



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on April 16, 2009 are subject to adoption at its next regularly scheduled meeting.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **APRIL 16, 2009** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Ms. Pam McConnell, Councillor & Acting Chair
Ms. Judi Cohen, Member & Acting Vice Chair
Mr. Frank Di Giorgio, Councillor & Member
Mr. Hamlin Grange, Member
Mr. Adam Vaughan, Councillor & Member

ABSENT:

Dr. Alok Mukherjee, Chair
The Honourable Hugh Locke, Q.C., 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 APRIL 16, 2009**

#P93. INTRODUCTIONS

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

Superintendent Mark Fenton
Superintendent Thomas Fitzgerald
Staff Inspector Mario Di Tommaso
Staff Inspector Michael Earl
Inspector Douglas Quan
Inspector Tony Riviere
Inspector Randy Smith
Staff Sergeant Brian Bowman
Staff Sergeant Karen Smythe
Staff Sergeant Ronald Reed
Sergeant Donald Buckley
Sergeant Ruby Dhatt
Sergeant David Leck
Sergeant Michael Palermo
Sergeant John Stevens
Sergeant Andrew Taylor

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**#P94. TRAINING PARTNERSHIP WITH HUMBER COLLEGE AND THE
UNIVERSITY OF GUELPH**

Mr. John Davies, President, Dr. Ian Smith, Principal of Lakeshore Campus and Dean of the School of Social and Community Services, Humber College Institute of Technology and Advanced Learning, and Dr. Frank Trovato, Justice Studies Head at the University of Guelph-Humber, were in attendance and delivered a presentation to the Board on the partnership between the Toronto Police Service, Humber College and the University of Guelph.

The Board and Chief Blair thanked the representatives of Humber College and the University of Guelph for the great work that they have done to establish a training program for members of the Toronto Police Service.

The Board received the presentation.



**Summary
of the Humber Presentation
to the
Board, Toronto Police Services**

**Thursday, April 16th 2009
Toronto Police Headquarters
2nd Floor, Auditorium**

A team from Humber College Institute of Technology and Advanced Learning, led by the President, John Davies, will provide an overview of the educational pathways provided to members of Toronto Police Services. The presentation will begin with an outline of the emerging role that Humber College plays in providing advanced level education and training to a growing number of professions in Ontario and further afield.

The unique partnership between Toronto Police Services, Humber College and the University of Guelph will be discussed in order to provide a framework from which to understand the pathways and programs available to both police officers and civilians of Toronto Police Services.

Presenters

John Davies
President

Ian Smith
Principal of Lakeshore Campus, and
Dean, School of Social and Community Services

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**#P95. INSPECTION BY THE MINISTRY OF COMMUNITY SAFETY AND
CORRECTIONAL SERVICES**

The Board was in receipt of the attached correspondence dated March 27, 2009 from Fay Patey, Director, Police Support Services Branch, Ministry of Community Safety and Correctional Services, with respect to the inspection that will be conducted by the Ministry of Community Safety and Correctional Services.

Mr. Dave Preston, Inspection Coordinator, and Mr. Peter Osinga, Police Services Advisor for Zone 3, Public Safety Division, Ministry of Community Safety and Correctional Services, were in attendance and delivered a presentation on the proposed work plan for the inspection. A copy of the PowerPoint presentation is on file in the Board office.

The Board received the correspondence from Ms. Patey and the foregoing presentation.

Ministry of Community Safety and Correctional Services	Ministère de la Sécurité communautaire et des Services correctionnels
Public Safety Division	Division de la sécurité publique
25 Grosvenor St. 12 th Floor Toronto ON M7A 2H3	25 rue Grosvenor 12 ^e étage Toronto ON M7A 2H3
Telephone: (416) 314-3000 Facsimile: (416) 314-4037	Téléphone: (416) 314-3000 Télécopieur: (416) 314-4037



March 27, 2009

Toronto Police Services Board
40 College Street,
Toronto, ON M5G 2J3

Attention: Joanne Campbell (Executive Director)

Re: Police Services Board Meeting April 2009.

It is the Ministry's practice prior to commencing an inspection, for members of the Inspection Team to meet with the Board, to provide an overview of the proposed work plan.

This letter is to request for the Inspection Coordinator Dave Preston, and your Zone Advisor, Peter Osinga to be placed on the Police Services Board agenda for April 2009.

Should you have any questions, please contact your Police Services Advisor Mr. Peter Osinga at 416- 314-3019 or at Peter.Osinga@ontario.ca or Mr. Dave Preston, the Inspection Co-ordinator at 416-314-3021 or at Dave.Preston@ontario.ca

Sincerely,

A handwritten signature in black ink, appearing to read "Fay Patey", written over a circular scribble.

Fay Patey
Director (A)
Police Support Services Branch

Enclosure

- c. Mr. Rick Raghubir (A), Police Quality Assurance Unit
Mr. Peter Osinga, Police Services Advisor for Zone 3

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**#P96. REPORT ON POSSIBLE RESEARCH COLLABORATION INTO
EQUITY ISSUES WITH THE CONSORTIUM OF POLICE LEADERSHIP
IN EQUITY AND THE TORONTO POLICE SERVICE**

The Board was in receipt of the following report March 16, 2009 from William Blair, Chief of Police:

Subject: REPORT ON POSSIBLE RESEARCH COLLABORATION INTO EQUITY ISSUES WITH THE CONSORTIUM OF POLICE LEADERSHIP IN EQUITY (CPLE, the CONSORTIUM)) AND THE TORONTO POLICE SERVICE.

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background:

On November 7, 2008, Chief of Police William Blair, Deputy Chief Anthony Warr, and Staff Superintendents Mike Federico and Anthony Corrie attended a session on the latest social research into equity, race relations and policing hosted by social researchers from the Consortium for Police Leadership in Equity. This group of social scientists represents institutions of higher learning and research including Harvard, Stanford, and Yale universities, and the University of California.

At this session, the Consortium offered to help interested police services engage in equity studies of their own and invited services to send representatives to the next information session scheduled for February 26, 2009, in New York City to learn more about the research opportunities for their service.

The Chief welcomed the opportunity to advance the knowledge and understanding of equity and policing in Toronto and sent Staff Superintendents Mike Federico and Anthony Corrie to evaluate the Consortium's offer.

Staff Superintendents Federico and Corrie were selected because they oversee areas where the proposed research might have particular application. Staff Superintendent Federico oversees recruitment, training, staff development and deployment, diversity management, and community mobilization, and Staff Superintendent Corrie oversees professional standards, and leads the Human Rights Project Charter for the Service.

Upon the return of Staff Superintendents Federico and Corrie, the Chief was requested to submit a report updating the Board on the results of the meeting.

Discussion:

The Consortium seeks to help law enforcement agencies improve their responses to issues of equity, particularly racial and gender equity, within their agencies and with the communities they serve. The Consortium hopes to do so by facilitating innovative research collaborations between law enforcement agencies and social scientists.

The February session was attended by twelve police services from the United States and two from Canada (the Toronto Police Service and the Calgary Police Service). The police services were invited to table equity and race relations issues that they were facing and suggest areas where they believed scientific research would be helpful. Themes ranged from the media's influence on race relations and policing; recruitment, retention, and advancement of visible minorities, aboriginals and women in policing; police stops and detention practices and police use of force against visible minorities and aboriginals; and community engagement and support from visible minority and aboriginal communities.

The researchers then reviewed a number of their projects in which they described their methodologies and data, and presented their findings and recommendations. Their research offers insight and recommendations into gender and race equity in recruitment, retention and advancement; race relations and race biased policing in the delivery of police service, law enforcement and police use of force, and community confidence and engagement with police within visible minority neighbourhoods. However, many of the studies rely on data the Toronto Police Service does not normally collect or release. Therefore, the type of research the Consortium has previously conducted might not be feasible in Toronto.

Consequently, a further meeting with Dr. Phillip Atiba Goff, who represents the Consortium, will be arranged in Toronto to discuss these implications and examine what research might be possible under the circumstances.

Conclusion:

The Toronto Police Service welcomes the opportunity learn more about equity and policing so it can achieve its mission of making Toronto a safer and more liveable community. To do so the Service will explore appropriate scientific research opportunities with the CPLE.

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

Respectfully submitted,

The Board deferred consideration of the foregoing report to its May 2009 meeting.

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**#P97. EXEMPTION OF PROVINCIAL SALES TAX FOR MUNICIPAL POLICE
VEHICLES AND THE CONTINUATION OF PROVINCIAL AND
FEDERAL FUNDING FOR ONGOING POLICE PROGRAMS**

The Board was in receipt of the attached correspondence dated March 04, 2009 from Emil Kolb, Chair, Peel Police Services Board, to Rick Bartolucci, Minister of Community Safety and Correctional Services.

Chief Blair advised the Board that the TAVIS project is not a pilot project as noted in the correspondence from Chair Kolb; it is an ongoing initiative that has received provincial funding for several years.

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

THAT the Board send correspondence to Minister Bartolucci indicating that the Toronto Police Services Board:

- requests the Minister to pursue an exemption from the payment of provincial sales tax for police vehicles in all municipalities in the Province of Ontario; and
- requests the Minister to urge the federal government to demonstrate its commitment for a sustainable funding program for the permanent hire of 2,500 additional new municipal police officers in communities across Canada.



The Regional Municipality of Peel
POLICE SERVICES BOARD
10 PEEL CENTRE DR., BRAMPTON, ON L6T 4B9

TELEPHONE: 905-458-1340
FACSIMILE: 905-458-7278
www.peelpoliceboard.ca

March 4, 2009

The Honourable Rick Bartolucci
Minister of Community Safety and Correctional Services
25 Grosvenor Street
18th Floor
Toronto, ON M7A 1Y6

Dear Minister:

I am writing to you about three important issues that have been the subject of considerable discussion at the Regional Municipality of Peel Police Services Board; at a meeting of the Chairs of the police services boards representing the larger police services in Ontario, and at a recent meeting of the Ontario Association of Police Services Boards. We are seeking your support as our Minister to have these matters addressed in the upcoming provincial budget and on the third issue with your Ministerial colleague in Ottawa.

Provincial Anti-Violence Intervention Strategy

Funding for this program commenced as a result of a pilot project in Toronto. It has been extremely successful in Peel, as evidenced by the attached resolution which was endorsed by the Peel Board at its meeting in February, 2009. However, when our staff sought to apply for a continuation of the program for 2009/10, they were advised by Ministry staff that funding was on a 'one-time' basis and that any continuation would be dependent upon the upcoming provincial budget.

It is our strong view that this program has proven its worth many times over. A direct line can be drawn from the funding to the suppression of gang activity and violence. As can be seen by the situation in British Columbia, containing and combating gang violence requires an ongoing and sustained effort. The resources provided to Peel through P.A.V.I.S. have been invaluable and we ask for your agreement and strong endorsement of the continuation of the program.

Please accept this as our request for P.A.V.I.S. funding for 2009/10.

Municipal Police Vehicles – Taxable Status

As set out in the attached resolution, this is an issue that is familiar to you and the provincial government. Despite repeated attempts to correct this anomaly in the treatment of municipal police vehicles as opposed to provincial police vehicles and municipal fire vehicles, there has been a reluctance to address this matter.

There is no reasonable or rational explanation for this situation. As the resolution sets out, treating Peel police cruisers in the same way as the OPP cruisers that literally patrol across the policing boundary would have amounted to an additional \$1.2 million over three years to address priorities in our community. Other municipalities and Police Service Boards would have realized proportional savings.

As the Minister for Community Safety and Correctional Services we urge you to speak to your Cabinet colleagues to have this matter addressed in the upcoming budget.

Federal Funding – 2,500 Additional Police Officers

The attached resolution is self-explanatory and we recognize and thank you for your previous efforts to make this funding sustainable.

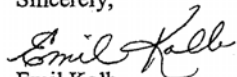
Municipal police services in Ontario, while they welcome the additional funding for new police officers, are under severe strain and now face the possibility of having to replace the federal funding with an increase in property taxes for these new officers. We urge you to continue your efforts in Ottawa to ensure the federal government lives up to its commitment for a sustainable funding program. I can assure you of the support of my Board and I believe our provincial and national associations in this endeavour.

The Peel Police Service Board recognizes the difficult financial and economical environment in which the next provincial budget is being presented. We understand the need to maximize the impact of every dollar spent and the difficult task of matching revenues to programs. However, we also have witnessed first hand the erosion that can take place when valuable programs or initiatives are left stranded. We have the history of the impact of the funding cuts from the mid-1990s, and can demonstrate the consequences of those cuts and their subsequent impact on Peel Region. Our requests are made with knowledge of the importance of maintaining a safe and secure community, especially in light of current uncertainty and potential disruption in individual's lives. I can assure you we are committed to doing our share, as demonstrated by a letter I recently sent to Premier D. McGuinty, a copy of which was sent to you, regarding our initiative connect2ENDviolence.ca.

The Peel Police Services Board and, I believe, the entire municipal police community, looks to you as our advocate with the Minister of Finance to address the matters set out in this letter, and to assist us in better serving our communities.

I appreciate your assistance and look forward to your response.

Sincerely,


Emil Kolb
Chair

- c. The Honourable Dalton McGuinty, Premier
- The Honourable Dwight Duncan, Minister of Finance
- The Honourable Peter Fonseca, Minister of Labour
- The Honourable Harinder Takhar, Minister of Small Business and Consumer Services
- Mr. Bob Delaney, MPP, Mississauga-Streetsville
- Mr. Vic Dhillon, MPP, Brampton West
- Ms. Linda Jeffrey, MPP, Brampton-Springdale
- Ms. Sylvia Jones, MPP, Dufferin-Caledon
- Mr. Kuldip Kular, MPP, Bramalea-Gore-Malton
- Ms. Amrit Mangat, MPP, Mississauga-Brampton South
- Mr. Charles Sousa, MPP, Mississauga South
- Ms. Mary Smiley, President, Ontario Association of Police Services Boards
- Mr. Terry Clayton, Chair, Durham Police Services Board
- Mr. Robert Maich, Chair, Halton Police Services Board
- Mr. Bernie Morelli, Chair, Hamilton Police Services Board
- Mr. Ab A. Chahbar, Chair, London Police Services Board
- Mr. Lawrence Iggulden, Chair, Niagara Police Services Board
- Councillor Eli El-Chantiry, Chair, Ottawa Police Services Board
- Dr. Rayudu Koka, Chair, Sudbury Police Services Board
- Dr. Alok Mukherjee, Chair, Toronto Police Services Board
- Mr. Tom Galloway, Chair, Waterloo Police Services Board
- Mayor Eddie Francis, Chair, Windsor Police Services Board
- Mr. Danny Wheeler, Chair, York Police Services Board



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P.A.V.I.S. Funding

WHEREAS the provincial government in 2006 committed \$51 million to combat gun and gang violence;

and WHEREAS based on a successful pilot project with the Toronto Police Service, the provincial government in 2007 expanded the program with a funding commitment of \$6 million through the Provincial Anti-Violence Intervention Strategy to police services in the Greater Toronto Area;

and WHEREAS this program has been extremely successful, with the funding delivering tangible and meaningful results as evidenced by the Peel Regional Police, who with approximately \$1 million in funding, resulting in a 78 total days of targeted enforcement over a 14 month period achieved the following:

- 560 Criminal Code charges
- 199 Provincial offences
- 39 warrants executed
- 46 Weapons seized
- Nine firearms seized
- Four stolen cars recovered
- 171 compliance checks on known gang members
- and Considerable intelligence-gathering;

and WHEREAS the provincial government has opted to expand this program on a 'one-time' basis across Ontario without the certainty of continued funding for those agencies already receiving P.A.V.I.S. funding, despite its proven success in suppressing gang and gun violence;

and WHEREAS it is well recognized that a continuous, coordinated and targeted effort is required to combat the insidious effects of gang and gun violence, and P.A.V.I.S is a proven successful provincial government program that has served to make communities safer across the Greater Toronto Area:

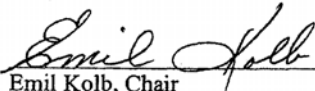
THEREFORE BE IT RESOLVED that the Regional Municipality of Peel Police Services Board apply now for a P.A.V.I.S. grant for 2009/2010 in the amount previously provided to the Peel Regional Police in anticipation of a continuation or expansion of the P.A.V.I.S. program in the provincial government's budget to be delivered in March, 2009;

and FURTHER BE IT RESOLVED that the Regional Municipality of Peel Police Services Board urge police services boards in the Greater Toronto Area to take similar action, and that it seek the support of the Ontario Association of Police Services Boards for maintenance and expansion of this program on a province-wide basis;

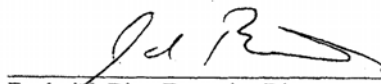
and FURTHER BE IT RESOLVED that this resolution be circulated to the area members of provincial parliament and the Regional Council of Peel seeking their support.

This resolution is endorsed by the Regional Municipality of Peel Police Services Board.

Dated at Brampton this 4th day of March, 2009



Emil Kolb, Chair
Regional Municipality of Peel Police Services Board



Frederick Biro, Executive Director
Regional Municipality of Peel Police Services Board



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Taxable Status of Municipal Police Vehicles

WHEREAS provincial police vehicles, fire service vehicles, and the repair and licensing of such vehicles is exempt from the payment of provincial sales tax;

and WHEREAS municipal police service are required to pay provincial sales tax and license fees for municipal police vehicles;

and WHEREAS this is an inexplicable and unexplainable anomaly that penalizes municipal police services boards who are equally and directly engaged in the delivery of primary emergency services;

and WHEREAS this results in an unfair tax burden borne directly by municipal tax payers through the payment of property taxes;

and WHEREAS this issue has been raised repeatedly by various police organizations, such as the Ontario Association of Police Services Boards and the Ontario Association of Chiefs of Police since 2006;

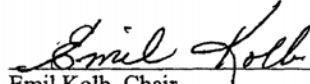
and WHEREAS if the provincial government had acted in 2006 to correct the situation and afforded the same tax treatment to municipal police services as provided the Ontario Provincial Police and fire services, it would have freed up millions of dollars for municipal police services to fund needed front line programs, the Peel Regional Police alone having an additional \$1.2 million over that four year period;

THEREFORE BE IT RESOLVED that the Regional Municipality of Peel Police Services Board request that the provincial government afford municipal police services the same tax treatment as provided the Ontario Provincial Police and fire services and exempt the purchase of municipal police vehicles, and the repair and licensing of such vehicles from the provincial sales tax;

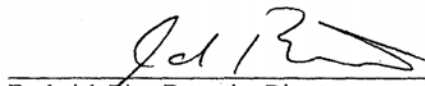
and FURTHER BE IT RESOLVED that the Regional Municipality of Peel Police Services Board seek the support of area members of provincial parliament; the Regional Council of Peel, the Ontario Association of Police Services Boards; and through the OAPSB, the support of the Association of Municipalities of Ontario, the Ontario Association of Chiefs of Police and the Police Association of Ontario for this resolution.

This resolution is endorsed by the Regional Municipality of Peel Police Services Board.

