months. This would allow for a more comprehensive display with educational support material in time for the next school year.

We are requesting \$10,000 to cover the costs of:

- Curatorial services
- Copyright clearance payments (TPL, CTA etc.)
- Rental of artifacts (City of Toronto)
- Rental of two mannequins
- Research services (2-3 months)
- Moving costs for the additional display cabinets
- Insurance to cover damage and/or theft
- Acid-free protective sleeves
- Printing costs for didactic panels
- Printing costs for educational pamphlets and teaching materials
- General office overhead: supplies, gas, parking etc.

We look forward to hearing from you at your earliest convenience given the Doors Open and Luminato events. If you wish additional material or explanation, we would be happy to provide whatever you require. We feel this would have a very positive impact on the youth, as well as the community at large, and we hope that funding will make this possible.

Yours sincerely,



Carol Moore-Ede
President
The Cabbagetown/Regent Park Museum Inc.
416-962-9139

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

#P288. REQUEST FOR FUNDS: 2008 HARMONY AWARDS BANQUET

The Board was in receipt of the following report September 29, 2008 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: 2008 Harmony Award Banquet

Recommendation:

It is recommended that the Board approve the purchase of tickets for individual Board members who wish to attend, to a maximum of seven tickets at the cost of \$150.00 each, for the purpose of providing sponsorship to the 2008 Harmony Award Banquet.

Financial Implications:

If the Board approves recommendation contained in this report the Board's Special Fund will be reduced by an amount not to exceed \$1,050.00.

Background/Purpose:

I am in receipt of correspondence dated September 8, 2008, from Mr. Cheuk Kwan, Executive Director, regarding the 2008 Harmony Award Banquet (copy of letter attached).

The Harmony Movement was founded with a mandate to promote diversity and to combat all forms of discrimination that prevent citizens from becoming equal and active members of civil society.

This year's honouree is Hon. Romeo Dallaire, former commander of the United Nations Assistance Mission in Rwanda. He is receiving this award for his courage and determination to destigmatize mental illness by disclosing his personal battles with post-traumatic stress and mood disorders. He is a true inspiration to those living with disabilities and to all Canadians.

The banquet will take place on Thursday, November 6 at the Premier Ballroom in Richmond Hill, Ontario, with cocktails at 6:00 PM and dinner at 7:00 PM.

I, therefore, recommend that the Board approve the purchase of tickets for individual Board members who wish to attend, to a maximum of seven tickets at the cost of \$150.00 each, for the purposes of providing sponsorship to the 2008 Harmony Award Banquet.

The Board approved the foregoing report.



Educating Youth to be Leaders for Social Change

September 8, 2008

Mr. Alok Mukherjee
Chair
Toronto Police Services Board
40 College St.
Toronto ON M5G 2J3



Dear Mr. Mukherjee:

2008 Harmony Award Banquet

We are proud to invite you to the 2008 Harmony Award Banquet to be held at Premiere Ballroom in Richmond Hill, Ontario on Thursday, November 6. Harmony Movement will pay tribute to Lieutenant-General (ret.) **Roméo Dallaire**, Senator, and will give recognition to this year's *Harmony Educator Award* and *Harmony Scholarship* recipients.

Harmony Movement was founded with a mandate to promote diversity and to combat all forms of discrimination that prevent citizens from becoming equal and active members of civil society. This year, we will raise public awareness of mood disorders and mental illness, and increase the public's understanding of people living with disabilities.

Hon. Roméo Dallaire, former commander of the United Nations Assistance Mission in Rwanda, is receiving this year's *Harmony Award* for his courage and determination to destigmatize mental illness by disclosing his personal battles with post-traumatic stress and mood disorders. He is a true inspiration to those living with disabilities and to all Canadians.

Ten annual scholarships in memory of June Callwood will be awarded to graduating high school students from across Canada who demonstrate leadership in promoting equality and combating discrimination and prejudice.

