



**The following *draft* Minutes of the meeting of the Toronto Police Services Board held on February 19, 2013 are subject to adoption at its next regularly scheduled meeting.**

**The Minutes of the meeting held on January 23, 2013, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on February 19, 2013.**

**MINUTES OF THE PUBLIC MEETING** of the Toronto Police Services Board held on **FEBRUARY 19, 2013** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

**PRESENT:**

**Dr. Alok Mukherjee**, Chair  
**Mr. Michael Del Grande**, Councillor & Member  
**Dr. Dhun Noria**, Member  
**Ms. Frances Nunziata**, Councillor & Member  
**Mr. Andrew Pringle**, Member

**ABSENT:**

**Mr. Michael Thompson**, Councillor & Vice-Chair  
**Ms. Marie Moliner**, 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 FEBRUARY 19, 2013**

**#P24. OPENING OF THE MEETING**

Dr. Dhun Noria, Member, advised the Board that on January 25, 2013, Brian Dolman (86787), Board Office, was on-duty driving the Chair of the Police Services Board when he noticed a group of people attempting to assist an elderly gentleman who was lying in distress at the side of the road. Mr. Dolman stopped his vehicle, approached the group and, after determining that the gentleman was not breathing performed CPR until Emergency Medical Services arrived. Mr. Dolman's quick action helped save the life of the gentleman.

Dr. Noria also advised the Board that Chief Blair was recently presented with the following awards:

- the first "Leaders for Change Award" presented by the Canadian Tamil Congress in recognition of his ongoing community leadership in the Tamil communities of Toronto;
- the 2013 African-Canadian Achievement Founder's Award in recognition of his efforts to promote diversity in the Toronto Police Service;
- the Founder's Prize at the 27th African-Canadian Achievement Awards in recognition of his efforts to create a diverse workplace in the Toronto Police Service; and
- the Commander of the Order of Merit of the Police Forces presented by the Governor General of Canada.

The Board expressed its appreciation for Mr. Dolman's quick action and congratulated Chief Blair for his achievements.

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

To the rank of Detective Sergeant:

Christopher Kirkpatrick  
Claudine Thomas

To the rank of Sergeant:

Bradley Donais  
Randall Wynia

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
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**#P25. RECRUITING AND EMPLOYING SOMALI-CANADIAN POLICE  
OFFICERS & RESPONSE TO CONCERNS ABOUT CRIMES IN TCHC  
FACILITIES**

The Board was in receipt of correspondence dated January 23, 2013 from Mike Colle, MPP, recommending that the Toronto Police Service increase its efforts to recruit Somali-Canadian youth for employment as police constables. A copy of Mr. Colle's correspondence is appended to this Minute for information.

Mr. Colle was in attendance and delivered a deputation to the Board.

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

- Habiba Adan
- Miguel Avila \*

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

The Board was also in receipt of correspondence dated February 19, 2013 from John Cartwright, President, Labour Council – Toronto and York Region. A copy of Mr. Cartwright's correspondence is on file in the Board office.

During their deputations, all three deputants expressed concerns about crimes involving youth that have taken place in Toronto Community Housing Corporation (TCHC) facilities and that some of the crimes were homicides which, to date, have not been resolved. The Board was advised that many residents in the community are unwilling to provide information to police officers that might assist them in their investigations because the residents believe that their safety could be jeopardized if others in the community learned that they had cooperated with the police. The Board was also advised that improvements to the witness protection program might encourage more people to contact the police with information about crimes that have occurred in their communities.

The Board noted that it had recently established a TCHC Task Force to look at options to improve overall security and community safety on and adjacent to TCHC properties (January 23, 2013 Min. No. C03/13 refers) and considered the feasibility of extending the Task Force to include Somali-Canadian youth.

Chief Blair advised the Board that although the Toronto Police Service is not currently hiring new police constables, there are several Somali-Canadian youth who are actively involved with the TPS as members of the Chief's Advisory Council and others have been employed through the Youth in Policing Initiative (YiPI) After-School Program.

**The approved the following Motions:**

- 1. THAT the Board reiterate its commitment to diversity in recruitment with a focus on Somali-Canadian youth;**
- 2. THAT the Chair convey the Board's support for strengthening the witness protection program to provincial and federal governments;**
- 3. THAT the Board re-affirm its decision of January 23, 2013 to establish a Task Force to be chaired by Councillor Frances Nunziata to look at options to improve overall security and community safety on, and adjacent to, TCHC properties and ensure that the Task Force includes Somali-Canadian youth;**
- 4. THAT the Board receive the correspondence from the Labour Council; and**
- 5. THAT the Board receive the deputations by Mr. Colle, Ms. Adan and Mr. Avila and the written submissions from Mr. Colle and Mr. Avila.**



**Mike Colle, M.P.P.**  
Eglinton - Lawrence

January 23<sup>rd</sup>, 2013

Dear Mr. Mukherjee,

As the M.P.P. for Eglinton-Lawrence, I represent a riding with a significant number of Somali-Canadians. On January 22, 2013, I held a press conference with a group of Somali-Canadians who are extremely concerned with the fact that over 50 young men from the Somali community have been murdered in the past decade in Ontario and Alberta. Few charges have been laid and even fewer of the murders have been solved. The community is calling out for urgent action to solve these murders and bring justice to the victims' families.

This initiative is being spearheaded by a grassroots organization called Positive Change, comprised of concerned mothers and community members who are crying out for help and support to solve the murders and bring about justice. Positive Change is willing to partner with you and work together to deal with this tragic crisis. They are not blaming anyone, but they are looking for help because they cannot solve these problems on their own.

I am asking you to partner with the women of Positive Change and take immediate steps to find long-term solutions. They want to work with government, police and social agencies to deal with the root causes of the tragedies afflicting their community.

Listed below are five recommendations that Positive Change has put forth in good faith:

1. The Federal Government establish a Judicial Task Force to investigate the dozens of unsolved murders of Somali-Canadian youth in Alberta and Ontario.
2. Provincial and Federal Government co-operate in creating targeted Employment and Training opportunities for Somali-Canadian youth.
3. The R.C.M.P., O.P.P. and Toronto Police Service make an all-out effort to recruit and employ Somali-Canadian Officers, both male and female.
4. School Boards partner with the Ministry of Education and Somali-Canadian leadership to create an Education Task Force to address the Somali-Canadian Community's concerns:

- the extra high drop-out rates
- under achievement and down streaming of children

**DATE RECEIVED**

JAN 28 2013

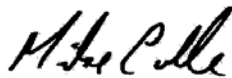
TORONTO  
POLICE SERVICES BOARD

- the high number of children in special needs programs
5. Provincial and Federal Governments review and strengthen the Witness Protection Programmes and explore what can be done to better protect witnesses and encourage them to come forward and give evidence when a violent crime is committed, free from intimidation and reprisal.

As Chair of the Toronto Police Service Board you can pay special attention to the recommendation to recruit and employ Somali-Canadian Officers. We hope we can count on you stepping up and helping to address this crisis facing the Somali community.

Thank you in advance for your attention to this matter of immense concern.

Yours truly,

A handwritten signature in black ink, appearing to read "Mike Colle". The signature is fluid and cursive, with the first name "Mike" and last name "Colle" clearly distinguishable.

Mike Colle, MPP  
Eglinton-Lawrence



## Somali-Canadian parents propose solutions to violence

**Judicial task force part of 5-point plan to deal with dozens of homicides**

Posted: Jan 22, 2013 10:33 AM ET

Members of the Somali-Canadian community rocked by dozens of unsolved slayings in Ontario and Alberta are calling for a federal task force to investigate the homicides and for a strengthening of the witness protection program.

"This is an emergency," said Habiba Adan, whose son Warsame Ali, 26, was gunned down in Toronto last September. She spoke at Queen's Park on Tuesday on behalf of the grassroots Somali group Positive Change, along with Ontario MPP Mike Colle.



**Habiba Adan, (right), says her family members have stopped hugging and kissing each other since her son Warsame Ali's violent death.**

Colle, whose Eglinton-Lawrence riding includes a large Somali community, said at least 47 young Somali-Canadian males have been killed in Ontario and Alberta in the last 10 years, with few arrests made.

He presented a five-point action plan on behalf of Positive Change:

- A federal, judicial task force that would investigate how so many young people could be killed in Canada with no charges or arrests.
- A provincial-federal employment and opportunity program targeting Somali-Canadians.
- A push to target Somali-Canadians for employment opportunities with the RCMP and the Ontario Provincial Police.
- School boards, the Ontario Ministry of Education and Somali-Canadians to work together on education issues, including the historically high drop-out rate for Somali-Canadians.
- A strengthening of the witness protection program to encourage more witnesses to come forward.

Colle said it's important for all levels of government and police to get involved. "The present situation is a total failure," he said.

Colle said he'll be writing a letter to the RCMP, Federal Justice Minister Rob Nicholson and Ontario Attorney-General John Gerretsen in hopes of getting the plan started.

Adan said it's important for Canadians to realize that the issue is a Canadian one, not a Somali one. Most of the victims have been Canadian-born, and Adan noted that the killings affect health care, because of injuries and the mental toll it takes on the community.

She said her family has stopped being physically affectionate with one another since her son's death.

"Put yourself in my position, that in my house nobody hugs anymore, nobody kisses anymore," she said.



## **Probe murders of Somali-Canadian men: Parents**

BY ANTONELLA ARTUSO, QUEEN'S PARK BUREAU CHIEF

TUESDAY, JANUARY 22, 2013 10:21 PM EST

A federal judicial task force should be launched to investigate the largely unsolved murders of about 50 young Somali-Canadian men in Ontario and Alberta over the past decade, a group of concerned parents say.

Habiba Adan, whose 26-year-old son Warsame Ali was gunned down in Etobicoke in September, joined Ontario Liberal MPP Mike Colle at Queen's Park Tuesday to ask that all three levels of government take steps to halt the wave of violence.

The Somali-Canadian community has come together to form Positive Change to address the issue in their own neighbourhoods and to push for more government support for youth, Adan said. "This is not a Somali issue; this is a Canadian issue," she said. "We want the senseless killing to stop."

Colle said the fact that most of these crimes have gone unsolved only adds to parents' grief.

"The murderers of these young men are still free and there's no resolution, there's no justice for the family," Colle said.

Community worker Faduma Mohamed said she finds it odd the media have paid relatively little attention to the loss of 50 youth to violence.

Governments and police have responded with conferences rather than treating the situation as the emergency it is, Mohamed said.



**THE PARENTS OF WARSAME ALI, HABIBA ADAN AND MOHAMED HUISSEIN SPEAK ABOUT THE MURDER OF SULEIMAN ALI, 26, AND, WARSAME ALI, 26 AT 23 DIVISION IN TORONTO SEPTEMBER 28, 2012 - Credits: DAVE ABEL/QMI AGENCY**



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**#P26. BOARD POLICY: SEARCH OF PERSONS**

The Board was in receipt of the following report February 05, 2013 from Alok Mukherjee, Chair:

Subject: BOARD POLICY: SEARCH OF PERSONS

Recommendation:

It is recommended that the Board approve the revised policy entitled “Search of Persons.”

Financial Implications:

There are no financial implications arising from the recommendation contained in this report.

Background/Purpose:

*Review of Service Procedure*

At its March 23, 2006 meeting, the Board considered a report from the Chief as well as submissions from Mr. John Sewell regarding the procedure governing search of persons. (Min. No. P77/06 refers). The Board referred the Chief’s report and Mr. Sewell’s submissions to the Chair along with a request that he review the search procedure in conjunction with Mr. Sewell’s recommendations. The Board also requested that the Chair provide a final report on this matter to the Board following his review.

In December 2001, the Supreme Court of Canada released its decision in the case of *R. v. Golden*, which imposed limitations on the right of police officers to search individuals. Over the last several years, the Board and the Service have been in the process of reviewing and amending both the Service procedure and the Board policy governing searches of persons (Toronto Police Service Policy and Procedure Directive 01-02, *Search of Persons*). The chronology can be found in “Appendix A.”

Another review process was initiated in response to to a direction from the Ontario Civilian Commission on Police Services (OCCPS) contained in an OCCPS Review Panel decision with respect to a complaint about a “strip search” of a 14-year old boy.

The Board has paid a great deal of attention to the issue of ensuring that the Service procedure is consistent with the decision in *R. v. Golden*. Following a comprehensive review by both Board staff and City of Toronto – Legal Services Division, which included a consideration of deputations and submissions made by the community, a recommendation was made that the

existing procedure be amended to "...remove the automatic Level 3 search for persons held in custody pending a Show Cause hearing and insert, instead, a requirement that officers engage in a case-by-case analysis prior to a person being subject to a Level 3 search as a consequence of being introduced into the prison population."

This amendment has since been made by the Chief and the revised procedure is now in use.

At its meeting on April 7, 2011, the Board heard a deputation from Mr. John Sewell with respect to the Search of Persons Procedure.

At that same meeting, the Board requested that the Chief:

**review the Search of Persons Procedure that is posted on the TPS website to determine whether or not it should be modified in light of the comments raised by the deputant; and**

**provide a report on the annual number of searches that are conducted, including level 3 and level 4 searches, and that the report also include the procedure that must be followed by police officers prior to authorizing a search to be conducted (Min. No. P74/11 refers).**

At its meeting of July 21, 2011, the Board considered a report from the Chief on this issue (Min. No. P183/11 refers). The report noted that, as requested, a review of the Search of Persons Procedure Information Sheet contained on the Service's website was conducted. It was determined that while the Service's Search of Persons Procedure addresses and complies with the direction provided by the Supreme Court of Canada in the matter of *R. v. Golden*, this was not reflected in the Procedure Information Sheet. In light of Mr. Sewell's comments, the Procedure Information Sheet was amended.

Mr. John Sewell, Toronto Police Accountability Coalition, was in attendance at this meeting and delivered a deputation to the Board. The Board approved a number of motions, including the following:

**THAT the Chief of Police provide a report to the Board on:**

- **whether or not there is an opportunity to use videotape when individuals are advised of the reasons for conducting a search**
- **the number of complaints that are filed about searches compared to the number of searches that are conducted**

**THAT the Board's policy and the Service Procedure regarding searches of persons be reviewed.**

At its meeting of October 20, 2011, the Board received a report from the Chief (Min. No. P265/11 refers). The report discussed the issue of videotaping of searches and includes a chart that shows the total number of level 3 and level 4 searches conducted during 2009 and 2010 and the number of complaints identified. It also noted that Procedure 01-02 “Search of Persons” was reviewed as a result of the Board’s motion and that the procedure remains in compliance with the direction provided by the Supreme Court of Canada in *R. v. Golden*. The report also noted that Service Procedure 01-02 “Search of Persons” will continue to be reviewed and evaluated on an ongoing basis.

### *Review of Board Policy*

As noted above, one of the motions made by the Board at its meeting of July 21, 2011 in response to Mr. Sewell’s deputation to the Board, which outlined concerns he had with the Board policy, including his belief that the current policy is not in compliance with the Supreme Court of Canada decision in *R. v. Golden*, was that the Board policy on this issue should be reviewed.

As part of my review, I met with Mr. Sewell, along with other representatives of the Toronto Police Accountability Coalition (TPAC), to discuss these concerns. I subsequently drafted a revised policy.

In July 2012, the Board considered this revised policy (Min. No. P168/12 refers). At that time, Mr. Sewell was in attendance and delivered a deputation to the Board. Mr. Sewell also provided a written submission.

The Board noted that the Chair’s report was prepared prior to receiving the benefit of the comments raised by Mr. Sewell.

I noted that the process of developing this revised policy included consultation with Mr. Sewell and other representatives of the Toronto Police Accountability Coalition (TPAC) and that the proposed policy amendments arise from the consultation with TPAC.

After considering the item, the Board approved the following Motion:

**THAT the Board defer further consideration of the foregoing report and Mr. Sewell’s deputation to its next meeting and that, in the meantime, Chair Mukherjee undertake a further review of the policy in light of Mr. Sewell’s deputation and written submission.**

### Discussion:

As a result of this motion and a considerable amount of subsequent review and research, including consultation with Service members and representatives from City of Toronto –Legal Services Division, and a further review of Mr. Sewell’s recommendations, I have made some amendments to the current Board policy entitled “Search of Persons.” I believe that the policy, as proposed, balances the concerns raised by Mr. Sewell with the legal and operational issues that must be borne in mind in dealing with this issue.

The revised policy is attached for your approval.

The original part of the policy is the first paragraph; all subsequent paragraphs have been added as a result of this review, which has included many meetings and consultations.

Conclusion:

Therefore, it is recommended that the Board approve the revised policy entitled “Search of Persons.”

**Mr. John Sewell, Toronto Police Accountability Coalition, was in attendance and delivered a deputation to the Board. A written copy of Mr. Sewell’s deputation is on file in the Board office.**

**Chair Mukherjee advised the Board that the Acting Chief of Police had recently expressed some legal concerns about the attached revised policy and, in light of those concerns, requested a further opportunity to review the policy to ensure that it will be consistent with the direction from the Supreme Court of Canada in its decision in *R. v. Golden* and related case law.**

**The Board approved the following Motions:**

- 1. THAT the Board receive Mr. Sewell’s deputation and written submission; and**
- 2. THAT the Board refer the foregoing report back to the Chair for a further review in light of new legal issues that were recently raised by the Acting Chief of Police and that the Chair submit a report containing a revised proposed policy following his review.**

## **Appendix A**

### **Chronology of Review of Search of Persons Procedure and Board Policy**

- December 2001 – Supreme Court of Canada releases decision in case of *R. v. Golden*, which states that the common law authority to conduct strip searches is subject to limitations. At this time, the Board requests that the Chief review all Service procedures pertaining to searches of the person and report back to the Board with respect to the Service’s compliance with the *Golden* decision (Min. No. P363/01 refers).
- At the Board meeting of May 30, 2002, the Board receives a report from the Chief entitled “Review of the Supreme Court Ruling in the Matter of *R. v. Golden*” (Board Minute No. P142 refers). Report indicates that it is the Chief’s belief that that “...all persons held in custody pending a Show Cause hearing are deemed to have entered the prison system, and will be treated as such. By making this distinction, I believe that we are justified in continuing the practice of conducting complete searches of prisoners being held for Show Cause hearings.” He notes that “the Supreme Court decision distinguishes between searches immediately incidental to arrest, and searches related to safety issues in a custodial setting. It acknowledges (at line 96) that where individuals are going to be entering the prison population, there is a greater need to ensure that they are not concealing weapons or illegal drugs on their persons.”
- December 2003 – Ontario Civilian Commission on Police Services (OCCPS) writes to the Service/Board with respect to an OCCPS Review Panel decision regarding a complaint about a “strip search” of a 14-year old boy. Decision expresses concern with the current Toronto Police Service Policy and Procedure Directive 01-02 entitled *Search of Persons* as it “...is so broadly worded that it appears that anyone entering into the cell area would be deemed to be entering the prison population and must be subject to a strip search.” Letter directs Board to deal with the matter “as a policy issue.”
- The Board, at its meeting of July 29, 2004, approves a report from the Chair that directs the Chief to review the Toronto Police Service Policy and Procedure Directive 01-02 entitled Search of Persons and report back to the Board (Min. No. P239/04 refers).
- At this time, the Board was in receipt of a report from the Chief that states that “[a] policy review was conducted and it was determined that the Toronto Police Service procedure entitled “Search of Persons” 01-02, conforms to the decision/philosophy of the Supreme Court of Canada and affords the rights of individuals in custody to be secure against unwarranted/unreasonable searches.”
- At the July 29, 2004 meeting, the Board also approves a motion “that the Board request City of Toronto – Legal Services to review the policies and procedures of the Toronto Police Service pertaining to searches of persons and provide a report to the Board with an opinion as to whether the interpretation as outlined by the Chief in his reports (dated February 26, 2004 and June 16, 2004) is consistent with the principles as set out by the Supreme Court of Canada in its decision in *R. v. Golden*.”

