



**Public Meeting**

**Thursday,  
September 14, 2023  
at 9:00AM**



**PUBLIC MEETING AGENDA**  
**Thursday, September 14, 2023 at 9:00AM**  
**Livestreaming at <https://youtube.com/live/p6QTDh8LQY4>**

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Call to Order

Indigenous Land Acknowledgement

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

[Swearing-in of Deputy Mayor Amber Morley](#)

Chief's Monthly Verbal Update

1. Election of Vice-Chair
2. Confirmation of the Minutes from the regular public meeting held on [July 27, 2023](#).

Presentation

3. Badge Presentation - Internet Child Exploitation Unit Police Dog "Blue"

Items for Consideration

4. September 14, 2023 from Myron Demkiw, Chief of Police  
**Re: [Request to Extend Term of 911 Crisis Call Diversion Pilot Project](#)**

5. August 2, 2023 fro Myron Demkiw, Chief of Police  
**Re: Contract Award to Covalence Consulting Inc. for Major Case Management and Violent Crime Linkage Analysis System Tracking Software**
  
6. August 8, 2023 fro Myron Demkiw, Chief of Police  
**Re: Environics Analytics – Contract Increase**
  
7. **Budget Variance Reports**
  - 7.1 July 28, 2023 from Myron Demkiw, Chief of Police  
**Re: 2023 Operating Budget Variance for the Toronto Police Service, Period Ending June 30, 2023**
  
  - 7.2 August 4, 2023 from Myron Demkiw, Chief of Police  
**Re: Capital Budget Variance Report for the Toronto Police Service, Period Ending June 30, 2023**
  
  - 7.3 August 13, 2023 from Myron Demkiw, Chief of Police  
**Re: 2023 Operating Budget Variance for the Toronto Police Service Parking Enforcement Unit, Period Ending June 30, 2023**
  
  - 7.4 July 31, 2023 from Dubi Kanengisser, Executive Director  
**Re: 2023 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending June 30, 2023**
  
8. August 28, 2023 from Dubi Kanengisser, Executive Director  
**Re: City Council Decision – CC8.2: Declaring Gender-Based Violence and Intimate Partner Violence an Epidemic in the City of Toronto; and EX6.1: Review of City of Toronto Guiding Principles for Executive Compensation Policies at City Agencies and Corporations**
  
9. July 26, 2023 from Myron Demkiw, Chief of Police  
**Re: Special Constable Appointments and Re-Appointments – September 2023**

## Consent Agenda

10. August 4, 2023 from Dubi Kanengisser, Executive Director  
**Re: Semi-Annual Report: Toronto Police Services Board Special Fund Unaudited Statement: January to June 2023**
  
11. **Chief's Administrative Investigation Reports**
  - 11.1 July 31, 2023 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.04**
  - 11.2 July 31, 2023 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.05**
  - 11.3 July 31, 2023 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Firearm Discharged at a Person - Complainant 2023.10**
  - 11.4 July 31, 2023 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.11**
  - 11.5 July 31, 2023 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.12**
  - 11.6 July 31, 2023 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Alleged Sexual Assault of Complainant 2023.18**

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

**Regular Board Meeting**

Thursday, October 19, 2023

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

**Special Public Meetings – Budget**

September 25, 2023: 10:00 – 11:30am

October 17, 2023: 10:00 – 11:30am

November 27, 2023: 10:00 – 11:30am

Police Headquarters, 40 College Street or virtually via WebEx

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**Members of the Toronto Police Services Board**

Ann Morgan, Chair

Amber Morley, Deputy Mayor & Member

Lily Cheng, Member & Councillor

Nick Migliore, Board Member

Lisa Kostakis, Acting Vice-Chair

Nadine Spencer, Board Member

Jon Burnside, Member & Councillor



City Clerk's Office

John D. Elvidge  
City Clerk

**Secretariat**  
Jonathan B. Canchela  
Striking Committee  
City Hall, 12th Floor, West Tower  
100 Queen Street West  
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August 18, 2023

Ms. Ann Morgan  
Chair, Toronto Police Service Board  
40 College Street  
Toronto, Ontario  
M5G 2J3  
[board@tpsb.ca](mailto:board@tpsb.ca)  
[sheri.chapman@tpsb.ca](mailto:sheri.chapman@tpsb.ca)

Dear Ms. Morgan:

City Council, at its meeting on August 10, 2023, adopted Striking Committee [Item ST2.1](#) and, in so doing, rescinded the appointments made in [2023.ST1.1](#) and appointed the following Members of Council to the Toronto Police Services Board of Directors for a term of office until December 31, 2024, and until successors are appointed:

Councillor Jon Burnside  
Councillor Lily Cheng  
Deputy Mayor Amber Morley

Yours truly,

for John D. Elvidge  
City Clerk

SP/ab

c. City Manager

**Toronto Police Services Board  
Appointees' Contact Information**

Councillor Jon Burnside  
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Councillor Amber Morley  
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Tel: 416-397-9273  
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## PUBLIC REPORT

**September 14, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Request to Extend Term of 911 Crisis Call Diversion Pilot Project**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation:**

This report recommends that the Toronto Police Services Board (Board):

1) approve an extension of the 9-1-1 Crisis Call Diversion Pilot Project (9-1-1 C.C.D.) in partnership with Gerstein Crisis Centre (G.C.C.) from October 1, 2023 to September 30, 2024 inclusive, at a cost not to exceed \$647,100; and

2) authorize the Chair to execute all documents required to facilitate the extension of the 9-1-1 C.C.D., based on the terms and conditions satisfactory to the Chief.