The gala is an excellent opportunity for your organization to show its commitment to youth leadership in schools and communities across Canada. The funding for Harmony Movement's programs and scholarships comes from community support such as yours. Whether you buy one ticket, sponsor a table, or make a charitable contribution, we encourage you to show your support for diversity initiatives in our community.

Sincerely,

Cheuk Kwan
Executive Director

FOUNDING CO-CHAIRS
Mary Anne Chambers
Gordon Cressy
Joseph Wong

HONOURARY PATRONS
Hon. Lincoln Alexander
Pamela Appelt
Isabel Bassett
Tony Comper
Mendel Green
Murray B. Koffler
Hon. David C. Lam
Chief Justice Roy McMurtry
Bahadur Madhani

PARTNERS IN HARMONY
BMO Financial Group
CAW Canada
CIBC
OPSEU
RBC Financial Group
Scotiabank Group
TD Bank Financial Group

**Harmony Movement
Harmony Education
Foundation**

255 Duncan Mill Road
Suite 705
Toronto, ON
M3B 3H9

Tel: 416 385 2660
Fax: 416 385 2644

E-mail: info@harmony.ca
Website: www.harmony.ca



2008 Harmony Award Banquet
Thursday, November 6

Honouring
Senator Romeo Dallaire

Ticket Prices: \$150 per person (a \$100 charitable tax receipt will be issued)
\$75 per person for non-profit and community organizations

- I would like to purchase ___ ticket(s) @ \$150 for a total of \$_____
- I would like to purchase ___ community ticket(s) @ \$75 for a total of \$_____
- I cannot attend but would like to make a charitable donation of \$_____
- Please acknowledge my organization's support in your programme book.
- Please note the following dietary restrictions:

Enclosed is my cheque payable to Harmony Education Foundation.
Please send banquet tickets and tax receipts to:

Name _____ Title _____

Organization _____

Address _____
Street City Prov Postal

Tel _____ Fax _____ Email _____

Signature _____ Date _____

Please make cheque payable to **Harmony Education Foundation**
The Harmony Award Banquet is presented by Harmony Education Foundation
(Registered charity # 87188 9168) for the benefit of Harmony Movement

Harmony Movement, 255 Duncan Mill Road, Suite 705, Toronto, ON M3B 3H9
Tel: (416) 385-2660 / Fax: (416) 385-2644
e-mail: banquet@harmony.ca / Website www.harmony.ca

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P289. CORPORATE DONATION: FUNDS IN SUPPORT OF THE
EMERGENCY MANAGEMENT SYMPOSIUM – “PLANNING AND
PREPARATION TOWARDS RECOVERY”**

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

Subject: CORPORATE DONATION: FUNDS IN SUPPORT OF THE EMERGENCY
MANAGEMENT SYMPOSIUM - "PLANNING AND PREPARATION
TOWARDS RECOVERY"

Recommendation:

It is recommended that the Board accept a cash donation in the amount of \$5,000 from VIA Rail in support of the TPS Emergency Management Symposium – “Planning and Preparation Towards Recovery” to be held on November 26 and 27, 2008.

Financial Implications:

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

Background/Purpose:

The Toronto Police Service (TPS) recognizes the importance of emergency preparedness to the organization, other emergency service providers and our network of external stakeholder agencies. The goal of the TPS emergency preparedness strategy is to provide the framework within which extraordinary arrangements and measures can be undertaken to facilitate the recovery from all emergencies and disasters that may affect the City of Toronto.

The focus of our Enhanced Emergency Preparedness Initiative is for members of the TPS to work in partnership with our immediate partners from Fire and Medical Services (EMS), along with broader external agencies including Toronto Transportation, Toronto Water and Toronto Public Health, in collaboration with Provincial and Federal agencies to provide a coordinated and effective emergency preparedness capability to any level of emergency in Toronto.

Discussion:

As part of our ongoing commitment to emergency preparedness, the TPS in conjunction with many of the partner agencies mentioned previously will be hosting an Emergency Management Symposium – “Planning and Preparation Towards Recovery”. This 2-day symposium will take place on November 26 and 27 at The Old Mill Inn and will feature plenary and break-out

sessions dealing with many issues directly related to planning for and recovering from an emergency situation of significant proportion.