- At its meeting of March 8, 2005, the Board receives a report from Mr. Albert Cohen, Director, Litigation, City of Toronto – Legal Services Division, which states that, in his view, an amendment to the current procedure is appropriate (Min. No. 75/05 refers). The Board discusses the issue with the Interim Chief and emphasizes the need for a Service Procedure that is consistent with the principles set out in the December 06, 2001 Supreme Court of Canada decision in the matter of *R. v. Golden*.
- The Board also approves a motion that asks the Interim Chief "...to amend Toronto Police Service Procedure 01-02 entitled "Search of Persons" to remove the automatic Level 3 search for persons held in custody pending a Show Cause hearing and insert, instead, a requirement that officers engage in a case-by-case analysis prior to a person being subject to a Level 3 search as a consequence of being introduced into the prison population."
- Community submissions and deputations on the subject are received and referred to the Interim Chief for consideration during the amendment of the procedure.
- At its September 6, 2005 meeting, the Board receives a report from the Chief indicating that while the Chief was of the belief that the procedure, without amendment, was in compliance with the decision in *R. v. Golden*, the requested amendment has been made. The procedure, as revised, "...removes the direction of mandatory level 3 searches for those entering the prison population." (Min. No. P288/05 refers).
- At this time, the Board also receives a deputation from Mr. John Sewell, refers his submission to the Chief for review and requests the Chief to provide a report indicating whether Mr. Sewell's concerns are addressed in the revised Service procedure. The Board also asks the Chief to provide a report indicating whether portions of the new Service Procedure can be released publicly or whether an additional version of the Service Procedure can be produced which is suitable for releasing publicly.
- At its October 14, 2005 meeting, the Board receives a report from the Chief which includes excerpts from the search procedure and addresses Sewell's areas of concern. (Min. No. P317/05 refers). The Board also passes a number of motions at this time, including a motion that the Chief and Chair meet to discuss the importance of this public policy and a request for the Chief to review whether any additional excerpts of the search procedure could be released publicly.
- At its March 23, 2006 meeting, the Board considers a report from the Chief as well as additional submissions from Mr. Sewell. (Min. No. P77/06 refers). The Chief's report contains additional excerpts from the procedure deemed suitable for public release. At this time, the Board refers the Chief's report and Mr. Sewell's submissions to the Chair along with a request that he review the search procedure in conjunction with Mr. Sewell's recommendations. The Board also requests that the Chair provide a final report on this matter to the Board following his review.

- At its meeting on April 7, 2011, the Board hears a deputation from Mr. John Sewell with respect to the Search of Persons Procedure and requests the Chief to review the Search of Persons procedure posted on the Service's website to determine whether or not it should be modified in light of the comments raised by Mr. Sewell and provide a report on the annual number of searches that are conducted, including level 3 and level 4 searches, and including the procedure that must be followed by police officers prior to authorizing a search to be conducted (Min. No. P74/11 refers).
- At its meeting of July 21, 2011, the Board considers a report from the Chief noting that review a review of the Search of Persons Procedure Information Sheet contained on the Service's website was conducted (Min. No. P183/11 refers). It was determined that while the Service's Search of Persons Procedure addresses and complies with the direction provided by the Supreme Court of Canada in the matter of *R. v. Golden*, this was not reflected in the Procedure Information Sheet. In light of Mr. Sewell's comments, the Procedure Information Sheet was amended.
- At that meeting, the Board approves two motions
- At its meeting of October 20, 2011, the Board receives a report from the Chief (Min. No. P265/11 refers). The report discusses the issue of videotaping of searches and includes a chart that shows the total number of level 3 and level 4 searches conducted during 2009 and 2010 and the number of complaints identified. It also notes that Procedure 01-02 "Search of Persons" was reviewed as a result of the Board's motion and that the procedure remains in compliance with the direction provided by the Supreme Court of Canada in *R. v. Golden*. The report also notes that Service Procedure 01-02 "Search of Persons" will continue to be reviewed and evaluated on an ongoing basis.
- July 20, 2011 to the present- Board engages in consultation with respect to amendments to Board policy and revised policy developed for Board approval



## TORONTO POLICE SERVICES BOARD

### SEARCH OF PERSONS

<b>DATE APPROVED</b>	November 23, 2000	Minute No: P487/00
<b>DATE(S) AMENDED</b>	November 15, 2010	Minute No: P292/10
<b>DATE REVIEWED</b>	November 15, 2010	Minute No: P292/10
<b>REPORTING REQUIREMENT</b>	Chief to report to Board annually Toronto Police Service - Annual Statistical Report	
<b>LEGISLATION</b>	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, s. 31(1)(c). <i>Adequacy &amp; Effectiveness of Police Services</i> , O. Reg. 3/99, s. 13(1)(h).	
<b>DERIVATION</b>	Adequacy Standards Regulation – LE-012 <i>R. v. Golden</i> , [2001] 3 S.C.R. 679	

The Toronto Police Services Board (the Board) is committed to the principle that every person has a right to receive police services in accordance with relevant legislation and Board policy, in a manner which respects their dignity and human rights.

In particular, where searches of persons are concerned, it is important that all searches are conducted in accordance with all legal and constitutional requirements, including those set out in the case of *R. v. Golden*, as well as the relevant provisions of the *Canadian Charter of Rights and Freedoms*, the *Police Services Act* and the *Ontario Human Rights Code*.

Therefore, it is the policy of the Toronto Police Services Board that:

1. The Chief of Police will establish procedures and processes regarding search of persons that address:
  - a. the compliance by members of the police service with legal and constitutional requirements relating to when and how searches of persons are to be conducted;
  - b. the circumstances in which an officer may conduct a search of a person;
  - c. frisk/field searches;
  - d. strip/complete searches (Level 3 searches);
  - e. body cavity searches (Level 4 searches);
  - f. consent searches;
  - g. the supervision of searches of persons; and
  - h. the documentation of searches of persons.



With respect to Level 3 and Level 4 searches, in particular, it is the policy of the Toronto Police Services Board that:

2. The Chief of Police will establish procedures that accord with the judgment of the Supreme Court of Canada in *R. v. Golden*, and, in particular, ensure that procedures state that a Level 3 search:
  - a. cannot be conducted simply as a matter of routine policy (i.e. a regularized and formalized Service practice)
  - b. is valid only where it is conducted:
    - as incident to a lawful arrest for the purpose of discovering weapons in the detainee's possession, in order to ensure the safety of the police, the detainee and other persons, or for the purpose of discovering evidence related to the reason for the arrest, in order to preserve it and prevent its disposal by the detainee  
  
where it is based on reasonable and probable grounds justifying the search.  
  
or;
    - when an individual is being introduced into the prison population because they are not being released from custody by the police, or due to an inability to detain the individual in police cells in a manner where he or she will not be mingling with the general prison population.
3. That the Chief of Police will establish procedures that ensure that each time a Level 3 or Level 4 search is conducted, an officer articulates to the individual being searched and records the reasonable and probable grounds that are the justification for conducting the search.
4. That the Chief of Police will report to the Board on an annual basis with respect to:
  - a. the total number of Level 3 and Level 4 searches conducted by members of the Toronto Police Service;
  - b. in general terms, the reasons articulated as the bases for the searches; and
  - c. the number of times an item of concern (weapon, evidence, any item that could potentially cause harm to the individual or others, drugs, etc) were found as a result of the search

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**#P27. LEVEL 3 SEARCHES CONDUCTED DURING THE G20 SUMMIT**

The Board was in receipt of the following report January 10, 2013 from William Blair, Chief of Police:

Subject: LEVEL 3 SEARCHES CONDUCTED DURING THE G20 SUMMIT

Recommendations:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background/Purpose:

At its public meeting held on July 19, 2012, the Board received a report from the Honourable John W. Morden entitled *Independent Civilian Review into Matters Relating to the G20 Summit* (Min. No. P166/12 refers).

Recommendation 36 of this report refers to the issue of searches of persons. This recommendation states:

*The Board should require that the Chief of Police's next quarterly report address the number of Level 3 searches conducted at the PPC and lack of proper documentation for many of the searches.*

*After the Board considers this report, it should determine: (i) whether it is necessary to direct the Chief of Police to undertake a review of the procedure governing Level 3 searches; and (ii) whether consultation with the Chief of Police is required concerning the use of Level 3 searches in the context of public demonstrations, and whether further direction to ensure such searches are conducted only where specific justification for them exists would be necessary.*

At this meeting the Board considered Mr. Morden's report and recommended that the Chief provide a report on the number of Level 3 searches conducted at the Prisoner Processing Centre (PPC) as well as the lack of proper documentation for many of these searches.

Discussion:

Service procedure 01-02 entitled *Search of Persons* directs in part that when a Level 3 search is deemed necessary the officer shall consult with the Officer-in-Charge and shall complete the Search of Person Template.

A review has determined that there were 334 Level 3 searches conducted at the PPC during the G20 Summit.

This review also determined that in 281 of these Level 3 searches, the Search of Person template was completed in accordance with Service procedure.

In 41 of the remaining 53 Level 3 searches, the memorandum book notes of the applicable Officers-in-Charge are in compliance with Service procedure as they indicate that the parading officers sought and were granted authorization to conduct a Level 3 search, however, the Search of Person template cannot be located.

In the remaining 12 Level 3 searches there are no memorandum book notes or Search of Person template completed as required by Service procedure.

Conclusion:

Deputy Chief Mike Federico, Corporate Command, will be in attendance to answer any questions the Board may have regarding this report.

**The Board received the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P28. QUARTERLY REPORT: OCCUPATIONAL HEALTH AND SAFETY  
UPDATE: OCTOBER TO DECEMBER 2012**

The Board was in receipt of the following report January 16, 2013 from William Blair, Chief of Police:

Subject: QUARTERLY REPORT: OCCUPATIONAL HEALTH AND SAFETY  
UPDATE: OCTOBER 1, 2012 TO DECEMBER 31, 2012 AND YEAR-END  
SUMMARY

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting on January 24, 2005, the Board received an update on occupational health and safety matters relating to the Service (Min. No. C9/05 refers). Following consideration of the report, the Board requested the Chief of Police to provide quarterly updates on matters relating to occupational health and safety. The Board, at its meeting on August 21, 2008, further requested public quarterly reports for occupational health and safety matters (Min. No. C224/08 refers).

Discussion:

This quarterly update report is for the period from October 1, 2012 to December 31, 2012 and includes a year-end summary. This public report corresponds to additional information provided in the confidential agenda.

Accident and Injury Statistics:

From October 01, 2012 to December 31, 2012, 255 members reported that they were involved in 279 workplace accidents/incidents resulting in lost time from work or health care which was provided by a medical professional. These incidents were reported as claims to the Workplace Safety and Insurance Board (WSIB). During this same period, 44 recurrences of previously approved WSIB claims were reported. Recurrences can include, but are not limited to, on-going treatment, re-injury and medical follow-ups ranging from specialist appointments to surgery.

A workplace incident may have several attributes and can be reported in more than one category. For example, an officer can be assaulted and sustain a laceration injury at the same time. Each attribute would be reported. For this reporting period, the 279 workplace or work-related accidents/incidents were categorized according to the following attributes:

- 36 arrest incidents involving suspects
- 9 vehicle incidents (members within vehicle as driver or passenger)
- 7 bicycle accidents (falls)
- 6 assaults
- 21 cuts/lacerations/punctures
- 7 traumatic mental stress incidents
- 7 slips and falls
- 176 communicable diseases and possible exposures

The WSIB has increased the provisional administration rate by 5.4% in 2012. As a Schedule 2 Employer, the Toronto Police Service paid \$44,258.67 in health care costs for civilian members and \$235,649.95 in health care costs for uniform members for the fourth quarter of 2012.

### Critical Injuries

The employer has the duty to report but not adjudicate the seriousness of injuries and pursuant to *Section 51 of the Occupational Health and Safety Act (OHSA)* and *Regulation 834*, must provide notice to the Ministry of Labour (MOL) of all critical injuries which occur in the workplace.

For the fourth quarterly report for 2012, there were two (2) “Critical Injury Incidents” reported to the MOL. It was later determined that one incident was not deemed to be from a cause in the workplace and the other injury did not constitute a critical injury as defined.

### Communicable Diseases

As part of the Communicable Disease Exposure Surveillance Program, members of Occupational Health and Safety (OHS) reviewed reported exposures during the months indicated. The majority of these reports did not result in claim submissions to WSIB; however, there is an obligation to ensure the surveillance program maintains its administrative requirements and that there is a communication dispatched to members of the Service from a qualified “designated officer” from the Medical Advisory Services (MAS).

<b>Reported Exposures</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>Q4 total</b>
Hepatitis A,B & C & HIV	5	5	1	11
Influenza	0	0	0	0
Tuberculosis	0	12	0	12
Lice and Scabies	0	0	3	3
Meningitis (All)	0	2	0	2
Other*	50	82	61	193
<b>Total</b>	<b>55</b>	<b>101</b>	<b>65</b>	<b>221</b>

\* This category can include, but is not limited to exposure to:

- Infectious disease not specified above including smallpox, severe acute respiratory syndrome (SARS), rubella and measles;
- respiratory condition/irritations;
- bites (human, animal or insect);
- varicella (chickenpox);
- Methicillin-Resistant Staphylococcus Aureus (MRSA, also known as multidrug-resistant bacteria); and,
- Bodily fluids (blood, spit, vomit, etc.).

As a result of a determination made at the Central Joint Health and Safety Committee (CJHSC) meeting of March 29, 2010, OHS monitors incidents where members report exposure to bed bugs. There were 37 reported exposures to bed bugs in the fourth quarter.

### Medical Advisory Services

The statistics provided below are limited to a consideration of non-occupational illness and/or injuries. By definition, short term refers to members that are off work for greater than fourteen days, but less than six months. Long term refers to members that have been off work for greater than six months.

An examination of disability distribution amongst Service members in the fourth quarter of 2012 revealed the following;

<b>Disability</b>	<b>October</b>	<b>November</b>	<b>December</b>
Short Term	69	70	69
Long Term -LTD	4	4	4
Long Term -CSLB	77	76	75
<b>Total Disability per Month</b>	150	150	148

### Implementation of Health and Safety Policies, Including Training Policies, by Various Departments or Divisions

Currently, the Service has 392 certified members comprised of 236 worker representatives and 156 management representatives. For administrative purposes, uniform management representatives consist of the rank of Staff Sergeant/Detective Sergeant and higher.

### Workplace Violence and Harassment

*Bill 168, the Occupational Health and Safety Amendment Act (Violence and Harassment in the workplace) 2009*, came into force on June 15, 2010. As a result of the above amendment, the *Occupational Health and Safety Act* now includes definitions of workplace violence and workplace harassment and *Part III.0.1* refers specifically to *Violence and Harassment*.

- Workplace Violence/Harassment Complaints

In the fourth quarter of 2012, there was one documented complaint which has been categorized by professional Standards to meet the criteria of workplace harassment as defined in the *OHSA*.

### Seasonal Influenza Vaccination Clinics

The Service, in partnership with the Toronto Emergency Medical Services (EMS), hosted eleven (11) seasonal influenza vaccination clinics at various police facilities across the Service. A total of 402 members of the Service were immunized during these clinics.

### Toronto Police Service Occupational Health and Safety Awareness Day

The Board and the Central Joint Health and Safety Committee (CJHSC) have designated the first Wednesday in October of each year as the Toronto Police Service Occupational Health and Safety Awareness Day. On Wednesday, October 3, 2012, the fifth annual Toronto Police Service Occupational Health and Safety Awareness Day was held at the Toronto Police College. A worker and management representative from each of the Service's Local Joint Health and Safety Committees (LJHSC) were invited to attend.

Program agenda highlights included the following presentations:

- Toronto Public Health (TPH) Overview by TPH Inspector Norine Schofield
- Workplace Safety and Insurance Board (WSIB) Overview of Work Reintegration (RTW) by John Mutch, WSIB Assistant Director Work Transition
- The Service's Response to Critical Incidents by Avis Ottey, Acting Co-ordinator, Employee and Family Assistance Program
- Bicycle Related Critical Injuries by Sergeant Matthew Hofland of the Toronto Police College – Police Vehicle Operations

### Ontario Police Health and Safety Association

On December 4, 2012, the Service hosted a meeting of the Ontario Police Health and Safety Association at the Toronto Police College. The keynote speaker was Sergeant Steve O'Donovan of the Service's Traffic Services, who gave a presentation entitled, 'Arrive Alive'.

### Annual X-ray Safety Inspections

On November 7 and 8, 2012, annual inspections of all X-ray equipment operated by the Service were conducted. The assessments were conducted by Dr. Sandu Sonoc, Radiation Safety Consultant. Inspections included a comprehensive review of safe operating practices, safety equipment and signage, member training, and radiation leakage testing. In total, 15 machines were inspected: nine operated by Court Services, one operated in the Headquarters Mailroom, one operated by the Public Safety Unit, and four operated by the Emergency Task Force. No radiation leakage was detected in any of the machines. Two minor deficiencies regarding signage were corrected in machines operated by Court Services, and minor damage to the belt was identified and subsequently repaired in the Headquarters Mailroom machine. All machines and operating procedures are satisfactory and in good order.

## Ministry of Labour Orders, Charges & Issues

There were no Ministry of Labour Orders or Charges during the fourth quarter of 2012.

## Annual Workplace Safety and Insurance Board Claims and Costs

For the year 2012, the Service processed 3,124 Injured on Duty (IOD) reports, of which 1,180 were reported to WSIB as workplace injury or illness claims. For 2010 and 2011, there were 1,621 and 1,359 claims reported respectively. In 2012, there was a 13% decrease in reportable claims from 2011.

WSIB claims must be reported when workers receive medical attention, lose time or are absent from work and any recurrences due to work-related injury or illness. First aid instances do not meet the threshold for reporting to the WSIB.

The following chart lists WSIB claims for the Service for the last three years for comparison purposes.

<b>WSIB Claims for Toronto Police Service</b>			
<b>Claim Description</b>	<b>2010</b>	<b>2011</b>	<b>2012*</b>
Medical (no time lost)	844	606	581
Lost Time Incidents	518	506	447
First Aid Incidents	1,837	1,852	1944
Recurrences	259	247	152
<b>Total</b>	<b>3,458</b>	<b>3,211</b>	<b>3,124</b>

\* Claims can be reported at any time. This is accurate as of the date of this report. It is anticipated that there will be few reports forthcoming.

The cost to the Service for workplace injuries and illnesses, as a Schedule 2 employer, including income replacement up to 85% of net, healthcare costs, administration fees and all other pensions and awards for the last three years was as follow:

<b>WSIB Costs</b>	<b>2010</b>	<b>2011</b>	<b>2012*</b>
<b>Total</b>	<b>\$8.34M</b>	<b>\$8.86M</b>	<b>\$8.37M</b>

\* The cost is accurate as of the date of this report.

## Annual Year-end Accident and Injury Statistics

The selected 2012 year-end statistics when compared to 2011 show a decrease of 18.1%. The following selected information has also been reported to WSIB, as per protocol, and each category percentage difference has been calculated as year-end, over year-end.



