



**Public Meeting**

**Friday,  
December 16, 2022  
at 9:00AM**



**PUBLIC MEETING AGENDA**  
**Friday, December 16, 2022 at 9:00AM**  
Livestreaming at <https://youtu.be/8QIKzffe1io>

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Call to Order

Indigenous Land Acknowledgement

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

Chief's Monthly Verbal Update

1. Confirmation of the Minutes from the meeting held on [November 14, 2022](#).

Presentation

2. [Member Wellbeing Strategy and Implementation Update](#)

Items for Consideration

3. November 29, 2022 from Ryan Teschner, Executive Director and Chief of Staff  
**Re: [Memorandum of Understanding with Ombudsman Toronto](#)**
4. November 30, 2022 from Lisa Kostakis, Board Member and MHAAP Selection Panel Member  
**Re: [Mental Health and Addictions Advisory Panel – Membership Recommendations](#)**
5. November 30, 2022 from Sandy Murray, Acting Executive Director and Chief of Staff  
**Re: [Toronto Police Services Board – 2023 Meeting Schedule](#)**

6. December 9, 2022 from James Ramer, Chief of Police  
**Re: Receipt of Donations**
  
7. December 7, 2022 from James Ramer, Chief of Police  
**Re: Consolidation and Extension of Contracts with Axon Canada for Body Worn Cameras, Conductive Energy Devices and In-Car Cameras**
  
8. November 14, 2022 from James Ramer, Chief of Police  
**Re: Contract Award to Testforce Systems Inc. for Test Equipment for Information Technology Infrastructure Services**
  
9. November 17, 2022 from Ryan Teschner, Executive Director and Chief of Staff  
**Re: Request for Special Funds – Funeral Reception Expenses: Police Constable Andrew Hong (7815)**
  
10. November 4, 2022 from James Ramer, Chief of Police  
**Re: Special Constable Appointments and Re-Appointments – December 2022**

#### Consent Agenda

11. November 19, 2022 from Ryan Teschner, Executive Director and Chief of Staff  
**Re: Semi-Annual Report: Occupational Health and Safety Update for January 1, 2022 to June 30, 2022**
  
12. **Chief's Administrative Investigation Reports**
  - 12.1 November 8, 2022 from James Ramer, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.05**

- 12.2 November 8, 2022 from James Ramer, Chief of Police  
**Re: Chief's Administrative Investigation into the Vehicle Injury of Complainant 2022.18**
  
- 12.3 November 8, 2022 from James Ramer, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Death of Complainant 2022.19**
  
- 12.4 November 8, 2022 from James Ramer, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.20**
  
- 12.5 November 8, 2022 from James Ramer, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.22**

**13. Election of Interim Chair and Vice-Chair**

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 Meetings

**Special Public Board Meeting**

**Monday, January 9, 2023**

**Hybrid Board Meeting – at Police Headquarters, 40 College Street or virtually via WebEx**

**Regular Board Meeting**

**Thursday, January 26, 2023**

**Hybrid Board Meeting – at Police Headquarters, 40 College Street or virtually via WebEx**

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**Members of the Toronto Police Services Board**

Ainsworth Morgan, Interim Chair  
Lisa Kostakis, Member  
Lily Cheng, Member & Councillor

Frances Nunziata, Vice-Chair & Councillor  
Ann Morgan, Member  
Vincent Crisanti, Member & Councillor



# Wellness Unit

## Member Wellbeing Strategy and Implementation Update

Toronto Police Service

### **PUBLIC MEETING**

Toronto Police Services Board

December 2022



# Agenda

- **Overview of Wellbeing Strategy**
  - Strategic Priorities
- **Implementation Highlights and Impacts**
  - Progress of 9 Core Tactics
  - Key Partnerships and Outcomes
  - Roadmap to Future State
- **Moving Forward**
  - Continued Commitment

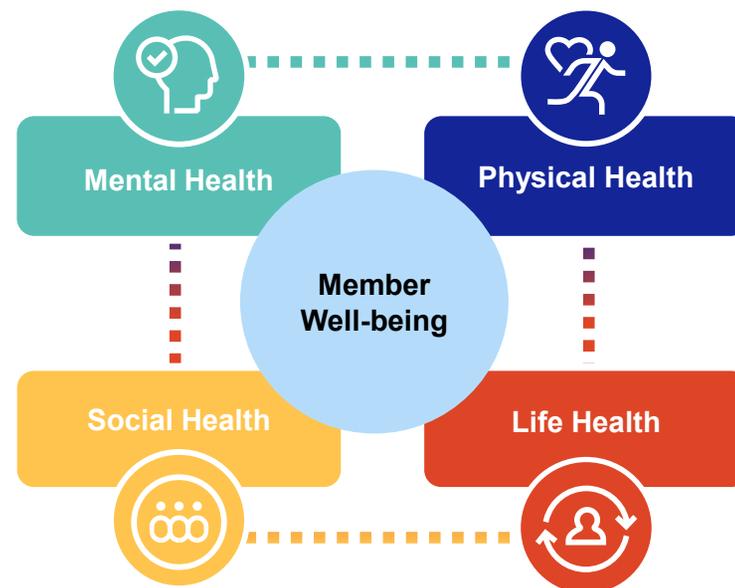
# Strategic Priorities

- **Illness & Injury Prevention:** Implement healthy workplace practices to prevent/mitigate illnesses and injury
- **Immediate Coordinated Support:** Seamlessly deliver support to those who need it, when they need it, where they need it
- **Service-Accepted Support:** Normalize mental health and reduce stigma
- **Service-Understood Processes:** Educate leaders and members on absence and early/safe return to work practices
- **Employer of Choice:** Establish competitive advantage for recruiting, hiring and retaining the best people by understanding what people value most when deciding where they want to work
- **Recognized Healthy Workplace Leader:** Stand out from industry standard

# Member Well-being Framework

**The Well-Being Strategy recognizes four pillars supporting individual well-being.**

Individuals who feel supported in their health, physically and emotionally, are better able to meet the demands of the job they need to do than if they are alone when struggling on any front.

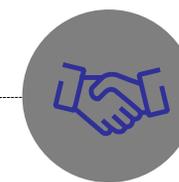
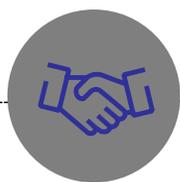


# Principles



## The Well-being Strategy will strive to:

## The Well-being Strategy will therefore:



Prioritize support where **Members need us most**

Embrace and **leverage partnerships** to create a healthy and safe workplace

Focus and respond to the **complex needs** of the workforce

**Meet Members where they are at**, offsite, online and in person, at any stage of their journey

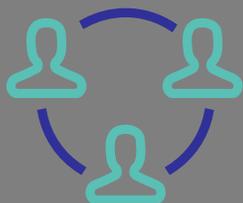
Adopt a **no-wrong-door mindset** in navigating to partners and resources

**Expand the ecosystem** to address diverse, varying needs

# Progress of 9 Core Tactics



Tactic	Definition	Status
Embedded Teams	<ul style="list-style-type: none"> <li>Multidisciplinary Wellness Teams dedicated to support units/divisions</li> <li>Decentralized approach to service delivery to expand reach and increase accessibility</li> </ul>	March 2023 (estimate)
Offsite Health Hub	<ul style="list-style-type: none"> <li>Move Wellness Unit and Services out of Toronto Police Service (T.P.S.) Head Quarter (H.Q.) to a more neutral environment</li> </ul>	Staged – Spring 2024 for full completion
Integrated Health Teams	<ul style="list-style-type: none"> <li>Simplified and integrated claims management for absence and illness</li> <li>Focus on early and safe return to function and work reintegration</li> </ul>	Ongoing
System navigator as intake	<ul style="list-style-type: none"> <li>Centralized one point of contact for member in need of Wellness Support</li> <li>Live answer system navigation direct member to resources available</li> </ul>	(Q3/4 2022)
Expand health promotion services around total health	<ul style="list-style-type: none"> <li>Focus on health promotion and harm prevention awareness and skills</li> <li>Total Health Training Plan for Members</li> </ul>	Ongoing
Develop ecosystem of health and wellbeing supports	<ul style="list-style-type: none"> <li>Centralized digital platform for member in need of Wellness Support, including internal and external offerings</li> <li>Live answer system navigation direct member to resources available</li> <li>Focus on building a culture of Peer Support</li> </ul>	Ongoing
Prioritize psychological health and safety	<ul style="list-style-type: none"> <li>Adopt and implement the C.S.A. Z1003/ B.N.Q. 9700 – National Standard for Psychological Health &amp; Safety in the Workplace</li> </ul>	2023 - 2024
Activate stakeholder advisory group	<ul style="list-style-type: none"> <li>Develop a structured Stakeholder Advisory Panel of advisors from outside the Service who represent external interests and have a valuable perspective on Member well-being.</li> </ul>	2023
Data and Metrics Management	<ul style="list-style-type: none"> <li>Support all strategic priorities through data informed decision making</li> </ul>	Ongoing



# Embedded Teams

## What Regional Service Delivery Model

- Multidisciplinary Wellness Teams dedicated to support units/divisions
- Decentralized approach to service delivery to expand reach and increase accessibility

## Why Meet Members Where they Are

- Be present and promote; seamless support
- Understand the complexities and nuances of divisions/unit where they are
- Build trust and confidence and access to support; leaders and members

## Successes Outcomes

- Claims, Safety and Chaplain Teams have started work distribution by Region
- Positive feedback from leaders and members on consistency of support
- Increased understanding of trends and activities at unit levels

## Challenges Next Steps

- Scaling to demands of membership
- Establishing Service Level Agreements and metrics around deliverables
- Ensuring a full breadth of understanding of scope or resources





# Offsite Health Hub

## What

### Decentralized Wellness Hubs

- Move Wellness Unit and Services out of T.P.S. H.Q. to a more neutral environment

## Why

### Meet Members Where they Are At

- Reduce barriers to access, including stigma
- Leverage resources and infrastructure to support a healthy & safe workplace

## Successes

### Outcomes

- Commitment on space allocation and locations for Wellness Hubs
- Move of some Wellness Staff to Toronto Police College
- Working with Facilities, City of Toronto, to establish project timelines and infrastructure

## Challenges

### Next Steps

- Supply Chain delays
- Prioritizing resources
- Digitization to support





# Integrated Health Approach

## What Health Absence Recovery Team

- Simplified and integrated claims management for absence and illness
- Focus on early and safe return to function and work reintegration

## Why Expanding Ecosystem of Support

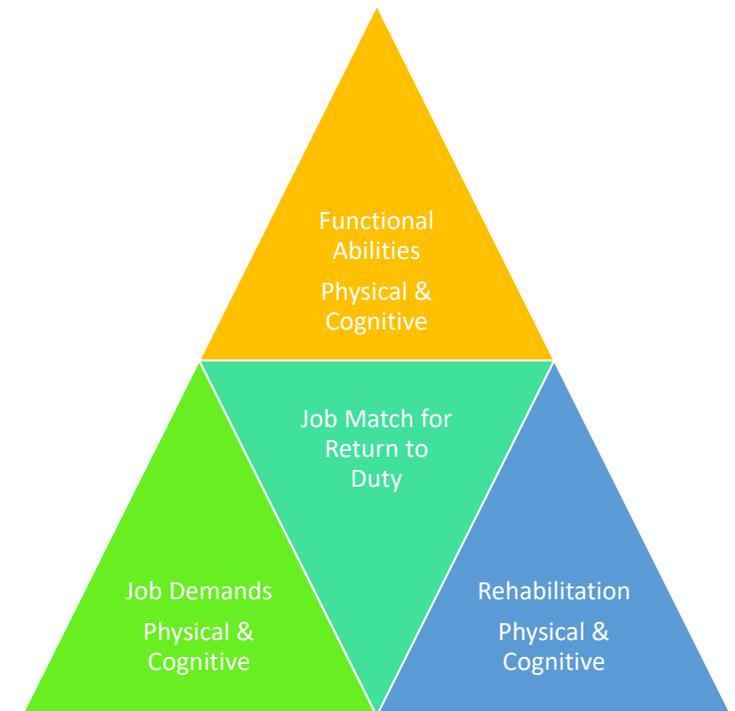
- Early and safe return to work
- Early intervention for rehabilitation and recovery
- Work Hardening and Reintegration to reduce recurrence

## Successes Outcomes

- Completed 3 phases of Job Demands Analysis
- Established one case management program
- Increased use of Disability Management Tools to support recovery and return to work

## Challenges Next Steps

- Significant Staffing instability – currently at full compliment
- Technology limitations – currently auditing and under review
- Roll out, compliance, and change resistance





## Early and Safe Return to Work

We already train and assess our members at hire

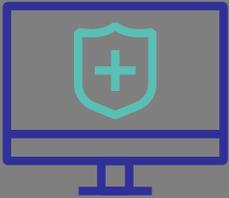
Why not in return from illness or injury?

We have the facilities and staff to recreate and assess some of the Service's most critical roles and duties.

We are the experts on what is required of our members to perform the duties they are deployed for.

We have a duty to do everything practicable in the circumstance (O.H.S.A.)

**The #1 way to reduce lost time claims and associated costs is early intervention with modified work and Member support / engagement.**



# Central Intake and System Navigation

## What

### System Navigation for Member Support

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- Centralized one point of contact for member in need of Wellness Support
- Live answer system navigation direct member to resources available

## Why

### Expanding Ecosystem of Support and No Wrong Door

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- No wrong door approach to access
- Consistency and quality of programming and access
- Increase trust and confidence in supports

## Successes

### Outcomes

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- Concept piloted in Pandemic with strong results in engagement, feedback and return on investment,
- Natural transition for absence intake and early intervention and referral

## Challenges

### Next Steps

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- Staffing instability – headcount may not be prioritized
- Technology limitations – little automation



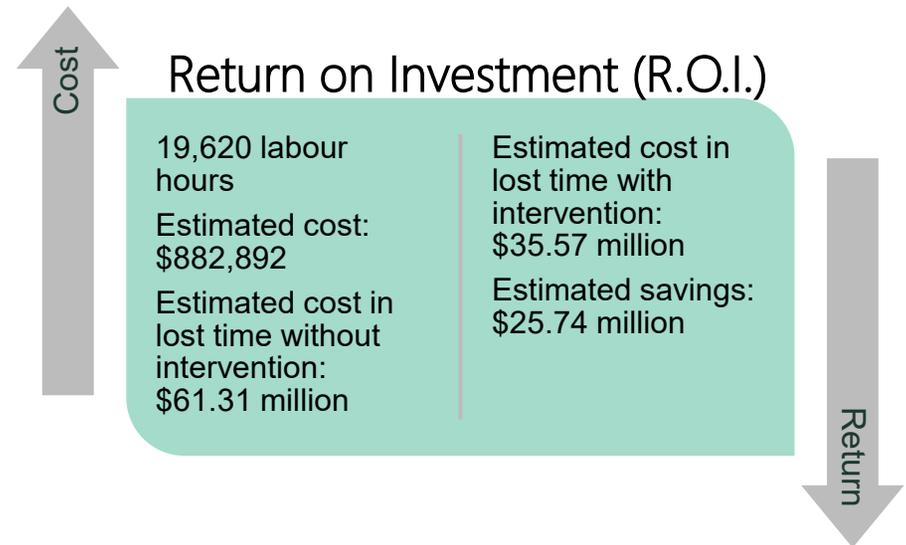
## Case Study **Prioritizing Member Wellbeing**

### COVID-19 Hotline:

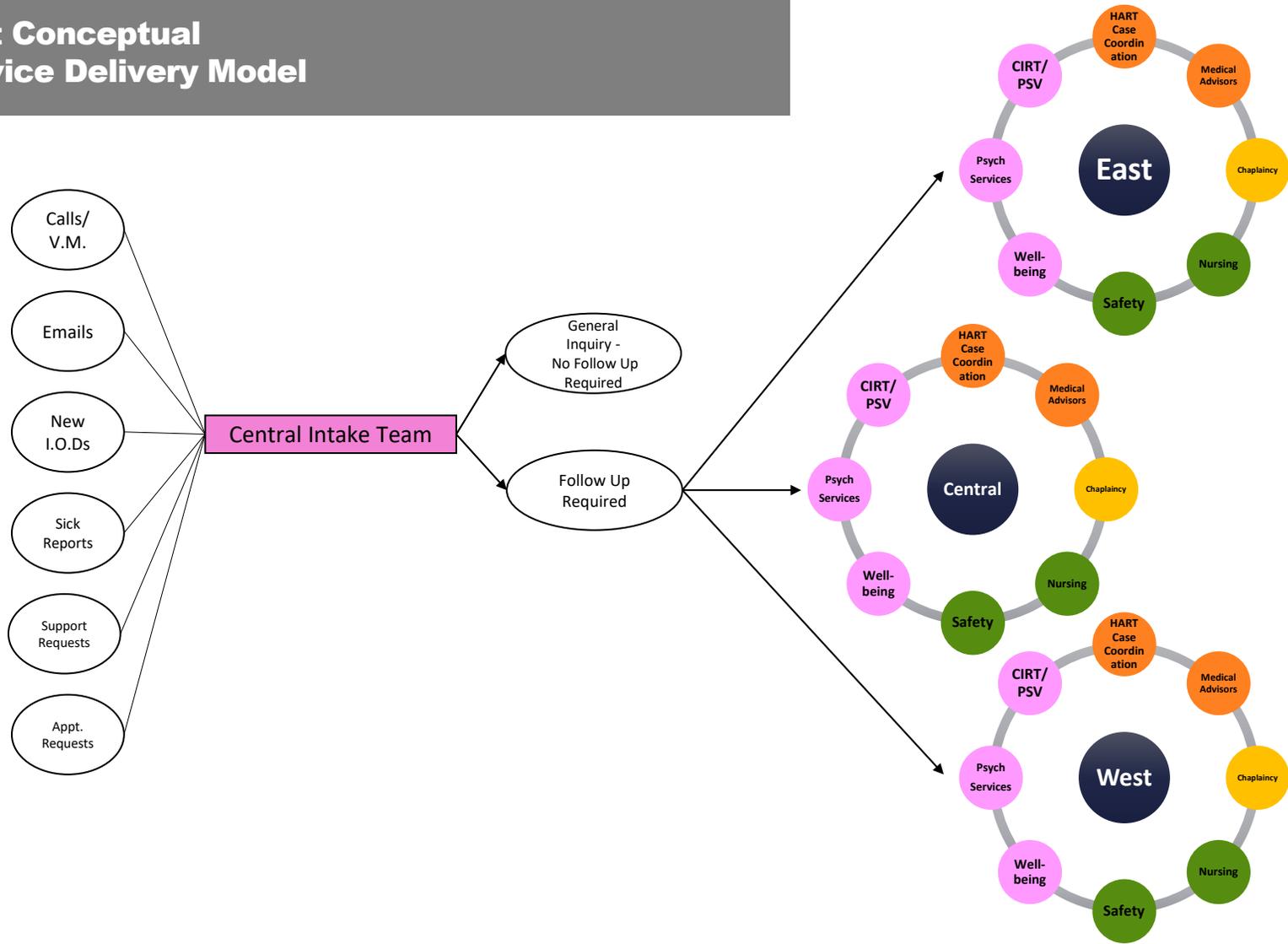
- ✓ Centralized point of contact for COVID-19 information
- ✓ Case and contact tracing to reduce the spread of illness
- ✓ Followed Public Health and Occupational Health Guidelines
- ✓ Medical and clinical surveillance to support safe and efficient return to work
- ✓ Streamlined access to testing and results
- ✓ Critical resources preserved for frontline deployment

### Recommendations & Insights

- ✓ Strong model for centralized intake for illness and injury



# Wellness Unit Conceptual Regional Service Delivery Model





# Expand Health Promotion

## What

### Expand Health Promotion

- Focus on health promotion and harm prevention awareness and skills
- Total Health Training Plan for Members

## Why

### Focus on complex needs of workforce

- Prevention through tools and resources for self care
- Stigma reduction
- Early identification to reduce severity of illness or injury

## Successes

### Outcomes

- Wellness Day re-launch
- BOS Training Program launch
- Social Media launch
- Diversity and Inclusion Training for practitioners

## Challenges

### Next Steps

- Keeping pace with health initiatives
- Expanding training into multiple streams of learning – I.S.T., recruits, civilians, etc.
- Data informed prioritization (health index)
- Measurement of engagement and success – not immediately felt and requires time and commitment





# Ecosystem of Health & Wellbeing Supports

## What

### Ecosystem of Health Supports

- Centralized digital platform for member in need of Wellness Support, including internal and external offerings
- Live answer system navigation direct member to resources available
- Focus on building a culture of Peer Support

## Why

### Expanding Ecosystem of Support and No Wrong Door

- No wrong door approach to access
- Consistency and quality of programming and access
- Increase trust and confidence in supports; normalize support seeking and mental health

## Successes

### Outcomes

- E.F.A.P. review and digital platform procurement (in progress with City of Toronto)
- Peer Support Audit with M.H.I.
- Therapy Dog Program with St. John Ambulance

## Challenges

### Next Steps

- Champions and Communication Cascade
- Establish and evaluate measurements of success and impact – not quick R.O.I.
- People vs Programming – creating sustainability



# Key Partnerships

## **PSHSA**

- Job Demands Analysis
- Work Hardening and Re-integration Program Research & Design

## **Risk Management Solutions**

- W.S.I.B. Case Management Best Practices
- Objections and Appeals
- W.S.I.B. data review and auditing

## **Mercer Canada**

- 2<sup>nd</sup> stage audit to review improvements from 2019
- Technology Audit and Review
- Plan Design Analysis and Recommendations

## **M.H.I.**

- Peer Support Audit
- C.I.R.T. response

## **St. John Ambulance**

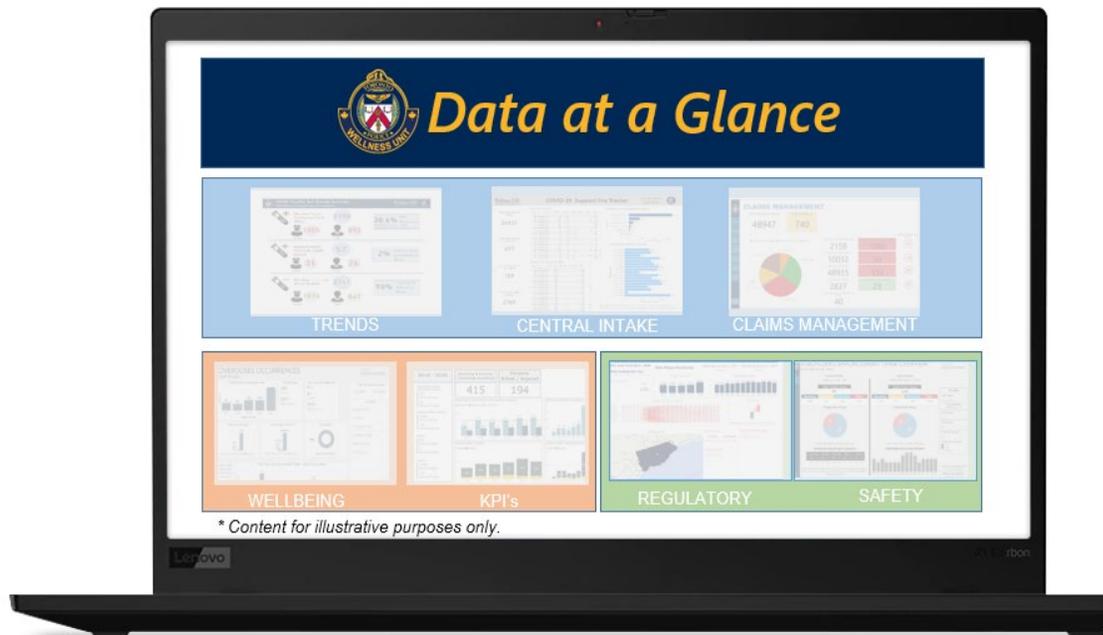
- Therapy Dogs pilot for critical events and proactive presence at selected divisions

## **Wayfound Psychology, C.I.P.S.R.T., Wounded Warriors**

- B.O.S. Program



# Data & Metrics Management **Future State** Internal Dashboard



## PERFORMANCE

- Number of new claims
- Percentage of claims managed
- Number of claims resulting in modified / gradual return-to-work outcome
- Average duration of claims resulting in modified / G.R.T.W.
- Number of claims resulting in lost time
- Average duration of lost time days

## ENGAGEMENT/ EXPERIENCE

- Participation rate of Events and Programs
- Key Performance Indicators (K.P.I.'s)
  - Service Level Agreements (S.L.A.'s)
  - Productivity Metrics
  - Dashboard Click-Rates

## COMPLIANCE

- Lag times for claim submissions
- Ministry of Labour
- Joint Health & Safety Committee Inspections



# Moving Forward

- Ongoing and renewed commitment to moving forward on Member Wellbeing Strategy Implementation, including the 9 tactics
- Support Member Wellness as a key strategic priority in 2023 and beyond in business plans and budget and negotiations
- Development of key metrics for success (dashboards, expectation settings – K.P.I.s, S.L.A.s)
- Initiate the implementation of the Standard for Psychological Health & Safety in the Workplace to ground work from the Wellbeing Strategy into the fabric of all People & Culture and Operational work.