Dated at Brampton this 4th day of March, 2009



Emil Kolb, Chair
Regional Municipality of Peel Police Services Board



Frederick Biro, Executive Director
Regional Municipality of Peel Police Services Board



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Federal Funding - 2500 Police Officers

WHEREAS during the 2006 federal election campaign, the federal Conservative Party of Canada committed to sustainable funding for the hire of 2,500 new municipal police officers, recognizing the need for additional front line police resources in communities across Canada;

and WHEREAS, once elected, the federal Conservative Party, as part of its 2008 federal budget, committed \$400 million in a trust fund for five years to fulfill its commitment;

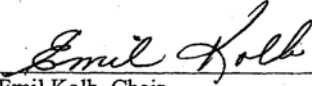
and WHEREAS it is well recognized by the police community, and by the federal government itself, that this does not meet the commitment made in 2006, an example being funding provided for the Peel Regional Police for the hire of 13 additional police officers for a five year period only, with costs beyond that point to be borne by municipal taxpayers solely through an increase in property taxes;

and WHEREAS police leaders recognize the need for additional police resources is even more vital and urgent in 2009, given the increase in violent crime, and as evidenced by recent statements made by the Prime Minister of Canada and the Minister of Community Safety in response to gang violence in the Vancouver area;

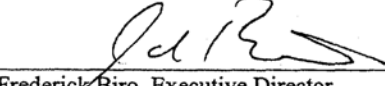
THEREFORE BE IT RESOLVED that the Regional Municipality of Peel Police Services Board put forward a resolution to the Canadian Association of Police Boards, with endorsement sought by the Canadian Association of Chiefs of Police, the Canadian Police Association and the Ontario Association of Police Services Boards, urging the federal government to fulfill its commitment made in 2006 for sustainable funding for the permanent hire of 2,500 additional municipal police officers.

This resolution has been endorsed by the Regional Municipality of Peel Police Services Board.

Dated at Brampton this 4 day of March, 2009



Emil Kolb, Chair
Regional Municipality of Peel Police Services Board



Frederick Biro, Executive Director
Regional Municipality of Peel Police Services Board

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**#P98. SEMI-ANNUAL REPORT: REVIEW OF SEXUAL ASSAULT
INVESTIGATIONS: AUGUST TO DECEMBER 2008**

The Board was in receipt of the following report February 25, 2009 from William Blair, Chief of Police:

Subject: SEMI-ANNUAL REPORT – REVIEW OF SEXUAL ASSAULT
INVESTIGATIONS: AUGUST 1 TO DECEMBER 31, 2008.

Recommendations:

It is recommended that:

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

Financial Implications:

There are no financial implications 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 a semi-annual report to the Board on the progress of the implementation of Mr. Jeff Griffiths, Auditor General's follow-up report and improvements in training on sexual assault investigations. (Min. No. P126/08 refers).

This semi-annual report outlines the progress of the implementations of the Auditor General's recommendations for the Board's information.

Discussion:

The Toronto Police Service is committed to the recommendations from the Auditor General, City of Toronto, Follow-Up Review on the October 1999 Report entitled: "Review of the Investigation of Sexual Assaults – Toronto Police Service". The ongoing implementation of the recommendations with regard to sexual assault investigations and the impact within the community is an important responsibility to the Service. To that end, it is important to note the efforts undertaken to implement the recommendations made by the Auditor General pertaining to sexual assaults.

Furthermore, the Service has established a Sexual Assault Advisory Committee composed of community practitioners, Service representatives and experts in the issues associated with the sexual assault of women. The newly formed Advisory Committee has met once with a second meeting scheduled in February, 2009.

Progress update of the implementation of the Auditor General's follow-up report recommendations:

1. The Chief of Police re-evaluate the staffing complement in the Sexual Assault Section of the Sex Crimes Unit in order to ensure that the level of staff is commensurate with the increase in workload experienced since 1999:

Response:

The Staffing Audit was completed in 2005 by the Staff Planning Unit in consultation with the Unit Commander of the Sex Crimes Unit. It was determined that staffing levels are sufficient in general but consideration should be given to implementing a training constable program of six officers from the field to allow flexibility to address cases as needed.

Status: Ongoing. The Sex Crimes Unit is currently providing training opportunities for Divisional police constables.

2. The Chief of Police, in consultation with the City's Internet Web site administrators, consider enhancing the Internet Web Page of the Sex Crimes Unit to include information relevant to those women who have been sexually assaulted. In particular, the Internet Web site include information on:

- the roles and responsibilities of the first-response police officer;
- the roles and responsibilities of the divisional investigating police officer;
- the roles and responsibilities of the Sexual Assault Section within the Sex Crimes Unit;
- the availability of police officers of either gender in the interview and investigative process of a sexual assault;
- the availability of translation services to women reporting a sexual assault;
- the roles of the Sexual Assault Care Centres, the Victim Services Program, and various other community support services; and
- the ensuing legal process pertaining to a sexual assault.

Response:

Recommendations were made by the Sexual Assault Steering Committee (Min. No P34/2005 refers) in 2005 and 2006 for changes to be made. The Sexual Assault Coordinator has ensured the content of the Web Page is consistent with recommendations/input from the Steering Committee and is reflected in amended content. The Sex Crimes Unit Web Page has

been enhanced and implemented by the Webmaster and is available to the public. The Sexual Assault coordinator will ensure the content of the Web page is properly maintained.

Status: Implemented.

- 3. The Chief of Police direct all first-response officers immediately that policies and procedures must be complied with. Consideration be given to the re-issue of Criminal Investigations Procedure 05-05, Sexual Assault. In particular, first-response officers attending incidents of sexual assault be immediately directed that:**
 - (a) officers collect only basic information concerning the assault from the woman who has been sexually assaulted;**
 - (b) only those officers with specific training in sexual assault investigations be allowed to conduct detailed interviews with the woman who has been sexually assaulted; and**
 - (c) interpretation services are provided by the Multilingual Community Interpreter Services or other police officers.**

Response:

All officers have been directed by a Routine Order 2005.01.19-0060, with regard to compliance of policies and procedures. Corporate Planning republished Criminal Investigations Procedure 05-05, Sexual Assault, on May 27, 2008 with particular direction to first-response officers. Further direction with regard to first-response officers attending incidents of sexual assault is also included in the Sexual Assault course. To further ensure compliance of policies and procedures by officers attending incidents of sexual assault, the Unit Commander and the Detective Sergeant of the Sex Crimes Unit provided training to all field Detective Sergeants or designate with regard to monitoring compliance of policies and procedures in September 2008.

Status: Implemented.

- 4. The Chief of Police give consideration to amending Criminal Investigations Procedure 05-05, Sexual Assault, to clarify the circumstances during which officers in charge are required to attend the scene of a sexual assault. The amendment outlines specific criteria and circumstances in terms of when attendance at the scene of a sexual assault is required. Reasons for non-attendance at any scene where a sexual assault has occurred should be documented in writing and approved by appropriate supervisory staff.**

Response:

Toronto Police Governance sets out requirements for the mandatory notification and/or attendance of supervisors as a risk management element in the response of this Service to the wide variety of incidents and occurrences faced on a daily basis. Accordingly, Criminal Investigations Procedure 05-05, Sexual Assault, was amended and republished on May 27,

2008 to clarify circumstances during which supervisors are required to attend the scene of a sexual assault. The clarification content is also included in the Sexual Assault Course. Training has been provided to Detective Sergeants and designates with regard to quality control, and this process is now in place within divisions to raise issues/concerns to the Unit Commander level. The Toronto Police Service believes Sergeants should attend all sexual assault reports unless exceptional circumstances exist and such circumstances should be noted.

Status: Implemented.

- 5. The Chief of Police ensure that whenever possible, only those officers with specific training in sexual assault investigations be allowed to conduct sexual assault investigations.**

Response:

Criminal Investigations Procedure 05-05, Sexual Assault, was amended and published on May 27, 2008. The amendment directs only those officers with specific training in sexual assault occurrences be allowed to conduct sexual assault investigations. This direction is also included in the Sexual Assault course. Training has been provided to Detective Sergeants and designates with regard to quality control. This process is now in place within the divisions to raise issues/concerns to the Unit Commander level.

Status: Implemented.

- 6. The Chief of Police give consideration to the implementation of a supervisory/monitoring/reporting process to identify areas of non-compliance with published procedures. Instances of non-compliance be appropriately dealt with including the imposition of necessary discipline.**

Response:

On September 19, 2008, the Unit Commander and Detective Sergeant of the Sex Crimes Unit provided training to Detective Sergeants and designates with regard to a quality control/monitoring process of published procedures. This process is in place for supervisors to identify areas of non compliance within the divisions as are guidelines for appropriate discipline.

Status: Ongoing monitoring by supervisors.

- 7. The Chief of Police direct that all occurrence reports relating to sexual assault be reviewed by supervisory staff at the divisional level upon receipt of the initial reports and at the completion of the investigation. Evidence of the review be appropriately documented in the information system. Incomplete or inappropriate occurrence reports be discussed with the officer concerned and amendments made where necessary. Continued deficiencies in the preparation of occurrence reports be dealt with through existing training, and if necessary, discipline. Occurrence reports prepared by members of the Sex Crimes Unit be reviewed and approved by supervisory staff within the Unit.**

Response:

This is part of the review function in the current Records Management System where reports are reviewed by immediate supervisors. The Sex Crimes Unit receives copies of occurrence reports related to sexual assault automatically via email and can also locate new occurrences through Analyst searches. All occurrences are reviewed by a supervisor and are electronically signed by the person reviewing them.

Status: Ongoing monitoring by supervisors.

- 8. The Chief of Police direct that all sexual assault occurrence reports be promptly forwarded to the Sex Crimes Unit for review and analysis. The Sex Crimes Unit will be responsible for the tracking and detailed analysis of all sexual assault occurrences on a City-wide basis.**

Response:

As previously mentioned, sexual assault occurrence reports arrive automatically to the Sex Crimes Unit via email. The Sex Crimes Analyst and Sexual Assault Coordinator analyze all sexual assault occurrence reports received from divisional units across the Toronto Police Service.

Status: Implemented.

- 9. The Chief of Police ensure that under no circumstances should a first-response officer make a determination as to whether a sexual assault is unfounded. The determination of this matter be reviewed and approved by a sexual assault investigator. The Chief of Police will further ensure that all occurrence reports contain an appropriate level of information to substantiate conclusions and that all such reports be approved in writing by supervisory officers.**

Response:

Criminal Investigations Procedure 05-05, Sexual Assault has been amended and includes this content with regard to first responders. This section is highlighted directing first-response officers not to report on validity or truth. The case manager and Detective Sergeant are to consult on unfounded complaints. The Detective Sergeant will ensure proper documentation of relevant details substantiating conclusions including consultation. This direction is also included in the Sexual Assault Course. Divisional Policing Planners have implemented a quality control monitoring process within the divisions to ensure this.

Status: Ongoing monitoring by supervisors.

- 10. The Chief of Police ensure that divisional investigators are in compliance with Criminal Investigations Procedure 05-05, Sexual Assault, as it applies to maintaining consistent and regular contact with women who have been sexually assaulted. Such contact be maintained throughout the investigative and legal process and be appropriately documented.**

Response:

Criminal Investigations Procedure 05-05, Sexual Assault has been amended and makes clear that consistent and regular contact be maintained throughout the investigative and legal process with women who have been sexually assaulted. Furthermore, eCops has been amended to include documentation of victim follow up and contact.

Status: Ongoing monitoring by supervisors.

- 11. The Chief of Police revise the internal administrative accounting structure in order to accurately account for all costs relating to sexual assault investigative training activities throughout the Toronto Police Service. The accounting for these costs include training expenditures incurred at the C.O. Bick College, expenditures incurred by the Sex Crimes Unit, including all costs relating to attendance at outside training courses and conferences, and any expenditures incurred relating to decentralised training at the Division.**

Response:

Since 2003, the Toronto Police Service (TPS) has improved corporate time and attendance recording and employee records software systems. The costs for all training delivered to members of the TPS can be derived from these systems but it is fairly time consuming. System Applications and Products in Data Processing (SAP) provides costing for external training. Training and Education will work with Human Resources, Finance and Administration, and Corporate Planning to improve procedures and forms to simplify records keeping better track these expenditures.

Status: Implemented.

12. The Chief of Police be requested to conduct an evaluation in regard to the projected long-term requirements for police officers trained in the investigation of sexual assaults. This analysis takes into account potential retirees over the next number of years, as well as the anticipated demands for officers trained in sexual assault investigations. This analysis be used to determine the adequacy or otherwise of the current training schedule and, if appropriate, the training program be amended. Information relating to those officers who have attended the Sexual Assault and Child Abuse Course be brought up to date and maintained.

Response:

Training and Education conducts demand analysis to determine the number of courses each year. Information is provided by the training coordinator from each unit and is based on unit needs and predictions of those needs.

Status: Implemented.

13. The Chief of Police give consideration to amending the mandate of the Sex Crimes Unit to include a general consultative and oversight role relating to the training of sexual assault investigators. The Training and Education Unit, in designing and delivering training activities relating to sexual assault investigations, consult with the Sex Crimes Unit to ensure that the course content is relevant and practical.

Response:

Sexual Assault investigations and training for these investigations is a very complex issue, governed by Provincial Adequacy legislation. The Service does not agree that training oversight should be the responsibility of the Sex Crimes Unit, though the unit can and should be involved in consultation, as should community representation. The newly formed Sexual Assault Advisory Committee will facilitate such consultation between T&E, The Sex Crimes Unit and community representatives.

Status: 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.

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

- increasing its relevance to the course participants; and
- involving community organizations who work with women who have been sexually assaulted in the design and delivery of the training program.

Response:

The Sexual Assault Steering Committee had a key role in identifying training issues that needed to be addressed. The Steering Committee is no longer meeting; therefore Training and Education will address this issue. A new, ten day Sexual Assault Investigators Course (SAIC) is now in place and has been since May, 2008, based, in part, on recommendations of the Steering Committee. Training and Education have a plan in place for on going evaluation of this course (Min. No. P281/08 refers).

Status: As previously reported in recommendation number 13, 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.

15. The Chief of Police direct that a written evaluation of the Annual Sex Crimes Investigations Conference be conducted in order to determine its effectiveness, relevance and costs. Such an evaluation be reviewed by senior staff.

Response:

A review of the 2005 Annual Sex Crimes Investigations Conference was undertaken by Training and Education. This review determined that the conference was effective and relevant but to minimize disruptions to operations, the Sex Crimes Unit will deliver conferences every second year, and only if necessary. Preparation time and costs will be monitored.

Status: Implemented.

- 16. The Chief of Police evaluate the training resources available for the Sexual Assault and Child Abuse Course. Such an evaluation determine whether the effectiveness of the course could be improved by integrating in the training process the expertise of those community organizations who support women who have been sexually assaulted. Compensation to these organizations be provided on the same basis as the compensation provided to other third parties. Participants from the community be required to possess an appropriate level of presentation skills.**

Response:

The Steering Committee has had a key role in identifying issues that needed to be addressed, including these areas. A new, ten day Sexual Assault Investigators Course (SAIC) is now in place and has been since May, 2008, based, in part, on recommendations of the Steering Committee. Information has been incorporated into the curriculum and available in the resource material for the course.

Status: The revised Sexual Assault Investigator's Course has increased the time available to the presenters from the Sexual Assault Care Centre. Representatives from Multilingual Community Interpreter Services (MCIS) also provide information to investigators about their services. The representatives from both of these agencies provide professional, prepared and informative presentations to investigators.

- 17. The Chief of Police ensure that detailed staffing objectives and projections are developed prior to the expenditure of significant funds on external courses. Such a process take into account individual staffing requirements and longer term officer commitment to the Unit. Staff attending such courses be required to remain with their Unit for a reasonable period of time in order to take advantage of the training received.**

Response:

Staffing objectives and projections are improved to ensure proper return on investment for all training. This includes revised procedures and forms to identify the goals of the courses and conferences and the necessity to attend. These improvements are now implemented within Detective Services.

Status: Implemented.

- 18. The Chief of Police and the City's Commissioner of Corporate Services develop an ongoing protocol and working relationship in order to ensure that:**
- technology developments do not occur in isolation from each other;
 - technology developments are in accordance with the long term objectives of both organizations; and
 - the purchase of any computer hardware and software is co-ordinated.

Response:

The Director of Information Technology Services (ITS) maintains frequent and regular contact with the City of Toronto's Executive Director, Corporate Information and Technology. The issues related to technology are discussed, including development, joint projects and purchasing.

Status: Implemented.

- 19. The Chief of Police take immediate action to ensure that the Violent Crime Linkage Analysis System (ViCLAS) reports relating to sexual assaults are completed and submitted within the prescribed time limits of the Toronto Police Service (21 days) and the Police Services Act (30 days). The responsibility for ensuring compliance be clearly defined. Monthly status reports on the extent of compliance by division be prepared and submitted to the Chief of Police and appropriate action be taken for instances of noncompliance.**

Response:

Routine Order 2005.01.18-0050 was published with regard to the compliance rate for ViCLAS and that it be monitored in the Executive Dashboard process; action has been undertaken for non-compliance. More recently, the Homicide's Major Case Management Section held a ViCLAS and Major Case Management information session on November 26, 2008. Invited participants included members of the Homicide Squad, the Sex Crimes Unit and Detective Sergeants from across the Service.

Status: Implemented.

- 20. The Chief of Police ensure that the project pertaining to the electronic transmission of ViCLAS data to the Provincial ViCLAS Centre in Orillia is expedited as quickly as possible. Staff responsible for this project be required to provide specific deadlines for completion. Periodic updates regarding the progress of the project be reported to the Chief of Police.**

Response:

The RCMP did provide an electronic version of ViCLAS which was tested by TPS in the Sex Crimes Unit. The RCMP has not provided a current version of the electronic ViCLAS for use by police agencies.

Status: Ongoing, awaiting a current version of the electronic ViCLAS for use by police agencies.

- 21. The Chief of Police in consultation with the Sex Crimes Unit, ensure that all police officers have a clear understanding of the revised consent procedures relating to the sexual assault medical evidence kit. In particular, women who have been sexually assaulted be provided with detailed explanations pertaining to the consent form by divisional Sexual Assault Investigators only.**

Response:

Criminal Investigations Procedure 05-05, Sexual Assault, has been amended to clarify process of obtaining consent regarding the sexual assault medical evidence kit. Training processes also amended to focus on this area.

Status: Implemented.

- 22. The Chief of Police ensure that when the required consent forms have been signed by the woman who has been sexually assaulted, medical evidence kits be collected from the Sexual Assault Care Centres immediately.**

Response:

Amendment of Criminal Investigations Procedure 05-05 indicates the importance of seizing these kits at the earliest opportunity. Amended training on the current Sexual Assault Investigators Course (SAIC) reinforces the procedure. Part of the Provincial Audit recommendations includes development of written relationship guidelines with the Sexual Assault Care Centres; these guidelines will also address this issue.

Status: Ongoing. The Sexual Assault Coordinator to finalize written relationship guidelines with the Sexual Assault Care Centres.