<b>Reason</b>	<b>2011</b>	<b>2012</b>	<b>% difference</b>
Arrest incidents involving suspects	313	219	-30%
Vehicle incidents (members within vehicle as driver or passenger)	34	45	32.4%
Bicycle accidents (falls)	44	52	18.2%
Assaults	105	74	-29.5
Cuts/lacerations/punctures	130	121	-6.9%
Traumatic mental stress incidents	31	25	-19.4%
Slips and falls	49	22	-55.1%
Exposures to communicable diseases	52	55	5.8%
Inhalations of other substances	8	14	75%
<b>Total</b>	<b>766</b>	<b>627</b>	<b>-18.1%</b>

#### Annual Year-end Communicable Disease Statistics

For the year 2012, as part of the Communicable Disease Exposure Surveillance Program, OHS processed all reported incidents involving exposures or, more prevalently, possible exposures. These would include WSIB claims and non-reportable first aid incidents. The following table details the type of exposures arising from the reported 911 incidents.

<b>Reported Exposures</b>	<b>2011</b>	<b>2012</b>	<b>% difference</b>
Hepatitis A, B & C & HIV	131	117	-10.7%
Influenza	0	0	0
Tuberculosis	70	56	-20%
Lice and Scabies	38	40	5.3%
Meningitis (All)	20	10	-50%
Other*	559	688	23.1%
<b>Total</b>	<b>818</b>	<b>911</b>	<b>11.4%</b>

\* This category can include, but is not limited to exposure to:

- Infectious disease not specified above including smallpox, severe acute respiratory syndrome (SARS), rubella and measles;
- respiratory condition/irritations;
- bites (human, animal or insect);
- varicella (chickenpox);
- Methicillin-Resistant Staphylococcus Aureus (MRSA, also known as multidrug-resistant bacteria); and,
- Bodily fluids (blood, spit, vomit, etc.).

### Annual Year-end Critical Injury Statistics

<b>Year</b>	<b>Critical Injury Incidents reported to the MOL</b>	<b>Critical Injury Incidents Confirmed</b>
<b>2011</b>	29	27
<b>2012</b>	19	18

The Service continually monitors critical injury incidents and follows up therefore, as required.

### Annual Year-end Workplace Violence and Harassment

In 2012, there were six (6) documented complaints which were categorized by professional standards to meet the criteria of workplace harassment as defined in the *OHSA*. Two of these complaints have resulted in charges under the *Police Services Act*.

### Conclusion:

In summary, this report will update the Board on matters relating to occupational health and safety issues for the fourth quarter in 2012 and provide year-end summary information.

The next quarterly report for the period of January 1 to March 31, 2013, will be submitted to the Board for its meeting in May 2013.

Deputy Chief Mike Federico, Corporate Command, will be available to respond to any questions the Board may have regarding this report.

**The Board noted that the total number of claims reported to the WSIB in 2012 was 13% lower than the number of claims reported in 2011 and inquired as to the reason for the decrease. Chief Blair advised the Board that he would review the data on claims reported to the WSIB and provide a report on the trends and analysis of the data at a future meeting.**

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

- 1. THAT, given that the Board is committed to ensuring that all TPS members are free from discrimination and harassment in the workplace,**

**THAT supervisors and managers have a responsibility to ensure that the workplaces they manage remain free from discrimination and harassment, and**

**THAT provision of information about decisions of various tribunals related to workplace discrimination and harassment laws is a good way of reminding supervisors and managers of their statutory responsibility in this regard,**

- **the Chief of Police post in Routine Orders summaries of all decisions involving workplace discrimination and harassment involving the TPS and that these summaries be accompanied by advice to members and supervisory personnel with respect to their rights and obligations to address allegations of workplace discrimination and harassment in a fair, effective and expeditious manner in accordance with the relevant laws, Board Policies and TPS Procedures;**
- **the posting of summaries will commence with the decisions released as of January 1, 2013 and will remain in Routine Orders for a period of at least 3 months; and,**
- **the Chief of Police will ensure that all uniform and civilian supervisors will be required to review the summaries and to discuss them with their members to ensure that they are aware that complaints regarding workplace harassment can lead to personal and/or corporate liability.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P29. BOARD POLICY: ARRANGEMENTS WITH ROYAL CANADIAN  
MOUNTED POLICE (RCMP) FOR INTERNATIONAL EVENTS –  
ARISING FROM ICR RECOMMENDATION NO. 12**

The Board was in receipt of the following report January 15, 2013 from Alok Mukherjee, Chair:

Subject: ICR – RECOMMENDATION NO. 12 – ARRANGEMENTS WITH ROYAL  
CANADIAN MOUNTED POLICE (RCMP) FOR INTERNATIONAL EVENTS

Recommendation:

It is recommended that the Board approve the policy attached to this report entitled  
“Arrangements with RCMP for International Events.”

Financial Implications:

There are no financial implications arising out of the recommendation contained in this report.

Background/Purpose:

The Board, at its meeting of July 19, 2012, received the report from the Honourable John W. Morden entitled “Independent Civilian Review Into Matters Relating to the G20 Summit,” and approved a number of recommendations with respect to this report. (Min. No. P166/12 refers) as follows:

- (1) receive the report from the Honourable John W. Morden entitled Independent Civilian Review Into Matters Relating to the G20 Summit, and receive all 38 recommendations for implementation;*
- (2) approve the “Proposed Implementation Plan” attached to this report;*
- (3) approve, in principle, the immediate implementation of Mr. Morden’s Recommendations 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 28, 29, 30, 36, 37 and 38, and direct the Chair to report back to the Board no later than October 2012 with proposed new policies, amendments to existing policies and changes to Board rules and practices as indicated in the Proposed Implementation Plan;*
- (4) establish a Board Implementation Working Group (BIWG) of at least 4 Board members to take necessary action or to propose action to be taken by the Board with respect to Recommendations 1, 4, 5, 6, 20, 22, 23, 24, 25, 26, 27, 31, 32, 33, 34 and 35;*
- (5) direct the BIWG to provide status reports to the Board on its work on the Recommendations referred to it no later than October 2012;*

- (6) refer to the BIWG for consideration in conjunction with Mr. Morden's report the Toronto Police Service's After-Action Report and the Ontario Independent Police Review Director's report titled, *Policing the Right to Protest*; and,
- (7) direct the BIWG to report back to the Board on the status of its consideration of these other G20 related reports by October 2012 or as soon thereafter as possible.

Discussion:

Recommendation No. 12 of the Morden report provides as follows:

***Recommendation No. 12: Board should insist on FMIOA agreement***

*Where the RCMP will be involved in an international event for which security arrangements are required, including the participation of the Toronto Police Service, the Board should encourage the federal and provincial governments to enter into an arrangement under section 10.1(4) of the Foreign Missions and International Organizations Act.*

*The Board should also seek an opportunity to provide input concerning the details of such an arrangement, including with respect to the policing functions the Toronto Police Service can fulfill for the event and the legal authorities on which the Toronto Police Service's involvement in the event's security will be based.*

At its meeting of July 19, 2012, the Board approved "...in principle, the immediate implementation" of this recommendation.

As a result, please find, attached, a new Board policy entitled "Arrangements with RCMP for International Events" which incorporates the recommendations made by Mr. Morden.

Conclusion:

Therefore, it is recommended that the Board approved the new policy attached to this report entitled "Arrangements with RCMP for International Events."

**The Board approved the foregoing report.**

# DRAFT



## TORONTO POLICE SERVICES BOARD

### ARRANGEMENTS WITH RCMP FOR INTERNATIONAL EVENTS

<b>DATE APPROVED</b>	<b>mm/dd/yy (spelled out)</b>	Minute No: PXXX/00
<b>DATE(S) AMENDED</b>		
<b>DATE REVIEWED</b>		
<b>REPORTING REQUIREMENT</b>		
<b>LEGISLATION</b>	<i>Police Services Act, R.S.O. 1990, c.P.15, as amended, s. 31(1)(c). Foreign Missions and International Organizations Act, S.C. 1991, c. 41, s. 10.1.</i>	
<b>DERIVATION</b>	<i>Independent Civilian Review into Matters Relating to the G20 Summit, Recommendation No. 12</i>	

Joint force operations involving a number of policing agencies are complicated and, where possible, steps should be taken to maximize the consultation between the agencies. Consultation between different police services of different jurisdictions can help clarify their respective roles in the planning and operations stages of an event.

As set out in the *Foreign Missions and International Organizations Act* (FMIOA), where the legislation applies, "...the Royal Canadian Mounted Police has the primary responsibility to ensure the security for the proper functioning of any intergovernmental conference in which two or more states participate."

The FMOIA goes on to state that "...to facilitate consultation and cooperation between the Royal Canadian Mounted Police and provincial and municipal police forces, the Minister of Public Safety and Emergency Preparedness may, with the approval of the Governor in Council, enter into arrangements with the government of a province concerning the responsibilities of members of the Royal Canadian Mounted Police and members of provincial and municipal police forces with respect to ensuring the security for the proper functioning of..." such a conference.

Arrangements made in these situations can usefully set out the division of planning responsibilities to guide the federal, provincial, and municipal entities that are working to create security framework, and identify the statutory or common law authority that each policing and

security partner, including the Toronto Police Service (the Service), may need to rely upon to perform their respective operational functions during the event or operation.

By specifying these basic components through an arrangement made under section 10.1(4) of the FMIOA, the Service can also determine early in the planning process whether there are any potential concerns, issues or gaps that need to be addressed prior to the commencement of the event or operation.

In addition, a discussion about such an arrangement encourages an important process of consultation between the Board and the Chief regarding the priorities and objectives of the Board and Service in relation to an event or operation.

It is, therefore, the policy of the Toronto Police Services Board that where the RCMP will be involved in an international event for which a security plan is required which includes the participation of the Service:

- (1) The Board will encourage the federal and provincial governments to enter into an arrangement under section 10.1(4) of the FMOIA; and
- (2) The Board will seek an opportunity to provide input concerning the details of such an arrangement, including the policing functions the Service can fulfill for the event or operation and the legal authorities for the Service's involvement in security for the event or operation.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P30. BOARD POLICY: PROCESS FOR SEEKING LEGISLATIVE CHANGE –  
ARISING FROM ICR RECOMMENDATION NO. 29**

The Board was in receipt of the following report January 16, 2013 from Alok Mukherjee, Chair:

Subject: ICR – RECOMMENDATION NO. 29 – PROCESS FOR SEEKING  
LEGISLATIVE CHANGE

Recommendation:

It is recommended that the Board approve the policy attached to this report entitled “Process for Seeking Legislative Change.”

Financial Implications:

There are no financial implications arising out of the recommendation contained in this report.

Background/Purpose:

The Board, at its meeting of July 19, 2012, received the report from the Honourable John W. Morden entitled “Independent Civilian Review Into Matters Relating to the G20 Summit,” and approved a number of recommendations with respect to this report. (Min. No. P166/12 refers) as follows:

- (1) receive the report from the Honourable John W. Morden entitled Independent Civilian Review Into Matters Relating to the G20 Summit, and receive all 38 recommendations for implementation;*
- (2) approve the “Proposed Implementation Plan” attached to this report;*
- (3) approve, in principle, the immediate implementation of Mr. Morden’s Recommendations 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 28, 29, 30, 36, 37 and 38, and direct the Chair to report back to the Board no later than October 2012 with proposed new policies, amendments to existing policies and changes to Board rules and practices as indicated in the Proposed Implementation Plan;*
- (4) establish a Board Implementation Working Group (BIWG) of at least 4 Board members to take necessary action or to propose action to be taken by the Board with respect to Recommendations 1, 4, 5, 6, 20, 22, 23, 24, 25, 26, 27, 31, 32, 33, 34 and 35;*
- (5) direct the BIWG to provide status reports to the Board on its work on the Recommendations referred to it no later than October 2012;*



- (6) refer to the BIWG for consideration in conjunction with Mr. Morden's report the Toronto Police Service's After-Action Report and the Ontario Independent Police Review Director's report titled, *Policing the Right to Protest*; and,
- (7) direct the BIWG to report back to the Board on the status of its consideration of these other G20 related reports by October 2012 or as soon thereafter as possible.

Discussion:

Recommendation No. 29 of the Morden report provides as follows:

**Recommendation No. 29: Creation of a Board policy concerning the seeking of legislative change**

The Board should make a policy on the process governing the seeking of changes to legislation on the provision of police services. Under this policy, the Chief of Police should be required to advise the Board when the chief of police is of the opinion that the current legislative powers are not sufficient for the purposes of carrying out any police responsibilities or otherwise should be amended.

Once advised, the Board should obtain legal advice concerning the type of legislative change that would be required to address the chief of police's concern and determine whether it wishes to make a request for change to the relevant level of government. All requests for legislative change that may affect the Toronto Police Service's delivery of policing services should be made by the Board.

Following the implementation of this policy, the Board should also remove as a standing item on its agenda the opportunity for the chief of police to inform the Board of his attempts to secure legislative changes.

At its meeting of July 19, 2012, the Board approved "...in principle, the immediate implementation" of this recommendation.

As a result, please find, attached, a new Board policy entitled "Process for Seeking Legislative Change" which incorporates the recommendations made by Mr. Morden.

Conclusion:

Therefore, it is recommended that the Board approve the new policy attached to this report entitled "Process for Seeking Legislative Change"

**The Board approved the foregoing report.**

# DRAFT



## TORONTO POLICE SERVICES BOARD

### PROCESS FOR SEEKING LEGISLATIVE CHANGE

<b>DATE APPROVED</b>	<b>mm/dd/yy (spelled out)</b>	Minute No: PXXX/00
<b>DATE(S) AMENDED</b>		
<b>DATE REVIEWED</b>		
<b>REPORTING REQUIREMENT</b>		
<b>LEGISLATION</b>	<i>Police Services Act, R.S.O. 1990, c.P.15, as amended, s. 31(1)(c).</i>	
<b>DERIVATION</b>	<i>Independent Civilian Review into Matters Relating to the G20 Summit, Recommendation No. 29</i>	

Policy considerations affect legislative choices and, together, policy and legislation determine the boundaries of police powers and ensure the adequacy and effectiveness of police services in Ontario.

As the entity that is responsible for the provision of adequate and effective policing under the *Police Services Act*, the Board is the body responsible for seeking legislative change. Legislative action, including action that can result in the granting of additional law enforcement powers to police officers, affects the very framework in which police services are delivered in Toronto. It is the Board's responsibility to maximize the delivery of adequate and effective policing within this framework and, where it believes the framework requires improvement in this regard, to seek those improvements.

Conversely, under s. 41(1)(a) of the *Police Services Act*, the Chief of Police is responsible for administering the police service and overseeing its operation, in accordance with the objectives, priorities and policies established by the Board. The Chief is responsible for implementing Board policy and applicable legislation, while the Board has the responsibility for requesting new legislation or seeking amendment. However, in seeking legislative change, it is important for the Board to work in consultation with the Chief of Police.

It is, therefore, the policy of the Toronto Police Services Board that:

1. Any requests or recommendations for additions to, amendments of or any other changes to any federal, provincial and municipal legislation will only be made by the Board and not by any individual member of the Service, including the Chief of Police;
2. Where the Chief of Police is of the opinion that the current legislative powers available to him or her are not sufficient for the purposes of carrying out policing responsibilities, he or she will advise the Board, which will then consider whether to take further steps, including obtaining legal advice concerning the type of legislative change that would be required to address the Chief of Police's concern and determining whether it wishes to make a request for legislative change to the relevant level of government; and
3. Such consideration by the Board will include consultation with the Chief of Police regarding the nature of the concern and the potential legislative change required.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P31. CAPB RESOLUTION – *ECONOMICS OF POLICING IN CANADA***

The Board was in receipt of the following report February 06, 2013 from Alok Mukherjee, Chair:

Subject: CAPB RESOLUTION - ECONOMICS OF POLICING

Recommendation:

It is recommended that the Board approve the appended CAPB Resolution entitled “Economics of Policing” and forward it to the CAPB for consideration at its Annual General Meeting to be held in Saskatoon on August 15-17, 2013.

Financial Implications:

There are no financial implications arising from the recommendation contained in this report.

Background/Purpose:

The Canadian Association of Police Boards (CAPB) is a national organization dedicated to civilian oversight of municipal police representing more than 75 municipal police boards and commissions across Canada that, together, employ more than 35,000 police personnel. The Toronto Police Services Board is a CAPB member and I sit on the Board of Directors of this organization.

In 2010, the CAPB took the lead in forming a Coalition on Sustainable Public Policing, which includes the Federation of Canadian Municipalities (FCM), the Canadian Association of Chiefs of Police (CACCP) and the Canadian Police Association (CPA). The mandate of the coalition is to address the disconnections in the delivery of policing services and provide a clear point of intersection between community needs, government policy, funding sources and policing responses. Public Safety Canada has been an important resource and ally in the work of the coalition.

On January 31, 2013, I appeared before the Standing Committee on Public Safety and National Security, on the invitation of the Committee, in my capacity as President of CAPB to make a submission regarding the issue of the economics of policing. As a result of a resolution of the Canadian Parliament, the Standing Committee is conducting a study of this issue. My presentation provided an overview of the work of the CAPB Coalition on Sustainable Public Policing and presented data from Toronto, Durham and Peel police which indicates that, since 1999, there has been an upward trend in the growth of total police expenditure which has far outpaced all other indicators, including population growth, police officer growth and inflation.

The objective of the presentation was to emphasize the need for a comprehensive review of the economics of policing that takes into account all of the factors that have had an impact on policing and to assess the true value of policing to the community and to all orders of government. A copy of the presentation is appended to this report for information.

Discussion:

The CAPB will be holding its annual meetings in Saskatoon from Wednesday, August 14 to Saturday, August 17, 2013, and is accepting resolutions regarding issues that are of concern to its member boards. Given that the issue of sustainable policing is important to the Toronto Police Services Board and one that this Board has advocated for on numerous occasions, and given that the discussions about sustainable policing have reached the national level, as a member Board of CAPB, I recommend that we use this venue to continue to build momentum to push this issue forward.

Public policing in Canada has evolved significantly. Growing public expectation and demand for service, legislative changes, transfer of responsibility by different orders of government and securitization of local policing in our post-9/11 world are among the factors that have changed the nature and mission of policing, raised questions about the continuing relevance of the current model of governing and financing local policing, and caused many to ask if the model is sustainable.

Yet, we do not have a sound economic model of policing in Canada. There is not a comprehensive economic analysis of our system of policing. Consequently, we cannot really tell what value this model of policing, financed primarily from the local tax base, truly adds in terms of factors like community safety and wellness, national security, savings in other public expenditures and impact on the community's social, cultural and economic development. The purpose of the proposed resolution is to urge CAPB to advocate for such an economic analysis by an independent and authoritative team of economists so that police sector stakeholders and all orders of government can engage knowledgeably with the issue of sustainable financing of policing, since the current system of relying solely on the local property tax base is clearly unsustainable.

Conclusion:

Therefore, it is recommended that the Board approve the appended CAPB Resolution entitled "Economics of Policing" and forward it to the CAPB for consideration at its Annual General Meeting to be held in Saskatoon on August 15-17, 2013.

**The Board approved the foregoing report.**

## CAPB Resolution 2013

### **Economics of Policing:**

**WHEREAS** the system of funding for policing is not aligned with current policing responsibilities and legislated requirements;

**WHEREAS** there is a need for a comprehensive review regarding the broader question of economics of policing which includes developing an independent, objective and authoritative economic model of policing; and

**WHEREAS** the review should include a “whole system” approach involving partners in the health, education, social services, justice, and other sectors.