## Toronto Police Services Board Report

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November 29, 2022

To: Chair and Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director and Chief of Staff

**Subject: Memorandum of Understanding with Ombudsman Toronto**

### **Recommendation(s):**

It is recommended that the Board approve the attached Memorandum of Understanding (MOU) between the Toronto Police Services Board (the Board), Toronto Police Service (the Service) and Ombudsman Toronto (attached as Appendix "A"), and authorize the Chair to execute the Memorandum of Understanding on behalf of the Board.

### **Financial Implications:**

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

The work that will be required of the Office of the Police Services Board and the Service in implementing the MOU, and, where specific Ombudsman Toronto processes are enacted, responding to those, will not be insignificant. It will require the dedication of time and human resources to respond to requests for information, provide additional context and information related to the issues being examined, and, ultimately, to implement any recommendations the Board adopts arising from future Ombudsman Toronto processes. That said, at this time, there is no anticipated requirements for additional resources to comply with the Board's and Service's obligations under the proposed MOU.

### **Background / Purpose:**

This report presents the Board with a draft Memorandum of Understanding (MOU) between the Board, the Service and Ombudsman Toronto, for the Ombudsman to carry out, on behalf of the Board, fairness investigations on matters of public interest where the quality of service to the public may be unfairly affected by Board Policies and directions, Service procedures, or the administration of services by the Service.

### *Police Reform as the context for exploring a role for Ombudsman Toronto*

At the Board meeting of August 18, 2020, the Board approved a report titled “Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety” (Min. no. 129/20 refers) which included 81 recommendations to improve police accountability, confront and address systemic racism, and increase the Service’s budget transparency and modernization efforts. These recommendations have been in a process of sustained implementation over the last two years, and currently, 70% of the recommendations have been implemented. Recommendation 29 directed the Chair and Executive Director to engage with the City Manager and discuss additional and alternative approaches to ensuring transparent auditing of police practices and policies. This recommendation responded to item 31 of [City Council Decision CC22.2](#) adopted at its meeting of June 29, 2020.

Subsequently, the City sought input from stakeholders on police accountability, and received, among other responses, a letter from Ombudsman Toronto, suggesting that the Ombudsman could have a role in this landscape. The City forwarded the letter to the Board, and the Executive Director of the Board initiated talks with Ombudsman Toronto in December 2020, to develop the preliminary suggestions raised by the Ombudsman, and ultimately, to negotiate a Memorandum of Understanding (MOU) between the three parties. In April 7, 2021, Ombudsman Toronto appeared before City Council to present initial findings from talks with the Board, and received the City’s approval to proceed with negotiations of the MOU, alongside additional funding for Ombudsman Toronto to carry out the work under consideration ([City Council decision CC31.1](#)).

### *Need for an MOU*

The current *City of Toronto Act, 2006* does not provide specific authority or a framework for the City’s Ombudsman to conduct work in respect of the Service or Board (in fact, this is the case with respect to Ombudsmans and police services boards and police services throughout Ontario). Therefore, for Ombudsman Toronto to exercise a review function similar to that it exercises in relation to other City of Toronto entities, it was necessary for all parties to define the areas of inquiry and how the investigation work would proceed, so that the Ombudsman can complete investigations and assist the Board in exercising its independent statutory civilian governance and oversight functions in relation to the Service.

## **Discussion:**

### *Part of a broader and sustained commitment to police reform*

Since its meeting of August 18, 2020, the Board, alongside the Service, has been committed to a policing reform agenda that would improve policing and police accountability in Toronto. As part of its continued effort to identify opportunities to improve the service provided to members of the public, and enhance public trust in the Service, the Board has entered into talks with Ombudsman Toronto. The purpose

envisioned through these talks is to bring Ombudsman Toronto's unique expertise in the area of administrative fairness to bear on the relationship between the Board, Service and members of the public, and provide the Board and the Service with recommendations that will help improve this relationship in the delivery of policing in Toronto.

*Key terms of the proposed MOU*

The proposed MOU establishes a five-year, renewable term, during which the Ombudsman will carry out fairness investigations into areas of demonstrable public interest, where there is the potential to improve fairness in services to the public. Examples for such investigations include the approach to criminal records checks, on-line reporting, and recruitment practices. Additional examples are included in Schedule A of the MOU.

In light of the existing landscape of police oversight in Ontario, as well as the unique relationship already established between the Board and the Auditor General of Toronto, the proposed MOU was crafted so as to avoid unnecessary duplication of work and overlap between potential work carried out by the Ombudsman and other oversight bodies, particularly where such bodies have legislated authority or jurisdiction to review a matter. To that end, the MOU precludes investigations by the Ombudsman into matters arising out of external or internal complaints, as well as matters pertaining to police conduct and labour relations issues — all matters that are within the review jurisdiction of other police oversight actors.

The Board, the Service and the Ombudsman view this official relationship as serving the public interest. The MOU establishes the commitment of both the Board and the Service to maintain the Ombudsman's independence in identifying subjects for investigation and carrying those investigations out.

*The MOU serves the public interest and enhances the Board's independent evaluative capacity*

Through the MOU, both the Board and the Service undertake to ensure full access to all required information, records, and staff. The inclusion of the Service as a partner in the Memorandum of Understanding clearly indicates the Service's commitment to transparency and improvement. The Board and Service are committed to work with the Ombudsman in a collaborative spirit to identify opportunities for fairness investigations that will maximize the public benefits derived from this MOU.

**Conclusion:**

This relationship between the Board and the Ombudsman further increases the capacity of the Board and the Service to closely examine the policing services provided to the community in Toronto, and ensure high quality, fair and equitable services to all. This relationship joins other Board reform initiatives, including the MOU with the Auditor General, the Board's permanent advisory panels on anti-racism and mental health and

additions, and steps being taken to strengthen the Board's own internal capacity for evaluation of the impacts of its policies and directions. Along with these measures, and other new initiatives in the process of development, this expanded capacity will provide the Board with independent information and analysis, enabling it to govern and oversee the Service in a manner aligned with the principles of modern police governance. Ultimately, this will promote the provision of high-quality, effective, efficient, fair and accountable policing services in the City of Toronto.

I recommend that the Board approve this Memorandum of Understanding and authorize the Chair to execute the Memorandum of Understanding on behalf of the Board.

Respectfully submitted,



Ryan Teschner  
Executive Director and Chief of Staff



## APPENDIX "A"

### Toronto Police Services Board Report

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#### Fairness Investigations by Ombudsman Toronto of the Toronto Police Service

#### Memorandum of Understanding

Between:

OMBUDSMAN TORONTO  
(hereinafter referred to as "Ombudsman Toronto" or the "Ombudsman")

and

TORONTO POLICE SERVICES BOARD  
(hereinafter referred to as the "Board")

and

TORONTO POLICE SERVICE  
(hereinafter referred to as "TPS")

(individually referred to as a "Party" and collectively as "the Parties")

#### **A. Background**

1. On August 18, 2020, the 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." Recommendation 29 directed the Chair and Executive Director to engage with the City Manager and discuss additional and alternative approaches to ensuring transparent auditing of police practices and policies.
2. On April 8, 2021, following talks between the Board and Ombudsman Toronto, Toronto City Council voted unanimously to request that the Board and TPS negotiate a Memorandum of Understanding with Ombudsman Toronto to independently conduct policy and program reviews, and approved additional funding to Ombudsman Toronto for this purpose.
3. The mandate of the City of Toronto's Ombudsman is to independently investigate possible unfairness and maladministration at the City of Toronto. The Ombudsman is an independent Accountability Officer of City Council, who

legislatively reports to Council as a whole. The Ombudsman leads the team known as Ombudsman Toronto.

4. The Board and TPS recognize the importance of accountability and transparency in how policing services are delivered in the City of Toronto, alongside the need to continuously strengthen internal systems. The Board and TPS acknowledge the benefit of having Ombudsman Toronto work constructively to provide independent fairness reviews specifically by conducting investigations with regard to the fairness of TPSB Policies and TPS procedures, processes and practices, identifying issues and opportunities, making recommendations and following up on implementation, with the goal of achieving better services for the public.
5. This Memorandum of Understanding (the “MOU”) establishes and provides details concerning the working relationship among the Parties.
6. The Parties acknowledge that the legislative authority of the Ombudsman does not extend to TPS or the Board. Accordingly, the Ombudsman Toronto will conduct investigations pursuant to the terms of the MOU.

**Scope:**

7. Ombudsman Toronto may investigate any matter where the Ombudsman believes, on reasonable grounds, that the quality of service to the public has been, or could be, unfairly affected by the implementation of Board policies or TPS procedures or the administration of TPS services. TPS and the Board will support Ombudsman Toronto in completing these investigations under the MOU, in a way that ensures the independence of the Ombudsman.
8. The Ombudsman may decide to investigate a matter at the request of the Board or TPS. The Ombudsman may also independently identify matters to investigate.
9. In deciding what matters to investigate, Ombudsman Toronto shall select TPS services where there is a demonstrable public interest, a high level of contact with the public, and where there is the potential to improve Fairness in services for the public. These services may include, but will not be limited to, the example Investigation Subjects included as Schedule A.
10. Ombudsman Toronto will not investigate:
  - a. complaints from members of the public, TPS personnel, or any other person;
  - b. questions of police conduct (including those covered by Part V of the Police Services Act or Parts X or XII of the Community Safety and Policing Act, 2019);
  - c. employment/labour relations issues; or
  - d. a matter being investigated by another agency or office (for the purpose of this section, including but not limited to the Office of the Independent

Police Review Director, the Special Investigations Unit, the Inspector General of Policing, the Toronto Auditor General, a coroner's inquest, and an independent civilian review, or their successors), or a matter falling under the jurisdiction of another agency or office (unless said agency or office explicitly refused investigation of the matter), or a matter currently before the court, or where there are other adequate remedies under the law or existing administrative practices which address the subject matter. For added clarity: where a matter falls in part under the jurisdiction of another agency or office, this will not preclude the Ombudsman from investigating those aspects of the matter that fall outside of the jurisdiction of that other agency or office.

11. Ombudsman Toronto will not to duplicate the work of any other agency or office as defined above in section 10.d.
12. Should the Board Office or TPS identify duplication of work by another agency or office as defined above in section 10.d, or that a proposed investigation falls under the categories included in section 10 above, Ombudsman Toronto will schedule a meeting with the Board Office and TPS Designates to arrive at a mutually agreed decision as to whether the Ombudsman's intended investigation should proceed, and if it is to proceed, its scope.
13. If the parties cannot reach agreement, the matter will be escalated to the Ombudsman, the Chief of Police, and Board Chair to make a final determination as to whether the intended investigation should proceed. In the event that the intended investigation does not proceed, the TPS Chief and/or the Board Chair shall write to the Ombudsman to provide their rationale as to why the intended investigation should not proceed. The Ombudsman shall report all such incidents, including the TPS and Board's rationale not to proceed, to Toronto City Council as part of the Ombudsman's Annual Reporting function.
14. Where, in the process of an investigation, Ombudsman Toronto identifies evidence of possible misconduct, the Ombudsman shall immediately communicate the information to the OIPRD or the Chief of Police, as appropriate

#### **Definitions:**

15. The following definitions apply to the MOU:

**Board Office** means the staff team supporting the Board, represented by the Executive Director and Chief of Staff of the Board or their delegates.

**External Expert** means subject matter experts who can provide expertise on a general topic or analysis (e.g., statistical analysis, legal analysis), and does not include witnesses who are providing factual information about a particular event or process they participated in or witnessed directly.

**Investigation** means Ombudsman Toronto's review of a procedure or process, a service, a program, a standard, policy implementation, or training, to examine whether it is operating with Fairness. Each Investigation will follow the following process, as described in this MOU: (1) Preliminary Inquiry Phase (see Part E); (2) Investigation Phase (see Part F); (3) Reporting Phase (see Part G); and (4) Monitoring Phase (see part H).

**Investigative Report** or **Report** means the written report resulting from an Investigation, describing the Ombudsman's findings and recommendations, if any.

**Investigation Subject** means the policy, procedure, process, service, program, standard, policy implementation, or training of the TPSB or TPS which is subject to an Investigation under the MOU.

**Fairness** means administrative fairness. Ombudsman Toronto focuses on three aspects of administrative fairness, recognized in administrative law: Fair Process (including clear communication and an explanation of the outcome and reasons for it), Fair Outcomes (including properly based on the rules, policies and procedures), and Fair Treatment (including that people are treated in an equitable, inclusive and accessible way). Ombudsman Toronto will focus on the manner in which Policies, procedures and processes are designed in a way that satisfies the need for administrative fairness.

**Management Response** means the formal written response prepared by the Board Office, and/or Chief of Police or TPS Designate, as appropriate, to the Final Investigation Report, noting whether there is agreement with the recommendations, and listing the planned actions and estimated timing to address each of the Investigative Report recommendations the TPS and/or Board agrees with. The Management Response will be included as an appendix to the Final Investigation Report.

**Notice of Intent to Investigate** means the letter the Ombudsman sends to the Board and TPS, providing formal notification that Ombudsman Toronto is starting an Investigation.

**Personal Information** has the same meaning as the term as defined by the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA").

**Record(s)** has the same meaning as the term as defined by MFIPPA.

**TPS Designate** refers to a person or persons as identified by the Chief of Police to represent him or her with respect to matters covered in the MOU.

**TPS Personnel** refers to sworn (uniform) members, civilian members, cadets, volunteers, and auxiliary members.

## **Term, Review and Assessment**

16. The term of the MOU is for five (5) years from the date of last signature.
17. Two (2) years into the term of the MOU, the Parties will review the terms of the MOU to determine whether they wish to make any changes to its terms, to improve the effectiveness of the relationship between the Parties, provided that any such adjustments are agreed upon by all Parties.
18. The Parties agree to revisit the MOU before its expiry to determine whether they wish to amend or renew the MOU.
19. The Board or the Ombudsman, may terminate this MOU upon thirty (30) days written notice to the other Parties.
20. Subsequent to a breach of any of the terms or provisions of this MOU, a Party which did not commit the breach may terminate this MOU at any time.

## **Preliminary Enquiry Phase**

21. The Ombudsman will precede each investigation with a Preliminary Enquiry, an informal process to determine whether to commence an investigation, and assist in scoping the issue(s). Ombudsman Toronto will inform the Board Office and TPS about the proposed scope and the prima facie rationale for the initiation of the enquiry. During the Preliminary Enquiry Phase, Ombudsman Toronto will gather information related to a potential Investigation Subject from sources Ombudsman Toronto deems relevant, including TPS. During this phase, Ombudsman Toronto will communicate with the TPS Designate/staff and the Board Office to identify information it requires from TPS.
22. Requests for information during the Preliminary Enquiry Phase, will follow a process identical to that described below in the Schedule B (Information Sharing Agreement).
23. During this phase, Ombudsman Toronto may consult with representatives of Toronto's communities, at the Ombudsman's discretion; however, no TPS information that is not already in the public domain will be shared during such consultation.
24. If, in the course of the Preliminary Enquiry Phase, it appears to the Ombudsman that further enquiry is unnecessary, the Ombudsman may at their discretion decline to investigate further, and will advise the Board of their decision.

## **Investigation Phase**

### **Notice of Intent to Investigate**

25. Before starting the Investigation Phase of any Investigation, Ombudsman Toronto will schedule a meeting with the Board Office and TPS Designate to inform of the proposed Investigation, allow the Board and/or TPS to identify potential duplication or conflicts, discuss the Investigation's scope, and answer any questions the Board Office and/or the TPS may have.
26. After meeting with the Board Office and TPS, Ombudsman Toronto will consider any feedback provided by the Board and TPS and determine the Investigation's scope. Before conducting any other work on the Investigation, the Ombudsman will issue and deliver to the Board and TPS a Notice of Intent to Investigate. The Notice will identify the Investigation Subject and the scope of the Investigation.

### **Status Updates**

27. Ombudsman Toronto will write to the TPS Designate and the Board Office at least once every ninety (90) days, beginning with the date of the issue of the Notice of Intent to Investigate, to provide an update on the Investigation and to ensure there is regular ongoing communication. Ombudsman Toronto may collate updates on multiple concurrent investigations into a single communication. Updates should include information on:
  - a. Expected timelines for the conclusion of the investigation;
  - b. Outstanding requests for information; and
  - c. Any concerns the Ombudsman has with regards to the progress of the investigation or the cooperation of the Board, the TPS, or members thereof.
28. If the Ombudsman identifies during an Investigation any issue or concern that, in the Ombudsman's opinion, is high risk or critical and requires the immediate attention of the Board and/or TPS, the Ombudsman will report to the Board Office and/or Chief of Police at the first appropriate opportunity so that responsive action can be taken.

### **Access to Information**

29. TPS, the Board and Ombudsman Toronto agree to the terms of the information sharing agreement included as Schedule B to this Memorandum of Understanding.

## **Reporting Phase**

30. In the Investigation Report, the Ombudsman may disclose such matters as in the Ombudsman's opinion are required to establish the basis for the Ombudsman's findings and recommendations; however, no personal information shall be made public or included in any Investigation Report.

31. At the conclusion of an Investigation, the Ombudsman will provide TPS and the Board Office with the Preliminary Investigation Report and provide TPS and the Board an opportunity to review and make representations respecting the findings and recommendations.
32. TPS and the Board Office will limit access to the Preliminary Investigation Report to personnel necessary to respond to the Preliminary Investigation Report.
33. Ombudsman Toronto will schedule a meeting with the Board Office and TPS twenty (20) business days after providing them access to the Preliminary Investigation Report to allow TPS and/or the Board to make representations on the Preliminary Investigation Report regarding any factual inaccuracies, confidentiality concerns, additional evidence for consideration, tone, or any other issue related to the content of the Preliminary Investigation Report. If the TPS or the Board require more time to respond they will advise the Ombudsman and reasonable adjustments to timelines will be made.
34. The Ombudsman will consider all representations by TPS and the Board Office on the Preliminary Investigation Report. The Ombudsman alone will decide on the content of the Final Investigation Report, with the exception of matters identified by the Chief of Police which may fall under the law enforcement disclosure exemption under MFIPPA (section 8) or where disclosure of a piece of information is otherwise subject to confidentiality or secrecy requirements established by statute, contract, court order or other legal source.
35. Ombudsman Toronto will provide a copy of the Final Investigation Report to TPS and the Board Office. Upon receipt of the Final Investigation Report, the Chief of Police and TPS Designate, and the Board Office will have 10 business days to provide a Management Response, in which the Chief of Police and the Board will note whether TPS and/or the Board accept the recommendations.
36. The Management Response may also include an action plan on how to address the recommendations accepted by TPS and/or the Board. If TPS requires more time to respond, TPS will advise the Board. If the Board requires more time to respond, or is informed that TPS requires more time, the Board will advise the Ombudsman and seek an extension. Ombudsman Toronto will include any Management Response as an appendix to the Final Investigation Report.
37. TPS and the Board Office will preserve the confidentiality of the Final Investigation Report until the Ombudsman makes the Final Investigation Report public.
38. The Ombudsman will keep the Final Investigation Report confidential and not make the Final Investigation Report public or submit the Final Investigation Report in accordance with section 39 until all steps in sections 30 to 36 have been completed and a Management Response has been provided in accordance with sections 35 and 36.

39. The Ombudsman will make its report public by submitting the Final Investigation Report (including the Management Response) as an agenda item for a public meeting of the Board. Once made public by the Board as part of a meeting's agenda, the Ombudsman may provide its report to other organizations or people at its discretion including posting it on the Ombudsman's website and in social media. If the Ombudsman submits its report to City Council, the Ombudsman will advise the Board Office of which City Council agenda the Final Investigation Report will be added to prior to submitting it as an agenda item.

### **Monitoring Phase**

40. Ombudsman Toronto may follow up with the Board Office on any recommendations from an Investigation Report that TPS or the Board has agreed with in a Management Response, to determine the progress TPS or the Board has made to implement them.

41. The Board will report to Ombudsman Toronto on a regular basis (as agreed on a case by case basis as part of the Management Response) on the status of the implementation of any recommendation from an Investigation Report with which TPS or the Board agreed. These reports will take the form of written updates from the Board Office and/or meetings among Ombudsman Toronto, the Board Office and the TPS as necessary.

42. These reports from the Board Office will continue during the term of this MOU until the Ombudsman is satisfied that the Board and/or TPS has taken adequate steps to address the recommendations. Ombudsman Toronto will notify the Board in writing when the Ombudsman is satisfied that the Board and/or TPS has taken adequate steps to address the recommendations and that reports from the Board Office are no longer required.

43. The Ombudsman may report publicly on implementation of the recommendations by TPS. The Ombudsman will submit a report on the implementation to the Board, and will not make the report public by other means, until it is made public by the Board as part of a meeting's agenda.

### **Other Considerations**

#### **External Experts**

44. Ombudsman Toronto may use an external expert to ensure that an Investigation is thorough and accurate. Ombudsman Toronto will notify the TPS and Board prior to Ombudsman Toronto retaining any external expert to provide services under this MOU. Where TPS and/or the Board has a concern about an external expert (including conflict of interest) or wishes to suggest a potentially more suitable expert, TPS and/or the Board will advise Ombudsman Toronto. The

Ombudsman will consider TPS'/Board's input, but the selection of the expert rests solely with the Ombudsman.

45. Ombudsman Toronto shall obtain Undertakings of Confidentiality from external experts, which meet or exceed the safeguards and confidentiality provisions set out in the MOU. When an external expert's involvement in an Investigation is at an end, the external experts will destroy or return to Ombudsman Toronto any TPS and/or Board records in their possession, including any derivative records.
46. Ombudsman Toronto will be responsible for all costs associated with any external experts it retains.

### **Issues or Problems**

47. In the event of any issues or problems which may arise during the course of work under the MOU, the Parties agree that their staff will escalate them to the Chief of Police, Board Office or the Ombudsman, respectively. If necessary, any matter that cannot be resolved otherwise will be dealt with in consultation among the Ombudsman, the Chief of Police, and the Board.

