



Virtual Public Meeting

**Monday,
September 27, 2021
at 9:00AM**



VIRTUAL PUBLIC MEETING AGENDA
Monday, September 27, 2021 at 9:00AM
Livestream at:
<https://youtu.be/DxFYTqwl6Oo>

Call to Order

Indigenous Land Acknowledgement

Declarations of Interest under the [*Municipal Conflict of Interest Act*](#).

1. Confirmation of the Minutes from the virtual public meeting held on [July 29, 2021](#).

Awards

2. Medal of Merit Awards
 - 2.1 July 29, 2021 from James Ramer, Chief of Police
Re: [Medal of Merit – Detective Constable Edward O’Toole \(90339\), Detective Constable Chad Pullen \(10097\), and Detective Constable Matthew Saris \(11000\)](#)
 - 2.2 July 29, 2021 from James Ramer, Chief of Police
Re: [Medal of Merit – Detective Constable Aaron Broad \(65817\), Detective Constable Daniel Pitre \(10361\), Detective Constable Rudy Kramer \(10540\)](#)

Items for Consideration

3. September 10, 2021 from Ryan Teschner, Executive Director and Chief of Staff
Re: [New Board Policy - Recruitment, Appointments and Promotions for Uniform and Civilian Members of the Toronto Police Service](#)

4. August 27, 2021 from James Ramer, Chief of Police
Re: New Job Description – Manager, Court Operations, Court Services
5. September 7, 2021 from James Ramer, Chief of Police
Re: Contract Increase - Network Attached Isilon Storage
6. August 24, 2021 from James Ramer, Chief of Police
Re: Contract Extension - PeopleSoft Human Resources Management System – Software Licensing, Maintenance and Support
7. August 20, 2021 from James Ramer, Chief of Police
Re: Contract Extension - Time and Resource Management System – Software Licensing, Maintenance and Support
8. August 11, 2021 from James Ramer, Chief of Police
Re: Special Constable Appointments and Re-Appointments – September 2021
9. August 24, 2021 from Sandy Murray, Acting Executive Director and Chief of Staff
Re: City Council Decision – Member Motion item 34.47 – Addressing Urgent Community Pressures around Woodbine Beach and the Eastern Beaches (Ward 19)
10. **2021 Budget Variance Reports**
 - 10.1 August 23, 2021 from James Ramer, Chief of Police
Re: 2021 Operating Budget Variance for the Toronto Police Service, Period Ending June 30, 2021
 - 10.2 August 20, 2021 from James Ramer, Chief of Police
Re: Capital Budget Variance Report for the Toronto Police Service - Period Ending June 30, 2021
 - 10.3 August 23, 2021 from James Ramer, Chief of Police
Re: 2021 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending June 30, 2021

- 10.4 September 9, 2021 from Ryan Teschner, Executive Director and Chief of Staff
Re: 2021 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending June 30, 2021
11. August 23, 2021 from James Ramer, Chief of Police
Re: Request for legislative changes to the Highway Traffic Act in relation to Owner Liability

Consent Agenda

12. August 23, 2021 from James Ramer, Chief of Police
Re: Training Related Police Reform Recommendations Update – #52 to 58
13. August 12, 2021 from Danielle Dowdy, Acting Executive Director and Chief of Staff
Re: Semi-annual Report: Toronto Police Services Board Special Fund Unaudited Statement: January to June 2021
14. August 23, 2021 from James Ramer, Chief of Police
Re: Quarterly Report: Occupational Health and Safety Update for April 1 to June 30, 2021
15. July 5, 2021 from James Ramer, Chief of Police
Re: January 1 to April 30, 2021: Use of Conducted Energy Weapons
16. June 14, 2021 from Central Joint Health and Safety Committee
Re: Public Minutes of Meeting No. 75 held on June 14, 2021
17. **Chief's Administrative Investigation Reports**
- 17.1 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation of the Custody Death of 2020.12

- 17.2 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.14
- 17.3 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Firearms Death of 2020.20
- 17.4 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.47
- 17.5 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.48
- 17.6 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.49
- 17.7 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.50
- 17.8 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.55
- 17.9 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.64
- 17.10 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2021.01 and the Vehicle Death of 2021.01(a)
- 17.11 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2021.02
- 17.12 August 9, 2021 from James Ramer, Chief of Police
Re: Chief's Administrative Investigation into the Custody Injury to Complainant 2021.09

Board to convene in a Confidential meeting for the purpose of considering confidential items pertaining to legal and personnel matters in accordance with Section 35(4) of the *Police Services Act*

Adjournment

Next Meeting

Thursday, October 28, 2021

Time and location to be announced closer to the date.

Members of the Toronto Police Services Board

Jim Hart, Chair
Lisa Kostakis, Member
Michael Ford, Councillor & Member
Ainsworth Morgan, Member

Frances Nunziata, Vice-Chair & Councillor
Ann Morgan, Member
John Tory, Mayor & Member



Toronto Police Services Board Report

July 29, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Medal of Merit – Detective Constable Edward O’Toole (90339), Detective Constable Chad Pullen (10097), and Detective Constable Matthew Saris (11000)

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) award a Medal of Merit to Detective Constable Edward O’Toole (90339), Detective Constable Chad Pullen (10097) and Detective Constable Matthew Saris (11000).

Financial Implications:

Three (3) Medals of Merit will be withdrawn from the Board’s inventory. The cost of engraving the medal and preparing an accompanying framed certificate will be approximately \$442.10 excluding tax. Funds related to the presentation of medals and awards are available in the Board’s Special Fund – Recognition Program.

Background / Purpose:

The Board presents a number of awards in recognition of various achievements, acts of personal bravery or outstanding police service. These awards, which can be awarded to police officers or civilian members of the Toronto Police Service (Service), are all individually approved by the Board under the Awards Program.

A Medal of Merit is the second highest award that can be granted to a police officer or civilian member. It can be awarded in response to an outstanding act of personal bravery or in recognition of highly meritorious police service. On the occasions when the Board has approved Medals of Merit for highly meritorious service, the recipients have been concluding active police service with the Service after long and outstanding careers characterized by dedication to providing the best policing service possible.

Discussion:

On March 26, 2021, two (2) masked men, armed with knives, entered a TD bank in the City of Toronto and threatened a teller, making a demand for money. Terrified and fearing for her life, the victim pressed the button on the cash dispensing unit. While one suspect collected the money, the other stood watching the front entrance. This bank robbery was soon reported to police.

Detective Constables Edward O'Toole and Matthew Saris were the first to arrive on scene. As they approached, they could see one of the men watching at the front entrance while the other was behind the counter, holding a knife to the victim's head, threatening her life while she attempted to get more money. Recognizing the severity of the situation, the officers quickly entered the bank to disrupt the robbery.

One suspect fled the scene on foot and Constable O'Toole chased him across Lakeshore Boulevard. Detective Constable Chad Pullen joined the foot pursuit and the arrested the suspect without incident. Constable O'Toole then returned to the bank where Constable Saris was still with the second suspect.

Constable O'Toole returned to see that Constable Saris was struggling with the second suspect. With Constable O'Toole's help, they were able to place the male under arrest. During the course of the struggle with the suspect, Constable Saris was stabbed in the chest. Constable O'Toole radioed for emergency assistance and provided first aid to Constable Saris until paramedics arrived. Constable Saris was transported to hospital by emergency run and treated for his injuries. Fortunately, he was released the next day.

A search warrant conducted at the suspect's address yielded clothing that further linked both suspects to a series of other robberies dating back to January 2021. As a result of the teamwork and quick response of Constables O'Toole, Saris and Pullen, two very violent offenders were identified, taken into custody and critical evidence obtained.

These officers should be commended for their heroism, bravery and valour in the face of danger. Their exceptional courage and performance displayed conspicuous initiative, capability and attention to duty while they resolved a very violent situation. Their actions no doubt prevented serious injury or death.

Conclusion:

The actions of the officers have met the criteria for a Medal of Merit in this particular incident.

It is recommended that the Board grant the Medal of Merit to Detective Constable O'Toole, Detective Constable Pullam and Detective Constable Saris for their courage and presence of mind in the face of imminent danger.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

July 29, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Medal of Merit – Detective Constable Aaron Broad (65817),
Detective Constable Daniel Pitre (10361), Detective
Constable Rudy Kramer (10540)**

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) award a Medal of Merit to Detective Constable Aaron Broad (65817), Detective Constable Daniel Pitre (10361) and Police Constable Rudy Kramer (10540).

Financial Implications:

Three (3) Medals of Merit will be withdrawn from the Board's inventory. The cost of engraving the medal and preparing an accompanying framed certificate will be approximately \$442.10 excluding tax. Funds related to the presentation of medals and awards are available in the Board's Special Fund – Recognition Program.

Background / Purpose:

The Board presents a number of awards in recognition of various achievements, acts of personal bravery or outstanding police service. These awards, which can be awarded to police officers or civilian members of the Toronto Police Service (Service), are all individually approved by the Board under the Awards Program.

A Medal of Merit is the second highest award that can be granted to a police officer or civilian member. It can be awarded in response to an outstanding act of personal bravery or in recognition of highly meritorious police service. On the occasions when the Board has approved Medals of Merit for highly meritorious service, the recipients have been concluding active police service with the Service after long and outstanding careers characterized by dedication to providing the best policing service possible.

Discussion:

On November 21, 2018, Detective Constables Aaron Broad, Dan Pitre, Rudy Kramer, and members of the West Command Gun Violence Suppression Unit were at an address in 31 Division to execute a *Criminal Code* Search warrant related to an illegal firearms investigation.

All of attending officers were wearing plain clothes but were clearly identifiable as police officers as they displayed the POLICE sign on their police issued body armour.

While in the area, the officers initiated a stop of a vehicle known to be operated by the subject of the investigation. Officers had positioned their vehicles so that the subject could not drive away.

As the three officers exited their vehicle simultaneously to effect the arrest, Constable Broad exited his vehicle armed with the C8 rifle, attempting to give commands to the accused. As the officers did this, the accused accessed a firearm and engaged the attending officers, firing multiple rounds at them.

Without hesitation, Constable Broad returned fire at the accused, allowing the other officers time to find cover. Even after the first exchange of rounds, the accused again fired at the officers, compelling Constable Broad to remain exposed in order to return fire.

Constable Broad heroically stood his ground, effectively engaging the threat while tactically retreating into a position of cover and concealment.

As the three officers regrouped, the accused attempted to flee on foot and was apprehended after a brief foot pursuit. The accused was charged with the Attempted Murder of the three officers and other firearms related offences.

These officers exhibited teamwork and dedication to duty in an extremely dangerous and high stress situation. The community, the Toronto Police Service and everyone involved are safer for their swift and decisive actions. These officers should be recognized for their bravery, dedication and courage.

Conclusion:

The actions of the officers have met the criteria for a Medal of Merit in this particular incident.

It is recommended that the Board grant the Medal of Merit to Detective Constable Broad, Detective Constable Pitre and Police Constable Kramer for their courage and presence of mind in the face of imminent danger.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

September 10, 2021

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: New Board Policy - Recruitment, Appointments and Promotions for Uniform and Civilian Members of the Toronto Police Service

Recommendation(s):

It is recommended that the Board approve the new proposed Policy, "Recruitment, Appointments and Promotions for Uniform and Civilian Members of the Toronto Police Service" attached as Appendix 'A', replacing Board Policies "Uniform Promotions and Appointments", "Civilian Promotions and Appointments," and "Delegation: Appointment and Promotions."

Financial Implications:

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

Background / Purpose:

History of underlying Board Policies relating to recruitment, appointment and promotion

At its meeting of January 24, 1991, the Board approved a Policy entitled "Delegation: Appointment and Promotions" (Min. No. P20/91 refers); this Policy was amended a number of times, including, most recently, at the Board's meeting of October 18, 2008 (Min. No. P332/07 refers) and again at the Board's meeting of November 15, 2010 (Min. No. P292/10 refers). At its meeting of October 18, 2007, the Board approved both a Policy entitled "Uniform Promotions and Appointments" and a Policy entitled "Civilian Promotions and Appointments" (Min. No. P332/07 refers). Both Policies were amended by the Board at its meeting of November 15, 2010 (Min. No. P292/10 refers).

Ongoing modernization of Board Policies and policing reform

In 2020, the Board's Senior Advisor, Strategic Analysis and Governance, began a review process of all the Board's Policies, with the goal of improving policy content,

developing a streamlined governance framework for the Board, enhancing reporting and transparency, and ensuring the Board receives all the information it requires to exercise its duties, while removing unnecessary barriers. In addition, recommendation 50 of the Board's [policing reform recommendations](#) (approved in August 2020) specifically directed a review of the Uniform Promotions and Appointments Policy, with a view to enhancing the transparency of promotions with regards to candidates' disciplinary history.

Recent recommendation of the Independent Civilian Review into Missing Person Investigations

In April 2021, the Honourable Gloria J. Epstein submitted the final report and recommendations of the Independent Civilian Review into Missing Person Investigations, titled *Missing and Missed*. Recommendation 122 of the report called on the Board and Service to "link promotions to demonstrable competency in developing and sustaining community relationships, particularly with marginalized and vulnerable communities".

Review associated with proposed Policy

As part of this review, the three Policies noted above were identified as relevant and related. The review also included extensive consultation with the Service on current practices, as well as with the Toronto Police Association and Senior Officers' Organization with respect to perspectives on the current Policies, and discussion on potential changes that were under consideration.

The proposed Policy seeks to: merge the three Policies dealing with Appointments and Promotions; ensure the high quality of new recruits to the Service and of Members promoted to leadership positions; ensure that the membership of the Service reflects the diversity of the City of Toronto's communities and the residents the Service serves; streamline the processes for recruitment, hiring, promotion and termination of Service Members to achieve higher efficiency; and, enhance the reporting received by the Board to ensure the Board has the relevant information to effectively carry out its governance and oversight roles.

The Policy also codifies many existing best practices of the Service's recruitment and promotion processes to ensure fairness and transparency to new recruits, current Members, and the public.

Discussion:

The importance of appointments and promotions to the Service's effectiveness and public legitimacy

The members of a police organization have a direct and real impact on the lives of those who interact with them. Both the appointment and promotion processes play

critical roles in the composition of a policing organization, determining who is a part of it, their values and characteristics, as well as who, ultimately, is placed in positions of seniority and leadership. All of these human resource decisions ultimately impact how policing services are delivered to Toronto's communities.

The proposed Policy is designed with the recognition that recruitment and promotion represent critical junctures in the path of a potential or current Member, and have a direct connection to the quality and excellence of the Service – and, in turn, on public trust in policing services in Toronto. To that end, the proposed Policy requires the development of transparent strategies and processes that will ensure the recruitment and promotions processes are free from bias, to the greatest degree possible, and are informed by the qualities that the public and the Board wish to see in the Service's Members – both rank and file, and those in leadership positions.

Furthermore, the proposed Policy also addresses and implements recommendation 122 of the *Missing and Missed* report, requiring that evidence of a candidate's competency in engaging communities, and in particular racialized, marginalized and vulnerable communities, is considered as part of the promotional process.

Modernizing the Policy to integrate requirements of the Community Safety and Policing Act, 2019

The proposed Policy is drafted anticipating the coming into force of the *Community Safety and Policing Act, 2019*. To this end, the proposed Policy already incorporates key elements that will be required by this legislation and in an effort to proactively improve policing services in Toronto.

In particular, the proposed Policy requires that all newly recruited officers have obtained a form of post-secondary education, or meet alternative prescribed standards that will be set in regulations. We recognize that this requirement may pose a new barrier to the recruitment of officers from diverse backgrounds, and, particularly, to those from disadvantaged communities. However, this requirement is responsive to calls the Board has heard from the public over the past years, and is necessary to maintain public trust in the high quality and integrity of the Service's Members. Moreover, it simply codifies in Policy now a provincial legal requirement we are aware of, and which is forthcoming. Importantly, and going beyond provincial requirements, the Policy concurrently requires the Chief of Police to pay specific attention to potential barriers in recruitment, and explore means to remove them to reach those communities less represented within the Service, and engage them in the recruitment process. In this way, the Board would be engaging its policy governance authority to ensure this issue can be monitored, reported on, and addressed if trends indicate a need for intervention.

Streamlining promotions

The promotional process is a necessarily complex and long process with multiple layers of screening and testing, intended to ensure that the Service's leadership reflects its

core values. While the Policy maintains the requirement of Board approval for all promotions to ranks of senior leadership, the proposed Policy delegates to the Chief the power to approve promotions of officers below the rank of Inspector, or the equivalent classification among Civilian Members. This delegation will allow the Service to be more nimble and efficient in promoting the best of its Members to positions of middle leadership. Importantly, all new hires are required to continue to be approved by the Board, either directly, or through the exercise of delegated power to the Chair and Vice Chair, as required by legislation.

Codifying existing practices

The Service has developed many practices over the years for recruitment and promotions that help maximize the high quality of candidates when they are appointed into the Service, or when they are promoted. For example, in the promotion process, in addition to reviewing the candidate's disciplinary history, the Service also regularly reviews every candidate's history of complaints that did not amount to misconduct, to identify any potential patterns that may reflect on the candidate's suitability for promotion. The proposed Policy codifies these practices to ensure that they are mandatory, are consistently applied and are applied in a transparent manner.

Reporting

The proposed Policy also codifies and enhances reporting previously required of the Service on the demographics of new hires and promotions. The reporting requirements will now include an analysis of trends to identify potential bias in the promotional process, and address barriers identified to ensure a fair and equitable process.

Conclusion:

The proposed Policy was developed in consultation with the Service and stakeholders, including the Toronto Police Association and the Toronto Police Service Senior Officers' Association. The Board Office thanks all of these stakeholders for their valued input and contributions.

The proposed Policy will position the Board and Service as leaders in the recruitment and promotions process, and specifically, aligns Board governance with community voices, recommendations and forthcoming legislative requirements in a manner that prioritizes the need for the Service to reflect and be responsive to the communities it serves.

I recommend that the Board approve the proposed Policy, attached as Appendix 'A.'

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. Teschner". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline that extends across the width of the signature.

Ryan Teschner
Executive Director and Chief of Staff



TORONTO POLICE SERVICES BOARD

RECRUITMENT, APPOINTMENTS AND PROMOTIONS FOR UNIFORM AND CIVILIAN MEMBERS OF THE TORONTO POLICE SERVICE

DATE APPROVED		
DATE(S) AMENDED		
DATE REVIEWED		
REPORTING REQUIREMENT	Chief to report to Board quarterly, annually, and as required, as described;	
LEGISLATION	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, s. 31(1)(c).	
DERIVATION	Uniform Promotions and Appointments Civilian Promotions and Appointments Delegation: Appointments and Promotions	
TAGS	Board Administration, Human Resources	

Guiding Principles

The Toronto Police Services Board is the employer of all Members of the Toronto Police Service, and in that capacity, is responsible for the recruitment, appointment and promotion of all Members, uniform and civilian. In addition, candidates for appointment as Police Officers must meet the conditions as prescribed in sections 43(1) and 45 of the *Police Services Act* and any other conditions as approved by the Board from time to time.

The members of a police organization have a direct and real impact on the lives of those who interact with them, as victims of crime, as suspects, or in any other circumstance. Both the appointment and promotion processes play critical roles in the composition of a policing organization, determining who is a part of it, their values and characteristics and who ultimately is placed in positions of seniority and leadership, shaping the way in which decisions are made, and the approach to delivering police services in partnership with Toronto's communities.

Recruitment and appointment of new Members must be made in the context of a long-term human resources strategy, identifying the educational attainment, skills and characteristics sought after in new recruits, and ensuring that the Service's Members represent a diversity of backgrounds, experiences and perspectives. At the same time, the Board is committed to building a more inclusive, accessible and barrier-free

workplace that supports all Service Members in realizing their full potential. The Board and Service are working on many fronts to support inclusive employment, through evolving policy, procedure, practice, and supporting a positive workplace culture. These efforts will not only increase public trust in the Service across all communities, but also create the necessary conditions for an effective promotions process, with a broad and diverse slate of Members to select from into the most appropriate positions.

It is important to view how promotions, too, are made as part of a long-term, human resources strategy, ensuring that the priorities of the Board and Service are reflected in those who are chosen to be leaders and supervisors. The process must be based upon the need to ensure proper succession that looks beyond an individual promotion to a longer term organizational strategy. This will ensure senior roles are consistently and appropriately filled by qualified individuals, representing a diverse range of perspectives and backgrounds, to provide excellence in leadership for the Service of the present and of the future. These decisions must also be informed by the principle that diversity in leadership contributes to strong performance, innovation and higher morale.

The appointment and promotional processes used by the Service must also be transparent, accessible, efficient and fair for those that are involved in them. The opportunities, criteria, process and outcomes related to appointments and promotions must be transparent, widely available, and consistently applied with final decisions communicated effectively. The processes should be designed efficiently and with reasonable balance in light of their objectives, so as to reduce potential loss of talented and skilled Members to other opportunities, and increase the appeal of the Service as an employer of choice. The processes for selection should ensure that bias and the appearance of bias do not manifest in the decision-making process. More than this, the appointments and promotions processes used by the Service must be designed so as to dislodge any systemic bias that may have potentially limited certain groups' opportunities to undertake job assignments traditionally valued as the most rewarded or challenging in policing.

The appointment and promotion processes are an important tool in ensuring that the Service reflects the diversity of our City, and that such diversity is seen throughout all levels of the organization. The promotional process should also explicitly value the importance of working in partnership with the community, experience in effectively and compassionately assisting individuals dealing with mental health and addictions issues, understanding of and adherence to the Service's mission and values, and modeling excellent conduct and professionalism in the full range of interactions that Members experience in their roles.

Purpose of the Policy

The purpose of this Policy is to ensure that the processes for the Service's appointments and promotions for both its Uniform and Civilian Members emphasize the following as priorities:

- Ensuring that the Members of the Toronto Police Service embody the Service's values, and are ready and able to provide excellent policing services to the people of Toronto;
- Ensuring that the City's diversity is reflected both in new recruits and civilian members and throughout the ranks and levels of the organization, both uniform and civilian;
- Maintaining appointments and promotions processes that recognize the existence of systemic barriers, are designed to address and minimize these barriers and facilitate opportunities to more equitably provide the most rewarded and challenging job assignments to those with the proven ability to undertake them;
- Ensuring excellence in the Service's leadership cadre, emphasizing proven leadership in decisions about advancing in the organization;
- Incorporating comprehensive organizational succession planning into the promotional process and promotional decision-making;
- Transparently and fairly including candidates' disciplinary history in promotional decision-making;
- Reporting regularly to the Board on appointments and promotion recommendations or decisions, including reporting demographic information, and an analysis of how the appointments and promotions fit into the Service's larger strategic human resources plan, including outcomes associated with how diversity in human resources is being prioritized and achieved by the Service with respect to recruitment, hiring and promotion, at all ranks and levels of the organization.

Definitions

In this policy:

- **Appointment** means the initial appointment of a new hire into a position as a member of the Service;
- **Promotion** means the assignment of a member to a higher rank or job classification;
- **Classification** means a job classification as outlined in the Collective Agreements between the Board and the Toronto Police Association or the Toronto Police Service Senior Officers' Organization;
- **Reclassification** means the movement of a constable to a gradation within the rank of constable as defined in the Board's Rank Structure Policy, or the movement of a civilian member from one classification to another which is not a promotion.

Board's Policy

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

Recruitment and Appointments

1. The Chief of Police will establish processes for the recruitment of new Uniform and Civilian Service Members, ensuring that the processes and approach:
 - a. Reflect the requirements for appointment as set out in the forthcoming *Community Safety and Policing Act, 2019* (CSPA) and any other applicable legislation;
 - b. Require that successful candidates must have at least one of:
 - i. a university degree;
 - ii. a degree from a college of applied arts and technology authorized to grant the degree;
 - iii. a diploma or advanced diploma granted by a college of applied arts and technology following successful completion of a program that is the equivalent in class hours of a full-time program of at least four academic semesters;
 - iv. a certificate or other document by a post-secondary institution evidencing successful completion of a program that the regulations prescribe as being equivalent to a degree or diploma described in subclause (i), (ii) or (iii); or
 - v. if alternative criteria have been prescribed in the legislation and the candidate meets the alternative criteria, a secondary school diploma.
 - c. Are inclusive, comprehensive, and linked to communities across Toronto, including those whose members have not historically sought or successfully secured employment with the Service;
 - d. Acknowledge those communities and demographics that typically face systemic barriers to employment, including employment in a policing organization, and addressing these barriers while balancing the unique operational realities of the requirements made of Service Members;
 - e. Are grounded in a comprehensive strategic human resources approach that is data-driven, analytical and regularly evolving to meet the needs of the Service;
 - f. Ensure that any communication or advertisement of open positions will not contain unnecessary or discriminatory barriers that would screen out potential employees for reasons unrelated to qualifications, merit, or occupational requirements;
 - g. Are clearly communicated on the Service's website, through its social media channels, and through traditional media; and
 - h. Are evaluated regularly to ensure its outcomes achieve the purposes outlined in this Policy and priorities as articulated by the Board from time to time and in its Business Plan, including:
 - i. representing the diversity of the City;
 - ii. transparency of the process and its decisions, and the satisfaction of candidates with its fairness;

- iii. timeliness of the process and of the communication of decisions to candidates;
 - iv. maintaining the Service as an employer of choice; and
 - v. providing the promotions process with a strong slate of potential candidates for promotion with diverse backgrounds, experiences and perspectives.
2. In addition to meeting any minimum standards for appointment articulated in the applicable legislation, Cadets-in-training must also successfully complete the applicable training program conducted at the Ontario Police College and at the Toronto Police College, to be appointed by the Board as Service Members.
3. The Board will, after taking into account the recommendations of the Chief of Police, determine whether to appoint uniform and civilian Members, recognizing the Board's role as employer, the significant legal authorities that accompany the role of a police officer, and the role civilian governance plays in promoting public confidence in policing.
4. The Board's responsibility to appoint new police officers and civilians to the Service is delegated to the Chair and Vice Chair, except for appointments to the following classifications, which shall be approved by the Board:
 - a. Uniform Senior Officer rank of Inspector and above;
 - b. Civilian Senior Officer classification of Z28 and above; and
 - c. Excluded Member classification of X34 and above.

Job Descriptions

5. The Chief of Police will establish processes to ensure that:
 - a. Job descriptions for all civilian classifications are developed, and maintained;
 - b. Job descriptions reflect legitimate requirements and standards of the job and will be evaluated in accordance with the relevant collective agreements to ensure that the requirements are bona fide and updated as appropriate; and
 - c. New job descriptions are approved by the Chief or his or her delegate, provided that the delegate is a Director or Staff Superintendent or of higher rank.

The Promotional Process

It is further the policy of the Toronto Police Services Board that the Chief of Police will develop Procedure(s) regarding the promotional process for Service Members:

6. Stating that, to apply and be eligible for promotion, candidates must meet all the mandatory requirements of the process;
7. Outlining that the promotional process must be:
 - a. open, fair, consistent and transparent;

- b. reflect the diversity and evolving needs and expectations of the communities served by the Service;
 - c. accommodating, so as to reflect unique individual circumstances;
 - d. based on the Service's core competencies and values; and,
 - e. grounded in a comprehensive and strategic human resources approach that includes succession planning in identifying current and future leaders;
8. Requiring enhanced transparency in any promotional process, including:
- a. the advance posting and description of any promotional opportunities so as to provide sufficient notice for those that may wish to apply and adequately prepare for the process;
 - b. publication of the specific criteria that will be applied to promotional decision-making;
 - c. a fulsome description of the elements of the promotional process, so as to provide candidates with sufficient information to adequately prepare for the process;
 - d. for civilian positions, clearly outlined career pathways for advancement and promotion; and,
 - e. the dissemination of information about the outcomes of any promotional process in terms of those who were successful, including gender-identity and race-based statistics;
9. For Uniform promotions (in addition to sections 7 and 8, above):
- a. Indicating that candidates for promotion must have at least two years with a clear discipline record from the date of any finding of misconduct made as a result of the professional discipline process prescribed by the *Police Services Act*;
 - b. Requiring that a candidates' previous two-year disciplinary and complaint history, including complaints that were not substantiated but that, when taken as a whole, may suggest a pattern of behaviour that could impact on the candidate's suitability for promotion:
 - i. be considered as part of the promotional process; and
 - ii. reported on to the Board *in camera* when making any promotional recommendation by the Chief of Police; and,
10. For Uniform promotions and where appropriate for Civilian promotions, placing emphasis in the promotional process on a candidate's particular skills and proven abilities in effectively and compassionately representing the Service's core competencies and values when: assisting people in crisis, including those experiencing mental health and addictions issues; supporting and contributing to community safety and community relationships, in particular with members of Black and Indigenous communities and other racialized, marginalized and vulnerable communities; engaged in situations that require the application of de-escalation approaches and techniques.

Approval of Promotions

It is further the policy of the Toronto Police Services Board that:

11. The Board will, after taking into account the recommendations of the Chief of Police, determine whether to approve promotions of Uniform Service Members to the rank of Inspector or above, of Civilian Senior Officers to the classification of Z28 or above, and promotions to Excluded positions to the classification of X34 or above.
12. All promotions of Uniform Service Members to ranks below the rank of Inspector, or of Civilian Service Members to classifications other than Z28 and above, will be approved by the Chief or his or her delegate, provided that the delegate is a Staff Superintendent or of higher rank.
13. All promotions to Excluded positions below the classification of X34 will be approved by the Chair and Vice Chair.

Reclassifications and Confirmation in Rank

14. All reclassifications and confirmations in rank for Uniform Members will be approved by the Chief or his or her delegate, provided that the delegate is a Staff Superintendent or of higher rank, except in cases where the Member has outstanding civil, Office of the Independent Police Review Director and/or Professional Standards complaints, where approval by the Chair and Vice Chair is required.
15. All reclassifications for Civilian Members will be approved by the Chief or his or her delegate, provided that the delegate is a Director or Staff Superintendent or of higher rank.

Terminations

16. All terminations of Uniform or Civilian Service Members will be approved by the Board.

Reporting Requirements

Further, it is the policy of the Toronto Police Services Board that the Chief of Police will:

17. Provide a quarterly report to the Board on hiring and promotions, including statistics on the distribution of race, gender identity, and other demographic information across every stage within the process;
18. Provide an annual report to the Board, including:

- a. A copy of the current promotional process;
- b. New job descriptions for Civilian Service Members
- c. Detailed demographic information about applicants applying for, and who are successful in promotion, including race, gender-identity and other demographic information; and,
- d. An analysis of trends at every stage of the promotional process, including whether it appears that there may be systemic or other barriers to promotion based on aggregated demographic information, and if so, what strategies the Service intends to employ in order to rectify any potential concerns about the promotional process and/or disparate outcomes for identified groups.

Draft



Toronto Police Services Board Report

August 27, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: New Job Description – Manager, Court Operations, Court Services

Recommendation:

It is recommended that the Toronto Police Services Board (Board) approve the new civilian job description and classification for the position of Manager Court Operations, Court Services.

Financial Implications:

The Manager, Court Operations position is classified as a Class Z30 (35 hour position), with an annual salary of \$140,906 - \$163,116 effective July 1st, 2021.

Funds have been included in the Toronto Police Service's (Service) 2021 operating budget to fill this civilian position.

Background / Purpose:

The purpose of this report is to recommend that the Board approve the attached new civilian job description for the position of Manager, Court Operations, Court Services (see Appendix A). As this is a new position, Board approval is required pursuant to Board Policy.

At its meeting on December 16, 2019, the Board received the Service's 2020 Operating Budget Request report (Min. No. P237/19). The report identified the Manager, Court Operations as one of the positions included in a 2019 initiative to civilianize uniform positions.

The Service's delivery model includes both uniform positions, as well as civilian positions to deliver some of the services that were previously performed by officers, creating greater capacity for priority work. These positions include Crime Analysts, Bookers, Senior Court

personnel and District Special Constables. The 2019 budget included funding to ramp up staffing levels during 2019, and would ultimately result in the civilianization of uniform positions, some of which were vacant and others that were filled and could be redeployed to core policing duties.

Although funding was approved through the 2019 budget process to civilianize this position, the job description had not yet been finalized. As a result, a job description for a new Manager, Court Operations position is now being recommended.

The purpose of establishing a permanent position specifically for this work is to ensure that the Service is able to recruit and retain a suitable candidate to provide stability for unit operations.

Discussion:

Court Services is the largest unit in the Service, with an operating budget of just under \$65M with approximately 670 funded positions in 19 different work locations across the City of Toronto. The unit is a valuable asset to the Service and plays a significant role in the safety and security of 13 courthouses, the daily safe management and transportation of over 200 prisoners, scheduling of officers for Provincial Offences Court (P.O.A.), serving court documents, collection of court ordered DNA samples, and the management of federal and provincial crown briefs and coordination of Crown requests for disclosure.

Historically, Court Services has been led by a Superintendent along with a Staff Inspector and/or Inspector role. Changes to the management structure have taken place over time and have included the creation of the Manager, Court Services role in 2007. Since 2016, a civilian member has been assigned to perform the duties of the Inspector position, which has provided some temporary consistency to a position where incumbents are routinely rotated. Civilianizing this role has allowed a uniform position to be deployed to other Service priorities while providing the stable long-term management required to maintain consistency in staff management practices, stakeholder relationships, and daily operations. The approval of this job description is required to fill the position permanently instead of in an acting capacity, which has been the approach for the last five years, and to create some stability in unit operations and for the members.

The Manager, Court Operations will report to the Superintendent of Court Services and will be responsible for a large section of the unit, which is comprised of uniform Special Constables and civilian members. The Manager plays an integral role in the oversight, effective management, direction and operation for the day-to-day security operations ensuring that all security services are carried out in a safe, timely, effective and economical manner at the Provincial, Superior, Appellate and P.O.A. courts. The

Manager provides direction and leadership to approximately 500 members including Location Administrators, Supervisors, and Court Officers assigned to maintain security at fourteen courthouse locations, all divisional lockups for video bails, prisoner management, as well as, the prisoner transportation section. This role fosters and maintains relations with internal and external partners, including Unit Commanders, Senior Judiciary, Superintendents of Correction Facilities, City Court Managers, Prosecutors and other government officials.

In October 2022, Old City Hall, College Park, Toronto East and Toronto North courts will amalgamate into the New Toronto Courthouse. This amalgamation will not have an impact on the Manager's role or responsibilities. In fact, the daily demands of the court and the complexities of managing the various court buildings with the addition of the 2 new justice centres, a new P.O.A. court plus the pending movement of the Charge Processing Unit from Records Management Services to Courts solidifies the need to create the civilian Manager position within Court Services to ensure continued stability within the unit and address the future needs of the organization.

The new job description for the Manager, Court Operations is attached. The position has been evaluated using the Service's job evaluation plan and has been determined to be a Class Z30 (35 hour) position within the Senior Officers Organization. The current salary range for this position is \$140, 906 - \$163,116 per annum, effective July 1st, 2021.

Conclusion:

Court Services is an important part of the Service's overall commitment to public safety - serving our communities and the creation of this new permanent position will support the most efficient use of Service resources and ensure that the unit can recruit and retain the best candidate for the job. It is therefore recommended that the Board approve the job description and classification for the position of Manager, Court Operations. Subject to Board approval, this position will be staffed in accordance with the established procedure.

A/Deputy Chief Myron Demkiw, Specialized Operations Command, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

Appendix "A"



TORONTO POLICE SERVICE JOB DESCRIPTION

Date Approved:
Board Minute No.:
Total Points: 907
Pay Class: Z30

JOB TITLE: Manager, Court Operations	JOB NO.: New
BRANCH: Specialized Operations Command – Public Safety Operations	SUPERSEDES:
UNIT: Court Services	HOURS OF WORK: 35 SHIFTS: 1
SECTION: Operations	NO. OF INCUMBENTS IN THIS JOB: 1
REPORTS TO: Superintendent, Court Services	DATE PREPARED: 2021.05.19

SUMMARY OF FUNCTION:

The Manager, Court Operations is responsible for the effective management, direction and operation of court security and prisoner transportation and ensures that all security services are carried out in a safe, timely, effective and economical manner. Leads and directs senior level supervisors who oversee the operation at each court location. Fosters and maintains relations with internal and external partners, including Unit Commanders, Senior Judiciary, Superintendents of correctional facilities and other government officials. Participates in decisions pertaining to discipline, administers discipline and ensures corrective measures are adhered to.

DIRECTION EXERCISED:

Oversees the Operations section of Court Services. Provides leadership, direction and fosters the development of Special Constables, including Locational Administrators, Shift Supervisors, Supervisors, Court Officers and civilian support staff.

MACHINES AND EQUIPMENT USED:

Workstation with associated software, office equipment (i.e. scanners, printers), police vehicles and hand held mitres.