**THEREFORE BE IT RESOLVED** that the CAPB, in cooperation with FCM and other police sector stakeholders, advocate for the Government of Canada to commission a comprehensive analysis of the economics of policing by a team of eminent, independent economists.



**Economics of Policing in Canada**

**Standing Committee on Public Safety  
and  
National Security**

**Remarks by Dr Alok Mukherjee  
President**

**January 31, 2013**

Mr. Chair and Members of the Committee:

My name is Alok Mukherjee. I appear before you on behalf of the Canadian Association of Police Boards (CAPB) of which I am the President.

Thank you for giving us an opportunity to offer our comments on a study that is very important to our organization. For some time now, our association has been working on the issue of economics of policing. In 2010, the CAPB took the lead in forming a Coalition on Sustainable Public Policing, which includes the Federation of Canadian Municipalities (FCM), the Canadian Association of Chiefs of Police (CACP) and the Canadian Police Association (CPA). Public Safety Canada has been an important resource and ally in the work of our coalition.

The need for us to address questions related to economics of policing was underscored by the FCM's 2008 study on financing of policing and from numerous resolutions expressing concern about cost of policing moved by our members at successive annual meetings of our association. However, our active engagement with the issue stemmed from an initiative of the Canadian Association of Chiefs of Police (CACP). In 2008, the CACP asked our organization, along with the FCM and the CPA, to endorse a framework for integrated policing on the basis that division of policing functions into federal, provincial and local jurisdictions was artificial since, in the final analysis, all policing was local.



While there was broad consensus that this framework reflected the reality of Canadian policing today, it was the CAPB's position that discussion of the framework was incomplete without addressing the issue of financing of policing. As a result, in March 2010, CAPB, in cooperation with the other stakeholders, formed this national coalition. I have with me material that provides details about the coalition's work and its position on the subject, and I will be glad to share them with you.

We are pleased that questions related to economics of policing are now on the national agenda, as evidenced by your committee's study, the engagement of FPT Ministers and the very successful national summit hosted by Public Safety Canada recently on January 16 and 17.

The police boards and commissions who are our members are responsible for the governance and oversight of more than 75 per cent of municipal police in Canada. They manage the police services of their municipalities, set priorities, establish policy and represent the public interest through civilian governance and oversight. One of their key responsibilities is the development and approval of the annual operating and capital budgets of their police services. It is their job to then explain and defend these budgets at their local City Councils in order to justify the allocation of a significant portion of property tax revenue to policing.

As you know, in communities where policing services are provided by the RCMP or, in the case of Ontario, by the OPP, it is the municipality that enters into contracts directly with these national or provincial police agencies. Again, the cost is borne by the local property tax payer.

Regardless of whether a community is served by a municipal police service or through contract policing, there is a national concern and an intensifying debate as to whether our current model is sustainable. While our police agencies and the women and men who serve in them, by and large, enjoy high public esteem, the public, at the same time, is questioning the affordability of these services.

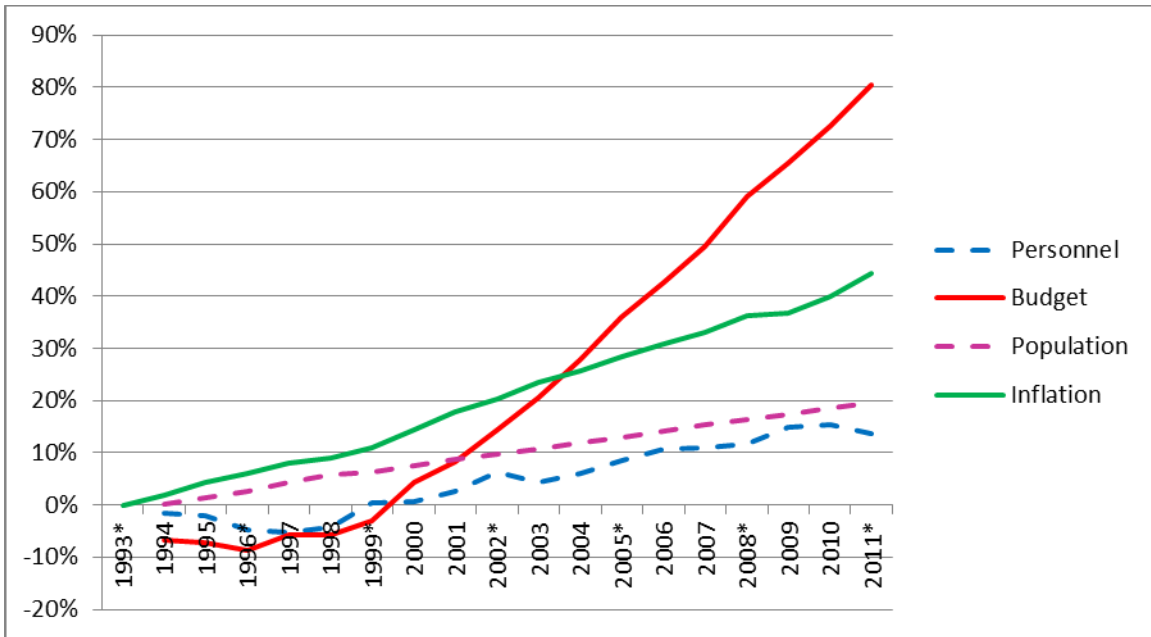
I should say that this is not a new concern. In 1977, Judge C. O. Bick, the first chair of the Toronto Police Services Board, then known as the Metropolitan Board of Police Commissioners, sounded the alarm in his final annual report as he ended his 21 year tenure at the helm. He said:

The very real, very present danger is that the continued escalation of costs for police services will seriously weaken the financial ability of Metropolitan Toronto to contain the growth of crime.

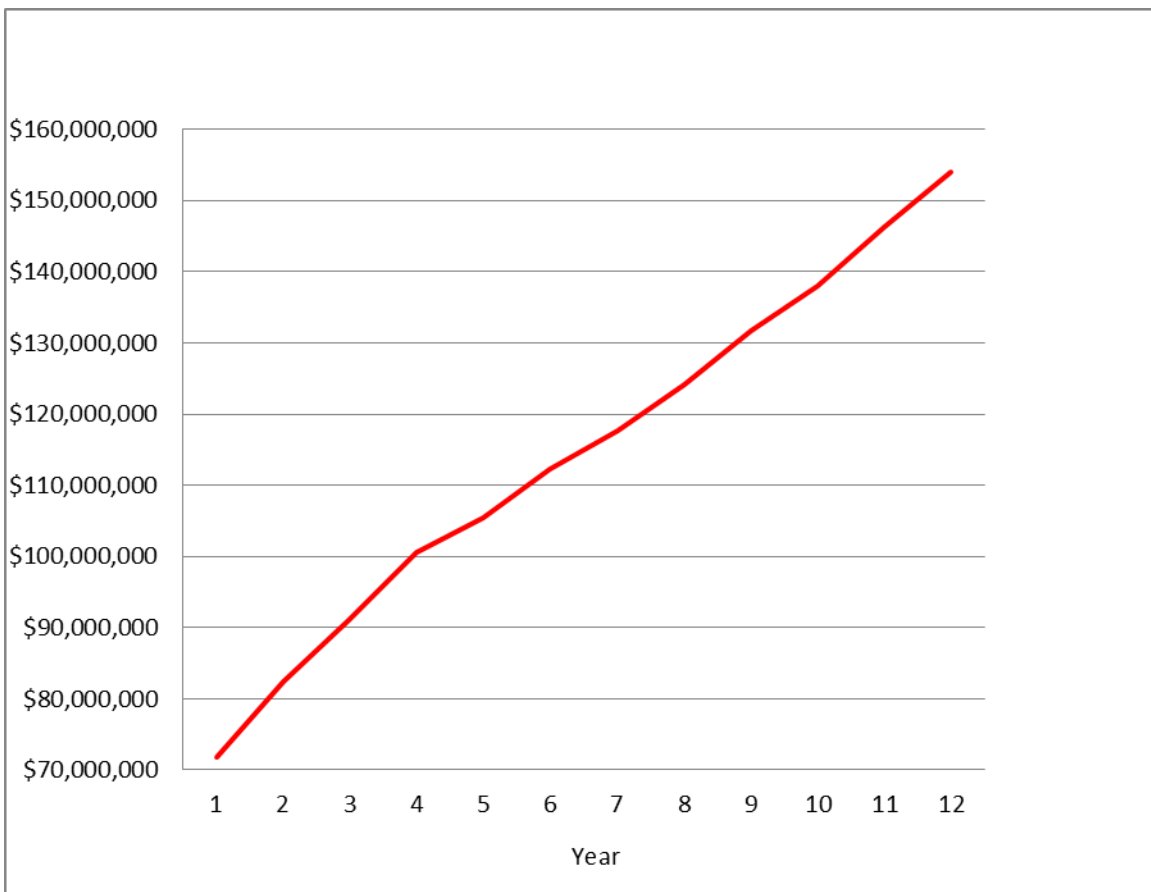
In its assessment of the future financing of police services, the Ontario Task Force on Policing stated that there is “a very real potential crisis in financing municipal police services. This crisis could result in the imposition of constraints to growth.”

For us it is not a “potential” crisis, it has arrived. . . .

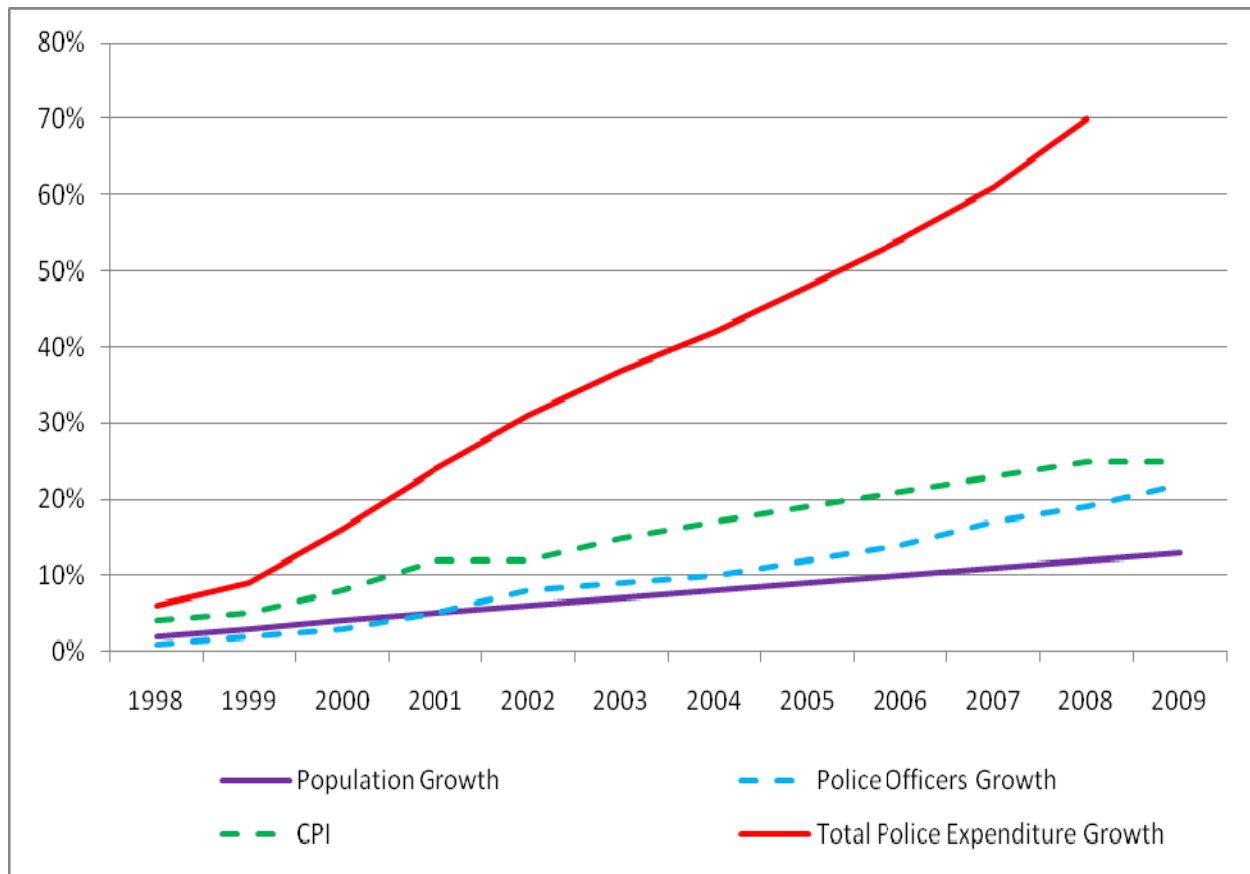
That was in 1977, but Chair Bick may well have been speaking these words today, as trends in police expenditure from different police services show. I would like to share with you trends from three large police services from Ontario, Toronto, Peel and Durham.



**Figure 1 - Toronto Police Service – Cumulative Increases, 1993-2011**



**Figure 2 – Durham Region Police Service – Budget 2000-2011**



**Figure 3 – Peel Region Police Service – Cumulative Increases, 1998-2009**

As data from Toronto, Durham and Peel police services demonstrate, a relatively consistent trendline was maintained until 1999, however, since then, total police expenditure growth has far outpaced all other indicators, including population growth, police officer growth and inflation. The situation is very similar throughout Canada.

Public policing in Canada has evolved significantly. Growing public expectation and demand for service, legislative changes, transfer of responsibility by different orders of government and securitization of local policing in our post-9/11 world are among the factors that have changed the nature and mission of policing. Combined with trends in police sector compensation in the last decade, they raise questions about sustainability

of the cost of policing and the continuing relevance of the current model of financing local policing.

With your permission, Mr. Chair, I would like to provide to the committee a small number of exhibits that shed light on these factors. I apologize that due to lack of time we were unable to have these translated in French, but hope the committee will be able to do so.

Local policing today involves a number of functions besides dealing with crime. Our officers are in schools; they assist people suffering from mental illness; they prevent social victimization; they police international waterways; they are involved in national security and anti-terrorism related matters; they participate in integrated and joint policing projects, and the list goes on. Often, they are the agency of first resort as other programs are reduced or eliminated due to the fiscal challenges that we face. The mandate of our police services ranges from keeping local neighbourhoods safe from petty crime to interdicting acts of international terror. And the primary provider of all of these services is the uniformed police officer.

For these reasons, we have accepted an integrated framework of policing. It stems from our recognition of reality. However, what we do not have is a sound and comprehensive economic analysis of our integrated system of policing. This is a broader analysis than of cost alone. The discussion, so far, has been based on a subjective and largely political assessment that we are paying too much for policing, and that the local property tax payer is bearing a disproportionate burden of this cost which should be shared by all orders of government. In fact, we cannot really tell what value our

current model of policing truly adds in terms of factors like community safety and wellness, national security, savings in other public expenditures and impact on the community's total social, cultural and economic development. We may have a fairly good idea of inputs and outputs, but we do not have any economic valuation of outcomes.

Further, we cannot tell whether the current system of financing policing from the local tax base is appropriate. We cannot tell whether, from a strictly economic standpoint, it is too much or just right to allocate between 25-30% of a municipality's annual budget to policing. And we cannot tell, objectively, the extent to which this system of financing policing locally is subsidising provincial and federal responsibilities.

I believe that an authoritative, credible and independent economic model of local policing in Canada, taking into account all the variables, is a key prerequisite for an informed discussion of the economics of policing and the responsibility of different orders of government. This informed discussion is the missing track in our efforts to deal with the economic aspect of our model of policing.

The track on which we are beginning to make some progress pertains to controlling and reducing the cost of providing policing services. This was the main focus of the national summit of the economics of policing. This is what is being explored in Ontario, for example, through the provincial government's Future of Policing Advisory Committee. This is what many municipalities and police boards/commissions are trying to deal with through their efficiency reviews, search for alternative delivery models,

determination of core and non-core police services, examination of functions that can be performed by personnel other than uniformed police officers and volunteers, consideration of public/private partnership, maximization of the use of technology, efforts to determine what constitutes the right size of their services, struggle to achieve lower contract settlements, outright reduction in police budgets and so on.

Over two years, for example, the Toronto Police Services Board, which oversees Canada's largest municipal police service with total gross expenditures exceeding 1 billion dollars, has reduced the police budget by a cumulative total of nearly 10%. It has frozen all hiring and promotion except where it is critical or statutorily required, and embarked on a comprehensive organizational review in order to find efficiencies through changing business processes. Other police oversight bodies are engaged in similar processes.

There is no question that this is an important track for us to follow, and we appreciate the leadership of and collaboration with the federal and provincial governments in embarking upon this track together.

By itself, however, this track will not help us deal comprehensively with the broader question of economics of policing as I have described it above. This is why, it is the position of CAPB that:

- 1) We need to develop an objective and authoritative economic model of policing.

- 2) We need a 'whole system' approach involving all our partners – those in health, education, social services and justice to name a few – in a meaningful dialogue on an integrated approach to community safety understood broadly.
- 3) We need the federal and provincial governments to acknowledge their financial responsibility for policing our communities.

The CAPB's position is based on the following considerations:

- The work of individual police officers and civilian members is valued, regardless of whether they are members of a federal, provincial or municipal policing agency;
- Current system of funding is not aligned with policing responsibilities and legislated requirements of today;
- This situation will only be exacerbated by funding restraints at the federal and provincial levels as this has traditionally led to downloads on municipal governments; and,
- The status quo is no longer viable.

It is from this perspective that we welcome your study. Mr. Chair, let me say in closing that as an organization we are very pleased that the issue of the economics of policing has now reached the national stage. I will be glad to answer any questions. Thank you.



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P32. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:  
REVISED COUNCIL-APPROVED 2013 OPERATING BUDGET**

The Board was in receipt of the following report January 31, 2013 from William Blair, Chief of Police:

Subject: TORONTO POLICE SERVICE – REVISED COUNCIL-APPROVED  
PARKING ENFORCEMENT UNIT 2013 OPERATING BUDGET

Recommendations:

It is recommended that:

- (1) the Board approve the Toronto Police Service Parking Enforcement Unit's 2013 net operating budget request at a revised amount of \$43.4M; and
- (2) the Board forward a copy of this report to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

City Council approved the Toronto Police Service's (Service) Parking Enforcement Unit's (PEU) 2013 net operating budget at a net amount of \$43.4 Million (M) (\$45.0M gross). This amount, which is what the Service had recommended to the Board at its December 10, 2012 meeting, represents an increase of \$1.3M (3.2%) over the Board-approved 2013 net operating budget of \$42.1M. This increase to the PEU budget is expected to avoid the loss of \$6.3M of gross parking tag revenue that accrues to the City.

Background/Purpose:

At its meeting of December 10, 2012, the Service recommended that the Board approve a 2013 net Operating Budget request of \$43.4M, a \$1.3M (3.2%) increase over the 2012 net budget for Parking Enforcement (Min. No. P300/12 refers). In considering the Service's report, the Board approved a 2013 net operating budget request that achieved a 0% increase over 2012. Subsequently, Toronto City Council, at its January 15 and January 16, 2013 meeting, approved the 2013 PEU Operating Budget at \$43.4M. The following discussion provides the rationale for the decision by Council.

Discussion:

The PEU 2013 net operating budget request made to the Board at its December 10, 2012 meeting reflected an increase of \$1.3M (or 3.2%) over the 2012 net operating budget of \$42.1M. The

budget request assumed parking enforcement would be maintained at 2012 levels. As reported to the Board, the majority (98%) of the requested increase was attributable to collective agreement salary and benefit increases (see table 1, below, for a summary of the 2013 increase).