### **Ombudsman Toronto Protections**

48. TPS and the Board agree that no proceeding for damages or otherwise lies against the Ombudsman, Ombudsman Toronto, or Ombudsman Toronto staff or external experts for work carried out in good faith under the MOU, and pursuant to this MOU, and the provisions of the *City of Toronto Act*, MFIPPA and any other relevant legislation, and that TPS and the Board will not pursue such a proceeding.

### **External Complaints**

49. In the event that Ombudsman Toronto receives any complaints from members of the public about TPS or the Board, Ombudsman Toronto will inform the complainant of the appropriate mechanisms for filing complaints, including referral information to relevant complaints handling bodies, as appropriate.

### **Criminal Record Checks**

50. The Parties agree that Ombudsman Toronto shall provide TPS with a list of Ombudsman Toronto staff and external experts (when identified) who are expected to be involved in any work considered under the MOU. No Ombudsman Toronto staff person or external expert shall commence work under this MOU until TPS has been notified of their work and the following has occurred:
  - a. The OPP will conduct a Criminal Record Check on all Ombudsman Toronto staff and all external experts involved in work under the MOU. All Ombudsman Toronto staff and external experts who will be involved in the Investigations or have access to TPS records will voluntarily subject themselves to this check.

- b. Before any Ombudsman Toronto staff or external subject matter expert is involved in any work considered under the MOU, or that is required at a TPS location, the Ombudsman Toronto staff or external experts will have been cleared by the OPP with a Criminal Record Check.
- c. Before any external expert is involved in any work considered under the MOU, Ombudsman Toronto will ensure the external expert has signed confidentiality agreements which, at a minimum, parallel the requirements of the MOU, including the safeguards, confidentiality provisions, and record destruction requirements as set out in the MOU.

### **Other Statutory Obligations**

51. Nothing in this MOU will supersede or override statutory obligations under any relevant legislation, including but not limited to, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Police Services Act*, the *Comprehensive Police Services Act*, the *Community Safety and Policing Act* (CSPA), or the role and powers of the Inspector General [of Policing] under the CSPA.

### **Representatives**

52. The following are designated as the representatives for each Party under the MOU, and any notices will be delivered as follows:

In the case of Ombudsman Toronto to: The Ombudsman  
Ombudsman Toronto  
375 University Avenue, Suite 203  
Toronto, ON M5G 2J5  
Telephone: 416-392-7062  
Fax: 416-392-7067

In the case of TPS to: The Chief of Police  
Toronto Police Service  
40 College Street, 7<sup>th</sup> Flr.  
Toronto, ON M5J 2G3  
Telephone: 416-808-8016  
Fax: 416-808-8002

In the case of the Board to: The Chair of the Board  
Toronto Police Services Board  
40 College Street, 7<sup>th</sup> Flr.  
Toronto, ON M5J 2G3  
Telephone: 416-808-6784  
Fax: 416-808-8002

**Severability; Execution**

- 53. In the event one or more provisions contained in the MOU is subsequently declared invalid or unenforceable by a court or other binding authority, such provisions will be severed and not in any way affect the validity or enforceability of the remaining provisions.
  
- 54. This MOU may be executed by electronic signature that is received by the Board in a file format acceptable to the Board. Such electronic signature shall be deemed to be an original signature for the purpose of this Agreement with the same legal effect as an original signature.
  
- 55. The MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
  
- 56. The MOU may be transmitted by electronic mail or such similar device and the signatures in the transmission will be treated as binding as if they were originals. Each party undertakes to provide the other party with a copy of the Agreement bearing original signatures upon demand.

IN WITNESS WHEREOF, this Memorandum of Understanding has been signed on behalf of the Parties by their duly authorized officers on the dates noted below:

**OMBUDSMAN TORONTO**

\_\_\_\_\_  
Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Title: \_\_\_\_\_

**TORONTO POLICE SERVICE**

Per: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**TORONTO POLICE SERVICES BOARD**

Per: \_\_\_\_\_ Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## **Schedule A**

### Example Investigation Subjects

- Criminal records checks
- On-line reporting
- Neighbourhood officers
- Hearings (ease of access to services and information)
- Recruitment – effectiveness of reach out to diverse communities
- Wellness
- Victim Services
- All programmes designed to reach out to at risk and marginalized communities

## **Schedule B**

### Information Sharing Agreement

#### **Definitions**

**“authorized users”** means the Toronto Ombudsman, his staff and any other individuals who have been identified by the Ombudsman or his designate(s), as:

- specifically requiring access to the personal information referred to in this Agreement in the performance of their assigned duties under the MOU, and,
- who have been cleared by OPP with a background check.

A current list of authorized users as of the date of this Agreement can be found in Schedule B1. Any changes to the list of authorized users must immediately or as soon as is practicable thereafter be communicated to all parties in writing.

**“designate or designates”** refers to a person or persons as identified by the Ombudsman.

**“personal information”** has the same definition as in Section 2 of MFIPPA

#### **Section A: Purpose**

1. The Parties entered into a Memorandum of Understanding (MOU), which establishes and provides details concerning the working relationship among the Parties. The Board requested that the Ombudsman conduct independent fairness investigations of the TPS, to help improve the service provided by the TPS to the public.
2. TPS and the Board collect, retain, use and disclose personal information in accordance with the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”).
3. As there are no legislative authorities that extend the Ombudsman’s powers, duties and disclosure abilities under the City of Toronto Act, 2006, or Ombudsman Act to the work done by the Ombudsman under the MOU, the purpose of this Information Sharing Agreement (the Agreement) is to document the terms and conditions of the disclosure of personal information by TPS to the Ombudsman and its authorized users, operating as consultants of the Board for the purpose of the MOU, in compliance with the MFIPPA.
4. The Ombudsman may need access to certain personal information in the custody and control of the TPS to fulfil its duties under the MOU, namely to effectively

conduct fairness investigations of TPS as part of the Board's responsibility to ensure the provision of adequate and effective police services in Toronto.

### **Section B: Access, Disclosure, and Ownership of Personal Information**

5. Ombudsman Toronto will make requests for records to the Board and/or TPS when the Ombudsman believes the information contained therein is required to fulfil Ombudsman Toronto's obligations under this MOU.
6. The Parties agree that the following process shall be followed with respect to requests for information:
  - a. After issuing a Notice of Intent to Investigate, Ombudsman Toronto may issue a Request for Information to TPS and/or Board. The Request for Information shall include the following:
    - i. Identification of all information and records requested for use in the Investigation;
    - ii. Where the information is personal information, materials or other information displaying compliance with sections 14 and 15 of this Schedule B;
    - iii. The authorized user at Ombudsman Toronto to whom TPS will send the requested information and records, and the method of delivery of the requested records and information
7. Ombudsman Toronto shall send the Request for Information in writing to the TPS Designate and/or Board Office.
8. The TPS Designate and/or Board Office will produce a response with the decision of the TPS under section 15 within fifteen (15) business days of the request being received. TPS will make the final decision in determining whether TPS will disclose the personal information to the Ombudsman, considering its obligations under MFIPPA. At its discretion, TPS may provide the Ombudsman with anonymized records or records with personal information redacted and/or replaced with other identifiers which do not disclose personal information. Any decision by the TPS and/or Board to withhold information requested by the Ombudsman, in whole or in part, will be communicated to the Ombudsman with an explanation of its rationale.
9. During the Investigation Phase, Ombudsman Toronto may continue to gather information relevant to the Investigation Subject. This may include collecting records, including: data, statistical analysis, emails, briefing notes, reports, memoranda, and any other document that may be relevant to the Investigation in accordance with the process set out in this MOU. It may also include conducting interviews with TPS personnel and/or Board staff, and members of the public. Other methods for gathering information may also be used, as determined by

Ombudsman Toronto, provided Ombudsman Toronto complies with this MOU at all times.

10. The parties agree that:

- a. TPS and/or the Board will not provide Ombudsman Toronto with access to information or records that are not in the custody or control of TPS and/or the Board. Should Ombudsman Toronto wish to obtain access to 3rd party records or systems, Ombudsman Toronto will request access from these from the 3rd parties in accordance with the Board's obligations under MFIPPA. TPS and/or the Board will support Ombudsman Toronto in any such access requests.
- b. TPS and/or the Board will not grant access to any information or records that are subject to any legal privilege such as: solicitor-client privilege, public interest privilege, litigation privilege or settlement privilege, or subject to confidentiality or secrecy requirements established by statute, contract, court order or other legal source. Where TPS and/or the Board withhold information on one of these bases, it will so inform Ombudsman Toronto and advise of the nature of the basis if possible. If possible, TPS and/or the Board will attempt to redact or sever the portions of its records that meet the conditions above, in order to provide the remainder of the records to Ombudsman Toronto.

11. The authority for disclosure of personal information by TPS to the Ombudsman and its authorized users is Section 32(d) of MFIPPA which states that:

*Section 32*

*An institution shall not disclose personal information in its custody or under its control except, (d) if the disclosure is made to an officer, employee, consultant or agent of the institution who needs the record in the performance of their duties and if the disclosure is necessary and proper in the discharge of the institution's functions;*

The Board is the institution with custody or control of the records. The Board is responsible for overseeing TPS to ensure the provision of adequate and effective police services in Toronto. As per Section A of this Schedule, the Ombudsman is a consultant to the Board for the purposes of conducting fairness investigations of TPS to further the Board's oversight responsibilities. The Ombudsman may need access to certain personal information collected by the TPS in order to carry out this mandate.

12. The requirements of Section 32 of MFIPPA are applicable only insofar as the facilitation of sharing personal information between the parties and do not impact the Ombudsman's ability to conduct independent investigations under this agreement,

13. The parties agree that as the Ombudsman is acting as a consultant of the Board for the purposes of this MOU, all records disclosed by TPS or the Board to the Ombudsman, or copies thereof created by the Ombudsman in the course of the MOU, will remain, at all times, in the custody and control of the Board. The Ombudsman will handle all records in accordance with the Board's obligations under MFIPPA and shall not collect, retain, use or disclose the Board's records, or create or collect any additional information or records, in any manner that is contrary to or otherwise not in compliance with the Board's obligations under MFIPPA. Should the Ombudsman receive a request for access to records provided by the TPS or Board to the Ombudsman in the course of the MOU or copies thereof created by the Ombudsman in the course of the MOU, the Ombudsman will forward such a request to the Board.
14. The Ombudsman acknowledges the obligations of the Board under S.28, S.29, S. 31 and S. 32 of MFIPPA apply to the Ombudsman in its collection, use and disclosure of personal information when carrying out the MOU and to how the Board and TPS will manage personal information in its custody and control. As such, requests the Ombudsman makes for personal information will only be made to the TPS where the information is necessary to the investigation being conducted and the investigation cannot be conducted without access to that personal information. That is to say that the personal information requested is necessary and not merely helpful to the achievement of Investigations to further the Board's oversight responsibilities.
15. The TPS acknowledges that when personal information is requested by the Ombudsman it must, pursuant to S.32 of MFIPPA, be satisfied that the Ombudsman needs the records for the performance of its duties and the disclosure is necessary and proper in the discharge of the Ombudsman's functions.

### **Section C: Confidentiality, Security, Use, and Ombudsman Toronto Reporting**

16. The Ombudsman will limit access to personal information provided by TPS to the authorized users listed in Schedule B1. These are staff or contractors of Ombudsman Toronto who have received OPP clearance with background checks to the satisfaction of TPS. The Ombudsman will ensure that only those authorized users working on the investigation(s) that require that personal information to complete their investigation responsibilities will be given access to it.
17. The list of authorized users may be updated as needed by the Ombudsman or his designate(s) and will be communicated to TPS and the Board in writing before access to personal information is granted to them.
18. Authorized users shall not contact any individual to whom personal information in a TPS or Board record relates directly or indirectly without the prior written authority of TPS and the Board.

19. Authorized users will not release personal information transferred by TPS without prior written approval from TPS and the Board.
20. Personal information obtained under this Agreement or as a result of the Ombudsman carrying out an Investigation under the MOU shall only be used to support the preparation of investigation working papers, analysis, reports and other investigation documentation for the purposes described in Section A of this Schedule.
21. Secure methods will be used when transferring and retaining personal information to protect it from unauthorized access, collection, use, disclosure, or disposal during transport or transmittal. All electronic records in possession of authorized users will be kept encrypted on secured devices or drives using 256 bit encryption, and transmitted using methods with 256 bit encryption, and all physical records will be kept in a secure location to which access is only given to authorized users. All personal information transferred to the Ombudsman will be stored and accessed only in Canada.
22. The Ombudsman agrees to
  - a. use at least the same degree of care to protect the TPS's Confidential Information as the Ombudsman uses to protect its own Confidential Information of a like nature, but in any event will not use a standard of care that is less than a reasonable standard of care (taking into account all laws and regulations pertaining to the protection of Personal Information to which the Ombudsman is subject);
  - b. without limiting (a), implement administrative, physical, and technical safeguards to protect the TPS's Confidential Information (stored or in transmission) from unauthorized access, acquisition, or disclosure, destruction, alteration, accidental loss, misuse, or damage (including securing physical facilities, data stores, networks, applications and platforms);
  - c. not make any changes to the safeguards described in (b) that decreases the level of protection that they provide (as a whole);
  - d. not disclose the TPS's Confidential Information to any person other than the Ombudsman's staff or external experts who have a need to know it for the purposes of carrying out an Investigation in accordance with this MOU, and who are bound by the Ombudsman to keep the Confidential Information of third parties confidential, at least to the same extent as set forth in the Agreement; and
  - e. maintain a disciplinary process the application of which addresses any breach of this Schedule by its staff and external experts.
23. Where information is considered highly sensitive and confidential, TPS may require the Ombudsman to review such information in an on-site meeting only. Only the Ombudsman Toronto staff who require access to the information to

complete their Investigation responsibilities will be given access by TPS to review such information, and the Ombudsman will make no copies of such information unless authorized by TPS.

24. Any investigation communication (e.g. reports and letters) prepared by the Ombudsman shall not include any personal information and will be written and/or presented in such a way that no individual can be identified. Where personal information is required to be reported on, it will be anonymized and will only be reported as aggregated data.
25. The Ombudsman or their designate(s) will advise TPS and the Board immediately of any breach or violation of this Agreement or circumstances, incidents or events that to its knowledge have breached or will breach any terms of this Agreement, jeopardized or may in future jeopardize: (a) the privacy of individuals; and/or, (b) the security of any computer system in its custody that is used to store and access the personal information.

#### **Section D: Information Management**

26. Ombudsman Toronto and every person acting under the instructions of the Ombudsman shall not use, disclose, disseminate or reproduce or in any way making known to third parties or to the public any information of the TPS or Board of any kind that is communicated to or acquired by the Ombudsman in the course of carrying out Investigations under MOU, except:
  - a. as may be strictly required for the purposes of carrying out an Investigation, or as expressly permitted in advance by the TPS in writing, or
  - b. as may be required by law to be disclosed pursuant to a court or tribunal order or other legal compulsion and, if so compelled, the Ombudsman shall only furnish the portion of the information that it is legally required to furnish..
27. Ombudsman Toronto will only use the information provided to it by TPS and/or the Board in connection with the MOU and it may disclose the information only on a strictly need-to-know basis to its staff and/or external experts solely for the purposes of conducting Investigations and reporting in accordance with this MOU. Ombudsman Toronto will not use the information for any other purpose. Ombudsman Toronto acknowledges and agrees that use of the information for any purpose other than Investigations and reports described in this MOU would be detrimental to the interests, business and affairs of the TPS and Board and accordingly is prohibited.
28. Where the Ombudsman is required by law to disclose any such documents, data or information, the Ombudsman shall promptly notify the TPS and Board upon such legal requirement being imposed to permit the TPS and/or Board an

opportunity to seek an order or other remedy to prohibit or restrict such disclosure

29. Ombudsman Toronto will ensure it has appropriate processes and controls in place to ensure that Ombudsman Toronto staff and external experts maintain confidentiality, as required by the MOU. Every Investigation by the Ombudsman shall be conducted in accordance with the MOU and MFIPPA as it applies to the Board, and Ombudsman Toronto assumes full responsibility for ensuring that all of its staff and external experts comply with the obligations set out in this MOU and all applicable legislation.
30. Authorized users will ensure that any working papers or investigations documentation that requires the use of personal information is appropriately coded or redacted to ensure no personal identifiable information is retained in the working paper files or anywhere else in the Ombudsman Toronto's Office.
31. The Ombudsman will ensure that all records it receives from the TPS or the Board are kept separate and apart from all records it receives from any other institution or source, including the City of Toronto. All records created or retained by the Ombudsman in relation to its performance of its obligations under the MOU will be kept separate and apart from all other records of the Ombudsman.
32. At the end of each investigation project, authorized users shall destroy or securely erase any source files that contain the personal information transferred by TPS to the Ombudsman within 30 days of the receipt of the Ombudsman's final public report at the relevant City Council<sup>1</sup> meeting. The Ombudsman will advise the TPS and the Board of the destruction or secure erasure upon it being completed and provide the TPS and/or Board of proof of such destruction or secure erasure if so requested.

## **Section E: Interviews**

33. Ombudsman Toronto will select TPS personnel for interviews and will request the TPS Designate to coordinate the interviews unless the Ombudsman feels that to engage the TPS or Board Designate would be seen as impinging upon its independence. The TPS Designate will facilitate the requested interviews to the best of their ability.
34. Attendance at interviews by TPS or Board staff is voluntary. The TPS and the Board will encourage its members to participate and fully cooperate with the Ombudsman's investigation. TPS and the Board will ensure no reprisals are

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<sup>1</sup> In the event the report is confidential and is not intended for the information to eventually be released, authorized users shall destroy or securely erase any source files that contain the personal information transferred by TPS to the Ombudsman 30 days after the delivery and acceptance of the Ombudsman's final report to the TPSB.

taken against personnel for speaking with Ombudsman Toronto. Reprisal shall mean any measure taken or threatened as a direct result of speaking with Ombudsman Toronto or co-operating in an Investigation and includes but is not limited to: disciplinary measures, demotion of the employee, suspension of the employee, delaying or refusing the promotion of an employee, termination of the employee, intimidation or harassment of the employee, any measure that adversely affects the employment or working conditions of the employee, and directing or counselling someone to commit a reprisal.

35. Only people invited by Ombudsman Toronto will attend Investigation interviews, subject to their right to have legal counsel or an association representative present. To protect the integrity and confidentiality of the process, the fact of interviews, identity of interviewees and the content of interviews will be kept strictly confidential (as much as is possible and deemed by the Ombudsman to be necessary), including by and among TPS personnel and Board staff.

36. During this phase, Ombudsman Toronto may consult with representatives of Toronto's communities, at the Ombudsman's discretion; however, no TPS information that is not already in the public domain will be shared during such consultations.

#### **Section F: Accuracy**

37. TPS will make every reasonable effort to ensure the personal information it transfers to the Ombudsman is accurate and complete.

#### **Section G: Amendments**

38. All parties may agree to modify any of the terms and conditions of this Agreement in writing at any time.

**Schedule B1: List of Authorized Users as at [DATE]**



## Toronto Police Services Board Report

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November 30, 2022

To: Chair and Members  
Toronto Police Services Board

From: Lisa Kostakis  
Board Member and MHAAP Selection Panel Member  
MHAAP Co-Chair

**Subject: Mental Health and Addictions Advisory Panel – Membership Recommendations**

### **Recommendation(s):**

It is recommended that the Board:

1. Approve the selection of the individuals listed in this report as the members to comprise the Mental Health and Addictions Advisory Panel (MHAAP); and
2. Approve the selection of Kevin Haynes as the new Community Co-Chair of MHAAP, alongside myself, Lisa Kostakis, who will serve as the Board designate and MHAAP Co-Chair.

### **Financial Implications:**

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

### **Background / Purpose:**

#### ***Establishment of the Mental Health and Addictions Advisory Panel (MHAAP)***

The Board, at its meeting of February 21, 2019, considered a report on the establishment of the Board's Mental Health and Addictions Advisory Panel (MHAAP) (Min. No. P36/19 refers). At that time, the Board approved the establishment of the MHAAP, which superseded its current Mental Health Sub-Committee.

As the Terms of Reference for the MHAAP, which were approved, note:

The MHAAP will be comprised of members of the Board, members of the Service and members of the community, ensuring that this includes representatives from organizations run by and for people with lived experiences. It is important that the membership reflect the diversity of Toronto with representatives from major as well as more locally-based groups or organizations serving youth and marginalized and racialized groups. An emphasis will also be placed on including individuals with both client-focused and direct lived experience of mental health and addictions issues (includes lived experience in addictions or substance use, including harm reduction and service delivery) as well as those with expertise in the areas of law and human rights, accountability and data. In particular, there must be at least two members with direct lived experience of mental health and addictions issues or who are connected to an organization representing people with lived experience of mental health and addictions issues as part of the membership of the MHAAP.

MHAAP will also have a number of representatives from the Toronto Police Service. This will include, at a minimum, the Deputy Chief who is charged with overseeing mental health and addictions issues for the Service, the Mental Health Liaison Officer, a representative from the Service's Wellness Unit and a representative from the Furthering Our Community by Uniting Services (FOCUS) table program.

Police Reform Recommendation #63 approved by the Board in August 2020 ([Min. No. P129/20 refers](#)) requires the MHAAP membership to be reviewed at least once every three years or when otherwise required.

### ***Application Process***

As a result, given that three years had elapsed since the creation of MHAAP, on June 28, 2022, the Board announced it was accepting applications for new community members of MHAAP. As was noted, we sought membership from a cross-section of sectors, representing a vast span of expertise, experience and perspectives.

In particular, we identified some specific expertise that we would like one or more members to possess as follows: *(it should be noted that it is not expected that all members will have expertise in all areas)*

- Mental Health and Addictions Expertise
- Expertise from Individuals with Lived Experience of Mental Health and/or Addiction Issues or Knowledge of Experience
- Expertise/experience with Youth/Young People
- Expertise/experience with marginalized/vulnerable populations
- Expertise in data analysis and evaluation
- Understanding of and/or experience with alternative crisis delivery models

In addition, we noted that every member of MHAAP should possess some level of skill in or demonstration of the following areas:

- Analytical and Critical Thinking
- Interpersonal Communications
- Governance Expertise
- Commitment to MHAAP's mandate

Current MHAAP members were encouraged to re-apply, along with other interested community members who would like the opportunity to be a part of MHAAP.

Individuals wishing to apply for membership were required to provide a resume, and to complete an application form, comprised of a series of questions about the applicant's experience and background, including the level and nature of expertise the applicant has, the applicant's background and relevant community experience.

An emphasis was placed on including individuals with both client-focused and direct lived experience of mental health and addictions issues. Applicants were given until August 19, 2022 to submit their applications.

#### **Discussion:**

As Jim Hart, the Chair of the Board and the Co-Chair of MHAAP, was planning to depart from the Board shortly, it was determined that I would assume the Co-Chair role on behalf of the Board, given my significant professional background in mental health and addictions issues.

#### ***Selection Panel and Process***

The Selection Panel was comprised of the following individuals:

- Myself, **Lisa Kostakis** - Board designate on MHAAP, and the new Board Co-Chair
- **Sandy Murray** – Senior Advisor, Toronto Police Services Board
- **Andrew Paton** – Legal Consultant, Lawyer Licensing Applicant
- **Jennefer Simo** – Current MHAAP member, Coordinator of Security Services - St. Michael's Hospital

We received a total of 29 applications, including two that were subsequently withdrawn.