DUTIES AND RESPONSIBILITIES:

1. Under the Direction of the Superintendent, oversees and is responsible for the day to day security of courts, providing safety and security to persons in custody and all citizens attending court in the City of Toronto. Provides direction and leadership to Locational Administrators, Shift Supervisors, Supervisors and Court Officers assigned to maintain security at courthouse locations and the prisoner transportation section.
2. Oversees the Court Operations section and ensures compliance with policies, procedures and in-service training. Liaises with Labour Relations, the Toronto Police Association and the Equity, Inclusion and Human Right unit to address civilian complaints. Administers discipline, ensures corrective methods are implemented and enforces compliance.
3. Fosters and maintains relationships with internal and external stakeholders and other government officials to plan and problem solve security related matters and to share pertinent information impacting the day to day court operations.
4. Investigates, makes recommendations and negotiates with respect to the resolution of operations issues that may have direct impact on the Service and judicial partners.

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.



TORONTO POLICE SERVICE
JOB DESCRIPTION

Date Approved:
Board Minute No.:
Total Points: 907
Pay Class: Z30

JOB TITLE: Manager, Court Operations	JOB NO.: New
BRANCH: Specialized Operations Command – Public Safety Operations	SUPERSEDES:
UNIT: Court Services	HOURS OF WORK: 35 SHIFTS: 1
SECTION: Operations	NO. OF INCUMBENTS IN THIS JOB: 1
REPORTS TO: Superintendent, Court Services	DATE PREPARED: 2021.05.19

DUTIES AND RESPONSIBILITIES: (cont'd)

5. Develops and maintains an effective network of contacts with Service stakeholders at the local, provincial and national level. Leverages external professional networks to collect and share information, anticipate emerging issues, identify gaps in processes, ensure the implementation of strategic long and short term goals and foster the positive image of the Service.
6. Fosters a spirit of teamwork and unity among Locational Administrators and Supervisors. Identifies key skills, recommends areas for improvement and ensures members are mentored and developed. Manages staff development opportunities that promote the potential of all members in a professional development environment. Responsible for refining the skills and capabilities of members within the Operations section.
7. Discusses unit objectives, identifies and evaluates trends occurring in specific areas where courthouses are located, liaises with the Risk Management section on a course of action and evaluates outcomes. Establishes strategic goals by gathering pertinent operations information.
8. Oversees the development of complex staffing models incorporating multiple locations with unique demographical needs and directs the redistribution of staff resources accordingly. Monitors and reviews staffing and deployment strategies. Provides direction to Locational Administrators regarding allocation of staffing, ensuring resources are deployed effectively and provides reliable and timely security services for routine and high risk security situations.
9. Maintains an on-going awareness of significant events in the City of Toronto that can potentially impact the deployment of Court Services members or the security of court operations.
10. Advises on several committees such as the Toronto Downtown Justice Committee, Toronto Regional Bail Centre Committee, Courts and Corrections Operational Committee, Mental Health Consortium and others to advise on the security requirements for POA, Criminal or Family Courts constructed by the City of Toronto or the Ministry of the Attorney General as required.
11. Leads and advises on large projects and major event security planning on behalf of Court Services. Engages and leads specialized teams to develop processes and technical solutions. Conducts focus groups to generate solutions and plan future initiatives.

.../2

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.



TORONTO POLICE SERVICE
JOB DESCRIPTION

Date Approved:
Board Minute No.:
Total Points: 907
Pay Class: Z30

JOB TITLE:	Manager, Court Operations	JOB NO.:	New
BRANCH:	Specialized Operations Command – Public Safety Operations	SUPERSEDES:	
UNIT:	Court Services	HOURS OF WORK:	35 SHIFTS: 1
SECTION:	Operations	NO. OF INCUMBENTS IN THIS JOB:	1
REPORTS TO:	Superintendent, Court Services	DATE PREPARED:	2021.05.19

DUTIES AND RESPONSIBILITIES: (cont'd)

- 12. Responds to internal and external audits by gathering statistical data from the court locations.
- 13. Negotiates billing arrangements with the City of Toronto, Director of Court Operations and Provincial Court Managers.
- 14. Attends court as the subject matter expert for Court Services security operations and processes, as required.
- 12. Acts in the role of Unit Commander, as required.
- 13. Performs other related responsibilities, as required.

.../3

The above statements reflect the principal functions and duties as required for proper evaluation of the job and shall not be construed as a detailed description of all the work requirements that may be inherent in the job or incidental to it.



Toronto Police Services Board Report

September 7, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Contract Increase - Network Attached Isilon Storage

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) Approve an increase of \$1.2 Million (M) to the existing contract with OnX Enterprise Solutions (OnX) for Isilon Storage hardware, software, professional services and maintenance, from \$2.6M to \$3.8M to December 31, 2022; and
- (2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

Of the \$1.2M contract increase, \$0.7M is to be funded from the 2021-2022 Community Safety and Policing (C.S.P.) grant to purchase additional storage for the Intelligence Services unit. The remaining amount of \$0.5M will be included as part of future years' Capital budget requests and/or modernization reserve funding as required, and any purchases will be subject to the availability of funds.

Background / Purpose:

Over the past few years, the evolution and proliferation of technology has exposed the Toronto Police Service (Service) to greater volumes of unstructured data (e.g. video surveillance, social media, mobile devices, etc.).

The existing storage infrastructure in the Service is built on a combination of IBM Storage Area Networks (S.A.N.) storage and Dell Isilon storage technology.

The benefits we have seen with the Isilon storage are as follows:

- Higher level of return for every dollar spent on storage;
- Ability to respond more effectively to business capacity and performance needs;
- Ability to achieve more storage deployment agility; and
- Greater ability to assign the right storage for different workloads.

At the June 19, 2020 Board Meeting, the Board approved the award of Request for Quotation (R.F.Q.) 1332661-20 for Isilon Storage to OnX, with a contract value of \$2.6M (Min. P96/2020 refers). The approved contract value matched the identified storage need for the year 2020 only. The plan at the time was to consolidate Isilon storage procurement beyond 2020 into the overall Information Technology (I.T.) Infrastructure contract through a Request for Proposal (R.F.P.) initiative; however, the R.F.P. has been delayed. In the meantime, unstructured data continues to grow exponentially at key investigative units, such as Intelligence Services, Homicide, and Sex Crimes. Therefore, the total purchase of Isilon has already exceeded the original contract value. The purpose of this request is to ask for the Board's approval to increase the contract value to \$3.8M, to augment the existing Isilon storage capacity to improve responsiveness and proactively align storage infrastructure with business needs.

The requested contract increase will enable the Service to meet operational needs for increased storage while an assessment of the impact of the Service's I.T. rationalization strategy is completed. This will include a complete review of the Service's data storage environment as part of the R.F.P. process by end of 2022; understanding the type of data, classification of data and defining the retention period of data. This will provide a foundation to develop a more fiscally responsible data storage structure, including different tiers of storage, backup and recovery strategies, and purging.

Discussion:

The current multi-year I.T. Infrastructure contract for servers and storage includes IBM S.A.N. storage but does not include Dell Isilon storage. The plan is to consolidate the Service's infrastructure requirements into a single contract through an upcoming R.F.P. that will include all future server and storage needs, including Isilon storage. In the meantime, the current I.T. Infrastructure contract (excluding Isilon storage) has been extended to December 31, 2022 (Min. No. P2021-729-9.0 refers), to allow time for the completion of the I.T. rationalization strategy assessment and for a new R.F.P. to be conducted.

To meet the increasing demand for storage, it is imperative for the Service to add storage capacity to the existing infrastructure to accommodate future growth, by buying a more agile, scalable, and cost-efficient storage platform.

Law enforcement is experiencing a significant evolution, including a proliferation of technology and significant growth in data collection. One of the biggest challenges is the

exponential growth of unstructured, file-based data. The Service needs to have enough storage capacity to keep up with the challenge in an efficient and effective way.

Part of the requested contract increase will be to address increased storage requirements from the Intelligence Services unit, at a cost of \$0.7M, providing the unit approximately 2-3 years of additional storage capacity, based on current usage trends.

As part of the Service's re-organization and re-alignment of the Information Technology Command (I.T.C.) units, additional opportunities have been identified to merge network, server, storage and software contracts into a comprehensive I.T. infrastructure focused R.F.P. for a Value Added Reseller (V.A.R.). The consolidation of these contracts from the existing multiple contracts into a single infrastructure contract is expected to reduce the overall costs for equipment and services and provide increased flexibility and agility to deploy the next generation of cloud enabled services.

Conclusion:

The Board's approval to increase the contract value for additional Isilon storage will allow the Service to augment the existing data storage capacity to meet the Service's needs. The Service will be in a better position to transition into the future of policing and ever increasing storage requirements.

Mr. Colin Stairs, Chief Information Officer and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 24, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M
Chief of Police

Subject: Contract Extension - PeopleSoft Human Resources Management System – Software Licensing, Maintenance and Support

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- (1) approve a three year contract extension with Oracle Corporation Canada Inc. (Oracle) for software licensing, maintenance and support for the PeopleSoft Human Resources Management System (H.R.M.S.) commencing January 1, 2022 and ending December 31, 2024, for a total cost of approximately \$1.74 Million (M) (excluding taxes);
- (2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and

Financial Implications:

This report is requesting approval for a contract extension from January 1, 2022 to December 31, 2024 for an estimated cost of \$1.74M.

The annual software licensing, maintenance and support costs for the PeopleSoft H.R.M.S. are summarized in Table 1 and will be included in the respective operating budget year.

In addition, engagement of the vendor for additional services may be necessary where needed to meet future ad hoc requirements, which cannot be estimated at this time, and is subject to funding availability.

Table 1 - Estimated Cost Summary

Year	Cost (excl. taxes)
2022	\$560,000
2023	\$580,000
2024	\$600,000
Total	\$1,740,000

Background / Purpose:

In 1993, a Request for Proposal (R.F.P.) was issued for H.R.M.S. software, which resulted in a contract being awarded to PeopleSoft (Min. No. P440/93 refers). This software is owned and exclusively distributed by Oracle.

Since 1993, \$4.3M in contract spending has been incurred and was included in the operating budget each year.

The purpose of this report is to obtain the Board’s approval for a contract extension with Oracle for the required licenses and services, with funding based on approved budgets.

Discussion:

The PeopleSoft H.R.M.S. is a comprehensive Human Capital Management (H.C.M.) enterprise solution, used by all Toronto Police Service (Service) members, that provides functionality in the following areas:

- Human Resources;
- Benefits (Base/Administration);
- Payroll;
- Talent Management and Recruiting;
- ePerformance;
- Employee Self-Service; and
- Enterprise Learning Management.

The application is used to manage and administer all employee information from hire to termination/retirement.

Conclusion:

The Service has a continuing need for an H.R.M.S., and is requesting the Board’s approval to extend the current contract with Oracle for an additional three years, from January 1, 2022 to December 31, 2024.

Mr. Colin Stairs, Chief Information Officer and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to respond to any questions from the Board.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 20, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M
Chief of Police

Subject: Contract Extension - Time and Resource Management System – Software Licensing, Maintenance and Support

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board):

- (1) approve a three year contract extension with Infor Canada Ltd. (Infor) for software licensing, maintenance and support for the Time and Resource Management System (T.R.M.S.), commencing January 1, 2022 and ending December 31, 2024, for a total cost of approximately \$1.1 Million (M) (excluding taxes);
- (2) authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and

Financial Implications:

This report is requesting approval for a contract extension from January 1, 2022 to December 31, 2024 for an estimated cost of \$1.1M.

The annual software licensing, maintenance and support costs for T.R.M.S. are summarized in Table1 and will be included in the respective operating budget year.

In addition, engagement of the vendor for additional services may be necessary where needed to meet future ad hoc requirements, which cannot be estimated at this time, and will be subject to funding availability.

Table 1 - Estimated Cost Summary

Year	Cost (excl. taxes)
2022	\$347,800
2023	\$365,200
2024	\$383,500
Total	\$1,096,500

Background / Purpose:

In June 2001, Request for Proposal (R.F.P.) #9144-01-7589 was issued for T.R.M.S. software, which resulted in a contract being awarded to Workbrain Inc., with an initial contract term of two years, and is renewable on successive terms (Min. No. 290/01 refers) This software is now owned and exclusively distributed by Infor.

Since 2001, \$2.6M in contract spending has been incurred and was included in the operating budget each year.

The purpose of this report is to obtain the Board’s approval for a contract extension with Infor for the required licenses and services, with funding based on approved budgets.

Discussion:

The T.R.M.S. system, implemented in August 2003, collects and processes time and attendance data, administers time banks, and assists in the deployment and pay of members. Employee information is imported from the Human Resource Management System (H.R.M.S.) into T.R.M.S to facilitate critical human resource management processes. Specifically, the T.R.M.S.:

- Creates and displays employee schedules and assignments, tracks worked hours and exceptions to schedules and charges the hours worked against metrics such as specific jobs, projects, or departments.
- Automatically increments or decrements banked days/hours based on entitlements and time reported on timesheets.
- Through the Court module, allows for court kiosk entries, court card administration, and court scheduling based on members’ availability.

Conclusion:

The Toronto Police Service has a continuing need for a T.R.M.S., and is requesting the Board's approval to extend the current contract with Infor for an additional three years, from January 1, 2022 to December 31, 2024.

Mr. Colin Stairs, Chief Information Officer and Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to respond to any questions from the Board.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police



Toronto Police Services Board Report

August 11, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Special Constable Appointments and Re-Appointments –
September 2021**

Recommendation:

It is recommended that the Toronto Police Services Board (Board) approve the agency-initiated appointment and re-appointment requests for the individuals listed in this report as special constables for the Toronto Community Housing Corporation (T.C.H.C.) and the University of Toronto (U of T), subject to the approval of the Ministry of the Solicitor General (Ministry).

Financial Implications:

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

Background / Purpose:

Under Section 53 of the *Police Services Act*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has agreements with T.C.H.C. and U of T governing the administration of special constables (Min. Nos. P41/98 and P571/94 refer).

The Service received requests from T.C.H.C. and U of T to appoint the following individuals as special constables (Appendix 'A' refers):

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Expiry
T.C.H.C.	Jordan DOSWELL	Re-Appointment	December 19, 2021
T.C.H.C.	Trevor SEARLES	Appointment	N/A
T.C.H.C.	Gregory Anthony WALTERS	Appointment	N/A
T.C.H.C.	Scott Andrew MURRAY	Appointment	N/A
U of T St. George Campus	Sean Lewis TOMPA	Re-Appointment	December 28, 2021

Discussion:

Special constables are appointed to enforce the *Criminal Code* and certain sections of the *Controlled Drugs and Substances Act*, *Trespass to Property Act*, *Liquor Licence Act* and *Mental Health Act* on their respective properties within the City of Toronto.

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment and re-appointment as special constables. The Service’s Talent Acquisition 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 agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their agreements with the Board. The T.C.H.C. and U of T’s approved and current complements are indicated below:

Table 2 Name of Agency, Approved Complement and Current Complement of Special Constables

Agency	Approved Complement	Current Complement
T.C.H.C.	300	163
U of T St. George Campus	50	42

Conclusion:

The Service continues to work together in partnership with T.C.H.C. and U of T to identify individuals to be appointed and re-appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on their respective properties within the City of Toronto.

Acting Deputy Chief Myron Demkiw, Specialized Operations Command, will be in attendance to answer any questions that the Board may have with respect to this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

Toronto Community
Housing Corporation
931 Yonge Street
Toronto, ON
M4W 2H2



August 9, 2021
Sergeant Julie Tint
Special Constable Liaison Office
40 College Street
Toronto, Ontario
M5G 2J3

Sergeant Tint,

Re: Request for Toronto Police Services Board to Approve Special Constable Appointment for Members of the Toronto Community Housing Corporation:

In accordance with the terms and conditions set out in the Agreement between the Toronto Police Services Board and the Toronto Community Housing Corporation (TCHC), the Board is authorized to appoint special constables, subject to the approval of the Ministry of the Solicitor General.

The following individuals have been fully trained as special constables by TCHC, and have shown that they possess the required skills and ability to perform at the level required to be a Special Constable:

Jordan Doswell
Scott Murray
Trevor Searles
Greg Walters

It is requested that the Board approve the special constable application of this individual, and forward it to the Ministry of the Solicitor General for appointment of a five year term. Should you require any further information, please contact Kristina Seefeldt, Specialist-Compliance, Training & Quality Assurance at 416-268-8365.

Respectfully,
William Anderson, CPP, PPS

A handwritten signature in black ink, appearing to read 'W. Anderson', with a long horizontal flourish extending to the right.

Senior Director, Community Safety Unit
Chief Special Constable | Badge #31166
Toronto Community Housing
931 Yonge St, Toronto, ON M4W 2H2
T: 416 981-4116
torontohousing.ca



University of Toronto
CAMPUS COMMUNITY POLICE SERVICES
A division of Facilities and Services

21 Sussex Avenue, Suite 100, Toronto, Ontario M5S 1J6

Tel (416) 978-2323 Fax: 416-946-8300

July 22, 2021

To: Detective Julie Tint

From: Michael Munroe

Subject Request for Toronto Police Services Board approval for Re-Appointment of Special Constables

In accordance with the terms and conditions set out in the Agreement between the Toronto Police Services Board and the University of Toronto, the Board is authorized to appoint and re-appoint special constables subject to the approval of the Ministry of the Solicitor General.

The individual identified below meets the qualifications required to be re-appointed as a special constable for University of Toronto St. George Campus.

32043 TOMPA, Sean

It is requested that the Board approve this submission and forward the decision to the Ministry for a re-appointment term of five years.

Please feel free to contact me should you have any questions.

Regards

A handwritten signature in black ink, appearing to read "mike", followed by a large, stylized flourish that loops back to the left.

Michael Munroe – Director



Toronto Police Services Board Report

August 24, 2021

To: Chair and Members
Toronto Police Services Board

From: Sandy Murray
Acting Executive Director and Chief of Staff

Subject: City Council Decision – Member Motion item 34.47 – Addressing Urgent Community Pressures around Woodbine Beach and the Eastern Beaches (Ward 19)

Recommendation(s):

- 1) It is recommended that the Board refer this report to the Chief of Police for consideration and direct the Chief to liaise with City officials and others, as deemed appropriate; and,
- 2) Forward a copy of this report to the City Clerk for information and to inform Council, as required.

Financial Implications:

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

Background / Purpose:

City Council, at its meeting on June 8 and 9, 2021, adopted an item with respect to Member Motion item 34.47 – Addressing Urgent Community Pressures around Woodbine Beach and the Eastern Beaches (Ward 19). The motion is available at this link.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.MM34.47>

Discussion:

In considering this matter, City Council adopted, the following:

1. City Council request the General Manager, Transportation Services, working with the Toronto Police Service's Parking Enforcement Unit, to initiate a towing pilot program to remove illegally parked vehicles on public streets South Queen Street East from Kingston Road to Victoria Park Avenue starting as soon as possible and running at least until Fall 2021.
2. City Council request the Executive Director, Municipal Licensing and Standards, working with the Toronto Police Service, to increase by-law enforcement to the maximum possible extent, with particular focus on gatherings, littering and noise violation at Woodbine Beach and the eastern beaches after 10:00 p.m. on Fridays, Saturdays and Sundays until Fall 2021.

Conclusion:

It is, therefore, recommended that:

- 1) the Board refer this report to the Chief of Police for consideration and direct the Chief to liaise with City officials and others, as deemed appropriate;
- 2) Forward a copy of this report to the City Clerk for information and to inform Council, as required.

Respectfully submitted,



Sandy Murray
Acting Executive Director and Chief of Staff



Toronto Police Services Board Report

August 23, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2021 Operating Budget Variance for the Toronto Police Service, Period Ending June 30, 2021

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer, for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its January 13, 2021 meeting, the Board approved the Toronto Police Service's (Service) budget request at \$1,076.2 Million (M) (Min. No. P2021-0113-3.1 refers), a 0% increase over the 2020 approved operating budget.

Subsequently, City Council, at its February 18, 2021 meeting, approved the Service's 2021 operating budget at \$1,080.1M. The Council-approved budget reflects an increase of \$3.9M for the estimated impacts of COVID-19 in 2021.

The Service has since been notified that the City is centralizing the majority of insurance costs and will be doing an in year budget adjustment to transfer \$9.5M from the Service to the City as part of the 2nd quarter variance report to Council. This will not impact available funding to the Service as the insurance expense will then be paid from the City budget. As a result of this adjustment, the Service budget has been restated downward to \$1,070.6M.

Background / Purpose:

The purpose of this report is to provide the Board with the Service's 2021 projected year-end variance as at June 30, 2021.

Discussion:

As at June 30, 2021, the Service is projecting an unfavourable year end variance of \$4.3M. While projections are trending unfavourable, it must be noted that projections

are based on estimates and the best available information at the time of reporting. The Service is continuing to assess projections, spending plans and opportunities to manage and reduce costs where possible. This includes reviewing premium pay spending, non-salary expenditures and revenue and cost-recovery opportunities.

It is important to note that while the Service did consider COVID-19 in developing the 2021 operating budget, the financial implications are difficult to predict. For planning purposes, the projections below assume that the majority of the COVID-19 restrictions will end by September 30th, when it is anticipated that the City will move to a “new normal”.

COVID-19:

Since early 2020, the COVID-19 pandemic has greatly impacted how the Service conducts its operations and has altered demands for service. More specifically:

- Service facilities have been closed to the public;
- many courts have shut down;
- special events have been cancelled;
- enforcement of the province’s emergency orders has been required;
- members have been in self-isolation for periods of time;
- personal protective equipment purchases have increased substantially;
- social distancing rules have been created that require enforcement; and
- workplace adjustments to prevent the spread of COVID-19 have been made.

Despite the foregoing, the Service must still provide responsive public safety services to the communities we serve. COVID-19 has presented service challenges and has resulted in financial impacts as well.

Variance Details

The following chart summarizes the variance by expenditure and revenue category. Details regarding these categories are discussed in the section that follows.

Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Salaries	\$815.2	\$378.4	\$809.6	\$5.6
Premium Pay	\$48.8	\$23.3	\$59.7	(\$10.9)

Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Benefits	\$230.6	\$116.0	\$231.4	(\$0.8)
Non Salary	\$84.4	\$40.3	\$86.3	(\$1.9)
Contributions to / (Draws from) Reserves	\$3.8	\$0.0	\$3.8	\$0.0
Revenue	(\$112.3)	(\$24.2)	(\$110.0)	(\$2.3)
Total Net Before Grants	\$1,070.5	\$533.8	\$1,080.8	(\$10.3)
Net Impact of Grants	\$0.1	(\$1.7)	(\$5.9)	\$6.0
Total Net	\$1,070.6	\$532.1	\$1,074.9	(\$4.3)

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in-year grant funding. The revenues from the grant funding offset any related expenditures.

Salaries:

A favourable variance of \$5.6M is projected in the salaries category.

Expenditure Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform	\$605.7	\$282.3	\$603.5	\$2.2
Civilian	\$209.5	\$96.1	\$206.1	\$3.4
Total Salaries	\$815.2	\$378.4	\$809.6	\$5.6

Uniform Officers - The 2021 approved budget assumed that there would be 225 uniform officer separations during the year. To date, 111 Officers have separated from the Service, as compared to the 131 that was assumed in the budget over the same time period. As a result, the year-end projected separations are estimated to be 200. The unfavourable variance from the reduced number of separations has been more than offset by a greater than budgeted number of members on unpaid leaves (e.g. maternity and parental), as well as higher than anticipated separations at the end of 2020 (199 actual for the year versus budgeted of 185). As a result of the foregoing, savings of \$2.2M are projected in 2021 for uniform salaries.

The 2021 approved budget includes funding for 230 uniform hires, and assumed class sizes of 10 in April, 69 in August and 131 in December, as well as 20 lateral hires. It was subsequently determined that a larger April class size would be more efficient from

a hiring, training and deployment perspective. The April class was increased from 10 to 42 cadets, with the increase being offset by reducing future class sizes and lateral hires to 75 for August, 75 for December and a total of 5 lateral hires.

Actual separations are monitored monthly, and the Service will reassess future recruiting efforts based on the actual pace of hiring and separations.

Civilians - The 2021 approved budget includes funding to continue the hiring of Communications Operators and Bookers to approved staffing levels. In addition, funding was included to backfill civilian vacancies that support the front line and to continue hiring in support of modernization initiatives. While the Service has been hiring to fill key positions, many of the positions have been filled through internal promotions thereby creating other cascading vacancies. As a result, the Service is projected to be below its funded civilian strength on average during the year, and is projecting savings of \$3.4M in civilian salaries. The longer than anticipated hiring timelines have, however, resulted in civilian premium pay pressures as described in the section below.

Premium Pay:

An unfavourable variance of \$10.9M is projected in the premium pay category.

Expenditure Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform	\$43.5	\$20.5	\$50.8	(\$7.3)
Civilian	\$5.3	\$2.8	\$8.9	(\$3.6)
Total Premium Pay	\$48.8	\$23.3	\$59.7	(\$10.9)

Premium pay is incurred when staff are required to work beyond their normal assigned hours, such as for:

- extended tours of duty (e.g. when officers are involved in an arrest at the time their shift ends);
- court attendance scheduled for when the officer is off-duty; and
- call-backs (e.g. when an officer is required to work additional shifts to ensure appropriate staffing levels are maintained or for specific initiatives).

The Service’s ability to deal with and absorb the impact of major unplanned events (e.g. demonstrations, emergency events, and homicide / missing persons) relies on the use of off-duty officers which results in premium pay costs. For example the Service has incurred \$0.8M in premium pay costs associated with demonstrations and \$0.2M in unfunded premium pay costs associated with COVID-19 enforcement to June 30th.

The 2021 operating budget includes an opening premium pay pressure of approximately \$7M, based on 2020 levels and subsequent further reduction to the 2021 budget.

The government issued a province-wide Stay-At-Home order under the Emergency Management and Civil Protection Act (E.M.C.P.A.) effective Thursday, April 8, 2021 at 12:01 a.m., requiring everyone to remain at home except for specified purposes, such as going to the grocery store or pharmacy, accessing health care services (including getting vaccinated), for outdoor exercise, or for work that cannot be done remotely. In order to enforce the order, the Service incurred an additional \$2.4M in premium costs from mid April to the end of May. This amount is included in the above projection; however, the Service expects an offsetting recovery from the Province for these expenditures, as noted in the revenue section below.

Additional premium pay is also incurred as units address critical workload issues resulting from civilian vacancies, across the Service. Civilian overtime and call-backs are authorized when required to ensure deadlines are met, key service levels maintained, and tasks completed in order to ensure risks are mitigated and additional hard dollar costs are avoided. While year to date premium pay incurred is low, civilian premium pay is projecting unfavourable based on historical spending patterns. For example, the majority of lieu time cash payments occur at the end of the year and members are currently accumulating more lieu time than at the same point in time last year. Reductions in civilian premium pay spending are expected as civilian staffing vacancies decrease. However, many of the civilian positions require weeks or months of ongoing training before the staff can be utilized to their full potential. The projected higher than budgeted civilian premium pay expenditures have been mostly offset by savings in civilian salaries.

Every effort is being taken to manage risks to the Service’s overall financial condition. This includes improved monitoring and controlling of premium pay expenditures, which is a significant factor in the Service’s ability to come in on budget. Although this account is considered underfunded, the allocation of premium pay budgets to units has been reviewed to arrive at more realistic premium pay budgets and targets across units. This is an important exercise in moving towards improved monitoring of actual premium pay expenditures and greater accountability on spending. Increased scrutiny over premium pay expenditures is being made and actions taken to reduce and contain premium pay as much as possible, within the exigencies of policing. It is nonetheless important to note that premium pay costs are still required to avoid risks to the Service, maintain key service levels, effectively perform investigations and deal with unanticipated events.

Benefits:

An unfavourable variance of \$0.8M is projected in this category.

Expenditure Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Medical / Dental	\$44.7	\$18.0	\$45.1	(\$0.4)
O.M.E.R.S. / C.P.P. / E.I. / E.H.T.	\$141.6	\$79.4	\$141.0	\$0.6

Expenditure Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Sick Pay Gratuity /C.S.B./L.T.D.	\$21.5	\$8.5	\$21.7	(\$0.2)
Other (e.g., W.S.I.B., life insurance)	\$22.8	\$10.1	\$23.6	(\$0.8)
Total Benefits	\$230.6	\$116.0	\$231.4	(\$0.8)

It must be noted that benefit projections are based on historical trends, as costs do not follow a linear pattern. Costs can fluctuate significantly from month to month and adjustments are required at year end to take into account members submitting claims for the current year in the following year.

Medical/Dental costs are trending higher in the second quarter; therefore, the Service is now projecting an unfavourable variance. The COVID-19 lockdowns have resulted in moderately reduced expenditures in group benefit costs associated with physiotherapy, chiropractor, massages, and non-emergency dental services as social distancing has resulted in the reduction of many of these services. However, as the lockdowns ease, expenditures have been increasing. The level of expenditures is difficult to predict, as it is difficult to know the extent to which members may catch up on procedures when services become available again.

Favourable variances in the O.M.E.R.S. /C.P.P. /E.I. /E.H.T. category is a result of reduced civilian staffing levels. Year to date costs for retiree insurance are trending favourable.

The unfavourable variance in the Other category is mainly a result of W.S.I.B. Similar to other emergency services across the City and Province, the Service has been experiencing an increase in W.S.I.B. costs. The increase is primarily due to impacts of Bill 163, Supporting Ontario's First Responders Act regarding Post Traumatic Stress Disorder. Although the 2021 operating budget was increased in anticipation of the increasing costs, the rate of increase has been greater than originally projected. The Service is undergoing a review of W.S.I.B. costs and its administrative processes as part of its Wellness Strategy.

Non-Salary:

An unfavourable variance of \$1.9M is projected in this category.

Non Salary	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Vehicles (e.g. gas, parts)	\$13.9	\$6.6	\$13.9	\$0.0
Information Technology	\$30.2	\$21.8	\$32.0	(\$1.8)

Non Salary	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Contracted Services	\$12.5	\$3.7	\$12.7	(\$0.2)
Uniforms and outfitting	\$9.1	\$2.7	\$9.0	\$0.1
Other	\$18.7	\$5.5	\$18.7	\$0.0
Total Non Salary	\$84.4	\$40.3	\$86.3	(\$1.9)

The unfavourable variances in Information Technology and Contracted Services categories are offset by favourable variances in the “Other” category and from recoveries and fees (which can be found in the “Revenues” section below).

The “Other” category is comprised of multiple items that support staff and policing operations, the largest of which include budgets of \$2.5M for training, \$1.4M for the operating impact from capital, \$1.2M for equipment purchases, and \$0.3M for bank service charges. Other items in this category include various supplies and services such as fingerprint supplies, traffic enforcement supplies, expenses to support investigations, photocopying and translation services. There are projected savings of \$1.5M in costs in the “Other” category due to units reducing and deferring expenses wherever possible in order to stay within the overall approved budget. However, these savings are projected to be fully offset, resulting in a zero variance, due to significant search and recovery costs to be incurred, related to a recent homicide investigation.

Nathaniel Brettell went missing on January 21, 2021. Police investigations led to the conclusion that Mr. Brettell’s remains were located at a City of Toronto owned landfill site located close to London, Ontario. After an intensive search, the Service’s Homicide Unit recovered Mr. Brettell’s remains. However, significant costs were incurred, as it was a large site to search and required the use of heavy machinery and skilled personnel. The Service is currently working with vendors and processing expenses, final costs for the recovery operation could total up to \$1.5M. As the recovery of Mr. Brettell’s remains is in support of the prosecution for this case, the Service will liaise with the Ministry of the Attorney General to explore opportunities for cost recovery.

Due to COVID-19, the Service needs to ensure its members have the equipment and supplies to keep the workplace and the community safe. As a result, there will be an on-going need to purchase gloves, masks, sanitizer and other supplies, equipment and services to keep our members, workspaces, and vehicles and equipment, free from contamination. Year to date expenditures are in line with the budgeted amounts; however, as the pandemic is expected to last longer than originally expected, the Service is assessing the budget impacts.

Contributions to / (Draws from) Reserves:

A net zero variance is projected in this category.

Reserves Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Contribution to Reserves:				
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health	\$14.3	\$0.0	\$14.3	\$0.0
Legal	\$0.9	\$0.0	\$0.9	\$0.0
Vehicle & Equipment	\$20.8	\$0.0	\$20.8	\$0.0
Contribution to Reserves	\$36.0	\$0.0	\$36.0	\$0.0
Draws from Reserves:				
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health	(\$23.5)	\$0.0	(\$23.5)	\$0.0
Legal & Modernization	(\$8.7)	\$0.0	(\$8.7)	\$0.0
Draws from Reserves	(\$32.2)	\$0.0	(\$32.2)	\$0.0
Contributions to / (Draws from) Reserves	\$3.8	\$0.0	\$3.8	\$0.0

As part of the annual operating budget process, the Board and Council approve contributions to and expenditures from reserves. The various reserves are established to provide funding for anticipated expenditures to be incurred by the Service, and to avoid large swings in costs from year to year. The Service contributes to and/or draws from the following reserves: City Sick Pay Gratuity; Vehicle and Equipment; Central Sick; Post-Retirement Health; and Legal.

The adequacy of reserves is reviewed annually, based on the Service's estimated spending and asset replacement strategies. Contributions are made and expensed to the operating budget accordingly. At this time, no variance is anticipated.

Revenue:

An unfavourable variance of \$2.3M is projected in this category.

Revenue Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Provincial Recoveries	(\$52.3)	(\$1.9)	(\$55.3)	\$3.0
Fees and Recoveries (e.g., paid duty, secondments, vulnerable sector screening.)	(\$32.1)	(\$9.6)	(\$28.9)	(\$3.2)

Revenue Category	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Paid Duty - Officer Portion	(\$24.7)	(\$12.0)	(\$24.7)	\$0.0
Miscellaneous Revenue	(\$3.2)	(\$0.7)	(\$1.1)	(\$2.1)
Total Revenues	(\$112.3)	(\$24.2)	(\$110.0)	(\$2.3)

Favourable variances in provincial recoveries are a result of the provincial uploading of court costs being greater than anticipated. While the Province is undertaking a review of the court services program, they have committed to continuing the funding in 2021. The Service is also projecting \$2.4M in recoveries from the Province for premium pay costs associated with the mid April to end of May enforcement of the Emergency Management and Civil Protection Act (E.M.C.P.A.).

For Fees and Recoveries, the Service experienced a reduction in revenues during 2020, as there was less demand for paid duties and vulnerable sector screenings as a result of COVID-19. In preparing the 2021 operating budget, it was anticipated that revenue losses due to COVID-19 would continue to June 30th. Year to date recoveries are in line with this estimate; however, given that the Service is now anticipating that some of the restrictions may not end until Q3/Q4, the Service is projecting a \$0.6M unfavourable variance. The Service is projecting a \$3.1M unfavourable variance associated with recoverable premium pay for officer off duty attendance at Provincial Offences Act courts, which are currently closed and are expected to only partially reopen during the summer. The loss of this recovery results in a net zero variance as premium pay spending is favourable by the same amount. The Service is projecting favourable recoveries of \$0.5M from outside agencies to facilitate the purchase of I.T. equipment (e.g. Toronto Fire portion of joint radio infrastructure), bringing the total unfavourable variance in Fees and Recoveries to \$3.2M.

The \$2.1M unfavourable variance in Miscellaneous Revenue is a result of the budget reduction to achieve a zero increase in the 2021 budget. It was anticipated at the time of budget preparation that there would be a net favourable variance in Grants, as the Service would not be able to backfill all of the associated positions, and would instead have to reassign internal staff; however the amount of grant savings was difficult to project at the time the budget was prepared. This unfavourable variance is offset by the favourable Grant variance discussed below.

Grants:

A favourable variance of \$6.0M is projected in this category.

Grants	2021 Budget (\$Ms)	Actual to June 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Expenses:				
Guns & Gangs	\$5.0	\$0.6	\$2.0	\$3.0
Community Safety & Policing	\$0.0	\$4.5	\$8.1	(\$8.1)
Other	\$0.0	\$1.8	\$2.5	(\$2.5)
Total Expenses	\$5.0	\$6.9	\$12.6	(\$7.6)
Revenues:				
Guns & Gangs	(\$4.9)	(\$1.3)	(\$4.9)	\$0.0
Community Safety & Policing	\$0.0	(\$5.0)	(\$10.7)	\$10.7
Other	\$0.0	(\$2.3)	(\$2.9)	\$2.9
Total Revenues	(\$4.9)	(\$8.6)	(\$18.5)	\$13.6
Net Impact From Grants	\$0.1	(\$1.7)	(\$5.9)	\$6.0

Grant funding generally results in a net zero variance, as funds are provided for expenditures to achieve specific purposes. However, a net favourable variance is projected in this category since a number of permanent, funded positions are assigned to provincially supported programs and as a result are covered by the grant, and these positions were not all backfilled. Savings are projected due to the following grants: Guns and Gangs (\$3.0M), Community Safety and Policing (\$2.6M) and the Provincial Strategy to Protect Children from Sexual Abuse and Exploitation on the Internet (\$0.4M).