### **Financial Implications:**

Since the start of the pilot project in August 2021, and as of June 30, 2023, spending totalled \$843,500 and has been absorbed within the Service's operating budgets.

The 9-1-1 C.C.D. is proposed to be extended for one year, from October 1, 2023 to September 30 2024, and this extension term is estimated to cost \$647,100, as outlined in the table below:

Expenditure	Total Estimated Cost Incurred by Partner Agency and Reimbursed by TPS
Project Coordinator salary and benefits 1.0 FTE	\$91,800
Crisis Intervention Worker salary and benefits 5.5 FTE (providing a total coverage of 24 hours each day)	\$465,800
Training	\$52,400
Administrative Fee	\$16,800
Telecommunications charges	\$16,800
Legal charges	\$3,500
<b>Total estimated cost</b>	<b>\$647,100</b>

The total estimated cost of \$647,100 for a one-year extension of the 9-1-1 C.C.D. will be funded from the Service's Modernization Reserve. As costs will be incurred over two fiscal years, the draws from the Modernization Reserve will be made in 2023 and 2024. The amount required for the 2024 draw will be considered in the development of the 2024 Operating Budget.

The estimated cost for the extension from October 1, 2023 to September 30, 2024 is approximately \$355K less than the cost for the previous one-year extension (October 1, 2023 to September 30, 2023). This reflects lower staffing requirements due to call volumes for the pilot program not necessitating the 2<sup>nd</sup> crisis intervention worker, as well as reduced telecommunication and furniture expenditures.

In line with the terms of the existing M.O.U., G.C.C. will continue to invoice the Service quarterly based on actual costs incurred over the extended term of the pilot project.

## **Summary:**

The 9-1-1 C.C.D. co-locates a G.C.C. crisis worker with specialized training in mental health crisis response in the Service's 9-1-1 Communications Services Call Centre. This pilot project aims to quickly connect inbound callers experiencing non-emergency mental health-related issues with mental health professionals and support at G.C.C. and other community support agencies.

The purpose of this report is to obtain the Board's approval to extend the 9-1-1 C.C.D. for an additional one year term to allow for the completion of an independent evaluation by the Provincial System Support Program (P.S.S.P) team, who will also provide recommendations on how the 9-1-1 C.C.D. could operate after the extension term.

## **Discussion:**

### ***Background***

At its meeting of June 24, 2021, the Board authorized the entering into of a M.O.U. between the Board and G.C.C. to establish the 9-1-1 C.C.D. pilot project in 51, 52 and 14 division 20 hours a day, seven days a week (Min. No P2021-0624-2.1).

Subsequently, at its meeting of July 27, 2022, the Board received a six-month mid-term evaluation of the 9-1-1 C.C.D. in relation to the results of the pilot over the first 6 months. The mid-term evaluation reported on the success of the pilot project having diverted 117 events from a police response (Min. No P2022-0727-3.1).

At its meeting of September 13, 2022, the Board approved expansion of the pilot catchment area citywide with hours of operation extending to 24 hours each day and an extension of the term of the pilot from October 1, 2022 to September 30, 2023 (Min. No P2022-0913-2.0).

Collaboration in this pilot project demonstrates the willingness and determination of the Service to modernize the role of police in crisis events in a way that ensures that police are no longer the only or default service provider. The 9-1-1 C.C.D. pilot project supports directions made by the Board relative to Police Reform, recommendations of the City of the Toronto Auditor General and action items from the Service's Mental Health and Addictions Strategy, to provide alternative non-police models of community safety response for person in crisis wherever possible.

### ***Independent Evaluation of the 9-1-1 C.C.D. - Provincial System Support Program***

The P.S.S.P. at the Centre for Addiction and Mental Health is Ontario's largest mental health and addictions evaluation program, positioned within Canada's largest academic mental health and addictions hospital and research centre.

As the third party evaluator for the Toronto Community Crisis Service (T.C.C.S) pilot led by the City of Toronto, the P.S.S.P. is uniquely positioned to provide an independent evaluation of the 9-1-1 C.C.D. pilot project. Both pilots are similarly aligned non-police crisis response models that involve overlapping catchment areas and community based service providers, underscoring the need and benefits of utilizing the same independent evaluator.

Building off existing relationship and evaluation efforts, the P.S.S.P. has proposed the following evaluation of the 9-1-1 C.C.D.:

1. design and implementation of an evidence-based, co-designed evaluation framework and data collection strategy;
2. generate a robust, data-driven understanding of the impacts of the 9-1-1 C.C.D. and stakeholder experiences; and
3. provide recommendations to inform post-pilot phase program design and quality improvement process.