**Table 1. Summary of 2013 Budget Request**

2012 Approved Budget	\$42,063.4
Salary Settlement impact	\$900.2
Annualized impact of increments	\$29.7
OMERS rate increase	\$283.2
Medical Dental inflationary pressures	\$99.7
Other inflationary pressures	\$27.7
Total Increase	\$1,340.5
2013 Council Approved Budget	\$43,403.9

In considering the Service's report, the Board approved a 2013 net operating budget request that achieved a 0% increase over 2012 (i.e. a reduction of \$1.3M to the Service-recommended budget). Approximately 84% of the Parking Enforcement budget is comprised of salaries and benefits. The remaining funds are required to meet contractual obligations (e.g. office rental, maintenance of handheld parking devices), direct front-line support costs (e.g. gasoline, vehicle parts) and contributions to reserves (e.g. for the lifecycle replacement of handheld parking devices, City sick pay reserve).

After a review of costs, Service staff determined that the Board-approved budget reduction could only be met through a reduction in premium pay costs. As such, PEU informed City Revenue Services that, effective January 1, 2013, parking enforcement officers would no longer be attending court off duty, as there was insufficient premium pay funding to compensate the officers. Furthermore, officers scheduled to attend on duty court would not be backfilled as previously agreed upon. These necessary actions would thereby impact parking enforcement. It was estimated that the elimination of off duty court and backfilling on duty court vacancies due to premium pay reductions would reduce parking tag issuance by an estimated 218,000 tickets.

City Revenue Services subsequently prepared a briefing note to the City Budget Committee for its meeting of January 8, 2013, detailing the consequences of the \$1.3M reduction (see Attachment A). In summary, the briefing note identifies that a significant reduction in parking tag issuance would lead to the loss of parking tag revenues to the City. City Revenue Services estimated the gross revenue loss to the City at \$6.3M. Consequently, restoring \$1.3M in the PEU budget would result in a net favourable impact to the City of \$5.0M.

City Budget Committee recommended to Executive Committee, and subsequently to Council, that the PEU budget be approved at the originally requested level of \$43.4M. City Council approved this recommendation. As a result, PEU is now able to continue to schedule parking enforcement officers to attend court while off duty where operationally appropriate, and to backfill officers attending court on duty.

The period of time in early January 2013 where off-duty court attendance was cancelled, and on-duty court attendance was not backfilled, resulted in a reduction to tag issuance of approximately 3,400 tickets. Every effort will be made to offset this reduction in order to meet forecasted parking enforcement levels in 2013.

Conclusion:

The Council-approved PEU 2013 net operating budget of \$43.4M is \$1.3M or 3.2% higher than the 2013 net operating budget of \$42.1M approved by the Board. The 2013 Council-approved budget includes the funding required to maintain 2013 projected parking enforcement levels. In order for the Board-approved budget to be the same as what City Council approved, it is recommended that the Board approve a \$43.4M 2013 net operating budget for the Service's Parking Enforcement Unit.

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

**The Board approved the foregoing report.**

## 2013 BUDGET BRIEFING NOTE

### **Parking Ticket Revenue Impact related to the Toronto Police Services Board's approved 2013 Recommended Operating Budget for the Toronto Police Service – Parking Enforcement Unit**

#### **Issue:**

The Toronto Police Services Board submitted a report to Budget Committee entitled 'Toronto Police Service – Parking Enforcement Unit: 2013 Operating Budget Request', recommending a proposed reduction of \$1.3 million in the Toronto Police Services Parking Enforcement Unit's 2013 Operating Budget that would reduce the 2013 Operating Budget to a 0% increase over 2012. Budget Committee deferred this item to its meeting of January 8, 2013, in order to understand the impacts of such a reduction.

This briefing note provides the estimated impact on ticket issuance (an estimated reduction of approximately 218,000 fewer tickets) and financial implications (an estimated net revenue loss of \$5.0 million).

#### **Background:**

- The City of Toronto issues approximately 2.8 million parking tickets each year, and generates approximately \$80 million in parking ticket fines annually. Of those, approximately 11% or nearly 31,000 offenders request a trial to dispute their tickets in court. Current court practices require the issuing officer to attend court for parking ticket trials.
- The Toronto Police Parking Enforcement Unit works closely with the Court Services and Revenue Services Divisions to schedule trials effectively, with a view to minimizing impact to field operations. To achieve this, Parking Enforcement Officers are generally scheduled to attend court off-duty, on an overtime basis, hence the importance of premium pay. This methodology allows for officers to attend court and give evidence while not impacting ticket issuance (which would otherwise be impacted if officers attended court on duty when they would normally be conducting enforcement and issuing tickets).

#### **Key Points:**

- The Toronto Police Services Board has proposed reductions to the Parking Enforcement Unit's 2013 Budget in the amount of \$1.3 million. In order to meet the \$1.3 million reduction, premium pay would need to be reduced. If the Police Service Board's Recommended 2013 Operating Budget reduction is approved, Parking Enforcement Officers will no longer be attending court off-duty given the reduction in premium pay. Moreover, those officers who are normally scheduled to work day shift, Monday through Friday will continue to attend court on duty, but will not have their vacated shifts backfilled given the reduction to the premium pay budget.

- a) fewer tickets written – approximately 218,000 fewer in 2013 and;
  - b) a potential for additional cancellation of tickets in court which were originally scheduled from January 1, 2013 to February 15, 2013 where officers will now not attend resulting in dismissal of charges.
- The impact of the latter impact to revenues (“b”) is extremely difficult to assess since many offenders opt for a trial without the need for the officer attending and in these cases, the ticket would not be cancelled if the officer doesn't appear. There are also those offenders who fail to appear in court for their trial and, in these instances as well, the ticket(s) may not. All Parking Enforcement Officers scheduled to attend court in 2013 will now do so on-duty and those officers (G Platoon – Full Time Day Shift) will continue to attend on-duty, without having their vacated shifts backfilled. The need to move officers from field deployment to court while on duty reduces parking enforcement during the period where the officer(s) would otherwise be in the field issuing parking tickets. As such, this change will result in fewer tickets being written in 2013.
  - Revenue Services staff have reviewed and analyzed the impact of this change and concluded that in 2013, revenues attributable to parking tickets will be reduced by approximately 8%. Based on the estimated numbers provided by the Toronto Police – Parking Enforcement Unit, the change to officer court scheduling will result in approximately 218,000 fewer tickets being written in 2013. In order to estimate the total revenue loss for the City, an average ticket value of \$36.00 was used. Assuming similar, historical collection rates of approximately 80%, the total revenue loss for 2013 is estimated to be \$6.3 million, or a net loss of \$5.0 million to the City.
  - It is important to note that any revenue projections related to parking tickets are estimates only, given that staff cannot accurately predict consumer behavior respecting payment patterns, disputes and parking ticket cancellations. Moreover, there are a number of parking related changes being implemented in 2013 such as the Fixed Fine System, a strategy for Courier and Delivery Vehicles and the changes made to the Parking Ticket Cancellation Guidelines which may also impact revenues from parking ticket fines.
  - With respect to the budget reduction in Parking Enforcement premium pay and the changes resulting from that reduction, the impact to revenues will be two-fold:
    - be cancelled even if the officer did not attend. Ultimately, staff cannot provide an estimate or impact assessment to this component given that Justices of the Peace make the final determination on whether the ticket is affirmed or cancelled whether an officer appears or not.

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**Prepared by:** Casey Brendon, Director, Revenue Services

**Further Information:** Anthony Fabrizi, Manager Utility and Parking Ticket Operations

**Date:** January 7, 2013

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P33. APPROVAL OF EXPENSES: CANADIAN ASSOCIATION OF POLICE  
BOARDS BOARD OF DIRECTORS MEETING, THE ANNUAL  
PARLIAMENTARY ADVOCACY DAYS AND THE ANNUAL JOINT  
MEETING OF THE CANADIAN ASSOCIATION OF CHIEFS OF  
POLICE, THE CANADIAN POLICE ASSOCIATION AND THE  
CANADIAN ASSOCIATION OF POLICE BOARDS**

The Board was in receipt of the following report January 31, 2013 from Alok Mukherjee, Chair:

Subject: APPROVAL OF EXPENSES: CANADIAN ASSOCIATION OF POLICE  
BOARDS (CAPB) BOARD OF DIRECTORS MEETING, THE ANNUAL  
PARLIAMENTARY ADVOCACY DAYS, AND THE ANNUAL JOINT  
MEETING OF THE CANADIAN ASSOCIATION OF CHIEFS OF POLICE  
(CACP) THE CANADIAN POLICE ASSOCIATION (CPA) AND THE CAPB.

Recommendation:

It is recommended that the Board approve an expenditure not to exceed \$1,400.00 to cover the cost of my attendance at the CAPB Board of Directors meeting, the Annual Parliamentary Advocacy Days and the Annual Joint Meeting of the CACP/CPA/CAPB to be held in Ottawa from March 19 to March 22, 2013.

Financial Implications:

Funds are available in the business travel account of the Board's 2013 operating budget.

Background/Purpose:

Representing 75 municipal police boards and commissions across the country, the CAPB is the only national organization dedicated to excellence in police governance in Canada.

Each year CAPB organizes advocacy days on the Parliament Hill to raise matters of concern with Ministers, MPs and Senators and a joint meeting with the Canadian Association of Chiefs of Police (CACP) and the Canadian Police Association (CPA). In addition, there will be a meeting of the CAPB Board of Directors. These events will be held from March 19 to March 22, 2013.

As the current President, my presence will be required at all the events.

Discussion:

Two of the primary objectives of CAPB are to be the voice of municipal police oversight bodies nationally, expressing their views and positions to the key decision makers as well as to act as an advocacy group to raise issues with Members of Parliament, Cabinet Ministers and Senators on matters that have an impact on local police services and our ability to provide those services efficiently and effectively.

The federal Minister of Public Safety has identified economics of policing as a priority and the message that CAPB will be bringing to the people we meet in Ottawa will focus on the roles, responsibilities and resources needed to deal with this subject.

We have made a significant impact on issues in the past and have made excellent connections with senior officials through these meetings and it is important that we continue to build on the momentum we have gained in recent years.

In addition, CAPB annually meets with the leadership of the other two police sector associations, the CACP and the CPA, as well as representatives of the Federation of Canadian Municipalities (FCM) to exchange views and seek opportunities for collaboration on the burning issues of the day related to policing. It is critical for me, as President, to provide leadership at these events.

Therefore my attendance will result in the following expense:

Travel expense (approximate)	\$ 500.00
Per diem (5 days @ \$75.00)	300.00
Hotel Accommodation (4 nights)	<u>510.00</u>
	\$1,400.00

Conclusion:

I request that the Board approve an expenditure not to exceed \$1,400.00 to fund my attendance at these three events.

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

**THAT, given that Vice-Chair Thompson will act as Acting Chair during the Chair's absence, the Board appoint Dr. Dhun Noria to act as Acting Vice-Chair during the period from March 19, 2013 to March 22, 2013, inclusive.**

## JOINT MEETING – CACP / CAPB / CPA

Delta Hotel, Ottawa, Panorama Room

Friday, March 22, 2013 08:30 – 15:30 hrs.

Invited Guests: Debra Fraser  
Trefor Munn-Venn  
F.C.M.

### DRAFT AGENDA

- 08:30 Introductions and Opening Remarks  
Chief Jim Chu, President, CACP  
Tom Stamatakis, President, CPA  
Dr. Alok Mukherjee, President, CAPB
- 09:00 – 10:15 Economics of Community Safety  
Chief Jim Chu, President, CACP  
Tom Stamatakis, President, CPA  
Dr. Alok Mukherjee, President, CAPB
- 10:15 – 10:45 NETWORK BREAK
- 10:45 – 12:00 Government Relations & Strategic Communications  
Tim Smith, CACP  
Michael Gendron, CPA
- 12:00 – 13:00 LUNCH
- 13:00 – 13:45 CACP Research Foundation & Clearing House  
Dir. General Debra Frazer, Chair  
Trefor Munn-Venn
- 13:45 – 14:30 Police Sector Council  
Geoff Gruson
- 14:30 – 14:45 NETWORK BREAK
- 14:45 – 15:30 Burning Issues  
Wrap up



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P34. REQUEST FOR LEGAL INDEMNIFICATION – CASE NO. 1586/2012**

The Board was in receipt of the following report January 28, 2013 from William Blair, Chief of Police:

Subject: LEGAL INDEMNIFICATION CLAIM NO. 1586/2012

Recommendation:

It is recommended that the Board deny payment of the legal account from Mr. Harry Black in the amount of \$363,291.60 for his representation of a police constable in relation to criminal charges.

Financial Implications:

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

Background/Purpose:

A police constable has requested payment of his legal fees for \$363,291.60 as provided for in Article 23 of the legal indemnification clause of the uniform collective agreement. The purpose of this report is to recommend denial of the claim.

Discussion:

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

Conclusion:

Articles 23:01 (a) and 23:07 (b), (c) of the uniform collective agreement states:

23:01 (a) *Subject to the other provisions of this Article, a member charged but not found guilty of a criminal or statutory offence, **because of acts done in the attempted performance in good faith of his/her duties as a police officer**, shall be indemnified for the necessary and reasonable legal costs incurred by the member during the investigation of the incident that resulted in those charges being laid and for the necessary and reasonable legal costs incurred by the member in the defence of such charges.” [emphasis added]*

23:08 *For greater certainty, members shall not be indemnified for legal costs arising from:*

- (b) *The actions or omissions of members acting in their capacity as private citizens;*
- (c) *Subject to clause 23:05 discipline charges under the Police Services Act and regulations thereunder.*

While the criminal charges were stayed and part of the *Police Services Act (PSA)* charges withdrawn, there exists a basis to establish that the actions of the police constable that led to the charges were not done in the attempted performance in good faith of his duties as a police officer. Rather, they arose because of matters arising from his personal business. Furthermore, the officer pled guilty and was found guilty of Insubordination, contrary to the *PSA*.

City of Toronto Legal Services reviewed the account and provided an opinion concluding that the actions of the police constable that led to the charges were not done in the attempted performance in good faith of his duties as a police officer. Rather, they were done in the capacity of the officer's secondary employment.

Based on the foregoing, payment of the account should be denied.

Deputy Chief Mike Federico, Corporate Command, will be in attendance to answer any questions that the Board members may have regarding this report.

**The following Motion was submitted to the Board:**

**THAT the Board approve the foregoing report.**

**A request for a recorded vote on the foregoing Motion was submitted in accordance with section 22 of the Board's Procedural By-Law No. 107.**

**The voting was recorded as follows:**

<u><b>For</b></u>	<u><b>Opposed</b></u>
<b>Chair Mukherjee</b>	<b>nil</b>
<b>Dr. Noria</b>	
<b>Mr. Pringle</b>	
<b>Councillor Nunziata</b>	
<b>Councillor Del Grande</b>	

**The foregoing Motion was approved.**

**The Board noted that additional information regarding the request for legal indemnification was also considered during the *in camera* meeting (Min. No. C33/13 refers).**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P35. ANNUAL REPORT - 2012 PARKING ENFORCEMENT UNIT  
ESTIMATED TAG ISSUANCE**

The Board was in receipt of the following report January 18, 2013 from William Blair, Chief of Police:

Subject: ANNUAL REPORT: 2012 PARKING ENFORCEMENT UNIT ESTIMATED  
TAG ISSUANCE

Recommendations:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City of Toronto Government Management Committee for its consideration at its April 2013 meeting.

Financial Implications:

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

Background/Purpose:

This report provides information on the Parking Enforcement Unit achievements, activities and estimated parking tag issuance during the year 2012 (Appendix A refers).

Discussion:

The Parking Enforcement Unit analyzes historical parking tag data on an annual basis in order to forecast anticipated parking tag issuance for Parking Enforcement Officers (PEOs), Municipal Law Enforcement Officers (MLEOs) and Police Officers. The City of Toronto requests this information for use during the annual budget process.

2012 Estimated Parking Tag Issuance:

Based on historical trends, the total parking tag issuance for the year 2012 was forecasted to be 2,800,000 tags. At this time, the City estimates the total 2012 parking tag issuance to be approximately 2,758,565 tags. Total parking tag issuance includes tags issued by PEOs, MLEOs and Police Officers.

In 2012, some operational challenges were presented, such as, an increase in calls for service for public assistance to parking needs, accelerated staff attrition in Q4, the on-going pressures associated to on-duty court attendance and hand held lifecycle testing, resulting in pressure to deployment and the associated service delivery and tag issuance. The final parking tag issuance numbers will be presented by the City of Toronto, Parking Tag Operations Division in its 2012 Year End Report to the Government Management Committee in April 2013, once all data is captured, and received in conjunction with this report.

The following is a breakdown of the parking tag issuance by group estimated by the City for 2012:

<b>Group</b>	<b>Tags Issued</b>
Parking Enforcement Unit	2,507,251
Municipal Law Enforcement Officers	241,263
Police Officers	10,051
<b>Estimated Parking Tag Issuance</b>	<b>2,758,565</b>

#### Other Information:

In addition to parking tag issuance, the Parking Enforcement Unit achieved some key accomplishments through the provision of operational support to the Toronto Police Service (TPS) in the following manner:

During the 2012 calendar year, members of the Unit were responsible for towing approximately 23,426 vehicles, including 314 that were without properly registered plates and 1,934 that were relocated due to snow removal operations, parades and special events. PEOs recovered 776 stolen vehicles and out of this total, 550 can be directly attributed to the Project Street Sweeper Program. The Unit also responded to 137,315 calls for service from members of the public and also retained 848 Accessible Parking Permits for investigation of possible misuse. From a training perspective the Unit provided training and certification to 683 new MLEOs for private property enforcement.

#### Conclusion:

The Parking Enforcement Unit continues to contribute positively to the achievement of the goals and priorities of the Toronto Police Service by:

- ensuring the safe and orderly flow of traffic;
- ensuring enforcement is fair and equitable to all;
- ensuring a visible uniform presence on the streets;
- ensuring positive outreach to the community through public awareness campaigns and education programs; and
- ensuring interoperability with other TPS Units and City of Toronto departments.

While the final total for 2012 is estimated to be approximately 2,758,565 tags, the City of Toronto will report the final parking tag issuance numbers in their 2012 Annual Parking Tag Activity Report to the Government Management Committee at its April 2013 meeting.

Deputy Chief Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions the Board may have concerning this report.