The Service is sometimes aware of grant opportunities prior to budget approval; however, revenue and expenditure budgets cannot be set up if the grant contracts are not received or approved. In addition, as the provincial fiscal year ends on March 31st, versus December 31st for the Service, unspent provincial grant funding from 2020 is carried forward into the first quarter of 2021. The amounts being carried forward are not finalized until well after year-end. As a result, the base budgets for grants are often zero and the grants are reflected as in year funding.

As the Service receives other grant funding during the year, future variance reports will reflect these spending plans as the grant applications are approved and agreements are finalized.

Conclusion:

As at June 30, 2021, the Service is projecting an unfavourable year end variance of \$4.3M. The Service is continuing to assess projections, spending plans and opportunities to manage and reduce costs where possible. This includes reviewing

premium pay spending, non-salary expenditures and revenue and cost-recovery opportunities.

However, given unanticipated events that require increased action and response to keep our communities safe, increased investigative requirements, a large opening premium pay pressure that is proving difficult to manage given necessary operational and support requirements, and other higher than budgeted costs, it will be difficult to achieve a zero budget variance in 2021.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 20, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Capital Budget Variance Report for the Toronto Police Service -
Period Ending June 30, 2021**

Recommendation:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer, for inclusion in the City's overall capital variance report to the City's Budget Committee.

Financial Implications:

Toronto City Council (Council), at its meeting of February 18, 2021, approved the Toronto Police Service's (Service) 2021-2030 capital program at a net amount of \$18.4 Million (M) and gross amount of \$44.3M for 2021 (excluding carry forwards), and a 10-year total of \$212.5M net and \$614.7M gross. Please see Attachment A for more details.

Table 1 – Summary of 2021 Budget and Expenditures

Category	2021 Gross (M's)	2021 Net (M's)
2021 approved program excluding carry forward	\$44.3	\$18.4
2019 & 2020 carry forwards	\$28.5	\$14.1
Total 2021 available funding	\$72.8	\$32.5
2021 Projection	\$53.1	\$23.9
Variance to available funding	\$19.7	\$8.6
Carry forward to 2022	\$16.5	\$8.6
Spending rate	73%	74%

Note: due to rounding, numbers presented may not add up precisely.

The 2021 estimated gross spending rate is 73%. From the estimated 2021 gross under-expenditure of \$19.7M, \$16.5M will be carried forward to 2022. The remaining balance of \$3.2M will be returned to the Vehicle and Equipment reserve due to savings realized:

- in the Workstation, Laptop, Printer lifecycle project due to lower pricing (\$1.3M);
- as a result of using Provincial grant funds for the replacement of servers in the Closed Circuit Television project (\$0.2M);
- from the lifecycle replacement of Connected Officer phones that are not required (\$0.2M);
- from the Wireless Parking System project being delivered below budget (\$0.3M); and
- due to utilization of Provincial grant funds for a portion of equipment required for the Conducted Energy Weapon (C.E.W.) project (\$1.2M).

Background / Purpose:

The purpose of this report is to provide the Board with the status of the Service's capital projects as at June 30, 2021.

COVID-19 Impact on Capital projects:

There have been some delays in various projects due to COVID-19 restrictions and challenges. The Service continues to monitor the impacts of COVID-19 on projects in the capital plan in order to ensure any action required is undertaken.

Discussion:

Attachment A provides the Service's approved 2021-2030 capital program.

Attachment B provides the Service's variance report as at June 30, 2021 with a status summary of the ongoing projects from 2020 as well as project description and status for projects that started in 2021.

Key Highlights / Issues:

As part of its project management framework, the Service tracks project progress as well as any risks and issues to determine the status and health (i.e. Green, Yellow, and Red) of capital projects. The overall health of each capital project is based on budget, schedule and scope considerations. The colour codes are defined as follows:

- Green - on target to meet project goals (scope/functionality), on budget and on schedule and no corrective action is required.
- Yellow - at risk of not meeting certain goals, some scope, budget and/or schedule issues, and minimal corrective action is required.
- Red - high risk of not meeting goals, significant scope, budget and/or schedule issues, and extensive corrective action is required.

Table 2 - 2021 Capital Budget Variance Report as at June 30, 2021 (\$000s)

	2021 Cash Flow		Variance (Over)/ Under	Spending Rate	Carry Forward to 2022	Overall Project Health
	Available to Spend	Projected Actuals				
Debt - Funded Projects						
Facility Projects:						
54/55 Divisions Amalgamation	908.5	350.0	558.5	39%	558.5	Red
41 Division	6,016.4	3,875.8	2,140.6	64%	2,140.6	Yellow
Communication Center Consulting	500.0	300.0	200.0	60%	200.0	Yellow
Long Term Facility Plan - Facility and Process Improvement	700.0	700.0	0.0	100%	0.0	Green
Long Term Facility Plan - Consultant	750.0	300.0	450.0	40%	450.0	Red
Information Technology Modernization Projects:						
Transforming Corporate Support	1,376.3	200.0	1,176.3	15%	1,176.3	Red
ANCOE (Enterprise Business Intelligence and Global Search)	1,019.0	873.7	145.3	86%	145.3	Green
Body Worn Camera - Phase II	2,800.0	2,600.0	200.0	93%	200.0	Green
Next Generation (N.G.) 9-1-1	6,694.6	5,699.2	995.4	85%	995.4	Green
Replacements/ Maintenance/ Equipment Projects:						
State-of-Good-Repair	6,058.5	4,002.2	2,056.3	66%	2,056.3	Yellow
Radio Replacement	6,129.6	6,129.6	0.0	100%	0.0	Green
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581.0	1,344.0	237.0	85%	237.0	Green
Mobile Command Centre	1,735.0	535.0	1,200.0	31%	1,200.0	Red
Total Debt - Funded Projects	36,269	26,909	9,359	74%	9,359	
Lifecycle Projects (Vehicle & Equipment Reserve)						
Vehicle Replacement	8,373.2	8,205.3	167.9	98%	166.0	
IT- Related Replacements	17,024.4	10,080.5	6,943.9	59%	5,645.6	
Other Equipment	11,179.9	7,952.9	3,227.1	71%	1,308.4	
Total Lifecycle Projects	36,577.5	26,238.6	10,338.9	72%	7,119.9	
Total Gross Expenditures	72,846.4	53,148.0	19,698.3	73%	16,479.3	
Less other-than-debt Funding						
Funding from Developmental Charges	(3,724.5)	(2,966.0)	(758.5)	80%	(758.5)	
Vehicle & Equipment Reserve	(36,577.5)	(26,238.6)	(10,338.9)	72%	(7,119.9)	
Total Other-than-debt Funding	(40,302.0)	(29,204.6)	(11,097.4)	72%	(7,878.4)	
Total Net Expenditures	32,544.4	23,943.4	8,600.9	74%	8,600.9	

The subsequent sections provides project updates for key, on-going projects and includes high-level project descriptions for new projects within the 2021-2030 program.

Facility Projects:

Due to COVID-19, there have been delays in planned construction schedules, including labour and critical supply chain disruptions, delays in obtaining required permits as well as the need to slow down/eliminate some projects due to the 2020 Capital from Current (C.F.C.) funding shortfall from the City. These factors played a significant role in the progress and cost of the Service's facility related projects.

The Service is acquiring external expertise to develop a strategic building and office/operational space optimization program that assesses current space utilization and forecasts the short and long term requirements of the Service with respect to its current building portfolio. The facility related capital program will be updated for future years as more information becomes available.

54/55 Divisions Amalgamation (Red):

- The processes of rezoning, environmental assessment of site and soil conditions are complete.
- The architectural firm has prepared a design brief complete with schematic block plans for use in the Construction Management Request for Proposal (R.F.P.) that will be tendered in the third quarter of 2021. It is anticipated that the construction management contract award will not occur this year, impacting the spending rate for 2021.
- Facilities Management Unit (F.C.M.) will engage the 54/55 Facility Steering Committee for continuation of the investigative/schematic design phase.
- F.C.M. is liaising with the local City councillors to discuss further community engagement and input during the investigative design stage, as well as keeping them up to date on the progress during construction.
- The construction is estimated to begin late 2022; however, once the updated schedule from the architectural firm is received, timelines will be revisited.
- Due to increased cost of material as a result of COVID-19, it is likely that the cost of construction will go up. Following the completion of detailed design drawings by the project architect, the construction manager will explore all variables that will impact the overall project and will include the provision of more refined budget estimates for all project components.
- Given the current construction market, it will be difficult to develop a more definitive budget for this project until the construction manager commissions and receives tenders from the various sub-contractors that will be required to complete the construction phase of the project.

- The health status of this project is Red due to the estimated spending rate of 39%, schedule delay and the potentially higher cost of construction. From the available funding of \$900K, \$350K will be spent in 2021 and the rest will be carried forward to 2022.

41 Division (Yellow):

- This new divisional build is being constructed on the existing 41 Division site, and operations will continue while the construction is occurring.
- Site Plan Approval has been initiated with the City.
- Detailed Design Phase has been completed.
- Due to increased cost of material as a result of COVID-19, it is likely that the cost of construction will go up. Following the completion of detailed design drawings by the project architect, the construction manager will explore all variables that will impact the overall project and will include the provision of more refined budget estimates for all project components.
- The Board will be kept apprised on the budget for the project following receipt of the tender submissions from various sub-contractors that will be commissioned by the construction manager to complete the construction phase of the project.
- The construction management firm is preparing the interior of the existing building to relocate staff to the north portion of the facility, allowing for demolition of the south portion anticipated to start in October 2021.
- Town Hall meetings have resumed. Facilities Management is liaising with local City councillors for future Town Hall information sessions with the community.
- Timeline and construction costs are adjusted for 2021. However, due to COVID-19 restrictions the estimated year-end spending rate is 64%. Therefore, the overall status of this project is considered Yellow.

Communication Centre Requirements Review (Yellow):

- This project provides funding to acquire external expertise to assist the Service with a comprehensive review of all the requirements for a new Communication Centre, taking into account the impact of Next Generation (N.G.) 9-1-1 and other key considerations.
- The existing location for Communications Services (C.O.M.) has reached the maximum capacity for personnel, workspace and technology. The current facility cannot accommodate the anticipated expansion that will be required as a result of N.G. 9-1-1.

- The estimated cost for a new Communication Centre facility is not included in the Service's capital program, as the Service is first going to engage external expertise to identify the requirements. This project and its funding should be jointly coordinated with other City Emergency Services, and the Service will work with City Finance, Toronto Fire and Toronto Paramedic Services to that end. The external expert will conduct a comprehensive analysis of the impact of technological changes from N.G. 9-1-1, population growth, shifts in calling behaviour (text versus voice, videos), staffing requirements, location, size, and backup site.
- An R.F.P. was issued, and a contract has been awarded to AECOM Canada Ltd., which is one of the Board approved pre-qualified vendors, for the provision of architectural services for various renovation and construction projects at Toronto Police Service facilities.
- A project kick-off meeting was held in January 2021. Programming and information gathering is complete for the proposed new Communications building. The feasibility study for the new building is anticipated to be completed in the 3rd quarter of 2021. Schematic design for interior renovations at the existing Communications Centre is complete.
- The health status of this project is Yellow due to the estimated spending rate of 60%. It is anticipated that from the available funding of \$500K, \$300K will be spent in 2021 and the rest will be carried forward to 2022 for contract administration and any design work at the secondary site, if required.

Long-Term Facility Plan – Facilities and Process Improvement – District Model (Green):

- The installation and implementation of remote appearance video bail was completed at 23, 14, 51 and 43 Divisions, in collaboration with the Ministry of the Attorney General (M.A.G.) and other external agencies. The video technology was also implemented in May 2021 for bail hearings over weekends and public holidays from the abovementioned locations. Planning is underway for the installation of video bail equipment at 32 Division. This initiative is receiving overall positive feedback from key stakeholders.
- The review of operational processes continues to focus on opportunities to improve service delivery:
 - A service-wide review has been undertaken in order to identify potential efficiencies and enhance service delivery in the area of criminal investigative processes.
 - Phases 2 is in progress for the review of Community Investigative Support Unit (C.I.S.U.) and standardizing functions across the divisions.

- Phase 3 is in progress for the review of non-emergencies events throughout the Service to create an electronic process that can most accurately capture statistics and workloads.

Long-Term Facility Plan – Consulting Services (Red):

- The Service is the largest municipal police service in Canada with over 52 buildings throughout Toronto. Some of these buildings are over 50 years old and are in need of replacement or major renovation to meet current and projected staffing and operational needs.
- The Service is acquiring external expertise to develop a Strategic Building Program that assesses current space utilization and forecasts the short and long term requirements of the Service.
- The review will assess the condition of existing buildings, locations, cost to renovate versus building new, and/or cost to relocate in order to meet current and future operational requirements of the Service.
- The assessment will be carefully examined with the objective to enhance operational flexibility, improve aging facility infrastructure, optimize resources, and where possible, reduce the Service's facilities footprint. The Service will also consider constraints on funding levels and will maximize the use of City Development Charges (D.C.). D.C. fees are charged to developers to help pay for the cost of infrastructure required to provide municipal services in growing areas to qualifying Service projects, and which reduces the Service's reliance on debt funding.
- Contract award for the architectural firm is expected to be completed in the third/fourth quarter of 2021, with work commencing once staff have passed the Service's background process.
- The health status of this project is Red due to the estimated spending rate of 40%. It is anticipated that from the available \$750K, \$300K will be utilized in 2021 and the rest will be carried forward to 2022.

Information Technology Modernization Projects:

In the last decade, there have been many important developments with respect to information technologies (I.T.) that the Service has embraced and implemented. These systems are designed to improve efficiencies through advanced technology that eliminates costly and manual processes. They also have the benefit of improving information that supports the Service's overall goal of providing reliable and value-added public safety services.

Transforming Corporate Support (Human Resource Management System (H.R.M.S.) and Time Resource Management System (T.R.M.S.) (Red):

- The project focus is to develop more cost-effective, modern and automated processes to administer and report on the Service's people and human resources related activities, including employee record management, payroll, benefits administration, and time and labour recording.
- The H.R.M.S. portion of this project is complete.
- The technical upgrade of T.R.M.S., the Service's time and labour system, is currently underway, and is expected to be completed by Q1 2022.
- Future phases will include continuous improvement of developed functionality and enhanced reporting.
- The health status of this project is Red due to the estimated spending rate of 15%. COVID-19 and resource constraints have hampered the future planning for this project. As a result, it is anticipated that from the available \$1.4M, \$200K will be utilized in 2021 and the rest will be carried forward to 2022.

Analytics Centre of Excellence (A.N.C.O.E.) program; Enterprise Business Intelligence (E.B.I.) and Global Search (Green):

E.B.I. and Global Search (Green):

- Both projects are on time and on budget and the health status is Green.
- No new information to report at this point.

Body Worn Cameras (B.W.C.) (Green):

- The contract award to Axon Canada was approved by the Board at its August 2020 meeting (Min. No. P129/20 refers).
- To date, of the 2,350 front-line police officers that will be outfitted with B.W.C., 1,230 officers across the Service have been trained and issued body-worn cameras.
- Body-worn cameras continue to be rolled out to front-line officers with a blend of officers from various divisions.
- Electronic disclosure of body-worn camera videos to court has commenced at the Ministry of Attorney General (M.A.G.) and Toronto West Court and will be expanding to other locations over the rest of 2021.

Next Generation (N.G.) 9-1-1 (Green):

- The N.G. 9-1-1 project kicked-off with Comtech Solacom (Solacom) January 2021.
- An extensive Detail Design phase is now nearing completion.
- Details are being finalized for the new training room/tertiary site:
 - The R.F.P. has been issued for furniture for this new space.
 - The Detail Design phase for the new radio site is nearing completion.
- Voice Logging System upgrade – for a fully N.G. compliant version has been completed. Only Computer Aided Dispatch (C.A.D.) integration portion is outstanding and work is continuing on this component.
- Collaboration meetings with the secondary Public Safety Answering Points (Toronto Paramedic Services and Toronto Fire) on the N.G. platform are ongoing.
- Due to COVID-19 related delays, as of June 2021, the Canadian Radio-television and Telecommunications Commission (C.R.T.C.) updated their N.G. readiness timelines for Telecom providers:
 - Voice Launch – March 1, 2022 (from March, 2021)
 - Real Time Text (R.R.T.) – to be determined
 - Decommission of Legacy System – March 4, 2025 (from March, 2024)
- Pending any further COVID-19 related delays or unplanned interruptions, it is still anticipated that the solution will be fully implemented in the first quarter of 2022 and will Go Live in the second quarter of 2022.
- Architectural plans for the renovations at the existing primary site are progressing. The plan is to expand the existing Primary Operation floor to help accommodate the implementation of N.G.9-1-1 and to house additional call-taking positions. The renovations will also create much needed rest areas and meeting space as well as consolidated management, administration and support areas.
- To accommodate the implementation of N.G. 9-1-1 and to house the additional call-taking positions; the call-taking space on the operational floor is being expanded during renovations. At this point there is no funding for additional equipment or staffing.
- Additional space has been identified to prepare for the anticipated increased demand arising from N.G. 911 implementation. This will serve as interim space until a longer term solution for a new communication centre is developed.

Replacements/ Maintenance/ Equipment Projects:

Projects in this category are for replacement or maintenance of equipment and other assets.

State of Good Repair (S.O.G.R.) (Yellow):

- S.O.G.R. funds are used to maintain the safety, condition and requirements of existing Service buildings. In light of the future plans for Service facilities, planned use of these funds will be aligned with the Long-Term Facility Plan, with priority being given to projects in the backlog that must continue and that will not be impacted by the transformation of the Service's facility footprint.
- Some examples of S.O.G.R. work to be completed in 2021 are security/access control maintenance in various locations, light emitting diode (L.E.D.) retrofits, realignment of headquarter (H.Q.) units, Marine Unit dock replacement, Mounted Unit horse stall repairs, Police Dog Services canopy, etc.
- This funding source is also used by the Service for technology upgrades in order to optimize service delivery and increase efficiencies. The budget includes upgrades to the Service's forms, Versadex system upgrade, and the engagement of various I.T. contractors for maintenance work etc.
- The health status of this project is Yellow due to the estimated spending rate of 66% as a result of delays from COVID-19 impacts.

Radio Replacement (Green):

- This project is on time and on budget and health status is Green.
- No new information to report at this point.

Automated Fingerprint Identification System (A.F.I.S.) (Green):

- The contract award to IDEMIA was approved by the Board Delegates on April 28, 2020 and contract negotiations were completed December 11, 2020.
- Due to delays in contract negotiations and the continuing impact of COVID-19 with travel restrictions and logistics with shipping and receiving of materials, the implementation timeline has been extended from 8 months to 15 months.
- In February 2021, planning documents were created and forwarded to the Forensic Identification Services unit for review. In parallel, work is being continued for the design phase.
- The new A.F.I.S. is expected to be fully operational in the second quarter of 2022.

Mobile Command Centre (Red):

- The Service will be acquiring a new Mobile Command Vehicle to support the challenges of providing public safety services in a large urban city. The vehicle will play an essential role and fulfill the need to readily support any and all operations and occurrences within the City.
- The design will allow for the flexibility to cover emergencies and non-emergency events such as extreme event response, major sporting events, searches, and joint operations.
- Additionally, the vehicle will be designed to operate with other emergency services, as well as municipal, provincial and federal agencies. The technology will focus on both the current and future technological needs required to work within the C3 (Command, Control, Communications) environment, further ensuring efficient and effective management of public safety responses.
- A project management team and working group have been established. A project charter is being developed and milestones defined. Stakeholders have been engaged to assist in defining the communications, technological and structural requirements.
- The Request for Quotation (R.F.Q.) was issued mid-August with a vendor awarded a month after. Average build for the mobile incident command vehicle is approximately 5 to 6 months. It is anticipated that the vehicle will be in service by the first quarter of 2022.
- The health status of this project is Red due to the estimated spending rate of 31%. From the available \$1.7M, \$535K will be utilized in 2021 and the rest will be carried forward to 2022.

Lifecycle Projects (Vehicle and Equipment Reserve):

Table 3 – Summary of Vehicle and Equipment Lifecycle Replacement (\$000s)

Project Name	Carry Forward from previous	2021 Budget	Available to Spend	Year End Actuals	YE Variance (Over)/ Under	Carry Forward to 2022	Total Project Cost	
							Budget	Life to Date
Vehicle Replacement	251.2	8,122.0	8,373.2	8,205.3	167.9	166.0	On-going	On-going
IT- Related Replacements	5,694.4	11,330.0	17,024.4	10,080.5	6,943.9	5,645.6	On-going	On-going
Other Equipment	7,075.9	4,104.0	11,179.9	7,952.9	3,227.1	1,308.4	On-going	On-going
Total Lifecycle Projects	13,021.5	23,556.0	36,577.5	26,238.6	10,338.9	7,119.9		

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement operating budgets. The Reserve has no impact on the capital program at this time, as it does not require debt funding. Items funded through this reserve include the regular replacement of vehicles and information technology equipment, based on the deemed lifecycle for the various vehicles and equipment.

It is important to note that as the Service modernizes, new systems have been implemented over the years (e.g. In-Car Camera program, data and analytics initiatives) and storage requirements increased (e.g. to accommodate video), which have put significant pressure on this Reserve, as the amount of equipment with maintenance and replacement requirements continues to increase year over year. This in turn puts pressure on the operating budget, as increased annual contributions are required to ensure the Reserve can adequately meet the Service’s vehicle and equipment requirements.

While the Service has taken steps to create efficiencies, the amount of equipment that must be replaced continues to increase. The Service will continue to review all projects planned expenditures to address the future pressures, including additional reserves contributions that may be required. The Service is also exploring other options (e.g. cloud) for more efficient and potentially less costly data storage.

Significant variances resulting in carry forwards of funding are:

- \$0.4M - Furniture Lifecycle – A large number of furniture replacement requests are currently delayed due to COVID-19
- \$0.5M – Workstation, Laptop, Printer –The remaining funds of \$500K is for an F.I.S. plotter which will be replaced in 2022

- \$2.8M - Servers Lifecycle – The Datacentre Rationalization activity will not be completed in 2021. The Service is engaging Gartner and Purchasing Services on creating Value-Added Reseller (V.A.R.) R.F.P.
- \$1.9M - IT Business Resumption – The Datacentre Rationalization activity will not be completed in 2021. The Service is engaging Gartner and Purchasing Services on creating Value-Added Reseller (V.A.R.) R.F.P.
- \$0.3M - Digital Video Asset Management (D.V.A.M.) I, II – There have been delays in the planned lifecycle replacement of equipment in some divisions due to COVID-19
- \$0.3M – Small Equipment Replacement – Telephone handsets – There have been minor delays in telephone equipment rollout

Conclusion:

The Service's 2021 gross spending rate is estimated at 73%. From the estimated 2021 gross under-expenditure of \$19.7M, \$16.5M will be carried forward to 2022. The remaining balance of \$3.2M will be returned to the Vehicle and Equipment reserve.

Projects will continue to be monitored on an ongoing basis and known issues will continue to be actively addressed. The Board will be kept apprised of any major issues as projects progress as well as proposed capital program changes.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

APPROVED 2021 – 2030 Capital Program Request (\$000s)

Attachment A

	Prior to 2021	2021	2022	2023	2024	2025	2021-2025	2026	2027	2028	2029	2030	2026-2030	2021-2030	Total Project
Projects in Progress															
01. State-of-Good-Repair - Police	0	4,600	4,400	4,400	4,400	4,400	22,200	4,400	4,400	4,400	4,400	4,400	22,000	44,200	44,200
02. Transforming Corporate Support (HRMS, TRMS)	7,935	0	500	0	0	0	500	0	0	0	0	0	0	500	8,435
03. Long Term Facility Plan - 54/55 Amalgamation; New Build	1,184	0	6,710	18,800	11,280	10,026	46,816	2,500	0	0	0	0	2,500	49,316	50,500
04. Long Term Facility Plan - 32 Division Renovation	373	0	0	0	0	0	0	0	0	0	0	0	0	0	373
05. Long Term Facility Plan - 41 Division; New Build	4,956	2,116	19,500	13,000	10,928	0	45,544	0	0	0	0	0	0	45,544	50,500
06. Long Term Facility Plan - Facility and Process Improvement	3,022	1,485	735	0	0	0	2,220	0	0	0	0	0	0	2,220	5,242
07. ANCOE (Enterprise Business Intelligence, Global Search)	11,427	677	202	202	0	0	1,081	0	0	0	0	0	0	1,081	12,507
08. Radio Replacement	29,685	5,074	3,292	0	0	0	8,366	0	14,141	4,250	6,025	4,600	29,016	37,382	67,067
09. Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581	0	0	0	0	0	0	3,053	0	0	0	0	3,053	3,053	4,634
10. Next Generation (N.G.) 9-1-1	5,250	2,100	1,075	280	280	0	3,735	0	0	0	0	0	0	3,735	8,985
11. Body Worn Camera - Phase II	3,282	2,973	0	0	0	0	2,973	0	0	0	0	0	0	2,973	6,255
12. TPS Archiving	613	0	0	0	0	0	0	0	0	0	0	0	0	0	613
13. Additional Vehicles	6,621	0	0	0	0	0	0	0	0	0	0	0	0	0	6,621
14. Communication Centre - New Facility Assessment	500	0	0	0	0	0	0	0	0	0	0	0	0	0	500
Projects in Progress Total	76,427	19,025	36,414	36,682	26,888	14,426	133,435	9,953	18,541	8,650	10,425	9,000	56,569	190,004	266,430
Upcoming Projects															
15. Property & Evidence Warehouse Racking	30	0	0	0	50	950	1,000	0	0	0	0	0	0	1,000	1,030
16. Mobile Command Centre	0	1,735	0	0	0	0	1,735	270	50	0	0	270	590	2,325	2,325
17. Long Term Facility Plan - 13/53 Division; New Build	0	0	600	6,516	16,796	13,096	37,008	4,364	0	0	0	0	4,364	41,372	41,372
18. Long Term Facility Plan - 22 Division; New Build	0	0	0	0	0	600	600	6,516	15,596	13,196	5,492	0	40,800	41,400	41,400
19. Long Term Facility Plan - 51 Division; Major Expansion	0	0	0	0	0	0	0	0	3,300	5,240	3,460	0	12,000	12,000	12,000
Upcoming Projects Total	30	1,735	600	6,516	16,846	14,646	40,343	11,150	18,946	18,436	8,952	270	57,754	98,097	98,127
Vehicle and Equipment Reserve Total	282,961	23,556	28,173	33,417	33,404	34,031	152,581	37,328	33,825	32,171	27,253	43,478	174,055	326,636	609,597
Gross Total	359,418	44,316	65,187	76,615	77,138	63,103	326,359	58,431	71,312	59,257	46,630	52,748	288,378	614,737	974,154
Revenue															
100. DC and Grant funding applicable to Connected officer	(2,632)	0	1,403	296	1,723	307	3,729	1,787	318	1,851	329	63	4,348	8,077	5,445
101. Development charges Funding	(33,759)	(2,316)	(10,107)	(16,812)	(17,099)	(6,907)	(53,241)	(12,303)	(15,914)	(1,851)	(329)	(63)	(30,460)	(83,701)	(117,460)
102. Total Reserve Projects	(282,961)	(23,556)	(26,770)	(33,121)	(31,681)	(33,724)	(148,852)	(35,541)	(33,507)	(30,320)	(26,924)	(43,415)	(169,707)	(318,559)	(601,520)
103. Total Debt Projects	42,698	18,444	28,310	26,682	28,358	22,472	124,266	10,587	21,891	27,086	19,377	9,270	88,211	212,477	255,174

2021 Capital Budget Variance Report as at June 30, 2021 (\$000s)															
Project Name	Carry Forward from 2019 & 2020	2021 Cash Flow			Variance (Over)/ Under	Lost Funding/ Return to Reserve	Spending Rate	Carry Forward to 2022	Total Project Cost		Status	Start Date	End Date		Overall Project Health
		Budget	Available to Spend	Projected Actuals					Budget	Life to Date			Planned	Revised	
Debt - Funded Projects															
Facility Projects:															
54/55 Divisions Amalgamation	908.5	0.0	908.5	350.0	558.5	0.0	39%	558.5	50,499.8	290.0	Delayed	Jan-17	Dec-24	Dec-26	Red
41 Division	3,650.4	2,366.0	6,016.4	3,875.8	2,140.6	0.0	64%	2,140.6	50,500.0	1,515.5	Delayed	Jan-18	Dec-22	Jul-05	Yellow
Communication Center Consulting	500.0	0.0	500.0	300.0	200.0	0.0	60%	200.0	500.0	0.0	Delayed	Jan-20	Dec-20	Dec-22	Yellow
Long Term Facility Plan - Facility and Process Improvement	700.0	0.0	700.0	700.0	0.0	0.0	100%	0.0	4,492.0	2,217.3	On Time	Jan-18	Dec-23	Dec-22	Green
Long Term Facility Plan - Consultant	0.0	750.0	750.0	300.0	450.0	0.0	40%	450.0	750.0	0.0	On Time	Jan-21	Dec-22	Dec-22	Red
Information Technology Modernization Projects:															
Transforming Corporate Support	1,376.3	0.0	1,376.3	200.0	1,176.3	0.0	15%	1,176.3	9,242.5	6,574.5	Delayed	Jan-14	Dec-20	Dec-22	Red
ANCOE (Enterprise Business Intelligence and Global Search)	342.0	677.0	1,019.0	873.7	145.3	0.0	86%	145.3	12,527.6	11,891.3	On Time	Jan-15	Dec-18	Dec-23	Green
Body Worn Camera - Phase II	77.0	2,723.0	2,800.0	2,600.0	200.0	0.0	93%	200.0	5,854.8	4,501.1	On Time	Jan-17	Dec-20	Dec-21	Green
Next Generation (N.G.) 9-1-1	4,594.6	2,100.0	6,694.6	5,699.2	995.4	0.0	85%	995.4	8,985.0	975.8	On Time	Jan-19	Dec-23	Dec-24	Green
Replacements/ Maintenance/ Equipment Projects:															
State-of-Good-Repair	1,361.1	4,697.4	6,058.5	4,002.2	2,056.3	0.0	66%	2,056.3	on-going	on-going	On Time	on-going	on-going	on-going	Yellow
Radio Replacement	418.0	5,711.6	6,129.6	6,129.6	0.0	0.0	100%	0.0	38,050.5	32,334.8	On Time	Jan-16	on-going	on-going	Green
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581.0	0.0	1,581.0	1,344.0	237.0	0.0	85%	237.0	4,285.0	2,704.1	On Time	Jan-19	Dec-20	Mar-22	Green
Mobile Command Centre	0.0	1,735.0	1,735.0	535.0	1,200.0	0.0	31%	1,200.0	1,735.0	0.0	Delayed	Feb-21	Apr-22	Apr-22	Red
Total Debt - Funded Projects	15,509	20,760	36,269	26,909	9,359	0	74%	9,359	187,422	63,004					
Lifecycle Projects (Vehicle & Equipment)															
Vehicle Replacement	251.2	8,122.0	8,373.2	8,205.3	167.9	1.9	98%	166.0	On-going	On-going	On-going				
IT- Related Replacements	5,694.4	11,330.0	17,024.4	10,080.5	6,943.9	1,298.3	59%	5,645.6	On-going	On-going	On-going				
Other Equipment	7,075.9	4,104.0	11,179.9	7,952.9	3,227.1	1,918.7	71%	1,308.4	On-going	On-going	On-going				
Total Lifecycle Projects	13,021.5	23,556.0	36,577.5	26,238.6	10,338.9	3,219.0	72%	7,119.9							
Total Gross Expenditures	28,530.4	44,316.0	72,846.4	53,148.0	19,698.3	3,219.0	73%	16,479.3							
Less other-than-debt Funding															
Funding from Developmental Charges	(1,408.5)	(2,316.0)	(3,724.5)	(2,966.0)	(758.5)	0.0	80%	(758.5)							
Vehicle & Equipment Reserve	(13,021.5)	(23,556.0)	(36,577.5)	(26,238.6)	(10,338.9)	(3,219.0)	72%	(7,119.9)							
Total Other-than-debt Funding	(14,430.0)	(25,872.0)	(40,302.0)	(29,204.6)	(11,097.4)	(3,219.0)	72%	(7,878.4)							
Total Net Expenditures	14,100.4	18,444.0	32,544.4	23,943.4	8,600.9	0.0	74%	8,600.9							



Toronto Police Services Board Report

August 23, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: 2021 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending June 30, 2021

Recommendations:

It is recommended that the Toronto Police Services Board (Board) forward a copy of this report to the City of Toronto (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its January 13, 2021 meeting, the Board approved the Toronto Police Service's Parking Enforcement Unit (P.E.U.) operating budget request at \$49.2 Million (M) (Min. No. P2021-0113-3.3 refers), a 0% increase over the 2020 approved budget.

Subsequently, City Council, at its February 18, 2021 meeting, approved the P.E.U.'s 2021 operating budget at the same amount.

As at June 30, 2021, the Service is currently projecting a zero variance for the P.E.U.

Background / Purpose:

The P.E.U. operating budget is not part of the Toronto Police Service (Service) operating budget. While the P.E.U. is managed by the Service, the P.E.U.'s budget is maintained separately in the City's non-program budget. In addition, revenues from the collection of parking tags issued accrue to the City, not the Service.

The purpose of this report is to provide information on the P.E.U.'s 2021 projected year-end variance as at June 30, 2021.

Discussion:

While the Service is currently projecting a zero variance for the P.E.U. budget, we will continue to review spending plans to ensure the P.E.U. stays within budget. This includes reviewing the timing and pace of hiring, premium pay spending and non-salary

expenditures. It is important to note that while the P.E.U. did consider COVID-19 in developing its 2021 operating budget, the financial implications are difficult to predict. For planning purposes, the projections below assume that the majority of the COVID-19 restrictions will end by September 30th, when it's anticipated that the City will move to a "new normal".

COVID-19:

Since early 2020, the COVID-19 pandemic has greatly impacted how the P.E.U. conducts its operations and has altered demands for service. More specifically:

- reduced parking tag enforcement;
- reduced pound operations;
- members have been in self-isolation for periods of time;
- personal protective equipment purchases have increased substantially; and
- workplace adjustments to prevent the spread of COVID-19.

COVID-19 has presented service delivery challenges, and has resulted in financial impacts as well.

The following chart summarizes the variance by category of expenditure, followed by information on the variance for both salary and non-salary related expenses.

Category	2021 Budget (\$Ms)	Actual to Jun 30/21 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav/(Unfav) (\$Ms)
Salaries	\$33.0	\$16.0	\$33.6	(\$0.6)
Benefits	\$8.2	\$3.0	\$8.2	\$0.0
Total Salaries & Benefits	\$41.2	\$19.0	\$41.8	(\$0.6)
Premium Pay	\$1.3	\$0.2	\$0.8	\$0.5
Materials & Equipment	\$2.4	\$0.4	\$2.4	\$0.0
Services	\$5.6	\$1.3	\$5.6	\$0.0
Total Non-Salary	\$8.0	\$1.7	\$8.0	\$0.0
Revenue (e.g. T.T.C., towing recoveries)	(\$1.3)	(\$0.2)	(\$1.4)	\$0.1
Total Net	\$49.2	\$20.7	\$49.2	\$0.0

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts,

taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

Salaries and Benefits (\$0.6M unfavourable variance):

Retirements and resignations are currently trending lower than planned. However, while regular attrition has slowed down, several parking enforcement staff have been successful in obtaining other positions within the Service (e.g. police officers and other civilian support positions), partially offsetting the reduced retirements and resignations. As a result, a \$0.6M unfavourable variance is projected in salaries and benefits at this time, and the recruit class that was scheduled for December will therefore be deferred to 2022.

Premium Pay (\$0.5M favourable):

Historically, nearly all premium pay at the P.E.U. is related to enforcement activities, such as special events or directed enforcement activities. Directed enforcement activities are instituted to address specific problems. A favourable variance of \$0.5M is projected in premium pay at this time. Although year to date expenditures are low, plans are in place to utilize premium pay for directed enforcement activities in the second half of the year.

Materials, Equipment and Services (zero variance):

This category includes funding of \$1.0M to replace the Vehicle Impound Program, which is used to manage vehicles towed by the Service. Significant spending for the replacement did not begin until July (\$300k), as a result, year to date expenditures in this category are lower than anticipated.

This category also includes \$2.8M in contribution to reserves (e.g. vehicle & equipment, sick pay gratuity, central sick). Contributions to reserves are made at the end of the year, when available funding can be confirmed.

No variance is anticipated in the non-salary accounts at this time.