Extending the term of the 9-1-1 C.C.D. until September 30, 2024 will allow time for the P.S.S.P. to complete a fulsome evaluation of the pilot project and allow the Service to consider recommendations made by the evaluation team in regards to post-pilot phase program design. The Service is in the process of finalizing the terms and scope of the 9-1-1 C.C.D. evaluation with P.S.S.P.

### ***Memorandum of Understanding***

The Board and G.C.C. entered into a M.O.U. in relation to the 9-1-1 C.C.D. which detailed the roles and responsibilities of both parties. This report recommends the

Board extend the 9-1-1 C.C.D. for an additional term from October 1, 2023 to September 30, 2024, inclusive, and that the existing M.O.U. be amended to reflect the extension and the payment terms for the extension period.

***Conclusion:***

The Service and G.C.C. will continue to work collaboratively with P.S.S.P. to measure and evaluate the 9-1-1 C.C.D. while the pilot is extended an additional year. The 9-1-1 C.C.D. is an example of the Service's ongoing desire to explore and deliver non-police, alternate response models, which provide an accessible source of support and recovery for individuals experiencing a mental health crisis.

Deputy Chief Lauren Pogue, Community Safety Command, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

**August 2, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Contract Award to Covalence Consulting Inc. for Major Case Management and Violent Crime Linkage Analysis System Tracking Software**

**Purpose:**     Information Purposes Only     Seeking Decision

### **Recommendations:**

This report recommends that the Toronto Police Services Board (Board):

- 1) approve a contract award to Covalence Consulting Inc. (Covalence) for the modernization of the Major Case Management (M.C.M.) and Violent Crime Linkage Analysis System (Vi.C.L.A.S.) tracking software for up to \$700K (thousand) for a nine month period commencing upon Board approval, with an option to extend for an additional three month period;
- 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 business need, budget availability and satisfactory performance by the vendor.

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## **Financial Implications:**

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The total project cost of up to \$700K includes all software development life cycle phases (requirements, design, development, testing, deployment, post-go-live support).

Assuming a late September 2023 start to the project, projected costs are \$300K in 2023 and up to \$400K in 2024.

\$425K has been included in the Service's approved 2023-2032 capital program as part of the State of Good Repair – Other project (Min. No. P2023-0109-2.3 refers). The remaining \$400K will be included in the 2024 budget request.

## **Summary:**

The purpose of this report is to request the Board's approval for a non-competitive contract award to Covalence at an estimated cost of up to \$700K for the modernization of the M.C.M. and Vi.C.L.A.S. tracking software.

## **Discussion:**

### ***Background***

The M.C.M. and Vi.C.L.A.S. tracking software, an in-house built system, is a complicated and critical software tool which is used to ensure the Service is compliant with Provincial legislation.

Collecting required data regarding criteria offence occurrences, the software allows both Vi.C.L.A.S. and M.C.M. units to track, analyze, and report the results to assist investigators with both internal and legislative compliance. The administrative functionality of the software allows the Service to effectively manage the annual volume of cases that are handled by the units.

No other police service in the Province has a software program such as the M.C.M. and Vi.C.L.A.S. tracking software that the Service possesses. The Service is unique in the Ontario policing community due to the volume of occurrences which are generated. Other police services enter their cases into a spreadsheet manually; however, this method is not a viable option for the Service. Having the Vi.C.L.A.S. and M.C.M. tracking software allows the Service to ensure an excellent compliance record and meet annual audit and reporting requirements. It will also assist the Service in meeting the recommendations of Justice Epstein related to M.C.M. made in her report on Missing and Missed.

### **Service Need**

Due to the risk of outages while running the application with an unsupported, and soon to be decommissioned technical component (Adobe Flash), there is an immediate need to modernize the current software. The current application relies on a stop-gap measure that will be expiring in the near future, creating operational risk. This risk translates to increased manual effort for the M.C.M. Unit and reduced Provincial compliance rates with regards to M.C.M. and Vi.C.L.A.S.

The Vice President of Covalence is the original developer of the software. Given his knowledge and experience with the software, he is in the best position to assess modernization options and implement the best option for this complex software. This will provide the Service with the opportunity to leverage the hands-on expertise and oversight of the software creator, in addition to providing the necessary knowledge transfer to the Service's Information Technology Services (I.T.S.) unit, enabling ongoing internal support for the product moving forward.

Approval of this contract award will allow for a timely and smooth modernization of the M.C.M. and Vi.C.L.A.S. tracking system.

### **Relevant Board Policies and Compliance:**

The Board's Bylaw No. 163, Purchasing By-law includes the following applicable articles/clauses:

*'15.1 A non-competitive procurement may be undertaken where both the proposed noncompetitive procurement and the particular vendor can be justified in good faith, based on one or more of the following considerations:*

...