**Chief Blair responded to questions by the Board about the foregoing report.**

**The Board was advised that in 2012 the collection rate for the payment of the fines arising from the parking tags was 82% and that the fines for the remaining 18% of the tags were deemed uncollectible due to various collection issues and not because the tags had been issued improperly.**

**The Board discussed the City's inability to collect fines for the parking tags that are issued to some of the out-of-province vehicles if reciprocal agreements have not been established with the municipalities in which those vehicles are registered.**

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

**THAT the Chief of Police provide a presentation to the Board at its May 2013 meeting on the manner in which parking tags are issued, distinguishing between the role of the TPS and that of the City of Toronto.**

Appendix "A"

<b>Parking Enforcement Unit</b>	<b><u>2010</u></b>	<b><u>2011</u></b>	<b><u>2012</u></b>
Parking Tag Issuance - PEOs	2,497,475	2,557,562	2,505,064
Parking Tag Issuance – PEOs, MLEOs, PCs	2,787,175	2,836,587	2,758,565*
Processable Tag Rate PEOs	99.9%	99.8%	99.8%
Absenteeism (Short-term sick)	2.8%	2.5%	3.4%
Calls for service received	125,666	131,844	137,315
Stolen Vehicles Recovered (Total)	1,189	1,023	776
Stolen Autos Recovered - Street Sweeper	865	721	550
Stolen Autos Recovered - PEOs	324	302	226
Hours Spent on Stolen Vehicles Recovered	1,109	975	780
Stolen Plates Recovered	56	70	42
Hours Spent on Stolen Plates Recovered	47	46	35
Vehicles Scanned by Street Sweeper	2,785,481	2,797,216	3,133,478
Vehicles Towed	27,412	23,808	23,426
<b>Assistance to TPS Units</b>			
Unplated Vehicles Towed	503	425	314
Directed Patrol Requests from Other Police Units	24	109	96
Arrest Assists	31	18	20
Assaults	34	32	19
Language Interpretations	50	72	97
Hours Spent on Language Interpretations	112	133	248
Disabled Permits Retained	784	845	848
Disabled Permits Cautioned	112	92	118
H.T.A Charges (Disabled Permits)	362	561	414
Special Events	32	81	89
Hours Spent On Special Events	673	2,226	1,969
Vehicle Relocations	1,042	1,288	1,934

\* City estimates, PC's and MLEO's issue manual tags and all issued tags have not yet been processed at the time of this report.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P36. ANNUAL REPORT – MUNICIPAL FREEDOM OF INFORMATION AND  
PROTECTION OF PRIVACY ACT 2012 STATISTICAL REPORT**

The Board was in receipt of the following report January 29, 2013 from William Blair, Chief of Police:

Subject: ANNUAL REPORT - 2012 STATISTICAL REPORT - MUNICIPAL  
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Recommendations:

It is recommended that:

- (1) the Board receive the 2012 Annual Freedom of Information Statistical Report; and
- (2) the Board forward a copy of this report to the Ontario Information Privacy Commission.

Financial Implications:

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

Background/Purpose:

Historically, the Annual Statistical Report has been completed internally by the Access & Privacy Section (formerly the Freedom of Information Unit) and forwarded directly to the Ontario Information and Privacy Commission.

At its September 23, 2004 meeting, (Min. No. P284/04 refers), the Board made the following motion:

“Effective immediately, the Chief of Police adopt the practice of submitting the Year-End Statistical Report for the Information and Privacy Commission to the Board each year and that the Board forward the report to the Commission.”

The Toronto Police Service (TPS) is legislated to provide this report on an annual basis. The attached Year-End 2012 Statistical Report is anticipated by the Ontario Information and Privacy Commission on March 1, 2013.

Discussion:

In 2012, the Access and Privacy Section (APS) received 5,168 requests for access to information as held by the TPS, as well as an additional 4 requests for corrections to records which are not captured in the overall number in the annual statistical report. This number depicts an increase of

310 requests from the previous year (a 6.27% increase). Of the 5,168 requests, 4,863 requests were completed which include requests carried forward from 2011. Requests completed within the mandated 30 calendar day period resulted in a compliance rate of 58.30% for the reporting year.

In comparison, the compliance rate for the reporting year of 2011 was 75.94%. This 16.26% decrease is a considerable drop considering the Service's impressive maintenance of a mid-to high 70% compliance rate since 2006. This is notable as it was outlined in Board Min. No. P284/04, where the Board approved the following Motion:

3. THAT recommendation no.2 be approved with the following amendment: "...with the objective of achieving a *much higher rate of compliance for the balance of 2004* and a minimum 80% compliance rate in 2005";

In an effort to obtain the Board recommendation outlined above, in 2006 (3,085 requests received), additional support staff was provided to the unit. In 2008 (3,441 requests received), 2 new Disclosure Analyst positions were approved. However, during those years and since then, APS has yet to complete one annual reporting year without staffing challenges being at the forefront of the lower compliance rate when compared with other municipal police services.

In 2012, the office lost 4 members to a permanent re-assignment, retirement, a maternity leave and the extended absence of one senior member (handles complicated files and reviews severances prior to final approval). APS received two members as career development opportunities, but the level of training mandatory to perform the Disclosure Analyst position is significant and time consuming. Aptitude mixed with confidence is a fundamental necessity which has to be monitored very closely and takes time to develop the analytical expertise.

In early September, APS also lost 2 temporary clerks to promotion which had a negative impact to the daily flow of work. These two members were invaluable to the Analysts by providing an incredible amount of administrative support i.e. gathering and organizing memorandum notes received, severing records, organizing voluminous files, photocopying and stamping pages. The amount of administrative work that is necessary for each file consumes a large amount of time which slows file closure to a below standard degree. These positions have been vacant for 4.5 months and remain vacant at this time due to the current civilian hiring process.

As reported in past Annual Reports, the increase in requests has become a trend since 2003. Conceivable explanations include increased public awareness of the *Freedom of Information Act* and its processes. The media have given much attention to all levels of government with respect to transparency and filing FOI requests.

In the IPC Annual Report, requests received are broken down into two categories based on the type of requests; these are Personal Information and General Records. These two categories are further broken down by source of requests e.g. Individual/Public, Business and Media etc. In comparison to 2011, the number of Personal requests increased 4.92% and the number of General requests (Procedure, Statistics etc.) increased 10.5%. However, overall, Personal requests continue to be the majority received.



In addition to requests for information, APS also handles all Privacy Complaints submitted to the IPC about TPS, and processes consultations for external agencies. APS received 5 complaints in 2012 which is an increase of 2 from 2011. These complaints are investigated by the APS Coordinator with a formal report issued to the IPC. All five were dismissed by the IPC noting that the members of the Service did not breach any personal privacy. As well, the Coordinator processed 64 consultations from external agencies which are not captured in the statistical report.

Through the FOI process, a requester has the right to appeal the decision on access to records made by the government institution, to the IPC. This process involves mediation between the assigned analyst and a mediator. Mediation can consume copious amounts of time from not only the analyst, but any stakeholder or subject-matter expert within the Service. Should mediation not succeed, the analyst is expected to produce written representations to the adjudicator before a final Order is publicized. In 2012, APS was involved in 46 appeals. This is down from 2011 where 54 appeals were processed.

As required by the IPC's office, reporting on the disclosure of requests is broken down by information released in full, in part or not at all. Due to the nature of police records, the APS routinely discloses records, in part, in order to protect the privacy interests of third parties (removing personal identifiers from the records). Additionally, access to records in direct relation to matters currently under investigation and/or currently before the courts is denied in full. Therefore, as the disclosure of records through the Freedom of Information process is strictly governed by the 'Act', similar to all previous reports, the application of Section 8 (Law Enforcement) and Section 14 (Personal Privacy) continue to be the most commonly used exemptions prohibiting access as reflected by the Annual Report.

#### Conclusion:

The 2012 Annual Statistical Report has been prepared in accordance with the guidelines stipulated by the IPC and to be submitted by March 1, 2013.

Deputy Chief Michael Federico, Corporate Command, will be in attendance to answer any questions that the Board may have regarding this report.

**The Board approved the foregoing report.**



# The Municipal Year-End Statistical Report for the Information and Privacy Commissioner of Ontario, Canada

Reporting Year: 2012 Date Report Completed: 01 / 05 / 2013  
MM DD YY

All institutions must return a report to the Office of the Information and Privacy Commissioner/Ontario. If no formal written requests for access to records or requests for correction of records of personal information were received, your institution must still complete and return Sections 1 and 2.

## SECTION 1: IDENTIFICATION

1.1 Name of Institution TORONTO POLICE SERVICE  
 Ministry Name ACCESS AND PRIVACY

### Management Contact

Contact Person/Title Judy Sandford, Manager, RMS  
 Email Address judy.sandford@torontopolice.on.ca

### Primary Contact

Contact Person/Title Katie Watts, Co-ordinator  
 Email Address kathryn.watts@torontopolice.on.ca

Phone No. (416) 808-7848 Fax No. (416) 808-7857

Mailing Address 40 College Street, 4th Floor, Toronto, Ontario

Postal Code M5G 2J3

1.2 Your institution is: (check one)							
Municipal Corporation	<input type="checkbox"/>		Board:	School	<input type="checkbox"/>	Local Roads	<input type="checkbox"/>
Conservation Authority	<input type="checkbox"/>			Public Library	<input type="checkbox"/>	Planning	<input type="checkbox"/>
Electricity Corporation	<input type="checkbox"/>			Health	<input type="checkbox"/>	Police Services	<input checked="" type="checkbox"/>
Transit Commission	<input type="checkbox"/>			Local Services	<input type="checkbox"/>		
Other Agency, Board, Commission, Corporation or other body designated in the regulations (specify institution type):							<input type="checkbox"/>

## SECTION 2: INCONSISTENT USE OF PERSONAL INFORMATION

2.1 Whenever your institution uses or discloses **personal information** in a way that differs from the way the information is normally used or disclosed (**an Inconsistent use**), you must attach a record or notice of the inconsistent use to the affected information. How many such records did your Institution attach, if any?

If your institution received:

- No formal written requests for access or correction → please complete and return only this page. Thank you.
- Formal written requests for access to records → please go to Section 3.1
- Requests for correction of records of personal information only → please complete Section 11 at the back of the report

This report can be completed online at <https://statistics.ipc.on.ca> or the completed report can be faxed to us at (416) 325-9195 or mailed to

### SECTION 3: NUMBER OF REQUESTS RECEIVED AND COMPLETED

Enter the number of requests that fall into each category.

	Personal Information	General Records
3.1 New requests received during the reporting year	4262	906
3.2 <b>TOTAL NUMBER OF REQUESTS COMPLETED</b> for the reporting year	4036	827

### SECTION 4: SOURCE OF REQUESTS

Enter the number of requests you completed from each source.

	Personal Information	General Records
4.1 Individual/Public	3878	448
4.2 Business	141	192
4.3 Academic/Researcher	0	11
4.4 Association/Group	14	89
4.5 Media	2	30
4.6 Government (All Levels)	1	57
4.7 Other	0	0
4.8 <b>TOTAL REQUESTS</b> (Add boxes 4.1 to 4.7 = box 4.8)	4036	827

**Box 4.8 MUST BE EQUAL TO Box 3.2**

### SECTION 5: TIME TO COMPLETION

How long did your institution take to complete all requests for information? Enter the number of requests into the appropriate category.

How many requests were completed in:

	Personal Information	General Records
5.1 30 days or less	2547	466
5.2 31-60 days	933	196
5.3 61-90 days	282	73
5.4 91 days or longer	274	92
5.5 <b>TOTAL REQUESTS</b> (Add boxes 5.1 to 5.4 = box 5.5)	4036	827

**Box 5.5 MUST BE EQUAL TO Box 3.2**

## SECTION 6: COMPLIANCE WITH THE ACT

In the following charts, please indicate the number of requests completed, within the statutory time limit and in excess of the statutory time limit, under each of the four different situations:

- A. NO notices issued;
- B. BOTH a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) issued;
- C. ONLY a Notice of Extension (s.20(1)) issued; or
- D. ONLY a Notice to Affected Person (s.21(1)) issued.

Please note that the four different situations are mutually exclusive and the number of requests completed in each situation should add up to the total number of requests completed in Section 3.2. (Add boxes 6.3+6.6+6.9+6.12 = box 6.13) and (box 6.13 must equal box 3.2)

### A. No Notices Issued

	Personal Information	General Records					
6.1	2538	466					
6.2	1360	314					
6.3	3898	780	▶				
			<table border="1"> <thead> <tr> <th>Personal Information</th> <th>General Records</th> </tr> </thead> <tbody> <tr> <td>3898</td> <td>780</td> </tr> </tbody> </table>	Personal Information	General Records	3898	780
Personal Information	General Records						
3898	780						

### B. Both a Notice of Extension (s.20(1)) and a Notice to Affected Person (s.21(1)) Issued

	Personal Information	General Records					
6.4	0	0					
6.5	0	0					
6.6	0	0	▶				
			<table border="1"> <thead> <tr> <th>Personal Information</th> <th>General Records</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> </tbody> </table>	Personal Information	General Records	0	0
Personal Information	General Records						
0	0						

**C. Only a Notice of Extension (s.20(1)) Issued**

	Personal Information	General Records		Personal Information	General Records
6.7	16	3			
6.8	60	9			
6.9	76	12	▶	76	12

**D. Only a Notice to Affected Person (s.21(1)) Issued**

	Personal Information	General Records		Personal Information	General Records
6.10	24	12			
6.11	38	23			
6.12	62	35	▶	62	35

**E. Total Completed Requests (sections A to D)**

	Personal Information	General Records		Personal Information	General Records
6.13	4036	827	▶	4036	827

**SECTION 6a: CONTRIBUTING FACTORS**

Please outline any factors which may have contributed to your institution not meeting the statutory time limit.  
 If you anticipate circumstances that will improve your ability to comply with the Act in the future, please provide details in the space below.

## SECTION 7: DISPOSITION OF REQUESTS

What course of action was taken with each of the completed requests? Please enter the number of requests into the appropriate category.

	Personal Information	General Records	
7.1	165	55	
7.2	3001	517	
7.3	773	209	
7.4	97	46	
7.5	4036	827	<b>Box 7.5 MUST BE GREATER THAN OR EQUAL TO Box 3.2</b>
	<b>TOTAL REQUESTS</b>		
	(Add boxes 7.1 to 7.4 = box 7.5)		

## SECTION 8: EXEMPTIONS & EXCLUSIONS APPLIED

For the **TOTAL REQUESTS WITH EXEMPTIONS/EXCLUSIONS/FRIVOLOUS OR VEXATIOUS REQUESTS**, how many times did your institution apply each of the following? (More than one exemption may be applied to each request.)

	Personal Information	General Records
8.1	0	0
8.2	2	0
8.3	1559	190
8.4	0	0
8.5		
8.6		
8.7	23	3
8.8	1	0
8.9	0	0
8.10	0	1
8.11	0	0
8.12	3081	487
8.13	26	8
8.14	0	3

- 8.15 Section 20.1 — Frivolous or Vexatious
- 8.16 Section 38 — Personal Information (Requester)
- 8.17 Section 52(2) — Act Does Not Apply\*\*\*
- 8.18 Section 52(3) — Labour Relations & Employment Related Records
- 8.19 Section 53 — Other Acts
- 8.20 TOTAL EXEMPTIONS (Add boxes 8.1 to 8.19 = box 8.20)

1	0
2975	100
0	0
7	1
1	1
7676	794

\*not including Section 8(3)  
 \*\*not including Section 14(5)  
 \*\*\* not including Section 52(3)

### SECTION 9: FEES

Did your institution collect fees related to requests for access to records?

- 9.1 Number of requests where fees other than application fees were collected

Personal Information	General Records	TOTAL
213	35	248

- 9.2.1 Application fees collected

\$21,300.00	\$ 4,530.00	\$25,830.00
-------------	-------------	-------------

- 9.2.2 Additional fees collected

\$ 2,840.20	\$ 1,210.20	\$ 4,050.40
-------------	-------------	-------------

- 9.2.3 TOTAL FEES (Add boxes 9.2.1 + 9.2.2 = box 9.2.3)

\$24,140.20	\$ 5,740.20	\$29,880.40
-------------	-------------	-------------

- 9.3 TOTAL DOLLAR AMOUNT OF FEES WAIVED

\$ 6,623.45	\$ 950.00	\$ 7,573.45
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### SECTION 10: REASONS FOR ADDITIONAL FEE COLLECTION

Enter the number of requests for which your institution collected fees other than application fees that apply to each category.

- 10.1 Search time
- 10.2 Reproduction
- 10.3 Preparation
- 10.4 Shipping
- 10.5 Computer costs
- 10.6 Invoice costs (and others as permitted by regulation)
- 10.7 TOTAL (Add boxes 10.1 to 10.6 = box 10.7)

Personal Information	General Records	TOTAL
N/A		
N/A		
N/A		
N/A		

## SECTION 11: CORRECTIONS AND STATEMENTS OF DISAGREEMENT

Did your institution receive any requests to correct **personal information**?

- 11.1 Number of correction requests received
- 11.2 Correction requests carried forward from the previous year
- 11.3 Correction requests carried over to next year
- 11.4 **TOTAL CORRECTIONS COMPLETED** [(box 11.1 + box 11.2) – box 11.3 = box 11.4]

Personal Information
4
2
0
6

Box 11.4  
MUST  
EQUAL  
Box 11.9

What course of action did your institution take regarding the requests to correct **personal information** that were received?

- 11.5 Correction(s) made in whole
- 11.6 Correction(s) made in part
- 11.7 Correction requests refused
- 11.8 Correction requests withdrawn by requester
- 11.9 **TOTAL** (Add boxes 11.5 to box 11.8 = box 11.9)

Personal Information
3
2
1
6

Box 11.9  
MUST  
EQUAL Box  
11.4

In cases where correction requests were denied, in part or in full, were any statements of disagreement attached to the affected personal information?

- 11.10 Number of statements of disagreement attached:

0
---

If your institution received any requests to correct personal information, the Act requires that you send any person(s) or body who had access to that information in the previous year notification of either the correction or the statement of disagreement. Enter the number of notifications sent, if applicable.

- 11.11 Number of notifications sent:

0
---

**Thank you for your co-operation.**



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P37. ANNUAL REPORT – 2013 TORONTO POLICE SERVICE  
ORGANIZATIONAL CHART**

The Board was in receipt of the following report January 10, 2013 from William Blair, Chief of Police:

Subject: ORGANIZATIONAL CHART

Recommendation:

It is recommended that the Board approve the new organizational chart for the Service.

Financial Implications:

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

Background/Purpose:

At its meeting on January 25, 2001, the Board requested that all organizational charts be submitted on an annual basis (Min. No. P5/01 refers).

At its meeting on February 16, 2012, the Board approved a new organizational chart (Min. No. P20/12 refers).

The purpose of this annual report is to request one amendment to the current organizational chart.

Discussion:

The amendment is requested for the following reason:

1. Name Change – The Toronto Anti-Violence Intervention Strategy (TAVIS) and the Community Mobilization Unit (CMU) were amalgamated to form the Divisional Policing Support Unit (DPSU). The DPSU continues to include a number of CMU functions that support the Ontario Association of Chiefs of Police Mobilization & Engagement Model of Community Policing adopted by the Toronto Police Service.

In addition to TAVIS, the new unit includes a number of new areas. One area, Community Engagement and Support, includes Neighbourhood Resource Officers and Youth Response Support. Members work in the communities with Community Response Unit officers from each division, and with the TAVIS Rapid Response Team, providing expertise on community and youth engagement. Another critical area is Crime Prevention Support, where a new

position was created in the area of victim and witness support. The officer in this position works with Victim Services and officers in the field to ensure the needs of victims, their families and witnesses of crime are addressed.

DPSU provides a more effective, efficient and economical way of doing business both internally and externally, while being more operational and supportive of field units.

As the Board is aware, updates regarding the “Organizational Structure Review” are currently being reported to the Board as part of the Chief’s Internal Organizational Review. Any changes as a consequence of that review will be brought forward to the Board in keeping with past practice.

Conclusion:

In summary, this report provides the Board with the Service’s new organizational chart for approval.

Deputy Chief Mike Federico, Corporate Command, will be in attendance to answer any questions that the Board may have regarding this report.