Revenue (\$0.1M favourable):

Revenues include towing recoveries, contribution from reserves and recoveries from the Toronto Transit Commission (T.T.C.) The recoveries from the T.T.C. are for premium pay expenditures that are incurred to enforce parking by-laws on T.T.C. right of ways, which are necessitated by the continuing weekend subway closures for signal replacements maintenance. A favourable variance of \$0.1M is projected for these recoveries.

Conclusion:

As at June 30, 2021, the P.E.U. is projecting to be on budget, and the unit is continually reviewing its spending plans to ensure that objective is achieved.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

September 9, 2021

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: 2021 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending June 30, 2021

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive this report, and forward a copy to the City of Toronto (City) Chief Financial Officer and Treasurer for information and inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

As of June 30, the Board is anticipating a net \$65,900 unfavourable variance on its 2021 Operating Budget.

Background / Purpose:

At its January 13, 2021 meeting, the Board approved the Toronto Police Services Board's 2021 Operating Budget at a net amount of \$1,931,100 (Min. No. P2021-0113-3.4 refers), which represented a 0% increase over the 2020 Operating Budget. Subsequently, at its February 18, 2021 meeting, City Council approved the Board's 2021 Operating Budget at the same net amount.

The purpose of this report is to provide information on the Board's 2021 projected year-end variance.

Discussion:

As of June 30, 2021, an unfavourable variance in the amount of \$65,900 is anticipated. Details are discussed below. It is important to note, that while COVID-19 has had a significant impact on the way the Board conducts its business and how it interacts with the public, the Board has been able to leverage available technology and other

innovative approaches to minimize the net financial impact of the pandemic on the Board's budget.

The following chart summarizes the Board's variance by expenditure category. Details regarding these categories are discussed in the sections that follow.

Expenditure Category	2021 Budget (\$000s)	Actual to June 30, 2021 (\$000s)	Projected Year-End Actual (\$000s)	Fav/(Unfav) (\$000s)
Salaries & Benefits	\$1,330.3	\$614.7	\$1,271.2	\$59.1
Non-Salary Expenditures	\$2,576.5	\$1,230.7	\$2,664.3	(\$87.8)
Draws from Reserves	(\$1,975.7)	(\$862.8)	(\$1,938.5)	(\$37.2)
Total Net	\$1,931.1	\$982.6	\$1,997.0	(\$65.9)

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

Salaries & Benefits

Year-to-date expenditures are lower than planned, as not all Board Staff are at the highest 'step' of their respective salary band. Therefore, a favourable projection of \$59,100 is expected at year-end.

Non-salary Budget/Draws from Reserves

The majority of the costs in this category are for arbitrations/grievances and City charge backs for legal services.

The Toronto Police Services Board cannot predict or control the number of grievances filed or referred to arbitration, as filings are at the discretion of bargaining units. In order to address this uncertainty and ensure adequate financial resources are available to respond to these matters when they arise, the 2021 Operating Budget includes a \$424,800 contribution to a Reserve for costs associated with the provision of legal advice and representation. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board ultimately has funds available in the Reserve, upon which to draw, to fund these variable expenditures.

Chief of Police Public Consultation and Selection Process

The Board authorized commencing the process for two outside professional firms to assist the Board with (i) broad public engagement and consultation to determine what criteria should be used in selecting Toronto's next Chief of Police, and (ii) executive

search services. At its October 22, 2020 meeting, the Board approved the report entitled *Chief of Police Selection Process – Contract Award to Environics to Deliver Public Consultation Services* (Min. No. P160/20 refers). Costs for the public consultation process were estimated to be \$75,000 and evenly divided between 2020 and 2021. The public consultation process recently concluded, and the Board published Environics' report on its findings from this important process on August 18, 2021 (<https://tpsb.ca/component/jdownloads/send/30-community-engagements/698-chief-selection-public-consultation-environics-final-report>).

At its meeting of November 24, 2020, the Board approved the report entitled *Chief of Police Selection Process – Contract Award to BESC Toronto Inc. (Boyden) to Deliver Executive Search Services* (Min. No. P184/20 refers). Costs for the executive search process are estimated to be \$75,000 and will occur during 2021 and 2022.

In 2020, expenditures incurred with respect to the Chief of Police consultation and selection process was absorbed within the Board's 2020 Operating Budget. Every effort will be made to absorb 2021 costs associated with this process, as well; however, as a Chief Selection process does not occur regularly, the funds associated with the process are not 'built in' to the Board Office's annual budget, and, therefore, create a potential budget pressure.

Conclusion:

As of June 30, 2021, a net \$65,900 unfavourable variance is projected. The unfavourable variance is a result of the Chief selection process. Every effort will be made to absorb the costs associated with this process within the 2021 Operating Budget.

Respectfully submitted,



Ryan Teschner
Executive Director and Chief of Staff



Toronto Police Services Board Report

August 23, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Request for legislative changes to the *Highway Traffic Act* in relation to Owner Liability

Recommendation(s):

1. it is recommended that the Toronto Police Service Board (Board) receive this report; and further that
2. the Board engage the provincial government in reviewing the *Highway Traffic Act* (*H.T.A.*) with the intent of enhancing owner liability provisions for a number of more serious provincial offences in the manner proposed in this report.

Financial Implications:

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

Background / Purpose:

Penalties and sanctions associated with extreme speed and aggressive driving have become progressively more severe in recent years, leading to significant repercussions for those charged and convicted. While these penalties are intended to ultimately change road user behaviour leading to safer roads, they have also had an unintended consequence that makes our roadways less safe and hampers police enforcement efforts. Unfortunately, offenders are increasingly making a conscious choice not to stop when signalled to do so by police and instead, are increasingly taking aggressive and dangerous actions to escape apprehension. When this occurs, particularly in cases involving motorcycles and/or offences that are non-criminal in nature, police are virtually

prohibited from engaging the suspect in a pursuit due to provincial legislation, internal governance, and the extreme risks associated with such actions.

Currently, owners have no legal obligation to cooperate with an investigation to identifying the driver. This results in time consuming follow-up investigations attempting to identify the driver which often prove fruitless and ultimately the fleeing offender escapes legal liability.

This report will discuss the current state of legislation in the area of owner liability and propose potential amendments to the legislation in this area that would assist in police investigations.

Discussion:

The Ontario *H.T.A.* recognizes that owners have some liability as it relates to administrative offences, but places no liability on them for any driving offences committed while using their vehicle. Automated enforcement measures (red light cameras and automated speed enforcement) are the only offences where there is owner accountability for how their vehicle is operated.

Speed remains the number one determining factor of injury in a collision and has historically been the leading causal factor contributing to killed and serious injury collisions in Toronto. From 2019 to 2020, the Toronto Police Service (T.P.S.) increased its enforcement of the offence of speeding by 155%. Almost 112,000 offenders were stopped for speeding in 2020. Thus far in 2021, over 75,000 violators have been stopped for this offence.

Stunt driving legislation was introduced in the province of Ontario in 2007. This was the first time that officers were afforded the use of immediate roadside sanctions (vehicle impoundment for 7 days and roadside licence suspension) for drivers caught committing racing or stunt driving offences. Although initially effective at deterring this behaviour, since 2013 there has been a gradual increase in occurrences not only in the City of Toronto, but across the province. (Figure 1: T.P.S. Stunt driving charges Source: Versadex)

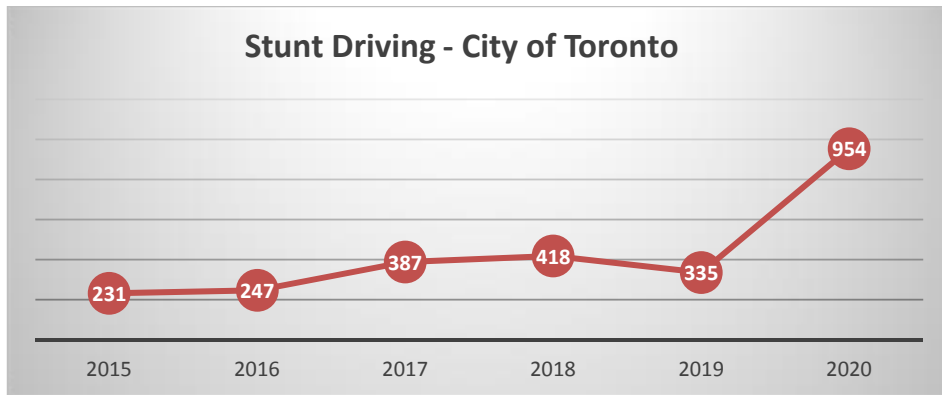


Figure 1

In 2020, a dramatic increase in stunt driving occurrences was observed across the province. The T.P.S. charged 954 offenders for stunt driving in 2020. This was a 186% increase from 2019. From January to August 2021, the T.P.S. have charged 497 drivers with stunt driving.

Despite the legislation, drivers have continued to drive recklessly and at high speeds on our roadways. A review of the current laws was commenced by the provincial government. This review brought about amendments to the *H.T.A.* that were introduced in 2021 in the form of the *Moving Ontarians More Safely Act 2021* (“*M.O.M.S. Act*”). Drivers now charged with racing/stunt driving offences have their vehicles impounded for 14 days and their drivers licence suspended immediately. It is anticipated that in September 2021, the immediate roadside drivers licence suspension will increase from 7 days to 30 days. If convicted, the sentences proposed will be similar to those imposed on impaired drivers (increased fines and long-term driver’s licence suspensions).

Fail to Stop for Police

As mentioned there has been a 187% increase in the number of drivers that fail to stop for the police in Toronto since 2015. The table below shows the number of Fail to Stop occurrences that occur in Toronto annually. (Figure 2: Toronto Police Service Fail to Stop Occurrences - Source: Versadex)

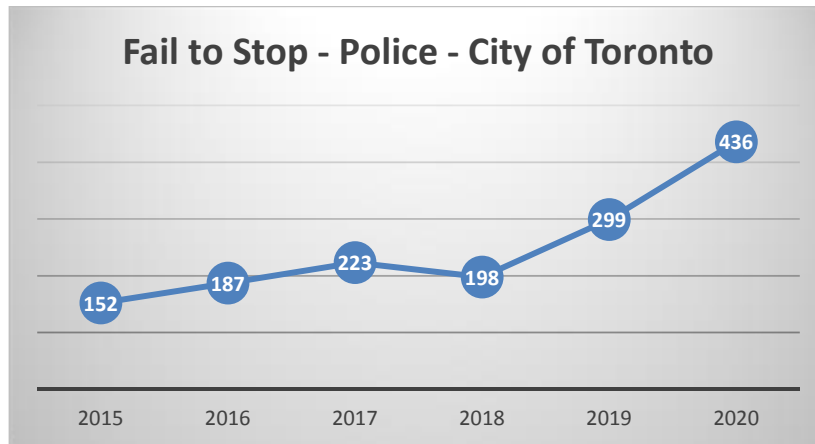


Figure 2

Additionally, there has been a 44% increase in the number of fail to stop incidents reported by T.P.S. officers between 2020 and 2021. If this trajectory continues, there will be over 540 occurrences in the City of Toronto by the end of 2021.

The *M.O.M.S. Act* was necessary legislation to ensure safer roads in Ontario. There is a concern however, that the stronger road side sanctions introduced and the increased roadside suspensions and vehicle impoundment, will be a precipitating factor in a driver's decision to stop for police. Police officers are already operating in an environment where drivers increasingly choose not to stop for police. The additional sanctions in this new *Act* may exacerbate this problem as there is more jeopardy now on drivers who are caught racing and stunt driving on our roads. This is by no means a criticism of the legislature's attempts to make our roads safer. It is noted merely to highlight the realities of the choices these drivers are making and are likely to make. The suggestions that the Service makes in this report are aimed at making the legislative scheme more effective while ensuring that constitutional considerations are honoured.

Provincial Suspect Apprehension Pursuit Regulation (O. Reg 266/10)

Introduced in 1999 and updated in 2010, the Provincial Suspect Apprehension Pursuit Regulation (S.A.P.), provides clear criteria for police officers to consider when opting to initiate or continue pursuits. Both S.A.P. and T.P.S. governance strongly discourage, and effectively prohibit, the pursuit of motorcycles, due to the significant risk that such pursuits pose to the life and safety of the driver of the pursued vehicle, as well as other road users.

The S.A.P. regulation states that after a vehicle has been signalled to stop for a *H.T.A.* offence, if the officer can identify either the vehicle or the driver, the officer cannot

continue to pursue the vehicle if it fails to stop. The S.A.P. regulation also dictates the need for police to continually balance public safety in situations where a pursuit may be or has been initiated. While the S.A.P. regulation is necessary and has led to smarter decisions being made by police officers, it has unfortunately created unintended consequences at times, by preventing police officers in many situations from being able to hold drivers accountable for their driving behaviours when the officer makes the informed decision to not pursue. Police officers conducting enforcement regularly encounter non-compliance when they attempt to pull over motorcycle riders for the offence of speeding. The more common reaction observed of late is for the motorcycle rider to noticeably accelerate and actively evade police interception.

A couple of identified behaviours exacerbates this issue related to motorcycles. The first being the trend to operate the motorcycle after intentionally removing the licence plates, or attaching the licence plate in such a manner that the licence plate is not clearly visible to the officer. The second issue is that many motorcyclists wear full-faced helmets which completely cover the operator's face, making it virtually impossible for the investigating officer to identify the offender when following up after the initial interaction.

It is recommended that the province review the penalties associated with driving a motorcycle without licence plates or licence plates that are obstructed from clear view.

Cooperation of Registered Owner of Vehicle (Owner)

Officers conducting follow-up investigation for driving offences where police have not been able to identify the driver at the time of the offence, regularly encounter vehicle owners who refuse to assist officers. Regularly, the registered owner refuses to provide the identity of the driver and often chooses not to answer investigative questions posed by the police, which is their right. Current legislation does not provide any mandatory obligation for the registered owner of the vehicle to assist police in these investigations.

The lack of a legal obligation in this area has created an environment where police are often unable to carry out their sworn duties and enforce road safety legislation in situations involving drivers intentionally avoiding apprehension.

Owner Liability

The *H.T.A.* currently recognizes that owners have responsibility and liability for certain offences, however, most moving violations require the identification of the driver before charges can be laid.

Section 207 of the *H.T.A.* provides that owners can be held accountable for offences relating to drivers licences, motor vehicle permits and plates, vehicle safety and

equipment and some commercial motor vehicle offences. It explicitly excludes owners from any liability for offences such as stunt driving, careless driving, failing to stop for police and for most other moving violations. For these excluded offences, only the driver, once identified, can be charged.

Apart from section 207 of the *H.T.A.*, the owner is liable for red light camera or automated speed enforcement offences. These moving violations are assessed against the registered owner of the vehicle, but do not affect the owner's driver licence.

Holding owners accountable

Extreme driving behaviour occurrences could be reduced by holding owners accountable for any person who drives their vehicle, however, the cooperation of owners in these investigations is imperative. There is an urgent need for owners to be obligated to provide the identity of a driver involved in a specific incident. Failing to cooperate should result in the owner being charged with the offence. The penalty upon conviction should be limited to a fine and possibly demerit points in order to balance constitutional considerations. The legislative solution must be proportionate to the mischief it is designed to address and be rationally connected to the behaviour that is in question.

Suggested legislation would include the following criteria:

1. The incident involves a more serious moving violation such as stunt driving, careless driving, or fail to stop for emergency vehicle;
2. The driver of the vehicle failed to stop for police when signalled to do so;
3. The registered owner must provide upon request, the name and address of the driver to police within 48 hours of the request; and
4. A registered owner, who refuses, fails, neglects or is unable to supply the name and address of the person in charge of the vehicle within 48 hours, shall be liable for the offences committed by the driver (with limits on the possible penalties as described above) except in cases where the vehicle was actually stolen.

The *H.T.A.* legislation excerpts from other provinces below, provide examples of enhanced liability requirements for registered owners of vehicles and could perhaps be a good starting point in this important conversation. There have been no relevant Charter challenges in any of these jurisdictions in relation to this legislation to date.

British Columbia:

- Pursuant to the common law and s. 83 of the *Motor Vehicle Act, R.S.B.C. 1996, c. 318*, an owner of a vehicle is vicariously liable for the negligence of the driver where the driver acquired possession of the vehicle with the consent, express or

implied, of the owner. This liability extends for **all contraventions** of the *Motor Vehicle Act*.

Nova Scotia, Newfoundland, Labrador, and Prince Edward Island:

- When the motor vehicle is operated in violation of any provision of the *Motor Vehicle Act*, the registered owner upon request shall within 48 hours supply the police the name and address of the person in charge of the vehicle at the time of the violation.
- A registered owner, who refuses, fails, neglects or is unable to supply the name and address of the person in charge of the vehicle within 48 hours, the owner shall be liable for the offence of the driver.

Conclusion:

Drivers and owners have an elevated responsibility to operate or have their vehicles operated in a safe and lawful manner. Any deviation from that is unacceptable and the liability to cooperate can justifiably be placed on the owner of that vehicle in these instances.

There can, and should be, an obligation on the registered owner to cooperate with the police on these serious H.T.A. offences. These are investigations where the onus should be held by the registered owner, absent exceptional circumstances. Other provinces in Canada have successfully created legislation that should be considered in Ontario.

The T.P.S. is committed to our goal of road safety in the City of Toronto. The Board engaging the provincial government to affect change in this important area is a critical step to assist T.P.S. and indeed all other police agencies in the province, in ensuring drivers are held accountable for reckless and extreme driving on the streets of Toronto hopefully resulting in the deterrence of such behaviour. All of this is suggested respectfully and with the ultimate goal of protecting the people of Toronto.

Deputy Chief Peter Yuen of Community Safety Command will be in attendance to answer any questions the Board may have concerning this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 23, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Training Related Police Reform Recommendations
Update – #52 to 58**

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

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

Background / Purpose:

At its meeting of August 18, 2020, the Toronto Police Services Board approved 81 recommendations for police reform that were contained in a report by Chair Jim Hart, titled "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety" (Min. No. P129/20 refers). These recommendations established a roadmap for comprehensive policing reform in Toronto, and include building new community safety response models, various initiatives to address systemic racism and concrete steps to improve trust with our communities.

Discussion:

This report contains the training related recommendations and the Toronto Police College's (T.P.C.) response, progress and implementation of recommendations 52 through 58.

Recommendation #52 – Direct the Chief of Police to:

- a. Immediately make permanent the current anti-Black racism training component of the annual re-training (civilians) and In-Service Training Program (uniform) and**

The Toronto Police College commits to include a minimum of four hours in the annual In-Service Training curriculum in the areas of equity, inclusion and human rights. This includes permanent anti-Black racism content, which has been taught since 2019. This training is provided to District Special Constables, Court Officers, Booking Officers, and sworn Police Officers. New content is created each year, and is influenced by many factors, including current events, community consultation, requests from the Chief, Command or the Board, observations from the field, legal decisions and Human Rights minutes of settlement. In-Service Training Curriculum is built using a “scaffold” approach, with the previous year’s content expanded further, and the next year’s content introduced.

The 2021 Anti-Black racism training has been released as an e-Learning module due to Covid-19, and was created in consultation with the Confronting Anti-Black Racism Unit (C.A.B.R.).

- b. Consult with experts in the appropriate fields and engage the C.A.B.R. Unit to:**
- i. Explore opportunities to expand this component;**
 - ii. Audit and review all courses with an anti-racism lens to identify how existing police training can be changed to address systemic racism or bias in training and to identify how anti-racism training can be incorporated in all courses taught at the College; and**
 - iii. Report to the Board by December 2021 with the findings of these consultations. (Board #2; C.A.B.R. #16.4 and 16.5)**

The Service engaged experts in the field to conduct an audit, with an anti-racism lens, of 108 courses offered at the T.P.C. Findings and recommendations proposed by the experts are currently being reviewed by the Service. The team of experts will also be presenting their knowledge and insights regarding community perceptions with the Service towards the end of 2021.

The Toronto Police College also welcomed an Equity, Inclusion and Human Rights Training Curriculum Lead, in August of 2021. The Equity, Inclusion and Human Rights Training Curriculum Lead will build on the work done to date to review and develop training that reflects best practices in anti-racism, equitable outcomes, and fair, unbiased and compassionate Service delivery.

As a next step, the 2022 and 2023 curriculum will be expanded upon, in consultation with Police and Community Engagement Review (P.A.C.E.R. 2.0), the Black Consultative Committee, C.A.B.R. and the Community Advisory Panel for Training

(C.A.P.F.T.). The findings of these consultations will be reported back to the Board in the next Annual Training Report in June 2022.

Recommendation #53 – Direct the Chief of Police to:

- a. Create a permanent stand-alone training course that contributes to professional practice in policing with a view to supporting and organizational culture committed to the delivery of fair and unbiased police services to Toronto’s diverse communities and populations. This training curriculum must include, among other components: anti-racism; anti-Black and anti-Indigenous racism; bias and implicit bias avoidance; interactions with racialized communities, L.G.B.T.Q.S.2.+ communities and marginalized communities; and understanding of intersectionality; the importance of lived experience in developing understanding and compassionate service delivery; and principles of human rights accommodation and disabilities, including mental health and addictions issues and ethics in policing;**

The T.P.C. currently delivers approximately 30 hours of curriculum in these areas to new recruits who have completed their training at the Ontario Police College (O.P.C.). This training is delivered throughout the course of the nine weeks in “Post-O.P.C.” recruit training at the T.P.C.

Beginning in 2022, T.P.C. will consolidate and increase this training to 40 hours, to be delivered as a packaged, one-week, stand-alone course on Fair, Unbiased and Compassionate Service Delivery. The curriculum is included in Appendix A.

- b. Ensure this training is developed and updated based on best practice and through the active engagement of the C.A.B.R. Unit, A.R.A.P., subject matter experts in anti-racist curriculum design and community representatives with expertise in systemic racism and anti-Black and anti-Indigenous Racism, community representatives with experience in addressing discrimination and prejudice against people with mental health and addictions issues and with a focus on utilizing adult-oriented training methods that are proven to lead to high achievement and demonstrated applied practice by those who experience the curriculum;**

The curriculum framework was drafted after extensive consultation with subject matter experts, community representatives with lived experience, and advisory panels. As a next step, the curriculum will be reviewed with P.A.C.E.R. 2.0, A.R.A.P. and C.A.B.R. and feedback received will be considered for future refinements.

c. Make this training mandatory for all new Members of the Service, both civilian and uniform;

This course will be delivered in-person at a minimum of three times annually with each recruit intake, or as a standalone one-week course, as new member hiring dictates.

This will be mandatory for existing and new Service members: civilian and uniform.

d. Make a refresher version of this training mandatory for all current Members of the Service, both civilian and uniform, every 2 year; and Present the training curriculum before the Board for information by February 2021. (Board #2, C.A.B.R. #16.4 and 16.5; M.H.A.A.P. #23; A.R.A.P. #8)

A refresher version of this training will take a multi-faceted approach; with in-person instruction during In-Service Training, and a suite of Equity, Inclusion and Human Rights e-Learning modules, available on the T.P.C.'s Learning Management System. To achieve this deliverable, the T.P.C. welcomed an Equity, Inclusion and Human Rights eLearning Specialist in July of 2021. The first four eLearning modules will be published beginning in September of 2021: Anti-Black Racism "Let's Talk", the Introduction to the Indigenous Experience, Gender Diversity and Trans Inclusion, and Race Based Data Collection.

This training will be mandatory for all current Service members, and new curriculum added every two years, following the scaffold approach.

Recommendation #54 – Direct the Chief of Police to prepare a plan for integrating the provision of annual In-Service Training and other training and education of Service Members by members of peer run organizations, including organizations representing people with lived experience of mental health and addiction issues through collaborations with racialized, Indigenous, L.G.B.T.Q.2.S.+, immigrant and refugee community members skilled in training. (M.H.A.A.P. #13, A.R.A.P. #27)

Since 2016, the T.P.C. has collaborated with community members in In-Service Training, in collaboration with the City of Toronto - Community Safety and Wellbeing Unit.

In 2020, the T.P.C. recognized the need to augment the involvement of community members and their lived experiences in training and began a review and redesign of its approach.

In March of 2021, the C.A.P.F.T. outreach strategy was launched via media release and on Service social media platforms. A total of 65 applications were received, of which 24 volunteers were selected based upon a standardized applicant assessment rubric. In addition to these 24 new participants, seven representatives from existing

partnerships were invited to join the C.A.P.F.T.; including the Chief's Consultative Committees, Anti-Racism Advisory Panel (A.R.A.P.), Mental Health and Addictions Advisory Panel (M.H.A.A.P.), C.A.B.R. and P.A.C.E.R. 2.0.

The selected C.A.P.F.T. volunteers have relevant lived experience, academic, and/or professional experience. The C.A.P.F.T. members represent a diverse cross section of citizens including Indigenous, Black, Asian, Cuban, Latino, Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Two-Spirit (L.G.B.T.Q.2.S.+.) along with existing partners from the Muslim Community Consultative Committee (C.C.C.), Black C.C.C., Aboriginal C.C.C., South and West Asian C.C.C., P.A.C.E.R. 2.0 and several Community Police Liaison Committees.

Professional experience of the C.A.P.F.T. members include; project management, teaching and education, consulting, youth work, social advocacy and paralegals. Several have comprehensive academic backgrounds, including; PhDs, Masters Degrees, Bachelor Degrees and certificates.

The C.A.P.F.T. volunteers were divided into three sub panels, to address reform recommendations 53, 55 and 56.

The inaugural C.A.P.F.T. meetings occurred in early June of 2021. Meetings occurred weekly over the summer of 2021, and will continue on an as needed basis while the lesson plans for the 2022 I.S.T. and the standalone week long course is developed. The C.A.P.F.T. was instrumental in informing the framework for the Fair, Unbiased and Compassionate Service Delivery course, and they will continue to assist the T.P.C. with curriculum development for In-Service Training in 2022.

Initial feedback from C.A.P.F.T. members is positive, with a strong desire to contribute to both police training, and police-community relationships. Many members have expressed a desire for this initiative to continue in the future and welcomed the suggestion to take part in In-Service Training scenarios.

Recommendation #55 – Direct the Chief of Police to review all current and future training, including judgment and other scenario based training, and ensure that it:

a. Prioritizes and emphasizes de-escalation (M.H.A.A.P. #14)

De-escalation is a concept which is central to all In-Service and Incident Response training at the Toronto Police College, and was introduced in 2012. T.P.C. continues to research and consult with advisory panels and subject matter experts, and the T.P.C. Unit Commander is a member of the M.H.A.A.P.

b. Is informed by members of the communities most affected by police use of force (M.H.A.A.P. #14; A.R.A.P. #28)

A list of Mental Health advisory panels and collaborative partners is attached at Appendix B.

These panel members represent the communities most affected by police use of force including the Black community, the Indigenous community and the Mental Health and Addictions community. The T.P.C. has also partnered with the Equity, Inclusion and Human Rights unit to ensure training is reflective of the Race Based Data Collection strategy, and can respond appropriately to the results of the data.

c. Is relevant to the root causes and consequences of structural violence, systemic and internalized racism, negative stereotyping, intersectionalities and use of force on people with mental health and/or addiction issues (M.H.A.A.P. #13; A.R.A.P. #27) and;

The Leadership and Development Section (L.D.S.) at the T.P.C. has been responsible for the delivery of “Day One” of In-Service Training since 2016.

Past and current training addresses structural violence, systemic and internalized racism, negative stereotyping, intersectionality, and use of force on people with mental health and/or addictions issues.

The training is designed to provide the learner with information about the multiple and often intersecting factors that create and perpetuate inequality on multiple levels, both for individuals and communities.

Current topics include:

- Intergenerational Trauma
- Trauma informed approach
- Root causes and consequences of structural violence
- Systemic and internalized racism
- Negative stereotyping
- Intersectionality
- Use of force on people with mental health and/or addictions issues
- Anti-Black Racism and its Effects on Policing
- Persons with Disabilities
- Anti-Indigenous Racism
- Booking Hall Scenarios

The L.D.S. section has partnered with the Incident Response (I.R.T.) section of the T.P.C. to develop role-playing and situational judgement scenarios and evaluation rubrics. This will evaluate that the Member effectively applies the curriculum from Day 1 into decision-making and de-escalation practice on Days 2 and 3 of In-Service Training.

In addition, T.P.C. instructors review key reports, inquest recommendations and minutes of settlement to inform our mental health, de-escalation and crisis resolution training. These include, but are not limited to:

- Office of Independent Police Review Director (O.I.P.R.D.)
- Breaking the Golden Rule
- Chapman Inquest
- Loku Inquest
- Human Rights Tribunal Recommendations Grella
- Human Rights Tribunal Recommendations Munoz
- Police Encounters With Persons In Crisis (Iacobucci Report)
- Report recommendations of the National Inquiry into Missing and Murdered Indigenous Women and Girls
- Minutes of Settlement; Kodak, Ontario Human Rights Commission (O.H.R.C.) and the Toronto Police Service

d. Is trauma informed (M.H.A.A.P. #13; A.R.A.P. #27)

Trauma informed training aids officers in understanding the trauma that people have experienced either during the incident at hand or throughout their lives. Providing police officers with the requisite understanding of trauma, Day 1 In-Service Training, explores the concept of trauma and intergenerational trauma. The training specifically speaks to the trauma experienced by the Black and Indigenous communities.

Judgement and scenario training scaffolds off the Day 1 training. The consideration of trauma when participating in scenario training demonstrates application of the concepts and knowledge acquisition.

The C.A.P.F.T. panel will help to inform future scenario training.

Recommendation #56 – Direct the Chief of Police to report the feasibility of all uniformed Service Members receiving M.C.I.T. training or other mental health crisis response training, such as mental health first aid or emotional C.P.R. (A.R.A.P. #10; M.H.A.A.P. #25)

The Mobile Crisis Intervention Team (M.C.I.T.) training course is an intensive 10-day course, specifically intended for prospective M.C.I.T. officers and registered nurses. In partnership with the Community Police Engagement Unit, T.P.C. now offers the Divisional Crisis Support Officer (D.C.S.O.) course for broader applicability to the Service. This is a 2-day course, intended for uniform officers to support and assume the duties of the M.C.I.T. officer, in situations where one is not available.

Topics of the D.C.S.O. course include:

1. Mental Health Law (Ontario Mental Health Act Review)

2. Common Mental Health Disorders
3. Toronto Police Service Operational Review / Incident Response
4. Officer Safety - High Risk Incident Response
5. Effective Communication Review
6. Community Resources
7. Intergenerational Trauma (Specific to the Indigenous Community)
8. Mental Health in the Black Community
9. L.G.B.T.Q.2.S.+ Communities and Mental Health
10. Officer Safety - High Risk Incident Response

Development of this curriculum is centred on cultural awareness and trauma informed approach, specifically in the Indigenous, Black, L.G.B.T.Q.2.S.+ and Mental Health communities.

The T.P.C. reviewed other mental health crisis response training, including Mental Health First Aid (Mental Health Commission of Canada) and Emotional C.P.R. (National Empowerment Centre, Lawrence Massachusetts). It was determined that most of the course topics are covered by the T.P.C.'s M.C.I.T. and D.C.S.O. courses and these courses have a community-policing lens which is an important consideration when reviewing the most appropriate training to provide our members.

The D.C.S.O. program has been successfully introduced to frontline uniform members in 2021, with 149 officers having received the training, and 131 more scheduled to receive the training by the end of the year. This course is expected to continue into future years to enable the availability of qualified Crisis Support Officers 24 hours a day.

Recommendation #57 – Direct the Chief of Police to engage experts in the relevant fields to create and implement a framework to constantly evaluate the efficacy of its mental health and anti-racism training and the competence of training participants, including how it is applied in the field, and serve to identify areas for improvement to training with reports on the Service’s findings and responsive actions provided to the Board semi-annually. (Board #2; C.A.B.R. #16.4 and 16.5; M.H.A.A.P. #23; A.R.A.P. #8)

A review of Transfer of Learning practices has been underway since early 2020. The Kirkpatrick Model is a widely recognized evaluation standard, and is applied internally, with peer Services and other public and training organizations. This model focuses on four areas:

1. Reaction (Level 1): How did the participants respond to the training?
2. Learning (Level 2): How much information was effectively absorbed?
3. Behaviour (Level 3): How did this training influence participants’ behaviour on the job?
4. Results (Level 4): What impact did this training have at the organizational and community level?

All courses are evaluated for reaction and learning at the time of delivery (Level 1 and 2). Transfer of learning and impact evaluations (Level 3 and 4) are more labour intensive and require longer time period of analysis. Level 3 analysis was conducted on selected programs that were delivered in 2020 and 2021.

The T.P.C. acknowledges the need to develop a process to accurately identify, analyze and report on transfer of learning across all 4 levels. In late 2020, a Request for Information (R.F.I.) was submitted and this was followed by a Request for Services (R.F.S.) in August 2021, which includes requirements to address recommendation #57. The procurement is anticipated to conclude and be awarded by the end of the year.

Recommendation #58 – Direct the Chief of Police to review the current training curriculum for new uniform recruits and special constables, and explore the inclusion of Service funded training co-developed and led by members of the community, outside the Toronto Police College, specific to police-community interactions and relations with marginalized communities, youth, and vulnerable populations and report to the Board by December 2020 with an assessment of options. (Board #2, C.A.B.R. #16.4 and 16.5, M.H.A.A.P. #23, A.R.A.P. #8)

Training curriculum for new recruits and special constables is reviewed annually, and updated accordingly, as are all Course Training Standards at the Toronto Police College.

In 2021, Field Services Command, in consultation with multiple internal and external partners, including T.P.C., redesigned the Coach Officer Program that now includes the Community Experience Program. The Community Experience Program is a one week immersion within the community and begins immediately after recruits have graduated from T.P.C. The recruits and their coach officers attend various agencies, meetings and/or events for introductions and insight to communities most often impacted by police. The community experience is specific to each Division, which allows new police officers to form relationships and partnerships in locations where they will be working.

The redesigned program launched June 2021, with Recruit class 21-01, and has received positive feedback. The program will continue to be refined over time as more cadets participate.

The scope of this program is currently being reviewed to potentially include Special Constables in the future.

Combined with the Unbiased and Compassionate Service Delivery course referred to in Recommendation #53, the Community Experience Program will provide our newest police officers with a holistic and immersive experience, applying theory into practice, which properly prioritizes community-police relationships. A list of participating community agencies, and consultative partners can be found at Appendix C.

Conclusion:

The Toronto Police College is committed to developing and updating training through active engagement with subject matter experts and community partners. Fair, unbiased and compassionate Service delivery through de-escalation and cultural competence remain foundational concepts in curriculum.

The police reform recommendations place a strong emphasis on training and the Service's efforts to date as well as next steps represent an ongoing commitment to learning, continuous improvement and going above and beyond current provincial training standards.

The Board will be kept apprised of future developments at minimum semi-annually.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*copy with original signature on file at Board Office

Appendix A - Fair, Unbiased and Compassionate Service Delivery Curriculum

FRAMEWORK

DAY 1 FOUNDATIONAL CONCEPTS

Pre-course survey:

Pre-course survey to gauge participant pre-existing knowledge with the course topics.

Concepts:

Human rights issues are complex and can take many different forms, so some basic understanding of human rights is essential to prepare staff to identify and respond to these concerns. Training will focus on human rights history, values, legal obligations and principles in a way that connects to the organizational context and work experience of the people being trained.

- Human Rights in Canada, Ontario Human Rights Code, Protected Grounds
- Cultural competence/ Cultural Humility/Cultural Incapacity/Cultural Blindness
- Critical race theory (New Topic)
- White privilege and white fragility and dominant culture/race
- Meritocracy
- Implicit and explicit bias, and bias disruption, attribution bias
- Systemic racism
- Race and Racism
- Anti-oppression
- Structural violence/racism
- Intergenerational trauma
- Lived experience
- Intersectionality
- Procedural justice
- Culture fit vs culture add
- Social inequities, disparities
- Recognizing the individual within the race/ Colour Blindness
- Targeted Universalism

End of day knowledge check

DAY 2 CULTURAL COMPETENCE MODEL /CULTURAL HUMILITY

Day 2 will build upon the foundational groundwork laid in day 1 and introduce the concept of cultural competence and cultural humility.