*g) the need for compatibility with Goods or Services previously acquired when there are no reasonable alternatives, substitutes or accommodations or there is a need to avoid violating warranties and guarantees.'*

### **Conclusion:**

For the reasons outlined above, it is recommended that the Board approve a contract award to Covalence at an estimated cost of up to \$700K for the modernization of the M.C.M. and Vi.C.L.A.S. tracking software.

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

**August 8, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Environics Analytics – Contract Increase**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendations:**

This report recommends that the Toronto Police Services Board (Board):

1. approve a contract increase with Environics Analytics Group Ltd. (E.A.) for professional services and licensing over a three year period from January 1, 2023 to December 31, 2025 at an estimated cost of \$590,500, with an option to extend from January 1, 2026 to December 31, 2027 for a total cost of \$662,556 excluding taxes over five years;
2. authorize the Chief 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 approve the option to extend the contract, subject to continued business need and funding and satisfactory vendor performance.

### **Financial Implications:**

On November 14, 2022 (Min. No. P2022-1114-3.0. refers) the Board approved a contract extension and increase with E.A. for professional services and licenses fees over a five year period to support the development of analytical models for strategic resource alignment and sustainable cost savings. Since this approval, additional requirements have come to light that require the purchase of additional software licenses and professional services.

In order to support critical work required to satisfy recommendations made by the City of Toronto's Auditor General (Auditor General), specifically to address recommendations made under the theme of enhancing response time methodology and improving emergency response times, additional professional services by E.A. are required for the Shift Schedule Analysis and Modelling Project.

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<b>Period</b>	<b>Professional Services</b>
September 18, 2023 – December 31, 2023	\$116,950
January 1, 2024 – December 31, 2024	\$350,850
<b>Total</b>	<b>\$467,800</b>

The Toronto Police Association (T.P.A.) has agreed to pay for 50% of the cost for professional services specific to implementing the Auditor General’s recommendations. The Service’s portion (50%) amounting to \$233,900 has been included in the Service’s approved 2023-2032 capital program (Min. No. P2023-0109-2.3 refers).

T.P.S. also purchased five additional Alteryx software licenses at a cost of \$38,975 annually using grant funding. It is anticipated these additional licenses will be used over the next five years of the existing contract to support, maintain and update the tools and models delivered by the Shift Schedule Analysis and Modelling project and for future data modelling projects at a total cost of \$185,131.

<b>Period</b>	<b>License Fees</b>
March 31, 2023 – March 30, 2024	\$38,975
March 31, 2024 – March 30, 2025	\$38,975
March 31, 2025 – March 30, 2026	\$38,975
March 31, 2026 – March 30, 2027	\$38,975
March 31, 2027 – December 31, 2027	\$29,231
<b>Total</b>	<b>\$185,131</b>

The software licenses will be funded through the Community Safety & Policing Grant up to and including the grant’s expiry date of March 31, 2025. Future expenditures will be included in the Analytics and Innovation unit’s operating budget requests.

The following table summarizes the required increase for the five year period:

<b>Description</b>	<b>Initial period</b>	<b>Extension Option</b>	<b>Total</b>
Professional Services	\$467,800		\$467,800
Increase to licenses (\$1,925 annually)	\$5,775	\$3,850	\$9,625
Additional licenses (\$38,975 annually)	\$116,925	\$68,206	\$185,131
<b>Total</b>	<b>\$590,500</b>	<b>\$72,056</b>	<b>\$662,556</b>

## Summary:

The Service's Analytics and Innovation (A.& I.) unit relies on E.A. data and products to support the implementation of recommendations from a number of initiatives, including Neighbourhood Policing programs and other Community-centric service delivery models, and police reform programs such as Race-Based Data Strategy.

The specialized services and data provided by E.A. support the A. & I. unit in its evaluation and modelling of small area demographic profiles, workload analysis, location analysis, data visualization and the generation of customer insights. E.A. has a proprietary analytical toolset, which includes specialized functionality for data related to the City of Toronto.

The purpose of this report is to request the Board's approval for an increase to the existing contract with E.A. by \$662,556 to provide professional services and additional software licenses required for the Shift Schedule Analysis and Modelling Project and on-going maintenance to support police reform work recommended by the Auditor General in June 2022 (Min. No. P2022-0622-4.0 refers).

## Discussion:

### **Background**

On November 14, 2022 (Min. No. P2022-1114-3.0. refers) the Board approved the extension and increase of the existing contract with E.A. for professional services and licencing for an additional three year period (January 1, 2023 to December 31, 2025) at a cost of \$499,460, with a two year option to extend (January 1, 2025 to December 31, 2027) for a total cost of \$837,508 over five years.