**In response to a question by the Board, Chief Blair said that the report on the Chief’s Internal Organizational Review (CIOR) and recommendations arising from it will be provided to the Board at its April 2013 meeting.**

**The following Motion was submitted to the Board:**

**THAT the Board defer the foregoing report on the organizational chart until the meeting at which the Board receives the CIOR report.**

**A request for a recorded vote on the foregoing Motion was submitted in accordance with section 22 of the Board’s Procedural By-Law No. 107.**

**The voting was recorded as follows:**

**For**

**Chair Mukherjee  
Councillor Nunziata  
Councillor Del Grande**

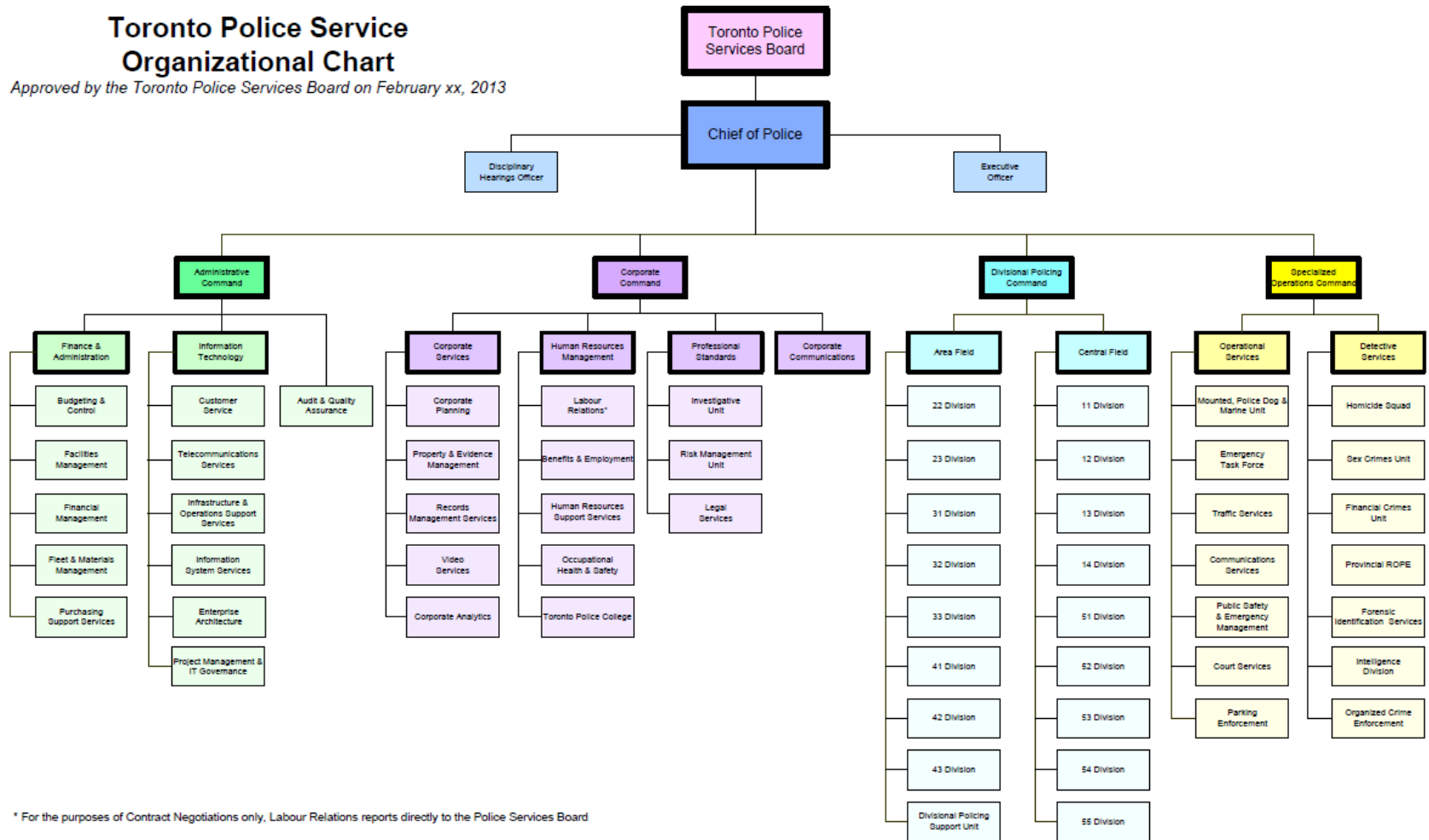
**Opposed**

**Dr. Noria  
Mr. Pringle**

**The foregoing Motion was approved.**

# Toronto Police Service Organizational Chart

Approved by the Toronto Police Services Board on February xx, 2013



\* For the purposes of Contract Negotiations only, Labour Relations reports directly to the Police Services Board

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P38. COMMENCEMENT OF THE PROCESSES TO FILL VACANT  
POSITIONS: DIRECTOR OF FINANCE AND ADMINISTRATION AND  
DIRECTOR OF HUMAN RESOURCES MANAGEMENT**

The Board was in receipt of the following reports:

- January 07, 2013 from William Blair, Chief of Police:  
Re: Commencement of the Processes to Fill Vacant Positions: Director of Finance and Administration and Director of Human Resources Management
- February 06, 2013 from William Blair, Chief of Police  
Re: Business Case – Director of Finance and Administration
- February 05, 2013 from William Blair, Chief of Police  
Re: Business Case – Director of Human Resources Management
- February 06, 2013 from Joseph Pennachetti, City Manager, City of Toronto  
Re: City's Shared Services Study

Copies of the foregoing reports and correspondence are appended to this Minute for information.

**The Board approved the following Motions:**

- 1. THAT the Board defer the three foregoing reports from the Chief of Police and the correspondence from Mr. Pennachetti;**
- 2. THAT the Chair and the two Board members who participate in the Chief's CIOR (Andy Pringle and Marie Moliner) review the Chief's reports in consultation with other interested Board members and the Chief of Police;**
- 3. THAT the Chair provide a report to the Board on the results of the review noted in Motion No. 2; and**
- 4. THAT the Board consider the Chief's reports and Mr. Pennachetti's correspondence at the meeting at which it receives the Chair's report noted in Motion No. 3.**

**Report dated January 7, 2013 from the Chief of Police:**

To: Chair and Members  
Toronto Police Services Board

From: William Blair  
Chief of Police

Subject: COMMENCEMENT OF PROCESSES TO FILL POSITION VACANCIES FOR  
THE DIRECTOR OF FINANCE AND ADMINISTRATION, AND THE  
DIRECTOR OF HUMAN RESOURCES MANAGEMENT

Recommendation:

It is recommended that the Board approve the job posting/promotional and/or recruitment/hire processes as necessary to fill upcoming director position vacancies in Finance and Administration and in Human Resources Management.

Financial Implications:

The funding for these two positions is approximately \$340,000 and is included in the Toronto Police Service's (Service) 2013 operating budget request.

Background:

On December 21, 2012, Angelo Cristofaro, Director, Finance and Administration, submitted a notice of retirement from the Service, effective January 26, 2013. On January 2, 2013 Aileen Ashman, Director, Human Resources Management, submitted a notice of retirement from the Service, effective March 4, 2013.

Discussion:

These director positions are critical to effective business continuity and the operational needs of the Service. Both positions require specific qualifications and expertise, including significant executive level experience in the administration of the executive portfolios which each oversees and maintains.

*Director, Finance and Administration:*

The Director of Finance and Administration oversees significant administrative and financial resources of the Service. Reporting directly to the Chief Administrative Officer, he or she is responsible for executive level decision-making and oversight of an establishment of approximately 180 staff employed in significant support units: Budgeting and Control; Facilities Management; Financial Management; Fleet and Materials Management; and Purchasing Support

Services. The position requires the incumbent to hold a professional designation (e.g. accounting) or the equivalent demonstrated experience/education and at least ten years of management experience.

The Director of Finance and Administration is a key contributor to the Service on financial and budgetary matters. The position is also responsible for maintaining the integrity of all financial, accounting and payroll reporting, as well as overseeing the performance of the fleet, facilities and purchasing support units. This is a key strategic leadership role, critical to the on-going financial and administrative health of the organization, including the efficiency and cost-effectiveness of essential support units. The Director ensures legislative and policy compliance in changing political and economic environments, to protect, support and advance the financial and operational requirements of the Service.

*Director, Human Resources Management:*

The Director of Human Resources Management oversees all human resources and training initiatives. Reporting directly to the Deputy Chief, Corporate Command, he or she is responsible for executive level decision-making and oversight of an establishment of approximately 256 staff employed in significant support units, including the: Toronto Police College; Benefits and Employment (including Background and Human Resources Management Systems Administration); Human Resources Support Services; Occupational Health & Safety (including Workplace Safety and Insurance Act Administration and Medical Advisory Services); Psychological and Chaplaincy Services; Diversity Management; Employee and Family Assistance Program; Labour Relations (including Human Rights case management); and Staff Planning in respect of uniform deployment. The position requires post-secondary education, preferably post-graduate in a related field, and extensive experience in human resources management.

The Director of Human Resources Management is a key advisor to the Service on all matters within the human resources portfolio, and a key advisor with respect to labour relations, collective bargaining, grievance and employment-related human rights administration and case management, and in collective agreement interpretation, application and administration. This is a key strategic leadership role critical to the on-going recruitment, retention and support of significant human resources and related activities on behalf of the Service. It ensures legislative and policy compliance in human resources and training requirements to protect, support and advance the organizational goals in the delivery of efficient and effective policing services.

In summary, both positions are critical to the interests of the Service.

Conclusion:

In order to address current and ongoing operational needs and professional oversight of significant financial, operational support and human resources on behalf of the Service, it is strongly recommended that the Board approve the commencement of job posting/promotional and/or recruitment/hire processes (as necessary) to backfill upcoming Director position vacancies in Finance and Administration and in Human Resources Management.

I will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

William Blair, C.O.M.  
Chief of Police

**Report dated February 6, 2013 from the Chief of Police:**

To: Chair and Members  
Toronto Police Services Board

From: William Blair  
Chief of Police

Subject: BUSINESS CASE FOR APPROVAL TO COMMENCE FILLING THE  
VACANT DIRECTOR OF FINANCE AND ADMINISTRATION POSITION

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

The funding for this position is approximately \$170,000 and is included in the Toronto Police Service's (Service) 2013 operating budget request.

Due to the inherent risks of not having a permanent qualified individual in this key leadership and oversight position, there are potential financial implications if the Director's position is not filled.

Background:

The Board, after considering the approval of the 2013 operating budget at its December 10, 2012 meeting, approved the following motions (Min. No. P299/12 refers):

- "2. *THAT, with the exception of communication operators, the Board direct that there be no hiring of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief; and*

3. *THAT, the Board direct that there be no promotion of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief.”*

As a result of the aforementioned motions, the Service submitted a report to the Board’s January 23, 2013 meeting requesting approval to commence the hiring process for the Director, Finance and Administration and the Director, Human Resources positions. In considering the report, the Board approved the following motion (Min. No. P18/13 refers):

- “1. *THAT the Board defer the foregoing report and request the Chief of Police to provide a further report that contains detailed business cases for the recommendations to fill the two vacant director positions in accordance with Min. No. P299/12; and*
2. *THAT the Chair consult with the City Manager regarding the recommendations to fill the two director vacancies and inquire whether the responsibilities of these positions would be included in the City’s Shared Services Study.”*

This report provides a business case for filling the vacant Director, Finance and Administration position. A separate report has been submitted for the vacant Director, Human Resources position.

Discussion:

The Finance and Administration director position is critical to the financial and operational needs of the Service, in order to maintain effective business continuity, ensure appropriate internal controls exist, and to manage risks with respect to the Service’s financial and administrative processes. The position is a key senior management position in the Service and requires specific qualifications and expertise.

*Business Case:*

(a) Position Responsibilities:

The Director of Finance and Administration oversees significant administrative and financial resources of the Service. Reporting directly to the Chief Administrative Officer, this position is responsible for executive-level decision making and oversight of significant support units: Budgeting and Control; Facilities Management; Financial Management; Fleet and Materials Management; and Purchasing Support Services.

The position requires the incumbent to hold a professional designation (e.g. accounting) or the equivalent demonstrated experience/education and have at least ten years of management experience.



(b) Justification for Filling this Position

The Director of Finance and Administration provides a key strategic leadership role, and is critical to the on-going financial, fiscal and administrative health of the organization. The position manages eight direct reports and an establishment of approximately 180 positions, with a total operating budget of approximately \$17M.

The Director is responsible for maintaining the integrity of all financial, accounting and payroll reporting, as well as overseeing the performance of the fleet, facilities and purchasing support units. The position is also responsible for overseeing the administration of the Service's financial system (SAP). The Director establishes strategies, goals and objectives for these units, and ensures they are achieved. This position also oversees the continuous improvement of processes, with a goal of achieving best practices, service excellence and optimal outcomes as cost-effectively as possible.

This position provides advice and guidance to the Service's senior management team, Command Officers, Chief of Police and the Board in all aspects of finance and other responsibilities of the directorate, including the development of fiscally responsible operating and capital budgets. In this regard, the position is key to coordinating and overseeing the annual operating and capital budget processes and ensuring accurate and complete information is provided to the Command, the Chief, the Board and the City to enable well-informed budgetary decisions. It also performs a key role on various Service projects and initiatives and ensures financial implications are clearly identified and considered. The advice provided by this position is vital and an integral part of the Service's system of internal controls.

As part of the Senior Management team, this position also ensures that a corporate perspective is applied to all individual units within this directorate. The Director ensures legislative and policy compliance in changing political and economic environments, to protect, support and advance the financial and operational requirements of the Service.

(c) Risks of Not Filling this Position

If this position is not filled the ability to identify and achieve various divisional and corporate objectives will be reduced, as the direct reports would have to take on this responsibility as well as managing their day-to-day operations. This increases the risk of errors, omissions and missed opportunities, and eliminates critical and necessary oversight of the various units that report to the Director position. This gap in oversight could lead to breakdowns in business practices and ineffective management of projects and expenditures. These issues could result in unnecessary and or avoidable costs, and impact negatively on the Service's ability to maintain public confidence and accountability.

The Service is currently dealing with and, based on its commitment to continuous improvement, will continue to deal with a number of efficiency and other reviews, as well as significant budgetary challenges. Accordingly, the Service's ability to deal with these and other issues without a permanent individual in this key position, is significantly reduced.

The Director position is relied upon for assistance in supporting Command-level decisions for the effective and efficient operation of the Service. The Director works closely with the Command, influencing decisions based on the financial implications they may have on the Service, the City and the community we serve. The lack of financial knowledge, expertise and skills that this position contributes could lead to ill-informed decisions, unnecessary financial risk and lost opportunities for innovative solutions to organizational problems and financial issues. This is especially important with the current budgetary challenges. The Service is undergoing a progressive path of change and part of this change involves effective operational and fiscal management.

Further, the strategic vision of the Director's position cannot be achieved through several individuals performing part of the role, as the unit managers currently reporting to the Director must manage their own areas. Without a director position leading and managing these units, the important strategic perspective and continuity of functions would not exist or at the very least suffer significantly.

(d) Alternatives Considered

It would not be feasible to have the five diverse units within this directorate report directly to the Chief Administrative Officer (CAO), as the CAO position also oversees the Information Technology Services directorate as well as the Audit and Quality Assurance unit.

An option would be for the Service to hire an individual on a contract basis to fulfil the role of Director until such time as the vacancy could be filled permanently. However, this option is a short-term stop gap measure and the learning curve for the contractor would result in an in-effective solution to what is a permanent requirement. In addition, this option would most likely be more expensive than proceeding with filling the vacancy permanently at this time, and is therefore not recommended.

*Impact of the City's Shared Services Study:*

Based on the Service's review of preliminary draft findings from the City Manager's shared services study, the Service's Director, Finance and Administration position would not be impacted by the recommendations from that study. In addition and to the best of our knowledge, City divisions as well as large agencies, boards and commissions, that are also part of the shared services study, continue to fill key positions. However, as approved by the Board, the Chair will be asking the City Manager whether the responsibility of this position is included in the City's Shared Services Study. It is hoped that the City Manager will provide his response to the February Board meeting for the Board's consideration.

Conclusion:

All activities in an organization depend on timely and accurate availability of financial information and/or funding, as well as strong, efficient and cost-effective support services. The strategic direction, leadership and oversight that the Director, Finance and Administration position provides to these units and functions is critical to achieving the aforementioned objectives. This is particularly important in a large, complex and decentralized organization like the Service, which has a large budget and represents a significant portion of the City's overall net operating budget.

In order to address current and ongoing operational needs/issues, leadership requirements and professional oversight of significant financial and operational support roles on behalf of the Service, it is strongly recommended that the Board approve the commencement of the hiring process to fill the vacant Director of Finance and Administration position.

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

Respectfully submitted,

William Blair, C.O.M.  
Chief of Police

**Report dated February 5, 2013 from the Chief of Police:**

To: Chair and Members  
Toronto Police Services Board

From: William Blair  
Chief of Police

Subject: BUSINESS CASE FOR APPROVAL TO COMMENCE FILLING THE  
VACANT DIRECTOR, HUMAN RESOURCES MANAGEMENT POSITION

Recommendation:

It is recommended that the Board receive this report.

### Financial Implications:

The funding for this position is approximately \$170,000, which is included in the Toronto Police Service (Service) 2013 operating budget request.

There are potential financial implications if the Director's position is not filled, due to the inherent risks of not having this oversight position. These cannot be quantified, but are described in the body of this report.

### Background/Purpose:

The Board, after considering the submission for the 2013 operating budget at its December 10, 2012 meeting, approved the following motions (Min. No. P299/12 refers):

2. *THAT, with the exception of communication operators, the Board direct that there be no hiring of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief; and*
3. *THAT, the Board direct that there be no promotion of uniform or civilian members, effective December 31, 2012, except where warranted and approved by resolution of the Board, following consideration of a detailed business case submitted by the Chief.*

As a result of the aforementioned motions, the Service submitted a report to the January 23, 2013 meeting of the Board requesting approval to commence the hiring process for the positions of Director, Finance and Administration and Director, Human Resources Management. In considering the report, the Board approved the following motions (Min. No. P18/13 refers):

1. *THAT the Board defer the foregoing report and request the Chief of Police to provide a further report that contains detailed business cases for the recommendations to fill the two vacant director positions in accordance with Min. No. P299/12; and*
2. *THAT the Chair consult with the City Manager regarding the recommendations to fill the two director vacancies and inquire whether the responsibilities of these positions would be included in the City's Shared Services Study.*

This report provides a business case for filling the vacant position of Director, Human Resources Management. A separate report has been submitted for filling the vacant position of Director, Finance and Administration.

## Discussion:

The position of Director, Human Resources Management is critical to the operational needs of the Service, in order to maintain effective business continuity, to ensure that appropriate internal controls exist, and to manage risk within the Service. The position requires specific qualifications and expertise.

## *Business Case:*

### (e) Position Responsibilities:

The Director, Human Resources Management oversees all human resources matters and training initiatives at the Service. Reporting directly to the Deputy Chief, Corporate Command, this position is responsible for executive level decision-making, advising Command on human resources strategic matters, supervision of six management personnel and three professional staff, and oversight of an establishment of approximately 256 staff employed in significant support units, including: Toronto Police College; Benefits and Employment (which includes Background Screening and Human Resources Management Systems Administration); Human Resources Support Services; Occupational Health & Safety (which includes Workplace Safety and Insurance Act Administration and Medical Advisory Services); Psychological and Chaplaincy Services; Diversity Management; Employee and Family Assistance Program; Labour Relations (which includes Human Rights case management); and Staff Planning in respect of uniform deployment.

This position requires post-secondary education, with preference given to post-graduate education in a related field, in addition to extensive experience in human resources management.