Concepts:

- Anti-Black Racism/Anti-Racism
- Indigenous Experience
- LGBTQ2S+
- Gender Diversity and Trans Inclusion
- Religious Sensitivity and Policing Hate Crime
- Intersectionality and Lived Experience

End of day knowledge check

DAY 3 CULTURAL COMPETENCE CONT. AND INTRODUCTION TO COMMUNICATION STRATEGIES

- Mental Health, Addictions and De-escalation
- Youth at Risk
- Persons with Disabilities
- Tactical Communication
- Mediation, Alternative/Dispute Resolution & Conflict Resolution Depersonalization Techniques
- Compassionate Delivery of Service/ Trauma informed approach
- Service Resources and Units (CCCs, ISNs, MCIT, NO, CPEU, Coach Officer Program)

End of day knowledge check

DAY 4 WORKPLACE & COMMUNITY INTERACTIONS, ARREST, RELEASE

- Occupational Health and Safety
- Workplace Discrimination and Harassment
- Sexual Harassment
- Workplace Accommodation/Disabilities
- Professional Standards Conduct and Criminal
- Critical Thinking and Ethical Decision Making
- CIICC
- C75
- IDI (potentially, led by EIHR)

End of day knowledge check

DAY 5 EVALUATION OF GROUP PRESENTATIONS AND OUTGOING EXAM

Entire last day is evaluative

- Group presentation/Submission on any topic covered (last day)
- End of course testing
- Post course evaluation

Appendix B - Mental Health Advisory Panels and Collaborative Partners

- The Toronto Police Service Mental Health and Addictions Panel, (formerly TPSB Mental Health Sub-Committee)
- The Mental Health Commission of Canada’s Tempo model (Training and Education about Mental Health for Police Organizations, June 2014).
- The Honourable Frank Iacobucci’s report for Chief Blair, Police Encounters with People in Crisis (July 2014).
- The Mental Health Commission of Canada – Applied Suicide Intervention Skills Training.
- The Mental Health Commission of Canada – Mental Health First Aid.
- The Mental Health Commission of Canada – Mental Health First Aid (Police)
- The Mental Health Commission of Canada – Mental Health Strategy for Canada
- The Mental Health Commission of Canada – The Working Mind for First Responders, (Formerly known as The Road to Mental Readiness (R2MR)
- Integrated Communications, Assessment and Tactics Training (ICAT) – Police Executive Research Forum
- Canadian Police College – National certifying body for tactical crisis and hostage negotiation training.
- Verbal De-Escalation Training: Surviving Verbal Conflict (Dolan Consulting Group)
- Realistic De-Escalation Instructor Course – Force Science Institute
- Pacer Recommendation # 12 – Enhanced Training in Collaboration with Community Partners
- Ontario Ombudsman Report – “A Matter of Life and Death”, Investigation into the direction provided by the Ministry of Community Safety and Correctional Services to Ontario’s police services for de-escalation of conflict situations, (June 2016).
- Verdict Explanation and Recommendations – Inquest into the Death of Andrew Loku, (June 2017).
- Toronto Police Service Mental Health and Addictions Strategy, (2019).

Appendix C – Community Agencies and Consultative Partners

Community Experience Program

Alliance for South Asian AIDS Prevention (A.S.A.A.P.)

The officers received a presentation providing an overview of the services and advocacy the agency provides and then participated in a roundtable panel discussion on the challenges members of this community face and how the police can help promote safety and increase the reporting crime.

Amadeusz

Presenters discussed, with officers, the educational programs the agency offers for youth and young adults in or leaving incarceration. Recruits and Coach officers were familiarized with the Prosper Program that assists young adults with firearm related charges throughout incarceration and co-ordinates existing systems to support their transition to community with the aim of reducing involvement in future violent acts and crime.

Black Creek Community Health Centre

Recruits were given an overview of a community based medical center that provide health and mental health care in the north-west area of Toronto. The programs focus on family health and start with early year health.

Black Farmers Collective

The officers attended a farm that grows and assembles food baskets for members of the black community suffering from food insecurity.

Children's Aid Society and the Woodgreen Program

The group provided a round table discussion with officers about the services they provide which include helping people find safe, affordable housing, seniors to live independently, providing employment support, providing parents access to childcare, providing children and youth access to after-school programs, assisting newcomers settle, help homeless and marginalized people find housing.

Delta Family Services-OZ

The agency is a community non-profit that delivers services to isolated and marginalized communities in north-west Toronto. There are four satellite locations that offer parenting programs, a food pantry, fitness and sports classes, leadership classes, kids programs, after school programs and more.

Delta also offers a youth in transition from care program

Officers participated in a round table discussion about the agency and some programs offered including the Stop Now and Plan Program: a culturally appropriate and evidence based counselling service for community members of African-descent.

Gerstein Crisis Centre

The officers attended the downtown centre and learned about the many programs and beds reserved for persons in crisis referred by police. The centre provides phone and in person counseling programs. They also run safe beds for those non-emergent persons in crisis and participate in FOCUS-Toronto.

Helping Neighborhoods Implement Change through Mentorship

The officers attended the site and had the opportunity to speak with and participate in activities with children and youth from the black community.

John Howard Society

Officers learned about the many programs the agency offers that assist those in conflict with the law.

Officers were able to engage with program participants and discuss the challenges they face after they are charged and or released from custody.

Police and the Transgender Community LGBTQ2s+: 101

Officers met with members of the transgender and LGBTQ2s+ community who provided a history of interactions between this community, government agencies and the police as well as with the Toronto Police Service

STRIDE Toronto- Youth Outreach Worker Program

Officers participated in an informal question and answer period regarding the groups programs that are developed and delivered in a way to help children, youth and families thrive. The programs include support for those experiencing gender-based violence, mental health, behavioural issues, parenting, social media, immigration services, family health, skills development and many other programs.

TAIBU Community Health Centre

The officers attended and had the opportunity to speak with and participate in sports activities with children and youth from the black community.

Toronto Community Housing

Officers attended with members of the TCHC security team who provided a tour of housing buildings in the west, central and east ends of Toronto
Security provided an overview of the programs and initiatives TCHC has developed to support community safety and reduce gun violence and TCHC can assist with police investigations.

Substance Abuse Program for African Caribbean Canadian Youth S.A.P.A.C.C.Y./C.A.M.H.

Officers learned about the program and how S.A.P.A.C.C.Y. works from a cultural competence lens to help Black youth work through mental health and addiction concerns. The programs offer mental health and addictions counselling and support in accessing resources to assist youth and their families/caregivers in reducing harm, moving toward recovery, and making the best choices

PRIDE Toronto

In a round table format, officers and members of the PRIDE executive and planning committee discussed the history of PRIDE in Toronto and what led to the fractured relationship with police.

Members also discussed the impact of the McArthur and other missing person investigations that were handled in a way that made the community feel as though police did not care about the safety of their communities.

Probation and Parole

Officers and a group of probation and parole officers with specialties in supervising black, underprivileged youth, members of the LGBTQ2s+ communities and Indigenous communities participated in a round table discussion.

The discussion also included Chief Little Brown Bear for a period of time who discussed some of the programs the indigenous community hosts to help its members and how these alternative methods can be successful.

Youth Association for Academics, Athletic and Character Education

Officers met with members of the agency who explained their goal to build the capacity of black youth in north-west Toronto and create an evidence based educational model that can be replicated. Including how the programs are developed to provide educational and social infrastructure in hopes of reducing the attrition of young black men from the educational system.

Zero Gun Violence Partnership

Officers learned about the partnership between 40 organizations that support communities in different ways in hopes that the combined effort will reduce gun violence.

Collaborative Training with T.P.S. Units and Community Partners:

- T.P.S. Aboriginal Consultative Committee (A.C.C.)
- City of Toronto, Confronting Anti-Black Racism Unit (C.A.B.R.)
- Community Living Toronto-Self Advocate Council
- T.P.S. Aboriginal Peace Keeping Unit
- T.P.S. Equity, Inclusion and Human Rights Unit (E.I.H.R.)
- T.P.S. Vulnerable Persons Unit
- T.P.S. Wellness Unit
- Humber College
- Pacer Advisory Committee
- Toronto Police College



Toronto Police Services Board Report

August 12, 2021

To: Chair and Members
Toronto Police Services Board

From: Danielle Dowdy
Acting Executive Director and Chief of Staff

Subject: Semi-annual Report: Toronto Police Services Board Special Fund Unaudited Statement: January to June 2021

Recommendation:

It is recommended that the Board receive the report on the Toronto Police Services Board's Special Fund un-audited statement.

Financial Implications:

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

Background / Purpose:

As required by the Toronto Police Services Board (Board) Special Fund Policy (Board Minute #P152/17) expenditures from the Special Fund shall be reported to the Board on a semi-annual basis. This report is provided in accordance with such directive. The Board remains committed to promoting transparency and accountability in the area of finance.

Discussion:

Enclosed is the un-audited statement of receipts and disbursements with respect to the Toronto Police Services Board's Special Fund for the period January 01 to June 30, 2021.

As at June 30, 2021, the balance in the Special Fund was \$431,594. During the first half of the year, the Special Fund recorded receipts of \$44,363 and disbursements of \$235,369. There has been a net decrease of \$191,006 against the December 31, 2020 fund balance of \$622,600.

Auction proceeds have been estimated for the months of March, April, May, and June 2021 as the actual deposits have not yet been made.

For the first half of 2021, the Board approved and disbursed the following sponsorships:

Sponsorship	Total Amount
International Review of Best Practices (CEWs)	\$80,000
Community Consultative Groups	\$30,000
Victim Services Toronto	\$25,000
United Way	\$10,000
Toronto Police Service Cricket Club	\$10,000
Community Police Consultative Conference	\$6,000
Youth in Policing Initiative (Y.I.P.I.)	\$6,000
Toronto Caribbean Carnival	\$5,500
Special Olympics Ontario – Torch Run	\$5,000
Chief's Fundraising Gala/Victim Services Toronto	\$4,000
Black History Month	\$4,000
Asian Heritage Month	\$3,000
National Aboriginal Day	\$3,000
Auxiliary Appreciation Event	\$3,000
Pride Reception	\$3,000
Pride Month Celebrations	\$3,000
Lesbian, Gay, Bisexual, Transgender, Queer, and 2-Spirit (L.G.B.T.Q.2S.) Youth Justice Bursary	\$3,000
Volunteer Appreciation Event	\$3,000
International Francophone Day	\$2,500
Community Police Academy	\$2,000
Day of Pink	\$1,500
National Victims of Crime Awareness Week	\$1,000

In addition, the Board approved and disbursed the following:

Disbursed Funds	Total Amount
Recognition of Service Members	\$12,531
Ontario Association of Police Services Boards	\$3,000
Recognition of Board Members	\$539

Conclusion:

As required by Toronto Police Services Board Special Fund policy, it is recommended that the Board receive the attached report.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Danielle Dowdy', written in black ink.

Danielle Dowdy
Acting Executive Director and Chief of Staff

File Name: AODA – 1st half of 2021 SPF Board Report

Appendix A

The Toronto Police Services Board Special Fund 2021 First Half Year Result with Initial Projections

Particulars	Initial Projection 2021	January 01 to June 30, 2021	July 01 to December 31, 2021	January 01 to December 31, 2021	January 01 to December 31, 2020	Comments Relating to Current Reporting Period
Balance Forward	622,600	622,600	-	622,600	650,735	
Revenue						
Proceeds from Auctions	181,009	66,075		66,075	181,009	
Less Overhead Cost	(89,675)	(31,836)		(31,836)	(89,675)	
Unclaimed Money	113,378	13,987		13,987	113,378	
Less Return of Unclaimed Money	(9,656)	(4,280)		(4,280)	(8,243)	
Others	-	417		417	-	
Total Revenue	195,056	44,363	-	44,363	196,469	
Balance Forward Before Expenses	817,656	666,963	-	666,963	847,204	
Disbursements						
Police Community Sponsorships - Toronto Police Services						
Community Partnerships and Engagement Unit Events	78,500	78,500		78,500	45,000	
Community Consultative Groups	30,000	30,000		30,000	30,000	
Occupational Health and Safety Awareness Day	4,000	-		-	4,000	
Public Consultation Process Regarding Annual Proposed Toronto Police Service Budget	25,000	-		-	-	
International Review of Best Practices	80,000	80,000		80,000	-	
Police Community Sponsorships - Community						
Centre for Young Black Professionals	-	-		-	50,000	
Community Partnerships for Alternative Community Safety Response Model Consultation	-	-		-	22,500	
Toronto Region Board of Trade	1,500	-		-	1,186	
Victim Services Program	25,000	25,000		25,000	25,000	
Funds Returned on Sponsorships						
Auxiliary Appreciation Event	-	-		-	(5,177)	
Community Consultative Groups	-	-		-	(17,794)	
Community Police Consultative Conference	-	-		-	(1,051)	
United Way	-	-		-	(4,176)	
Toronto Police Amateur Athletic Association (T.P.A.A.A.) Assistance	10,000	-		-	2,200	
Recognition of Service Members						
Awards	118,000	12,531		12,531	48,559	
Catering	22,000	-		-	-	
Recognition of Community Members						
Awards	5,000	-		-	2,487	
Catering	4,000	-		-	-	
Recognition of Board Members						
Awards	1,000	539		539	-	
Catering	1,000	-		-	-	
Conferences						
Canadian Association of Police Governance	7,500	-		-	-	
Ontario Association of Police Services Board (O.A.P.S.B.)	3,000	3,000		3,000	5,000	
Ontario Association of Police Services Board Virtual Labour Seminar	2,000	-		-	2,000	
Donations/Flowers in Memoriam	800	100		100	553	
Toronto Police Services Board (T.P.S.B.) and Toronto Police Association (T.P.A.) Retirement Dinner	10,500	-		-	-	
Internal Control Review Fee	11,685	-		-	10,176	

**The Toronto Police Services Board Special Fund
2021 First Half Year Result with Initial Projections**

Particulars	Initial Projection 2021	January 01 to June 30, 2021	July 01 to December 31, 2021	January 01 to December 31, 2021	January 01 to December 31, 2020	Comments Relating to Current Reporting Period
Other Expenses						
Bank Service Charges	9,124	5,775	-	5,775	9,124	
Less Interest Income	(4,983)	(509)	-	(509)	(4,983)	Interest income is based on the average monthly bank balance.
Others	-	433	-	433	-	
Total Disbursements	444,626	235,369	-	235,369	224,604	
Special Fund Balance	373,030	431,594	-	431,594	622,600	



Toronto Police Services Board Report

August 23, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

**Subject: Quarterly Report: Occupational Health and Safety Update
for April 1 to June 30, 2021**

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

There are no financial implications relating to the recommendations contained within 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 Toronto Police Service (Service) (Min. No. C9/05 refers). Following consideration of the report, the Board requested the Chief of Police to provide quarterly confidential 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).

The purpose of this report is to update the Board on matters relating to occupational health and safety issues for the second quarter of 2021.

Discussion:

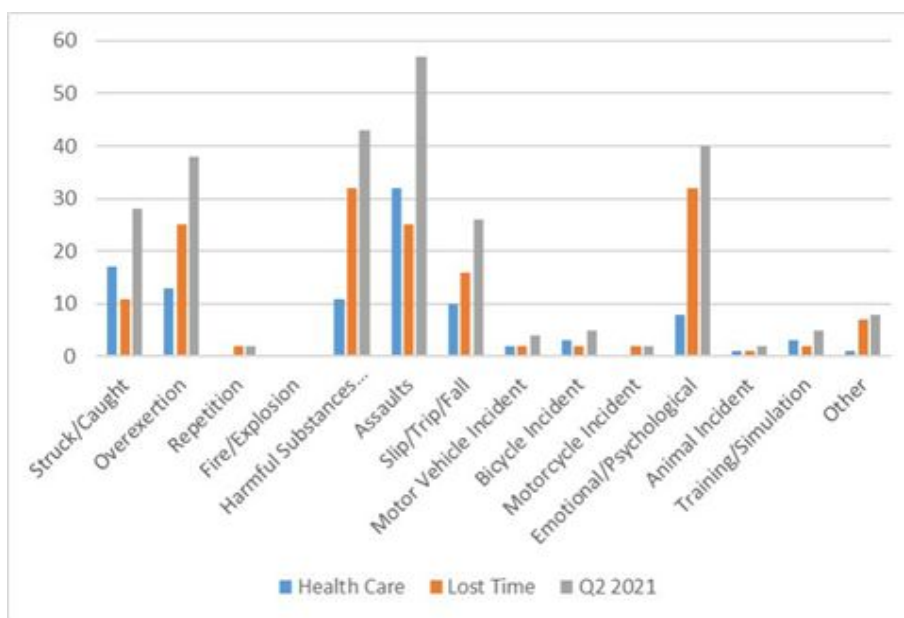
Second Quarter Accident and Injury Statistics

From April 1 to June 30, 2021, there were 260 reported workplace accidents/incidents involving Service members, resulting in lost time from work and/or health care which was provided by a medical professional. These incidents were reported as claims to the

Workplace Safety and Insurance Board (W.S.I.B.). During this same period, 23 recurrences of previously approved W.S.I.B. claims were reported. Recurrences can include, but are not limited to: ongoing treatment, re-injury, and medical follow-ups, ranging from specialist appointments to surgery.

Injured on Duty (I.O.D.) reports are classified according to the incident type. The following graph and chart summarize the I.O.D. reports received by the Wellness Unit during the second quarter of 2021.

*Injured on Duty Reports
April to June, 2021*



Incident Type	Health Care	Lost Time	Q2 2021	Q2 2020
Struck/Caught	17	11	28	25
Overexertion	13	25	38	15
Repetition	0	2	2	3
Fire/Explosion	0	0	0	9
Harmful Substances/Environmental	11	32	43	42
Assaults	32	25	57	21
Slip/Trip/Fall	10	16	26	20
Motor Vehicle Incident	2	2	4	9
Bicycle Incident	3	2	5	2
Motorcycle Incident	0	2	2	0
Emotional/Psychological	8	32	40	21
Animal Incident	1	1	2	0

Incident Type	Health Care	Lost Time	Q2 2021	Q2 2020
Training/Simulation	3	2	5	1
Other	1	7	8	6
Totals	101	159	260	174

The top five incident categories are:

1. Assaults: 57 reported incidents
2. Harmful Substances/Environmental: 43 reported incidents
3. Emotional/Psychological: 40 reported incidents
4. Overexertion: 38 reported incidents
5. Struck/Caught: 28 reported incidents

The highest category of incidents during this reporting period is the “Assaults” category. Assaults by arrested parties, suspects, or members of the public typically form one of the largest categories of I.O.D. reports due to the nature of police work. A significant portion of training received by police officers is designed to mitigate the risk of these types of injuries.

The global pandemic continues to contribute to an increase in claims reported in the “Harmful Substances/Environmental” category, as described in more detail in the “Communicable Disease” section of this report. However, it can also be noted that the overall increase in frequency of I.O.D. reports in other categories in the second quarter of 2021 as compared to the second quarter of 2020 is also linked to the COVID-19 pandemic. As a result of a large proportion of the population adhering to provincial stay at home orders, in addition to the extended closures of many businesses including those in the entertainment and hospitality sectors during that same period, a reduced frequency of occurrences involving members of the Service was observed throughout 2020. For comparison, pre-pandemic claims in the 2nd quarter 2019 were a total of 254.

Critical Injuries

Under Ontario’s occupational health and safety regulatory framework, employers have the duty to report all critical injuries and fatalities which occur in the workplace to the Ministry of Labour, Training, and Skills Development (M.L.T.S.D.) pursuant to *Section 51 of the Occupational Health and Safety Act and Ontario Regulation 834*.

A critical injury is defined as an injury of a serious nature that:

- (a) places life in jeopardy;
- (b) produces unconsciousness;
- (c) results in substantial loss of blood;
- (d) involves the fracture of a leg or arm but not a finger or toe;
- (e) involves the amputation of a leg, arm, hand or foot but not a finger or toe;
- (f) consists of burns to a major portion of the body; or
- (g) causes the loss of sight in an eye.

In the second quarter of 2021, there was one critical injury incident reported to the M.L.T.S.D. When a critical injury incident occurs, an investigation is conducted by the Service independent of the M.L.T.S.D. investigation, and involves both the injured member's local Joint Health and Safety Committee and the Service's Wellness Unit. In each case, root causes are sought and recommendations are made, where applicable, to reduce the risk of similar incidents in the future.

Communicable Diseases

As part of the Communicable Disease Exposure Surveillance Program, members of the Wellness Unit reviewed reported exposures during the months indicated in the table below. The majority of these exposures did not result in claim submissions to the W.S.I.B.

In the event that a member requires information or support regarding a communicable disease exposure, they will be contacted by a medical professional from the Wellness Unit in order to discuss potential risk, consider treatment options as required, and to ensure that the member is supported properly with respect to stress and psychological well-being. The following chart summarizes member exposures to communicable diseases, as well as other potential exposure types including blood and bodily fluids.

*Member Exposure to Communicable Diseases and Bed Bugs
April to June, 2021*

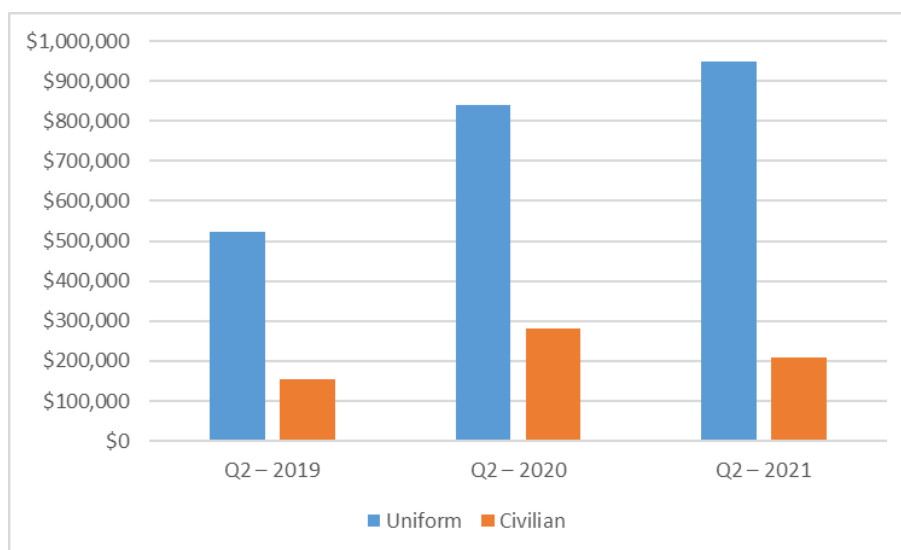
Reported Exposures	April	May	June	Q2 – 2021	Q2 - 2020
COVID-19	256	210	58	524	1001
Bodily Fluids, Misc.	9	24	18	51	65
Hepatitis A, B, & C	1	3	0	4	4
HIV	0	0	1	1	5
Influenza	0	0	0	0	0
Measles, Mumps, Rubella	0	0	0	0	0
Meningitis	0	0	0	0	0
Staphylococcus Aureus	1	0	0	1	0
Tuberculosis	0	0	0	0	1
Varicella (Chickenpox)	0	0	0	0	0
Bed Bugs	6	9	7	22	9
Other, Miscellaneous	1	0	0	1	0
Total	274	246	84	604	1085

Examples of the types of exposures which fall into the category "Other, Miscellaneous" can include, but are not limited to: ringworm, scabies, lice, pertussis (whooping cough), diphtheria, etc.

Of the 524 COVID-19 related I.O.D. reports received, 32 resulted in claims to the W.S.I.B, and the remaining 492 were precautionary in nature and did not result in health care or lost time.

Injury and Accident Costs

As a Schedule 2 employer, the Service paid \$207,320 in W.S.I.B. health care costs for civilian members and \$948,452 in W.S.I.B. health care costs for uniform members for the second quarter of 2021. These figures exclude W.S.I.B. administration costs and lost time expenses.



	Q2 – 2019	Q2 – 2020	Q2 – 2021
Uniform	\$ 523,286	\$ 841,271	\$ 948,452
Civilian	\$ 155,901	\$ 280,534	\$ 207,320

Similar to other emergency services across the City and Province, the Service has been experiencing an increase in W.S.I.B. costs. The impacts of Bill 163, Supporting Ontario’s First Responders Act regarding Post Traumatic Stress Disorder is significant and some of the increase is also attributed to health care claims related to the COVID-19 pandemic.

Claims and Medical Advisory Services

In 2020, following the Mercer Sick Leave and Disability Management Audit Review, the process of redesigning and rebuilding the Wellness Unit’s Claims and Medical Advisory Services program was initiated, with a focus on a new and improved team structure for service delivery, member experience, and more clearly defined deliverables for internal and external stakeholders. This included the hiring and on boarding of a Claims Lead,

as well as an expansion of the Claims-focused team from 3 to 7 Case Management Coordinators, and a dedicated Senior Accommodation Coordinator.

The Claims program has further evolved in 2021 under a new identity, Health & Absence Recovery Team (H.A.R.T), and is rooted in industry best-practices for absence, disability management, and accommodation. The updated and progressive approach to the claims program is aligned to the commitments outlined in the Member Wellbeing Strategy and Framework. As of July 1, 2021, a new “Dedicated Teams” service delivery model has been implemented, bringing claims management services together under Intake and Case Management Coordinators who are assigned to specific regions of the Service, thereby creating direct and familiar collaborative partnerships between the Wellness Unit, and the Service’s divisions and units.

The balance of 2021 will be spent disseminating additional information and training regarding the revised H.A.R.T. program, practices, assignments and available tools to support Service members. In addition, the unit will be implementing an online reporting tool for non-occupational absences that will streamline and facilitate earlier reporting of absences, and create opportunities for earlier engagement with members requiring health and absence recovery support.

Workplace Violence and Harassment Statistics

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 this amendment, the *Occupational Health and Safety Act* now includes definitions of workplace violence and workplace harassment, and Part III.0.1 describes employer obligations with respect to violence and harassment in the workplace.

In the second quarter of 2021, there were three new documented complaints received which were categorized by Professional Standards as having the potential to meet the criteria of workplace harassment as defined in the *Occupational Health and Safety Act*.

COVID-19 Response

The Wellness Unit continues to operate the Pandemic Support Hotline, which responds to calls and emails from members on all matters related to the Service’s response to the pandemic, and assists members with finding support and resources as needed.

The Wellness Unit is also a key stakeholder in the facilitation of expedited COVID-19 testing for Service members. In partnership with the Emergency Management and Public Order Unit, Toronto Paramedic Services, and Toronto Fire Services, a dedicated test site continues to operate in order to increase availability of testing. This supports member health and wellness, as well as ensuring that members can be returned to operational status as quickly as possible. The Wellness Unit conducts mobile Rapid Antigen Screening for individual units in order to facilitate enhanced screening in the workplace.

The Service has also announced a mandatory COVID-19 vaccine requirement for all members of the Service, both uniform and civilian. The decision to adopt this approach is one of keeping our commitments and obligations of health and safety to both our members and the public.

As a first step, members are required to submit their vaccination status to the Wellness Unit by September 13, 2021. Following an analysis of this data, the Service will continue to evolve our procedure on this matter and communicate it accordingly.

Our approach to this is grounded and founded on health and safety and succinct and transparent communication.

Conclusion:

This report provides an update to the Board on matters relating to occupational health and safety issues for the second quarter of 2021.

Mr. Tony Veneziano, Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

July 5, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: January 1 to April 30, 2021: Use of Conducted Energy Weapons

Recommendation:

It is recommended that the Toronto Police Services Board (Board) receive this report.

Financial Implications:

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

Background / Purpose:

For 2021, the Chief is required to submit two interim reports and one annual report on Conducted Energy Weapon (C.E.W.) use. Refer to Min. No. P246/19 for a detailed four-year reporting schedule.

This report provides information on C.E.W. use by Toronto Police Service (Service) officers for the period of January 1st to April 30th, 2021. The report consists of two components: an explanation of terminology and information regarding the classification of data; and charts containing the aggregate data.

This report is organized in the following sections:

- Training and Certification
- Calls for Service
- Types of Use
- C.E.W. Use by Geography
- C.E.W. Use by User Group
- Type of Incident

- Subject condition at Time of C.E.W. Use
 - Type of Use on Person in Crisis (P.I.C.)
 - Mental Health Act Apprehensions
 - Subject's Behaviour/Threat Level
 - Subjects Believed to be Armed
 - Subject Confirmed Armed
 - Subject Description
 - Age of Subject
 - Use on Subjects under the age of 18
- C.E.W. Usage Details
 - Number of Cycles
 - Number of C.E.W.s used per incident
 - Number of C.E.W.s used and Mode of Use
- C.E.W. Effectiveness
 - Effectiveness by Type of User
 - Effectiveness on P.I.C.
- De-Escalation Techniques
- Use of Force Options Used Prior to C.E.W. Use
- Unintentional Discharges
- Subject Injuries
- Deaths
- Civil Action
- Training
- Misconduct
- Governance
- Community Consultation
- Race Based Data Collection

Discussion:

Current Training and Certification:

As of April 30th, 2021, a total of 2,421 officers were qualified to use the current C.E.W. Service standard, Taser X-2 model. Qualified C.E.W. users include members of the Emergency Task Force (E.T.F.), uniform frontline supervisors and police constables (P.C.'s), as well as officers assigned to high-risk units such as Emergency Management and Public Order (E.M.P.O.), Hold-Up, Intelligence Services, and Organized Crime Enforcement (O.C.E.) (including Drug Squad, Integrated Guns & Gang Task Force, Provincial Repeat Offender and Parole Enforcement (R.O.P.E.) and Fugitive Squad).

Calls for Service:

To provide context for this report and a greater understanding of the environment in which officers are working, it is important to look at some of the broad statistics.

As of April 30th, 2021, officers attended 297,935 calls for service, of which 10,095 were calls involving violence. This represents a 15.4% decrease in violent calls attended for the same reporting period in 2020. Between January 1st and April 30th, 2021, officers arrested 5,484 persons for *Criminal Code* and/or *Controlled Drugs and Substances Act* offences, representing a decrease of 9.9% over the same reporting period in 2020.

Of the total calls for service attended, 8,326 involved Persons in Crisis (P.I.C.), an increase of 10.9%, which resulted in 2,143 apprehensions under the *Mental Health Act* (M.H.A.), representing an increase of 10.6% over the same reporting period in 2020.

Type of Calls for Service January 01-April 30	2020	2021	Percentage Change
Calls for Service Attended	317,274	297,935	-6.1%
Violent Calls for Service Attended	11,931	10,095	-15.4%
P.I.C. Calls for Service	7,510	8,326	+10.9%
M.H.A. Apprehensions	1,937	2,143	+10.6%
Arrests	6,085	5,484	-9.9%

In accordance with the Ministry of the Solicitor General (Ministry) Standards and Service procedures, the C.E.W. threshold for deployment (full deployment or drive stun mode - direct application) is when an individual's behaviour is assaultive, as defined by the *Criminal Code*. This includes threatening behaviour if the officer believes the person intends and has the ability to carry out the threat, or where the person presents an imminent threat of serious bodily harm or death, which includes suicide threats or attempts. Therefore, deployment of the C.E.W. is only utilized to gain control of an individual who is at risk of causing harm, not to secure compliance of a person who is merely resistant.

Between January 1st and April 30th, 2021, a C.E.W. was utilized 178 times during 144 separate incidents. There were no group incidents.

Unintentional discharges of C.E.W.s were excluded from the data contained within the charts, but are reported upon within the body of the report in the section titled "Unintentional Discharges".

Types of Use:

There are three methods of deploying a C.E.W.:

(1) Demonstrated Force Presence

The C.E.W. is un-holstered and/or pointed in the presence of the individual, and/or a spark is demonstrated, and/or the laser sighting system is activated. This mode is justified for gaining compliance of a person who is displaying passive or active resistance and, under certain conditions, may be effective in situations where a subject is assaultive or presents a threat of serious bodily harm or death.

(2) Drive Stun Mode

This term, coined by the manufacturer, describes when the device is placed in direct contact with the individual and the current is applied - however, the probes are not fired. Due to the minimal distance between the contact points on the C.E.W., drive stun is primarily a pain compliance tool. This mode is only justified to gain control of a person who is assaultive or where the person presents an imminent threat of serious bodily harm or death.

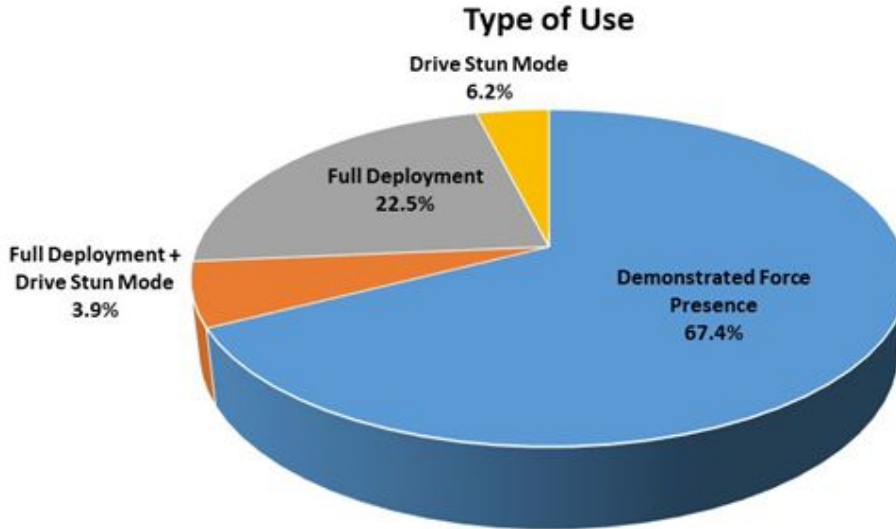
(3) Full Deployment

Probes are discharged at a person and the electrical pulse applied. In this mode, the device is designed to affect the person's nervous system by overriding both the sensory and motor functions causing incapacitation. As with drive stun, this mode is only justified to gain control of a person who is assaultive or where the person presents an imminent threat of serious bodily harm or death.

A person under the influence of drugs, alcohol, or in crisis may often possess a higher pain threshold. Traditional intermediate force options such as the baton, Oleoresin Capsicum (O.C.) spray and empty hand strikes rely on pain compliance to gain control of an individual.

The C.E.W. is designed to administer a measured electrical pulse across two electrodes, to overstimulate the motor nerves causing uncontrollable muscle contraction. This reduction in the ability to perform voluntarily movements is known as "neuro-muscular incapacitation" and is sustained for a brief period of time, allowing officers a window of opportunity to safely secure the person.

Under these circumstances, C.E.W.s are often more effective than other intermediate force options. The chart below illustrates the type of C.E.W. use as both a number and a percentage (demonstrated force presence, in drive stun mode, and full deployment).



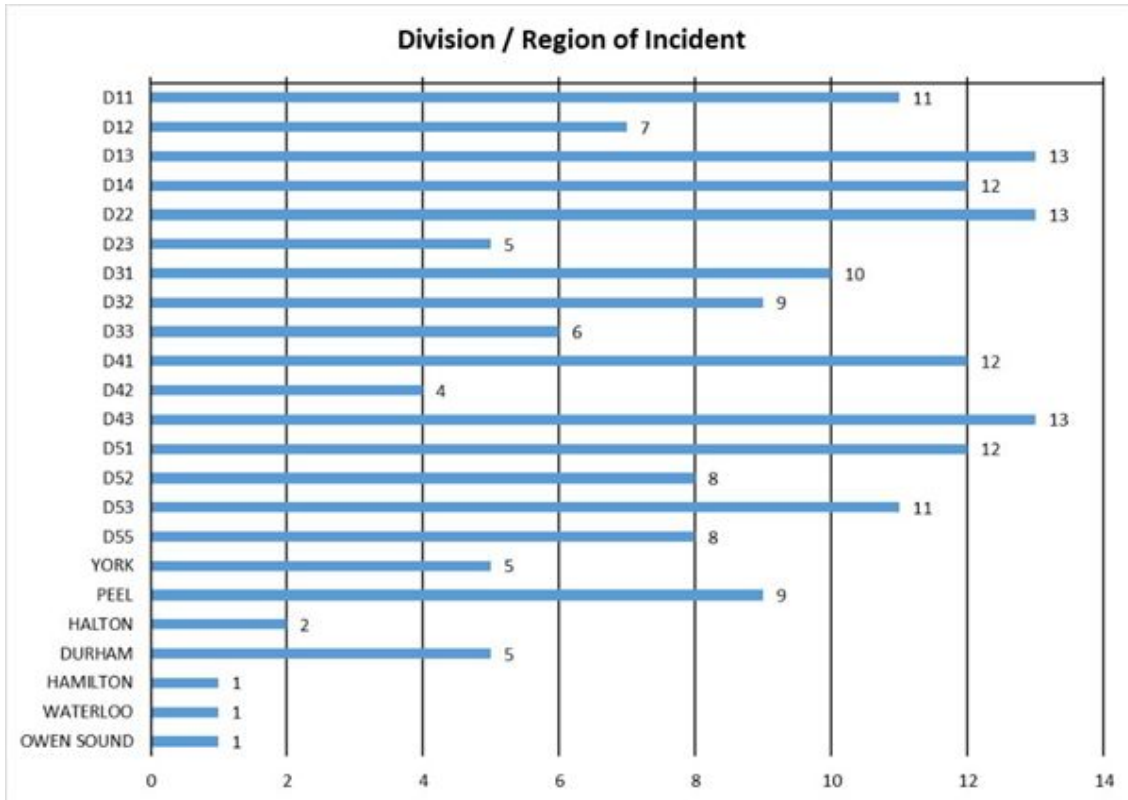
Type of Use - January to April 2021	#	%
Demonstrated Force Presence (D.F.P.)	120	67.4%
Full Deployment (F.D.)	40	22.5%
Drive Stun Mode (D.S.M.)	11	6.2%
Full Deployment + Drive Stun Mode	7	3.9%
Total Uses	178	100.0

Demonstrated force presence was used 67.4% of the time followed by Full deployment 22.5% and Drive stun mode 6.2% of total uses.