In Q1 of 2023, the Service's Strategy Management Unit reached out to the Information Management pillar to request assistance with implementing a number of recommendations made by the Auditor General, specifically, in the audit report titled "Review of Toronto Police Service – Opportunities to Support More Effective Responses to Calls for Service", the Auditor General recommends the following:

6. *Toronto Police Services Board direct the Chief, Toronto Police Service (T.P.S.) to evaluate the root causes for increasing response times and determine a strategy for meeting priority one to priority three response time targets. This should specifically include:*
  - a. *Considering strategies for how to improve staff deployability rates, both across the organization and for individual T.P.S. divisions...*and;
8. *Toronto Police Services Board, work in collaboration with the Chief, Toronto Police Service (T.P.S.) to:*
  - a. *Review response time standards adopted as part of the Metropolitan Toronto Police Restructuring Task Force's 'Beyond 2000: Final Report' and determine if any updates are needed;*

- b. *Once a reasonable set of response time standards have been agreed upon and formally adopted, communicate them across the organization and routinely measure progress against those standards;*
- c. *Consider publicly reporting out on its response time performance to increase transparency and accountability; and*
- d. *Consider its current response time calculation methodology and consider including the impact of call taker time and any other relevant factors, including items which may not be currently included.”*

In order to ensure alignment with existing police reform work and to leverage E.A.’s proprietary analytical toolset; the Service is requesting to increase the scope of the existing contract with E.A. to include the following deliverables as part of the Shift Schedule Analysis and Modelling Project:

- Creation of a Workload Performance-Based Model, to enable comprehensive assessment of workload through calls for service data, operational commitments, shift schedules and other agency features and characteristics and to assist with determining the appropriate number of officer staffing levels to meet demand service levels;
- Creation of a Queuing Model, to establish a link between pending and response time along with required officer resources to meet response time targets; and
- Development of two software/application tools that will work together to allow the Service to estimate required officer resourcing and impact on call response times. The models and tools can be updated on an on-going basis for workforce planning purposes.

***Relevant Board Policies and Compliance:***

The Board’s Bylaw No. 163, Purchasing By-law, Section 15.1 outlines the following allowable non-competitive procurement exceptions:

*‘(c) The existence of exclusive rights such as a patent, copyright, license or warranty restrictions; and*

*‘(g) The need for compatibility with Goods or Services previously acquired when there are no reasonable alternatives, substitutes or accommodations or there is a need to avoid violating warranties and guarantees.’*

As well, Section 15.3 of this Bylaw outlines the contract award authority for non-competitive procurements:

*‘...The Chief may only make an Award, or combination of related Awards, through a non-competitive procurement under this section for a total amount not exceeding \$500,000, and execute a Contract in relation to that Award.’*

Finally, Section 20.5 (a) of this Bylaw outlines the following limitation with regards to contract increases:

*‘Where any purchase has been authorized under this by-law, those persons authorized to make the Award may, upon being satisfied that increases are required, authorize expenditures that exceed the original approved Contract Value at the time of Award, provided that any additional expenditures cumulatively shall not exceed the lesser of:*

*(a) fifteen percent (15%) of the total cost of the original approved Contract Value at the time of Award; and*

*(b) the authority of that person as set out in section 20.3.'*

**Conclusion:**

For the reasons outlined above, the Service is seeking the Board's approval to increase the current contract with E.A. for professional services and licensing.

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

**July 28, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: 2023 Operating Budget Variance for the Toronto Police Service, Period Ending June 30, 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation:**

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

### **Financial Implications:**

The Toronto Police Service's (Service) 2023 approved net operating budget is \$1,166.5 Million (M). As at June 30, 2023, the Service is projecting a net zero variance. Table 1 provides a breakdown of the projected variance, by feature category. Details regarding these categories are discussed in the sections that follow.

### **Summary:**

The purpose of this report is to provide the Board with the Service's 2023 projected year-end variance as at June 30, 2023. The Service's projected total net expenditures are \$1,166.5M, resulting in a projected net zero 2023 year-end variance.

Table 1 provides a high-level summary of variances by feature category. The body of this report provides explanations of variances in each feature category and explains potential expenditure reductions to mitigate projected potential overspending identified in the variance.

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**Table 1 – 2023 Variance by Feature Category**

<b>Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
1- Salaries	\$871.1	\$431.2	\$859.8	\$11.3
2- Premium Pay	\$58.9	\$37.4	\$81.9	(\$23.0)
3- Benefits	\$259.6	\$130.4	\$260.8	(\$1.2)
4- Non Salary	\$100.0	\$69.1	\$100.5	(\$0.5)
5- Contributions to / (Draws from) Reserves	(\$1.0)	\$0.0	(\$1.0)	\$0.0
6- Revenue	(\$122.1)	(\$45.5)	(\$128.3)	\$6.2
7- Net Impact of Grants	\$0.0	\$0.3	(\$2.7)	\$2.7
<b>Total Preliminary Net</b>	<b>\$1,166.5</b>	<b>\$622.9</b>	<b>\$1,171.0</b>	<b>(\$4.5)</b>
Expenditure Reductions			(\$4.5)	\$4.5
<b>Total Net</b>			<b>\$1,166.5</b>	<b>(\$0.0)</b>

**Discussion:**

***Background***

At its January 9, 2023 meeting, the Board approved the Service’s budget request at \$1,166.5M (Min. No. P2023-0109-2.2 refers).