The symposium is expected to attract 175 attendees and will include professionals, experts and community leaders committed to enhancing their practical knowledge of emergency preparedness.

VIA Rail recognizes the importance of this type of training and planning for emergency service providers and have offered to provide financial assistance in the amount of \$5,000.00 in support of the symposium. These funds will be used to support the financial responsibilities incurred in presenting the symposium, including training materials, fees for guest speakers and/or presenters.

Appended to this report is a complete outline of the 2 day symposium.

TPS Procedure 18-08 "Donations" requires that the Board approve corporate donations that exceed \$1,500. The acceptance of this donation is consistent with the criteria outlined in TPS Procedure 18-08.

Conclusion:

The TPS is widely recognized as being leaders in the areas of community policing and emergency preparedness. By drawing upon the knowledge, expertise and practical experiences of the guest speakers featured at this symposium, the TPS and our partner agencies will strive to find new and innovative methods to mobilize our available resources in the most meaningful and effective manner possible.

The objectives of this symposium are consistent with the community mobilization strategy employed by the TPS and the overall goals, objectives and priorities of the Toronto Police Service.

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. Chief Blair noted that Board members were welcome to attend the symposium.



Emergency Management Symposium Planning and Preparation Towards Recovery November 26 and 27, 2008 The Old Mill, 21 Old Mill Road, Toronto, ON

Who should attend

Professionals, experts and community members will want to attend this exclusive symposium focussed on Planning and Preparation towards Recovery. Attendance is encouraged for all involved in emergency planning, preparedness, response and recovery to share information about performance, insights, ideas and best practices. The goal of the symposium is to strengthen the ability to prepare for, respond to, and recover from major disasters.

You will acquire

- Knowledge about the roles and responsibilities of agencies involved with emergency planning, response and recovery. Presentations by emergency responders and agencies that support the emergency.
- Insight into improved teamwork for better, more unified overall emergency management within the City.
- New relationships with partner agencies you can contact for information and insight.
- New skills to improve communication, cooperation and coordination among stakeholders.
- Focus on the preparedness and recovery phases of emergency management.

The symposium offers two full days with plenary and break-out sessions, an interactive practical exercise, lunches both days, Wednesday evening dinner, refreshment breaks and free parking.

For more information www.torontopolice.on.ca/seminars

Register by email, mail or fax
All registrations received will be confirmed via e-mail.

Complete the online form and send to emergencymanagementsymposium@torontopolice.on.ca

Print and complete the attached form and mail to:
Toronto Police Service - Attention: Jackie Parent
40 College Street, 10th Floor, Toronto ON M5G 2J3

Print and complete the attached form and fax to 416-808-8035.

Cost: \$400.00 (cost split 50% between members home unit and Specialized Operations Command)

*TPS members must submit a TPS form 620 indicating \$200.00 to be charged to members home unit and \$200.00 to Specialized Operations Command

Payment: Visa, MasterCard or cheques.

Cheques payable to Toronto Police Service.

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Cheques payable to Toronto Police Service.