Full deployment is the most effective application of the C.E.W. This provides officers greater distance, and increases the spread of the probes promoting a larger area of neuromuscular incapacitation. However, there are several impact factors when utilizing a C.E.W. in full deployment. If the person is wearing heavy / bulky clothing, probes may not penetrate the layers or a single probe can miss / deflect from the target. Also, the conducting wires are breakable and contact during full deployment may be interrupted allowing the person to once again become assaultive. Officers may have to also apply a drive stun mode (third point of contact) to maintain control of the individual. Instances where full deployment and drive stun were used in combination accounted for 3.9% of total uses.

C.E.W. Use by Geography:

The following chart refers to the police divisions within the City of Toronto, or to the location outside of Toronto, where Service members used a C.E.W. Due to the amalgamation of 54 Division and 55 Division, C.E.W. deployments that occurred within these geographical boundaries are now reported within the 55 Division category.



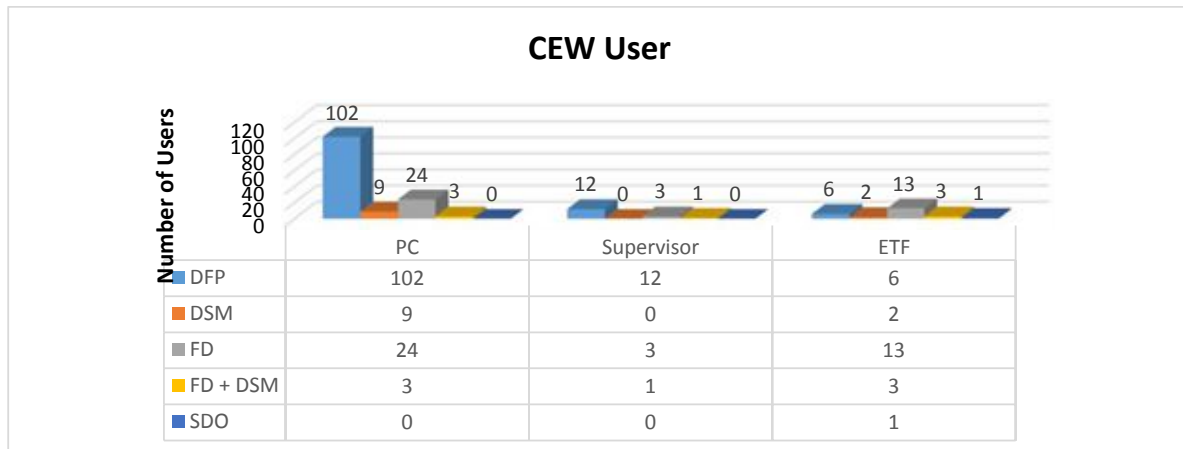
Occasionally investigations take our members outside the borders of Toronto. Regardless of where our members perform their policing duties, they are expected to follow Service procedures. Between January 1st and April 30th, there were 24 C.E.W. uses which took place in municipalities outside of Toronto. Two of the users are members of the R.O.P.E. unit. Eleven of the users are members of E.T.F., one is a member of the Public Safety Response Team (P.S.R.T.), six are members of O.C.E., three are members of D51 and one is a member of D33.

C.E.W. Use by User Group:

Since the expansion of C.E.W.s to frontline Officers in 2018, the C.E.W. reports include separate reporting parameters by unit, E.T.F., and other front line members - both uniformed and plain clothes.

The E.T.F. is a support unit of Specialized Operations and often responds to calls for service where the initial dispatched officers have been unable to resolve a dangerous situation and specialized resources are required. The E.T.F. are also mandated to attend high-risk search warrants, barricaded persons and weapons calls. Due to the high-risk nature of their calls for service, members of the E.T.F. are the only users who reported a higher number of full deployments than demonstrated force presence.

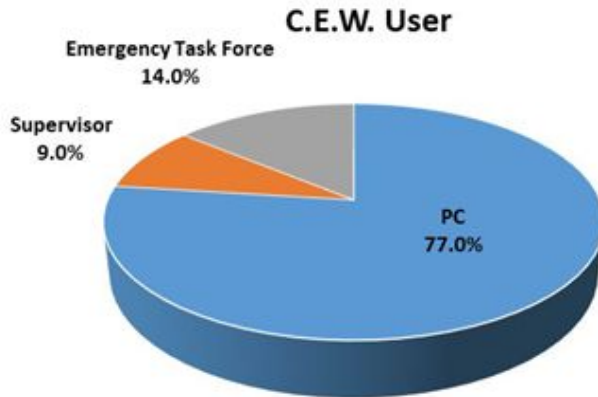
The following chart refers to the types of use by rank or tactical unit (Emergency Task Force).



C.E.W. User	D.F.P.	D.S.M.	F.D.	F.D+D.S.M.	Total	%
P.C.	102	9	24	3	138	77.1
Supervisor	12	0	3	1	16	8.9
E.T.F.	6	2	13	3	24	14.0
Total uses	120	11	40	7	178	100

*SDO (Spark display only) falls within the category of Demonstrated Force Presence

Of the C.E.W. uses between January 1st and April 30th, 2021, P.C.s accounted for 138 or 77.0% of use. The E.T.F. accounted for the second highest number of uses at 25 or 14%. Frontline supervisors made up 9% of users with 16 uses.



Type of Incident:

The following chart indicates the type of incident that officers were responding to when the C.E.W. was used in (144 incidents). A description of the incident is based on the initial call for service received by the attending officers. This information is collected from the Use of Force Report (U.F.R. Form 1) that must be completed subsequent to each C.E.W. use, as mandated by Service Procedures 15-01, “Use of Force” and 15-09, “Conducted Energy Weapon”. In cases where the original call type did not correspond with one of the denoted categories, the incident was placed into a category that best reflected the nature of the call.

Incident Types		
Incident Type	#	%
Unintentional	11	7.63
B & E	6	4.16
Domestic Disturbance	11	7.68
Homicide	1	0.69
*Other Disturbance	59	40.97
Emotionally Disturbed Person	17	11.8
Robbery	2	1.38
Suspicious Person	1	0.69
Weapons Call	36	25.0
Total	144	100%

*Includes numerous priority call types

Subject Condition at Time of C.E.W. Use

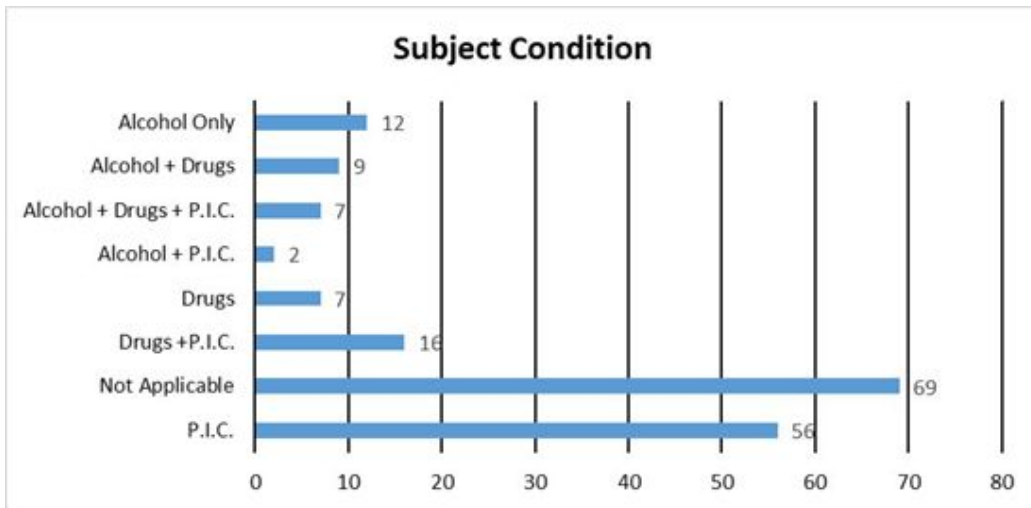
Officers often interact with people who are in crisis, under the influence of drugs and / or alcohol, or experiencing a mental health issue, as well as any combination of these. Officers categorize their perception of the condition of the person at the time of C.E.W. use on the applicable sections of the Conducted Energy Weapon Use Report (T.P.S. Form 584). An officer's perception is based on experience, knowledge, training, and observations made at the time of the incident. For the purpose of C.E.W. reporting, a Person in Crisis (P.I.C.) also includes any person who has mental health issues. Below are the definitions of the various terms.

- *Person in Crisis
Means a person who suffers a temporary breakdown of coping skills but often reaches out for help, demonstrating that they are in touch with reality. Once a person in crisis receives the needed help, there is often a rapid return to normalcy. *Procedure 06-04, Emotionally Disturbed Persons (to be changed to Persons in Crisis).*

*The definition of "Person in Crisis" is that which was contained in Procedure 06-04 (Emotionally Disturbed Persons) during this reporting period. The term has been redefined and there are pending changes to the current Board Policy Board Adequacy Standards Policy LE-013 and to the procedure itself. See Board minutes for June 24, 2021. Future reports will use updated terminology once the changes to the procedure are published.
- Alcohol
A person is believed to be under the influence of alcohol.
- Drugs
A person is believed to be under the influence of drugs.

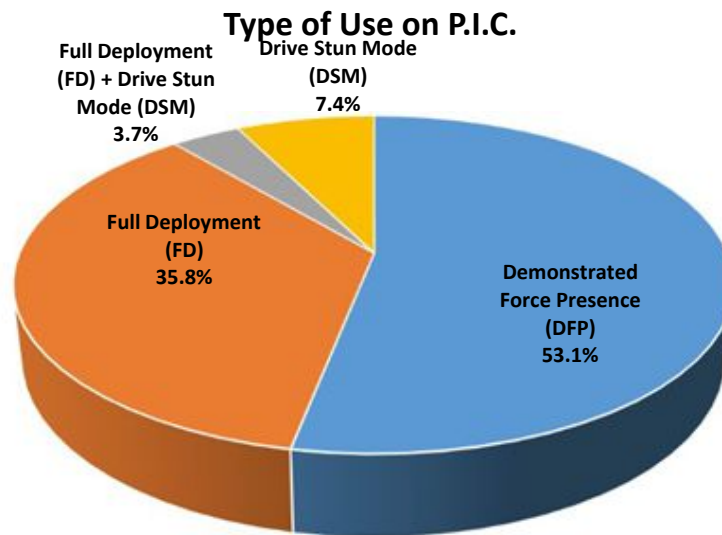
The chart below indicates a person's condition as identified by the reporting officer on a T.P.S. Form 584. The "Not applicable" category refers to situations where an officer did not believe that there were any external factors affecting the person's behaviour.

Of the 178 uses of a C.E.W. 56 or 31.4% involved persons whom officers believed were in crisis. The figure increases to 81 or 45.5% when P.I.C. were also believed to be under the influence of alcohol and/or drugs. Appendix A provides some real life examples where the deployment of the C.E.W. by an officer potentially saved a life.



Type of Use on P.I.C.

The chart below indicates the type of C.E.W. use on P.I.C. who may or may not have also been perceived to be under the influence of the combined effects of alcohol and/ or drugs. In 53.1% of cases, the type of use was reported as a demonstrated force presence. It should also be noted that of the 81 instances of C.E.W. use on P.I.C.s, there were no injuries sustained apart from the typical transitory probe marks or burns commonly associated with full deployments and drive stuns.



Type of Use on P.I.C.	#	%
Demonstrated Force Presence (DFP)	43	53.1%
Full Deployment (FD)	29	35.8%
Full Deployment (FD) + Drive Stun Mode (DSM)	3	3.7%
Drive Stun Mode (DSM)	6	7.4%
Total # of P.I.C. Incidents	81	100.0%

The Service continues to see a year over year increase in calls for Persons in Crisis. Between January 1st and April 30th, 2021, officers attended 8,326 calls for service involving P.I.C., an increase of 10.9% over the same reporting period in 2020. Of these, the C.E.W. was used in 81 incidents or 0.97% of calls of this type. This represents an increase from the same reporting period in 2020, which saw 57 incidents, or 0.76% of the total.

Mental Health Act Apprehensions:

These incidents describe situations where a person was apprehended under the *Mental Health Act* (M.H.A.) and transported to a psychiatric facility for assessment. Out of 144 incidents, 42, or 29.2% resulted in apprehensions under the M.H.A. This represents a 3.7% increase in apprehensions from the same reporting period in 2020.

The data does not capture the results of the assessment by a physician and therefore it would be inappropriate to definitively conclude that those apprehended were, in fact, suffering from a mental health condition at the time.

Not all P.I.C. that come into contact with police result in apprehensions under the M.H.A. An apprehension may not occur if a P.I.C. voluntarily attends a hospital for assessment or if, during their interaction with police, they are no longer displaying behaviour consistent with the grounds required for an M.H.A. apprehension. Officers are trained that C.E.W. use is in response to the person's behaviour and not because of the person's condition.

Between January 1st and April 30th, 2021, there were 2,143 M.H.A. apprehensions, an increase of 10.6% over the same reporting period in 2020 which saw 1,937 apprehensions. The use of the C.E.W. in 144 instances represents use in 6.7% of all apprehensions. When compared to 153 incidents for 1,937 M.H.A. apprehensions for the same period in 2020, we see a decrease of 1.2 % in C.E.W. use.

Between January 1st and April 30th, 2021 there were 2,143 M.H.A. apprehensions Service wide. This represents an increase of 10.6% over the same reporting period in 2019 which saw 1,937 total apprehensions.

Of the 144 C.E.W. related events reviewed, 42 of these resulted in an apprehension under the M.H.A. When we look at the total number of M.H.A. apprehensions in this reporting period, the C.E.W. was used in 1.95% of these events.

Subject's Behaviour/Threat Level

A person's behaviour during a C.E.W. incident is described within the context of the Ontario Use of Force Model (2004), which is described under the following categories:

- Passive Resistant

The person refuses, with little or no physical action, to cooperate with an officer's lawful direction. This can assume the form of a verbal refusal or consciously contrived physical inactivity.

- Active Resistant

The person uses non-assaultive physical action to resist an officer's lawful direction. Examples would include pulling away to prevent or escape control, or overt movements such as walking or running away from an officer.

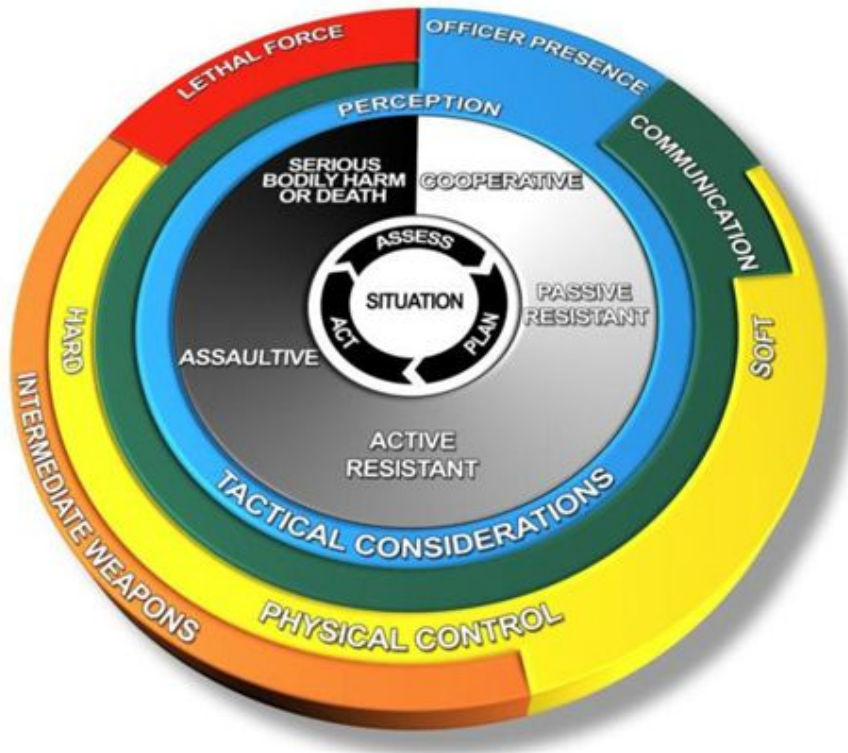
- Assaultive

The person attempts to apply, or applies force to any person, or attempts or threatens by an act or gesture to apply force to another person, if they have, or cause that other person to believe upon reasonable grounds that they have, the present ability to carry-out their purpose. Examples include kicking and punching, but may also include aggressive body language that signals the intent to assault.

- Serious Bodily Harm or Death

The person exhibits actions that the officer reasonably believes are intended to, or likely to, cause serious bodily harm or death to any person, including themselves. Examples include assaults with a weapon or actions that would result in serious injury to an officer or member of the public, and include suicide threats or attempts by that person.

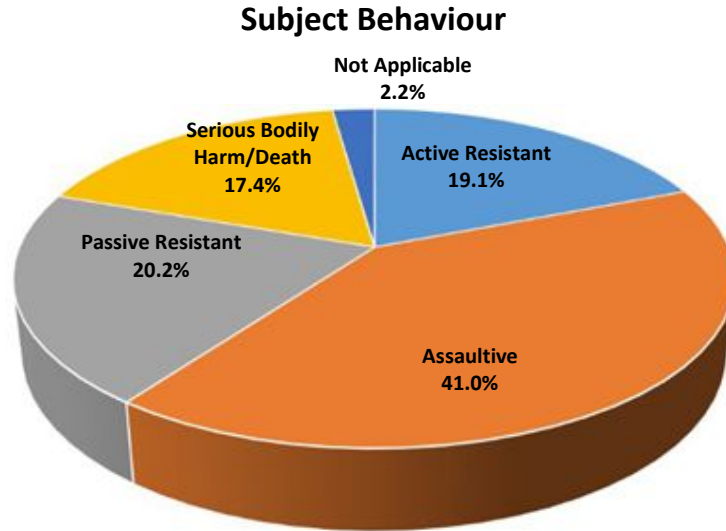
Ontario Use of Force Model



The 2004 Ontario Use of Force Model is used to assist officers in determining appropriate levels of force and articulation. It represents the process by which an officer assesses, plans, and responds to situations that threaten public and officer safety. The assessment process begins in the centre of the model with the situation confronting the officer. From there, the assessment process moves outward and addresses the person's behaviour and the officer's perception and tactical considerations. Based on the officer's assessment of the conditions represented by these inner circles, the officer selects from the use of force options contained within the model's outer circle. After the officer chooses, a response option the officer must continually reassess the situation to determine if his or her actions are appropriate and / or effective or if a new strategy should be selected. The whole process should be seen as dynamic and constantly evolving until the situation is brought under control.

A significant aspect of the model is Communication. This represents not only the constant and evolving evaluation of the incident by officers but also the emphasis on de-escalation and resolving incidents with the least amount of force necessary.

The following chart refers to subject behaviour as perceived by the C.E.W. user in the 178 times an officer deployed a C.E.W.



Subject Behaviour	#	%
Active Resistant	34	19.1%
Assaultive	73	41.0%
Passive Resistant	36	20.2%
Serious Bodily Harm/Death	31	17.4%
Not Applicable	4	2.2%
Total deployment #	178	100.0%

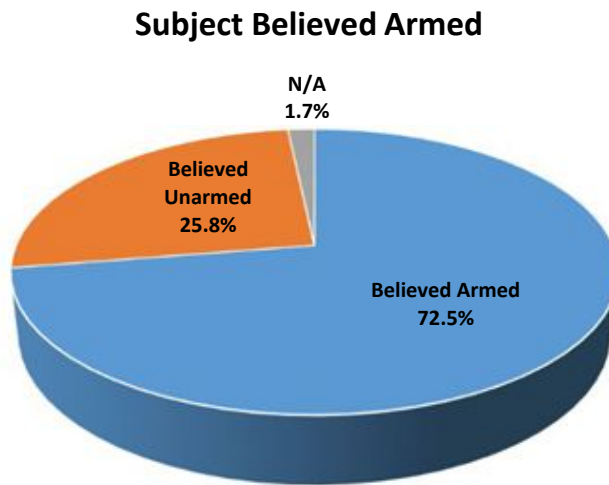
In situations where an individual is displaying passive or active resistance, Service procedure prohibits officers from using a C.E.W. in any manner other than a demonstrated force presence.

In 41% of incidents, officers perceived the subject's behaviour to be assaultive and in 17.4% of the incidents, officers believed the behaviour included that which was likely to cause serious bodily harm or death.

For all calls attended by officers in this reporting period (297,935), 144 involved C.E.W. incidents. The C.E.W. was used in 0.048% of all calls for service attended. Contrasting C.E.W. use with violent calls, this value increases to 1.4%.

Subject Believed Armed:

Of the situations where the C.E.W. was used, officers believed that the individual was armed in 129/178 or 72.5% of the uses. An officer may believe that a person is armed based on a number of factors, including visual confirmation; the person's verbal cues / behaviour; information from witnesses or dispatchers; or other indirect sources. The chart below indicates whether an officer believed an individual was armed. The "Not Applicable" category refers to three uses on dogs.



Subject Believed Armed	#	%
Believed Armed	129	72.5
Believed Unarmed	46	25.8
N/A	3	1.7
Total	178	100.0

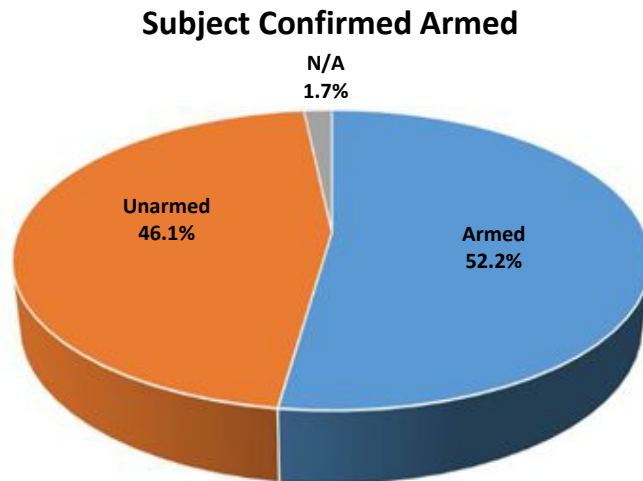
When comparing with C.E.W. use only towards P.I.C. who were believed to be armed, the percentage increases from 72.5% to 80.2%.

P.I.C. Believed Armed	#	%
Believed Armed	65	80.2
Believed Unarmed	16	19.8
Total	81	100.0

Subject Confirmed Armed

Officers confirmed the presence of a weapon 93 times out of the 129 times they believed a weapon was present. Therefore, the officer’s perception that an individual was armed (based on available information at time of C.E.W. deployment) was correct 71% of the time.

Officers are trained to continually assess, plan and act based on a number of factors, including the potential that subjects may be armed. The belief that a subject is armed or a weapon is present does not by itself justify the direct application of a C.E.W. However, when the possibility that a subject may be armed is combined with the belief that the subject is assaultive or likely to cause serious bodily harm or death, the officer is justified in directly applying the C.E.W. The chart below indicates, as both a percentage and a number, the subjects that were confirmed to be armed. The “Not Applicable” category refers to three uses on dogs.



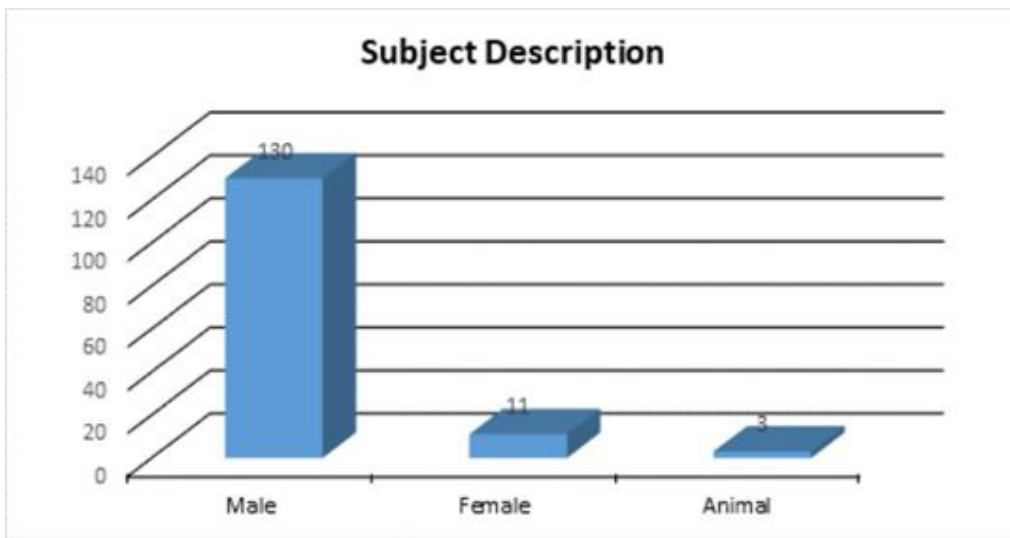
Subject Confirmed Armed	#	%
Armed	93	52.2
Unarmed	82	46.1
N/A (Uses on dogs)	3	1.7
Total	178	100.0

When comparing C.E.W. use towards only P.I.C. who were confirmed to be armed, the percentage increases from 52.2% to 65.4%.

P.I.C. Confirmed Armed	#	%
Armed	53	65.4
Not Armed	28	34.6
Total	81	100.0

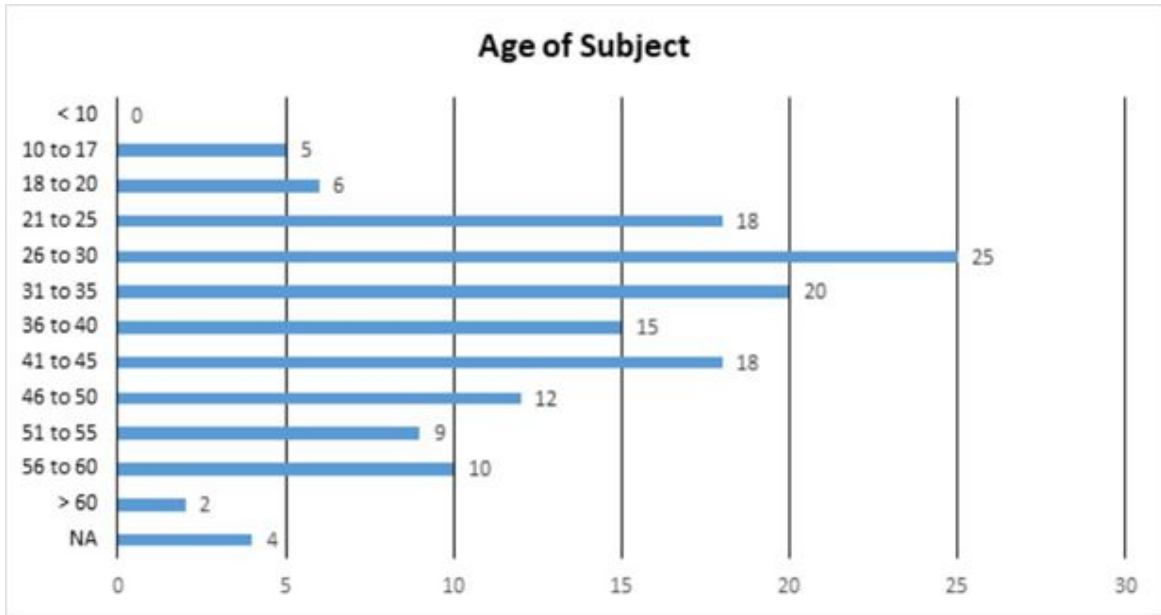
Subject Description

This chart categorizes subjects by their perceived gender. Of the 144 incidents involving C.E.W. use, 130 subjects or 90.2% were perceived to be male. Also recorded is C.E.W. use on animals and use on multiple subjects. In this reporting period, there were three incidents involving dogs and no incidents involving more than one subject. In regards to the uses on dogs, the C.E.W. was used in the full deployment mode in each instance.



Age of Subject:

The chart below categorizes C.E.W. use on various age groups. The largest age demographic represented is that between 21 and 35 years of age and equates to 43.75% of C.E.W. use – down from the same reporting period in 2020, which saw this age demographic represented in 58% of C.E.W. uses. The “Animal” column represents the three uses on dogs



Use on Subjects Under the age of 18 years:

The following chart indicates the number and type of C.E.W. use on subjects who were under the age of 18.

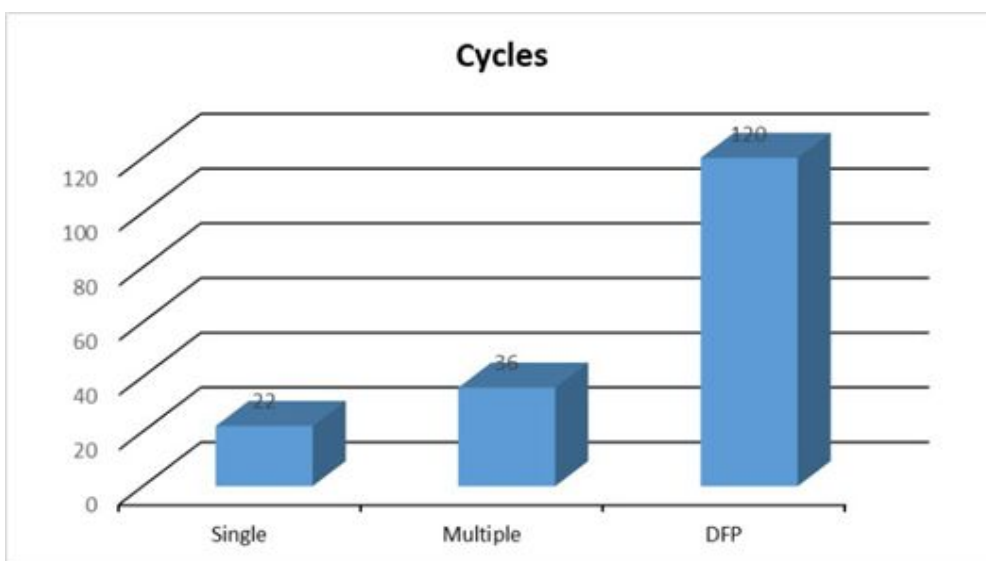
Age	Demonstrated Force Presence	Drive Stun Mode	Full Deployment	Total
13				0
14	2			2
15	1			1
16	2			2
17				
TOTAL				5

Between January 1st and April 30th, 2021, there were five incidents where a C.E.W. was used to control potentially harmful situations involving young persons (as defined by the *Youth Criminal Justice Act*). Three incidents involved the presence of edged weapons. One case involved the presence of firearms and one case concerned an individual exhibiting violent behaviour. In all five incidents, the mode of deployment was demonstrated force presence. There were no full deployments or drive stuns on persons under the age of 18 in this reporting period.

C.E.W. Usage Details:

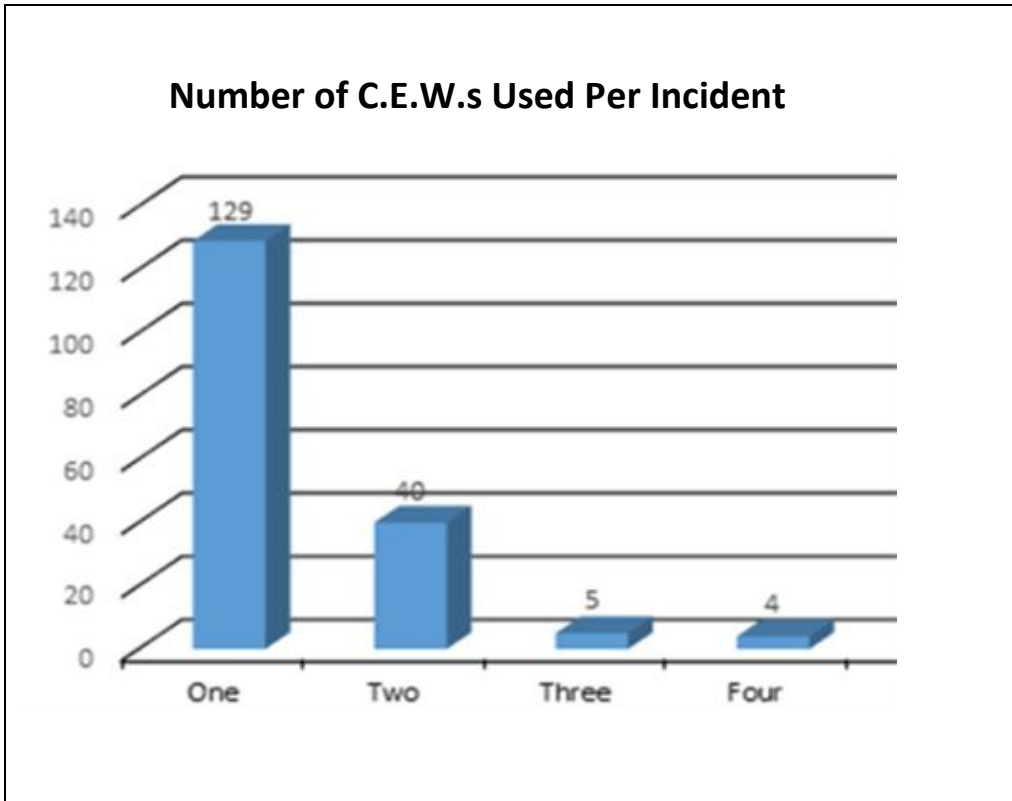
Number of Cycles:

During training and recertification, officers are instructed to apply the current only as long as it takes to gain control of the subject. Control is achieved when the subject is placed in restraints, such as handcuffs, and is no longer considered a threat. After the initial application of a single cycle, an officer is instructed to re-assess the subject's behaviour before continued or renewed application of the current. The following chart reports whether single or multiple cycles were used. A complete cycle is five seconds in duration. A partial cycle of less than five seconds can occur when the C.E.W. is manually disengaged or the power is shut off. For the purpose of this report, partial cycles are recorded as a single cycle.



Number of C.E.W.s Used per Incident:

As a result of the C.E.W. expansion, it is common for more than one C.E.W. equipped officer to attend the same call. If it has been determined to be necessary, officers may use more than one C.E.W. at an event if the first one is ineffective. In this reporting period, there were 49 instances where more than one C.E.W. was used. In over half of these uses (29 of 49), the involved officers used only a demonstrated force presence of the C.E.W. The chart below summarizes the number of C.E.W.s used during each incident.



Number of C.E.W.s Used and Mode of Use

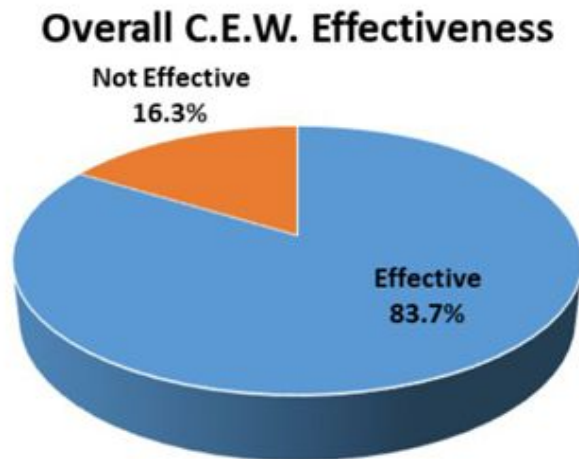
The following chart separates the number of C.E.W.s used at incidents by their mode of use. Direct use means full deployments, drive stun uses or a combination of both modes. For incidents where two or more C.E.W.s were used, if one C.E.W. was directly used, then it is captured under the direct use category, regardless of whether other C.E.W.'s were used as demonstrated force presence.

Number of C.E.W.s used per incident	Demonstrated Force	Direct Use	#	%
One	96	33	129	72.47%
Two	24	16	40	22.47 %
Three	2	3	5	2.81%
Four	3	1	4	2.25%
Five	0	0	0	0%
Six	0	0	0	0%
Total	125	53	178	100%

C.E.W. Effectiveness

Effectiveness is measured by the ability of officers to gain control of a subject while utilizing a C.E.W. in compliance with Ministry and Service standards and training. Of the 178 incidents of C.E.W. use in this reporting period, its effectiveness has been shown to be 83.7%. Ineffectiveness has been associated with shot placement, poor conduction (e.g. the subject was wearing heavy clothing), or situations where the subject failed to respond to the demonstrated force presence of the C.E.W.

C.E.W. effectiveness is outlined in the following chart.