Subsequently, City Council, at its February 15, 2023 meeting, approved the Service’s 2023 operating budget at the same amount.

As at June 30, 2023, the Service is projecting a year-end variance of zero. However, while still early in the year, preliminary projections show that the Service will have to manage \$4.5M of unfavourable variance risk to come in on budget. The Service is assessing spending plans and opportunities to manage this risk to stay within budget. This is explained later in the report, but includes reviewing the following:

- timing and pace of hiring;
- premium pay spending;
- non-salary expenditures;
- revenue and cost-recovery opportunities; and
- reserve draw and contribution strategies.

***Relevant Board Policies and Compliance:***

This report is in compliance with the Board’s Budget Transparency Policy, approved on July 29, 2021 (Min. No. P2021-0729-3.0. refers).

## **Budget Variances**

Details regarding variances shown in Table 1 are discussed below. It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

### **1 - Salaries:**

As can be seen in Table 2 below, the total salary budget is \$871.1M with a projected spending of \$859.8M, resulting in a favourable variance of \$11.3M in this category.

**Table 2 - Salaries Expenditures**

<b>Expenditure Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Uniform Officers	\$642.0	\$322.2	\$638.2	\$3.8
Civilians	\$229.1	\$109.0	\$221.6	\$7.5
<b>Total Salaries</b>	<b>\$871.1</b>	<b>\$431.2</b>	<b>\$859.8</b>	<b>\$11.3</b>

Uniform Officers - Salary expenditures are primarily impacted by the number of new officers hired each year and the number of officers retiring or resigning each year, and how these vary from budget. The timing of hires and separations can also significantly impact expenditures.

- The 2023 approved budget assumed that there would be 200 uniform officer separations during the year. To date, 96 officers have separated from the Service, as compared to the 109 that was assumed in the budget for the same time period (13 less than anticipated). In addition, officers signing up to retire at a future date have slowed. As a result, the year-end projected separations have been decreased to 175, thereby increasing salary expenditures.
- The 2023 approved budget includes funding for 408 uniform hires with class sizes of 120 in April, 120 in August, 120 in December and 48 lateral hires, 24 of which were anticipated to take place in February. The Service achieved 10 lateral hires in February, resulting in salary savings. In order to meet hiring targets, and current, as well as future anticipated service level demands, the Service has updated its hiring assumptions and is planning to increase the August class to 150 cadets. The August class will be deployed in early 2024. The current year-end 2023 projected officer strength will be 5,138, representing 209 above year-end 2022 levels.

The impact of the above variances results in a net favourable variance of \$3.8M for uniform salaries.

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

Civilians - The 2023 approved budget includes funding to continue hiring to fill various civilian vacancies. This includes Communications Operators, Special Constables and other civilian vacancies that support the frontline and/or other mandated activities. While the Service has been hiring to fill key positions, many of the positions have been filled through internal promotions, creating other cascading vacancies. Separations for 2022 were greater than planned, and in addition, 2023 year-to-date civilian separations continue at a pace greater than anticipated (98 versus 62). As a result, the Service is currently at 2,412, or 58 below its average funded civilian strength of 2,470. Therefore, the Service is projecting savings of \$7.5M in civilian salaries.

Greater separations and cascading vacancies will put pressure on premium pay expenditures as the Service ensures required services are provided and necessary work continues.

*2 - Premium Pay:*

The total premium pay budget is \$58.9M with a projected spending of \$81.9M resulting in an unfavourable variance of \$23.0M in this category.

**Table 3 – Premium Pay Expenditures**

<b>Expenditure Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Uniform Officers	\$53.3	\$31.9	\$68.8	(\$15.5)
Civilians	\$5.6	\$5.5	\$13.1	(\$7.5)
<b>Total Premium Pay</b>	<b>\$58.9</b>	<b>\$37.4</b>	<b>\$81.9</b>	<b>(\$23.0)</b>

Uniform Officers - There is a base level of uniform premium pay inherent to policing. Premium pay is incurred for:

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

The 2023 operating budget includes an opening premium pay pressure of approximately \$11M, as the Service experienced an unfavourable premium pay variance of \$22M in 2022 adjusted for onetime events (e.g. policing the Freedom Convoy) and the 2023 operating budget submission included only a \$11.6M increase to the premium pay budget in order to keep the Service’s budget increase to a minimum.

The Service's ability to deal with and absorb the impact of major unplanned events (e.g., demonstrations, emergency events, and homicide / missing persons) relies on the use of off-duty officers which results in premium pay costs. However, due to reduced uniform staffing levels in recent years, the Service's ability to manage both unplanned and planned events has become increasingly challenging. The necessity for the redeployment of the Community Response Units to the Neighbourhood Community Officer Program during 2022 has reduced the capacity for the Service to respond to unplanned events with on duty resources. As a result, the Service has had to rely on off duty resources by way of call-backs in order to provide the surge capacity required in order to ensure adequate resources are available to respond during major unplanned events and public safety issues. For example, the increased police presence to enhance public safety on the T.T.C. required off duty resources that accounted for \$1.9M in premium pay costs and the Service incurred almost \$0.7M in premium pay related to the Maple Leafs playoffs. The Service is also applying more off duty resources to the annual corporate events in order to increase safety. Corporate events such as Pride, Victoria Day and Canada Day account for \$1.5M in premium pay. In addition, officer attendance at Criminal and Traffic Courts has approached pre-pandemic levels, resulting in further premium pay pressures.