Every member of the Selection Panel reviewed every application. While the number of applications received was not particularly large, we were extremely pleased with the extraordinary calibre of the applicants who applied, and the breadth of their knowledge, expertise and experience, and, in particular, as it relates mental health and addictions, including direct lived experience. We were also struck by the commitment demonstrated by the applicants, and their sincere desire to assist us in this critical area.

Those applicants selected to proceed through the process were interviewed by the Selection Panel in October of 2022. During the interviews, we discussed the mandate and objectives for MHAAP, and spoke to applicants about their relevant experience and expertise, including lived experience. We asked each of them about the Toronto Police Service's Mental Health and Addictions Strategy, asking questions about their knowledge and understanding of the Strategy, and what areas they see as priorities.

We were very impressed by the broad range of perspectives the applicants brought forward, their genuine dedication to work for positive, collaborative improvements in the way police and those dealing with mental health and addiction issues interact, and the genuine enthusiasm they so clearly had for this work.

The Selection Panel's decision as to who to recommend that the Board appoint as the next community members of MHAAP was not an easy one by any means. We were heartened to see so much interest in joining MHAAP and helping us to move forward.

It is the hope of the Selection Panel that MHAAP will find regular and meaningful ways to incorporate the views of the broader public moving forward, including a policy forum to be held in coordination with the Board's Anti-Racism Advisory Panel (ARAP)

***After considerable deliberation, we are recommending that the following individuals be named as the new community members of MHAAP:***

- Yvonne Armstrong
- Sonya Bourgeois
- Rachel Bromberg
- Jennifer Chambers
- Susan Davis
- Leah Dunbar
- Susan Gapka
- Kevin Haynes
- Andrew (Andy) O'Brien
- Olu Quamina
- Peter Rampat
- Steve Lurie
- Benjamin (Benni) Zaiser

Biographies for each of these individuals are included in **Appendix A**.

### ***Selection of Community Co-Chair***

As part of its work, the Selection Panel considered recommending one of the recommended community members as the new Community Co-Chair of MHAAP. The original terms of MHAAP states as follows:

In addition, there will be two Community Co-Chairs, one of whom must be a person with lived experience of mental health and addictions issues. The Co-Chairs will be appointed by the Board.

While the original structure of MHAAP contemplates two Community CO-Chairs, it was determined at this time that the structure of MHAAP should mirror the structure of ARAP, which had been established more recently. Thus, it was decided that MHAAP, like ARAP, should have one Community Co-Chair, rather than two as previously. In addition, it was determined that while lived experience would be viewed as a definite asset, it should not be considered mandatory, as long as the Co-Chair can demonstrate a solid and significant understanding of lived experience as it relates to MHAAP's mandate, and a commitment to ensuring that the voices of those with lived experience continue to guide MHAAP's work.

The Selection Panel has recommended that Kevin Haynes be named as the Community Co-Chair for MHAAP, a recommendation I am endorsing and putting forward as part of this report.

Kevin is a current and very active member of MHAAP who is also one of MHAAP's representatives on the Mobile Crisis Intervention Team (MCIT) Steering Committee, providing valuable insight into the work on this important group.

Kevin is currently the Provincial Network Lead for the Substance Abuse Program for African Canadian and Caribbean Youth (SAPACCY), a mental health and substance use service for Black youth throughout the province of Ontario, overseeing the program at the Centre for Addiction and Mental Health (CAMH), as well as seven community partner sites across the province. He brings ten years of experience in healthcare, working in acute care hospitals and collaborating with community, and, in particular, young people. Kevin provides a unique perspective, given his extensive experience dealing with young people experiencing mental health and addictions issues, as well as an excellent understanding of the intersectionality of race and mental health and addiction issues, an important facet of MHAAP's work.

Kevin brings an experienced, articulate, balanced, and passionate lens to this work, and has demonstrated his genuine commitment to MHAAP's work.

### ***Service Representatives on MHAAP***

We have also corresponded with Chief James Ramer, who has named the following Toronto Police Service representatives (or their designates) to serve on MHAAP:

- Acting Deputy Chief Lauren Pogue, Community Safety Command
- Staff Supt. Randy Carter, Community Safety Command, Field Services, Toronto Police Service Mental Health Champion

- Joseph Ariwi, Senior Analyst, Analytics and Innovation
- Sgt. Jason Peddle, Mental Health and Addictions Coordinator, Community Partnerships and Engagement Unit
- Ivy Nanayakkara, Manager, Unit Commander, Wellness Unit

As in the past, it is anticipated that other Service Members will join MHAAP meetings on an as-needed basis, depending on the subject matter of a particular meeting.

Biographies for each of these individuals are included in **Appendix B**.

### ***Next Steps for MHAAP***

It is anticipated that the first meeting of the newly-constituted MHAAP will be held in **January 2023**, and that MHAAP will meet every three months, and as needed.

Once the newly formed MHAAP meets, it will begin to develop a workplan for its next term, articulating areas of focus. A number of sub-committees and working groups may also be established to deal with specific issues. This will give different MHAAP members, who bring a range of strengths and specific expertise, the opportunity to lead areas of priority, and develop concrete recommendations and action plans for the Board to consider.

It is anticipated that MHAAP's membership will be reviewed at least once every three years, or when otherwise required.

### ***Thanks to Outgoing Membership***

I would like to take this opportunity to thank the outgoing membership of MHAAP for their dedication, hard work, and sincere interest in this important work since the inception of MHAAP. There is no doubt that, in part, due to their tremendous efforts, we have improved police services for Torontonians who are dealing with mental health and addictions issues, resulting in outcomes that are more effective and more compassionate.

In particular, I want to thank our Co-Chairs, Jennifer Chambers and Steve Lurie, who have led MHAAP with incredible commitment and passion over the last four years. Their leadership, which has been characterized by a genuine dedication to improving outcomes for everyone involved, and creating more community capacity to deal with these issues rather than having a police response, has been commendable.

### **Conclusion:**

Therefore, it is recommended that the Board:

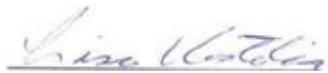
1. Approve the selection of the individuals listed in this report as the members to

comprise the Mental Health and Addictions Advisory Panel (MHAAP); and

2. Approve the selection of Kevin Haynes as the new Community Co-Chair of MHAAP, alongside myself, Lisa Kostakis, who will serve as the Board designate and MHAAP Co-Chair.

The mandate of MHAAP is critical and timely, and I am honoured to have the opportunity to help to lead this important work, along with such experienced, dedicated and passionate community members and Service Members.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Lisa Kostakis", is written over a horizontal line.

Lisa Kostakis  
Board Member

Att.

## **Appendix A**

### **Recommended Slate of Community Members for the Toronto Police Services Board's Mental Health and Addictions Advisory Panel (MHAAP)**

#### **Recommended MHAAP Co-Chairs**

##### **Lisa Kostakis, BSW, RSW – Toronto Police Services Board Member, MHAAP Board Co-Chair**

Appointed as a Toronto Police Services Board Member in July 2020, Lisa Kostakis has over 30 years of experience within the non-for profit sector, working and leading organizations throughout the City of Toronto. She is currently the Chief Executive Officer of Believe To Achieve (BTA), a registered non-profit organization which provides opportunities through educational, social, recreational and creative programs and services, to support our community, so that every child and youth feels empowered, loved, and supported, while enriching their everyday lives. From 2014 to 2022, she served as the Executive Director of Albion Neighbourhood Services, Albion Boys & Girls Club, a multi-service agency that has been serving the GTA for 50 years, previously serving as the organization's Director of Programs and Services from 2007-2014. Lisa is a graduate of York University with a degree in Psychology, a graduate of Ryerson University with a Social Worker degree, and a member of the Ontario College of Social Workers and Social Service Workers. Lisa was also one of the "Founders/Steering Committee Members" of the FOCUS (Furthering Our Community by Uniting Services) Rexdale table, which now operates across Toronto. These are multi-disciplinary tables that address elevated risk situations – an initiative developed by the Toronto Police Service, in partnership with the United Way and the City of Toronto in 2012. Throughout her career, Lisa has been committed to developing and sustaining strong partnerships among community service organizations, and becoming a strong leader in many initiatives, in areas such as community safety, accessible services, government relations, systemic change, and new stakeholder partnerships. Lisa was also a recipient of the Queen Diamonds Jubilee Medal in 2013, in recognition of her many years of service in the various communities that she has served throughout her career.

##### **Kevin Haynes – recommended MHAAP Community Co-Chair**

Kevin Haynes works in the Provincial System Support Program at the Centre for Addiction and Mental Health (CAMH). He is the Provincial Network Lead for SAPACCY, a provincial network of integrated and culturally responsive mental health and substance use services for Black youth in Ontario, and an Adjunct Lecturer in the Factor-Inwentash Faculty of Social Work at the University of Toronto. Kevin has been a member of MHAAP since its inception, and is also a member of the Mobile Crisis Intervention Team (MCIT) Steering Committee. He has developed and delivered numerous trainings on the intersections of race, mental health and policing for Members of the Toronto Police Service, as well as trainings to support the implementation of non-

police responses to mental health emergencies in the community for the Toronto Community Crisis Service.

### **Recommended MHAAP Members**

#### **Yvonne Armstrong**

Yvonne is a professor in the Faculty of Social and Community Services at Durham College in Oshawa. She teaches courses in the Police Foundations program, as well as coordinating the Advanced Law Graduate Certificate program. Prior to her teaching role, Yvonne was a senior police constable and trainer with the Toronto Police Service. She spent 13 years with the Service, where she held various roles including undercover and, investigative positions, along with acting as a coach officer to new recruits. A certified facilitator with the Mental Health Commission of Canada, she currently teaches Mental Health First Aid to first-year students and is a contract instructor with TNT Justice Consultants for their special constable training. Yvonne holds a Police Foundations Leadership diploma from Humber College and a Master of Arts degree in Learning and Technology from Royal Roads University. The focus of her thesis research was on the use of simulation to train police officers in how to interact with Persons in Crisis. As a former police officer, Yvonne has first-hand knowledge of the challenges and successes related to police interactions with persons experiencing addictions and/or crises and is passionate about research and education in this area. Yvonne will be commencing her doctorate of criminal justice education in January 2023.

#### **Sonya Bourgeois**

Sonya Bourgeois is an Associate Director with Toronto Public Health at the City of Toronto, where she oversees the Toronto Drug Strategy and the Toronto Indigenous Health Strategy. Responding to the drug poisoning crisis, promoting mental health and wellness, and working with Indigenous partners on key health initiatives are among her top priorities. Previous to her work with the City of Toronto, she held a number of policy portfolios in the Ontario Public Service, focused in the areas of violence against women, community services and health system strategy, public health, and gender-based policy. Sonya is currently the President of the Redwood Shelter, a safe haven for women and children fleeing violence. In this capacity, she is an advocate for gender rights, anti-racism, and anti-oppression, and works closely with the Board of Directors to influence the strategic vision of the organization and the overall economic and social well-being of women and children who access the Redwood's services. She is also a member of the Board of Directors for the Wellesley Institute, and holds a Masters in Social Work, with a focus in policy and research.

#### **Rachel Bromberg**

Rachel Bromberg is the Co-Founder of the Reach Out Response Network, which supported the City of Toronto in developing the Toronto Community Crisis Support pilots. She is also the Executive Director of the International Crisis Response

Association, which is a network connecting individuals across Canada and the United States who are building or leading alternative crisis response programs in their communities. Rachel is currently working with the Region of Durham, ON, New Orleans, LA, and Northampton, MA to support these municipalities in developing alternative crisis response models. Rachel sits on the Ontario Peer Development Initiative's Board of Directors, the Mental Health Commission of Canada's National Advisory Plan Committee, the Centre for Addiction and Mental Health's Constituency Council, and the Toronto Regional Human Services and Justice Coordinating Committee. Rachel is also a JD/MSW student at the University of Toronto, and she works with the education department at the Centre for Addiction and Mental Health providing trauma-informed de-escalation training to inpatient and outpatient staff.

### **Jennifer Chambers**

Jennifer Chambers is the Executive Director of the Empowerment Council, an organization that serves as a voice for clients/survivors and ex-clients of mental health and addiction services, primarily of the Centre for Addiction and Mental Health. The Empowerment Council had standing at the Andrew Loku Inquest and informed the resulting recommendations. She was a Co-Chair of the Board's former Mental Health Sub-Committee and is also a member of the Board's Anti-Racism Advisory Panel (ARAP).

### **Susan Davis**

Susan Davis is the Executive Director at Gerstein Crisis Centre, a 24-hour Mental Health and Substance Use Crisis Centre in Toronto. She has over 30 years of experience in the community mental health field, with many years in direct service, as well as leadership. Susan actively engages in the development of innovative services, partnerships and systems that improve access to the supports people need and that recognize the impact of the social determinants of health on people's overall well-being. She currently chairs the Downtown and Toronto Region Human Service and Justice Coordinating Committees. Susan is a Board Member at Working for Change, a social enterprise organization that provides employment opportunities for individuals living with mental health and substance use issues. She is committed to creating services and systems that consider the whole person, treat all people with respect and dignity, and create opportunities for people living to maximize their well-being.

### **Leah Dunbar**

Leah Dunbar has over 15 years of experience in health care and education project management in Canada and internationally. A program manager and bridge builder, she approaches complex programs, partnerships, and community initiatives with optimism and unity. In her current role, Leah is working to support public safety personnel / first responder mental health initiatives. She is also board chair at Cota Health, a community-based organization that supports adults with mental health and cognitive challenges to live well within their communities. Previously, Leah managed a mental

health partnership between six Toronto hospitals and the Toronto Police Service (MCIT – Mobile Crisis Intervention Teams), worked in various community health projects across Ontario, and gained experience as a teacher in Ontario and Qatar. Leah holds a Bachelor of Arts from Queen’s University and Master of Education from Niagara University.

### **Susan Gapka**

Susan Gapka (she/her/elle) is a dedicated campaigner for social justice highlighting her record on affordable housing, homelessness, mental health, harm reduction & lesbian, gay, bisexual & trans issues since coming out as a community leader more than 20 years ago. Susan helped establish the Toronto Police Service’s LGBTQ Community Advisory Committee and has served as a Toronto Community Housing tenant representative on the 51 Division CPLC for more than a decade. Susan has served on the Toronto Local Advisory Committee & as Toronto representative on the National Consumer Panel of the At Home/Chez Soi Research Demonstration Project, the Housing Component for the Mental Health Commission of Canada. She has also served as a Board Member on the Empowerment Council funded by the Centre for Addiction and Mental (CAMH) for several terms as co-chair. Susan has a degree in Political Science from York University & a diploma in Community Work from George Brown College. Susan is a proud recipient of the City of Toronto Pride Award (2004), CAMH Courage to Come Back Award (1999) and Canada 150 Difference Maker in Mental Health (2017) and awarded a Key to the City of Toronto (2018) and most recently the Grace Hartman Award with Canadian Union Public Employees (CUPE) National (2021).

### **Andrew (Andy) O’Brien**

Andrew has over two decades of entrepreneurial experience, helping grow and sell four companies. He is the CEO and entrepreneur of a multi-million dollar podcast production firm, and the long time business partner of Michele Romanow (Dragons’ Den). He is the founder of Obie & Ax Inc. who are also hosts and vendors for the Toronto Police Service’s podcast 24 Shades of Blue, a podcast that gives the Toronto community a behind the scenes view of the Service’s activities. In addition, his company works with firms across the globe to assist them in Diversity and Inclusion efforts. A recovering addict with over four years of recovery, Andrew runs a Narcotics Anonymous meeting weekly, and works closely with Homewood Health Centre for whom he has opened as their nationwide keynote presenter. He also speaks to students across Canada, sharing his story of addiction and recovery. Andrew also serves as a member of the Board of Governors for the Mackenzie Institute, which globally consults, advises on and contributes to numerous international security and defense conferences

### **Olu Quamina**

Olu Quamina has worked in both the non-profit and public sectors for 25 years, and has an extensive background in community engagement and social development. He is the founder and former Executive Director of Concrete Roses Youth Services, a non-profit

organization focused on developing youth violence prevention and community safety interventions. In his former role as Community Development Officer-Youth Violence Prevention with the City of Toronto, he co-chaired two FOCUS Toronto tables (Rexdale -23 Division & Downtown West -14 Division). He is the recipient of the Mayor's Community Safety Award, the City of Toronto's Community Impact Award and the YMCA's National Peace Medallion. Currently, Olu works as Manager of Revitalization and Renewal Communities with Toronto Community Housing Corporation. He also leads a private practice focused on addressing the mental health impacts on frontline service providers. He is a registered social worker and holds a Master's Degree in Social Work.

### **Peter Rampat**

Peter Rampat began working for the Toronto Police Service in 2003, and was a police constable for 15 years, working in a variety of Divisions, including 53 and 43. During his time in 43 Division, Peter established a not-for-profit martial arts club for at-risk youth through ProAction Cops and Kids, which involved many police officers helping to mentor young people, many of whom went on to become police officers or join the military. For this work, Peter was presented with the Jack Sinclair Award in 2009 for the most innovative police youth program. Peter spent the last four years of his policing career at the Training and Education Unit at the Toronto Police College as a training constable, where he developed the knowledge, skills, and abilities to teach a variety of police-related subject matter during in-service training. Peter's focus of study while at the College was to integrate holistically best practices in de-escalation into use of force theory. His work in this area earned him a seat as a critical decision-making committee member and later, on the expert technical table with the Ministry of the Solicitor General, focused on evaluating police de-escalation training in Ontario. In March of 2019, Peter resigned as a police constable with the Toronto Police Service and accepted a position at the Ontario Police College, as the lead instructor of the officer safety program. In that role, Peter has been responsible for researching best practices, collaborating with experts, and implementing training for current and future police officers to de-escalate persons in crisis.

### **Steve Lurie**

Steve Lurie was the Executive Director of Canadian Mental Health Association (CMHA) Toronto Branch, a nation-wide charitable organization that promotes the mental health of all and supports the resilience and recovery of people experiencing a mental illness, from 1979 until his retirement in 2020. CMHA had standing at the Andrew Loku Inquest and informed the resulting recommendations. Steve has been working with TPS on mental health issues in a variety of capacities since 1989. He is currently the Co-Chair of MHAAP and is the Co-Chair of the City of Toronto Community Advisory Table for the Community Crisis Project. He was named to the Order of Canada for his work in mental health as an administrator, scholar and advocate.

## **Benjamin (Benni) Zaiser**

Benni Zaiser is a behavioral scientist with an interest in the cognitive processes that underlie de-escalation in crisis intervention contexts. His research regularly includes police officers and translates into evidence-based de-escalation, communication, counter-bias, and anti-stigma training. Benni's commitment to improve mental health and addictions supports across Greater Toronto started when he became a Distress Centres volunteer responder. There, he had the opportunity to intimately explore the experience of mental illness, addictions, and crisis of callers from Toronto and beyond. He is now a member of the Board of Directors and the Spirit of Volunteerism Committee of Distress and Crisis Ontario. He works as an officer with York Regional Police's Mental Health Support Team, the service's equivalent of the Mobile Crisis Intervention Team. He sees his mission in leveraging the distinct perspectives he has as an active researcher, a community resource, and as a police officer, to gain a better understanding of both individual as well as systemic challenges that mental illness and addictions pose those involved in citizen-police encounters.

## **Appendix B**

### **Recommended Slate of Toronto Police Service Representatives for the Toronto Police Services Board's Mental Health and Addictions Advisory Panel (MHAAP)**

#### **Acting Deputy Chief Lauren Pogue**

Lauren Pogue is a 34-year veteran of the Toronto Police Service, and presently the Acting Deputy Chief of Community Safety Command. This Command pillar oversees Mobile Crisis Interventions Teams, as well as front-line resources that provide proactive and reactive public safety services, in partnership with key stakeholders and the many diverse communities in Toronto. She is the executive sponsor to the Aboriginal Internal Support Network, and is also the Co-Chair of the Chief's Aboriginal Consultative Committee, working closely with the Indigenous community to continue building meaningful partnerships.

#### **Staff Superintendent Randolph Carter**

Randolph (Randy) M. Carter is a Staff Superintendent with the Toronto Police Service. His current assignment is to lead the women and men of Community Safety Command-Field Services with four front-line units. Randy's career as a police officer has spanned over 36 years, and has included uniformed policing duties; general investigative duties; drug investigations; homicide investigations; front line operations management, creativity and innovation, strategy execution; corporate risk; operational support and now front line operations. Randy is also a Member-at-Large of the Board of Directors of Big Brothers Big Sisters Toronto, and the Board of Children's Aid Society of Toronto. Randy learns from participating and chairing sub-committees of these boards. He also Co-Chairs the Asia Pacific Community Consultative Committee for the Toronto Police Service.

#### **Sergeant Jason Peddle**

Sergeant Jason Peddle is the Toronto Police Service's Mental Health Coordinator. After earning an honours degree in Kinesiology at Laurentian University, and a post-degree certificate in Dementia Studies at Durham College, Jason spent five years as a Social Worker in Durham Region - in nursing homes and at the Alzheimer Society. He left this vocation to begin a policing career in 2006. He spent ten years at 54 Division (East York) in various positions, the majority of which involved front-line policing duties. As his career progressed, it began to shift to community-focused policing – which led to his being appointed as the Toronto Police Service's corporate liaison to Toronto's vulnerable sector. He was promoted to the rank of Sergeant in the spring of 2020, which saw him spend a year as a road supervisor before his subsequent appointment to his current role.

### **Joseph Ariwi, Senior Analyst, Analytics and Innovation**

Joseph Ariwi is a Senior Analyst in the Service's Analytics and Innovation Unit, and is passionate about leveraging data for evidence-informed decision making. In this role, he leads the development of analytical products, and chairs the Mental Health Data Collection & Analytics Working Group. Joseph has been involved with developing Mental Health Open Data, contributed to the Race-based Data Strategy, and provides data analysis support to the recent Crisis Diversion pilots. Prior to working with the Toronto Police Service, he was a Planning Analyst and Geospatial Specialist at the City of Toronto. He holds a Master of Science from McGill University, and a Master of Spatial Analysis from Toronto Metropolitan University.

### **Ivy Nanayakkara, Manager, Wellness Unit**

Ivy Nanayakkara is the Manager of Wellness at the Toronto Police Service. Ivy has over 22 years of experience in the field of occupational health and safety and wellness. She has worked with many public and private organizations across Canada in the design, implementation and evaluation of employee health programs aimed at creating and sustaining healthy and productive work forces. Ivy has a strong interest and passion in including psychological health and safety into workplace health strategies. In her role at the Toronto Police Service, Ivy authored the Member Wellbeing Strategy and Framework, and has been actively modernizing the Service's Wellness Unit, and Health, Safety and Wellbeing Programming for Members. Notably, Ivy was a key Service lead in the COVID-19 Pandemic Response, and championed a high-touch, Pandemic Support program for Members, which was highly successful, both in Member experience, and infection prevention and control. She holds a Bachelor of Arts degree from the University of Western Ontario, and a Psychological Health & Safety Certificate from York University.



# Toronto Police Services Board Report

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November 30, 2022

To: Chair and Members  
Toronto Police Services Board

From: Sandy Murray  
Acting Executive Director and Chief  
of Staff

**Subject: Toronto Police Services Board – 2023 Meeting Schedule**

## **Recommendation:**

It is recommended that the Toronto Police Services Board (Board) approve the 2023 meeting schedule as outlined in this report.