Overall C.E.W. Effectiveness	#	%
Effective	149	83.7%
Not Effective	29	16.3%
Total	178	100.0%

Effectiveness by Type of User

As a result of expansion to frontline P.C.s in 2018, effectiveness of C.E.W. use has also been divided into categories based on type of user. The following chart shows the effectiveness for members of the E.T.F., Supervisors and P.C.s.

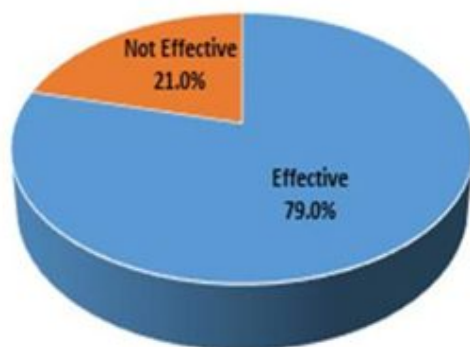
Effectiveness by Type of User

Rank	#	% Effectiveness
Detective Constable	2	100
Police Constable	136	82.0
Supervisor	16	83.3
E.T.F.	24	88.0
Total	178	100%

C.E.W. Effectiveness on P.I.C.

In 2015, Corporate Risk Management (C.R.M.) began tracking and reporting on the effectiveness of C.E.W. use on P.I.C. The chart below includes the 81 incidents where the involved subjects were described as being in crisis or being in crisis and under the influence of drugs and / or alcohol. Of these incidents, 79% were deemed to be effective.

Overall C.E.W. Effectiveness on Person in Crisis



Effectiveness on Persons in Crisis	#	%
Effective	64	79%
Not Effective	17	21%
Total	81	100%

De-escalation Techniques Used by Officers

Of the 178 deployments, officers reported using or attempting to use de-escalation techniques in 167 of these incidents. This represents 93.82% of the total. When

completing the C.E.W. report (T.P.S. 584), an officer is required to indicate whether or not de-escalation techniques were used. If the member selects “no,” a dropdown field appears in which the member is required to indicate “Imminent threat-immediate action required” or enter another explanation in the space provided. In the 11 incidents where de-escalation techniques were not attempted, the reason given was “Imminent threat – immediate action required”.

Other Use of Force Option Used (Prior to C.E.W. Use)

C.E.W.s are one of several force options available to Service officers. Other force options include impact weapons, physical control, O.C. spray and firearms used as a display of lethal force.

Force options are not necessarily used or intended to be used incrementally or sequentially. Events that officers are trained to deal with can unfold rapidly and are often very dynamic. Officers are trained to use a variety of strategies to successfully de-escalate volatile situations; however, there is no single communication method, tool, device, or weapon that will resolve every scenario. Therefore, the use of a C.E.W. or any other force option is the result of careful deliberation by the officer(s) involved. The data shows that other force options were used first in 10.1% of encounters, before using the C.E.W. The below chart indicates what, if any, other force option was utilized by the C.E.W. equipped officer prior to their use of a C.E.W.

Other Force Options Used Prior to C.E.W. Use	#	%
Firearm Display	9	5.05%
Impact Weapon	1	0.56%
None	160	89.88%
Physical Control	8	4.49%
None	0	0
Total	178	100%

Unintentional Discharges

Unintentional discharges occur when the probes are fired from the C.E.W. cartridge due to officer error or device malfunction. In this reporting period there were 11 unintentional discharges as a result of officer error. Ten of the incidents involved P.C.s, while one incident involved a frontline supervisor. The number of unintentional discharges is consistent with the same reporting period in 2020 in which there were 10 incidents. In all cases, officers inadvertently discharged the probes while spark testing the C.E.W. These 11 incidents are not included in the data reported in the previous sections.

Spark testing is required at the start of each tour of duty for the following reasons:

- To verify that the C.E.W. is working

- To verify that the batteries are performing and are adequately charged
- To condition the C.E.W. because the devices are more reliable when energized on a regular basis

Each unintentional discharge during spark testing results in a Service or Conduct Report being initiated with a subsequent loss of four hours of lieu time. In each case, the officer attended the Toronto Police College (T.P.C.) for re-training on safe handling practices.

In this reporting period, there were no device malfunctions to report.

Subject Injuries

When deployed in drive stun mode, the C.E.W. may leave minor burn marks on the skin where the device makes contact. When the C.E.W. is fully deployed, the subject may receive minor skin punctures from the darts. As each of these injuries is anticipated when the C.E.W. is used, they are not included in the classification of “injury” for the purposes of this report. The more notable risk is a secondary injury from a fall. Subjects will often immediately collapse to the ground upon receiving a full deployment and, since the major muscles are locked, they will not be able to break the fall. Officers are trained to consider the best location and environment when using the C.E.W. and to use caution as part of their decision-making process.

Between January 1st to April 30th, 2021 there were no reported injuries (apart from probe/burn marks) directly related to C.E.W. usage. Injuries in previous reporting periods have been typically described as minor cuts, bumps or scrapes.

In the last five years, the Service has averaged 6.6 injuries per year that were directly attributed to C.E.W. use. The small number of injuries each year indicates that officers are taking environmental factors and probe placement into consideration prior to use.

Deaths

There were no deaths directly associated with C.E.W. use by Service officers in this reporting period.

Civil Action

In this reporting period there was one civil action initiated against the Service for an incident that occurred in October 2020. This is not a Service related C.E.W. incident but involves the use of a C.E.W. by a member of the Peel Regional Police Service in Brampton. The Service has been named as a defendant as one of our off duty members assisted the Peel Regional Police Service member in the apprehension of the plaintiff.

In the last five years, the Service has been named in a total of nine C.E.W. related lawsuits, ranging from zero to four annually as shown in the table below. Since the

expansion of C.E.W.s to frontline P.C.s in 2018, this number has remained relatively stable.

Year	C.E.W. Related Lawsuits
2017	3
2018	0
2019	4
2020	1
2021	1

Training

All C.E.W. training is conducted by a Ministry-certified use of force instructor on the specific weapon used and approved by the Service. For initial training, authorized Service officers received 20 hours of training, which is 8 hours longer than the provincial standard. This training includes theory, practical scenarios, and a written examination. The additional 8 hours includes in-class training that emphasizes judgement training, decision making and de-escalation, which is conducted in accordance with the guidelines established by the Ministry. Officers are also required to complete a 1-hour on-line tutorial prior to attending C.E.W. training at the T.P.C. Recertification training takes place at least once every 12 months, in accordance with Ministry guidelines and Ontario Regulation 926 of the *Police Services Act* (P.S.A.).

Service training emphasizes that before a C.E.W. is used against any subject, officers should consider de-escalation as a first priority whenever it is safe and practical to do so. It is important to note that de-escalation often begins with the call taker from Communications Services. The call taker is trained to reduce the person's anxiety while eliciting information about the situation for responding officers. As previously mentioned, de-escalation was utilized by officers during 93.82% of incidents requiring the use of a C.E.W.

Other operational considerations include disengagement, distance, time, cover, concealment and the use of other force options, when appropriate.

Misconduct

In 2021, 11 members have attended the T.P.C. for refresher training as a result of having experienced unintentional C.E.W. discharges in this reporting period. All of the unintentional discharges occurred at unit proving stations. None of these occurred in the presence of the public. There were no other reports of C.E.W. related misconduct for this reporting period.

Governance

As a result of the expansion in 2018, and with the overall objective of reducing deaths without increasing overall use of force, Service Procedure 15–09 Conducted Energy Weapon has had numerous amendments and additions. One of the changes included the reporting responsibilities of P.C.s who are assigned a C.E.W. for daily patrol. These responsibilities include the need to notify both the communications dispatcher and a supervisor of all uses of C.E.W.s, including demonstrated force presence. Also added into the procedure were the responsibilities of a communications dispatcher and supervisor, upon being advised of a C.E.W. deployment. These responsibilities now include mandatory notification to the Toronto Police Operations Centre (T.P.O.C.) and Officer-in-Charge (O.I.C.) of the division where a C.E.W. was used. Currently, the O.I.C. of T.P.O.C. is responsible for notifying both the Duty Senior Officer and the members of Command of the details related to Full Deployment and Drive Stun use.

The T.P.S. Form 584 required by all officers who deploy a C.E.W. has also been updated since the expansion to the frontline P.C.s. The form now records de-escalation techniques attempted prior to deploying a C.E.W. An added feature to the form, is the inability for officers to print a hard copy report until they have emailed the form to the Use of Force Analyst. This ensures that all Service accountability and reporting processes are engaged at the time of reporting.

Community Consultation

In March 2020, consultation was sought from members of the Board’s Mental Health and Addictions Advisory Panel (M.H.A.A.P.) on the format for the Annual C.E.W. Report, in keeping with the Board’s December 2019 motion. The Service implemented some of the input that was provided by panel members, and will endeavour to include recommendations for future Annual C.E.W. reports, where feasible.

Input from the Board’s former Mental Health Sub-Committee was included in a previous quarterly report (Min. No. P142/19).

Similar feedback on the Annual Report will be sought from the Board’s Anti-Racism Advisory Panel (A.R.A.P.).

Race-Based Data Collection for Use of Force Incidents

At its meeting on September 19, 2019, the Board approved the Race-Based Data Collection (R.B.D.C.), Analysis and Public Reporting Policy (Policy), with the first phase of its implementation for Use of Force incidents to begin January 1, 2020 (Min. No. P178/19). Guided by the legal principles in the *Ontario Human Rights Code* and Ontario’s *Anti-Racism Act*, and grounded in a very comprehensive process of consultations, the Policy is the expression of the collective expertise and wisdom of the Anti-Racism Advisory Panel, internal members, subject matter experts, and community members with lived experiences.

The Service went one step further and committed to adding Strip Searches in phase 1 in response to the Office of Independent Police Review Director’s (O.I.P.R.D.) report

entitled “Breaking the Golden Rule: A Review of Police Strip Searches in Ontario.” As such, the Service began collecting race-based data for Use of Force and Strip Searches on January 1, 2020.

In 2020, the Service conducted broad internal and external consultations to support the R.B.D.C. Strategy. The largest community engagement endeavour to date in the Service’s history was conducted to bring together diverse communities across the city to inform the implementation of the R.B.D.C. Strategy. The public report “In the communities’ words: the Toronto Police Service’s Race-based Data Collection Strategy” was released by the Service to report back to communities and reinforce its commitment to continuous community engagement, transparency and accountability. An analytical framework has been developed, with input from both internal and external stakeholders, to guide the analysis of race-based data. This framework is grounded in research literature and best practices on racial discrimination and profiling. The first online training component has now been completed by all members.

The Community Advisory Panel (C.A.P.) for the R.B.D.C. Strategy successfully launched on January 31st. The C.A.P. includes twelve diverse residents, particularly from Black, Indigenous and racialized communities, as well as youth. The panel will be asked to provide input on the analysis and reporting of race-based data, as well as future data collection.

The Phase 1 analysis includes C.E.W. use. A full year of use of force data, including C.E.W. use has been collected and the Equity, Inclusion and Human Rights team is in the process of analyzing the information. These statistics will be available in first quarter 2022.

International Review of C.E.W. Reporting

In 2020, the Service commissioned an independent C.E.W. use of force review (MNP Report). This report with its findings and recommendations was provided to the Board’s June 2021 meeting.

The MNP Report found that the Service provides more in-depth C.E.W. related information and reports it more frequently than most of the police services examined, specifically, the information collected regarding perceived subject behaviour and condition, number of cycles and type of incident. It was noted in the report that of all of the police services reviewed, the Service is the only one that produces “stand alone” reporting on C.E.W. usage.

Conclusion

This report summarizes the frequency and nature of C.E.W. use by the Service. The number of reportable use of force incidents has increased. However, this is attributed to P.C.s having the option of displaying a C.E.W. in lieu of resorting to empty-hand techniques to control a non-compliant or assaultive subject. There is no requirement to

report the use of empty-hand techniques unless a subject is injured and requires medical attention. There is, however, a requirement to report the display of a C.E.W., which has resulted in an increase in the number of reportable use of force incidents. Since each C.E.W. use undergoes a rigid examination to ensure compliance with training and procedures, increased reporting has resulted in greater oversight in relation to use of force incidents. The data, particularly the high percentage of demonstrated force presence, indicates that officers are using good judgement under difficult circumstances. They are making appropriate decisions to use only the force necessary to resolve tense and dangerous situations.

The Service is confident that the C.E.W. is an effective tool that has helped avoid injuries to both the public and police officers. Consequently, the Service believes that through proper policy, procedures, training, and accountability, the C.E.W. is an appropriate use of force option that can help maintain public and officer safety.

Chief Administrative Officer Tony Veneziano, will be in attendance to respond to any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office

Appendix “A” – Lives Potentially Saved

Some of the incidents officers faced involved life-saving interventions such as suicide attempts and others that invariably prevented subject and officer injury. Four real life examples are provided below:

Example 1: Police responded to a medical call at a residence. The caller advised that his adult son had possibly overdosed on fentanyl. When paramedics attempted to treat the male he became agitated and began throwing their equipment at them. Police arrived and the male told them that he was in possession of more fentanyl and that he was going to kill himself by taking it. As officers attempted to verbally de-escalate the male, he disrobed and yelled “Shoot me right now, I’ll die by suicide by police right now!” An officer drew their C.E.W. in the demonstrated force presence mode while verbal de-escalation techniques continued. The male became compliant and was apprehended under the Mental Health Act without further incident.

Example 2: Police responded to a weapons call in a parking lot. Information was received that a male armed with a knife was chasing snow removal contractors. When officers arrived, they observed the armed male advancing on one of the complainants. Officers positioned their vehicle between the male and the contractors and attempted to engage the male verbally. As the male began to advance on officers, a member discharged their C.E.W. The full deployment was effective and the male was taken into custody without further incident.

Example 3: A solo officer attended the “Welcome Centre” shelter for a report of a person with a knife. No back up units were available at the time of the officer’s arrival. The attending officer observed a male holding the blade of a knife against his stomach. The male told the officer that he was going to stab himself. Attempts at verbal de-escalation were unsuccessful. Fearing imminent serious bodily harm or death, the officer discharged their C.E.W. The full deployment was effective and the male was apprehended under the Mental Health Act.

Example 4: Police attended a residence for a report of a threatening suicide. The complainant had advised that her husband was in crisis, was threatening suicide and was in possession of numerous knives and a machete. When attending officers encountered the male, they found him to be armed with a knife in each hand. The male pressed a blade against one wrist. An officer drew their C.E.W. in the demonstrated force presence mode as other members attempted to verbally de-escalate him. The male ignored the display of the C.E.W. and pressed one knife against his own throat. Fearing imminent serious bodily harm or death, an officer discharged their C.E.W. The deployment was effective. The male was disarmed and was apprehended under the Mental Health Act.



Central Joint Health and Safety Committee

PUBLIC MINUTES

**Toronto Police Services Board
June 14, 2021, at 9:00AM
via WebEx**

Meeting No. 75

Members Present:

Members Present:

Jim Hart, Chair Toronto Police Service Board & Co-Chair, Central Joint Health & Safety Committee (CJHSC)
Jon Reid, President, Toronto Police Association (TPA) & Co-Chair, CJHSC
Brian Callanan, TPA & Executive Representative
Colin Stairs, Toronto Police Service (TPS), Command Representative

Also Present:

Ivy Nanayakkara, Manager, Wellness Unit
Rob Duncan, Occupational Safety Lead, TPS Wellness Unit
Nalini Lall, Safety Coordinator, TPS Wellness Unit
Diana Achim, Board Administrator, TPSB
Sheri Chapman, Executive Assistant, TPSB
Claire Wagar, Executive Assistant, TPA

Chair for this Meeting: Jon Reid, President Toronto Police Association, and Co-Chair, Central Joint Health and Safety Committee

Opening of the Meeting:

1. Co-Chair, Jon Reid, welcomed the group to the meeting and called the meeting to order.

2. The Committee approved the public Minutes from the meeting that was held on March 16, 2021.

The Committee considered the following matters:

3. Terms of Reference – 2021 Review
Review by: All Members

Co-Chair Reid shared three (3) potential off-site meeting locations for the Committee's consideration. These locations were 22, 43 and 52 Division.

The Committee agreed that the locations were suitable and proposed to have the next Central Joint Health & Safety Committee (CJHSC) meeting at 43 Division.

Moved by: Jon Reid
Seconded by: Jim Hart

Status:	Terms of Reference: <u>Resolved</u>
Action:	The Committee agrees that this matter has been resolved and that no further action is required at this time.

4. New Initiatives
Review by: All Members

There were no new initiatives brought forward by the Committee members.

Moved by: Jon Reid
Seconded by: Jim Hart

Status:	New Initiatives: <u>Ongoing</u>
Action:	To be left on the agenda as a standing agenda item.

5. Full Body Scanners
Update by: Mr. Rob Duncan, Occupational Safety Lead, TPS Wellness Unit

Mr. Duncan advised the Committee that the Full Body Scanner project continues to be on hold. Mr. Duncan explained that there had been allotted grant funding available in the amount of \$500,000 but that funding has since been redistributed.

Co-Chair Hart suggested that this agenda item be placed on hold until Mr. Stairs has the opportunity to speak with Chief Ramer.

Mr. Stairs advised the Committee that discussions have taken place regarding the need for minimizing the Level 3 search, however, will keep this on the agenda and report back to the Committee at the next meeting.

Moved by: Jon Reid
 Seconded by: Jim Hart

Status	Full Body Scanners: <u>Ongoing</u>
Action	Mr. Stairs to provide an update at the next meeting.

6. Respiratory Protection Masks

Update by: Mr. Rob Duncan, Occupational Safety Lead, TPS Wellness Unit

Mr. Duncan advised the Committee that the Service has secured a large inventory of N95 masks. Mr. Duncan said that the advantage of having such a large supply is so that the Service can standardize masks for certain respiratory issues.

Mr. Duncan explained that the Service is setting up a fit testing program which will begin by fit testing approximately 1000 members and that the program will allow members to schedule an appointment for fit testing.

Mr. Duncan further advised the Committee that the Service is working on detailed messaging to accompany the program which will include the differences between medical grade masks and other masks. The Service has seen incidences that have caused stress with members, and they are working on clear messaging to get a head of this.

Moved by: Jon Reid
 Seconded by: Jim Hart

Status:	Respiratory Protection Masks: <u>Ongoing</u>
Action:	Mr. Duncan will provide an update at the next Committee meeting.

Next Meeting:

Date: Tuesday, September 14
 Time: 1:00PM
 Location: 43 Division

Members of the Central Joint Health and Safety Committee:

Jim Hart, Co-Chair Toronto Police Services Board	Jon Reid, Co-Chair Toronto Police Association
Colin Stairs, Command Representative, Toronto Police Service	Brian Callanan, Executive Member Toronto Police Association



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation of the Custody Death of 2020.12

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On March 21, 2020, at 1223 hours, a male called 9-1-1 requesting that Paramedics attend his address which was located within 22 Division. The 9-1-1 operator transferred the call to Toronto Paramedic Services (Paramedics). The male caller advised Paramedics that his brother, Custody Death 2020.12 (2020.12) was having an "episode" and appeared to be "*fighting in his sleep*". The male was unable to advise if his brother had "*taken anything*" that might have caused this reaction.

Paramedics and Toronto Fire Services (T.F.S.) responded to the address.

Paramedics arrived first and were directed to the basement where they found 2020.12 on the floor between the dresser and the bed. 2020.12 was combative and “*violently flailing and banging his head on the floor*”. Paramedics moved the bed and dresser away to provide more room to access and medically assess 2020.12. Once the furniture was moved, 2020.12 responded by rolling across the floor to the other wall where he continued to thrash about. Based on the presence of possible drug paraphernalia and 2020.12’s displayed behaviour, Paramedics suspected he was in the midst of an opioid overdose. Paramedics were able to administer 0.8 milligrams of *Narcan* (Naloxone) to 2020.12 who continued to violently swing his arms at the Paramedics and bang his head on the floor.

At 1226 hours, two officers from 22 Division were dispatched to attend the address to assist Paramedics with a combative patient.

At 1234 hours, the first officer arrived at the address and entered the premises through a side door. At this time the officer could hear a commotion in the basement and was confronted by 2020.12’s brother (the original caller) who was yelling at the Paramedics.

The officer entered the basement and observed 2020.12 on his knees facing the wall furthest from the entrance to the basement moaning and making incoherent statements. The officer observed Paramedics quickly step back from 2020.12 to avoid being hit by him. 2020.12 then fell face down on the floor striking his face. The officer made contact with 2020.12 who kept lifting his head off the ground and then smashing it down on the floor. Also present in the basement was at least one member of T.F.S.

The officer put his body weight on top of 2020.12 in an attempt to keep him from thrashing about and to allow Paramedics to continue their assessment and medical treatment. Despite the officer’s considerable size, 2020.12 was able to continue to struggle and at one point pushed himself up with the officer on top of him.

At 1237 hours, the second officer arrived on scene and went directly over to assist the first officer who was struggling to control 2020.12.

Both officers decided that for their safety, the safety of the other first responders, to prevent 2020.12 from further harming himself and to allow Paramedics to continue their treatment, he should be restrained with handcuffs and leg restraints.

At 1241 hours, after a short struggle, the officers with the assistance of a member of T.F.S. were able to apply handcuffs and leg restraints to 2020.12.

While this was occurring an Advanced Care Paramedic and his student arrived on scene and seeing 2020.12 to be restrained in a prone position directed the officers to move 2020.12 onto his back.

The officers moved 2020.12 into the recovery position which allowed the paramedics to safely to perform the initial assessment.

At 1245 hours, Paramedics found 2020.12 was having trouble breathing. The restraints were removed and 2020.12 was rolled onto his back. It was determined that 2020.12 was in cardiac arrest and his vital signs were absent.

Immediate attempts to resuscitate 2020.12 were made first by the officers who commenced Cardiopulmonary Resuscitation (C.P.R.) and then by T.F.S. and Paramedics.

At 1324 hours, Paramedics were able to obtain a faint pulse and 2020.12 was transported by Paramedics via emergency run to St Joseph's Health Centre.

At 1340 hours, 2020.12 was pronounced deceased at hospital.

The S.I.U. designated two officers as subject officials; four other members were designated as witness officials.

The pathologist at autopsy attributed 2020.12's death to "*fatal fentanyl and cocaine toxicity in the setting of a prone, restrained, obese, agitated man with blunt injuries*"

In a letter to the Toronto Police Service (T.P.S.) dated February 22, 2021, Director Joseph Martino of the S.I.U. advised, "*the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the two subject officers.*"

In rendering his decision that there were no reasonable grounds to believe that any officers committed a criminal offence in this matter the Director of the S.I.U. stated:

The officers' conduct, however, must be placed in its appropriate context. SO #1 and SO #2 had a difficult choice to make and not much time in which to make it. They were aware of the risks of restraining someone in the prone position. But they were also aware that the Complainant was in dire medical straits and needed immediate medical attention. As long as he thrashed about on the floor and wailed his extremities, there was no prospect for effective assessment and treatment by the paramedics, nor would it be possible to quickly transport him to hospital. In fact, the evidence indicates that the paramedics had been unable to promptly begin their assessment in earnest given the Complainant's combativeness, albeit unintentional. In this fraught atmosphere, they decided to force the Complainant in a prone position to assist in applying the restraints, hoping they could do so as quickly as possible so as to minimize the risk. Even then, it is clear that the officers had trouble overcoming the Complainant's resistance. The Complainant was a big man – about 6 feet tall and 240 pounds. At one point, while face down and SO #1 on top of his lower body, the Complainant was able to lift his chin and chest off the ground.

In the final analysis, it may well be that SO #1 and SO #2 could have done more to avoid restraining the Complainant in a prone position altogether or at least minimize the time in which he spent in that position. On the other hand, faced with a formidable physical challenge

and confronted with an appreciation of the necessity of immediate medical care, I am unable to reasonably conclude with any confidence that the officers acted with reckless or wanton disregard for the Complainant's health when they forced him in a prone position and restrained his limbs in the manner they did. Accordingly, there is no basis for proceeding with criminal charges in this case, and the file is closed.

The S.I.U. Director's public report to the Attorney General can be found by the following link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1095

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

This investigation examined the circumstances of the custody death in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-03 (Persons in Custody);
- Procedure 04-02 (Death Investigations);
- Procedure 04-16 (Death in Police Custody);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 14-01 (Skills Development and Learning Plan - Uniform);
- Procedure 15-01 (Use of Force);
- Procedure 15-17 (In-Car Camera System).

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit);
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit);
- Ontario Regulation 267/10 (Duties of a Police Officer).

The P.R.S. investigation determined that Procedures 10-06 and 14-01 do not provide adequate and appropriate guidance to the members and require modification.

Specifically, it was found that one of the responding officers did not have a current first aid certification. It was found that the T.P.S. does not have a Procedure(s) that provides

guidance to frontline members regarding the need to keep their first aid certification current.

The Toronto Police College (T.P.C.) has been consulted about the feasibility of providing mandatory first aid recertification's for frontline members. T.P.C. has indicated it is feasible to provide this training and will be moving forward on the development of a mandatory first aid training program.

The T.P.S. Governance unit were also consulted and have committed to incorporating the requirement for all defined frontline members to maintain a current first aid qualification within Procedures once T.P.C. have finalized the training.

Each applicable Procedure will be updated with this requirement and will provide members with clear direction regarding their responsibility to maintain this qualification.

The P.R.S. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.14

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On April 12, 2020, at approximately 1809 hours, 14 Division officers responded to a radio call on Bathurst Street south of King Street West for a person with a knife. This call was later determined to be a robbery with the victim being threatened with a knife.

Two uniformed officers observed a male, later identified as Vehicle Injury Complainant 2020.14 (2020.14), holding a large knife. 2020.14 was running after the victim of the robbery with the knife in his hand southbound on Bathurst Street.

The officers exited their vehicles and with their firearms drawn, ran after 2020.14, who was continuing to chase after the victim. As the victim managed to escape, 2020.14 turned and began to walk in the direction of the officers still holding the knife.

Officers with their firearms drawn, maintained their distance and gave verbal commands to 2020.14 in an attempt to contain and disarm him. 2020.14 refused to drop the knife and began to yell at officers to shoot him as he turned and continued to walk southbound on Bathurst Street. Officers recognized that this was a potential situation whereby 2020.14 wanted to commit suicide by having an officer shoot him. The attending officers transitioned to less lethal force options available to them and called for other officers to attend as backup. Several more uniformed officers arrived on scene, also engaged in efforts to contain and disarm 2020.14.

As 2020.14 continued to walk south on Bathurst Street toward Front Street West, on several occasions, he ran towards the officers still brandishing the knife. Officers continued to use time and distance while forming a barrier utilizing each other and their vehicles to protect the pedestrian traffic in the area.

Throughout the interaction, seven officers deployed their Conducted Energy Weapons (C.E.W.) at 2020.14. These deployments proved ineffective due to the loose clothing 2020.14 was wearing. One officer deployed Oleoresin Capsicum Spray (O.C. Spray) which also proved ineffective. Two officers utilized their vehicle and struck 2020.14 at a low rate of speed in an effort to pin or disarm him. These efforts were also ineffective.

2020.14 continued walking with the knife in his hand onto Front Street east of Bathurst Street. He ran onto the roadway and began to run across the street in the direction of pedestrians that were in the area.

One officer arrived on scene and was operating marked police scout car 1422. In an attempt to disarm 2020.14, and stop his assaultive and threatening behaviour and end the threat to members of the public, that officer struck him with the scout car. He utilized the left front corner of the police vehicle in his attempt to knock 2020.14 to the ground.

After the initial impact, 2020.14 lost his balance, rolled onto the hood, and then fell to the ground. The officer veered to the left believing that he was turning away from 2020.14 and while doing so his front left tire drove over the lower half of 2020.14's body. This action caused 2020.14 to fall to the ground and drop the knife.

Officers approached, subdued 2020.14 and placed him under arrest. The total amount of time that officers attempted to de-escalate and disarm 2020.14 was five minutes. Officers went to great lengths to avoid using lethal force by deploying other less lethal use of force options.

Toronto Paramedic Services (Paramedics) transported 2020.14 to Toronto Western Hospital. 2020.14 was diagnosed and treated for a right wrist radial fracture, ulnar fracture and a fracture to the right foot.

2020.14 was admitted into hospital pending surgery for the injury to his ankle.

The S.I.U. was notified and invoked its mandate.

The S.I.U. published a media release on April 13, 2020, in an effort to identify and locate further civilian witnesses. The media release is available at:

https://www.siu.on.ca/en/news_template.php?nrid=5566

The media release was titled:

“SIU Investigating After Man Struck by Police Cruiser in Toronto”

The S.I.U designated one police officer as a subject official; eleven other members were designated as witness officials.

In a letter to the T.P.S., dated May 10, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated:

“In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer.”

The S.I.U. published a media release on May 11, 2021. The media release is available at:

https://www.siu.on.ca/en/news_template.php?nrid=6702

The media release was titled:

“No Charges to Issue in Relation to Downtown Toronto Arrest of Man”

The Director’s Report of Investigation is published on the link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1302

In his report to the Attorney General, Director Martino articulated his decision in part as follows:

“I am unable to reasonably conclude that the use by the SO of his cruiser to strike the Complainant constituted unreasonable force. The SO says that he was concerned that the Complainant represented a real and present danger to the health and safety of the public at the time. The officer’s concerns, in my view, were not without foundation. There were people on Front Street who were at imminent risk of bodily harm or even death in the event the Complainant turned on them. That he might do so was not

fanciful speculation; he had just attacked a man in the area of King Street and was behaving erratically while wielding a knife. And prior attempts to take the Complainant into custody via CEWs and pepper spray had not worked, with little prospect that continued resort to those weapons would be any more effective. It should be noted finally that the SO, cognizant of the risk of serious injury, approached and struck the Complainant at low speed; about 10 km/h, according to the officer. On this record, I am satisfied on reasonable grounds that the SO's use of his cruiser was commensurate with the exigencies at hand."

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) and the Traffic Services (T.S.V.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the vehicle injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 07-01 (Transportation Collisions)
- Procedure 07-05 (Service Vehicle Collisions)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-09 (Conducted Energy Weapons)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. and T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 (Use of Force Qualifications)

The P.R.S. and T.S.V. investigation determined that the T.P.S.'s policies and procedures associated with this vehicle injury were lawful, in keeping with current legislation, and written in a manner, which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

In relation to the conduct of the subject officer, it was determined that he failed to comply with T.P.S. Procedure 15-17 (In-Car Camera System) when he failed activate his I.C.C.S. wireless microphone. A separate investigation was commenced under Part V of the *Police Services Act* and dealt with at the unit level.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M
Chief of Police

**Subject: Chief's Administrative Investigation into the Firearms
Death of 2020.20**

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On April 30, 2020, at approximately 1218 hours, Communications Services (Communications) received a call for an armed person in the parking lot of the Best Western Plus Toronto North York Hotel & Suites located at 50 Norfinch Drive.

The caller reported that he had seen a male armed with a knife and gun parked in a black B.M.W. in the hotel parking lot.

It was subsequently learned that the caller was Firearms Death 2020.20 (2020.20). 2020.20 had called this information in to Communications in order to initiate a police response. The responding officers had no knowledge that 2020.20 had called this information in on himself when they attended. The S.I.U. could not determine 2020.20's motivation in this event.

Two officers from 31 Division who were in the back lot of 31 Division responded to the call in separate vehicles. Given the proximity to 31 Division, the officers arrived on scene moments after the call was dispatched.

The officers arrived and located the black B.M.W. parked in the southwest area of the parking lot.

One officer positioned his police vehicle in front of the B.M.W. while the other positioned his vehicle behind the B.M.W.

Immediately upon their arrival 2020.20 exited the B.M.W. armed with a knife.

2020.20 began advancing toward the officer who was positioned at the front of the B.M.W. Clear directions were given to 2020.20 by both officers to drop his weapon.

2020.20 did not comply with these directions and continued walking toward the officer who drew his firearm. The officer kept his firearm pointed at 2020.20 while walking backward and away from 2020.20 while directing him to drop the knife. 2020.20 continued to advance quickly toward the officer.

When 2020.20 got to within one meter, the officer fearing grievous bodily harm or death discharged his firearm three times at 2020.20.

2020.20 was struck by the gunfire and fell to the ground.

The second officer approached 2020.20 and removed the knife from his left hand. Additional officers arrived on scene and immediately commenced life saving measures including Cardiopulmonary Resuscitation (C.P.R.).

Toronto Paramedic Services (Paramedics) arrived on scene and took over C.P.R. 2020.20 was pronounced deceased at the scene.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; six other members were designated as witness officials.

In a letter to the Toronto Police Service (T.P.S.) dated February 4, 2021, Director Joseph Martino of the S.I.U. advised that *"the file is closed and no further action is*

contemplated. In my view there were no grounds in the evidence to proceed with criminal charges against the subject officer”.

In his report to the Attorney General Director Martino articulated his decision in part as follows;

The evidence establishes that the SO’s conduct was justified in self-defence. The officer was engaged in the execution of his duties when he responded to an urgent call of a male in the possession of a knife and handgun in the parking lot of the hotel just north of his location. Arriving within seconds, the SO quickly spotted the Complainant’s BMW and positioned his cruiser so as to prevent its movement forward, a reasonable tactic given the risk of the Complainant fleeing the scene. Thereafter, the officer exited his cruiser and was almost immediately confronted by the Complainant, who seemed intent on provoking a confrontation with police. The Complainant was holding in his left hand a kitchen knife with a serrated blade about 15 centimetres in length, an object clearly capable of inflicting grievous bodily harm or death. He also gave every indication of wanting to use it to harm the SO; despite repeated calls from the SO and WO #1 that he drop the knife, the Complainant persisted, quickly advancing on the SO with knife in hand. The SO backtracked an extent and then fired his weapon three times when the Complainant neared to within about a metre. At that distance, the officer had every reason to believe that his life was in imminent peril and that shooting the Complainant was necessary if he was going to protect himself from a knife attack. In fact, though the officer did not provide a statement to the SIU, I am satisfied that the SO was of that mindset; the circumstantial evidence is so compelling that it permits of no other reasonable inference. With respect to the number of shots fired, given the rapidity of their discharge one after the other, and the evidence regarding the location of the wounds coupled with WO #1’s eyewitness account suggesting the Complainant was on his feet throughout the gunfire, there is no reason to believe that the nature and extent of the threat changed appreciably from shots one through three.

It is unclear why the Complainant acted as he did in the course of these tragic events. There was evidence gathered in the investigation that the Complainant suffered from mental illness suggesting, possibly, that he was of unsound mind at the time. Be that as it may, the SO would have had no knowledge of mental illness being a factor at play as he made his way to the scene and confronted the Complainant. The entire interaction from start to finish was over in a matter of seconds. In that brief period of time, given what he knew and was faced with, I am unable to reasonably conclude that the SO acted other than lawfully when he discharged his firearm.

For the foregoing reasons, there are no grounds to proceed with criminal charges in this case and the file is closed.

The S.I.U. Director’s public report to the Attorney General can be found by the following link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1067

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The P.R.S. investigation examined the circumstances of the firearms death in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 06-04 (Emotionally Disturbed Persons);
- Procedure 08-03 (Injured on Duty Reporting);
- Procedure 08-04 (Members Involved in a Traumatic Critical Incident);
- Procedure 10-05 (Incidents Requiring the Emergency Task Force);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Use of Force);
- Procedure 15-03 (Service Firearms);
- Procedure 15-17 (In-Car Camera System);

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit);
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit);
- Ontario Regulation 926 14(2) (Use of Force Qualifications);
- Ontario Regulation 926 (9) (Discharge Firearm);
- Ontario Regulation 926 14.5(1) (Reports on Use of Force).

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with this firearms death were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and the applicable T.P.S. procedures with the exception of the following:

The Administrative Investigation found that one of the witness officers failed to comply with Procedure 15-17 (In-Car Camera System) when he failed to activate his camera and wireless microphone. An investigation pursuant to Part V of the *Police Services Act*

was initiated, misconduct was substantiated and the matter was adjudicated at the unit level.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.47

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On October 12, 2020, at 1407 hours, uniformed officers from 51 Division responded to an address on Carlton Street for a wanted person.

The caller reported that a male later identified as Custody Injury Complainant 2020.47 (2020.47) was at the address and was wanted for stabbing her on October 4, 2020. The caller advised Communications Services (Communications) that 2020.47 was armed with a knife and was "*very violent*".

Three officers from the 51 Division Community Response Unit (C.R.U.) attended the call and met with the caller.

The caller advised the officers of the following information: That she had been stabbed by 2020.47 on October 4, 2020; that 2020.47 was armed and very violent; that she had received information that 2020.47 was at an address on Carlton Street on the top floor and could be hiding on the fire escape; that 2020.47 would run from police if approached.

The officers confirmed that 2020.47 was wanted for two separate stabbing occurrences including stabbing the caller. The officers also viewed a picture of 2020.47 via their connected officer phones.