The uniform premium pay variance is projected to be \$15.5M unfavourable.

Civilians - Civilian premium pay is also incurred as units address critical workload issues resulting from civilian vacancies. The Service currently has a 6% civilian vacancy rate across the Service, which is higher than the budgeted vacancy rate of 2%. Civilian overtime and call-backs are authorized when required to ensure deadlines are met, key service levels are maintained, tasks are completed to mitigate risks, and to address critical workload issues resulting from civilian vacancies, across the Service.

Reductions in civilian premium pay spending are expected as civilian staffing vacancies decrease. However, many of the civilian positions (e.g., communication operators, special constables) require weeks or months of ongoing training before the staff can be utilized to their full potential.

The civilian premium pay variance for 2023 is projected to be \$7.5M unfavourable. The projected higher-than-budgeted civilian premium pay expenditures are offset by savings in civilian salaries.

### *3 - Benefits:*

The total Benefits budget is \$259.6M with a projected spending of \$260.8M, resulting in a \$1.2M unfavourable variance. Table 4 below outlines the major categories of Benefit expenditures, and each category is discussed below.

**Table 4 – Benefits Expenditures**

<b>Expenditure Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Medical / Dental	\$52.2	\$21.4	\$53.4	(\$1.2)
O.M.E.R.S. / C.P.P. / E.I. / E.H.T.	\$152.4	\$91.6	\$151.9	\$0.5
Sick Pay Gratuity /C.S.B./L.T.D.	\$25.5	\$7.1	\$25.5	\$0.0
Other (e.g., W.S.I.B., life insurance)	\$29.5	\$10.3	\$30.0	(\$0.5)
<b>Total Benefits</b>	<b>\$259.6</b>	<b>\$130.4</b>	<b>\$260.8</b>	<b>(\$1.2)</b>

Ontario Municipal Employees' Retirement System (O.M.E.R.S.)  
 Canada Pension Plan (C.P.P.)  
 Employer Health Tax (E.H.T.)  
 Long Term Disability (L.T.D.)  
 Employment Insurance (E.I.)  
 Central Sick Bank (C.S.B.)  
 Workplace Safety and Insurance Board (W.S.I.B.)

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

Medical/Dental – Group benefit entitlements as per the collective agreements are captured in this category. Costs are trending unfavourable in the second quarter of the year with a projected unfavourable variance of \$1.2M for the year. Expenditures are often subject to cost changes and active and eligible retired member utilization rates and therefore projections are subject to change.

O.M.E.R.S. /C.P.P. /E.I. /E.H.T. - Favourable variances of \$0.5M in this category are a result of reduced staffing levels and associated salaries.

Sick Pay Gratuity /C.S.B. /L.T.D. - No variance is projected at this time. The majority of costs in this category are funded from reserves and any expenditure differentials would result in a net zero impact.

Other – The unfavourable variance of \$0.5M in this category is mainly due to a \$0.8M unfavourable variance in W.S.I.B offset by other savings. The Service has been experiencing an increase in W.S.I.B. costs, similar to other emergency services across the city and province. Emotional/Psychological incidents remain high and are related to the psychologically demanding nature of police work, the presumptive legislation for *First Responders in the Workplace Safety and Insurance Act*, as well as evidence of decreased stigma around reporting emotional/psychological incidents. The operating budget was increased in anticipation of the increasing costs; however, the rate of cost increase has been difficult to accurately project. Officer wellness supports and programs continues to be a priority.

#### 4 - Non-Salary:

The total Non-Salary budget is \$100.0M with a projected spending of \$100.5M, resulting in a \$0.5M unfavourable variance. Table 5 summarizes the major categories, and each is discussed below.

**Table 5 – Non-Salary Expenditures**

<b>Non Salary</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Vehicles (e.g. gas, parts)	\$17.3	\$12.6	\$15.8	\$1.5
Information Technology	\$39.2	\$33.6	\$40.4	(\$1.2)
Contracted Services	\$13.7	\$5.4	\$13.0	\$0.7
Other	\$29.8	\$17.5	\$31.3	(\$1.5)
<b>Total Non Salary</b>	<b>\$100.0</b>	<b>\$69.1</b>	<b>\$100.5</b>	<b>(\$0.5)</b>

Vehicles (e.g., gas, parts) - The favourable variance is mainly due to a favourable variance in gasoline due to lower than budgeted gas prices, which is partially offset by increased costs for vehicles.

Information Technology (I.T.) - This category funds the maintenance and support of the Service's computer infrastructure. The variance is a result of changes for in-year requirements, such as Microsoft 365 security and governance, accommodated by internal movement of funds.