- 23. The Chief of Police review the protocol in connection with the issue of general community warnings contained in the Procedure entitled “Community Safety Notification”. Such a review take into account that such warnings by their nature are meant for the community at large and as a result, and in accordance with the mandate of the Sex Crimes Unit, the development and subsequent issue of such warnings be the responsibility of the Sex Crimes Unit. Such a process would ensure that warnings are consistent, appropriate, accurate and complete and should be issued in consultation with Divisional Unit Commanders.**

Response:

The Committee has had a key role in identifying issues that need to be addressed in this area and Public Information have learned a great deal about the content and delivery of these releases. The Service has identified over 400 agencies now receiving warnings directly. The

Service will ensure that a release is done when a stranger sexual assault occurs and investigation is undertaken by Sex Crimes. The Service does not agree that the Sex Crimes Unit has responsibility for this; this responsibility belongs to Public Information Unit.

Status: Ongoing. This issue will be further reviewed in discussions with the Sexual Assault Advisory Committee at a future date.

24. The Chief of Police assign responsibility for the review and evaluation of the recommendations in this report to a Senior Officer within the Sex Crimes Unit. The Chief of Police report to the Toronto Police Services Board on an action plan, along with a specific timetable for the implementation of the recommendations.

Status: This responsibility is assigned to the Staff Superintendent, Detective Services.

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

Conclusion:

The Toronto Police Service is committed to improving the police response to victims of sexual assault with the implementation of the recommendations from the City Auditor (1999 and 2004). Improvements have been made with every change made to policy and procedures, training, staffing, and technology, recognizing the impact on victims and the community. Many of these are ongoing and require further review as issues are identified and addressed with regard to sexual assault investigations. Consultation with the Sexual Assault Advisory Committee will assist to ensure that progress continues.

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

Ms. Jane Doe was in attendance and delivered a deputation to the Board. Ms. Doe also provided a written submission; copy on file in the Board office.

Prior to Ms. Doe delivering her deputation, Acting Chair Pam McConnell requested that Ms. Doe not be filmed, taped, photographed or identified by name pursuant to court order.

Ms. Doe indicated that her deputation was also presented on behalf of Ms. Beverly Bain and the following organizations:

- **The Assaulted Women's Helpline**
- **The Assaulted Women's and Children's Counsellor Advocate Programme at George Brown College**

- **Adobe Consulting**
- **Ernestine's Women's Shelter**
- **Maggies: The Prostitutes Advocacy Group**
- **The Native Youth Sexual Health Network**
- **Parkdale Community Legal Services**
- **Sistering**
- **The Toronto Police Accountability Coalition**
- **Voices of Positive Women**
- **The YWCA of Toronto**

Acting Chair McConnell agreed to meet with Chair Mukherjee to discuss the issues that Ms. Doe raised in her deputation.

Chief Blair advised the Board that a second meeting of the Sexual Assault Advisory Committee had taken place and that a third meeting is scheduled to take place in the near future. Chief Blair also advised that the mandate for the Committee is in the process of being developed.

Detective Sergeant Tom Lynch and Detective Sue Kernohan, Sex Crimes Unit, were in attendance and responded to questions about this report.

The Board was in receipt of the following Motions:

- 1. THAT the mandate and membership of the Advisory Committee be forwarded to the groups identified in the deputation;**
- 2. THAT the meeting schedules and agendas, together with the membership of the Advisory Committee, be made available on the Board's website; and**
- 3. THAT the process by which agenda items can be forwarded to the Advisory Committee and the process outlining how to become a member of the Advisory Committee also be posted on the Board's website.**

Following a discussion, the Board agreed to refer the foregoing Motions to Chair Mukherjee for consideration in consultation with Chief Blair.

The Board received the foregoing report and Ms. Doe's deputation and written submission. The Board also agreed to forward a copy of this report to the City of Toronto – Audit Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P99. ANNUAL REPORT 2008: SPECIAL CONSTABLES – UNIVERSITY OF
TORONTO**

The Board was in receipt of the following report March 16, 2009 from William Blair, Chief of Police:

Subject: SPECIAL CONSTABLE ANNUAL REPORT 2008 - UNIVERSITY OF
TORONTO POLICE

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

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

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

Discussion:

As directed by the Board, appended to this report is the 2008 Annual Report from the Scarborough and St. George Campuses of the U of T Police regarding special constables. The report is consistent with the reporting guidelines established by the Board.

Conclusion:

The Toronto Police Service has established an excellent working relationship with the University of Toronto. Over the past 12 months, a number of community outreach initiatives have been undertaken by the University of Toronto Police to enhance the feeling of safety and security for the users of University of Toronto properties in the downtown core and Scarborough. These initiatives are consistent with the community policing model employed by the Toronto Police Service and should compliment our efforts to better serve the citizens of Toronto.

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

Mr. Dan Hutt, Director of Campus Police Services, St. George Campus, and Mr. Rob Messacar, Manager, Scarborough Campus, were in attendance and responded to questions about the 2008 annual reports.

The Board received the foregoing report.

Electronic copies of the annual reports are not available.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P100. ANNUAL REPORT 2008: SPECIAL CONSTABLES – TORONTO
COMMUNITY HOUSING CORPORATION**

The Board was in receipt of the following report March 16, 2009 from William Blair, Chief of Police:

Subject: SPECIAL CONSTABLE ANNUAL REPORT 2008 - TORONTO
COMMUNITY HOUSING CORPORATION

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

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

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

Discussion:

As directed by the Board, appended to this report is the 2008 Annual Report from the TCHC regarding special constables. The report is consistent with the reporting guidelines established by the Board.

Conclusion:

The Toronto Police Service has established a strong working relationship with the Toronto Community Housing Corporation. The mandate of the TCHC Community Safety Unit is to partner with communities to promote a safe environment for residents and to preserve the assets, building and property that are managed and owned by Toronto Community Housing. As outlined in the Special Constable Annual Report for 2008, a number of community outreach initiatives have been undertaken throughout the year. These initiatives are consistent with the

community policing model employed by the Toronto Police Service and should compliment our efforts to better serve the residents of Toronto.

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

Ms. Terry Skelton, Director, Community Safety Unit, and Ms. Pamela Boyce-Richard, Coordinator, Field Administration, were in attendance and responded to questions about the 2008 annual report.

The Board received the foregoing report.

An electronic copy of the annual report is not available.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P101. ANNUAL REPORT 2008: SPECIAL CONSTABLES – TORONTO
TRANSIT COMMISSION**

The Board was in receipt of the following report March 16, 2009 from William Blair, Chief of Police:

Subject: SPECIAL CONSTABLE ANNUAL REPORT 2008 - TORONTO TRANSIT
COMMISSION

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

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

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

Discussion:

As directed by the Board, appended to this report is the 2008 Annual Report from the TTC regarding special constables. The report is consistent with the reporting guidelines established by the Board.

Conclusion:

The Toronto Police Service has an established working relationship with the Toronto Transit Commission through the special constable program. The Toronto Police Service will continue to work in partnership with the Toronto Transit Commission to enhance the safety and security of patrons utilizing the transit system.

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

Mr. Gary Webster, Chief General Manager, and Ms. Terry Andrews, Chief Special Constable, were in attendance and responded to questions about the 2008 annual report.

The Board received the foregoing report.



**TORONTO TRANSIT COMMISSION
SPECIAL CONSTABLE SERVICES**

"Your Community and Safety Partners"

2008 ANNUAL REPORT

To

THE TORONTO TRANSIT COMMISSION

And

THE TORONTO POLICE SERVICES BOARD

TABLE OF CONTENTS

	<u>Page</u>
CORPORATE ADDRESS AND CONTACT INFORMATION	3
MESSAGE FROM THE CHIEF GENERAL MANAGER	4
MISSION STATEMENT AND CORE VALUES	5
WHO WE ARE	6
SECTION OVERVIEWS	8
SUPERVISION	10
RECRUITING AND SELECTION CRITERIA	11
RECRUIT TRAINING SYNOPSIS	12
APPOINTMENTS	14
TERMINATIONS/SUSPENSIONS/RESIGNATIONS/RETIREMENTS	14
TRAINING AND PROFESSIONAL DEVELOPMENT	15
EQUIPMENT	16
UNIFORM DISTINCTION	17
REPORTING	19
PROPERTY	20
PUBLIC COMPLAINT REPORTING	21
USE OF FORCE REPORTING	22
INJURY REPORTING	22
GOVERNANCE	23
SYSTEM SECURITY AWARENESS AND CRIME PREVENTION	24
EMERGENCY PREPAREDNESS	25
HIGHLIGHTS OF THE REPORTING YEAR	26
GIVING BACK TO THE COMMUNITY	30
LOOKING FORWARD: 2009 AND BEYOND	32

TORONTO TRANSIT COMMISSION
SPECIAL CONSTABLE SERVICES
1900 YONGE STREET, 6TH FLOOR
TORONTO, ONTARIO
M4S-1Z2

416-393-3007

email: terry.andrews@ttc.ca



MESSAGE FROM THE CHIEF GENERAL MANAGER

It is with great pleasure that I present the 2008 TTC Special Constable Services Annual Report to the Toronto Transit Commission and the Toronto Police Services Board.

In 2008, the Toronto Transit Commission (TTC) hit an all-time high ridership of 466 million rides. In 2009, we anticipate that number to be even greater.

Carrying that many people, while maintaining an excellent safety record, speaks to the serious commitment of both TTC employees and its partners in safety.

The TTC's excellent partnership with the Toronto Police Service and continuing relationship with the Toronto Police Services Board has never been more important as more and more people use public transit. Both the TTC and Toronto Police Service are committed to public safety. That is one reason the TTC remains one of the safest transit systems in the world.

Last year, the TTC launched a program called Work Safe-Home Safe. It is transforming the safety culture within the TTC. Our employees are our greatest asset. Our goal is to reduce workplace accidents, ensuring our workers return home safely at the end of every workday.

Our approach to public safety is no different. Our customers rely on the TTC to get them to where they need to go safely. The partnerships forged between Special Constable Services and the Toronto Police Service is one the public and our workers believe in, and one to which the TTC is fully committed.

I look forward to working closely with the Toronto Police Service and the Toronto Police Services Board in 2009.

Gary Webster
Chief General Manager

MISSION STATEMENT

We are committed to working in partnership with TTC employees and the community to deliver effective law enforcement and security services to protect our employees, customers, facilities and vehicles.

CORE VALUES

Leadership

We lead through a positive attitude to motivate, inspire and influence others toward our common goal.

Professionalism

We are professional by demonstrating fairness and respect toward all members of our community.

Integrity

We are honourable, trustworthy and strive to do what is right.

Teamwork

We work together within our department, the TTC and with the members of our communities to achieve our goals.

Accountability

We accept responsibility for our actions and we are accountable for those actions with the TTC and the communities we serve.

Reliability

We are conscientious, responsible and dependable in our dealings with each other and our communities.



COMMUNITY AND SAFETY PARTNERS

WHO WE ARE

At the request of the Toronto Transit Commission (TTC) and with the approval of the Minister of Community Safety and Correctional Services, the Toronto Police Services Board (the Board) designated employees of the TTC responsible for law enforcement and security as Special Constables in June of 1997.

The TTC is responsible for the consolidation, co-ordination and planning of all forms of local passenger transportation within the urban area of Toronto, except for railways incorporated under federal and provincial statutes, and taxis. In 2008, the Toronto Transit Commission carried 466 million passengers.

The TTC Special Constable Services department is part of the Operations Branch and reports to the General Manager of Operations. The department is managed by the Chief Special Constable and is comprised of three sections: Transit Patrol, Investigative Services, and System Security. Major functions include:

- Proactive and reactive order maintenance and law enforcement activities to both the subway and surface;
- Provision of investigative services in response to reported crimes and security incidents on the transit system;
- Ongoing development and implementation of the System Security Program.

Of the department's 2008 budgeted total workforce strength of 147 employees, 117 are special constable positions. As of December 31, 2008, the actual number of special constables was 102.

Transit Special Constables provide effective law enforcement and security services consistent with the business needs of the Toronto Transit Commission in partnership with the Toronto Police Service and the Toronto Police Services Board.



*TRANSIT SPECIAL CONSTABLES LIAISING
WITH TTC SUBWAY EMPLOYEE*

In general, Special Constable designation gives Transit Special Constables peace officer powers for the purpose of enforcing the Criminal Code of Canada and the Controlled Drugs and Substances Act, and police officer powers for the purpose of enforcing the Liquor License Act, the Trespass to Property Act and section 17 of the Mental Health Act for incidents that occur on or in relation to TTC property and vehicles.

Transit Special Constables have also been designated by the Ministry of Community Safety and Correctional Services as Provincial Offences Officers for the purposes of enforcement of the Liquor License Act, Trespass to Property Act and TTC Bylaw No. 1.

SECTION OVERVIEWS

TTC Special Constables carry out a variety of activities to enhance public and TTC employee safety and asset protection.

Transit Patrol

The Deputy Chief-Transit Patrol directs the activities of the section. As part of TTC's strategy to reduce incidents of crime, disorder and victimization, Transit Special Constables conduct walking and mobile patrols. More specifically, Transit Special Constables carry out the following activities:

- Incident/emergency response
- Order maintenance/crime law enforcement patrols
- High visibility patrols
- Special attention details
- Fare media inspections/enforcement
- Proof of Payment (POP) inspections/enforcement
- Illegal entry checks/enforcement
- Subway station security inspections
- Special Constable training
- Special Constable program administration



TRANSIT SPECIAL CONSTABLES PATROLLING SUBWAY CAR

Investigative Services

The Superintendent-Investigative Services directs the activities of the section. Activities performed include:

- Minor criminal investigations delegated by Toronto Police
- Counterfeit fare media investigations
- Internal criminal investigations
- Close contact surveillance details
- Graffiti surveillance details
- Commuter parking lot surveillance details
- Special projects with Toronto Police
- Workplace violence threat assessments
- Video surveillance retrieval
- Suspicious incident reporting and tracking
- Victim/witness follow-ups
- Operator assault court disposition reporting and tracking
- Fare media and revenue equipment design
- Public complaint investigations as delegated by Toronto Police

System Security

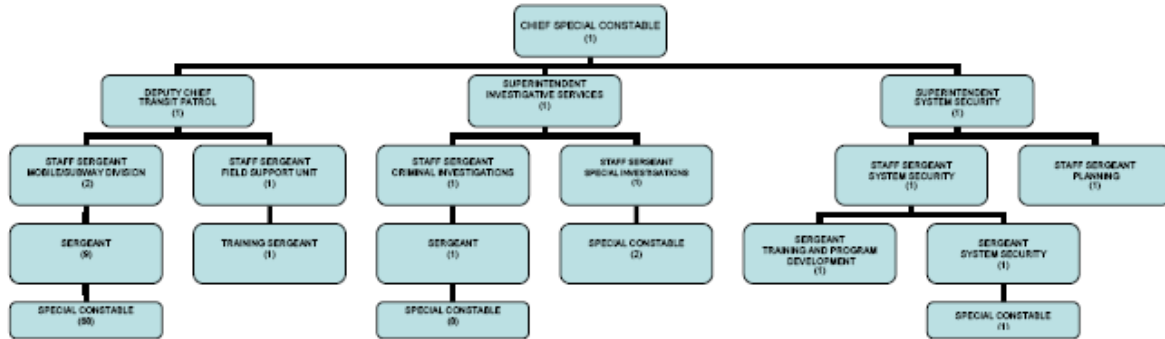
The Superintendent-System Security directs the activities of the section. Activities performed include:

- Security/police data input and statistical analysis
- Design reviews
- Industrial security
- Facility security inspections
- Security risk assessments
- Security/emergency planning and exercises
- Security program development and administration
- Frontline employee security awareness training
- Workplace violence protection plans
- Protective services management

As reflected above, the System Security Section develops programs to improve public safety such as Transit Community Watch, Request Stop Program and video surveillance initiatives.

SUPERVISION

General supervision of TTC Special Constables is under the authority of the Chief Special Constable who has delegated this authority through the organizational chart below as of December 31, 2008.





2008 RECRUIT GRADUATION

RECRUITMENT AND SELECTION CRITERIA

To be considered for a career as a Transit Special Constable, applicants must meet the following minimum requirements:

- Must be a Canadian Citizen or a permanent resident of Canada
- Must be at least 18 years of age
- Must be physically and mentally able to perform the duties of the position having regard to his or her own safety and the safety of the members of the public
- Must be of good moral character and habits
- Must have completed four years of secondary school education or equivalent
- Require a good knowledge of security or law enforcement operations and principles. This would normally be obtained through previous work experience as a Law Enforcement Officer or professional security work or via a Community College diploma in the field of Law Enforcement combined with job related experience
- Must be a fully licensed driver and meet the requirements of the Graduated Licensing System in the Province of Ontario having accumulated no more than six demerit points
- Must meet colour vision and visual field requirements, have uncorrected vision of 20/40 and correctable to 20/30 in each eye

- Must not have been convicted of a criminal offence for which a pardon has not been granted. Candidates who have been convicted criminally under a federal statute (other than the Young Offender's Act/Youth Criminal Justice Act) must obtain a pardon prior to submitting an application.

To be eligible for a position as a Transit Special Constable, candidates must first meet the minimum requirements as outlined above. Candidates may then advance through the Transit Special Constable selection process, which consists of a series of stages. Each stage is competitive as candidates compete not only against the minimum standards established for each phase of the process, but also against other applicants. The following outlines the various phases of the selection process:

- Pre-Interview Assessment and Testing
- Vision Testing
- Pre-Interview Testing (Written Communication and Law Enforcement Knowledge Examination)
- Panel Interview
- Physical Fitness Evaluation
- Personal History and Background Investigation (conducted jointly with the Toronto Police Employment Unit)
- Offer of Employment
- Medical Examination

RECRUIT TRAINING SYNOPSIS

Training for Transit Special Constables is administered in accordance with approved course training standards jointly developed by the TTC and the teaching staff at C.O. Bick College under the general direction of the Unit Commander-Training and Education Unit. This training is facilitated by the TTC and consists of thirteen (13) weeks of classroom study and no less than four (4) months and up to six (6) months of field training with a certified coach officer. During the coaching program, recruits are partnered with a certified coach Transit Special Constable who has been selected and trained to provide a role in the continuing learning process. Recruits are required to perform a variety of tasks to the satisfaction of their coaching officer, their Sergeant and the Training Sergeant. Recruits are provided with monthly written evaluations and ongoing performance feedback.

Recruits participate in the extensive training program that consists of both academic and physical aspects. The overall training program is designed to provide recruits with an understanding of their role in the community and a sound knowledge of federal, provincial, and municipal laws and procedures. Some of the other subjects and activities covered in the training program include sixty-four (64) hours of use of force training in compliance with Ontario Police Services Act Regulation 926, cross cultural training, diversity, racial profiling awareness, procedures, tactical communications, community

based policing, ethical deliberations and crisis intervention. The training is also aimed at developing skills required to deal with various community related issues such as emotionally disturbed persons and victims of crime.

Throughout this training, tests and examinations are applied to a high passing standard.

Failure to meet the minimum requirements of the prescribed recruit training will result in the termination of employment.



2008 GRADUATING CLASS

APPOINTMENTS

The following chart represents Special Constable appointments for the reporting year and reflects the actual strength at December 31, 2008.