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Symposium at a glance

Wednesday, November 26			
Time	What	Where	
7:30 am	Registration	Main Foyer	All
8:30 am	Welcome event	Guildhall	All
9:00 am	Plenary session 1	Guildhall	Maximizing emergency management through community mobilization
10:15 am	Refreshment break	Foyer	All
10:30 am	Break out session 1	Balmoral Westminster Humber	1a Joint Operation Steering Committee 1b Critical Infrastructure & Risk Assessment 1c Public & Private Business Sector
11:45 am	Lunch	Brûlé A	All
12:30 pm	Plenary Session 2	Guildhall	Mitigation, Preparedness & Victim Support
2:00 pm	Break out session 2	Balmoral Westminster Humber	2a Federal, Provincial & Municipal Preparedness 2b Intelligence & Terrorism 2c Business & NGO Preparedness
3:15 pm	Refreshment break	Foyer	All
3:30 pm	Plenary session 3	Guildhall	Partnership, preparedness, planning
4:45 pm	Networking		All
5:30 pm	Dinner reception	Brûlé A	Dinner guests
8:30 pm	End of day one		
Thursday, November 27			
Time	What	Where	
7:30 am	Registration	Main Foyer	All
8:15 am	Tie Back	Guildhall	All
8:30 am	Plenary session 4	Guildhall	Recovery Emergency Management
9:45 am	Refreshment break	Foyer	All
10:00 am	Break out session 3	Balmoral Westminster	3a Inside the Yellow Tape 3b Outside the Yellow Tape
11:15 am	Case Study	Balmoral Westminster	4a Peterborough Flood 4b Severe Acute Respiratory Syndrome
12:30 am	Lunch	Brûlé A	All
1:15 pm	Interactive exercise	Guildhall	All
2:30 pm	Refreshment	Foyer	All
5:00 pm	Wrap up	Guildhall	All
5:30 pm	End of symposium		

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Day 1
Wednesday, November 26
Mitigation and Preparedness

Plenary Sessions

9:00 am 1. Maximizing emergency management through community mobilization
Staff Superintendent Peter Sloly, Toronto Police Service
Guildhall

12:30 pm 2. Mitigation, preparedness and victim/survivor support
Ken Thompson
Guildhall

3:30 pm 3. Partnership, preparedness, planning
Trefor Munn-Venn, Associate Director of National Security and Safety,
Conference Board of Canada
Guildhall

Break-Out Seminars

10:30 am

1a Joint Operations Steering Committee
Police, Fire and Emergency Medical Services Leaders will discuss first responder operations and preparedness activities
Balmoral

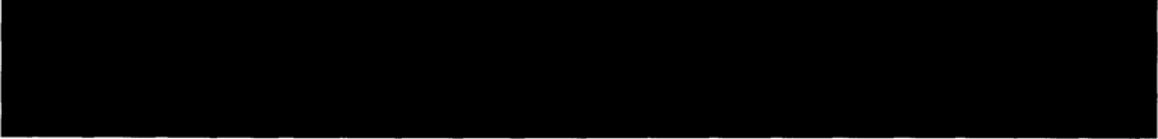
1b Critical Infrastructure and Risk Assessment
Define, identify and protect critical infrastructure
Westminster

A panel consisting of federal, provincial and municipal experts will deliver a dynamic and comprehensive presentation which identifies and defines their critical infrastructure identification and protection programs.

1c Public and Private Business Sector Partnership
Maximize capacity for efficient recovery
Humber

Collaborative partnership between government agencies and business is one of the necessary elements of emergency management. Discover how local government and business are implementing a model in the City of Toronto that maximizes interaction between municipal government and a wide variety of business partners in the emergency management sector. This session highlights the increasing need for strong working relationships between government and private business as consultation and collaboration drive our collective efforts towards more disaster resilient communities.

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Break-Out Seminars

2:00 pm

2a Federal, Provincial and Municipal Preparedness

Representatives from three levels of government discuss preparedness
Balmoral

Join this session for a panel discussion of federal, provincial and municipal emergency management leaders to get their perspectives on their role in emergency management. You will have an opportunity to hear representatives from three levels of government discuss the complexities surrounding jurisdictions, needs, challenges and expectations of multiple partners and stakeholders, in the high-impact environment of disaster preparedness. Presentations, panel discussion and questions from delegates.

2b Intelligence and Terrorism

Overview of overt intelligence operations and mitigating radicalization and terrorism
Westminster

Intelligence is the key to prevent a terrorist attack. It provides relevant information, insight, context and details for users to make informed decisions. At any stage, intelligence is an essential element for everyone dealing an act of terrorism. Hear how intelligence keeps Toronto safe. Learn about radicalization, and why we all need to better understand it, prevent it, and contribute to the de-radicalization that already exists in our community.

2c Business and Non-Governmental Organizations (NGO)

Preparedness, Development & management of corporate continuity plans and role of NGO's
Humber

Every organization in the country realizes the importance of Business Continuity and Recovery Planning.