The officers provided their cell phone numbers to the caller so she could call the officers if she saw 2020.47.

The officers attended the building on Carlton Street and were let into the premises by a resident of the building. The officers walked up two flights of stairs to an emergency exit door that led to the roof of the building. The rooftop had been made into a patio and there were wood railings surrounding the perimeter of the roof.

The officers opened the emergency exit door and immediately observed 2020.47 laying on his stomach on the outside of the railing near the edge of the roof. One of the officers called out for 2020.47 to show his hands. 2020.47 immediately stood up and jumped foot first off the roof to the ground below.

The officers ran to the edge of the roof and observed 2020.47 running through the laneway at the rear of the building.

None of the officers physically interacted with 2020.47 and the officers were all several feet away from him when he jumped.

The officers broadcast 2020.47's description and his last direction of travel to units in the area.

Six minutes later and approximately one kilometer away 2020.47 was located at the rear of an address on Seaton Street by responding 51 Division officers and arrested.

2020.47 was transported to 51 Division. When he arrived at 51 Division and prior to being paraded he complained of back pain.

Toronto Paramedic Services (Paramedics) were called and attended 51 Division. 2020.47 was examined by Paramedics and transported to Mount Sinai Hospital where he was examined by a physician, diagnosed and treated for compression fractures to his L2, L3 and L4 vertebrae.

2020.47 was cleared medically and released back into the custody of 51 Division officers. 2020.47 was transported back to 51 Division where he was processed and charged with a number of offences including aggravated assault. 2020.47 was held pending a show cause hearing.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; two other members were designated as witness officials.

In a letter to the Toronto Police Service (T.P.S.) dated April 22, 2021, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer”*

The S.I.U. Director’s public report to the Attorney General can be found by the following link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1286

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

This investigation examined the circumstances of the custody injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-03 (Persons in Custody);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Use of Force);
- Procedure 15-17 (In-Car Camera System).

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with this custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. investigation determined the conduct of the designated officer was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.48

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

There are financial implications relating to the recommendation contained within this report.

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On October 20, 2020, the Integrated Gun and Gang Task Force (I.G.G.T.F.) received judicial authorization to search an apartment located on the Donway West, for evidence related to a shooting that occurred on October 15, 2020.

Emergency Task Force (E.T.F.) Special Weapons Team # 2 (S.W.T. #2) was tasked with executing the search warrant.

On October 21, 2020, at 0029 hours, S.W.T. # 2 made a dynamic entry into the unit by first breaching the door and then throwing a distractionary device into the unit.

As the E.T.F. officers entered into the apartment, persons within the apartment began shooting at the officers. In total five rounds were fired and none of the E.T.F. officers were struck by gunfire.

The E.T.F. officers pulled back into the hallway and held and secured the unit before calling the occupants out of the unit one at a time and into the hallway where they were each taken into custody.

As a male, later identified as Custody Injury Complainant 2020.48 (2020.48), was being called out he failed to comply with directions given by the officers to show his hands. As 2020.48 approached the door, he continued to refuse to show his hands and was taken to the ground outside of the unit.

After a short struggle, officers were able to gain control of 2020.48's hands and he was placed under arrest, handcuffed and handed off to waiting I.G.G.T.F. investigators.

In total, eight occupants within the unit were arrested and two loaded firearms were located.

After his arrest and while still at the building 2020.48 complained of a head injury.

2020.48 was transported from the scene to North York General Hospital by ambulance where he was examined by a physician, diagnosed and treated for a broken mandible.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated two officers as subject officials; eight other members were designated as witness officials.

In his letter to the Toronto Police Service (T.P.S.) dated May 4, 2021, Director Joseph Martino of the S.I.U. stated *"the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the two subject officers"*.

In his report to the Attorney General, Director Martino articulated his decision in part as follows:

"...there is insufficient evidence to suggest that SO #1 and/or SO #2 used excessive force in taking the Complainant into custody. Little is known about what exactly occurred in the course of the Complainant's arrest other than he was grounded and some sort of a struggle ensued before he was handcuffed. Neither of the subject officers, nor the Complainant, provided statements to the SIU. As for the other ETF officers in the vicinity, they were all focused, understandably so, on what was occurring inside the apartment from their vantage point by the doorway. While some could hear the sounds of a struggle behind them, which they presumed to be occurring between the arresting

officers (SO #1 and/or SO #2) and the Complainant, none turned to see what was happening. In light of this paucity of evidence regarding the nature and extent of the force used, and what I am satisfied was a highly fraught situation in which the ETF, having just been shot at, had good reason to fear a resumption of gunfire from persons within the apartment, I am unable to conclude that a grounding was in itself unnecessary and unlawful. On the contrary, I am satisfied that the officers were entitled to promptly ground the individuals as they stepped out of the apartment to immediately ensure they were neutralized in a position of disadvantage until they could be assured the individuals were not armed.

In the result, while it may well be that the Complainant's jaw was fractured in the course of a physical altercation with SO #1 and/or SO #2, the evidence falls short of giving rise to a reasonable belief that the subject officers acted other than lawfully throughout the engagement. Accordingly, there is no basis for proceeding with criminal charges in this case and the file is closed".

The S.I.U. Director's public report to the Attorney General can be found by the following link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1313

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

This investigation examined the circumstances of the custody injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-03 (Persons in Custody);
- Procedure 02-18 (Executing a Search Warrant);
- Procedure 05-21 (Firearms);
- Procedure 10-05 (Incidents Requiring the Emergency Task Force);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)

The P.S.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were found to be lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.49

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On October 24, 2020, at 1018 hours, uniformed officers from 31 Division responded to the area of 2737 Keele Street for an *unknown trouble* call.

The caller reported that he was witnessing a male assaulting a female. The caller provided descriptions of both the male and female to Communications Services (Communications).

Two uniformed officers from 31 Division responded to the area and one of the officers observed the described male, later identified as Custody Injury Complainant 2020.49

(2020.49) fleeing from the scene. One officer pursued 2020.49 on foot while the other followed in his marked Toronto Police Service (T.P.S.) police vehicle.

The officers caught up to 2020.49 at the rear of 1112 Wilson Avenue and attempted to place him under arrest. 2020.49 resisted and he was taken to the ground. After a brief struggle 2020.49 was subdued, arrested and placed in handcuffs.

After his arrest 2020.49 complained of an injury to his left knee and Toronto Paramedic Services (Paramedics) were called to the scene.

2020.49 was examined by Paramedics and transported to St. Joseph's Health Centre by ambulance where he was examined by a physician, diagnosed and treated for a fractured left patella.

2020.49 was released from hospital and transported back to 31 Division where he was charged with assault and failure to comply and held for a show cause hearing.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; two other members were designated as witness officials.

In a letter to the T.P.S. dated April 27, 2021, Director Joseph Martino of the S.I.U. advised, *"the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer"*.

In his report to the Attorney General Director Martino articulated this decision as follows:

"Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law. Based on the information they had been provided at dispatch, to the effect that a male matching the Complainant's description had just been seen punching a woman in the area and grabbing her by the neck, I am unable to reasonably conclude that the officers were without lawful grounds in arresting the Complainant for assault. Nor is there sufficient evidence, in my view, to reasonably establish that the SO and/or WO #1 used unlawful force in effecting their purpose. Knowing that a male of the Complainant's description had been seen a moment ago to be violent and was actively fleeing from police, the SO's request that the Complainant lower himself to the ground would seem a reasonable one, as was the officer's decision to force the issue when the Complainant refused to do so. The takedown itself does not appear on the evidence to have been executed with undue force, albeit it appears the Complainant hit the ground hard and injured his knee in the process. Thereafter, aside from a single knee strike, which appears to have been of little consequence as the Complainant himself fails to mention it in his account, the SO and, later, WO #1, wrestled with the Complainant for a

brief period before he was handcuffed. In light of the evidence indicating that the Complainant refused to willingly surrender both his arms, I am not satisfied that this level of force was excessive in the circumstances.

In the result, as there are no reasonable grounds to believe that the SO and WO #1 acted other than lawfully in the course of their engagement with the Complainant, there is no basis for proceeding with criminal charges against either officer. The file is closed”.

The S.I.U. Director’s public report to the Attorney General can be found by the following link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1293

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

This investigation examined the circumstances of the custody injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-03 (Persons in Custody);
- Procedure 05-04 (Domestic Violence);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Use of Force);
- Procedure 15-17 (In-Car Camera System).

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)

The P.R.S. investigation determined that the T.P.S.’s policies and procedures associated with this custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2020.50

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On October 24, 2020, three pharmacy robberies occurred in 41, 42 and 43 Divisions with the last robbery occurring at 1514 hours on Bamburgh Circle.

Two suspects were involved in each of the robberies with a quantity of cash and narcotics being obtained. During the third robbery, a civilian witness obtained a license plate and provided a description of the suspect vehicle as a white Honda Pilot (Honda) Sport Utility Vehicle (S.U.V.).

It was learned that the Honda was a rental vehicle. A 41 Division officer contacted the rental company who advised the officer that the Honda was equipped with a Global Positioning System (G.P.S.). The rental company provided information to police that the Honda was currently travelling westbound on Sheppard Avenue East near Don Mills Road.

The location and description of the Honda was broadcast throughout the city. Uniform and plainclothes officers from 41, 42, 32, 41 Division Major Crime Unit, (M.C.U.) and the Public Safety Response Team (P.S.R.T.) responded. At approximately 1620 hours, a 32 Division officer observed the Honda and broadcast its location before losing sight of it.

G.P.S. data then showed the Honda travelling eastbound on Highway 407. Plainclothes officers and members of the P.S.R.T. located the Honda and followed it at a distance on Highway 407.

The Honda exited at Ninth Line, Markham, in the Region of York and proceeded northbound toward the grounds of Markham Stouffville Hospital.

At 1700 hours, Toronto Police Service (T.P.S.) plainclothes officers were joined by marked T.P.S. vehicles from both 41 Division and the P.S.R.T. When the Honda stopped at the intersection of Bur Oak Avenue and Church Street in the Region of York, the officers strategically placed both plainclothes and uniform cars around the Honda in a box.

The driver of the Honda intentionally struck plainclothes vehicle fleet # 41MK05 and uniform police vehicle fleet # 4122. The driver was able to smash out of the box and maneuver around the surrounding police vehicles and then flee westbound on Church Street through the hospital grounds.

The Supervisor in charge of the operation broadcast over the radio that the escaping Honda was not to be pursued and its movements and location would continue to be tracked via G.P.S.

The Honda went westbound Church Street, then southbound onto Ninth Line and finally, westbound on Highway 7 with the officers strategically following along the same route.

While westbound on Highway 7 the suspect driver crossed the centerline and collided head on with a Hyundai Kona (Hyundai) motor vehicle that was travelling eastbound on Highway 7.

Both vehicles were heavily damaged in the collision.

One of the plainclothes officers following the Honda turned onto Highway 7, saw the collision and observed one of the suspects walking on the roadway away from the collision. The officer exited his car and arrested the driver.

The passenger in the Honda, fled the collision scene and was arrested a short distance away by P.S.R.T. officers.

The arrested parties were transported to 42 Division. A search of the Honda resulted in the discovery of a large quantity of narcotics stolen from the robberies.

The driver and passenger were both charged with numerous robbery, firearm and driving offences.

The occupants of the Hyundai, Vehicle Injury Complainant 2020.50 (2020.50) and his wife, were transported to Markham Stouffville Hospital.

2020.50 was examined by a physician, treated and diagnosed with a fractured sternum. His wife sustained minor injuries.

The S.I.U. was notified and invoked its mandate.

Investigators from the Traffic Services (T.S.V.) and the Reconstruction Unit attended the scene of the collision and completed a reconstruction of the collision.

Two officers were designated as subject officials; 12 other members were designated as witness officials.

In a letter to the T.P.S dated May 27, 2021, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no grounds in the evidence to proceed with criminal charges against the two subject officers”*.

In his report to the Attorney General Director Martino articulated this decision in part as follows;

The officers who took part in the operation to surveille the Honda from a distance and, in the penultimate stages of the incident, to apprehend and pursue it, were engaged in the lawful discharge of their duties. The officers had reasonable cause to believe that the vehicle’s occupants had been involved in at least three separate robberies of pharmacies in the Scarborough area of Toronto, and that the use of weapons had been threatened in those incidents. In the circumstances, there were grounds to believe that the Honda’s occupants were subject to arrest and that considerations of public safety dictated their prompt apprehension.

In the course of the half-hour or so that preceded the takedown attempt at Bur Oak Avenue, there is no indication in the evidence of any marked deviation in the manner in which the police vehicles involved in the operation were being handled, including those of SO #2 and SO #1. As far as can be ascertained, the speeds and driving behaviour of the officers appear at all times to have been in substantial compliance with the rules of

the road and there is no indication of any third-parties or, indeed, the Honda occupants, having been put at risk.

With respect to the takedown that was called by WO #2, I am unable to conclude that the decision to engage the tactic, or its subsequent execution, was unreasonable. Until this point, WO #2 had very purposefully, and, sensibly, in my view, directed the involved officers to keep their distance from the Honda and to not pursue it. They were on highly trafficked roadways for most of that engagement and had no need to aggressively follow it given the officers' access to the Honda's directionality via GPS data. It was only when the Honda found itself stopped at a red light on Bur Oak Avenue with little to no traffic on it at the time that the takedown was called. Once that occurred, there is no suggestion that either SO #2 or SO #1 were negligent or reckless in how they approached their tasks. They quickly positioned their cruisers in front of and behind the Honda, and exited their cruisers in an effort to effect a gunpoint arrest of the vehicle's occupants. Regrettably, perhaps given the size of the Pilot and the fact that the officers were unable to block its passenger side because of what appears to have been construction on the roadway, the vehicle was able to ram its way free.

Thereafter, in the course of a very brief flight from police through the hospital grounds and then south on Ninth Line, there is again little to no evidence of any police cruiser having endangered public safety by way of its speed or other driving behaviour. In fact, it appears the officers who did chase after the Honda kept their distance at WO #2's direction and were a fair distance away from the Honda when it turned onto Highway 7 and crashed into the Complainant's vehicle. In the circumstances, it cannot be said that the Honda driver was unduly pushed or prevented from altering his reckless course by an overly aggressive police presence behind him, nor is it the case that the officers were without grounds to continue their chase after the Honda. To reiterate, its occupants were being pursued for very serious crimes of violence that had just occurred.

In the result, as I am satisfied that neither of the subject officers or any of the involved officers transgressed the limits of care prescribed by the criminal law throughout the course of this incident, there is no basis for proceeding with criminal charges in this case notwithstanding the collision that marked its termination. The file is closed.

The link to the S.I.U. Director's public report of investigation is below.

https://www.siu.on.ca/en/directors_report_details.php?drid=1349#s_3

Summary of the Toronto Police Service's Investigation:

T.S.V. and the Professional Standards - S.I.U. Liaison section (P.R.S.-S.I.U.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the vehicle injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The T.S.V. and P.R.S.-S.I.U. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 05-02 (Robberies/Hold-ups)
- Procedure 07-01 (Transportation Collisions)
- Procedure 07-03 (Life Threatening Injury/Fatal Collisions)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

The T.S.V. and P.R.S.-S.I.U. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 266/10 (Suspect Apprehension Pursuits)

The T.S.V and P.R.S.-S.I.U. investigation determined that the T.P.S.'s policies and procedures associated with this vehicle injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The T.S.V and P.R.S.-S.I.U. investigation determined the conduct of the designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson (5909), Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.55

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On November 11, 2020, at 2004 hours, two uniformed officers from 41 Division received a call to attend the Toronto Transit Commission (T.T.C.) Light Rapid Transit (L.R.T.) station at 2444 Lawrence Avenue East. Toronto Paramedic Services (Paramedics) were requesting police assistance in dealing with a call for a male, later identified as Custody Injury Complainant 2020.55 (2020.55), who was extremely intoxicated, unresponsive and laying near the collector's booth.

When the officers arrived on scene at 2013 hours, Paramedics advised that they had 2020.55 in the back of the ambulance, all was in order, and they would be transporting him to the hospital. As a result, there was no police interaction with 2020.55 at that time.

At 2027 hours, a call was received by Communications Services (Communications) for unknown trouble. The call was from Paramedics and they advised that a patient that they were transporting to hospital had become violent, assaultive and had struck one of the Paramedics. The ambulance was stopped near the intersection of Midland Avenue and Lawrence Avenue East. This same ambulance had attended the T.T.C. L.R.T. station and had picked up 2020.55.

The same two officers responded to the call for assistance. Both Paramedics were standing outside of the ambulance. Despite the assault on one of the Paramedics, there were no injuries. One Paramedic advised that 2020.55 had kicked him several times and spat on him.

One of the officers boarded the ambulance and saw 2020.55 on the stretcher. He was in the process of urinating on the wall of the ambulance. The officer attempted to engage 2020.55 in conversation in an attempt to de-escalate the situation. 2020.55 became verbally belligerent and began swinging his arms and thrashing about on the stretcher.

The officer attempted to restrain 2020.55 by grabbing his arms and holding him on the stretcher. 2020.55 kicked the officer. As 2020.55 was about to deliver a second kick, the officer delivered one closed fist strike to 2020.55's face. The strike was successful in halting any further assaultive behaviour and that allowed both officers to place 2020.55 under arrest for assault on the officer and secure him with handcuffs.

Due to the initial interaction with the Paramedics and concern for his state of intoxication, the Paramedics continued their trip to the Scarborough Health Network-General Hospital. 2020.55 was diagnosed by medical staff and treated for a fractured nasal bone.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; one other member was designated as a witness official.

In a letter to the Toronto Police Service (T.P.S.), dated May 3, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated;

"In my view, there were no grounds in the evidence to proceed with criminal charges against the subject officer."

The S.I.U. published a media release on May 4, 2021. The media release is available at:

https://www.siu.on.ca/en/news_template.php?nrid=6662

The media release was titled:

“SIU Director Closes File into Toronto Arrest of Man”

The Director’s Report of Investigation is published on the link:

https://www.siu.on.ca/en/directors_report_details.php?drid=1295

In his report, Director Martino commented in his analysis and decision by stating:

“Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were authorized or required to do by law. While the Complainant appears to have been significantly intoxicated and not in complete control of his faculties at the time, when he kicked CW #1 and, then, the SO, he rendered himself subject to lawful arrest for assault.

Thereafter, there is insufficient evidence to reasonably conclude that the SO acted with excess when he struck the Complainant in the course of effecting his arrest. Despite the officers’ repeated directions that he desist in his assaultive behaviour, and their attempts to wrestle control of his legs, the Complainant was able to persist in his behaviour and kick the SO on several occasions. In the circumstances, the SO was entitled to resort to a measure of force to immediately deter any further violence and I am satisfied he did so in a manner that was commensurate and proportional – a single punch in response to repeated kicks. Following the punch, the Complainant was handcuffed and there is no indication of any further physical violence by any party.”

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)

- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.(3) (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2020.64

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On December 31, 2020, members of 51 Division Major Crime Unit (M.C.U.) applied for and obtained a *Controlled Drugs and Substances Act* (C.D.S.A.) search warrant for a dwelling in North York. Also in the information for the search warrant was a request to search a grey Dodge RAM (RAM) pickup truck and a grey Volkswagen associated to that address.

At 1955 hours, a male, identified as one of the target persons in the warrant, Custody Injury Complainant 2020.64 (2020.64) returned to the address in the RAM pickup truck. The plainclothes officers who were in the area conducting surveillance prior to the

execution of the search warrant moved their unmarked vehicles into position to intercept him before he entered the residence.

One of the plainclothes officers parked her unmarked police vehicle directly behind the RAM pickup truck, exited and approached the driver's door. The engine had been shut off and 2020.64 was just sitting in the driver's seat.

The officer used her badge and warrant card, and identified herself as a police officer. She ordered him to exit the vehicle in order to place him under arrest. He ignored the officer, started the pickup, put it in reverse and backed into the unmarked police vehicle, and fled the scene at high speed.

Two uniformed officers were in the area and operating a marked police vehicle, Fleet 5108 as uniformed support. They heard the event broadcast and quickly responded to the scene. They observed 2020.64 fleeing the scene. They initiated a suspect apprehension pursuit and activated their vehicle's emergency equipment and In-Car Camera System (I.C.C.S.).

2020.64 drove east on Eglinton Avenue East and at a point near the Don Valley, drove over a curb and entered a construction zone. 2020.64 fled on foot from the RAM pickup truck and ran down into the ravine of the Don River. The two uniformed officers followed him into the construction zone, exited their vehicle, and made their way down into the ravine in an attempt to locate 2020.64.

As the officers neared the bottom of the ravine, they saw 2020.64 lying on some large rocks suffering from facial injuries. He was out of breath and advised that his arm was injured. The officers placed him under arrest, cuffed him to the front due to his injuries and walked him up the hill and out of the ravine.

Toronto Paramedic Services (Paramedics) attended the scene and 2020.64 was transported under arrest to Sunnybrook Health Sciences Centre.

2020.64 was examined, diagnosed and treated for a fractured nasal bone and a dislocated shoulder. After his treatment, he was transported to 51 Division for further investigation and processing on several criminal charges.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated two officers as subject officials; seven other members were designated as witness officials.

In a letter to the Toronto Police Service (T.P.S.), dated April 16, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated;

“In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the two officials.”

The S.I.U. published a media release on April 21, 2021. The media release is available at:

https://www.siu.on.ca/en/news_template.php?nrid=6610

The media release was titled:

“No Reasonable Grounds to Believe Toronto Officers Committed Criminal Offence in Relation to Man’s Injuries”

The Director’s Report of Investigation is published on the link:

https://www.siu.on.ca/en/directors_report_details.php?drid=1250

In his report, Director Martino commented in his analysis and decision by stating;

“On my assessment of the evidence, there are no reasonable grounds to believe that either subject official committed a criminal offence in connection with the Complainant’s injuries.

There is no suggestion of any untoward conduct by the subject officials on the evidence collected by the SIU. For his part, the Complainant says that he has absolutely no recollection of what occurred. The rest of the evidence, consisting of the police accounts, establish that the Complainant fled from a lawful police presence at his residence on Elvaston Drive, first in his pickup truck and then on foot, and injured himself falling during his descent of a steep embankment over uneven and rocky terrain. In light of the warrant that had been obtained, naming the Complainant as a target of drug offences, it is apparent that SO #1 and SO #2 were within their rights in chasing after the Complainant to effect his arrest. It is also apparent that there is no question of any want of care in the manner in which the officers pursued the Complainant during their brief engagement. Indeed, it is not clear that the Complainant was ever aware that he was being followed by police officers.”

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 02-17 (Obtaining a Search Warrant)
- Procedure 02-18 (Executing a Search Warrant)
- Procedure 07-01 (Transportation Collisions)
- Procedure 07-05 (Service Vehicle Collisions)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario regulation 266/10 (Suspect Apprehension Pursuits)
- Ontario Regulation 926 Section 14.(3) (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Vehicle Injury to Complainant 2021.01 and the Vehicle Death of 2021.01(a)

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the chief of police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On January 1, 2021, at 1125 hours, a uniformed officer from 12 Division was conducting speed enforcement in the area of 2434 Keele Street. This area of Keele Street is a posted 50 kilometers per hour (km/hr) zone.

At 1127 hours, the officer observed a Mercedes Benz S.U.V. (Mercedes) travelling at what appeared to be an excessive speed northbound on Keele Street. The officer activated his speed measuring device and obtained a reading of 86 km/hr.

The officer left his location and drove northbound on Keele Street and pulled in behind the Mercedes which was now stopped for a red traffic signal at the intersection of Keele Street and Sir William Hearst Avenue. When the signal changed to green the Mercedes accelerated away at a high rate of speed.

The officer, who was operating a fully marked police vehicle, activated his full emergency equipment, which included an In-Car Camera System (I.C.C.S.) and initiated a suspect apprehension pursuit of the Mercedes northbound on Keele Street. The driver of the Mercedes failed to stop for the officer and continued northbound on Keele Street at a high rate of speed.

The officer continued the pursuit for 25 seconds before discontinuing the pursuit, turning off his emergency equipment and bringing his police vehicle to a stop on Keele Street just north of Wilson Avenue.

The officer attempted to identify the driver or the vehicle by reviewing his I.C.C.S. video and was able to identify a partial licence plate attached to the Mercedes.

The officer notified Communications Services (Communications) of the fail to stop, provided the partial licence plate and a description of the Mercedes and then drove directly to 12 Division to complete a Fail to Stop Report.

The driver of the Mercedes later identified as, Vehicle Injury Complainant 2021.01 (2021.01) continued northbound on Keele Street at high rate of speed toward the intersection of Keele Street and Sheppard Avenue West; which is two kilometers from where the officer had discontinued the pursuit.

2021.01 entered the intersection of Keele Street and Sheppard Avenue West at 158 km/hr, disobeying a red traffic signal and collided with an eastbound Honda C.R.V. (Honda) being operated by Vehicle Death Complainant 2021.01(a).

The impact of the collision with the Honda sent the Mercedes into the southbound lanes of Keele Street where it collided with a Hyundai Elantra (Hyundai) which was in the process of turning left from southbound Keele Street to eastbound Sheppard Avenue West. This impact caused the Mercedes to turn over on its roof and slide to a stop northwest of the intersection. 2021.01 was ejected from the Mercedes which then promptly caught fire.

Officers from 31 Division and Traffic Services (T.S.V.) were dispatched to the collision.

Toronto Paramedic Services (Paramedics) transported 2021.01 who had been ejected from his vehicle to hospital where he was examined, diagnosed and treated for a life altering head injury.

2021.01(a) was transported to hospital by Paramedics. She was examined, diagnosed and treated for a fractured pelvis, fractured ribs and a lacerated liver.

On January 30, 2021, 2021.01(a) succumbed to her injuries and died in hospital.

The four occupants of the Hyundai were also transported to hospital by Paramedics. They were treated for minor injuries and released.

While at 12 Division completing the Fail to Stop report, the pursuing officer and his Supervisor became aware of the collision in 31 Division and the involvement of the Mercedes the officer had pursued.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated one officer as a subject official; three other members were designated as witness officials.

2021.01 was released from hospital and on February 17, 2021, he was charged by T.S.V. investigators with: Criminal Negligence Causing Death, Dangerous Operation of a Conveyance and Failing Stop for Police-Pursuit.

In a letter to the Toronto Police Service (T.P.S.) dated April 13, 2021, Director Joseph Martino of the S.I.U. advised *“the file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the official”*

In his report to the Attorney General Director Martino articulated this decision in part as follows:

“Finally, in keeping with the dictates of the pursuit regulation, the SO, wisely in my view, stopped all efforts to catch up to the Mercedes Benz when the balance of public safety considerations had clearly become prohibitive. Though the cruiser’s lights and siren were on, the Mercedes Benz had continued to travel erratically and at speeds well in excess of 100 km/h as it approached Sheppard Avenue West.

On the aforementioned-record, in the context of a very brief engagement in time and distance - about a minute and two kilometres - there are no reasonable grounds to believe that the SO transgressed the limits of care prescribed by the criminal law. Accordingly, there is no basis for proceeding with criminal charges in this case and the file is closed.

The S.I.U. Director’s public report to the Attorney General can be found by the following link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1291

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) and T.S.V. conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

The investigation examined the vehicle injury and the vehicle death in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 07-01 (Transportation Collisions)
- Procedure 07-03 (Life Threatening Injury/Fatal Collisions)
- Procedure 07-10 (Speed Enforcement)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-10 (Suspect Apprehension Pursuits)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. and T.S.V. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 266/10 (Suspect Apprehension Pursuits)

The P.R.S. and T.S.V. investigation determined that the T.P.S.'s policies and procedures associated with this vehicle injury and vehicle death were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The P.R.S. and T.S.V. investigation determined the conduct of the designated officer was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson (5909), Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2021.02

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On January 1, 2021, at 0347 hours, several uniformed members of 43 Division responded to a call for assistance from Toronto Paramedic Services (Paramedics). The Paramedics were at an address in 43 Division in response to a call for a person injured in a fight at that address.

Upon their arrival, the officers learned that a female, later identified as Custody Injury 2021.02 (2021.02), assaulted one of the Paramedics. The Paramedics restrained 2021.02 and eventually took her to the ground to prevent further assaults on their person.

Two of the first officers to arrive spoke to the Paramedics about the assaults. Based upon their investigation, the officers made the decision to place 2021.02 under arrest for the assault upon the Paramedics. One officer took control of 2021.02, placed her under arrest, and attempted to place her in handcuffs. She actively resisted his efforts, and a second officer joined and together they pulled her to the ground to control her actions and place her in handcuffs. Once on the ground, 2021.02 continued actively resisting the officers and one officer knelt on her back to control her actions.

After 2021.02 was handcuffed, she was brought to her feet. She kicked out and struck one of the officers. She was placed in a marked police vehicle and she complained of pain in her chest. Due to her violent tendencies, she was transported to Scarborough Health Network – Centenary Hospital in a police vehicle. At the hospital, she was diagnosed and treated for a non-displaced fractured rib.

The Toronto Police Service (T.P.S.) on-call S.I.U. Designate, reviewed the information following the diagnosis. The nature of the injury did not meet the definition of a threshold injury as defined by the T.P.S. The past business practice of the T.P.S. was to notify the S.I.U. only if fractured ribs were displaced. As a result, the S.I.U. was not notified on January 1, 2021.

Prior to the enactment of the SIU Act the practice of the SIU was to only investigate incidents with fractured ribs where the fracture was displaced. Subsequent to the enactment of the SIU Act, given that it defines 'serious injury' to include broken ribs without qualification, the practice of the SIU changed. The T.P.S. practice has since changed and the S.I.U. is now notified of all incidents where there is a fractured rib, regardless of type.

On January 7, 2021, 2021.02 notified the S.I.U. of her injuries and her interaction with officers from 43 Division on January 1, 2021.

The S.I.U. notified the T.P.S. - S.I.U. Liaison Officer of the event and that the S.I.U. was invoking its mandate.

The S.I.U. designated one officer as a subject official; five other members were designated as witness officials.

In a letter to the T.P.S., dated May 5, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated;

“In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the official.”

The S.I.U. published a media release on May 7, 2021. The media release is available at:

https://www.siu.on.ca/en/news_template.php?nrid=6690

The media release was titled:

“No Charges to Issue in Relation to Arrest of Woman in Toronto”

The Director’s Report of Investigation is published on the link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1323

In his report, Director Martino commented in his analysis and decision by stating:

“I am not persuaded on reasonable grounds that the SO used excessive force in his efforts to take the Complainant into custody. The Complainant was combative and belligerent with the paramedics and officers, even accusing the latter of having killed her son. She physically resisted her arrest at the hands of WO #1, prompting the SO to interject by pulling her into a prone position on a snowbank. The takedown, which appears to have grounded the Complainant from her knees, was not unduly aggressive. Though the officer then applied his knee or knees to the Complainant’s back with his body weight on top of her, that position was maintained just long enough - a matter of seconds - to secure her arms in handcuffs. The SO had occasion to take her down again when the Complainant, though handcuffed, kicked the officer in the leg. Given the Complainant’s spirited resistance and assaultive behaviour, I am unable to reasonably conclude that either takedown amounted to unnecessary force; in that position, the officers could better expect to safely manage any continuing struggle on her part.

In the result, while it might well be the Complainant broke her rib in the course of her arrest, there are no reasonable grounds to believe that the SO comported himself other than lawfully throughout their engagement.”

Summary of the Toronto Police Service’s Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 10-06 (Medical Emergencies)

- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.(3) (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The T.P.S.-S.I.U. Liaison Officer has reviewed the T.P.S. business practice with respect to broken ribs and has directed all T.P.S.-S.I.U. Designates to report them to the S.I.U., displaced or non-displaced.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2021

To: Chair and Members
Toronto Police Services Board

From: James Ramer, M.O.M.
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury to Complainant 2021.09

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) receive the following report.

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury or death, provincial legislation requires the Chief of Police, of the relevant police service, to conduct an administrative investigation. This is the Chief's report in respect of this incident.

Discussion:

On February 10, 2021, at about 1854 hours, several uniformed members of 22 Division responded to a call for a person in crisis. The mother of a male, identified as Custody Injury Complainant 2021.09 (2021.09) was acting violently and threatening both his mother and father. The mother indicated that she was in possession of a Justice of the Peace Order for Examination, Form 2 under the *Mental Health Act* (M.H.A.). The form was valid, as a Justice of the Peace had signed it.

Upon their arrival, the officers observed that 2021.09 was in an agitated state. The mother and father advised the officers that 2021.09's behaviour was becoming more

erratic, he had not taken his prescribed medications and that he was suffering from bipolar disorder. The officers spent about 15 to 20 minutes de-escalating the situation to the point where 2021.09 had calmed down and was much more communicative.

The officers attempted to explain the process of them being responsible for taking him to a hospital for observation and treatment and he told them that he was not going to go with them. Several other officers attended including a uniformed sergeant. The officers apprehended 2021.09 and attempted to place him in handcuffs. A struggle ensued and four officers were involved as they took 2021.09 to the floor and were able to secure him in handcuffs and escort him from the house.

The officers escorted 2021.09 to their marked scout car and began placing him into the rear of the vehicle. 2021.09 placed his feet against the rocker panel in an attempt to prevent the officers from placing him in the vehicle. He pushed back with his legs, lost his balance and fell to the ground. 2021.09 was picked up and placed into the rear of the scout car.

Shortly after the officers closed the door, 2021.09 complained of a sore ankle. Toronto Paramedic Services (Paramedics) were notified and attended. Upon completing an assessment, Paramedics transported 2021.09 to St. Joseph's Health Centre.

2021.09 was attended to by medical staff, diagnosed, and admitted for a fracture to his right tibia and fibula bones. He was also admitted for assessment under the M.H.A.

The S.I.U. was notified and invoked its mandate.

The S.I.U. designated two officers as subject officials; five other members were designated as witness officials.

The entire event was captured on both the Toronto Police Service (T.P.S.) Body-Worn Camera (B.W.C.) and In-Car Camera System (I.C.C.S.) devices all of which were disclosed to the S.I.U.

In a letter to the T.P.S., dated May 4, 2021, Director Joseph Martino of the S.I.U. advised that the investigation was completed, the file has been closed and no further action is contemplated. Director Martino stated:

"In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the two officials."

The S.I.U. published a media release on May 5, 2021. The media release is available at: https://www.siu.on.ca/en/news_template.php?nrid=6674

The media release was titled:

"No Charges to Issue in Relation to Arrest of Man at Toronto Home"

The Director's Report of Investigation is published on the link:

http://www.siu.on.ca/en/directors_report_details.php?drid=1304

In his report, Director Martino commented in his analysis and decision by stating:

“...there is insufficient evidence to reasonably conclude that excessive force was used by the officers. When the Complainant placed his feet on the sill of the doorframe and pushed back against the officers, refusing to get in, the officers were entitled to respond with a measure of force. The nature and extent of that force consisted of SO #1 and SO #2 counteracting the Complainant's push with a push of their own, resulting in the Complainant being forced into the rear cabin of the cruiser. No blows of any kind were struck. On this record, I am satisfied that the force used by the officers was commensurate and proportional to the situation at hand.

In the final analysis, whether the Complainant's fractures resulted when he landed with his feet on the ground having pushed himself off the bottom of the doorframe or was forced into the backseat of the cruiser, I am satisfied that SO #1 and SO #2 conducted themselves lawfully throughout the engagement. Accordingly, there is no basis for proceeding with criminal charges in this case and the file is closed.”

Summary of the Toronto Police Service's Investigation:

Professional Standards (P.R.S.) conducted an investigation pursuant to Ontario Regulation 267/10, Section 11.

P.R.S. examined the injury in relation to the applicable legislation, service provided, procedures, and the conduct of the involved officers.

The P.R.S. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest)
- Procedure 01-02 (Search of Persons)
- Procedure 01-03 (Persons in Custody)
- Procedure 06-04 (Emotionally Disturbed Persons)
- Procedure 10-06 (Medical Emergencies)
- Procedure 13-16 (Special Investigations Unit)
- Procedure 13-17 (Notes and Reports)
- Procedure 15-01 (Use of Force)
- Procedure 15-02 (Injury/Illness Reporting)
- Procedure 15-17 (In-Car Camera System)
- Procedure 15-20 (Body-Worn Camera)

The P.R.S. investigation also reviewed the following legislation:

- *Police Services Act* Section 113 (Special Investigations Unit)
- Ontario Regulation 267/10 (Conduct and Duties of Police Officers Respecting Investigations by the Special Investigations Unit)
- Ontario Regulation 926 Section 14.(3) (Use of Force Qualifications)

The P.R.S. investigation determined that the T.P.S.'s policies and procedures associated with the custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The conduct of the officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

Acting Staff Superintendent Robert Johnson, Strategy and Risk Management, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

James Ramer, M.O.M.
Chief of Police

*original copy with signature on file in Board office