Number of Total Applications (January 1 st -December 31 st)	Number of New Appointments (January 1 st -December 31 st)	Number of Re-Appointments (January 1 st -December 31 st)	Total Number of Special Constables (As of December 31 st)
16	15*	6	102

**APPLICANT WITHDREW DURING RECRUIT TRAINING*

TERMINATIONS/SUSPENSIONS/RESIGNATIONS AND RETIREMENTS

The following chart represents Special Constable terminations, suspensions, resignations and retirements for the reporting year and is reflective of actual attrition at December 31, 2008.

Number of Terminations (January 1 st -December 31 st)	Number of Suspensions (January 1 st -December 31 st)	Number of Resignations (January 1 st -December 31 st)	Number of Retirements (January 1 st -December 31 st)
Nil	Nil	4	0

TRAINING AND PROFESSIONAL DEVELOPMENT

Pursuant to Ministry of Community Safety and Correctional Services guidelines, all Special Constables in the Province of Ontario must be trained, and remained trained for the duties they are expected to perform. To this end, the Field Support Unit coordinates all mandatory and in service training to ensure TTC Special Constables meet this standard and any standards approved by the Board or directed by the Toronto Police Service.

Mandatory Training

Course/Topic	Delivered By	Duration	Number of TSCs Trained
Initial Use of Force	Certified Professional Instructor	64 hours	15
Annual Use of Force	Toronto Police Service	4 hours	84*
Standard First Aid & CPR	St. John's Ambulance	16 hours	29**
Ethics and Diversity	York Regional Police	8 hours	15
Diversity Issues	TTC Field Support Unit	4 hours	15

* FOUR (4) TRANSIT SPECIAL CONSTABLES DID NOT REQUALIFY DUE TO OCCUPATIONAL INJURY: CURRENTLY ASSIGNED TO NON-FRONT LINE DUTIES AND EACH TSC WILL BE REQUIRED TO REQUALIFY ONCE MEDICALLY CLEARED FOR FULL DUTY. ALL USE OF FORCE EQUIPMENT SURRENDERED.

**INCLUDES RECRUIT TRAINING AND REQUALIFICATIONS

Additional In Service Training

Course/Topic	Delivered By	Duration	Number of TSCs Trained
Court Testimony/Articulation	OPVTA*	2 hours	50
Crack Cocaine Awareness	Frontline Training Network	2 hours	50
Terrorism Awareness	CISO**	2 hours	68
Alzheimer's Awareness	Toronto Alzheimer's Society	2 hours	57
Guns and Gangs	Toronto Police Service	2 hours	66
Sources and Confidential Informants	Toronto Police Service	2 hours	19
Memo Book Refresher	TTC Field Support Unit	2 hours	76
Recruit Training	TTC Field Support Unit	13 weeks	15

Course/Topic	Delivered By	Duration	Number of TSCs Trained
General Investigator's Course	Toronto Police Service	2 weeks	5
Interviewing Techniques	Toronto Police Service	1 week	1
CPIC Query/Narrative	CPKN***	6 hours	22

* ONTARIO POLICE VIDEO TRAINING ALLIANCE

** CRIMINAL INTELLIGENCE SERVICE OF ONTARIO

*** CANADIAN POLICE KNOWLEDGE NETWORK

EQUIPMENT

Pursuant to the Agreement with the Board, Transit Special Constables are issued with the following equipment:

- Uniform
- One wallet badge, appropriate wallet and agency identification card
- Soft body armour with appropriate carriers
- One set of standard handcuffs with appropriate carrying case
- One container of oleoresin capsicum foam with appropriate carrying case
- One expandable baton with appropriate carrying case
- One approved memo book
- One flashlight with appropriate carrying case
- One TTC Special Constable Services Policy, Procedure and Rules Manual

UNIFORM DISTINCTION



SUMMER UNIFORM



Pursuant to Ministry of Community Safety and Correctional Services guidelines, all employers of Special Constables in the Province of Ontario must ensure that the uniform of the special constable is readily distinguishable from the uniform of police officers in that jurisdiction, and must display the words "special constable."

The TTC Special Constable uniform is readily distinguishable from that of a Toronto Police officer in the following manner:

- The shoulder flash of a Transit Special Constable uniform is larger and of a different shape than that of the Toronto Police Service. The TTC shoulder flash clearly displays the words "Special Constable"
- The uniform shirt of frontline Transit Special Constables and supervisory personnel is of a light blue colour consistent with other special constable agencies in the Province and is readily distinguishable from the dark blue shirt worn by Toronto Police Officers

- TTC uniform trousers are plain black in colour and are readily distinguishable from the dark blue trousers with red striping worn by Toronto Police Officers
- External Kevlar vest carriers worn by TTC Special Constables are black in colour and are readily distinguishable from the dark blue carriers worn by Toronto Police Officers
- TTC forage caps are adorned with a royal blue band as opposed to the red band of a Toronto Police Officer



FALL/WINTER UNIFORM

REPORTING

Crime and Order Management Arrests/Apprehensions

Authority *	Arrested/ Apprehended (MHA)	Charged (Form 9, P.O.T)	Unconditional Release No Charges	Turned Over to Toronto Police Service
Criminal Code	578	275	69	234
Controlled Drugs and Substance Act	40	9	9	22
Criminal Warrants	85	N/A	1	84
Trespass to Property Act	169	132	31	6
Liquor Licence Act	70	7	4	59**
Mental Health Act	55	N/A	N/A	55

*AS PROVIDED IN THE SPECIAL CONSTABLE AGREEMENT
**INCLUDES TRANSPORTS TO DETOXIFICATION CENTRE

Occurrence Reporting

Occurrence Type	Number of Reports
Total General Occurrences (TPS 200)	722
General Occurrence Supplementary (TPS 205)	1026
Theft Under \$5000	108
Assault (Including TTC Operator Assaults)	156
Fraud Under \$5000	207
Mischief Under \$5000	174
Threatening (TTC Operator)	36
Sexual Offences (Indecent Exposure / Act)	11
Sexual Assault (Inappropriate Touching)	4
Potential Sex Offender	6
Misc. Occurrences (Suspicious Incidents, Info, etc.)	20

Occurrence Type	Number of Reports
Record of Arrest (TPS 100)	1215
Record of Arrest Supplementary (TPS 101)	1378
Contact with Emotionally Disturbed Persons (TPS 710)	55
Field Information Report Card (TPS 208)	6109

PROPERTY

Special Constable Services is responsible for keeping all evidence and property seized in connection with their duties except in the following circumstances:

- Where Toronto Police request the evidence be turned over to them
- Where an accused is held in Toronto Police custody
- All drugs seized/found
- All firearms seized/found

All property and evidence seized from persons that is not turned over to the Toronto Police Service is stored, preserved and disposed of in a manner consistent with Toronto Police Service standards and procedures for the storage and disposition of property.

In 2008, Special Constable Services processed 1,170 pieces of property into their property vault.

The following chart represents property reporting for 2008.

Property Occurrences General (TPS 400)	1333
Property Occurrences Liquor (TPS 401)	12
Stolen Bicycle	33

PUBLIC COMPLAINT REPORTING

All public complaints relating to conduct of Transit Special Constables are forwarded to the Toronto Police Service's Professional Standards Administration Unit for assessment. The Toronto Police Service classifies each complaint as either serious (e.g. criminal allegation) or less serious (e.g. minor breach of discipline).

Serious public complaints are investigated by the Toronto Police Service's Professional Standards Criminal and Conduct Investigations Unit. Less serious public complaints are investigated by TTC Special Constable Services' Unit Complaints Co-ordinator.

Adjudication and appropriate penalties are the responsibility of the Chief Special Constable. Complainants are advised of the findings of all investigations and are advised of the right to request a review of the adjudication by the TTC Chief General Manager. All investigations are conducted in accordance with TTC Special Constable Services' policy and procedures.

The investigation findings categories are:

Unsubstantiated: No evidence exists to support the allegation. Evidence exists, and if believed would not constitute misconduct. The identification of the officer involved cannot be established.

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

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

Pending: Investigation not yet completed.

Total Number of Complaints	Investigated by TTC	Investigated by Toronto Police Service	Number Resolved
18	18	0	18

COMPLAINTS BY CATEGORY

Conduct Non Criminal		Criminal Allegation	
18		0	

Unsubstantiated	Substantiated	Informal Resolution	Pending
11	0	7	0

USE OF FORCE REPORTING

Type of Force Utilized	Number of Incidents	Use of Force Reports Submitted	CATEGORY OF OFFENCE				
			Trespass to Property Act	Cause Disturbance	Drugs	Assault	Obstruct Peace Officer
Expandable Baton	0	0	N/A	N/A	N/A	N/A	N/A
OC Foam	10	10	4	3	1	1	1
Empty Hand Techniques	2	2	0	1	1	0	0

INJURY REPORTING

Suspects

- No suspects injured during open handed technique arrests
- 7 suspects treated for minor exposure to OC Foam
- 1 suspect treated and released for minor abrasions to the arm

Special Constables

- No Special Constables injured using open handed techniques
- 5 Special Constables suffered minor abrasions or muscle strains during arrests where OC foam was deployed
- 1 Special Constable suffered a tail bone injury effecting an arrest where OC foam was deployed

GOVERNANCE

The business of the Special Constable Services Department is governed by the TTC's agreement with the Board, in areas of appointment, identification, equipment, training, powers, and responsibilities. The TTC is accountable to the Board for all actions taken in relation to the exercise of the powers and authorities granted by the Agreement to Special Constables.

External

TTC Special Constables must comply with all Toronto Police Service policies and procedures applicable to the duties and responsibilities of Special Constables including any directives or policies of the Board.

In addition, pursuant to the agreement with the Board, the Special Constable Services Department has established a complaint investigation procedure for the intake and investigation of complaints concerning the conduct of Special Constables.

Internal

The Special Constable Services Department maintains written policies, procedures and rules with respect to the duties, authorities and responsibilities of Special Constables. TTC Special Constables are expected to comply with the departmental Code of Ethics and Core Values. A TTC Corporate Discipline Policy is in place to manage the conduct of all Special Constables.

SYSTEM SECURITY AWARENESS AND CRIME PREVENTION

As Community Safety Partners, the Special Constable Services Department develops, coordinates and administers several security programs to maintain and enhance public safety, employee safety and crime prevention on the TTC. The TTC website (www.ttc.ca) includes safety and security information to enhance public awareness of transit related crime prevention strategies, TTC emergency procedures, Crime Stoppers, TTC Special Constables, security features such as passenger assistance alarms, public telephones, intercoms, etc. and TTC Bylaw No. 1.

Transit Community Watch

All TTC employees are Transit Community Watchers. They contribute to safety and security on the transit system and in the community by reporting incidents affecting personal safety such as accidents, fires, or criminal activity.

The program recognizes the efforts and actions of TTC employees on a monthly basis and once per year a "Transit Community Watcher of the Year" is selected and recognized.

In 2008, Special Constable Services recognized 330 employees as Transit Community Watchers.

Video Surveillance

The TTC recognizes the need to balance an individual's right to privacy and the need to ensure the safety and security of TTC employees, customers and property. While video recording cameras are installed for safety and security reasons, the TTC's video recording systems are also designed to minimize privacy intrusion. Video images are used for criminal, safety or security investigation or for evidentiary purposes.

Recording video surveillance cameras have been installed in all 69 subway stations at choke points (major subway station access points). Between 2009 and 2011, additional cameras will be installed on all subway station platforms.

All TTC surface vehicles will be equipped with recording video surveillance cameras by the end of the first quarter in 2009.

In early 2009, the Toronto Police Service will have the capability to download recorded images from TTC subway station cameras through a video link to its Video Services Unit. Prior to implementation, a Memorandum of Understanding will be finalized.

EMERGENCY PREPAREDNESS

Large scale municipal and corporate emergencies require extraordinary arrangements and measures to be taken. The TTC Corporate Emergency Plan has been designed to inform all departments at the TTC of their respective roles and responsibilities in an emergency. To this end, members of the Special Constable Services participate in internal as well as joint Emergency Services preparedness exercises. In 2008 members participated in three large scale exercises as follows:

Exercise	Hosting Agency	Format	Duration
Urban Transit Intelligence/Law Enforcement Orientation	Public Safety Canada	Workshop/Tabletop Exercise	1 day
Exercise Check Up	TTC Fire Safety and Emergency Planning	Tabletop Exercise	3 phases over 2 weeks
Exercise Health Guard	TTC Fire Safety and Emergency Planning	Tabletop Exercise	3 phases over 5 weeks

HIGHLIGHTS OF THE REPORTING YEAR

The proliferation of forged and counterfeit TTC fare media (tickets, tokens and Metropasses) continued to challenge members of the Special Constable Services Department and Toronto Police throughout the year. The loss to the TTC in revenue was measured in millions of dollars.

With the assistance of the Toronto Police Service, the TTC Special Investigations Unit laid approximately 200 fraud related charges and executed 10 search warrants at various businesses throughout the city. Approximately 20,000 forged tickets were taken off the streets. One suspect was arrested as he was in the process of delivering 9,000 fraudulent tickets to a variety store.

In partnership with members of the Toronto Police Service at 12 Division and Intelligence Services, TTC Special Constables participated in "Project Rider." This project related to the manufacture and distribution of forged TTC tickets. This investigation culminated in the arrest of two suspects and the execution of search warrants at their respective residences, yielding a large quantity of fraudulent tickets and computer equipment used in the aid of their manufacture. In September, the 'adult' ticket was eliminated at an estimated savings of approximately 3 million dollars annually.

JANUARY

Canada Border Services intercepted several large shipments of forged tickets imported from China and destined for locations in Toronto. Members of the Toronto Police Service at 51 Division assisted with the controlled delivery of one of the large shipments to a residential address. A search warrant was subsequently executed by Toronto Police at the residence and a substantial quantity of fraudulent tickets, beyond what was delivered, were seized.

FEBRUARY

The TTC Fire Safety and Emergency Planning Section conducted a table-top exercise on Thursday, February 28, 2008 at George Brown College in conjunction with Special Constable Services. The exercise was designed to evaluate the Corporate Security Escalation Plan (CSEP) as well as Departmental Security Escalation Plans (DSEP.) The exercise focus was a terrorist attack on the TTC. The exercise was conducted in three phases over a period of two weeks.

Part I was dedicated to setting the stage for the exercise and self-examination of compliance of individual Departmental Security Escalation Plan with the Corporate Security Escalation Plan. TTC Department Heads were provided with background information on the terrorist threat. Part II was the exercise itself which examined, through a series of intelligence inputs, the functionality of the CSEP and the DSEPs. Part III was dedicated to post exercise review and the After Action Report.

MARCH

A tabletop exercise with Public Safety Canada was held on March 19, 2008. The aim of the workshop was to provide a forum for policy makers and planners of security and/or emergency plans to share information, discuss gaps and issues and subsequently update or modify response plans. The purpose of the tabletop exercise was to focus on the exchange and flow of information/intelligence within the urban transit environment prior to a national security event.

APRIL

Local 113 of the Amalgamated Transit Union staged a legal strike on April 25, 2008. With little more than 90 minutes notice to the TTC, Operators began returning buses, streetcars and subway trains to the storage facilities and the City was left with no public transit. Special Constable Services immediately invoked their security strike plan and began patrolling and protecting all TTC assets, vehicles and properties. In conjunction with the Toronto Police Service's Industrial Relations Unit, Special Constable Services management began co-ordinating security services with the local Police Divisions to monitor potential picket lines and identify vulnerable properties. The strike lasted just over 36 hours when on the afternoon of April 27th, the Province passed back to work legislation. A few subway stations suffered exterior damage, mainly broken doors and glass.

MAY

The TTC hired fifteen new employees to begin their thirteen week training program in the hopes of becoming new Special Constables.

JUNE

Special Constable Services sponsored their first annual Dream Makers golf tournament in support of the 'Dreams Take Flight' children's charity. Forty eight golfers enjoyed a day of fellowship and endured a little rain to raise \$3,200 for this wonderful cause.



AUGUST

Toronto's annual Caribbean festival kicked off with a weekend of activities that saw a significant increase in weekend ridership for the TTC. Transit Special Constables were posted at strategic points; Bathurst, Union and Yonge/Bloor stations as well as the east loop of the CNE grounds to assist with crowd control and streetcar loading. Special Constables partnered with Toronto Police Officers to monitor the large crowds as they moved about the transit system and the weekend concluded successfully for the TTC without incident.

SEPTEMBER

Labour Day weekend brought the end of the summer holidays for students and once again Transit Special Constables partnered with officers from 11, 22, 41 & 42 Divisions to monitor the volume of students during the peak after school period during the TTC's annual 'Back to School' order maintenance campaign at selected stations. The campaign is designed to ensure the safety and security of all transit riders using subway and SRT stations within the four Toronto Police Divisions. Additionally, all Transit Special Constables were directed to pay special attention to the remaining subway stations and high volume surface service stops to ensure the safety of Operators and other passengers using the system.

OCTOBER

At the October Police Services Board meeting, Chair Dr. Alok Mukherjee announced that the Board was pleased to announce the TTC had met the Boards pre-conditions and he confirmed the appointments for the 15 new Transit Special Constables effective August 2008.

NOVEMBER

His Honour Judge Hugh Locke (Ret.) and member of the Toronto Police Services Board, administered the Oath of Office to the 15 newly appointed Transit Special Constables at a ceremony hosted by Chief Special Constable Terry Andrews. In addition to family and friends, invited guests included Staff Superintendent Peter Sloly (representing Chief William Blair) and Mr. Carroll Robinson from the Ministry of Community Safety and Correctional Services who joined TTC Chief General Manager, Mr. Gary Webster and TTC General Manager of Operations, Mr. Rick Cornacchia to present the graduating recruits with their diplomas and to welcome them to the TTC family.

NOVEMBER (CONTINUED)

Special Constables completed the final segment of a series of four, week long Proof of Payment Blitzes on the Queen Streetcar line. With all four blitzes completed, Transit Special Constables checked a total of 50,480 passenger fares during 486 staff hours of inspection and charged or cautioned 610 passengers for fare evasion offences.

DECEMBER

The TTC Fire Safety and Emergency Planning Section conducted a table-top exercise on December 3, 2008 parallel to the City of Toronto's Exercise Health Guard 2008. This exercise took place at the Central Technical School located at 725 Bathurst Street. While supporting the City's exercise, the TTC's focus was on evaluating the Corporate Pandemic Plan and Departmental Compliance. The exercise also laid the foundation for the development of a new corporate plan. The exercise was conducted in 3 parts over a period of five weeks. Part I was dedicated to setting the stage for the Exercise and self-examination of compliance of individual Departmental Pandemic Plans. Part II was the Exercise itself, which examined the functionality of the Corporate Pandemic Plan and Departmental Plans through a series of scenario based injects. Part III was dedicated to post Exercise review, the After Action Report and the re-write of the Corporate and Department Plans.

GIVING BACK TO THE COMMUNITY

"In these difficult economic times, it is wonderful to see our employees and pensioners stepping up to help those less fortunate than themselves," said TTC Chief General Manager Gary Webster. "The generosity and community spirit of the TTC family is heartening."

Heeding these words, in addition to being Community Safety Partners, TTC Special Constables are partners in community service and giving.

United Way

Benefiting the United Way of Greater Toronto, in 2008, the Special Constable Services United Way campaign raised a total of \$13,979 towards the overall TTC achievement of \$1,260,000. While personal contributions accounted for the majority of the total, members also participated in local departmental and corporate events such as barbeques, raffles, and the CN Tower stair climb.