This session will provide innovative strategies that organizations should undertake while developing their plans. Strategies such as listening to representatives from local organizations to understand their unique needs to discussing partnership programs and how they have bridged that gap between Private and Public sector. Collaboration of Non-Governmental Organizations (TAPPS, SAFE, CARE) to facilitate planning efforts through innovation will be discussed.

Dinner Reception with Guest Speaker

5:30 pm

Special Guest Host

Lance Brown, Sports Anchor and Director, CTV News Toronto
Brûlé A

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Day 2
Thursday, November 27, 2008
Response and Recovery

Plenary Sessions

8:30 am **4. Recovery Emergency Management**
Barry Manuel, **Emergency Management Coordinator**, Divisional Chief, Halifax
Regional Fire Service
Guildhall

Break-Out Seminars
10:00 am

3a **Inside the Yellow Tape**
Police, Fire and Emergency Medical Services panel discuss their response
activities
Balmoral

Emergency Services responders are the initial lifeline to the communities of Toronto in time of disaster. When it is time for citizens to evacuate, it is the same time for the Emergency Services to respond. Hear about Toronto's Unified Specialized teams utilized to keep our communities safe inside the yellow tape.

3b **Outside the Yellow Tape**
Panel of City service providers discuss how they support the emergency and assist the community in recovery.
Westminster

What happens outside the tape? Where do evacuees go when they have to leave? How do they get help to meet their immediate needs like shelter, food and other personal services? What about their pets? Learn what and how other City emergency response partners contribute during an emergency, how information is disseminated to the public, and how City services are mobilized, resources managed and decisions made.



Case Studies

11:15 pm

4a Case Study of the Peterborough Flood

A panel of speakers involved with the Peterborough flooding will discuss the response and on-going recovery aspects of the event.

Balmoral

4b Case Study of Severe Acute Respiratory Syndrome (SARS)

Westminster

This session will take you back to the spring of 2003 when the City of Toronto was responding to a serious community threat. SARS was an unknown disease with no known treatment, impacting all of our lives. Our speakers will give you their real life experiences in the response, and recovered from this medical emergency. Representatives from Public Health, Emergency Medical Services and the business community.

Interactive Practical Exercise

13:15 pm

Guildhall

A hands-on experience where attendees will focus on mitigation, preparation, response and recovery in collaboration with Emergency response agencies, City of Toronto support agencies and Non governmental support agencies. All attendees will be provided an opportunity to support a catastrophic emergency in a simulated operations center environment.

Exercise Objectives

- Initiate a simulated Operations Centre
- Track city resources
- Provide timely updates to supporting agencies in a simulated operations center
- Develop public information messages for a simulated press release
- Provide resolutions and recommendations



Keynote speakers

Plenary Session 1

Maximizing emergency management through community mobilization

Staff Superintendent Peter Sloly, Toronto Police Service

Staff Superintendent Peter Sloly is chair of the Toronto Police Service (TPS) Emergency Preparedness Committee and an expert in community policing and community mobilization. He is currently in charge of Operational Services and has commanded Staff Planning and Community Mobilization. Peter has built effective relationships with community partners to improve public safety through community policing, community mobilization, crime prevention and intelligence-led enforcement. He has a BA in Sociology, a MA in Business Administration and graduated from the Rotman Police Executive Leadership Program at the University of Toronto. As a respected leader, Peter will explain how community mobilization will maximize the capacity of police and emergency services providers to work effectively with external stakeholders to increase community resiliency and restoration.

Plenary Session 2

Mitigation, preparedness and victim/survivor support

Ken Thompson

Ken Thompson became a Red Cross volunteer after he lost his mother in the Oklahoma City bombing in 1995. After the bombing, he chaired the Oklahoma City National Memorial Family, Survivor and Rescue Worker Conscience Committee. After 9/11, Ken volunteered in New York City. He was instrumental in guiding city leaders through a process of helping families and survivors deal with the long-term effects of the tragedy. He has received numerous awards for his volunteerism including the 2002 Biography Community Hero Award, the 2004 President's Volunteer Service Gold Award and the American Red Cross's prestigious Clara Barton Award. Representing the grass roots community members and blending his expertise in corporate America, Ken will capture his audience leaving them wanting more.