## **Financial Implications:**

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

## **Background / Purpose:**

The Board bases its annual schedule of meetings on a number of factors, including the days that are least likely to conflict with the schedule of meetings of Toronto City Council, standing committees of Council, Community Councils and other committee meetings; annual key conferences for Board Members; and, other significant events which Board Members and the Chief of Police are expected to attend.

In July 2006, in order to recognize culturally-significant days, the Board approved a Policy indicating that it would attempt to avoid scheduling meetings involving the public on these days. A list of the days formally recognized as “culturally significant” was also approved as part of that Policy.

Although the Board attempts to follow its schedule of meetings as much as possible once it has been established, there may be circumstances which result in changes on short notice during the year. In those circumstances, the Board Office will provide public notice of any change at the soonest possible opportunity.

## **Discussion:**

In establishing the Board meeting schedule for 2023, the Board Office reviewed the current 2023 schedule of meetings developed by the City of Toronto, the dates upon which culturally-significant holidays will be observed in 2023, and the dates of key conferences that Board Members or the Chief of Police may attend during the year.

### *Board Meeting Schedule – 2023*

Based on the foregoing, I am proposing the following dates for meetings of the Board in 2023:

Thursday, January 26  
Thursday, March 2  
Thursday, April 13  
Thursday, May 18  
Thursday, June 22  
Thursday, July 27  
Thursday, September 14  
Thursday, October 19  
Thursday, November 23  
Tuesday, December 19

As the year progresses, there may be some dates when certain Board Members may not be able to attend a meeting due to new personal or business commitments. Unless a quorum of the Board cannot be achieved, I believe that the meeting dates, as proposed, should be confirmed at this time in order to establish a regular cycle of meetings prior to the new year, and so that members of the public are aware of these dates.

### *Times and Locations of Board Meetings*

Throughout the COVID pandemic, the Board Office monitored how the City of Toronto has been conducting, and intends to conduct, its public meetings. The principle focus remains to hold Board meetings in a manner that best complies with public health guidance, leveraging the technology available to make these meetings accessible for the public. In order to make it more accessible for others to participate the meetings, we have been holding the Board meetings using the hybrid format, allowing members of public to provide deputations virtually or in person. Public meetings, whether in-person, virtual or hybrid, are livestreamed on YouTube through a link on the Board's website ([www.tpsb.ca](http://www.tpsb.ca)). Agendas for public meetings are also posted to the Board's website in advance of Board meetings.

It is anticipated that all public meetings will commence at 9:00AM, followed by an *in camera* portion of the meeting. If it required to change the times for any meeting, we will inform the public prior to the Board meeting, by posting the change on our website.

The Board has been actively pursuing opportunities to better engage Toronto communities in the fulfillment of its governance mandate, through its meetings, policy development processes, and broader community engagement. It is also our hope that by effectively bringing meetings into communities, members of the public will have more opportunities to engage with the Board, provide their input on policing matters in the City, and share a local perspective on issues of importance. Ultimately, deeper engagement with higher participation will assist the Board its oversight and governance responsibilities, as more voices are included in the Board's discussions and decisions.

**Conclusion:**

It is recommended that the Board approve the 2023 meeting schedule, as outlined above.

Respectfully submitted,

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

Sandy Murray  
Acting Executive Director and Chief of Staff



## Toronto Police Services Board Report

---

December 9, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: RECEIPT OF DONATIONS**

### **Recommendation:**

It is recommended that the Board approve the acceptance of the donations requested in this report.

### **Financial Implications:**

There are no financial implications relating to the recommendation contained within this report. The ongoing veterinary care, training, and maintenance for the horses and dogs will be funded by the Service's operating budget. This funding has already been set aside as part of the current and future operating budget expenditures approved for the Mounted Unit (M.T.D.U.) and Police Dog Services (P.D.S.).

### **Background / Purpose:**

There are three separate donors that intend to make a \$15,000 donation to the Service for a total donation of \$45,000.

The donors are making these donations in order for the Service to purchase new horses, dogs and related equipment. This is how the donors wish these funds to be used.

### **Discussion:**

M.T.D.U. and P.D.S. are uniform support units that are part of Emergency Management & Public Safety Operations, operating under Public Safety Operations as part of Specialized Operations Command.

This donation will allow the Service to replace retiring horses and dogs as well as related aging equipment.

The Donors have also been checked on all police databases, which include intelligence sources. These checks demonstrate that the donors are not in any type of real or perceived conflict with the Service or the Board. These checks also demonstrate that accepting these donations would not impugn the reputation of the Service or the Board. Further, the three donors are not currently involved in any procurement process. This recommendation complies with Service Donation Policy 18-08 governing corporate community donations.

### **The Mounted Unit**

M.T.D.U. has advised that a few senior horses in their herd are about to retire. The target for a healthy herd is 24 to 26 mounts; the current population is 24. These donations will greatly improve the herd strength and also allow M.T.D.U. to take advantage of the current pricing before an expected increase takes effect. M.T.D.U. has historically paid approximately \$8,500 (plus tax) per horse and, as prices are rising, the unit is finding it increasingly difficult to source suitable animals in this price range.

These donations are expected to cover the cost of two new horses and related equipment.

### **Police Dog Services**

P.D.S. currently has 33 dogs assigned to their unit with the capacity to take on one more dog to reach its full strength. In addition, P.D.S. unfortunately experiences unforeseen losses each year. On average, the unit will lose one dog annually to illness or injury. This donation will place the unit at full strength, with 34 dogs.

P.D.S. is also experiencing cost increases for new dogs. The COVID-19 pandemic has caused a significant increase in both the demand for dogs and the transportation costs for delivery. The current cost is approximately \$11,500 per dog. This donation will allow the unit to take advantage of pricing in advance of imminent price increases.

This donation will cover the expense for the purchase and veterinarian examination of one dog, and related equipment.

### **Donors:**

The donors have indicated their motivation for this donation is a strong civic duty as well as their desire to support the Service in its ability to provide policing services in specialized units. One donor requested that their donation be considered anonymous. The Board will be provided a separate confidential appendix that identifies this anonymous donor.

The donations are being made by the following:

- 1. Ferroque Systems of Mississauga, \$15,000 corporate donation**
- 2. Fredrick Colin of Toronto, \$15,000 personal donation**
- 3. Anonymous Donor, \$15,000 corporate donation**

**Conclusion:**

These donations will help the Service meet its requirements to replace retiring horses and dogs that are no longer serviceable. It will also contribute to community building and community safety with the specialized functions that these horses and dogs provide.

The donations will not only be used to cover the base cost of the horses and dogs but will also be used to replace some related equipment that is aging.

Checks have been conducted and there is nothing to indicate that the donation should not be accepted. This recommendation is consistent with the Service Donation Policy 18-08 governing corporate community donations.

A copy of the donor declaration forms are attached as an appendix.

Acting Deputy Chief of Police Pauline Gray, 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, O.O.M.  
Chief of Police

\*original copy with signature on file in Board office\*



# Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: www.TorontoPolice.on.ca



Office of the Chief of Police

File Number: .....

## Donor's Declaration Form (To be signed at the time of donation)

I/We, [redacted], hereby solemnly declare that the donation and/or in-kind donation amount of and/or appraised amount of \$ 15,000, was donated to the City of Toronto (City) and Toronto Police Service (TPS) for community benefits which encompass projects, money, assets or activities that provide a public good.

The Donor acknowledges that all donations and/or in-kind donations, made to the City or the TPS meet the following criteria:

1. the donation must be given unconditionally and voluntarily without any expectation of benefit;
2. the donation cannot be used to influence the outcome of an outstanding approval, permit or license application or award of a procurement call; and
3. the City shall be notified in writing if they, their organization, or company are currently involved in a planning approval or procurement process with the City or one of its agencies.

The Donor acknowledges that the donation, information about the donation and this Donor's Declaration Form are subject to the Municipal Freedom of Information and Protection Act and may be disclosed in accordance with the Act.

[redacted] I/We or my/our organization have no outstanding approval, permit or licenses application or award of a procurement call with the City or the TPS.

OR

[redacted] I/We or my/our organization do have one or more outstanding approval, permit or license application or award of a procurement call with the City or the TPS.

DATED at City of Toronto this 17 day of September, 2022, Signed [redacted]

### Print Name of Donor & Donating Organization:

[redacted] (Donor Name - Print) [redacted] (Donating Organization) [redacted] (Donor/Organization Address)

Are you a Registered Charity:  Yes  No (If Yes, Charity Registration Number: \_\_\_\_\_)

For Internal Use:			
Member receiving donation:	<u>[Signature]</u> (Surname, G1 - Print)	<u>[Signature]</u> (Title)	<u>5169</u> (Employee No.)
Signed:	<u>[Signature]</u>		Date: <u>2022.10.20</u> (yyyy/mm/dd)
Unit Commander:	<u>Greenaway, Colin</u> (Surname, G1 - Print)	<u>Supt.</u> (Title)	<u>391</u> (Employee No.)
Signed:	<u>[Signature]</u>		Date: <u>2022/10/25</u> (yyyy/mm/dd)



# Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: www.TorontoPolice.on.ca



FOR A HORSE .

James Ramer  
Chief of Police

File Number: .....

### Donor's Declaration Form (To be signed at the time of donation)

I/We, Fred Conlin, hereby solemnly declare that the donation and/or in-kind donation amount of and/or appraised amount of \$ 15,000, was donated to the City of Toronto (City) and Toronto Police Service (TPS) for community benefits which encompass projects, money, assets or activities that provide a public good.

The Donor acknowledges that all donations and/or in-kind donations, made to the City or the TPS meet the following criteria:

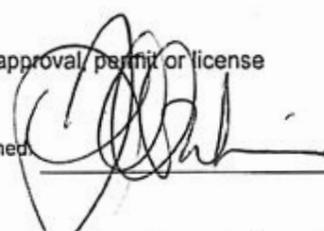
1. the donation must be given unconditionally and voluntarily without any expectation of benefit;
2. the donation cannot be used to influence the outcome of an outstanding approval, permit or license application or award of a procurement call; and
3. the City shall be notified in writing if they, their organization, or company are currently involved in a planning approval or procurement process with the City or one of its agencies.

The Donor acknowledges that the donation, information about the donation and this Donor's Declaration Form are subject to the Municipal Freedom of Information and Protection Act and may be disclosed in accordance with the Act.

FRED CONLIN I/We or my/our organization have no outstanding approval, permit or licenses application or award of a procurement call with the City or the TPS.

OR

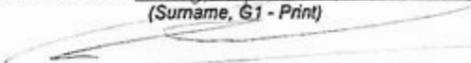
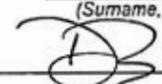
I/We or my/our organization do have one or more outstanding approval, permit or license application or award of a procurement call with the City or the TPS.

DATED at Toronto this 5th day of December, 2022. Signed: 

#### Print Name of Donor & Donating Organization:

Fred Conlin CONLIN \_\_\_\_\_  
(Donor Name - Print) (Donating Organization) (Donor/Organization Address)

Are you a Registered Charity:  Yes  No (If Yes, Charity Registration Number: \_\_\_\_\_)

For Internal Use:			
Member receiving donation:	<u>Campoliti, Steve</u> (Surname, G1 - Print)	<u>S/Sgt</u> (Title)	<u>7379</u> (Employee No.)
Signed:		Date:	<u>2022/12/08</u> (yyyy/mm/dd)
Unit Commander:	<u>D. BELANGER</u> (Surname, G1 - Print)	<u>SUPT.</u> (Title)	<u>5072</u> (Employee No.)
Signed:		Date:	<u>2022.12.08</u> (yyyy/mm/dd)

TPS 668, 2022/05/19



# Toronto Police Service

40 College Street, Toronto, Ontario, Canada. M5G 2J3  
(416) 808-2222 FAX (416) 808-8202  
Website: www.TorontoPolice.on.ca



James Ramer  
Chief of Police

File Number: .....

### Donor's Declaration Form

(To be signed at the time of donation)

I/We, Ferroque Systems Inc., hereby solemnly declare that the donation and/or in-kind donation amount of and/or appraised amount of \$ 15,000, was donated to the City of Toronto (City) and Toronto Police Service (TPS) for community benefits which encompass projects, money, assets or activities that provide a public good.

The Donor acknowledges that all donations and/or in-kind donations, made to the City or the TPS meet the following criteria:

1. the donation must be given unconditionally and voluntarily without any expectation of benefit;
2. the donation cannot be used to influence the outcome of an outstanding approval, permit or license application or award of a procurement call; and
3. the City shall be notified in writing if they, their organization, or company are currently involved in a planning approval or procurement process with the City or one of its agencies.

The Donor acknowledges that the donation, information about the donation and this Donor's Declaration Form are subject to the Municipal Freedom of Information and Protection Act and may be disclosed in accordance with the Act.

Ferroque Systems Inc. I/We or my/our organization have no outstanding approval, permit or licenses application or award of a procurement call with the City or the TPS.

OR

\_\_\_\_\_ I/We or my/our organization do have one or more outstanding approval, permit or license application or award of a procurement call with the City or the TPS.

DATED at Mississauga, ON this 22nd day of November, 2022. Signed: Michael Shuster Digitally signed by Michael Shuster Date: 2022.11.22 19:31:51 -0500

### Print Name of Donor & Donating Organization:

Michael Shuster Ferroque Systems Inc. 430-5975 Whittle Road, Mississauga, ON L4Z 3N1  
(Donor Name - Print) (Donating Organization) (Donor/Organization Address)

Are you a Registered Charity:  Yes  No (If Yes, Charity Registration Number: \_\_\_\_\_)

For Internal Use:			
Member receiving donation:	<u>Campoli, Steven</u> <small>(Surname, G1 - Print)</small>	<u>S/Sgt</u> <small>(Title)</small>	<u>7379</u> <small>(Employee No.)</small>
Signed:		Date:	<u>2022/11/23</u> <small>(yyyy/mm/dd)</small>
Unit Commander:	<u>Prentice, Stefan</u> <small>(Surname, G1 - Print)</small>	<u>INSP</u> <small>(Title)</small>	<u>7385</u> <small>(Employee No.)</small>
Signed:		Date:	<u>2022/11/23</u> <small>(yyyy/mm/dd)</small>

TPS 668, 2022/05/19



## Toronto Police Services Board Report

---

December 07, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Consolidation and Extension of Contracts with Axon Canada for Body Worn Cameras, Conductive Energy Devices and In-Car Cameras**

### **Recommendations:**

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

1. approve a contract amendment with Axon Canada (Axon) to provide the following goods and services for the period of January 1, 2023, to December 31, 2027, with the option to extend for five additional one year terms, at a total cost of approximately \$98.8 Million (M), excluding taxes;
  - a. 250 additional Body-Worn Cameras (B.W.C.s) and lifecycle refresh;
  - b. 250 Conducted Energy Devices (C.E.D.s) and lifecycle refresh;
  - c. Unlimited storage of seized digital evidence and digital evidence from non-Axon systems;
  - d. Unlimited transcription of video in the Axon system;
  - e. In Car Cameras (I.C.C.s) with Automated License Plate Recognition (A.L.P.R.)Technology.
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
3. authorize the Chief to exercise the option to extend subject to continued business need, continued funding, and satisfactory vendor performance.

### **Background / Purpose:**

This report is a request to renegotiate existing contracts with Axon for several goods and services, and enter into a new consolidated agreement with the objective of:

- accommodating for planned and unplanned growth in a more sustainable manner;

- establishing predictable funding requirements and mitigating future price escalation; and
- simplifying contract administration and equipment lifecycle refresh processes.

The renegotiated contract will save (cost avoidance) the Service \$73M over 10 years and will accommodate future growth.

The Toronto Police Service (Service) currently has several distinct existing contracts for these goods and services, including B.W.C.s, Evidence.com, interview room recording software, and C.E.D.s. Due to higher staffing levels and unplanned and unpredictable growth in storage and transcription services, additional quantities of existing good and services are required. Moreover, there is a planned refresh of the Service's I.C.C.s that would represent new purchases added to this agreement. The Service proposes to document these purchases by restructuring/renegotiating the B.W.C. contract to cover the above-mentioned goods and services on a non-competitive basis, through the following allowable exceptions included in the Board's Purchasing By-Law (By-Law):

- Additional purchases associated with the B.W.C. and digital evidence management programs were not included in the original procurement and a change cannot be made for economic or technical reasons without significant inconvenience or duplication in costs. 90% of the Service's B.W.C. roll out is based on Axon technology. It would not be feasible for the Service to develop separate processes and infrastructure to support a different B.W.C. product.
- The Province has established Evidence.com as their standard for digital evidence management storage, and they have put in place processes for all police services in the Province to disclose evidence to Crown Prosecutors using Evidence.com. There is a need for technical compatibility to support evidence disclosure digitally and there are no other reasonable alternatives.
- Axon has the exclusive right in Canada to distribute the only C.E.D. that is approved for use by the Solicitor General of Ontario.

The total value of this renegotiated contract and the updated term of five years plus an additional five optional years necessitate Board approval. This report details why the Service recommends the Board authorize the award of this contract, subject to successful legal review and negotiation.

This consolidated approach was not pursued earlier because the operational requirements that led to the acquisition of these goods and services were incorporated in the Service's operating environment at different points in time over the last decade. The current timing of this request is influenced by decisions the Service must make imminently to procure the following goods:

- In-car camera equipment that needs to be ordered by December 31<sup>st</sup>, 2022, to assure its delivery in time to utilize provincial grant funding that ends on March 31<sup>st</sup>, 2023;

- Additional B.W.C.s to support the Service's cadet hiring plan and an expanded roll-out of this equipment to specialized units such as the Emergency Task force, considering that the current B.W.C. inventory is fully assigned with minimal spares available.

## **Benefits of the Current Axon Suite of Systems**

### **B.W.C.s:**

- Supports more rapid and accurate misconduct investigations;
- Supports community trust and transparency by providing a record of interactions;
- Supports officer note-taking, investigative activities and statements.

### **C.E.D.s:**

- Increased opportunity for de-escalation;
- Opportunities to reduce overall use of force;
- Opportunities to reduce the amount of force required; and
- Additional use of force option available before use of weapons or devices that may cause serious injury or death.

### **Evidence.com:**

- Improved disclosure to courts:
  - Initial Disclosure Compliance from ~50% Service-wide to 95%;
  - Initial Disclosure Delay from 160 days to 30 days;
- Automatic indexing of digital evidence into cases save case managers time and speed investigations (weeks down to hours);
- Automation of 9-1-1 call transcription and disclosure – saving time and labour;
- Mobile Apps allow front-line officers to collect evidence from citizens securely via email/text messages;
- Offsets B.W.C. workload for front-line officers through automation and redaction toolkits; and
- Opportunities to present better evidence in court to support prosecutions.

## **Financial Implications:**

### **Current State**

Table 1 represents what has already been budgeted within the Service's existing operating, capital budget and the Provincial grant to purchase Axon's I.C.C.s and A.L.P.R. technology.

Table 1: Current Requirements and Funding

<b>Year</b>	<b>B.W.C. &amp; C.E.D. Contract</b>	<b>I.C.C./A.L.P.R.</b>	<b>Total</b>
2023	5.9	9.8	15.7
2024	5.9	0.0	5.9
2025	5.9	0.0	5.9
2026	5.9	0.0	5.9
<b>Total</b>	<b>\$23.6</b>	<b>\$9.8</b>	<b>\$33.4</b>

This includes:

- 2,350 B.W.C.s
- 2,350 C.E.D.s
- 70,000 hours/year of transcription
- 100 terabytes (TB) in total for evidence storage
- 625 I.C.C.s with A.L.P.R.

### **New Requirements**

New funding requirements represent the following items, with a more detailed explanation provided in the Discussion section of the report:

1. Expansion cost for 250 additional B.W.C.s and C.E.D.s (increase from 2,350 to 2,600) required for 2024, as a result of an expanded roll-out of this equipment to specialized units such as the Emergency Task Force, to align with the Service's projected staffing levels and hiring plan. It is important to note that in order to meet the Board's B.W.C. Policy, members equipped with use of force options such as a C.E.D. must also be equipped with a B.W.C..
2. Additional costs associated with new requirements for evidence storage growth and transcription requirements needed from 2024.

Under the current contract, these new requirements represent an additional cost of at least \$15M between 2024 and 2026, based on unit prices listed in the existing contract.

Moreover, the current 5-year contractual agreement with Axon will end in 2026. Upon contract expiry, there is a risk of significant price escalation for the B.W.C.s and C.E.D.s, as indicated in discussions with other large police services that are experiencing 60-80% price increases on subsequent 5-year term contracts.

One of the Service's objectives is to develop a long-term sustainable and predictable budget. Given the high cost of switching technology platforms, identification of new requirements, and current inflationary environment, it is economically advantageous to renegotiate the existing Axon contract and extend the price protection beyond 2026. This approach follows other police services that have also secured longer-term

contracts for similar goods and services with Axon such as the Royal Canadian Mounted Police (R.C.M.P.), Calgary Police Service and Windsor Police Service.

### Proposed Restructured Contract

The current contract for B.W.C.s and Evidence.com was awarded to Axon for the period of Aug 19, 2020 to July 31, 2025 with the option to extend for an additional one-year period. The C.E.D. contract was awarded to Axon for the period of July 1, 2021 to June 30, 2026 with the option to extend for an additional one-year period. The proposed restructured contract would accommodate new growth related requirements and would extend the initial contract term to December 31, 2027, with five optional one-year extensions to the end of 2032. An estimated \$19.2M of cost avoidance would be realized in the first five years and an additional \$54.3M of cost avoidance would be realized in the following five option years for a total potential savings of \$73.6M over the full life of the contract.

The scope of the contract has been updated to include the following items in order to better meet the Service’s needs and accommodate for growth and to better reflect its usage experience:

- Change from a fixed amount of storage per year to unlimited storage of collected digital evidence;
- Change from a fixed amount of transcription hours available to unlimited transcription of digital evidence in the Axon system;

Table 2 compares the total cost of the proposed restructured contract with the current unconsolidated contracts. The comparison is based on unit prices from the existing contracts as well as estimated market price once the current contracts expire. The annual allocation of the contract cost is subject to change based on negotiations.

Table 2 - Contract and Funding Requirement Comparison

Year	2023	2024	2025	2026	2027	Total 2023-2027	2028	2029	2030	2031	2032	Total 2028-2032	Total 2023-2032
Current Path	\$ 15.7	\$ 10.9	\$ 10.9	\$ 10.9	\$ 18.2	\$ 66.6	\$ 19.0	\$ 20.0	\$ 20.9	\$ 22.0	\$ 23.9	\$ 105.8	\$ 172.4
Restructured Contract	\$ 15.7	\$ 7.9	\$ 7.9	\$ 7.9	\$ 7.9	\$ 47.3	\$ 10.3	\$ 10.3	\$ 10.3	\$ 10.3	\$ 10.3	\$ 51.5	\$ 98.8
Cost Avoidance	\$ -	\$ 3.0	\$ 3.0	\$ 3.0	\$ 10.3	\$ 19.3	\$ 8.7	\$ 9.7	\$ 10.6	\$ 11.7	\$ 13.6	\$ 54.3	\$ 73.6
<b>Planned Funding</b>	\$ 15.7	\$ 5.9	\$ 5.9	\$ 5.9		\$ 33.4							
<b>Projected Funding</b>					\$ 5.9	\$ 5.9	\$ 5.9	\$ 5.9	\$ 5.9	\$ 5.9	\$ 5.9	\$ 29.5	\$ 35.4
<b>Incremental Impact</b>	\$ -	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0	\$ 8.0	\$ 4.4	\$ 4.4	\$ 4.4	\$ 4.4	\$ 4.4	\$ 22.0	\$ 30.0

As Table 2 identifies the funding impact in 2024 – 2026 is estimated to be an incremental \$2M annually and this increases to \$4.4M annually from 2028 – 2032. The table above includes lifecycle refresh costs associated with B.W.C.s, I.C.C.s with A.L.P.R. technology and C.E.D. equipment and all associated operating and maintenance costs.