### (f) Justification for Filling this Position

The Director, Human Resources Management is a key advisor to the Service on all matters within the human resources portfolio, and a key advisor with respect to labour relations, collective bargaining, grievance and employment-related human rights administration and case management, and in collective agreement interpretation, application and administration. This is a key strategic leadership role critical to the on-going recruitment, retention and support of significant human resources and related activities on behalf of the Service. It ensures legislative and policy compliance in human resources and training requirements to protect, support and advance the organizational goals in the delivery of efficient and effective policing services.

This position provides advice and guidance to the senior management team of the Service, Command Officers, Chief of Police and the Board in all aspects of human resources management and ensures legislative compliance.

As a member of the Senior Management team, this position also ensures that a corporate perspective is applied to all individual units within this directorate.

(g) Risks of Not Filling this Position

If the position of Director, Human Resources Management is not filled, the ability to ensure that the Service is in compliance with legislative requirements may be compromised.

The Service is committed to continuous improvement, and as a result, participates in many reviews with a goal of seeking efficiencies. These initiatives often involve significant human resources considerations, and require consultation and advice from the Director, Human Resources Management.

It is critical that all human resources matters be reviewed and filtered through the strategic vision of the Director, Human Resources Management. This position is able to assess initiatives with a view to achieving practices that are in the best interest of the Service as a whole, which is difficult to achieve through several individuals who are managing specific portfolios. Without a Director position leading and providing a vision to these subordinate units, the important strategic direction and continuity of functions would not exist, or at the very least, would suffer significantly.

*Consultation with City Manager:*

Based on a review of the preliminary draft findings from the City Manager's Shared Services Study, the position of Director, Human Resources Management at the Service will not be impacted. However, at the January 23, 2013 Board meeting, the Chair was asked to clarify with the City Manager whether the responsibility of the position of Director, Human Resources Management is included in the City's Shared Services Study. It is hoped that the City Manager will provide his response to the February Board meeting.

Conclusion:

Many activities in an organization depend on consultation and advice regarding the human resources management implications, and this is made available through strong leadership that is achieved through the position of Director, Human Resources Management.

In order to address current and ongoing operational needs/issues, leadership requirements and professional oversight of human resource issues on behalf of the Service, it is strongly recommended that the Board approve the commencement of the hiring process to fill the vacant position of Director, Human Resources Management.

I will be in attendance to answer any questions from the Board.

Respectfully submitted,

William Blair, C.O.M.  
Chief of Police

Correspondence dated February 06, 2013 from Joseph Pennachetti, City Manager, City of Toronto:



Joseph P. Pennachetti  
City Manager

City Hall  
100 Queen Street West  
East Tower, 11<sup>th</sup> Floor  
Toronto, Ontario M5H 2N2

Tel: 416-392-3551  
Fax: 416-392-1827  
jpennac@toronto.ca  
toronto.ca

February 6, 2013

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

Dear Dr. Mukherjee,

Thank you for your letter of February 5, 2013, requesting information about the status of the City's Shared Services Study. You also asked for my input regarding several senior positions the Board has been asked to approve for hiring in relation to the study.

The Shared Services Study, undertaken by KPMG, is expected to be completed by mid-February. Once completed I will provide the final report to each of the in-scope agencies and boards and outline next steps and will schedule time to meet to discuss the findings of the study. I plan to report on the findings and implementation matters to the Executive Committee in April or May.

The Shared Services Study identifies opportunities for shared services across City divisions and agencies for specific common services including the following functions: human resources, information technology, purchasing and materials management, insurance and risk management, real estate services, internal audit and records management. The objectives of the study are to reduce costs, increase service efficiency and effectiveness and improve customer service. The study did not look at specific, individual division or agency positions within the functions. Therefore, we do not have any comments on the Board's hiring decisions for senior staff in the Finance and Administration, Human Resources (e.g., labour relations), or IT areas related to the study.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Pennachetti".

Joseph P. Pennachetti  
City Manager

cc: Members, Police Services Board



**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P39. SPECIAL CONSTABLES – TORONTO COMMUNITY HOUSING CORPORATION - APPOINTMENTS**

The Board was in receipt of the following report January 17, 2013 from William Blair, Chief of Police:

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

Recommendation:

It is recommended that the Board approve the appointments of the individuals listed in this report as special constables 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 PSA), 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. P414/99 refers).

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

The Service received separate requests from the TCHC, to appoint the following individuals as special constables on the dates indicated:

<b>Name</b>	<b>Date Requested</b>
Richard Beaubien	August 27, 2012
Robert Warren Hook	September 26, 2012



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 and there is nothing on file to preclude them from being appointed as special constables for a five year term.

The TCHC has advised that the individuals satisfy all of the appointment criteria as set out in the agreement between the Board and the TCHC for special constable appointment. The TCHC's approved strength of special constables is 83; the current complement is 78.

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 property. 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 of Police, Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

**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 FEBRUARY 19, 2014**

**#P40. SPECIAL CONSTABLES – UNIVERSITY OF TORONTO,  
SCARBOROUGH CAMPUS – RE-APPOINTMENT**

The Board was in receipt of the following report February 04, 2013 from William Blair, Chief of Police:

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

Recommendation:

It is recommended that the Board approve the re-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. P571/49 refers).

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

The Service received a request from the U of T on October 19, 2012, to re-appoint the following individual as a special constable:

**Christopher Hoffmann**

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 a background investigation 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 re-appointment criteria as set out in the agreement between the Board and the U of T for special constable. The U of T Scarborough Campus' approved strength of special constables is 15; the current complement is 14.

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 the 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 of Police Mark Saunders, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

**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 FEBRUARY 19, 2013**

**#P41. BOARD SUB-COMMITTEE'S REVIEW OF THE DISPOSITION OF A  
COMPLAINT CONCERNING A POLICY OF THE TORONTO POLICE  
SERVICE – DOWNLOADING IMAGES FROM A TAXI'S ON-BOARD  
CAMERA**

The Board was in receipt of the following report February 07, 2013 from Alok Mukherjee, Chair:

Subject: BOARD SUB-COMMITTEE'S REVIEW OF THE DISPOSITION OF A  
COMPLAINT CONCERNING A POLICY OF THE TORONTO POLICE  
SERVICE - DOWNLOADING IMAGES FROM A TAXI'S ON-BOARD  
CAMERA (PRS-048310)

Recommendation:

It is recommended:

1. THAT the Board concur with the Chief's decision that no further action be taken with respect to the complaint for the reasons set out in this report,
2. THAT the Chief of Police provide to the taxi industry information with respect to the Toronto Police Service's practices in relation to the down-loading of video images captured by the on-board video camera systems installed in taxis; and,
3. THAT the Board notify the complainants, the Chief of Police and the Office of the Independent Police Review Director (OIPRD) of this decision.

Financial Implications:

There are no financial implications arising from the recommendations in this report.

Background/Purpose:

At its meeting on January 23, 2013 the Board considered a report from the Chief of Police notifying the Board of the requirement for the Board to review the Chief's disposition of a complaint concerning the policies of the Toronto Police Service in relation to the downloading of video images captured by the on-board video camera systems installed in taxis. The Board decided to establish a Sub-committee to review the Chief's disposition of the complaint. The Sub-committee was comprised of me, Vice-Chair Michael Thompson and Councillor Michael Del Grande (Board Min. P16/13 refers).

The following is a summary of the complaint as it was reported to the Board in Min. P16/13:

*On Saturday, June 2, 2012, at approximately 2:30 am the complainant parked his taxi in the underground parking garage of his residence and as he was walking out of the garage a male asked to be let in. The complainant complied with this request and continued on his way.*

*The complainant returned to the garage a few minutes later as he was concerned about the male he had let in. As he entered the garage the complainant observed this same male inside his taxi looking through the contents of the glove box.*

*The complainant confronted the male and pulled him from the car. A scuffle ensued, however, the complainant managed to bring the suspect to the exit door and remove him from the garage. The complainant followed the suspect but lost sight of him.*

*The complainant contacted police and based on the information provided, a radio call for a Suspicious Event was created (Event number F6166 refers). Police attended and an initial investigation was conducted and a report completed (occurrence number 4052691 refers). The occurrence was entitled "Assault, Theft from Vehicle, and Mischief to Vehicle".*

*The complainant received minor scrapes during the incident but did not require medical attention. A small window on the driver's side rear door was broken for the suspect to gain entry to the taxi, however, nothing was stolen.*

*On Tuesday June 5, 2012, a part time driver of the taxi, who was also the investigations coordinator for a Toronto security company, wanted to continue the investigation as the taxi was camera equipped and may have captured the incident.*

*This other driver attended the TPS Forensic Identification Services (FIS) unit where he was told that the images would not be downloaded due to the TPS taxi download policy.*

*The Service has authorized members of FIS to download taxi camera images for certain offences which take place in a taxi. Those offences are:*

- Murder*
- Attempted Murder*
- Assault Causing Bodily Harm*
- Robbery*
- Sexual Assault*
- Any other offence where circumstances dictate at the discretion of the investigator assigned*

*The complainant and the other driver filed a complaint about this matter with the Office of the Independent Police Review Director (OIPRD). The OIPRD classified the matter as a policy complaint and assigned it back to the TPS for investigation.*

*The TPS continued the investigation into what occurred in the underground garage and on June 2, 2012, arrested the suspect and placed him before the courts (CIPS case 2490528 refers).*

### *The Chief's Decision*

*The TPS received a call from the complainant at 2:41 am on June 2, 2012, in regards to this incident. Police attended and an initial investigation was conducted and a report completed. That report was entitled as "Assault, Theft from Vehicle and Mischief to Vehicle".*

*On June 5, 2012, another driver of the involved taxi took the vehicle to FIS to have the camera images downloaded to determine if the offence was captured by the camera. The FIS investigator advised that the camera's images could not be downloaded as the offences did not meet the criteria in the Service policy.*

*The complainant and this other driver filed a policy complaint with the OIPRD and that complaint was investigated by Professional Standards. The investigation was in compliance with the direction of the OIPRD and pursuant to the PSA. The conduct and/or actions of individual Service members did not form part of the scope of the investigation.*

*Based on the information provided by the complainant when he contacted police, a Suspicious Event call was created. Officers attended and conducted an initial investigation and completed a report entitled "Assault, Theft from Vehicle and Mischief to Vehicle". At the time the other driver took the taxi to FIS several days later the offences that occurred did not meet the Service's criteria for the images to be downloaded.*

*Investigators, however, continued the investigation and on June 26, 2012, were able to arrest the suspect responsible for these offences.*

*I am satisfied with the investigator's findings and the review by Professional Standards. I concur that the six criteria in the Service policy regarding the downloading of images from a taxi camera are appropriate as they include five very serious offences as well as allowing for the investigator's discretion for other offences.*

### Discussion:

The Sub-committee met on February 7, 2013 to conduct its review. In reviewing the disposition of the complaint, the Board considered the issues raised in the complaint and the Sub-committee reviewed the complete report of investigation and all of the documents related to the TPS's procedures and practices governing the downloading of video images from taxis. The Sub-committee also discussed the complaint and its disposition with Deputy Chief Mike Federico and other members of the Toronto Police Service including members from the Forensic Identification Services Unit (FIS).

The Sub-committee members asked Deputy Chief Federico and members of the TPS several questions regarding the application of the relevant policies, including specific considerations that were taken into account in the decision not to download the images from the taxicab. Members

of the Sub-committee emphasized the importance of customer service and wanted to know if the complainant(s) were given a clear explanation of the reasons why this decision was made. It was pointed out that the taxi industry had gone to considerable expense in installing the on-board cameras on the City's direction, and there needed to be recognition that one such incident could have a ripple effect if news of the incident was circulated within the industry.

The Sub-committee was advised that established practices give guidance to officers to assist them in making decisions that balance the public interest with the need to conduct efficient and effective investigations leading to successful prosecutions. In addition, the Sub-committee was advised that subsequent to this complaint, on January 11, 2013, TPS had clarified the criteria that officers will apply when determining whether to investigate and examine taxis. The criteria were communicated to all members of the TPS via a Routine Order of the Chief. The clarified criteria provide that FIS will conduct an investigation and examination of taxicabs for the following criminal investigations:

- Murder and Attempt Murder
- Sexual Assaults
- Serious Assaults
- Robberies, and
- Other criminal offences where circumstances involve a public safety concern (Subject to the approval of the OIC of FIS in consultation with the Divisional or Specialist Criminal Investigator)

The Sub-committee reiterated the importance of customer service and of communicating with the public in a way that is clear and provides sufficient information to allay concerns that may be articulated by complainants, where appropriate. The Sub-committee proposed that the TPS undertake a communications initiative in order to provide the taxi industry with information about the approach that the TPS takes with respect to the downloading of video images, including, specifically, the clarification issued via the Routine Order.

#### Conclusion:

At the conclusion of its review, the Sub-committee determined that the TPS's policies, procedures and practices with respect to the downloading of video images in taxis are appropriate, particularly since these practices have been clarified and communicated recently to all TPS members. The Sub-committee recommended that the Chief of Police provide to the taxi industry information with respect to the Toronto Police Service's practices in relation to the down-loading of video images captured by the on-board video camera systems installed in taxis.

**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 FEBRUARY 19, 2013**

**#P42. REQUEST FOR EXTENSION OF TIME TO SUBMIT REPORT:  
RESPONSE TO THE CANADIAN CIVIL LIBERTIES ASSOCIATION  
REPORT *PRESUMPTION OF GUILT: REPORT ON NON-CONVICTION  
RECORDS IN POLICE BACKGROUND CHECKS***

The Board was in receipt of the following report January 25, 2013 from William Blair, Chief of Police:

Subject: CANADIAN CIVIL LIBERTIES ASSOCIATION REPORT: PRESUMPTION  
OF GUILT: REPORT ON NON-CONVICTION RECORDS IN POLICE  
BACKGROUND CHECKS

Recommendation:

It is recommended that the Board approve the request for a three month extension of time to submit the report that reviews retention and disclosure of non-conviction records in police background checks.

Financial Implications:

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

Background/Purpose:

At its meeting of October 15, 2012 the Board considered a report from the Canadian Civil Liberties Association entitled "Presumption of Guilt: Report on Non-Conviction Records in Police Background checks" and approved the following motion:

That the Chief of Police provide a report to the Board which reviews TPS procedures and processes with respect to reference checks in light of the seven recommendations contained in the recent Canadian Civil Liberties Association (CCLA) report entitled "Presumption of Guilt: Report on Non-Conviction Records in Police Background Checks"; and that in the preparation of this report the Chief identify and consult with key community stakeholders such as the CCLA.

The Board requested that copies of the CCLA's report *Presumption of Guilt: Report on Non-conviction Records in Police Background Checks* be provided electronically to the Board members and indicated that it would consider this matter at its next meeting. (Min. No. P247/12 refers).



At its meeting of November 14, 2012, the Board was in receipt of a report dated November 1, 2012 from Marie Moliner, Member, requesting the Toronto Police Service (TPS) to review policies, procedures and practices with respect to the retention of non-conviction records in light of the recommendations contained in the Canadian Civil Liberties Association (CCLA) report entitled “*Presumption of Guilt: Report on Non-Conviction Records in Police Background Checks*” and in preparation of the report to consult with key community stakeholders such as the CCLA, and disadvantaged youth and their advocates. (Min. No. P285/12 refers)

Discussion:

In response to questions by the Board, Chief Blair said that the Board’s current policy and the TPS’s operational procedures were developed three years ago at the conclusion of an extensive 14 month process which included a close working partnership with the Information and Privacy Commissioner/Ontario and broad consultation with appropriate stakeholders and the Ontario Human Rights Commission. Chief Blair said that the Chair and the Board took a leadership role in the development of the policy and received many deputations on the matter as the policy was being developed. Chief Blair also said that the Board’s policy and the TPS’s procedure are now used as the basis for policies that are being developed by police services across Canada. (Min. No. P285/12 refers)

Chair Mukherjee agreed that the Board established the policy after a close and active collaboration with the TPS. (Min. No.P285/12 refers)

TPS has started discussions, beginning with attending a symposium held by CCLA and the John Howard Society of Ontario; however further time is required due to the intricacies and many related issues involved with non-conviction dispositions and police background checks.

Conclusion:

At this time, it is recommended that the Board approved a three-month extension to submit the report that reviews retention and disclosure of non-conviction records in police background checks.

Deputy Chief Michael Federico, Corporate 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 FEBRUARY 19, 2013**

**#P43. STREET CHECK SUB-COMMITTEE - UPDATE**

The Board was in receipt of the following report February 15, 2013 from Marie Moliner, Member:

Subject: STREET CHECK SUB-COMMITTEE - UPDATE

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

There are no financial implications arising from the Board's receipt of this report.

Background/Purpose:

At its meeting on January 23, 2013 the Board received a report from Chief Blair which contained the results of his review of Form 208 (Board Min. P6/13 refers). At its meeting on November 14, 2012 the Board had asked that the Chief review Form 208 to ensure that it is in compliance with the Board's policies. This report also included a sample copy of the new "Street Check receipt" (Form 306).

The Board received deputations on this matter, received the report from the Chief and approved the following motions:

1. THAT the Board request the City Solicitor to review all the reports and deputations submitted to the Board on the issues of carding and issuance of receipts and report back to the Board at its meeting on March 27, 2013 on the legality of these practices;
2. THAT the Board establish a subcommittee of three members (M. Thompson, A. Pringle and M. Moliner) to review the reports and the deputations and to work with the Chief of Police to consider a course of action and propose a policy, taking into account the concerns that have been raised;

Discussion:

The Street Check Sub-committee held a preliminary, organizational meeting via teleconference on Friday February 8, 2013. Councillor Thompson, Mr. Pringle and I participated in this discussion. We decided that I would act as Chair of the Sub-committee. In discussing the need

for additional advisors to participate in the Sub-committee, we were advised that Deputy Chief Mark Saunders would be available to work with the Sub-committee.

In terms of the next steps, the Sub-committee discussed the framework of a Terms of Reference document to guide the Sub-committee's deliberations. The Sub-committee will continue to work on the Terms of Reference at its next meeting. The Sub-committee discussed the importance of working in collaboration with Deputy Chief Saunders, Mr Albert Cohen, Board Solicitor, and City of Toronto Auditor General Jeff Griffiths. Board Members may recall that, at its meeting on April 5, 2012, the Board requested the City's Auditor General to conduct a project to collect and analyse data related to contacts between the police and the community (Board Min. P56/12 refers).

The Sub-committee also discussed the involvement of community stakeholders, specifically those individuals and groups which have demonstrated their interest in this issue by making deputations to the Board over the past year on the issue of contact with police and "contact cards".

The Sub-committee also discussed reviewing the following as part of its deliberations:

- An inventory of issues raised by deputants
- existing Board policies and Service procedures which may provide governance with respect to Street Checks
- relevant literature from other jurisdictions

Conclusion:

The Sub-committee will hold its next meeting in late February and I will ensure that the Board is kept updated on the progress of the Sub-committee's work.

**The Board received the foregoing report.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
TORONTO POLICE SERVICES BOARD HELD ON FEBRUARY 19, 2013**

**#P44. IN-CAMERA MEETING – FEBRUARY 19, 2013**

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

The following members attended the in-camera meeting:

Dr. Alok Mukherjee, Chair  
Mr. Michael Del Grande, Councillor & Member  
Dr. Dhun Noria, Member  
Ms. Frances Nunziata, Councillor & Member  
Mr. Andrew Pringle, Member

Absent: Mr. Michael Thompson, Councillor & Vice-Chair  
Ms. Marie Moliner, Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE  
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**#P45. ADJOURNMENT**

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Alok Mukherjee  
Chair