Plenary Session 3

Partnership, preparedness, planning

Trefor Munn-Venn, Associate Director of National Security and Safety, Conference Board of Canada

Trefor Munn-Venn is the Co-chair of the Public-Private Partnership Working Group at Operation INTERSECT and the Associate Director of National Security & Safety at the Conference Board of Canada. He recently co-authored *A Resilient Canada – Governance for National Security and Public Safety*, which outlines the six key principles Canadian organizations need to focus on to ensure they can respond effectively to national security and public safety incidents. Trefor is also on the Board of Advisors at the Canadian Centre of Intelligence and Security Studies. He will discuss emergency management, coordinating multiple organizations, the role of the private sector, the six key principles to effectively respond to disasters, and the need for training exercises. Trefor's vast amount of knowledge and experience, offers a unique perspective that relates to both the private and public sectors.



Plenary Session 4

Recovery Emergency Management

Barry Manuel, **Emergency Management Coordinator**, Divisional Chief, Halifax Regional Fire Service

Barry Manuel is the Divisional Chief with the Halifax Regional Fire Service, and is the current Emergency Management Coordinator in Halifax. Barry started his career a police officer in Dartmouth. In 1988, he joined the municipal Emergency Measures Organization (EMO) as the police support officer in the Emergency Operations Centre (EOC). Barry has extensive training in emergency management both in preparedness and response, business continuity planning and is a repeat guest lecturer at the Canadian Emergency Management College in Ottawa. Barry has been involved in many large-scale emergencies: the crash of Swiss Air flight 111 (1998), aid to over 7,000 travellers stranded after 9/11 (2001) and Hurricane Juan (2003). Dedicated to all aid providers and victims, Barry will take the audience through these real life large scale emergencies with passion and understanding.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

**#P290. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:
RESPONSE TO JURY RECOMMENDATIONS FROM THE CORONER'S
INQUEST INTO THE DEATH OF MARY FRASER**

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

Subject: RESPONSE TO JURY RECOMMENDATIONS FROM THE CORONER'S
INQUEST INTO THE DEATH OF MARY FRASER – REQUEST FOR
EXTENSION

Recommendation:

It is recommended that the Board approve the request for a two-month extension of time to submit reports on:

- Response to Jury Recommendations from the Coroner's Inquest into the Death of Mary Fraser.
- The steps the Service has taken, or plans to take, to ensure that all members, uniform and civilian, are fully aware of, and apply, all Board policies and Service procedures, as well as their training.

Financial Implications:

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

Background/Purpose:

A Coroner's Inquest into the death of Mary Fraser was conducted in Toronto during the period between June 16, 2008 and June 26, 2008. At its closed meeting on July 24, 2008, the Board received the jury verdict and recommendations stamped "For Information Only - Not Official Verdict/Recommendations" and approved the following Motions (Min. No. C187/08 refers):

1. *THAT the Chief of Police provide a public report on:*
 - *the steps the Service has taken, or plans to take, to ensure that all members, uniform and civilian, are fully aware of, and apply, all Board policies and Service procedures, as well as their training; and*

2. *THAT the report noted in Motion No.1 be submitted in October 2008 at the time that the Chief provides the Service's response to the jury recommendations.*

Discussion:

Of the 14 recommendations issued by the jury, the following two are directed to the Toronto Police Service (Service):

Recommendation #1

It is recommended that the Officer in Charge document in detail any medical issues including mental health and addictions in the Record of Arrest. In addition, any self disclosed alcohol or drug use regardless of the presence of symptoms be included in the record. The officer in charge is responsible for ensuring the Record of Arrest is forwarded to any receiving police service or institution in the chain of custody.

Recommendation #2

It is recommended that first aid training for all officers include training in the recognition of signs of Alcohol Withdrawal Syndrome.