## **Discussion:**

### **Market Conditions and Standardization**

There are several initiatives that call for the standardization and interoperability of technologies across Ontario Law Enforcement Agency (L.E.A.) disclosure partners such as the Ministry of the Attorney General (M.A.G.), the Public Prosecution Service of Canada (P.P.S.C.), the Special Investigations Unit (S.I.U.), and the Office of the Independent Police Review Director (O.I.P.R.D.) among others. Specifically in the case of criminal disclosure, M.A.G. has developed processes for participating Ontario L.E.A.s to supply disclosure electronically via Axon's Evidence.com solution.

Presently, Axon maintains a significant market-share in several public safety product categories. Over 95% of Canadian L.E.A.s that have procured B.W.C.s have competitively selected Axon as their provider. Across North America, over 98% of the 18,400 L.E.A.s operate Axon C.E.D.s. Within the Province of Ontario (Province), nearly all police services have leveraged the Provincial grant to purchase Axon's I.C.C.s and A.L.P.R. technology.

### **Added Value of Consolidated Contract**

A single consolidated contract allows for more efficient contract administration and better alignment of product lifecycle timelines. The added value listed below is also a benefit of bundling goods and services under one contract.

Unlimited storage of seized evidence and evidence from non-Axon systems.

- Digital evidence management through Evidence.com was implemented at the Service in a gradual manner starting in 2020. With the passage of time and implementation experience, the Service is now in a position to better estimate its digital storage requirements. The Service is required to collect and store over 400TB of evidence per year with growth estimated at 10% per year. At current prices, this will cost upwards of \$11M over 10 years. This cost will be avoided through a renegotiated contract.

Unlimited transcription of digital media evidence in the Axon system (currently 70,000 hours)

- Allows the Service to leverage the transcription engine for 9-1-1 calls, rationalizing the existing system;
- Enables officers to provide the courts, through Crown Attorneys, with transcripts and searchable text to accompany all footage, therefore, minimizing delay;
- Allows more complete notes and documentation of officer activity;
- At current prices, this will cost an estimated \$11M from 2024 – 2026 and this can be mostly avoided through a renegotiated contract.

### **Contract and Procurement Implications**

The proposed consolidated non-competitive contract would replace existing contracts approved by the Board and cover the purchase of new goods and services.

The existing contracts, which would be replaced by the consolidated contract are:

- B.W.C.s and Evidence.com awarded to Axon for the period August 19, 2020 to July 31, 2025 with the option to extend for an additional one-year period (Min. No. P129(c) August 18, 2020 refers);
- C.E.D.s (Tasers) awarded to Axon for the period July 1, 2021 to June 30, 2026 with the option to extend for an additional one-year period (Min. No. P2021-0624-4.2 refers);
- I.C.C.s awarded to Axon for the period 2023 to 2027 by the Ontario Provincial Police (O.P.P.), in which all police services in Ontario can participate.

Each item has its own purchasing considerations as follows:

- B.W.C.s, Evidence.com and interview room recording software
  - Current: These items have already been awarded for a contract term from August 19, 2020 to July 31, 2026 (Min. No. P129(c) August 18, 2020 refers)
  - Proposed:
    - The proposed consolidated contract would represent:
      - A purchase of 250 additional B.W.C. devices in 2024;
      - An extension of the Evidence.com and interview room recording software licenses to cover the period from July 31, 2026 to December 31, 2027 with option years to extend to December 31, 2032.
    - The rationale for proceeding on a non-competitive basis as permitted in the By-Law is:
      - Additional purchases of these goods/services of this magnitude were not included in the original procurement and a change cannot be made for economic or technical reasons without significant inconvenience or duplication in costs. 90% of the Service's roll out of B.W.C. equipment is based on Axon technology. It would not be feasible for the Service to develop separate processes and infrastructure to support a different B.W.C. product;
      - The Province has established Evidence.com as their standard for digital evidence management storage, and they have put in place processes for all police services in the Province to disclose evidence to Crown Prosecutors using Evidence.com. There is a need for technical compatibility and no other reasonable alternative exists.

- C.E.D.s
  - Current: The current contract with Axon for C.E.D.s has a contract term from July 1, 2021 to June 30, 2027 (Min. No. P2021-0624-4.2 refers).
  - Proposed:
    - The proposed consolidated contract would see the purchase of 250 additional C.E.D.s in 2024 and include a refresh of the full C.E.D. program based on existing five year lifecycle timelines;
    - The rationale for proceeding on a non-competitive basis, as allowed in the By-law, is that this equipment is the only approved C.E.D. by the Solicitor General of Ontario and Axon has the exclusive right to distribute this type of C.E.D. in Canada.
  
- I.C.C./A.L.P.R.
  - Current: I.C.C.s were purchased in 2018 through 2019 and are due for a refresh in 2023/2024. The O.P.P. recently completed a competitive purchasing process (R.F.P.) to select I.C.C.s with A.L.P.R. technology and awarded the contract to Axon with a contract term from 2023 to 2027.
  - Proposed:
    - The competitive process undertaken by the O.P.P. supports the selection of the Axon I.C.C./A.L.P.R..
    - The comprehensive scope of the recommended consolidated contract better meets the Service's lifecycle and storage needs compared to what would be available through the O.P.P contract.
    - This would be a non-competitive purchase and considered allowable based on the following By-law exception: Additional purchases from a vendor of goods or services that were not included in the original procurement, when a change cannot be made for economic or technical reasons without causing significant inconvenience or substantial duplication of costs to the Service.

## **Exit Costs**

Should funding approvals, requirements or market conditions change, the proposed agreement would allow the Service to exit or terminate the agreement in-whole or in-part without penalty each year on the anniversary of the contract.

If the agreement were exited in-whole or in-part prior to the anniversary date, the termination penalty would be 4% on the remaining yearly balance for that specific product/service.

During the term of the contract the Service will regularly re-evaluate market conditions and the effectiveness of this program and, if beneficial, will conduct a new competitive procurement process.

## **Independent Review**

The Service has contracted additional legal support to draft and negotiate the necessary amendments to the B.W.C. contract. The Service considered the use of a fairness commissioner and assessed its use based on the City of Toronto's Purchasing and Materials Management Division policy. It was deemed to not be required for the following reasons:

- The use of a fairness commissioner is typically focused on the fairness of a procurement process. In this case, the renegotiation represents existing goods and services that have already been procured, and are in use, at the Service.
- Should any of the products or services evolve rapidly, or the competitive landscape change, the renegotiated contract offers sufficient ability to terminate in-whole or in-part and conduct a competitive procurement process in the future.

## **Non-Approval**

Should the Board not approve the proposed renegotiated contract, the Service would consider proceeding in the following manner:

- Current contracts would remain in place and the Service would be required to review its distribution strategy for B.W.C.s, C.E.D.s and digital evidence storage needs beyond the end of the current term. Short-term budget pressures would be reviewed and every effort would be made to contain pressures to the absolute minimum;
- I.C.C.s with A.L.P.R. technology are funded by the Province and would be purchased through the O.P.P.s contract. This is anticipated to cost approximately \$0.5M more compared to the proposed consolidated contract, in addition to cost pressures associated with storage growth;
- Other requirements would be procured separately, subject to budget availability and included in future year budgets.

## **Conclusion:**

It is recommended that the Board award a consolidated renegotiated contract to Axon commencing January 1, 2023, to December 31, 2027, with five optional one-year extensions to the end of 2032. This award would be subject to the successful conclusion of negotiation and legal review.

The suite of products is already transforming elements of the Service's operations around digital evidence and improving disclosure performance. The contract consolidation is consistent with, and will further support, the modernization, rationalization and simplification of our Information Technology footprint, improved information management practices, and further process improvements.

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

Respectfully submitted,

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

\*Original copy with signature on file in Board office



## Toronto Police Services Board Report

---

November 14, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Contract Award to Testforce Systems Inc. for Test Equipment for Information Technology Infrastructure Services**

### **Recommendation(s):**

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

- 1) approve a contract award to Testforce Systems Inc. (Testforce) for the supply and delivery of test equipment for Information Technology (I.T.) infrastructure services for the period of January 1, 2023 to December 31, 2024, plus a one-year option period; at an estimated total cost of \$1.08 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
- 3) authorize the Chief to exercise the option to extend subject to continued business need, continued funding, and satisfactory vendor performance.

### **Financial Implications:**

This purchase is an existing part of the Service's current operational needs. Funding for this purpose is included in the Vehicle and Equipment Reserve under small equipment - test analyzer lifecycle replacement, as provided for in the Service's 2022-2031 Capital Program (Min. No. P2022-0111-3.3 refers). It is anticipated the test equipment will be purchased in 2023 as the current assets will reach end of life in December 2022.

### **Background / Purpose:**

The Board's Purchasing By-Law requires Board approval for competitive procurement awards exceeding \$1M.

The purpose of this report is to request the Board's approval for a contract award to Testforce to provide test equipment for I.T. infrastructure services.

### **Discussion:**

The Toronto Police Service's (Service) Telecommunications Unit currently uses a variety of test equipment to service, maintain and repair a wide range of radio/electronic equipment and data network devices installed in vehicles. The technicians fix the equipment in-house at facilities located across the city. The range of test equipment varies from simple multi-metres to very complex custom designed radio test sets.

Preventative maintenance for all equipment in the Service's vehicles is critical in order to keep it in usable condition that limits downtime, extends productivity and supports officer safety.

The current test equipment will reach end of life by December 2022 and will need to be disposed of and replaced. New test equipment is required to provide maintenance support for critical radio and networking infrastructure. Alternatively, the Service will have to invest heavily in calibration of old test equipment. Given the age of the existing equipment, this is not considered a viable alternative.

As the asset requirements are considered stable and it is not anticipated that there will be any additional requirements until the next lifecycle period, a three year contract term is considered reasonable. In the event that there are new technical requirements prior to lifecycle, a new procurement process will be required.

#### *Procurement Process:*

The Service's Purchasing Services unit issued R.F.Q. # 1475314-22 on MERX on August 16, 2022, which closed on September 13, 2022. One submission was received from Testforce upon closing.

Since there was only one submission received, the other vendors that downloaded the R.F.Q. and did not submit a bid were contacted to ask why they did not submit a bid. At the time of submission of this Board report, the following reasons were provided from three vendors:

1. Supplier not set-up to buy back equipment; and
2. Not within the scope of the supplier's services.

As part of the R.F.Q., vendors were required to indicate their interest in offering a trade-in value for listed items; no interest on the part of the vendor did not result in disqualification. The buy-back was included as a requirement to provide the opportunity for the Service to recoup residual value of old equipment and reduce the significant level of internal staff effort and low financial return of putting these devices out to auction. The savings achieved through this requirement is approximately five percent of the total contract value.

The evaluation committee reviewed the bid for compliance to mandatory requirements and determined that Testforce's submission was compliant.

**Conclusion:**

For the reasons outlined above, it is recommended that the Board approve a contract award to Testforce for test equipment for I.T. infrastructure services for the period of January 1, 2023 to December 31, 2024 with an option to extend for an additional one-year period, at an estimated total cost of \$1.08M excluding taxes.

Mr. Colin Stairs, Chief Information Officer, and Ms. Svina Dhaliwal, Interim Chief Administrative Officer, will be in attendance to answer any questions from the Board.

Respectfully submitted,

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

\*original copy with signature on file in Board office



## Toronto Police Services Board Report

---

November 17, 2022

To: Chair and Members  
Toronto Police Services Board

From: Ryan Teschner  
Executive Director and Chief of Staff

**Subject: Request for Special Funds – Funeral Reception Expenses:  
Police Constable Andrew Hong (7815)**

### **Recommendation(s):**

It is recommended that, as an exception to the Special Fund Policy, the Board approve an expenditure from the Special Fund in the amount of \$93,428.40, which represents the Board's portion (50%) of the total costs related to hosting the reception following the funeral for Police Constable Andrew Hong (7815).

### **Financial Implications:**

If the recommendation in this report is approved, the Special Fund will be reduced by the amount of \$93,428.40. The current balance of the Special Fund is approximately \$445,559.

### **Background / Purpose:**

On September 12, 2022, Police Constable Andrew Hong was tragically killed while on duty. His senseless death is a reminder of the risks that our officers take every single day to serve and protect the public. The Board does not take the significant risks our officers take daily on our behalf lightly, and is sincerely grateful for our officers' service, courage, and commitment.

In the past, when a police officer has died in the line of duty, the Board and the Toronto Police Association (TPA) have agreed to share the cost of a funeral reception. As a result, I am recommending that the Board continue to show its support by honouring this practice.

**Discussion:**

On September 21, 2022, thousands of police officers, community members, and others, gathered and lined our streets to honour Police Constable Andrew Hong, at a procession preceding his funeral. Following the funeral, a reception was held at the Toronto Congress Centre for family, friends and colleagues of PC Hong.

The total cost of the reception was \$186,856.80. I am recommending that the Board approve payment in the amount of \$93,428.40, which represents the Board's portion (50%) of the total costs related to hosting the reception, with the remainder being paid for by the TPA.

**Conclusion:**

Given that it is customary for the Board and the TPA to share the cost of the reception, I am recommending that, as an exception to the Special Fund, the Board approve an expenditure from the Special Fund in the amount of \$93,428.40.

Respectfully submitted,



Ryan Teschner  
Executive Director and Chief of Staff

# Toronto Police Association

200-2075 Kennedy Rd  
 Toronto, Ontario M1T 3V3  
 Canada

# INVOICE

Invoice No.: 12910  
 Date: 11/02/2022  
 Ship Date:  
 Page: 1  
 Re: Order No.

**Sold to:**

**TORONTO POLICE SERVICES BOARD**

ATTN: ACCOUNTS PAYABLE  
 40 COLLEGE STREET  
 TORONTO, ON M5G 2J3

**Ship to:**

**TORONTO POLICE SERVICES BOARD**

ATTN: ACCOUNTS PAYABLE  
 40 COLLEGE STREET  
 TORONTO, ON M5G 2J3

**Business No.:**

Quantity	Unit	Description	Tax	Base Price	Disc %	Unit Price	Amount
1	Each	TORONTO CONGRESS CENTRE INV# 2139 - 50% OF THE COST RE ANDREW HONG'S (#7815) MEMORIAL SERVICE HST		82,680.00		82,680.00	82,680.00
1	Each			10,748.40		10,748.40	10,748.40
Shipped By:                      Tracking Number:						Total Amount	93,428.40
Comment:						Amount Paid	0.00
Sold By:						<b>Amount Owing</b>	<b>93,428.40</b>



# Invoice

Invoice Date: 9/30/22  
Invoice No.: 2139  
Booking No.: 15015

**Toronto Police Services**  
10th Floor - 40 College Street  
Toronto, ON  
M5G 2J  
Ph: (416) 808-7162 Fax:

Attention: **Jason Tomlinson**  
Phone: (416) 808-7162  
Email:

## TPS Memorial Service

**September 20 - 21, 2022**

### L Tannenbaum Ballroom - Wed 21/09/2022

#### Food Items

TPS Reception Custom Menu 4,500.00 EA 30.00 / EA \$135,000.00

### McKennitt 1 - Wed 21/09/2022

#### Food Items

Continental 10.00 EA 28.00 / EA \$280.00

### McKennitt 2 - Wed 21/09/2022

#### Food Items

Continental 10.00 EA 28.00 / EA \$280.00

### Mentis - Wed 21/09/2022

#### Food Items

Continental 30.00 EA 28.00 / EA \$840.00

### Munro 1-2 - Wed 21/09/2022

#### Food Items

Continental 50.00 EA 28.00 / EA \$1,400.00

### Invoice Summary

Food Items	137,800.00
Facility/Admin Fee	27,560.00
<b>Sub-Total</b>	<b>\$165,360.00</b>
HST	21,496.80
<b>Total</b>	<b>\$186,856.80</b>

Jason Tomlinson (Oct 14, 2022 09:49 EDT)

J1433

Rebecca Wilson (Oct 17, 2022 14:28 EDT)

### Received Deposits

Total Deposits

Balance Due 186,856.80

**Payment Terms: Due upon receipt**  
**HST #: 89639 - 6397**

# Toronto Congress Centre\_2022.09.30 - Inv. 2139 - 50% to be reimbursed by TPSB

Final Audit Report

2022-10-17

Created:	2022-10-14
By:	Rebecca Wilson (rwilson@tpa.ca)
Status:	Signed
Transaction ID:	CBJCHBCAABAAP-RvhIKnVY84_fUmO76ESRO-bYfNM3Jh

## "Toronto Congress Centre\_2022.09.30 - Inv. 2139 - 50% to be reimbursed by TPSB" History

-  Document created by Rebecca Wilson (rwilson@tpa.ca)  
2022-10-14 - 1:40:21 PM GMT- IP address: 173.32.245.164
-  Document emailed to Jason Tomlinson (jtomlinson@tpa.ca) for signature  
2022-10-14 - 1:40:52 PM GMT
-  Email viewed by Jason Tomlinson (jtomlinson@tpa.ca)  
2022-10-14 - 1:42:27 PM GMT- IP address: 104.28.133.21
-  Document e-signed by Jason Tomlinson (jtomlinson@tpa.ca)  
Signature Date: 2022-10-14 - 1:49:13 PM GMT - Time Source: server- IP address: 69.158.246.137
-  Document emailed to ccampbell@tpa.ca for signature  
2022-10-14 - 1:49:15 PM GMT
-  Email viewed by ccampbell@tpa.ca  
2022-10-14 - 4:15:34 PM GMT- IP address: 104.28.133.24
-  Signer ccampbell@tpa.ca entered name at signing as Clayton Campbell  
2022-10-14 - 8:56:12 PM GMT- IP address: 184.151.37.186
-  Document e-signed by Clayton Campbell (ccampbell@tpa.ca)  
Signature Date: 2022-10-14 - 8:56:14 PM GMT - Time Source: server- IP address: 184.151.37.186
-  Document emailed to Rebecca Wilson (rwilson@tpa.ca) for signature  
2022-10-14 - 8:56:15 PM GMT
-  Email viewed by Rebecca Wilson (rwilson@tpa.ca)  
2022-10-17 - 6:25:02 PM GMT- IP address: 173.32.245.164



Document e-signed by Rebecca Wilson (rwilson@tpa.ca)

Signature Date: 2022-10-17 - 6:28:55 PM GMT - Time Source: server- IP address: 173.32.245.164



Agreement completed.

2022-10-17 - 6:28:55 PM GMT



**Adobe Acrobat Sign**



## Toronto Police Services Board Report

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November 4<sup>th</sup>, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Special Constable Appointments and Re-Appointments –  
December 2022**

### **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. P153/02, 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**

<b>Agency</b>	<b>Name</b>	<b>Status Requested</b>	<b>Current Expiry Date</b>
T.C.H.C.	Mark A. HALL	Appointment	N/A
T.C.H.C.	Robert (Bob) PATTERSON	Appointment	N/A

Agency	Name	Status Requested	Current Expiry Date
T.C.H.C.	Helio PEREIRA	Appointment	N/A
U of T St George Campus	Antonio Manual GONCALVES	Re-Appointment	December 17, 2022
U of T Scarborough	Christopher IBELL	Re-Appointment	January 18, 2023

**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 & Control 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, of which the agencies are satisfied with the results. Re-appointments have been employed by their agency for at least one 5-year term, and as such, they are satisfied that the members have satisfactorily carried out their duties and, from their perspective, there is nothing that precludes re-appointment.

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	160
U of T Scarborough Campus	25	18
U of T St. George Campus	50	35

**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 Pauline Gray, 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, O.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



November 1, 2022

Special Constable Liaison Office  
40 College Street  
Toronto, Ontario  
M5G 2J3

DELIVERED VIA ELECTRONIC MAIL

**Re: Request for Toronto Police Services Board Approval for Appointment of Special Constables**

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

The following individuals are fully trained, meeting all Ministry requirements, and have shown they possess the required skills and ability to perform at the level required to be a special constable. Both new appointments and re-appointments have undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks. Re-appointments have been employed by Toronto Community Housing for at least one 5-year term, and as such, we are satisfied that the members have satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Name	Type	Current Term Expiry
Mark HALL	New Appointment	N/A
Robert (Bob) PATTERSON	New Appointment	N/A
Helio PEREIRA	New Appointment	N/A

It is requested that the Board approve this submission and forward the applicants 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.

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Respectfully,



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Allan Britton, Badge #31194  
Acting Senior Director/Acting Chief Special Constable  
Community Safety Unit

Toronto Community Housing  
931 Yonge St, Toronto, ON M4W 2H2  
T: 416 981-4116  
[torontohousing.ca](http://torontohousing.ca)



University of Toronto  
CAMPUS SAFETY  
SPECIAL CONSTABLE SERVICE

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

Tel: (416) 978-2323 Fax: 416-948-8300

October 27, 2022

**To:** Special Constable Liaison Office

**From:** Michael Munroe

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

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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 named below is fully trained, meeting all Ministry requirements, and has shown they possess the required skills and ability to perform at the level required to be a special constable. Both new appointments and re-appointments have undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks.

Name	Type	Current Term Expiry
Antonio Goncalves	Re-Appointment	December 17, 2022

Re-appointments have been employed by University of Toronto for at least one 5-year term, and as such, we are satisfied that this member has satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Regards

*for*  
Michael Munroe – Director

September 30, 2022

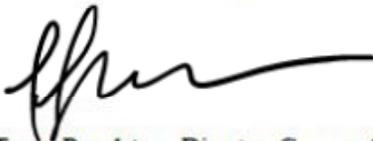
Subject/Re: Request for Toronto Police Services Board Approval for Appointment and Re-Appointment of Special Constables

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

The following individuals are fully trained, meeting all Ministry requirements, and have shown they possess the required skills and ability to perform at the level required to be a special constable. Both new appointments and re-appointments have undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks. Re-appointments have been employed by The University of Toronto Scarborough for at least one 5-year term, and as such, we are satisfied that the members have satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Name	Type	Current Term Expiry
Christopher Ibell	Special Constable Renewal	January 2023

It is requested that the Board approve this submission and forward the applicants to the Ministry of the Solicitor General for appointment of a five-year term.



Tanya Poppleton, Director, Campus Safety Operations



## Toronto Police Services Board Report

---

November 19, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Semi-Annual Report: Occupational Health and Safety  
Update for January 1, 2022 to June 30, 2022**

### **Recommendation:**

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). In May 2022, the Board changed the reporting schedule to semi-annual and to include updates on the overall Toronto Police Service (Service's) Member Wellbeing programming.

The purpose of this report is to update the Board on matters relating to occupational health, safety and wellbeing for the first half of 2022.

## **Discussion:**

### *Semi-Annual Accident and Injury Statistics:*

Injured on Duty (I.O.D.) reports are classified according to the incident type. Appendix A contains graphs and charts that summarize the I.O.D. reports received by the Wellness Unit between January 1 and June 30, 2022.

From January 1 to June 30, 2022, there were 594 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, 46 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.

The top five incident categories are:

1. Harmful Substances/Environmental: 180 reported incidents
2. Emotional/Psychological: 87 reported incidents
3. Struck/Caught: 74 reported incidents
4. Assaults: 70 reported incidents
5. Slip/Trip/Fall: 66 reported incidents

The highest category of incidents during the reporting period of January 1 to June 30, 2022 is the "Harmful Substances/Environmental" category. Since early 2020, Harmful Substances/Environmental injuries have become one of the predominant types of claims due to the nature of police work, and the Pandemic circumstances of the last 2 years.