2008 TTC UNITED WAY FINALE

Law Enforcement Torch Run

Several members of Special Constable Services participated in the 2008 Law Enforcement Torch Run to benefit Special Olympics Ontario. All donations and pledges benefit Special Olympic athletes in the Province.

Cops for Cancer

Cops for Cancer started in 1994 in Alberta when Edmonton Police Sergeant Gary Goulet befriended a young boy suffering from cancer. As a result of chemotherapy, the young boy lost his hair and suffered teasing from his schoolmates. Since Sergeant Goulet had already shaved his head, he asked a group of his fellow Edmonton officers to shave their

heads and attend the young boy's school to offer him moral support during his illness, striving to make him feel that he could persevere and beat this disease. Sergeant Goulet contacted the Canadian Cancer Society and the head shaving event caught on. Since that time, thousands of police and law enforcement officers have shaved their heads and raised millions of dollars in support of cancer research.

TTC Special Constables participated in the 2008 "Head Shave" in support of the Canadian Cancer Society.

Dream Makers

Dreams Take Flight is a national, 100% volunteer, non profit organization made up of volunteers from the Air Canada family in Canada and the United States. Dedicated teams in several cities organize the trip of a lifetime for physically, mentally or socially challenged children. The children are selected from various hospitals and social agencies across the country. The destination - Walt Disney World Resort in Florida or Disneyland in California for a day. To date, the Toronto Dreams Take Flight team will have taken over 4,600 special children to the Magic Kingdom during the 19 year history of the organization.

In 2008, the Special Constable Services team (Dream Makers) raised in excess of \$4,600 for the Dreams Take Flight program and received an appreciation award for their support and contributions.



READY FOR TAKE OFF 2008

LOOKING FORWARD: 2009 AND BEYOND

With a projected ridership of 473 million in 2009, safety and security remain a top priority at the TTC. A number of safety and security initiatives have contributed to the TTC being regarded as one of the safest transit systems in the world. These include the presence of Transit Special Constables and Toronto Police throughout the system, the installation of video surveillance cameras in the subway system and on surface vehicles, and a number of other security measures including Transit Community Watch, Designated Waiting Areas, Passenger Assistance Alarms, Request Stop Program and security awareness training for frontline employees.

With anticipated increases in future ridership, the business needs of the TTC will continue to grow in the areas of customer and employee safety, and asset protection.

Toronto's Transit City Plan is an exciting initiative that will revolutionize transit across Toronto. Seven new Light Rail Transit (LRT) lines will bring reliable, fast, quiet and comfortable transit service to many Toronto neighbourhoods. Transit City has been strongly endorsed by the Federal and Provincial Governments, the TTC, the City of Toronto, and Metrolinx, the regional transportation agency. This coupled with plans to introduce redesigned streetcars in downtown Toronto and the Toronto York Spadina Subway Extension will change the face of public transit in the Toronto community.



2007 RECRUIT GRADUATION



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P102. ANNUAL REPORT 2008: POLICE ATTENDANCE AT LOCATIONS
OCCUPIED SOLELY BY WOMEN IN A STATE OF PARTIAL OR
COMPLETE UNDRESS**

The Board was in receipt of the following report March 17, 2009 from William Blair, Chief of Police:

Subject: 2008 ANNUAL REPORT - POLICE ATTENDANCE AT LOCATIONS
OCCUPIED SOLELY BY WOMEN IN A STATE OF PARTIAL OR
COMPLETE UNDRESS

Recommendations:

It is recommended that:

- (1) the Board receive the following report; and
- (2) the annual reporting on this Board Policy be included in the Toronto Police Service Annual Statistical Report commencing in 2010 and thereafter.

Financial Implications:

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

Background/Purpose:

At its meeting of May 12, 2005, the Board received a report with the executed Minutes of Settlement pertaining to the Human Rights Complaints by members of the Toronto Women's Bathhouse Committee regarding the September 2000 incident at the Pussy Palace (Min. No. P155/05 refers). The Board forwarded the Minutes of Settlement to the Chief of Police for review and preparation of a report to the Board with respect to the implementation of the recommendations.

The Board had previously agreed to enter into the Minutes of Settlement after they had been accepted by the Human Rights Commission, the Complainants, and the respondent officers (Min. No. C220/04 refers).

At its meeting of June 15, 2006, the Board received a report from the Chief entitled: "Minutes of Settlement – Ontario Human Rights Complaints – Toronto Women's Bathhouse Committee – Incident at the Pussy Palace – Board Policies." The two policies for which the Board is responsible, "Search and Detention of Transgender People," and "Police Attendance at Locations

Occupied Solely by Women in a State of Partial or Complete Undress,” were appended to the report and approved by the Board (Min. No. P191/06 refers).

At its meeting of May 21, 2008, the Board received a report from the Chief entitled “Progress Report – Implementation of Board Policies: Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress and Search and Detention of Transgender People” (Min. No. P133/08 refers). This report detailed the Toronto Police Service’s implementation of the two Board policies and its commitment to develop methods of obtaining the necessary data for submission of annual reports.

On April 17, 2008, the Chief issued a Routine Order that operationalized an electronic method of capturing the required data to properly report on the policy entitled “Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress”.

During the period of April 17, 2008 to December 31, 2008, a search of the data base indicated twelve (12) documented instances submitted by Service members.

For ease of reference and efficiency, it may be beneficial to submit future data related to this policy in the Annual Statistical Report. The Annual Statistical Report is published on the TPS Internet site (www.torontopolice.on.ca) in the publication folder. Reporting the numbers in this format will allow the information to be easily available to all members and organizations within the community.

Conclusion:

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

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P103. ANNUAL REPORT 2008: INCIDENTS INVOLVING THE SEARCH AND
DETENTION OF TRANSGENDER PEOPLE**

The Board was in receipt of the following report March 17, 2009 from William Blair, Chief of Police:

Subject: 2008 ANNUAL REPORT - SEARCH AND DETENTION OF TRANSGENDER
PEOPLE

Recommendations:

It is recommended that:

- (1) the Board receive the following report; and
- (2) the annual reporting on this Board Policy be included in the Toronto Police Service Annual Statistical Report commencing in 2010 and thereafter.

Financial Implications:

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

Background/Purpose:

At its meeting of May 12, 2005, the Board received a report with the executed Minutes of Settlement pertaining to the Human Rights Complaints by members of the Toronto Women's Bathhouse Committee regarding the September 2000 incident at the Pussy Palace (Min. No. P155/05 refers). The Board forwarded the Minutes of Settlement to the Chief of Police for review and preparation of a report to the Board with respect to the implementation of the recommendations.

The Board had previously agreed to enter into the Minutes of Settlement after they had been accepted by the Human Rights Commission, the Complainants, and the respondent officers (Min. No. C220/04 refers).

At its meeting of June 15, 2006, the Board received a report from the Chief entitled: "Minutes of Settlement – Ontario Human Rights Complaints – Toronto Women's Bathhouse Committee – Incident at the Pussy Palace – Board Policies." The two policies for which the Board is responsible, "Search and Detention of Transgender People," and "Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress," were appended to the report and approved by the Board (Min. No. P191/06 refers).

At its meeting of May 21, 2008, the Board received a report from the Chief entitled “Progress Report – Implementation of Board Policies: Police Attendance at Locations Occupied Solely by Women in a State of Partial or Complete Undress and Search and Detention of Transgender People” (Min. No. P133/08 refers). This report detailed the Toronto Police Service’s implementation of the two Board policies and its commitment to develop methods of obtaining the necessary data for submission of annual reports.

On April 23, 2008, the Chief issued a Routine Order that operationalized an interim method of capturing the required data to properly report on the policy entitled “Search and Detention of Transgender People” commencing on May 1, 2008.

During this period of May 1, 2008 to December 31, 2008, sixteen (16) instances were reported by Service members.

For ease of reference and efficiency, it may be beneficial to submit future data related to this policy in the Annual Statistical Report. The Annual Statistical Report is published on the TPS Internet site (www.torontopolice.on.ca) in the publication folder. Reporting the numbers in this format will allow the information to be easily available to all members and organizations within the community.

Conclusion:

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

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P104. LEASE RENEWAL FOR PARKING ENFORCEMENT EAST UNIT
PREMISES – 1500 DON MILLS ROAD**

The Board was in receipt of the following report March 23, 2009 from William Blair, Chief of Police:

Subject: LEASE RENEWAL FOR PARKING ENFORCEMENT EAST UNIT
PREMISES - 1500 DON MILLS ROAD

Recommendations:

It is recommended that:

- (1) the Board approve a 5-year Lease Extension and Amending Agreement with El-Ad (1500 Don Mills) Limited (Landlord) for the Parking Enforcement facility located at 1500 Don Mills Road, containing a rentable area of approximately 34,899 square feet at an annual estimated amount of \$914,103 (including taxes), for a five (5) year period commencing July 1, 2009 and ending June 30, 2014, for a total cost of \$4,570,515 (including taxes);
- (2) the Board authorize City officials to extend the size of the leased premises at any time during the term, based on similar terms and conditions contained within the Lease Extension and Amending Agreement and approved funding, by up to 2,500 square feet to accommodate a larger Training/Community room at an annual estimated amount of \$63,566 (including taxes); and
- (3) the Board direct the appropriate City officials to take the necessary action to give effect thereto.

Financial Implications:

The annual rents in the extended and amended lease agreement (including all applicable taxes) are outlined in the following chart:

Lease Term	Annual Net Rent	Additional Rent (Estimate)	Total Annual Rent	Total for the Term
Years 1-5	\$366,440	\$547,663	\$914,103	\$4,570,515

The total annual rent is \$135,000 more than the current annual lease costs of \$779,000. In addition to the above, the annual rent to accommodate a larger training room is estimated at \$63,566 (inclusive of all taxes).

Included in the annual rent is approximately \$171,703 per year for realty taxes. The City of Toronto Facilities and Real estate staff will be submitting a report to the Government Management Committee to designate the Leased Premises at 1500 Don Mills Road as a Municipal Capital Facility pursuant to section 252 of the *City of Toronto Act, 2006*. The requested realty tax exemption, through the designation of the Leased premises as a Municipal Capital Facility, would reduce the lease costs accordingly.

Funding for the 2009 expenses is available within the Parking Enforcement Unit Operating Budget lease account. The increased cost for the future years will be included in each year's respective operating budget request.

Background/Purpose:

The Toronto Police Service (TPS) Parking Enforcement Unit currently occupies approximately 34,899 square feet of rentable area at 1500 Don Mills Road. The premises have been occupied by the Parking Enforcement East Unit since 1994.

The TPS requested that the City of Toronto Facilities and Real Estate Division assist in identifying suitable relocation options, including an evaluation of city-owned facilities and private purchase options.

The TPS also requested that should suitable relocation options not be available, that the City of Toronto's Facilities and Real Estate Division negotiate a lease extension with the Landlord. The City of Toronto Facilities and Real Estate Division have completed negotiations for the lease renewal, commencing on July 1, 2009 and terminating on June 30, 2014.

The City of Toronto was also tasked with identifying additional rentable area within the building to accommodate a larger training/community room that would accommodate the increased need for training.

Discussion:

Based on the request from the TPS, the City of Toronto Facilities and Real Estate Division was engaged to locate a suitable city-owned facility or purchase alternative. The City of Toronto was unsuccessful in locating a suitable city-owned facility or purchase alternative for the immediate future. As such, the city engaged in an analysis of lease alternatives in the immediate vicinity which showed a significant negative financial impact to relocating Parking Enforcement operations to a comparable sized lease facility in the area.

The TPS currently occupies suites 401 and 600 in the building at 1500 Don Mills Road. This accounts for 10,407 square feet on the fourth floor and 24,492 square feet on the sixth floor. The previous lease was based on 31,944 square feet. The current landlord has adopted the Building Owners and Managers Association (BOMA) standard, certified by the Landlord's Architect, and as provided and allowed for in the Lease. This has resulted in a revised square footage of 34,899 square feet. The BOMA standard for measuring floor area was developed in 1915. Since then, the BOMA system has become a popular industry standard. The latest versions in 1980 and

1996 are the industry wide basis for determining rentable areas in the majority of office buildings throughout North America.

The City has now completed its lease negotiations with the Landlord of 1500 Don Mills Road. The term of the recommended lease is for 5 years. The commencement date of the new Agreement is July 1, 2009, with termination on June 30, 2014. The proposed Agreement is for a base rent of \$10.00 (plus taxes) per square foot of rentable area (34,899 square feet), for a total of \$366,440 (including taxes) per year for the five (5) year term, commencing on July 1, 2009.

Throughout the term, TPS will also be responsible for additional rent for common area and hydro cost, which are estimated at a combined rate of \$9.53 per square foot of rentable area for 2009 plus property taxes which are estimated at \$4.92 per square foot. The Landlord will continue to provide 116 segregated parking spaces and a bicycle storage cage free of charge. The Landlord will also continue to provide 6 reserved underground parking stalls at a monthly rate of \$78.70 plus GST and PST per month and 20 unreserved surface parking stalls at a rate of \$75.00 plus GST and PST per month, subject to annual adjustments, for an estimated combined sum \$27,216 per annum including applicable taxes.

These estimated costs (including all applicable taxes) are outlined in the chart below:

Lease Term	Annual Net Rent	Additional Rent (Estimate)	Total Annual Rent	Total for the Term
Years 1-5	\$366,440	\$547,663	\$914,103	\$4,570,515

During the new term, the Landlord will inspect and repair the HVAC system, as necessary, in order to bring the HVAC system to a condition of good repair consistent with the standards of a first class commercial building.

All other terms and conditions of the lease agreement remain the same.

The City of Toronto Facilities and Real estate Divisions will also be requesting that the Leased Premises at 1500 Don Mills Road be designated as a Municipal Capital Facility. Upon approval, this would reduce the annual lease costs by approximately \$171,703.

The City of Toronto Facilities and Real Estate Division will continue to assist in identifying suitable relocation options, including an evaluation of City-owned facilities and private purchase options.

Additional Space for Training/Community Room

The Landlord will also assist in identifying additional space within the building for the relocation of the current Training/Community room. In previous years, the TPS occupied additional space on the ground floor of 1500 Don Mills Road for the joint use of a TPS Training/Community room and the City of Toronto Parking Tag First Appearance Facility. When the City of Toronto First Appearance Facility relocated to a city owned property, the TPS did not retain the ground

floor training/community room space, as it was a component of the entire suite which included the space that the City occupied.

In an effort to find a solution, the TPS relocated its Training/Community room to an existing area located on the 4th floor. This space (room 401A) has a rentable area of approximately 1,114 square feet and is too small to accommodate the increased demand for training programs. As such the TPS is seeking an additional area of up to 2,500 square feet in the building to expand the size of the Training/Community room.

A larger Training/Community room would allow for the ability to accommodate additional Municipal Law Enforcement Officers for certification training within the existing schedule. Also, a larger facility would permit the unit to accommodate additional requests from other units for meeting space and provide a suitable space for community meetings, when required. An additional efficiency would exist by eliminating travel time related to attending off-site meetings being held in locations large enough to accommodate unit-wide supervisory meetings.

If this additional space is identified within the term of this agreement, the space could be leased based on similar terms and conditions as the proposed Lease Extension and Amending Agreement at an annual estimated cost of \$63,566.

Conclusion:

The Parking Enforcement Unit contributes positively to the achievement of the goals and priorities of the Toronto Police Service. The existing facility satisfies the needs of the unit and has the potential to be an ideal facility, should the required space for a Training/Community room be identified.

During the term of the lease agreement, the Service will pursue options to acquire a permanent location for the Parking Enforcement Unit. The intent of the permanent site would be to house both the east and west parking functions in one location that could serve the City.

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

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P105. AUXILIARY MEMBERS – TERMINATION OF APPOINTMENTS:
JANUARY TO DECEMBER 2008**

The Board was in receipt of the following report March 01, 2009 from William Blair, Chief of Police:

Subject: AUXILIARY MEMBERS - TERMINATION OF APPOINTMENTS:
JANUARY 2008 TO DECEMBER 2008

Recommendations:

It is recommended that:

- (1) the Board terminate the appointments of the 11 Auxiliary members who are identified in Appendix 'A' as they are no longer available to perform their duties due to resignation, retirement or death; and
- (2) the Board notify the Minister of Community Safety and Correctional Services about the termination of appointments for these 11 Auxiliary members.

Financial Implications:

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

Background/Purpose:

Auxiliary members are governed by the Police Services Act (PSA); Revised Statutes of Ontario, 1990; Policing Standards Guidelines; Board Policy TPSB A1-004; Toronto Police Service Governance; Standards of Conduct; and Service Procedure 14-20 entitled, "Auxiliary Members."

Under section 52(1) of the PSA, the Board is authorized to appoint and suspend, or terminate the appointment of Auxiliary members, subject to the approval of the Minister of Community Safety and Correctional Services (Minister) and with respect to the suspension or termination of the appointment of an Auxiliary member, section 52(2) of the PSA states:

"If the board suspends or terminates the appointment of an Auxiliary member of the police force, it shall promptly give the Solicitor General written notice of the suspension or termination."

Discussion:

The termination of appointments of the 11 Auxiliary members consists entirely of Police Constables.

A report was not provided semi-annually for the months January 2008 – June 2008, as there were no terminations for the first six months of the year.

Conclusion:

In accordance with section 52(2) of the PSA, please find the names of the 11 Auxiliary members set out in Appendix 'A', whose appointments terminated during the period between January 2008 and December 2008, as they are no longer available to perform their duties due to resignation, retirement or death, .

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

The Board approved the foregoing report and will forward a copy to the Minister of Community Safety and Correctional Services for information.

APPENDIX "A"

**AUXILIARY TERMINATIONS OF APPOINTMENTS
FOR THE PERIOD JULY 2008 – DECEMBER 2008**

SURNAME	G1	RANK	BADGE	UNIT	DATE
DEL-OLMO	Javier	PC	50826	TSV	08/07/10
SAYED	Urfanul	PC	51376	HQ	08/07/15
XIAO	Lin	PC	51385	HQ	08/07/16
LIA	Brian	PC	51011	TSV	08/07/17
GENZER	Alexander	PC	51348	51D	08/08/01
SAIB	Rachid	PC	51171	14D	08/08/07
CROLL	Nicholas	PC	51247	11D	08/08/13
MAHMODIAN	Mehrdad	PC	51202	51D	08/08/18
LOCKHAT	Faiz	PC	50949	33D	08/10/04
ROMERAL	Matt	PC	51337	51D	08/11/25
NESBITT	Daphne	PC	51149	54D	08/11/27

* Auxiliary status terminated due to resignation.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P106. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING
CORPORATION: RE-APPOINTMENTS**

The Board was in receipt of the following report March 16, 2009 from William Blair, Chief of Police

Subject: RE-APPOINTMENT OF SPECIAL CONSTABLES FOR THE TORONTO
COMMUNITY HOUSING CORPORATION

Recommendation:

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

Financial Implications:

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

Background/Purpose:

Under Section 53 of the Police Services Act of Ontario (the Act); the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the Toronto Community Housing Corporation (TCHC) for the administration of special constables (Min. No. P39/96 refers).