CPN has commenced contacting various stakeholders and initiated the necessary research and inquiries, in order to properly prepare the required reports. CPN has already received some essential resource material from its inquiries to date including the completed report from the Office of the Chief Coroner prepared by Dr. David Evans, Presiding Coroner. This report includes the official jury's verdict and recommendations as well as a Coroner's Verdict Explanation providing a synopsis and personal comments on the circumstances involved.

However, the Service is currently not in a position, at this time, to respond in an adequate and complete manner to the approved Motions for the Board's October 2008 meeting.

Conclusion:

In summary, an extension of time would allow the Service sufficient time to review the Coroner's Report and provide adequate response in regard to the Motions of the Board.

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.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
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**#P291. ADEQUATE AND EFFECTIVE POLICING OF THE PUBLIC TRANSIT
IN TORONTO WITHIN THE MEANING AND SCOPE OF THE *POLICE
SERVICES ACT***

The Board was in receipt of the following report October 10, 2008 from William Blair, Chief of Police:

Subject: ADEQUATE AND EFFECTIVE POLICING OF THE PUBLIC TRANSIT IN TORONTO WITHIN THE MEANING AND SCOPE OF THE *POLICE SERVICES ACT*.

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:

At its meeting of April 17, 2008, the Board received two reports from the Chief entitled “Special Constable Annual Report 2007 – Toronto Transit Commission” and “Special Constable Annual Report 2007 – Toronto Community Housing Corporation” and approved several Motions including the following:

1. *THAT the Chief of Police provide a report as soon as possible on the adequate and effective policing of the public transit and public housing in Toronto within the meaning and scope of the Police Services Act (Min. No. P106/08 refers).*

At its meeting of July 24, 2008, the Board received a report entitled “Adequate and Effective Policing of the Public Transit and Public Housing in Toronto within the Meaning and Scope of the *Police Services Act* – Request for Extension.” At this time the Board approved several Motions including the following:

1. *THAT the Board approve a three month extension of time for the submission of a report regarding the adequate and effective policing of the public transit within the meaning and scope of the Police Services Act in Toronto and direct that the report be provided to the Board for its October meeting (Min. No. P197/08 refers).*

Discussion:

Pursuant to the *Police Services Act*, R.S.O. 1990, c.P.15 (*PSA*), the Toronto Police Service is solely responsible, through the Toronto Police Services Board, for providing adequate and effective policing within the territorial jurisdiction of the City of Toronto. This responsibility and jurisdiction extends to and includes the public transit system in the City of Toronto, as operated by the Toronto Transit Commission (TTC). The TPS works in partnership with the TTC to ensure the safety of the transit system.

TTC Special Constable Services:

The TTC has established its own security section that, with the approval of the Board, is referred to as Special Constable Services. This section employs personnel who are appointed by the Board as special constables to perform security and law enforcement functions on or in relation to the TTC's operations and property. The activities of these individuals are in accordance with the TTC's obligations under the terms of the "Toronto Transit Commission Special Constables Agreement" (Min. No. P238/03 refers).

Special constables constitute a unique category of law enforcement in the province of Ontario. Unlike police officers whose duties are established by legislation, no specific statutory duties are associated with the office of special constable. TTC Special Constables are appointed and granted their authority and held accountable by the Board in accordance with the conditions of the Agreement. TTC Special Constables are not subject to the sections of the *PSA* concerning complaints (Parts II, V), nor to the civilian oversight of the Special Investigations Unit (SIU).

Training for TTC Special Constables is administered in accordance with course training standards jointly developed by the TTC and the teaching staff at C.O. Bick College. The training is conducted by the TPS and includes instruction in federal and provincial statutes, use of force, diversity, racial profiling awareness, procedures, tactical communications, dealing with emotionally disturbed persons, community based policing, ethical deliberations and crisis intervention.

TTC Special Constables are trained using the same Ontario Use of Force Model as police officers but are limited as to the use of force options available to them. TTC Special Constables are only issued handcuffs, batons, and pepper spray.