In the first quarter (Q1) and second quarter (Q2), with the latest wave of COVID-19 Omicron Variants and its tremendous rapid spread, the number of member exposures, isolations and I.O.D. claims increased significantly over prior years. Secondly of note, with the implementation of the Service's COVID-19 Vaccination Mandate, a number of claims related to this mandate, either directly or indirectly were reported. All claims received during this period are being reviewed with respect to their relation to the mandate, and adjudicated accordingly.

Stuck/Caught claims have increased over 50% year over year and a review and root cause analysis of this data is currently underway. Any updates will be provided to the Board in the Service's full year (annual) 2022 Occupational Health and Safety report.

### *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 420/21*.

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.

During the first half of 2022, there were two critical injury incidents reported to the M.L.T.S.D. For each critical injury incident, an investigation is conducted by the Service independent of the M.L.T.S.D. investigation, involving 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 on Appendix B. 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.

Appendix B also contains charts that summarize member exposures to communicable diseases, as well as other potential exposure types including blood and bodily fluids.

Of the 334 Injured on Duty reports received which were related to a potential exposure to the novel coronavirus which causes COVID-19, 171 resulted in claims to the W.S.I.B., and the remaining 163 were precautionary in nature and did not result in health care or lost time.

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.

*Semi-Annual Injury and Accident Costs:*

As a Schedule 2 employer, the Service paid \$515,190 in W.S.I.B. health care costs for civilian members and \$2,219,221 in W.S.I.B. health care costs for uniform members for the first half of 2022, totalling \$2.7M to date.

Appendix C contains a graph and chart which summarize the W.S.I.B. health care costs for civilian and uniform members for the same period over the last three years.

Over the past 3 years, the increases in Uniform Healthcare costs have been attributed in part to the *Supporting Ontario’s First Responders Act* (passed in April 2016), and presumptive legislation for first responders diagnosed with Post Traumatic Stress Disorder (P.T.S.D.). As claims for operational stress injuries increase and age, so too do the associated costs for health care for claims which can be long in duration, and highly complex to resolve.

Work related injury and health care costs for Q1 and Q2 in particular represent an interesting but complicated comparison across years 2020-2022. In 2020, Q2 marked the onset of the COVID-19 Pandemic and demonstrably changed the typical I.O.D. experience for the Toronto Police Service. In 2021, Uniform and Civilian costs dropped approximately 10% as compared to the prior year. These changes could be attributable to the changes in the Service’s widely implemented safety practices over the course of the first 9 months of the pandemic, during which time masking, isolations, closures of Police facilities to the public, and the start of mass vaccinations were contributing factors. Where remote working arrangements were permitted and operationally suitable, home offices and workspaces became “the workplace” – and may have contributed to at-home exposures, and I.O.D. potential. With the introduction of the Omicron Variant in late 2021, there was a significant increase in member illnesses and isolations due to COVID-19 spread, despite the fact that the vast majority of the Service was fully vaccinated in line with the Service’s vaccination Mandate.

In the first half of 2022, there has been an increase of Uniform claims costs representing 21% over the prior year, and 13% over 2020. Civilian costs similarly increased, by a smaller margin of 3% over 2021, but remained lower than those in 2020, at 7% less overall. It is important to note that claims costs are not linear in nature and do not represent costs incurred for incidents in the current year. For instance, 68% of W.S.I.B. costs in 2022 are a result of incidents that occurred in 2018-2021.

*Disability Case Management and Early and Safe Return to Work:*

Based on the longer-term trend of steady cost increases in workplace injury and illness since 2016, the Service entered into a partnership in January, 2022 with Risk

Management Solutions, a leader in providing employers with workers' compensation and health and safety services in Canada (Min. No. P2021/1123-7 refers). The purpose of this partnership is to optimize claims management program and through early and safe return to work, and ensuring that Workplace Injury and Illness claims are properly assessed and managed within the policy and legislation guidelines of the *Workplace Safety and Insurance Act* and associated W.S.I.B. Operational Policies. Through the implementation of this partnership, the Service in Q1 and Q2 of 2022 has realized results and value that exceed the annual cost of this partnership, and expect that this progress will grow through the remainder of 2022, and forward into 2023 and 2024 through an expanded focus including:

- More consistent and focused communication with members, supervisors and the W.S.I.B., supported by parallel case coordination and earlier intervention where possible, to support early & safe returns to work and accommodations
- Training and information access at all levels to improve process awareness and transparency, to support member and supervisor process adherence
- Improved accountability on the part of the WSIB regarding timely and thoughtful adjudications and recommendations, backed by analysis and due diligence
- Audit and quality assurance rigor, to be able to provide the WSIB with feedback and escalation where their service is not meeting our needs

The Toronto Police Service People and Culture Pillar has partnered with Mercer Canada to further undertake a review of the Service's disability and absence management program to evaluate current processes and identify high impact opportunities for improvement. This review is inclusive of aspects of the disability management program, procedures and plan design in collaboration with Wellness, Employee Services, and Labour Relations.

The Wellness Unit, in partnership with the Public Services Health & Safety Association (P.S.H.S.A.) completed the second phase of an industry-leading Job Demands Description analysis. This partnership has informed the launch of a Work Hardening & Reintegration project that aims to develop and implement a Service-housed and supported program that engages and enables injured members towards recovery while remaining actively at work. This will be achieved through in-house focused and monitored training programs as well as modified duties, providing opportunities for members to contribute and remain part of the organization as they work towards recovery.

These are examples of partnerships and investments that reflect the Service's commitment to a progressive and transformative approach to claims adjudication, case management, return to work/stay at work, and best practice in disability management. This was the focus of the Service's presentation at the 2022 Law Enforcement Occupational Safety & Health Conference (L.E.O.S.H.) in Saint John, New Brunswick, which garnered much interest and acclaim from the cross-Canadian audience in attendance.

It is important to note that these investments represent complex transformative changes and immediate impact to employee wellness related metrics may not be immediately visible. The Wellness Unit is developing its measurement framework and will provide an update to the Board as part of the full year (2022) Occupational Health and Safety Update. Key indicators of success include: increased engagement in health promotion initiatives, reduced stigma around illness and injury, increased participation in early, safe and sustained return to work, decrease in absence durations, and an increase to member awareness and accessibility of supports.

The Service continues to be a national leader in the space of Member Health and Wellness programming, absence management and return to work facilitation practices.

#### *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 first half of 2022, there were 11 new documented complaints 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*. This number of complaints appears to be consistent with prior reporting periods.

#### *COVID-19 Pandemic Response:*

The Wellness Unit implemented the Pandemic Support Section to support the Service's response to COVID-19. This included, among other things, staffing a central intake team, developing reports, building testing capacity and processes, working with the Corporate Communication team to provide the latest health guidance and stay up to date on the latest Public Health guidance and determine it's applicability to how the Service will address workplace impacts.

To date, the Wellness Unit has responded to over one hundred thousand queries and contacts by members related to the COVID-19 pandemic and is the primary point of contact for the Service with Public Health and the Ministry of Labour, Skills, Training and Development.

An analysis of the data from the Pandemic Support Program from March 16, 2020 to March 4, 2022 indicates that tremendous success of this initiative. In that time, the unit collected over 2.5 million data points from members of all units and divisions across the Service. The team sent out 8379 referrals for COVID-19 Polymerase Chain Reaction (P.C.R.) tests to members and their families for access to a dedicated P.C.R. testing centre in partnership with the City of Toronto Fire and Paramedic Services. The

Pandemic Support team managed 304 outbreaks/clusters involving over 5000 Service members.

During the above reporting period, the average absence duration related to COVID-19 was 7.9 days and approximately 42% of cases were cleared to return to work in 5 days or less.

It is estimated that through the intervention of the Pandemic Support Program, including the centralized intake and hotline as well as the in house and immediate medical surveillance approach, the Service achieved a reduction of the projected lost time days associated with COVID-19 absences by 42% compared to relying on individual members working with local public health agencies directly and without intervention.

The Pandemic Support Section has been instrumental in keeping members and their families safe and to ensuring that members are able to stay or return to work at the safest time to optimize operational needs.

The health, safety and wellbeing of our members remains at the forefront of our response. We continue to operate a member hotline for support in the pandemic as well as a medical surveillance program for case and contact tracing practices required for first responders.

### **Member Wellbeing Strategy Update**

As was presented and discussed at the December 2020 (Min. No. P209/2020) and February 2021 (Min. No. P2021-0225-4.0) Board meetings, the Service and the Board committed to a Member Well-being Strategy that is focused on optimized operations, enabling and sustaining the high performance of members. It is also intended to foster a perpetuating culture of health, safety and well-being for Service members.

A high-performance culture is one where each individual not only survives, but thrives. The Service recognizes the importance of supporting member health and wellbeing and creating a positive and healthy workplace culture that enables members to thrive and do their best work for the Service each day.

The plan outlines nine core initiatives, all enabled through data and technology and a multi-year action plan to realize key goals in improving Service members' health, productivity and performance.

Some notable updates since the last update of March 2022, in addition to what is noted above, are as follows:

- The Wellness Unit continues to augment its analytical capabilities and undertake more analysis of its people data (absences, accommodations, etc.) to understand the trends and develop solutions to optimize productivity of its resources. Early

stages of adding greater technology and analytical capability to reduce the manual effort this analysis requires and move towards implementing a more proactive approach towards member attendance management are underway.

- The Wellness Unit has attended and consulted at 35 of 45 Joint Health & Safety (J.H.S.C.) Committees in order to provide advice and to find ways to optimize the Internal Responsibility System in accordance with the Occupational Health & Safety Act. To further support this, the Safety Section has developed a dedicated portal for the J.H.S.C. in order to streamline key data collection and information for committees. This will assist in hazard identification and resolution, health promotion and harm prevention.
- An Audiometric Screening Program has been initiated at the Toronto Police College. Audiometric testing establishes a baseline hearing measurement and ongoing retesting at set intervals to determine if there is any identified hearing loss. This is a best practice for workplaces where noise exposure is an occupational hazard. This will be rolled out to other units within the Service. This is aligned with increased health promotion and harm prevention.
- In line with a focus on Psychological Health & Safety, the Service has launched a pilot of the Before Operational Stress (B.O.S.) Program for 2000 members. This is through a partnership with Canadian Institute for Public Health Research and Treatment (C.I.P.S.R.T.), Wayfound Psychology and Wounded Warriors Canada and is funded through federal grants. This program has been embraced by public safety personnel agencies across Canada and is widely recognized as a leading training program in Canada. B.O.S. is a proactive, resiliency based program that is evidence based and designed for first responders who will be exposed to operational stress during their career. It is designed to offer tools to manage the effects of operational stress injuries through learning and applying coping techniques and tools. To date, 1923 members have registered for the course and 977 have completed it, with another 310 in progress. The deadline for completion was December 9<sup>th</sup>, 2022, but given the great participation to date, this has been extended to March 2023, and another 1000 spaces opened up for TPS members. In addition, this program is being included into post-Ontario Police College (O.P.C.) curriculum for all new recruits commencing in Fall 2022. This will increase the resiliency training for new recruits from 90 minutes to a total of 12 hours with the intent of arming early career members with tools to assist them when faced with operational stress exposures and hazards. Ongoing evaluation of the B.O.S. program concepts will be reviewed in order to identify opportunities to include this in future learning streams within the Service, including annual In Service Training Program (I.S.T.P.).
- A “Going Home Checklist” for members has been launched across the Service in an effort to promote resiliency, to normalize self care and reflection and to encourage members to seek support if they need it.

- A full review of the Peer Support and Critical Incident Response Program is underway with the support of a subject matter expert in paramilitary peer support. This review is intended to audit the current state program against National Standards for Peer Support and to identify opportunities to augment and optimize the program with a lens of increased visibility, utilization and accessibility for Members. The Board will be provided an update on the results of this review as part of its full year (2022) annual Occupational Health and Safety report.
- The Service is actively moving towards establishing a Regional Service Delivery Model including creating access to Wellness supports outside of the current location at Headquarters. The Service has committed to relocate a significant portion of the Wellness Unit to the Toronto Police College in 2023 and plans are in progress to reconfigure the space. The Wellness Unit will maintain a satellite office at Headquarters and is also exploring east location options. This initiative is based on ongoing feedback from our Members and external stakeholders that indicate that attending Wellness at Headquarters is a barrier to access due to stigma, confidentiality, and challenges to access the downtown core.
- The Wellness Unit is leveraging the successes of the Pandemic Support Program and is exploring transitioning the infrastructure and processes developed to implement the centralized intake and system navigation model identified in the Wellbeing Strategy. Design considerations suggest that this will be iterative and will commence with the centralized intake of all Safety, absence, I.O.D., and COVID-19 related intakes. A pilot will be conducted by the end of 2022. The anticipated outcomes of this will be to increase access, improve absence reporting and decrease duration and severity of illness/injury related absence, increase the member experience, reduce response times, and streamline data collection.

This is a multi-year strategy that will be worked on incrementally, taking into consideration Service-wide priorities, resourcing and the Service's capacity for change. Funds are available in the Service's wellness and other accounts to augment the Wellness team and invest in key capabilities around analytics and service delivery review.

### **Conclusion:**

This report provides an update to the Board on matters relating to occupational health, safety and wellbeing for the first half of 2022, including an update to the Service's Member Wellbeing Strategy.

The next report will be submitted to the Board for its meeting in March 2023.

Ms. Svina Dhaliwal, Interim Chief Administrative Officer, will be in attendance to answer any questions the Board may have regarding this report.

Respectfully submitted,

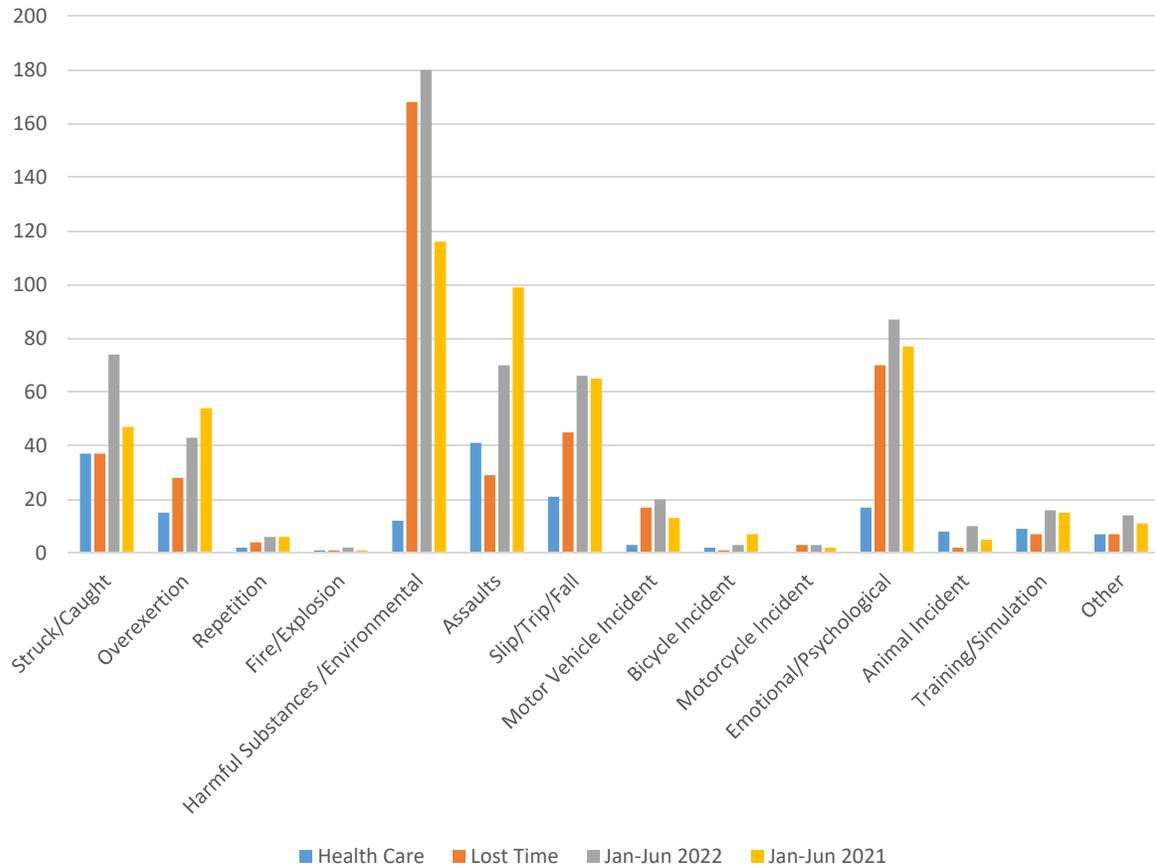
James Ramer, O.O.M.  
Chief of Police

\*original copy with signature on file in Board office

## Appendix A

Injured on Duty (I.O.D.) reports are classified according to the incident type. Appendix A contains graphs and charts that summarize the I.O.D. reports received by the Wellness Unit between January 1 and June 30, 2022.

### *Injured on Duty Reports January to June, 2022*



Incident Type	Health Care	Lost Time	Jan-Jun 2022	Jan-Jun 2021
Struck/Caught*	37	37	74	47
Overexertion	15	28	43	54
Repetition	2	4	6	6
Fire/Explosion	1	1	2	1
Harmful Substances/ Environmental	12	168	180	116
Assaults	41	29	70	99
Slip/Trip/Fall	21	45	66	65

<b>Incident Type</b>	<b>Health Care</b>	<b>Lost Time</b>	<b>Jan-Jun 2022</b>	<b>Jan-Jun 2021</b>
Motor Vehicle Incident	3	17	20	13
Bicycle Incident	2	1	3	7
Motorcycle Incident	0	3	3	2
Emotional/Psychological	17	70	87	77
Animal Incident	8	2	10	5
Training/Simulation	9	7	16	15
Other	7	7	14	11
<b>Totals</b>	<b>175</b>	<b>419</b>	<b>594</b>	<b>518</b>

## Appendix B

### Monthly Member Exposure to Communicable Diseases

January to June, 2022

Reported Exposures	January	February	March	April	May	June
COVID-19	124	45	65	71	15	14
Bodily Fluids, Misc.	9	16	6	8	15	6
Hepatitis A, B, & C	0	1	0	0	0	0
HIV	0	0	0	0	1	1
Influenza	0	0	0	0	0	0
Measles, Mumps, Rubella	0	0	0	0	0	0
Meningitis	0	0	0	0	0	0
Staphylococcus Aureus	0	0	0	2	0	0
Tuberculosis	0	0	0	0	0	0
Varicella (Chickenpox)	0	0	0	0	0	0
Bed Bugs	0	1	2	2	2	10
Other, Miscellaneous	0	0	0	0	0	0
<b>Total</b>	<b>133</b>	<b>63</b>	<b>73</b>	<b>83</b>	<b>33</b>	<b>31</b>

### Cumulative Member Exposure to Communicable Diseases

January to June, 2022

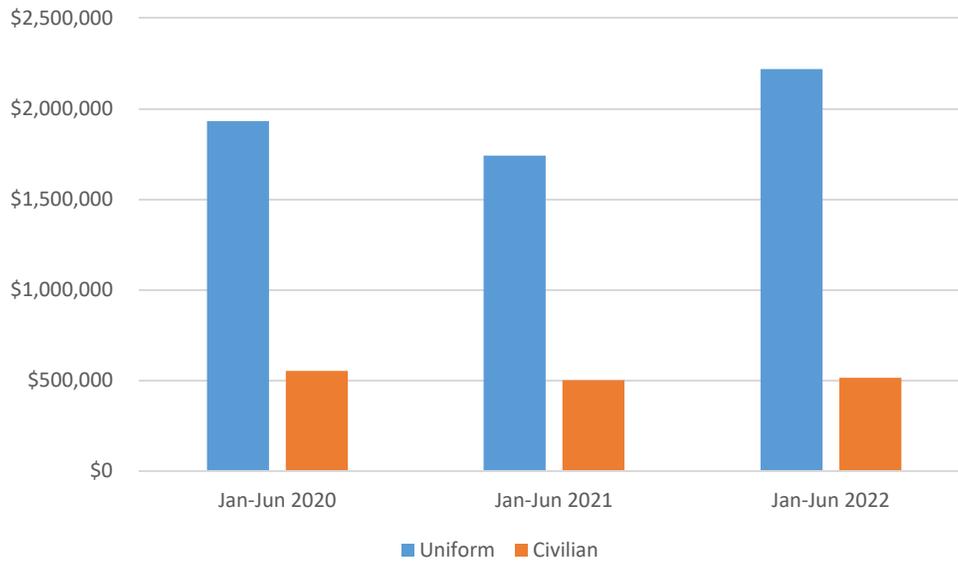
Reported Exposures	Jan-Jun 2022	Jan-Jun 2021
COVID-19	334	1085
Bodily Fluids, Misc.	60	73
Hepatitis A, B, & C	1	7
H.I.V.	2	1
Influenza	0	0
Measles, Mumps, Rubella	0	0
Meningitis	0	0
Staphylococcus Aureus	2	1
Tuberculosis	0	0
Varicella (Chickenpox)	0	0
Bed Bugs	17	28
Other, Miscellaneous	0	1
<b>Totals</b>	<b>416</b>	<b>1196</b>

Of the 334 Injured on Duty reports received which were related to a potential exposure to the novel coronavirus which causes COVID-19, 171 resulted in claims to the W.S.I.B, and the remaining 163 were precautionary in nature and did not result in health care or lost time.

## Appendix C

As a Schedule 2 employer, the Service paid \$515,190 in W.S.I.B. health care costs for civilian members and \$2,219,221 in W.S.I.B. health care costs for uniform members for the first half of 2022.

Appendix C contains a graph and chart which summarize the W.S.I.B. health care costs for civilian and uniform members for the same period over the last three years.



W.S.I.B. Costs	Jan-Jun 2020	Jan-Jun 2021	Jan-Jun 2022
Uniform	\$1,932,348	\$1,742,446	\$2,219,221
Civilian	\$553,307	\$501,369	\$515,190
<b>Total</b>	<b>\$2,485,655</b>	<b>\$2,243,815</b>	<b>\$2,734,411</b>



## Toronto Police Services Board Report

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November 8, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.05**

### **Recommendation(s):**

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

### **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 death, serious injury, the discharge of a firearm at a person or the allegation of a sexual assault, 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.