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

The Service has received a request from the TCHC to re-appoint the following individuals as special constables.

Fazil BACCHUS

Jay DAVIDSON

Bradley HARPER

Jason KIRKWOOD

George MALCOLM

Kamrool MOHAMED

Bill NEAL	Mark O'CONNELL
Kevin PENDER	Mike ROY
Larry SHAND	Richard SMITH
Carl ANDREWS	Duncan Robert STRATTON
Roderick DRYDEN	Bryan FLYNN
Rick OSMOND	Radcliffe LENNON
Nikos PERIVOLARIS	David ROY
Satrohan SATROHAN	Robert TOMCZSZYN
Jason DEANGELIS	Fitzroy George HAYLE
Paul SOUCY	Christopher Thomas DOWLING
Premendra BALESHAR	Stalin JOHNSON
Christopher COCHRANE	Stephen NEWBERRY
Learie BROWN	Carl PARSONS
Rick ZHIVKO	William HENRY

Discussion:

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

The agreement between the Board and the TCHC requires that background investigations be conducted on all individuals recommended for appointment and re-appointment as special constables. The Service's Employment Unit completed background investigations on these individuals listed and there is nothing on file to preclude him from being re-appointed as special constables for a five-year term.

The TCHC has advised that the individuals satisfy all the criteria as set out in the agreement between the Board and the TCHC for re-appointment as special constables.

Conclusion:

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

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

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P107. SPECIAL CONSTABLES – UNIVERSITY OF TORONTO –
SCARBOROUGH CAMPUS: APPOINTMENT**

The Board was in receipt of the following report February 24, 2009 from William Blair, Chief of Police:

Subject: APPOINTMENT OF SPECIAL CONSTABLE FOR THE UNIVERSITY OF
TORONTO SCARBOROUGH CAMPUS

Recommendation:

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

Financial Implications:

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

Background/Purpose:

Under Section 53 of the Police Services Act of Ontario (the Act); the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services (the Minister). Pursuant to this authority, the Board entered into an agreement with the University of Toronto (U of T) for the administration of special constables (Min. No. P39/96 refers).

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

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

PIENCZYKOWSKI, Jacek

Discussion:

The U of T special constables are appointed to enforce the Criminal Code of Canada, Controlled

Drugs and Substances Act, Trespass to Property Act, Liquor Licence Act and Mental Health Act on U of T property within the City of Toronto.

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

The U of T has advised that the individual satisfies all the criteria as set out in the agreement between the Board and the U of T for appointment as a special constable. This individual is presently attached to the U of T Mississauga campus and has received approval to transfer to the U of T Scarborough campus once he is appointed by the Toronto Police Services Board. This appointment will not reflect any change in the U of T special constable personnel strength, as this individual will be filling a vacancy created in June of 2008.

Conclusion:

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

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

The Board approved the foregoing report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P108. REQUEST FOR FUNDS: ASSOCIATION OF BLACK LAW
ENFORCERS (ABLE) – 17TH ANNUAL SCHOLARSHIP AWARDS BALL**

The Board was in receipt of the following report March 11, 2009 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: ASSOCIATION OF BLACK LAW ENFORCERS
(ABLE) - 17TH ANNUAL SCHOLARSHIP AWARDS BALL

Recommendations:

It is recommended that:

- (1) The Board approve an expenditure from the Special Fund, in an amount not to exceed \$1,200.00 to purchase tickets for a table at the Association of Black Law Enforcers' 17th Annual Scholarship Awards Ball; and
- (2) Tickets be provided to interested Board members and the remaining tickets be provided to the Chief of Police for distribution as deemed appropriate.

Financial Implications:

If the Board approves recommendation number one, the Board's Special Fund will be reduced by an amount not to exceed \$1,200.00.

Background/Purpose:

The Association of Black Law Enforcers (ABLE) is an organization that acknowledges the contributions and dedication to duty that black people have made in the area of law enforcement in Canada.

On May 9, 2009, ABLE will host its 17th Annual Scholarship Awards Ball. The event will be held at the Riviera Parque and Convention Centre, 2800 Hwy #7 West, Vaughan, Ontario.

This year's theme is "Yes we can, we are ABLE" and The Honourable Mr. Justice Kofi Barnes will deliver the keynote address.

I, therefore, recommend that the Board approve an expenditure from the Special Fund, in an amount not to exceed \$1,200.00 to purchase tickets for a table at the Association of Black Law Enforcers' 17th Annual Scholarship Awards Ball and that tickets be provided to interested Board members and, the remaining tickets be provided to the Chief of Police for distribution as deemed appropriate.

The Board approved the foregoing report with an amendment indicating that the tickets will be provided to interested Board members and Board staff and any remaining tickets will be provided to the Chief of Police for distribution as appropriate.



**ASSOCIATION OF BLACK LAW
ENFORCERS**

467 Edgeley Blvd., Unit #6

Vaughan, Ontario L4K 4E9

Tel: (905) 669-3905

Fax: (905) 669-2875

Website: www.ablenet.ca

Email: info@ablenet.ca

March 1, 2009

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



Dear Dr. Mukherjee:

The Association of Black Law Enforcers (ABLE) will be hosting its 17th Annual Scholarship Awards Ball on Saturday May 9th, 2009, at the Riviera Parque & Convention Centre, 2800 Highway #7 West in Vaughan (east of Jane Street)

"Yes we can, we are ABLE" is this year's theme for the evening and the Honourable Mr. Justice Kofi Barnes, will deliver the keynote address.

We invite you to join us on Saturday, May 9th, 2009, as we acknowledge the past, celebrate the present and look forward to the future with great expectations.

Your timely response by Friday, April 3rd, 2009 would be greatly appreciated.

Yours truly,

Chris Bullen
Vice-President
Association of Black Law Enforcers (ABLE)

/wcb

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P109. TORONTO POLICE SERVICE RESPONSE TO THE CITY BUDGET
COMMITTEE RECOMMENDATION REGARDING THE 2009
OPERATING BUDGET REQUEST**

The Board was in receipt of the following report March 27, 2009 from William Blair, Chief of Police:

Subject: 2009 OPERATING BUDGET REQUEST FOR THE TORONTO POLICE
SERVICE: RESPONSE TO CITY BUDGET COMMITTEE'S
RECOMMENDATION

Recommendations:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City's Deputy City Manager and Chief Financial Officer and to the City Budget Committee for information.

Financial Implications:

There are no financial implications with respect to the recommendations in this report. The City's recommended 2009 operating budget for the Service of \$919.251 million (M) gross and \$855.127M net has been approved by the Toronto Police Services Board.

Background/Purpose:

The Board approved a revised 2009 net operating budget request of \$855.127M at its February 12, 2009 meeting (Min. No. P28/09 refers), in response to a request from the City Budget Committee to achieve \$5.3M in net reductions from the budget approved by the Board at its January 2009 meeting. The revised budget request was provided to the City's Deputy City Manager and Chief Financial Officer for information, and to the City's Budget Committee for approval.

The City's Budget Committee has completed its 2009 operating budget deliberations, and made recommendations to the City's Executive Committee. The following recommendation was made with respect to the Service's 2009 operating budget request:

“THAT the Budget Committee reaffirm a 2009 Operating Budget for the Toronto Police Service of \$919.251 million gross and \$855.127 million net, with a 2010 Outlook that does not exceed an increase of 0.5% or \$4.276 million above the 2009 Recommended Operating

Budget of \$855.127 million net plus the 2010 impact of the salary settlement, and the Toronto Police Services Board report back to Budget Committee on April 24, 2009 on a 2009 Operating Budget which achieves the recommended budget for 2009 and funding levels for 2010.”

Discussion:

2009 Operating Budget Request:

The Service’s revised 2009 net operating budget request was approved by the Board at its February 12, 2009 meeting, and meets the City Budget Committee’s 2009 Recommended Operating Budget for the Toronto Police Service of \$855.127M net. As reported to the Board at its February 2009 meeting and subsequently to the City Budget Committee, the Service has identified \$3.2M of the \$5.3M reduction required to meet the operating budget recommended by the Budget Committee. The Service also indicated in that report that any further reduction would be arbitrary and difficult to achieve at this time, but that in view of the City’s financial constraints, the Service would make every attempt to find the further budget reductions required. The Service committed to advising the Board and City Budget Committee by September 2009, on what additional adjustments have been made to achieve the remaining \$2.1M in required reductions.

2010 Outlook:

As requested in its most recent motion, the City Budget Committee is requesting that the Service’s 2010 Outlook not exceed an increase of 0.5% or \$4.276 million above the 2009 Recommended Operating Budget of \$855.127 million net, plus the 2010 impact of the salary settlement.

At the time the Service’s 2009 operating budget request was prepared, the Service projected its 2010 outlook. Taking into consideration known pressures for 2010 and excluding the 2010 impact of the salary settlement, the 2010 outlook increase is currently estimated at \$15.7M, an increase of 1.8% over 2009 operating budget. Consequently, the Service’s 2010 outlook increase exceeds the Budget Committee’s request for 2010 by \$11.4M.

The process for developing the Service’s 2010 operating budget will begin in April 2009. As in previous years, the process will be very detailed and thorough, and will begin with a review of the Service’s business priorities and strategies for the coming year. Development of the budget will take into consideration separations expected, hiring, reclassification and benefit costs, as well as cost increases or decreases in non-salary accounts such as gasoline, clothing, and City charges for custodial services, utilities, etc. Once developed and analyzed, the budget undergoes a thorough review process by the Command and Board Budget Sub-Committee, and ultimately goes to the Board and City Council for approval.

Based on information we know at this time, it will be extremely difficult to achieve the 0.5% increase for the 2010 Outlook (as requested by the Budget Committee), without impacting staffing levels and services.

Conclusion:

Salaries and benefits to support currently established deployment figures comprise 88% of the Service's operating budget, so any significant budget reduction would require staffing adjustments.

The remaining 12% is required to fund non-salary costs such as City chargebacks (for utilities, custodial services, etc), fleet maintenance and gasoline. The majority of these expenditures are required to support the delivery of core policing services and are therefore non-discretionary. These expenditures usually increase each year, and it would therefore not be feasible to anticipate any significant reductions in these costs in 2010.

The Service's 2010 outlook currently estimates a projected increase of \$15.7M (excluding the 2010 impact of the salary settlement), or 1.8% over the 2009 Board-approved operating budget.

Any reduction to this amount will be extremely difficult to achieve, and will not be known until the Service goes through its 2010 budget development and review process. The Service is, however, very mindful of the City's financial constraints, and will use the 0.5% outlook increase (excluding the 2010 impact of the salary settlement) requested by the City's Budget Committee as a guide in developing the 2010 operating budget request.

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

The Board approved the following Motions:

- 1. THAT the Board received the foregoing report;**
- 2. THAT the Board advise the City Budget Committee that its recommendation to limit the 2010 increase to 0.5% (excluding impact of salary settlement) will be used as a guideline during the 2010 operating budget development process, and that the Board will report back to the City Budget Committee on the impact of limiting the 2010 increase to 0.5%, during 2010 operating budget deliberations; and**
- 3. THAT the Board forward a copy of the foregoing report to the City of Toronto - Deputy City Manager and Chief Financial Officer for information.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P110. REQUEST FOR FUNDS: POLICE OFFICERS OF THE YEAR AWARDS
RECEPTION**

The Board was in receipt of the following report April 06, 2009 from Alok Mukherjee, Chair:

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

Recommendation:

It is recommended that the Board approve an expenditure from the Special Fund in the amount of \$3700 to a) be a sponsor of the 2009 Police Officer of the Year Awards at a cost of \$2500 and b) purchase three tables of tickets (30 tickets at a cost of \$1200) for the 2009 Police Officer of the Year Awards Reception which will be held on June 4, 2009, for interested Board members and Board staff, with the remainder to be given to the Chief to distribute to interested Service members.

Financial Implications:

If the recommendation contained in this report is approved, the Special Fund will be reduced in the amount of \$3700. As at December 31, 2008, the balance in the Special Fund was \$989,488.

Background/Purpose:

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

Nominees are judged from according to the following criteria:

Bravery
Humanitarianism
Superior Investigative Work; and
Outstanding Police Skills

This year's event will take place on June 4, 2009, at the Toronto Board of Trade, Downtown Club, First Canadian Place. A notable keynote speaker and Master of Ceremonies are selected each year to assist in the order of events. Each year, an average of twenty four members of the

Toronto Police Service are recognized for their outstanding contributions to policing our communities.

Attached is a letter from Mr. Chris Worth, from the Toronto Board of Trade, providing details and history about the event.

Last year, the Board approved an annual expenditure from the Board's Special Fund in an amount not to exceed \$3,500.00 per year for the years 2008 to 2010, in support of the Police Officer of the Year Awards Reception. The Board's contribution allows each award recipient, their guest and their Unit Commander to attend the event without incurring personal expense or cost to the Service. (P125/09 refers).

Discussion:

The Toronto Board of Trade undertakes an aggressive campaign to obtain appropriate funding from corporate supporters and Board of Trade members. However, in recent years, financial shortfalls have been experienced and attendance has been lacking.

It is extremely important that the Board recognize the exceptional contributions of Service members that this event serves to highlight. The Police Officer of the Year Award ceremony is an opportunity to demonstrate to the public and the media the high regard that the Board has for our Service members as well as our commitment to recognizing excellence in our organization.

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

Although the Board did make a commitment last year to purchase tickets for three consecutive years, I believe that the request for additional funding this year is warranted by the fact that, recently, this important event has failed to attract the attention and funding that it truly merits.

Conclusion:

Therefore, it is recommended that the Board approve an expenditure from the Special Fund in the amount of \$3700 to a) be a sponsor of the 2009 Police Officer of the Year Awards at a cost of \$2500 and b) purchase three tables of tickets (30 tickets at a cost of \$40 each for a total costs of \$1200) for the 2009 Police Officer of the Year Awards Reception which will be held on June 4, 2009, for interested Board members and Board staff, with the remainder to be given to the Chief to distribute to interested Service members.

Mr. Chris Worth, Manager of Sponsorship, Toronto Board of Trade, was in attendance and discussed this report with the Board.

The Board approved the foregoing report.



1 First Canadian Place, P.O. Box 60
Toronto, Ontario, Canada M5X 1C1
Tel: 416.366.6811
Fax: 416.366.8406
www.bot.com

Dr. Alok Mukherjee, Chair
Toronto Police Services Board
40 College St.
Toronto, ON M5J 2G3

Wednesday, April 01, 2009

Dr. Mukherjee,

On June 4, 2009 the Toronto Board of Trade is hosting the 42nd Annual Police Officer of the Year Awards. The event, which takes place from 6:00pm – 9:30pm at Toronto Board of Trade's Downtown Centre in First Canadian Place, will pay tribute to the men and women of the Toronto Police Service who have made extraordinary contributions to the safety and liveability of our city. The evening promises to be a memorable one, filled with foods and décor from Oliver and Bonacini and some incredible stories.

Last year, the Toronto Police Services Board generously provided secure three-year funding for nominated officers and their guest to attend the evening at no cost to the officer. This year, we would like to increase awareness and attendance at the event and are respectfully requesting additional support to provide the opportunity for interested members of the Toronto Police Service, Police Services Board and/or select members of community safety and policing groups to attend. This would amount to 30 tickets at a cost of \$40 each. Additionally, we would appreciate the Board considering a sponsorship to the event of \$2500 for a total investment of \$3700.00.

The Toronto Board of Trade is proud of this event and the impact that it has on the members of the Toronto Police Service and the community. Continuing this support is important and your assistance will help ensure that this strong tradition carries on in the years to come.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'Christopher Worth', with a long horizontal flourish extending to the right.

Christopher Worth
Manager, Sponsorship

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P111. OPERATIONAL PROCEDURES ADOPTED BY THE CHIEF OF POLICE
TO IMPLEMENT THE BOARD'S POLICY REGARDING THE
DISCLOSURE OF RECORDS RELATING TO APPREHENSIONS
UNDER THE MENTAL HEALTH ACT PURSUANT TO THE POLICE
REFERENCE CHECK PROGRAM**

The Board was in receipt of the following report April 06, 2009 from Albert Cohen, City of Toronto – Legal Services Division:

Reference: Operational Procedures Adopted by the Chief of Police to Implement the Board's Policy Regarding the Disclosure of Records Relating to Apprehensions Under the *Mental Health Act* Pursuant to the Police Reference Check Program Adopted February 12, 2009

Recommendation:

It is recommended that:

1. The Board amend the existing Policy Regarding the Disclosure of Records Relating to Apprehensions Under the *Mental Health Act* Pursuant to the Police Reference Check Program (the "Policy") as identified in Appendix B, attached.
2. The Board receive, for its information, the public information communiqué prepared by the Chief of Police as requested by the Board at its meeting held February 12, 2009.
3. The Board receive, for its information, the summary set out below of the operational processes for the disclosure of records relating to the apprehension of individuals under the *Mental Health Act*. These processes were adopted by the Chief of Police in accordance with the Board's Policy adopted February 12, 2009.

Background: Vulnerable Sector Screening Police Reference Check Program (the "PRCP")

Through its Vulnerable Sector Screening Police Reference Check Program (the "PRCP"), the Toronto Police Service (the "Service") provides reference checks to individuals, upon receipt of authorization from them. Reference checks are provided to individuals for the purpose of assisting participating agencies in determining the suitability of those individuals for employment or volunteer positions that involve working with children and vulnerable adults.

The Board amended its Policy with respect to the PRCP on February 12, 2009 [Minute P29/2009 refers]. The Policy amended the Board's original policy adopted on May 3, 1995. [Minute P212/95 refers]. The Board's Policy is attached as Appendix A.

The Policy directed the Chief of Police to develop operational processes for carrying out police reference checks under the PRCP.

At its meeting held on February 12, 2009, the Board also directed the Chief of Police to prepare a communiqué for the public regarding the PRCP. The Chief was directed to: make the communiqué widely available to the public; post it on the Service's website; and, provide a copy to the Board. [Minute P29/2009 refers]

Proposed Amendments to Vulnerable Sector Screening Police Reference Check Policy

Attached, as Appendix B, is a copy of the Board's Policy, with highlighted text showing specific wording changes that it is recommended the Board adopt.

The proposed amendments that are substantive are set out in paragraph 4 of Appendix B. These proposed amendments add language to the Policy confirming that the processes implemented by the Chief of Police must include requirements that agencies certify they will only request information relating to an applicant's contact with the Service under the *Mental Health Act* when:

- a. the information is related to a bona fide occupational or volunteer requirement and necessary for the agency to properly evaluate the suitability of the applicant,
- b. a conditional offer for the position sought by the applicant has been made, and
- c. an explanation has been provided to an applicant regarding the responsibilities of the position being sought and how it relates to a request for information of *Mental Health Act* apprehensions.

The proposed amendments are intended to provide greater clarity to agencies regarding their obligations prior to requesting information relating to an applicant's contact with the Service under the *Mental Health Act*. If adopted, these amendments to the Policy will be consistent with processes already adopted by the Chief, as set out in the appendices to this report.