Adequate and Effective Policing:

The *Police Services Act* governs the structure, management and regulation of police services in Ontario. The *PSA* is comprehensive legislation that provides clear guidance regarding the duties and conduct of individual police officers and the running of police services in a professional manner, consistent with public expectations.

PSA Regulation 03/99, Adequacy and Effectiveness of Police Services (the Adequacy Standards), took effect on January 1, 2001 and established provincial standards for the delivery of police services in the core areas of Crime Prevention, Law Enforcement, Victim's Assistance, Public

Order Maintenance, Emergency Response and Administration and Infrastructure. The Service is in substantial compliance with the Adequacy Standards and, in fact, Service procedures and policies formed the basis for a number of the Standards when they were being formulated.

Within the *PSA* are also a number of provisions concerning the investigation and administration of complaints (Parts II,V), and the operation and role of the SIU (Part VII). As is also the case with *Regulation 03/99* cited above, these provisions apply only to police services and to individuals appointed as police officers in the Province of Ontario.

Part II of the *PSA* concerns the Ontario Civilian Commission on Police Services (OCCPS) and its powers and duties, including, but not limited to, the following:

- Conducting investigations with respect to municipal police matters under section 25;
- Conducting inquiries into matters relating to crime and law enforcement under section 26;
- Conducting inquiries, on its own motion, in respect of a complaint or complaints made about the policies of or services provided by a police force or about the conduct of a police officer and the disposition of such complaint or complaints by a chief of police or board.

Part V of the *PSA* governs police officers' conduct and holds them accountable to a Code of Conduct through:

- Internal police service investigations;
- External police service investigations;
- Investigations conducted by OCCPS.

Part VII of the *PSA* concerns the role and functioning of the SIU and includes the following provisions:

- The director may, on his or her own initiative, and shall, at the request of the Solicitor General or Attorney General, cause investigations to be conducted into the circumstances of serious injuries and deaths that may have resulted from criminal offences committed by police officers;
- If there are reasonable grounds to do so in his or her opinion, the director shall cause informations to be laid against police officers in connection with the matters investigated and shall refer them to the Crown Attorney for prosecution;
- The director shall report the results of investigations to the Attorney General, and,
- Members of police forces shall co-operate fully with the members of the unit in the conduct of investigations.

Conclusion:

The Toronto Police Service is the only agency capable of providing, within the meaning and scope of the *Police Services Act*, "adequate and effective policing" of the public transit system in Toronto. The *PSA* outlines the various requirements placed upon police services to provide this standard of service to their communities. The first and most elementary requirement is that the

services be provided by duly constituted police services. The second requirement is that the services be provided in accordance with the Adequacy Standards and other regulations and provisions of the *Act*. The Toronto Police Service fulfills both requirements and is the only organization capable of doing so.

With respect to the Special Constable Services section of the TTC, its existence is immaterial to the continuing ability of the Service to provide adequate and effective policing of the public transit system in Toronto. There are legitimate security functions to be performed by TTC personnel that do not require the granting of special constable status.

I will be in attendance at the Board meeting to respond to any questions that the Board members may have in relation to this report.

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

THAT the report be referred to the Chair for a further report to the November Board meeting on follow-up options related to the Chief's report based on consultations with appropriate stakeholders.

The Board noted that the foregoing report was considered in conjunction with a presentation delivered by Mr. Gary Webster, Chief General Manager of the TTC, during the in-camera meeting (Min. No. C262/08 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

#P292. DATE OF JANUARY 2009 MEETING

The Board agreed that the first meeting in the new year would be held on Thursday, January 22, 2009 at Toronto Police Headquarters.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON OCTOBER 16, 2008**

#P293. IN-CAMERA MEETING – OCTOBER 16, 2008

In addition to the public meeting conducted by the Board today, an in-camera meeting was held to consider a number of matters which were exempt from the public agenda in accordance with the criteria for considering confidential matters set out in s.35(4) of the *Police Services Act*.

The following members attended the in-camera meeting:

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

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD OCTOBER 16, 2008**

#P294. ADJOURNMENT

Alok Mukherjee
Chair