### **S.I.U. Terminology:**

**Complainant** – Refers to the Affected Person

**SO** – Subject Official

**WO** – Witness Official

**TPS** – Toronto Police Service

## **S.I.U. Investigative Conclusion:**

In a letter to the Chief of Police dated August 29, 2022, 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 reasonable grounds in the evidence to proceed with criminal charges against the official.”*

The following S.I.U. *Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCI-023, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2108](https://www.siu.on.ca/en/directors_report_details.php?drid=2108)

## **S.I.U. Incident Narrative:**

*“In the evening of January 23, 2022, the SO and WO #1 were dispatched to investigate a report of a robbery on Kipling Avenue, Toronto. The dispatcher broadcast that a man had pulled a knife while stealing two packs of cigarettes from a convenience store.*

*Travelling south on Kipling Avenue, the officers located a man walking in the same direction on the east side of the road. The individual – the Complainant – fit the description of the robbery suspect. They followed the Complainant as he turned east onto Warnica Avenue and made his way onto a driveway on the south side of the road.*

*The SO and WO #1 came to a stop north of the driveway, exited their cruiser, and confronted the Complainant at gunpoint. At their direction, the Complainant raised his hands and lowered himself onto his knees. The officers took hold of the Complainant’s upper body and forced him fully onto the ground. With the Complainant on his back, WO #1 punched him in the abdomen several times before he and the SO rolled him over into a prone position. The Complainant was ordered to bring his arms behind his back and then struck when he failed to promptly do so: punched in the lower back by WO #1 and struck twice in the head by a radio the SO was holding in his right hand. Shortly after the second head strike, the Complainant brought his right arm out from under his head to his side, where WO #1 took hold of it and handcuffed him behind the back.*

*Following his arrest, the Complainant was lifted to his feet by the officers, searched beside their cruiser, and placed in the rear of the officers’ vehicle. Noticing blood under his nose, WO #1 and the SO transported the Complainant to hospital.*

*The Complainant was diagnosed at hospital with a fractured nose.”*

## **Analysis and Director's Decision:**

*"The Complainant was seriously injured in the course of his arrest by two TPS officers on January 23, 2022. One of the officers – the SO – was identified as the subject official in the ensuing SIU investigation. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant's arrest and injury.*

*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.*

*The Complainant was clearly subject to arrest. He had been to the convenience store, was in the vicinity of the store at the time of the officers' dispatch, and matched the description of the suspect.*

*With respect to the force used against the Complainant, while perhaps at the upper end of what was reasonably necessary, I am not satisfied that it fell afoul of the limits prescribed by law. The Complainant appears in the BWC footage as mostly scared and apologetic during the interaction with the officers. However, it is apparent that he was not moving as quickly as WO #1 and the SO wanted when he was told to place his arms behind his back. The officers had cause to want to force the issue as quickly as possible. They were of the understanding that the Complainant had just robbed a store clerk at knifepoint, and were justifiably concerned that he was still armed with the weapon. This was also not a case in which the Complainant was unable to bring his arms around his back as directed, which is sometimes the case where officers apply their weight to the back of a subject in the prone position. In the circumstances, even if the Complainant's failure to do so quickly might have had more to do with his fear at the time, the officers were entitled to act to avoid any possibility of a weapon being brought to bear. Following the second of the two hits to the head<sup>2</sup> - more in the nature of forceful taps than full on strikes – and the punches by WO #1, the Complainant gave up his right arm and hand, and was handcuffed. On this record, and mindful of the common law principle that officers caught up in dangerous situations are not expected to measure their force with precision,<sup>3</sup> I am unable to reasonably conclude that the officers acted without legal justification.*

*For the foregoing reasons, there is no basis for proceeding with criminal charges in this case.*

*The file is closed.*

<sup>2</sup> It does not appear that the officer had the radio in his hand for the express purpose of using it to strike the Complainant. He had retrieved it and used it to broadcast the officers' location just before the force in question.

<sup>3</sup> *R. v. Nasogaluak*, [2010] 1 SCR 206; *R v Baxter* (1975), 27 CCC (2d) 96 (Ont. CA)''

## **Summary of the Toronto Police Service's Investigation:**

The Professional Standards - S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation as required by Provincial legislation.

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

The S.I.U. Liaison investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-17 (In-Car Camera System);
- Procedure 15-20 (Body-Worn Camera)

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019*

The S.I.U. Liaison 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 S.I.U. Liaison 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.

Staff Superintendent Peter Code, Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office\*



## Toronto Police Services Board Report

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November 8, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Chief's Administrative Investigation into the Vehicle Injury of Complainant 2022.18**

### **Recommendation(s):**

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

### **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 death, serious injury the discharge of a firearm at a person or an allegation of a sexual assault, 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.

### **S.I.U. Terminology:**

**Complainant** – Refers to the affected person

**SO** – Subject Official

**WO** – Witness Official

## **S.I.U. Investigative Conclusion:**

In a letter to the Chief of Police dated August 10, 2022, 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”*.

The following S.I.U. *Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TVI-109, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2078](https://www.siu.on.ca/en/directors_report_details.php?drid=2078)

## **S.I.U. Incident Narrative:**

*“The material events in question are clear on the evidence collected by the SIU, including an interview with CW #1. As was his legal right, the SO chose not to interview with the SIU or authorize the release of his notes.*

*CW #1 was in mental health crisis in the evening of April 12, 2022. CW #1’s distress manifested in bizarre and violent behaviour on public roadways. Motorists who came across CW #1 contacted 911. One of those motorists was CW #4. On Highway 427 in the area of Burnhamthorpe Road, CW #4 had seen CW #1 jump onto vehicles and threaten the driver of a Volvo with a shovel, thereafter carjacking the car and accelerating away eastbound on Burnhamthorpe Road.*

*CW #1 continued before crashing into a cube truck, after which he exited the Volvo, commandeered the truck, and continued eastbound on Burnhamthorpe Road, dragging the Volvo for a distance. He would continue in this reckless fashion for a further eight to nine kilometres, ramming into multiple vehicles along the way and leaving a trail of destruction behind him. Westbound on The Queensway, CW #1 entered the left-turn lanes of the roadway at Dixie Road and rear-ended the vehicle occupied by the Complainant. He continued a short distance south on Dixie Road before his vehicle stalled and came to a stop.*

*By this time, TPS officers following CW #1 came upon the truck and took CW #1 into custody. CW #1 had exited the truck and was trying to get away when he was intercepted by the officers.*

*The first officer to have engaged with CW #1 prior to his arrest was WO #4. On patrol in the area on a motorcycle, WO #4 had pursued the cube van east on Burnhamthorpe Road and south on Kipling Street before he was ordered to discontinue his engagement in the area of North Queen Street.*

*Thereafter, the SO, operating a police SUV, began to follow CW #1 at a distance. With him was WO #1. Behind them was another cruiser occupied by WO #2 and WO #3. The SO kept pace with the cube van west and, eventually, south on North Queen Street until The Queensway, and then west to Dixie Road and south to the scene of the arrest. WO #2 and WO #3 were the officers who arrested CW #1.*

*The Complainant was taken to hospital from the scene and diagnosed with a fracture of the right arm”.*

### **Analysis and Director’s Decision:**

*“The Complainant was seriously injured on April 12, 2022, when the vehicle he was occupying was struck by a cube van being operated by CW #1. As CW #1 was being followed by TPS officers at the time, the SIU was notified of the incident and initiated an investigation. The SO was identified as the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant’s injury.*

*The offence that arises for consideration is dangerous driving causing bodily harm contrary to section 320.13(2) of the Criminal Code. The offence is predicated, in part, on conduct that amounts to a marked departure from the level of care that a reasonable person would have exercised in the circumstances. In the instant case, the issue is whether there was a want of care in the manner in which the SO conducted himself, sufficiently egregious to attract criminal sanction, in connection with CW #1’s collision with the Complainant. In my view, there was not.*

*The SO was in the lawful execution of his duty as he tailed CW #1 for several kilometres from a distance. He and the other officers responding to the calls of CW #1’s reckless driving had a duty to do what they could to mitigate the risk of harm coming to persons in the vicinity of the cube van, even if by only monitoring the situation, reporting what they were observing, and rendering assistance as required.*

*I am satisfied that the SO discharged his duty with due care and attention to public safety. Cognizant of the fact that WO #4 had been ordered to discontinue pursuit, the officer maintained a fair distance from the cube van at all times – in the neighbourhood of several hundred metres. Nor did he activate his emergency equipment or siren throughout the engagement so as to give away his presence and potentially aggravate CW #1’s dangerous driving. In the circumstances, it is clear that neither the SO nor any of the other involved officers had anything to do with the manner in which CW #1 was driving.*

*The question arises whether the SO, aware of the mayhem CW #1 was causing, ought to have adopted a more proactive approach and attempted to forcefully stop the cube van ahead of the Dixie Road and The Queensway intersection. That proposition, I am satisfied, is untenable in the circumstances. Given what the officers knew of CW #1's erratic and volatile behaviour before their arrival, and what they discerned of his reckless driving after they had engaged with him, it would have been apparent that CW #1 could not be stopped short of some sort of physical intervention with the police cruisers. Any such intervention, however, would not only have run counter to the direction that had been given WO #4 that he discontinue pursuit, but would also have entailed a significant degree of risk to the public given the amount of traffic on the roadways.*

*In the result, as there are no reasonable grounds to believe the SO transgressed the limits of care prescribed by the criminal law throughout his engagement with CW #1, there is no basis for proceeding with charges in this case. The file is closed”.*

### **Summary of the Toronto Police Service's Investigation:**

The Traffic Services (T.S.V.) assisted by the S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation as is required by Provincial Legislation.

This investigation examined the circumstances of the vehicle injury in relation to the applicable legislation, policing services provided, procedures, and the conduct of the involved officers.

The T.S.V. investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-03 (Persons in Custody);
- Procedure 07-01 (Transportation 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);
- Procedure 15-20 (Body-Worn Camera).

The T.S.V. investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019.*
- Ontario Regulation 266/10 Suspect Apprehension Pursuit

The T.S.V. investigation determined that the T.P.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 following additional comments are provided. Relevant portions of this event were captured on In-Car and Body-Worn Camera Systems and disclosed to the S.I.U. to assist with its investigation.

The T.S.V. 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.

Staff Superintendent Peter Code (6469), Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office\*



## Toronto Police Services Board Report

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November 8, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Death of Complainant 2022.19**

### **Recommendation(s):**

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

### **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 death, serious injury the discharge of a firearm at a person or an allegation of a sexual assault, 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.

### **S.I.U. Terminology:**

**Complainant** – Refers to the affected person

**SO** – Subject Official

**WO** – Witness Official

**CW** – Civilian Witness

**BWC** – Body Worn Camera's

## **S.I.U. Investigative Conclusion:**

In a letter to the Chief of Police dated August 8, 2022, 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”*.

The following S.I.U. *Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCD-112, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2080](https://www.siu.on.ca/en/directors_report_details.php?drid=2080)

## **S.I.U. Incident Narrative:**

*“The material events in question are clear on the evidence collected by the SIU, which included BWC footage, and may briefly be summarized. As was his legal right, the SO declined an interview with the SIU or to authorize the release of his notes.*

*At about 12:38 a.m. of April 15, 2022, a 911 call was received by the TPS. The caller – CW #2 – had observed a man positioned on the outer aspect of the railing on the Leaside Bridge, atop the DVP. Officers were dispatched to the scene to investigate.*

*The SO and his partner, WO #2, arrived on the bridge in their police vehicle at about 12:43 a.m. They stopped briefly to speak with CW #2, who pointed out the Complainant’s precise location. The officers continued south and brought their vehicle to a stop along the southside curb lane of the bridge, north of the Complainant.*

*The Complainant was perched on the concrete base of a light pole, situated on the outer side of the bridge railing. He was directly over the southbound lanes of the DVP. At the sight of the police officers exiting their cruiser and approaching his location, the Complainant decided to jump.*

*The SO walked towards the Complainant, reached over the railing, and grabbed hold of his jacket. He managed to pull the Complainant back towards the railing, but only temporarily. WO #2 also reached over and attempted to hold onto the Complainant. The Complainant struggled to release the officers’ hold and was eventually able to propel himself off the concrete pad. The Complainant dangled in the air briefly before the SO lost his grip and he fell to the roadway. The entire interaction was a matter of seconds.*

*The Complainant was struck by several southbound motor vehicles. The impact with the ground and the vehicles resulted in catastrophic injury. He was pronounced deceased at the scene.*

*The pathologist at autopsy attributed the cause of the Complainant's death to "multiple blunt force trauma".*

### **Analysis and Director's Decision:**

*"The Complainant died in Toronto on April 15, 2022. As he had interacted with TPS officers in the moments before his death, the SIU was notified and initiated an investigation. One of the officers – the SO – was identified as the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant's death.*

*The offence that arises for consideration is criminal negligence causing death contrary to section 220 of the Criminal Code. The offence is reserved for serious cases of neglect that demonstrate a wanton or reckless disregard for the lives or safety of other persons. A simple want of care will not suffice to give rise to liability. Rather, what is required, in part, is conduct amounting to a marked and substantial departure from the level of care that a reasonable person would have exercised in the circumstances. In the instant case, the question is whether there was a want of care in the manner in which the SO comported himself, sufficiently egregious to attract criminal sanction, that caused or contributed to the Complainant's death. In my view, there was not.*

*The SO and WO #2 were in the lawful execution of their duties when they attended at the bridge to check on the Complainant and render aid. An officer's foremost obligation is the protection and preservation of life. Having received word of an individual in a precarious position on the Leaside Bridge, seemingly intent on jumping, the officers were duty bound to do what they could to prevent that from happening.*

*I am also satisfied that the officers conducted themselves with due care and attention for the Complainant's well-being throughout their engagement. They approached the scene having turned off their cruiser's emergency equipment, presumably so as not rattle or provoke the Complainant. They had just exited their vehicle a short distance from the Complainant when he made as if to jump from the bridge. There was little to no opportunity for negotiation other than the SO's utterance, "Hey, buddy." The officers managed to reach and grab hold of the Complainant before he fell, but his weight and struggle to free himself from their grips proved too much. In retrospect, perhaps the officers would have been better served to maintain their distance from the Complainant – it would appear that their arrival at the scene caught the Complainant by surprise and was the final impetus for his*

*jump. It might be that such an approach would have allowed time for a trained negotiator to attend the scene to deal with the Complainant. This, of course, is speculation. One could easily also conceive of a situation in which the officers' approach worked to save the Complainant's life. They did, after all, have the Complainant in their grasps for a while.*

*For the foregoing reasons, I am satisfied that the SO did not transgress the limits of care prescribed by the criminal law in relation to the Complainant's tragic death.*

*Accordingly, there is no basis for proceeding with criminal charges in this case. The file is closed".*

### **Summary of the Toronto Police Service's Investigation:**

The Professional Standards-S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation as is required by Provincial Legislation.

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

The S.I.U. Liaison investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 04-02 (Death Investigations);
- Procedure 06-04 (Persons In Crisis);
- Procedure 07-03 (Life Threatening Injury/Fatal Collisions);
- 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 15-20 (Body-Worn Camera).

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019.*

The S.I.U. Liaison investigation determined that the T.P.S.'s policies and procedures associated with this custody 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 S.I.U. Liaison 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. The following additional comments are provided. The involved officers were equipped with Body-Worn Cameras and the footage captured and provided to the S.I.U. was instrumental in determining what happened and why. The involved officer's interaction with the Affected Person was limited to 20 seconds. This was insufficient time to dispatch members of the Mobile Crisis Intervention Team (M.C.I.T.) and/or Emergency Task Force to attend and assist.

Staff Superintendent Peter Code (6469), Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office\*



## Toronto Police Services Board Report

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November 8, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.20**

### **Recommendation(s):**

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

### **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 death, serious injury, the discharge of a firearm at a person or the allegation of a sexual assault, 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.

### **S.I.U. Terminology:**

**Complainant** – Refers to the Affected Person

**SO** – Subject Official

**WO** – Witness Official

**TPS** – Toronto Police Service

**ETF** – Emergency Task Force

**CEW** – Conducted Energy Weapon

**MHA** – Mental Health Act

## **S.I.U. Investigative Conclusion:**

In a letter to the Chief of Police dated August 25, 2022, 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 reasonable grounds in the evidence to proceed with criminal charges against the two officials.”*

The following S.I.U. *Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCI-119, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2097](https://www.siu.on.ca/en/directors_report_details.php?drid=2097)

## **S.I.U. Incident Narrative:**

*“Late in the evening of April 17, 2022, the TPS received a call from a woman complaining of a disturbance being created by one of her neighbours – the Complainant. He was said to be hurting his puppy, screaming and throwing things around in his backyard. Police officers were dispatched to the scene near Trinity Bellwoods Park, Toronto.*

*WO #3 and WO #4 arrived on scene and spoke with the 911 caller and another neighbour. They further learned that the Complainant was mentally unstable and keeping them up with the commotion he had been creating. The officers entered the rooming house in which the Complainant was resident and observed what appeared to be firearms present in his possession, including what looked like a Glock pistol in his right hand – the Complainant was sleeping at the time. TPS dispatch was updated and an ETF team was deployed to the scene.*

*The SO #1 and SO #2 were members of the ETF team. Together with WO #1 and WO #2, the team entered the bedroom and confronted the Complainant. CEW discharges by WO #1 and WO #2 were ineffective in immobilizing the Complainant, who reacted to the officers’ presence in his room by kicking and screaming. SO #1 and SO #2 delivered punches to the Complainant during a short-lived struggle, after which he was handcuffed and taken from the scene to a waiting cruiser.*

*Following his arrest, the Complainant was transported to hospital and diagnosed with a fractured right orbital bone.”*

## **Analysis and Director’s Decision:**

*“The Complainant was seriously injured in the course of his arrest by TPS officers on April 18, 2022. The injury came to the attention of the TPS on*

*April 28, 2022, who, in turn, notified the SIU. The SO #1 and SO #2 were identified as the subject officials. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the subject officials committed a criminal offence in connection with the Complainant's arrest and injury.*

*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 what the officers knew of the Complainant's mental instability, erratic behaviour, and possession of what appeared to be an arsenal of firearms, there were clear grounds to arrest him under section 17 of the MHA. There were also grounds to enter into the Complainant's premises without a warrant based on exigent circumstances given the apparent firearms in the Complainant's possession.*

*With respect to the quantum of force used by the officers in the Complainant's apprehension, I am satisfied it did not exceed the limits of justifiable force. The initial CEW discharges by WO #1 and WO #2 were based on a reasonable plan devised by the ETF ahead of their entry into the bedroom. In light of the apparent firearms in the room, it made sense that they would seek the Complainant's immediate incapacitation lest he be in a position to access a weapon and use it. Thereafter, when the CEW discharges proved ineffective (the Complainant had been wearing a bullet-proof vest), the officers were faced with a combative individual resisting arrest. On this record, I am unable to reasonably conclude that the punches struck by SO #1 and SO #2, one or another of which may have fractured the Complainant's orbital bone, were excessive given the clear imperative to handcuff him as quickly as possible.*

*There is a version of events proffered in the evidence that the Complainant did not resist arrest and was struck in the head and eyes for no reason, but it would be unwise to rest charges on the strength of this evidence given the weight of the contradictory evidence and various frailties associated with this account.*

*In the result, while I accept that the Complainant was injured by the force brought to bear by the ETF officers, there are no reasonable grounds to believe that those officers comported themselves other than lawfully throughout their engagement. Accordingly, there is no basis for proceeding with criminal charges in this case. The file is closed."*

## **Summary of the Toronto Police Service's Investigation:**

The Professional Standards - S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation mandated by provincial legislation.

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

The S.I.U. Liaison investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 06-04 (Persons In Crisis);
- 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 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-09 (Conducted Energy Weapons);
- Procedure 15-20 (Body-Worn Camera)

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019*

The S.I.U. Liaison 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 S.I.U. Liaison investigation determined the conduct of the designated officials was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

As Emergency Task Force officers are not equipped with Body-Worn Cameras, the event was not captured on video.

Staff Superintendent Peter Code, Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office\*



## Toronto Police Services Board Report

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November 8, 2022

To: Chair and Members  
Toronto Police Services Board

From: James Ramer  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.22**

### **Recommendation(s):**

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

### **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 death, serious injury, the discharge of a firearm at a person or the allegation of a sexual assault, 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.

### **S.I.U. Terminology:**

**Complainant** – Refers to the Affected Person

**SO** – Subject Official

**WO** – Witness Official

**TPS** – Toronto Police Service

**ETF** – Emergency Task Force

## **S.I.U. Investigative Conclusion:**

In a letter to the Chief of Police dated September 12, 2022, 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 reasonable grounds in the evidence to proceed with criminal charges against the official.”*

The following S.I.U. *Incident Narrative and Analysis and Directors Decision* has been reprinted from the S.I.U. Director’s report, number 22-TCI-129, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2122](https://www.siu.on.ca/en/directors_report_details.php?drid=2122)

## **S.I.U. Incident Narrative:**

*“At about 10:30 p.m. of May 15, 2022, the Complainant called police to request a wellness check on his infant son and the baby’s mother. He was concerned for their well-being as he had not heard from them in days. In the course of that call, the Complainant alluded to the fact that there might be an outstanding warrant for his arrest, but he had no interest in being taken into custody by responding police officers. In fact, there was a warrant in effect for the Complainant’s arrest. Officers were dispatched to his address in the area of Danforth Avenue and Pharmacy Avenue, Toronto.*

*Multiple officers, including the SO, attended at the Complainant’s apartment. Through the locked door, they attempted to have the Complainant surrender into custody. The Complainant refused to do so. Continued efforts over hours to negotiate his apprehension, and attempts to open the door with a master key, were unsuccessful. At about 3:20 a.m., after the police had obtained a Feeney warrant, the officers decided to force entry into the apartment.*

*With the use of a ram, the SO struck the apartment door nine times. He was unable to breach the door open, but did punch a hole of some size through it in the area of the door handle. Through the hole, the Complainant continued to make clear his intentions of staying put. The ETF were called to the scene.*

*ETF officers arrived at the apartment at about 4:00 a.m. and took the Complainant into custody without incident.*

*Following his arrest and transportation to the police station, the Complainant complained of pain and was taken to hospital. He was diagnosed with fractures of two right-sided ribs. The injuries occurred as the Complainant*

*braced himself against the interior of the door and felt the impacts of one or more of the ram strikes delivered by the SO.”*

### **Analysis and Director’s Decision:**

*“The Complainant was seriously injured in the course of his arrest by TPS officers on May 16, 2022. One of the officers – the SO – was identified as the subject official in the ensuing SIU investigation. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant’s arrest and injuries.*

*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.*

*There was a warrant out for the Complainant’s arrest and the officers were within their rights in seeking to take him into custody. Thereafter, when the Complainant refused to exit his dwelling to be arrested and the police obtained a Feeney warrant, the officers were authorized to forcibly enter his apartment to effect his arrest.*

*The force used attempting to enter the Complainant’s apartment was legally justified. The Complainant had made it clear over the course of hours that he was not about to open his door and submit to arrest. In the circumstances, the officers were left with little option but to attempt to breach the door. The use of a ram is standard fare in these types of cases and would appear to have been a reasonable tactic in the situation, particularly as the master key provided by the building’s administrators had not worked to unlock the door. Prior to the ram’s use, the officers knocked on the door, advised what they were about to do, and offered the Complainant another chance to open the door of his own accord. He did not.*

*In the result, though it is regrettable that the Complainant chose to brace himself against the door in an effort to prevent its breach by the ram, fracturing his ribs in the process, his injuries are not attributable to any unlawful conduct on the part of the SO. As such, there is no basis for proceeding with criminal charges in this case. The file is closed.”*

### **Summary of the Toronto Police Service’s Investigation:**

The Professional Standards - S.I.U. Liaison (S.I.U. Liaison) conducted an administrative investigation mandated by provincial legislation.

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

The S.I.U. Liaison investigation reviewed the following Toronto Police Service (T.P.S.) procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 02-01 (Arrest Warrants);
- 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 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-17 (In-Car Camera System)
- Procedure 15-20 (Body-Worn Camera)

The S.I.U. Liaison investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019*

The S.I.U. Liaison 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 S.I.U. Liaison investigation determined the conduct of the designated officials was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures.

The S.I.U. Director in his findings stated: *"BWC recordings from the five police officers disclosed provided detailed accounts of their actions, discussions among each other, and the planning to execute the warrant against the Complainant."* The S.I.U. did not request interviews with any officers as a result.

Staff Superintendent Peter Code, Professionalism and Accountability, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

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

\*original copy with signature on file in Board office\*