The proposed amendments to the Policy are consistent with and advance the other principles set out in the Policy, which focus on:

1. the need for individuals to be fully informed prior to providing consent for a reference check to be conducted; and,
2. the requirement that agencies carefully consider whether information relating to an applicant's contact with the Service under the *Mental Health Act* is specifically required before requesting disclosure of such sensitive information.

Public Information About the PRCP

A copy of the Chief of Police's communiqué, entitled "Information About The Vulnerable Sector Screening - Police Reference Check Program For Individuals Seeking Employment Or Volunteer Opportunities Through Certain Agencies", is attached as Appendix C.

The communiqué will be posted on the Service's website on or before April 10, 2009. The communiqué is also available to the public through the Records Management Services unit.

In addition, agencies screening applicants for employment or volunteer positions are directed by the Toronto Police Service (the "Service") to provide an applicant with an opportunity to read the communiqué prior to obtaining his or her consent to having a police reference check conducted. Agencies are also asked to advise applicants that more information about the PRCP is available on the Service's website.

Operational Processes Adopted by the Service to Implement the Board's Policy

Attached as appendices to this Report are the following documents, which set out the operational processes adopted by the Chief of Police to implement the Board's Policy, which will become effective April 30, 2009.

Agencies have already been advised in writing of the procedural changes adopted by the Chief of Police, and the Service will also be conducting a series of information sessions for agencies to facilitate their understanding and compliance with the requirements of the PRCP program. As of April 10, 2009, the documents discussed below will also be available to agencies and the public on the Service's website.

1. Appendix D, Memorandum of Understanding Between the Toronto Police Service and Agencies

Agencies that provide services to children or vulnerable adults and wish to have applicants for volunteer or employment positions obtain police reference checks are required to execute a memorandum of understanding (the "MOU") with the Service. Among other things, the MOU requires agencies to certify that:

- a. At least one agency member, whose responsibilities include the review and assessment of the suitability of applicants for positions within the Agency, has received training on its obligations under the Ontario *Human Rights Code* with respect to offering employment or volunteer opportunities;
- b. They have specifically evaluated whether there is a *bona fide* occupational or volunteer requirement related to the position an applicant is being considered for that requires the agency to seek and receive information relating to *Mental Health Act* apprehensions, and to advise the applicant of this determination. The agency must also certify that its evaluation in this regard has included consideration of the agency's obligations under the *Human Rights Code*; and

- c. They have ensured that the applicant understands the type of information that may be disclosed with respect to himself or herself and, specifically, that the applicant is told whether information available as a result of his or her contact with the Service under the *Mental Health Act* will be disclosed.

2. *Appendix E, Consent to Disclosure Form Authorizing Police Reference Check*

The Consent to Disclosure form has been revised to, among other things:

- a. Require agencies to specify whether disclosure of any information available relating to a person's contact with the Service under the *Mental Health Act* is required. That information will only be disclosed by the Service if the agency certifies that the information is related to a *bona fide* occupational or volunteer requirement and is required for the agency to assess the applicant's suitability for the position; and
- b. To clearly advise applicants that information about an apprehension under the *Mental Health Act* will be disclosed, if requested by the agency.

Agencies have been directed to begin using the revised Consent to Disclosure form immediately and, as of April 30, 2009, the Service will only process the revised Consent to Disclosure form.

3. *Appendix F, Criminal Reference Check Process*

This document summarizes the steps taken by Records Management Services in conducting a police reference check including, for example, the types of information searched.

4. *Appendix G, Suppression of Records Policy*

Among other things, this document summarizes the factors considered by the Service if an individual requests the suppression of certain records relating to his or her previous contact with the Service under the *Mental Health Act*.

5. *Appendix H, Sample Letter to Applicants Providing Results of the Reference Check*

The Service will only disclose information obtained through a police reference check to the applicant by mailing a copy of the reference check to the applicant. The Service will not communicate the results of the reference check directly to the Agency.

The Chief of Police advises that it has always been the practice of the Service to provide the results of a police reference check to the applicant only. However, the previous practice of the Service was to advise the agency to which the applicant was applying that there was information on file. The Service will no longer advise the agency whether or not there is information on file in relation to any applicant.

This letter has also been revised to indicate whether or not the Toronto Police Service was asked to include reference a person's contact, if any, with the Toronto Police Service under the *Mental Health Act*.

The letter further notifies applicants that information about the PRCP is available on the Service's website or by calling the Records Management Services unit.

Position of the Chief of Police

The Chief concurs with the Recommendations of this report.

Summary and Conclusions

The proposed amendments to the Board's Policy are consistent with the existing principles in the Policy and processes already adopted by the Chief of Police. Therefore, it is recommended that the proposed amendments to the Policy be adopted.

For the Board's information, the within report and the appendices thereto: summarize the Services' current PRCP processes; the obligations imposed upon agencies who wish to have applicants obtain police reference checks through the Service; and, the information available to applicants to ensure they are advised as to how the PRCP works.

The Board approved the foregoing report.

TORONTO POLICE SERVICES BOARD POLICY AND DIRECTIONS

TPSB POL – XXX **Disclosure of Information to Individuals Pursuant to the Vulnerable Sector Screening Program – Police Reference Check Program**

<input type="checkbox"/>	New
<input checked="" type="checkbox"/>	Amended
<input type="checkbox"/>	Reviewed – No Amendments

Board Authority:

Board Authority:

BOARD POLICY

It is the policy of the Toronto Police Services Board that the Toronto Police Service (the “Service”) will undertake police reference checks for the purpose of assisting agencies providing services to children and vulnerable adults to determine the suitability of potential candidates for employment and/or volunteer duties where those individuals will have direct contact with children or vulnerable persons (the “Vulnerable Sector Screening Program – Police Reference Check”).

In accordance with the foregoing, the Chief of Police is directed to develop processes pursuant to which police reference checks under the Vulnerable Sector Screening Program may be made available to individuals who:

1. are seeking an employment or volunteer position with an agency that has executed an agreement with the Service agreeing to the terms established by the Chief upon which the Service will carry out a police reference check; and
2. execute a consent to disclosure form authorizing the reference check to be conducted for purposes consistent with the foregoing policy.

Furthermore, the Chief of Police is directed to develop processes used for carrying out police reference checks under the Vulnerable Sector Screening Program that incorporate the following criteria:

1. Agencies wishing to participate in the Vulnerable Sector Screening Program – Police Reference Check must certify that they have participated in training delivered by the Ontario Human Rights Commission, or training equivalent thereto, on the agency’s obligations under the *Human Rights Code* with respect to evaluating, hiring and training volunteers or employees.
2. The Service will only provide disclosure of any records requested under the Vulnerable Sector Screening Program – Police Reference Check to the individual

who has applied to receive such records. The Service will not disclose the results of the reference check to the agency.

3. In response to a request for a reference check under the Vulnerable Sector Screening Program, the Service will search the CPIC Investigative, Intelligence and Identifications data banks and any Service data banks for available information about the applicant.
4. The Service will not disclose records to the applicant indicating that the applicant has had contact with the Service pursuant to the *Mental Health Act* as part of Vulnerable Sector Screening Program – Police Reference Check unless a person in authority at the participating agency with whom the applicant is seeking employment or a volunteer position specifically requests such information and certifies that the information is necessary for the agency to properly evaluate the suitability of the applicant.
5. The Service will adopt procedures to ensure that individuals may discuss the results of any police reference check completed regarding themselves with a member of the Records and Information Management unit; this is to ensure that individuals understand the information disclosed about themselves and have an opportunity to raise a concern regarding the appropriateness of specific disclosure relating to the individual's contact with the Service under the *Mental Health Act*. The Service will adopt a process to provide for the consideration internally of any concerns raised by an individual relating to the disclosure of an individual's contact with the Service under the *Mental Health Act*.

REPORTING:

LEGISLATIVE REFERENCE

Act	Regulation	Section
Police Services Act R.S.O. 1990 as amended		
Mental Health Act, R.S.O. 1990, c. M.7		s. 16, 17, 28, 33.3

BOARD POLICIES:

Number	Name

BOARD OFFICE PROCEDURES:

Number	Name
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SERVICE PROCEDURES: Refer to service procedures.

**TORONTO POLICE SERVICES BOARD
POLICY AND DIRECTIONS**

**TPSB POL – XXX Disclosure of Information to Individuals
Pursuant to the Vulnerable Sector Screening
Program – Police Reference Check Program**

<input type="checkbox"/>	New
<input checked="" type="checkbox"/>	Amended
<input type="checkbox"/>	Reviewed – No Amendments

Board Authority:

Board Authority:

BOARD POLICY

It is the policy of the Toronto Police Services Board that the Toronto Police Service (the "Service") will undertake police reference checks for the purpose of assisting agencies providing services to children and vulnerable adults to determine the suitability of potential candidates for employment and/or volunteer duties where those individuals will have direct contact with children or vulnerable persons (the "Vulnerable Sector Screening Program – Police Reference Check").

In accordance with the foregoing, the Chief of Police is directed to develop processes pursuant to which police reference checks under the Vulnerable Sector Screening Program may be made available to individuals who:

1. are seeking an employment or volunteer position with an agency that has executed an agreement with the Service agreeing to the terms established by the Chief upon which the Service will carry out a police reference check; and
2. execute a consent to disclosure form authorizing the reference check to be conducted for purposes consistent with the foregoing policy.

Furthermore, the Chief of Police is directed to develop processes used for carrying out police reference checks under the Vulnerable Sector Screening Program that incorporate the following criteria:

1. Agencies wishing to participate in the Vulnerable Sector Screening Program – Police Reference Check must certify that they have participated in training on the agency's obligations under the *Human Rights Code* with respect to evaluating, hiring and training volunteers or employees.
2. The Service will only provide disclosure of any records requested under the Vulnerable Sector Screening Program – Police Reference Check to the individual who has applied to receive such records. The Service will not disclose the results

of the reference check to the agency or any other person without further consent from the applicant.

3. In response to a request for a reference check under the Vulnerable Sector Screening Program, the Service will search the CPIC Investigative, Intelligence and Identifications data banks and any Service data banks for available information about the applicant.
4. The Service will not disclose records to the applicant indicating that the applicant has had contact with the Service pursuant to the *Mental Health Act* as part of Vulnerable Sector Screening Program – Police Reference Check unless a person in authority at the participating agency with whom the applicant is seeking employment or a volunteer position specifically requests such information and certifies that:
 - a. the information is related to a bona fide occupational or volunteer requirement and necessary for the agency to properly evaluate the suitability of the applicant,
 - b. a conditional offer for the position sought by the applicant has been made to him or her, and
 - c. an explanation has been provided to an applicant regarding the responsibilities of the position being sought and how it relates to a request for information of *Mental Health Act* apprehensions.
5. The Service will adopt procedures to ensure that individuals may discuss the results of any police reference check completed regarding themselves with a member of the Records and Information Management unit; this is to ensure that individuals understand the information disclosed about themselves and have an opportunity to raise a concern regarding the appropriateness of specific disclosure relating to the individual's contact with the Service under the *Mental Health Act*. The Service will adopt a process to provide for the consideration internally of any concerns raised by an individual relating to the disclosure of an individual's contact with the Service under the *Mental Health Act*.

REPORTING:

LEGISLATIVE REFERENCE

Act	Regulation	Section
Police Services Act R.S.O. 1990 as amended		
Mental Health Act, R.S.O. 1990, c. M.7		s. 16, 17, 28, 33.3

BOARD POLICIES:

Number	Name

BOARD OFFICE PROCEDURES:

Number	Name

SERVICE PROCEDURES: Refer to service procedures.

TORONTO POLICE SERVICE
INFORMATION ABOUT THE VULNERABLE SECTOR SCREENING - POLICE
REFERENCE CHECK PROGRAM FOR INDIVIDUALS SEEKING EMPLOYMENT OR
VOLUNTEER OPPORTUNITIES THROUGH CERTAIN AGENCIES

If you are a potential candidate for employment and/or volunteer duties with a community agency or other organization, the agency or organization with which you wish to work may require that you have a police reference check performed.

Reference checks performed for people who will be working with children or vulnerable people are called "Vulnerable Sector Screening Program – Police Reference Checks".

The Toronto Police Service (the "Service") will carry out a Vulnerable Sector Screening Program – Police Reference Check about you when:

1. the agency with whom you want to work or volunteer (if you are requesting a reference check through an agency) certifies to the Service that it:
 - a. is only requesting the reference check for the purpose of assisting it to determine your suitability for employment and/or volunteer duties because you will have direct contact with children or vulnerable persons;
 - b. will only ask for a police reference check to be done after it has completed an initial review of your suitability and has tentatively selected you for employment or a volunteer opportunity;
 - c. understands its obligations under the *Human Rights Code* with respect to evaluating, hiring and training volunteers or employees and what constitutes a "bona fide" reason for refusing to hire any individual or volunteer; and
 - d. has paid the necessary fee to the Service;
2. you live in the City of Toronto; and
3. you have signed a written authorization permitting a reference check about yourself to be conducted (called a "Consent to Disclosure" form).

If the Service receives a Consent to Disclosure form signed by you authorizing it to carry out a police reference check, the Service will conduct an electronic search of the CPIC Investigative, Intelligence and Identifications data banks and any Service data banks for available information about you. Therefore, among other things, the Service will search for any information on file relating to: criminal convictions, outstanding charges before the courts, probation information (including peace bonds, restraining orders, and reporting conditions), any prohibitions relating to you (includes firearms, driving, hunting and boat), federal or provincial parole information, and information relating to whether you are suspected of committing a criminal offence or are

involved in a serious criminal investigation. (Please note that this is not an exhaustive list and the Service may have access to other information about you through its database searches).

In addition to the above categories of records, Service databases would also document contacts that you have had, if any, with the Service under the *Mental Health Act*. Specifically, there are provisions under the *Mental Health Act* according to which police officers may apprehend a person and take him or her to the hospital for assessment by a medical professional. When the police apprehend someone under the *Mental Health Act*, this is noted in a police database. The Service does not, however, disclose contact, if any, that you have had with the Service pursuant to the *Mental Health Act* as part of Vulnerable Sector Screening Program – Police Reference Check *unless* the agency with whom you are seeking employment or a volunteer position specifically requests such information and certifies to the Service that the information is required for the agency to properly complete its evaluation of your suitability for the position.

When the Service is being asked by the agency to disclose information relating to any contact it has had with you, if any, under the *Mental Health Act*, this will be indicated on the Consent to Disclosure form that you must sign before the reference check is conducted.

The Service will provide the results of any Vulnerable Sector Screening Program – Police Reference Check conducted *only* to you, the individual who has requested it. The results are mailed to you at the address given on the Consent to Disclosure form. The Vulnerable Sector Screening Program – Police Reference Check is *not* sent directly to the agency.

It is then your responsibility to decide whether you wish to discuss the results of a Vulnerable Sector Screening Program – Police Reference Check with the agency that you wish to work with or volunteer for. If you do not disclose the results of the Vulnerable Sector Screening Program – Police Reference Check with the agency, you may not be eligible for employment or a volunteer position, but that is an issue for the agency to decide.

Also, please note that the mere fact that the Service has information relating to you should not disqualify you from consideration for a position. It is the responsibility of every Agency to comply with the *Human Rights Code* in deciding whether to hire an applicant or volunteer. You can obtain information on the *Human Rights Code* through the website of the Ontario Human Rights Commission at www.ohrc.on.ca or by contacting the Commission at (416) 326-9511 (if you are within the Toronto area) or 1-800-387-9080 (Toll Free outside Toronto Area).

The role of the Service is simply to provide you with a copy of the information available through police databases. The agency that you want to work with is responsible for determining your suitability for the position that you have applied for; the result of any police reference check is just one component of the information available to and evaluated by the agency.

If you have any questions about the process by which a police reference check is carried out or if you have any questions about the specific results of your reference check, you may contact the Records Management Services department for more information. The Service aims to ensure that everyone understands the information disclosed about themselves.

If you have a specific concern regarding the appropriateness of specific disclosure relating to your contact with the Service under the *Mental Health Act*, you may discuss it with the Records and Information Management department. For more information, please request a copy of the Service's "Vulnerable Sector Screening Program – Police Reference Check Redaction of Records Policy" by contacting Records Management Services at the telephone numbers provided above or by mail at the address provided below.

The Service is required by by-law to maintain records relating to any contact a person may have had with the Service under the *Mental Health Act* for a minimum of five years plus the current year (or approximately 6 years in total). After that time, you may contact Records Management Services to request that records documenting your apprehension under the *Mental Health Act* be destroyed. Such requests must be made in writing to Records Management Services.

Records Management Services can be reached by telephone at 416-808-7991 (or 416-808-8244, in the alternative) or by mail at Records Management Services Unit, Toronto Police Service, 40 College Street, Toronto, Ontario, M5G 2J3.

**Memorandum of Understanding between The Toronto Police Service
(hereinafter called the "Service")**

and

**Insert Name of Agency and/or Organization Here
(hereinafter called the "Agency")**

A. AUTHORITY FOR DISCLOSURE OF INFORMATION

Disclosure of information under this Memorandum of Understanding (the "Memorandum") is authorized pursuant to section 32(b) of the *Municipal Freedom of Information and Protection of Privacy Act*, Revised Statutes of Ontario, 1990 chapter M. 56, as amended, as well as the Toronto Police Service policies and procedures.

B. DEFINITIONS

For the purpose of this Memorandum the following definitions apply:

- a) "Agency" – charitable or other organizations, including those funded or licensed by the Ministry of Community and Social Services, which provide services to children and vulnerable adults.
- b) "Children" – means persons who are less than 18 years of age.
- c) "Vulnerable Persons" – means persons who, because of their age, a disability or other circumstances, whether temporary or permanent,
 - i) are in a position of dependence on others; or
 - ii) are otherwise at a greater risk than the general population of being harmed by a person in a position of authority or trust relative to them.

C. PURPOSE

The purpose of this Memorandum is to set out terms and conditions for the disclosure of information by the Service to the individual. Any disclosure of information pursuant to this Memorandum shall only be for the purpose of assisting the Agency to determine the suitability of potential candidates for employment and/or volunteer duties, (including Agency Board Members and Contact members) having direct contact with children or vulnerable persons.

D. DISCLOSURE OF REFERENCE CHECK INFORMATION

Where the Agency requires reference checks from individuals applying for volunteer or employment opportunities (the "applicants"), the Service will only conduct reference checks for an Agency with whom the Service has entered into a memorandum of understanding.

The Service will only disclose information obtained through a police reference check to applicants who execute a Consent to Disclosure form requesting and authorising disclosure of information to themselves.

The Service will not communicate the results of a reference check to the Agency.

E. HUMAN RIGHTS TRAINING

The Agency hereby certifies that at least one Agency member whose responsibilities include the review and assessment of the suitability of applicants for positions within the Agency has received training on the *Human Rights Code* and the Agency's obligations thereunder with respect to offering employment or volunteer opportunities, and has read the current Ontario Human Rights Commission policy (or policies) that are applicable to this issue.

The Agency states that its management (and human resources personnel, if any) have an understanding of the provisions in and implications of the *Human Rights Code* as it applies to hiring and/or approval of applicants and/or volunteers and a clear view of what constitutes a *bona fide* occupational or volunteer requirement to seek and receive information relating to *Mental Health Act* apprehensions.

The Agency undertakes to remain in continuous compliance with the obligations set out above throughout the term of this memorandum of understanding. If the Agency is not in compliance with these obligations, the Agency must notify the Service in writing in accordance with Section K and the Memorandum of Understanding shall be terminated.

In addition, the Agency states that it understands that the role of the Service is simply to provide information to an individual applicant. It is the sole responsibility of the Agency to assess the suitability of an individual for a volunteer or employment position.

F. ROLES AND RESPONSIBILITIES

The Agency agrees to the following.

- a) The Agency will submit a Consent to Disclosure form that has been signed by the applicant and witnessed by the Agency in writing. The Agency will provide the applicant with a copy of the signed Consent to Disclosure form.

- b) Before the applicant is asked to sign the Consent to Disclosure form, the Agency will provide each applicant with the opportunity to read the Service's "Information about the Vulnerable Sector Screening Program – Police Reference Check Program for Individuals Seeking Volunteer or Employment Opportunities". A copy is attached as Appendix A to this Memorandum of Understanding. Applicants should also be advised that information about the Police Reference Check Program is available on the Toronto Police Service website.
- c) The Agency will advise each applicant that the existence of information provided by the Service does not necessarily mean a disqualification from the position.
- d) The Agency understands the Service is only disclosing information based upon personal descriptors provided and cannot guarantee the screening process will identify all information concerning the individual.
- e) The Agency understands the Service is in no way making a recommendation on the suitability of the applicant for the position being sought.
- f) The Agency will be required to certify that there is a bone fide occupational and volunteer requirement for agencies to receive information relating to *Mental Health Act* apprehensions.
- g) If the Agency determines that information relating to apprehensions under the *Mental Health Act* is required for the volunteer or employment opportunity an applicant is being considered for, the Agency will require an authorized person within the Agency to indicate this on the Consent to Disclosure form and the applicant will be advised. The Agency understands that the Service will only include information, if any is found, relating to apprehensions under the *Mental Health Act* in the reference check provided to the applicant if this is done.
- h) The Agency will communicate directly with the applicant to obtain disclosure of the results of any criminal reference check provided to the applicant.
- i) The Agency will only ask applicants to submit applications for a police reference check if the Agency has already screened or evaluated the applicant for the position and has extended a conditional offer to the applicant for the position.
- j) If the Agency has multiple branch sites, the Agency agrees that it will process all requests for reference checks by applicants seeking volunteer or employment opportunities with their Agency centrally through their Head Office with an established contact person.

- k) The Agency will provide the Service with the name(s) of contact members (maximum of three) within the Agency to ensure consistent and accurate exchange of information and documentation. All Contact Members must complete a Service Consent to Disclosure Form and the Service will conduct a Police Reference Check. The Service must be notified immediately when Agency contact members are changed. Notification must be made by written correspondence, accompanied by a completed Service Consent to Disclosure form executed by the new Contact Member proposed by the Agency.
- l) The Agency agrees that the Service will charge a fee of \$45.00 plus any applicable taxes to conduct a Police Reference Check on candidates for employment. The Service will charge a fee of \$15.00 plus any applicable taxes to conduct a Police Reference Check on volunteers, students, foster/adoptive parents, family members etc. There will be no charge for Agency Contact Members or Board members. These charges are subject to change at the discretion of the Police Services Board, and notification of changes will be by letter outside of this M.O.U.
- m) The Agency will ensure that current or prospective Agency Board Members having direct contact with children or vulnerable adults and the Executive Director of the Agency (or the person in the equivalent position of authority) consent to a Police Reference Check, and the Agency will ensure that steps are taken to have these Police Reference Checks carried out.
- n) The Agency agrees that the Service Consent to Disclosure form must be used for the purpose in section "C" of the Memorandum and that any misrepresentation on/or the alteration of the Consent to Disclosure form on the part of the Agency will result in immediate termination of service and notification to the appropriate governing body of the Agency.
- o) The Agency understands that information relating to an offence for which a pardon has been granted may be available to persons or agencies responsible for the well-being of children or vulnerable persons where the application relates to a position of authority or trust relative to those children or vulnerable persons, and where the applicant consents to release. However:
 - i) The applicant must provide fingerprints and consent to the dissemination of any pardon information located. If he/she fails to do so, the application will not be processed.
 - ii) Where requested by an eligible person/agency, and where consented to by the applicant, and after the applicant submitting to fingerprints and a consent form to the RCMP Identification Services in Ottawa, the Minister may provide pardon information to a police service for disclosure. The decision is that of the Ministry, and not the Police

Service, it will subsequently be disclosed by the Police Service to the applicant.

Any person or agency who acquired pardon information shall not use it or communicate it unless and except in relation to the assessment of the applicant. (Reference: Section 6.3 of the *Criminal Records Act Ontario*).

Pardon information is generally not available in other situations.

(I) The Service upon receipt of a signed Consent to Disclosure form, will search the appropriate data banks both national and local, to which the Service has access, for information pertaining to the applicant and will, in addition:

- a) Provide any of the aforementioned information to the applicant based upon the name, date of birth and address provided;
- b) Make efforts to ensure the applicant is the subject of the information based upon the name, date of birth and address provided. It is recognized that positive identification for the purpose of determining criminal record information can only be confirmed through the submission of fingerprints; and
- c) Make efforts to ensure the applicant understands the information that is provided about him/her.

G. USE AND CONTROL OF INFORMATION BY AGENCY

In consideration of the disclosure of information by the service, if the Agency retains information, the Agency agrees to the following conditions for the use and control of such information:

- a) any dissemination or disclosure of the information shall only be for the purpose in section "C" of this Memorandum;
- b) the information provided will not be altered in any manner;
- c) the information shall be destroyed (shredded/mulched) after use or maintained in a such a manner to prevent unauthorized use; and
- d) Information relating to an offence for which a pardon has been granted shall not be used nor communicated by a person or agency receiving same, except in relation to the assessment of the application for the position (Reference: Section 6.3(7), *Criminal Records Act Canada*).

H. TERMINATION OF MEMORANDUM

The Service may terminate this Memorandum at any time in the event of a breach of security regarding the retention and storage of the information, improper dissemination of the information or a failure to comply with any of the provisions of this Memorandum. The question of whether a breach has occurred is exclusively within the absolute discretion of the Chief of Police or designate whose determination is final.

I. AMENDMENT TO MEMORANDUM

This Agreement may be amended at any time by the direction of the Chief of Police, which may be done by letter from the Chief of Police or his designate.

J. TERM OF MEMORANDUM

This Memorandum shall come into Service on the date of its final execution and shall remain in effect until terminated for any reason by either party in writing on one (1) week's notice to the other party.

K. NOTICE

Any correspondence, request, notice or report to be given or made pursuant to this Memorandum shall be made in writing and addressed to each party as follows:

- a) in the case of the Service: Chief of Police
Toronto Police Service
Police Reference Check Program
40 College Street
Toronto, Ontario
M5G 2J3
- b) in the case of the Agency: **Attention:**

or to such other addresses as the parties may from time to time designate in writing.

L. WAIVER

No action or failure to act by the Service shall constitute a waiver of any rights afforded to the Service under this Memorandum nor shall action or failure to act constitute an approval of or acquiescence in any breach there under, except as may be specifically agreed in writing.

M. INDEMNITY

- a) The Agency shall indemnify the Service from all claims, damages and demands and expenses arising directly or indirectly out of the provision or use of information pursuant to this Memorandum provided the claim, loss, damage, demand or expense was not the fault or negligent act or omission of the Service.

- b) The provisions of this section shall survive the termination of the Memorandum for any reason whatsoever.

THE TORONTO POLICE SERVICE

AGENCY

Signature

Signature

Witness

Witness

Date

Date



Toronto Police Service Criminal Reference Check Process

Records Management Services ("RMS") will perform all criminal reference checks.

RMS will review the requesting agency's originating documents (for example, copy of licences for daycare centres or articles of incorporation for a charity).

RMS will then establish a contact person within each requesting agency to ensure consistent and accurate exchange of information and documentation, including invoices where applicable.

Where the Agency requires reference checks from individuals applying for volunteer or employment opportunities (the "applicants"), the Service will only conduct reference checks for an Agency with whom the Service has entered into a memorandum of understanding.

A consent to disclosure form must be signed by each applicant seeking to have a reference check conducted.

When an agency with whom the Service has executed a memorandum of understanding requests a criminal reference check for a specific applicant, RMS will search the CPIC Investigative, Intelligence and Identifications data banks and Service data banks for the following information:

- Outstanding criminal and provincial statute warrants
- All outstanding charges before the courts
(Charged entries, including conditional release information)
- Missing person/Elopee Information
- Probation information
(Includes peace bonds, restraining orders, and reporting conditions)
- All prohibitions
(Includes firearms, driving, hunting and boat)
- Parolee information
(Federal and Provincial)
- Refused information
(Firearm acquisition certificates)
- Special Interest police information
(Includes persons who have attempted to commit suicide whether in our out of police custody; persons who are known to be violent towards the police,

himself/herself or other persons; and persons who are foreign fugitives where no warrant is available or the fugitive is not arrestable in Canada)

- **Persons of Interest**
(Includes persons who are suspected of committing criminal offences; persons involved in a serious criminal investigation; and persons who feel they are in danger of family violence)
- **Criminal Record Information**
- **Special Address Information**
(Information pertaining to addresses involved in criminal activity or domestic situations)
- **Non-Indictable Information**

Information, if any, with respect to whether an applicant has been apprehended under any provision of the *Mental Health Act* will not be disclosed to an applicant unless the agency specifically certifies on the Consent to Disclosure form that such information is required.

All results of a criminal reference check will be released only to the applicant.

The Service will not directly disclose the results of any reference check to an agency.

After receiving their criminal reference check, an applicant may authorize a representative of RMS to speak with the applicable agency (with or without the applicant being present or participating) to confirm the general nature of the information included in the criminal reference check.

In the event that applicants disagree with the findings of the Service's criminal reference check, they can contact RMS to discuss the nature of the information included in the reference check.

On the rare occasion when the identification of the applicant is in question, the applicant will be required to contact the R.C.M.P. to complete a fingerprint and criminal record check to positively determine the identity/record of the individual. The use of the R.C.M.P. database is required to complete a comprehensive fingerprint and criminal record check.

Toronto Police Service

Vulnerable Sector Screening Program – Police Reference Check

Suppression of Records Policy

An individual who has authorized a Vulnerable Sector Screening Program – Police Reference Check may seek to have information relating to their prior contact with the Service under the *Mental Health Act* excluded from the results of a reference check so that this information is not disclosed.

Such a request must be made by the individual in writing and submitted to:

Manager
Information Access, Records Management Services
Toronto Police Service
40 College Street
Toronto, Ontario
Canada
M5G 2J3

In considering whether suppression of any information is appropriate, the Service will assume that an individual is applying for a position with an agency that involves unsupervised contact with the most vulnerable.

All of the following information will be considered by the Service in processing a request for the suppression of records resulting from an individual's contact under the *Mental Health Act* with the Service.

1. All of the records about the individual available to the Service.
2. How long ago the incident that the individual seeks to have suppressed occurred.
3. The details of the incident that the individual seeks to have suppressed, including:
 - a. any information provided by the individual to explain the incident, including medical information provided by the individual and supporting medical documentation regarding any assessment with a medical professional related to their mental health;
 - b. the details on the occurrence report;
 - c. information provided by the officers who had contact with the individual at the time of that incident, if available; and
 - d. information provided by officers who have had contact with the individual on other occasions.

For example, among other things, the Service will consider whether the incident involved actual harm to the individual or others, and whether there were subsequent charges that arose as a result of the individual's contact with the Service on that occasion.

4. The age of the person at the time of the incident that the individual seeks to have suppressed.
5. Any other information provided by the individual.

The individual will be informed in writing of the decision of the Service in response to his or her request for suppression of information. The Service will not provide reasons for the decision.

If the individual is dissatisfied with the response provided, the individual may seek reconsideration of their request by the Manager, Records Management Services, within 30 days. The individual may provide additional information to address the factors under consideration as set out above at the time that they request reconsideration of the original decision.

An individual may submit a new request seeking the suppression of information regarding his or her contact with the Service under the *Mental Health Act* no more than once every 12 months.

Date, 2009

Mr. A. Surname
 123 Street Name
 Toronto, Ontario
 M1M 1M1

Details of Police Reference Check Search

Name: SURNAME, Given name(s)Date of Birth: YYYY.MM.DD

The following is a detailed account of police information for the above named as identified in the applicant's signed Consent to Disclosure of Personal Information (waiver) submitted by an agency registered with the Toronto Police Service. The Service does not disclose the results of your reference check directly to an agency. Therefore, it is your responsibility to know whether the Agency with whom you are seeking a position requires that you provide these results and to decide whether you wish to disclose these results.

If the disclosure reveals a charge relating to a crime for which later a confession, DNA or similar evidence confirms innocence resulting in another being charged, contact the Coordinator, Records Management Services – Information Access in writing and, on production of appropriate documentation, the disclosure will be removed.

<u>Date</u>	<u>Police Service</u>	<u>Type of Record</u>	<u>Involvement*</u>
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*AC = Accused
 A = Apprehension
 P = Person of Interest
 O = Other

2 ALTERNATIVE WORDINGS:

A. Please NOTE that, in accordance with the Consent to Disclosure of Personal Information form submitted by the above named, the Toronto Police Service has NOT determined whether or not it has information in its data banks relating to contact between the Service and the above named person under the *Mental Health Act* because it was not requested to do so.

B. Please NOTE that, in accordance with the Consent to Disclosure of Personal Information form submitted by the above named, the Toronto Police Service has included above information on contact between the above named and the Toronto Police Service under the *Mental Health Act* within six years of the date of this letter, if records exist, because it was requested to do so.

To obtain a copy of the Toronto Police Service's policies on the suppression or deletion of records, please go to the Service's website at www.torontopolice.on.ca or call (416) 808 – 7991.

“Records under the control of the Toronto Police Service are retained and released in accordance with the Toronto Police Services Board Record Retention Schedule, City of Toronto Municipal Code, Chapter 219, Article L.”

If further information or clarification regarding the above is required, please contact the Police Reference Check Program directly at (416) 808 – 7991.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

**#P112. SPECIAL FUND REQUEST: FILIPINO CENTER OF TORONTO
VICTORIA INVITATIONAL BASKETBALL TOURNAMENT AND THE
PISTAHAN SA TORONTO BIKE RODEO**

The Board was in receipt of the following report April 02, 2009 from Alok Mukherjee, Chair:

Subject: SPECIAL FUND REQUEST: FILIPINO CENTER OF TORONTO VICTORIA
INVITATIONAL BASKETBALL TOURNAMENT AND THE PISTAHAN SA
TORONTO BIKE RODEO.

Recommendation:

It is recommended that the Board approve the allocation of \$10,500.00 from the Special Fund to sponsor the Filipino Center of Toronto Victoria Invitational Basketball Tournament being held on May 16-17, 2009 and the Bike Rodeo at the Pistahan sa Toronto Festival at Nathan Philips Square to be held on June 13 to 14, 2009.

Financial Implications:

If the Board approve the recommendation contained in this report, the Special Fund will be reduced by \$10,500.00.

Background/Purpose:

I am in receipt of correspondence from Mr. Rey Tolentino, Vice-President, Filipino Centre of Toronto and Co-Chair, Asia Pacific Consultative Committee, requesting funding from the Board's Special Fund. The Filipino Centre of Toronto (FCT) is a non-profit community based organization established in 1999 and is engaged in serving and supporting the Filipino-Canadian community in Toronto. FCT initiatives focus on health, wellness, education, and a variety of social activities for all ages including seniors and youth programs.

FCT's goal is to promote positive youth development by investing in their physical, intellectual, emotional, and social development. By engaging youth in positive and supportive community settings that contribute to a young person's development.

Discussion:

Interactions that occur in homes, schools and the communities in which they live influence the development of youth. Youth gain lasting positive impressions that build hope, cooperation and a sense of belonging when they are exposed to wholesome activities that they enjoy within their communities. To this end, the FCT in cooperation with the Toronto Police Service Community Mobilization Unit, the Asia Pacific Consultative Committee and dozens of volunteers is hosting two special events.

The first event is the FCT Victoria Invitational Basketball Tournament. The two-day event will take place on May 16-17, 2009 at the Downsview Park Hoopdome. The tournament will be broken down into six basketball divisions with approximately 600 youth age 7 to 17 participating. The Toronto Police Service (the Service) Community Response Unit basketball team, CMU and Auxiliary Officers will be fielding a basketball team to play against selected senior players in a friendship exhibition game.

This initiative will provide direct interaction between youth and police officers, in a friendly atmosphere, in which teamwork, positive attitudes and respect are demonstrated. Youth can take this experience and act as ambassadors of these positive attitudes among their friends and peers.

Secondly, a Bike Rodeo is planned to take place at Pistahan sa Toronto, a festive celebration to mark the anniversary of the Philippines' independence. Pistahan sa is an annual two-day event being held at Nathan Philips Square and attracts over 12,000 people. This year the event will be held on June 13 to 14, 2009.

Mr. Rick Gosling of CCERE, the Service and the FCT are working in partnership to co-ordinate this event. Mr. Gosling will donate 50 used bikes and 50 new cycling helmets to youth ages 8 to 12 that are participating in this event. Members of the Service and Auxiliary Officers will teach participants the rules of the road and bicycle safety.

The funds requested will be used to cover the cost of cover prizes, food and refreshments for the participants. A copy of the budget for both events is attached to this report.

Conclusion:

Therefore, it is recommended that the Board approve the allocation of \$10,500.00 from the Special Fund to sponsor the Filipino Center of Toronto Victoria Invitational Basketball Tournament being held on May 16-17, 2009 and the Bike Rodeo at the Pistahan sa Toronto Festival at Nathan Philips Square to be held on June 13 to 14, 2009.

The Board approved the foregoing report.

FILIPINO CENTER OF TORONTO VICTORIA INVITATIONAL BASKETBALL
TOURNAMENT AND THE PISTAHAN SA TORONTO BIKE RODEO

Basketball Tournament

Expenses (2 days):	
Venue -Hoopdome:	\$12,000.00
Referees, Scorers, Timekeepers:	\$ 5,400.00
Trophies & Medals:	\$ 1,600.00
Food & Refreshments for volunteers:	\$ 600.00
Misc. Administration materials:	<u>\$ 200.00</u>

Total: \$19,800.00

Requested funding – PSB Special Fund
(to cover part of the cost of the event) (\$10,000.00)

Cost to be paid by FCT 9,800.00

Bike Rodeo

Requested Funding – PSB Special Fund \$ 500.00
(to cover prizes, food and refreshments)

Total requested funding – PSB Special Fund **\$10,500.00**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

#P113. IN-CAMERA MEETING – APRIL 16, 2009

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:

Ms. Pam McConnell, Councillor & Acting Chair
Ms. Judi Cohen, Member, & Acting Vice-Chair
Mr. Frank Di Giorgio, Councillor & Member
Mr. Hamlin Grange, Member
Mr. Adam Vaughan, Councillor & Member

Absent: Dr. Alok Mukherjee, Chair
The Honourable Hugh Locke, Q.C., Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON APRIL 16, 2009**

#P114. ADJOURNMENT

Pam McConnell
Acting Chair