Contracted Services - A portion of this budget is funded from reserves (e.g., the Legal and Modernization reserves) and these types of expenditures can fluctuate from year to year; however, these expenditures are offset by equal draws from reserves.

Other - The "Other" category is comprised of multiple items that support staffing and policing operations. The largest expenditures are in the areas of training, operating impacts from capital, uniform and outfitting and equipment purchases. Other items in this category include various supplies and services such as fingerprint supplies, traffic enforcement supplies, expenses to support investigations, photocopying and translation services. The projected overspending is being funded through a reallocation of contracted services budgets and revenue funded costs incurred for joint projects. The costs for the joint projects are being funded from other services, as discussed in the revenue section below.

#### 5 - Contributions to / (Draws from) Reserves:

As part of the annual operating budget process, the Board and Council approved contributions to and draws from reserves. The various reserves are established to provide funding for anticipated but varying expenditures incurred by the Service, to avoid large swings in costs from year to year.

The net contributions to / draws from Reserve budget is \$1.0M, and a net zero variance is projected in this category. Table 6 identifies the categories of Reserves and activity in each Reserve.

**Table 6 – Reserves**

<b>Reserve</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
<b>Collective Agreement Mandated - Central Sick, Sick Pay Gratuity &amp; Post-Retirement Health</b>				
Contribution to Reserve	\$14.3	\$0.0	\$14.3	\$0.0
Draw from Reserve	(\$28.2)	\$0.0	(\$28.2)	\$0.0
<b>Net Impact</b>				<b>\$0.0</b>
<b>Legal, Modernization and Cannabis</b>				
Contribution to Reserve	\$0.9	\$0.0	\$0.9	\$0.0
Draw from Reserve	(\$8.8)	\$0.0	(\$8.8)	\$0.0
<b>Net Impact</b>				<b>\$0.0</b>
<b>Vehicle &amp; Equipment</b>				
Contribution to Reserve	\$20.8	\$0.0	\$20.8	\$0.0
Draw from Reserve	n/a	n/a	n/a	n/a
<b>Net Impact</b>				<b>\$0.0</b>
<b>Net Contribution to / (Draws from) Reserves</b>	<b>(\$1.0)</b>	<b>\$0.0</b>	<b>(\$1.0)</b>	<b>\$0.0</b>

The Service contributes to and/or draws from the following reserves: City Sick Pay Gratuity; City Cannabis; Vehicle and Equipment; Central Sick; Post-Retirement Health; and Legal.

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

**6 – Revenue (excluding Reserves):**

The total Revenue budget for 2023 is \$122.1M, and projected revenue is \$128.3M, resulting in a \$6.2M favourable variance. The major revenue categories are summarized in Table 7 below.

**Table 7 – Revenues**

<b>Revenue Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Provincial Recoveries	(\$67.4)	(\$15.2)	(\$65.0)	(\$2.4)
Fees and Recoveries (e.g., paid duty, secondments, vulnerable sector screening.)	(\$29.1)	(\$13.1)	(\$32.5)	\$3.4
Paid Duty - Officer Portion	(\$24.7)	(\$15.9)	(\$24.7)	\$0.0
Miscellaneous Revenue	(\$0.9)	(\$1.3)	(\$6.1)	\$5.2
<b>Total Revenues</b>	<b>(\$122.1)</b>	<b>(\$45.5)</b>	<b>(\$128.3)</b>	<b>\$6.2</b>

Provincial Recoveries – These recoveries consist of the provincial uploading of court security and prisoner transportation and the recovery for the Public Safety Response Team. The unfavourable variance of \$2.4M is mainly as a result of less than anticipated recoveries for the provincial uploading of courts due to the related recoverable costs being lower than anticipated.

Fees and Recoveries - The Service experienced a reduction in demand for paid duties and vulnerable sector screenings as a result of COVID-19. In preparing the 2023 operating budget, it was difficult to predict the level of demand for these services. Year-to-date recoveries indicate that revenues have largely made a return to pre-pandemic levels and the Service is projecting a \$2.3M favourable variance. The Service is also projecting favourable recoveries of \$1.1M from outside agencies to facilitate expenditures for joint projects.

Paid Duty – Officer Portion - A zero variance is projected at this time; however, any variance would have an overall net zero impact, as this portion of the paid duty recovery is directly offset by the salaries earned by paid duty officers.

Miscellaneous Revenue – The favourable variance of \$5.2M includes \$1.9M in recoveries for premium pay and other expenditures incurred while assisting other jurisdictions on joint projects, the reversal of a \$1.3M payroll liability that is no longer required in 2023 and an estimated \$0.5M additional revenue for the Traffic Direction Pilot program. In addition, the Service will be receiving \$1.4M in provincial funding to support the work related to N.G.9-1-1.

7 - Grants:

The budget reflects the net impact from grants of \$0.0M (expenditures net of revenues). A favourable variance of \$2.7M is projected at year-end. Table 8 summarizes the grants portion of the Service's budget.

**Table 8 – Grants**

<b>Grants</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to Jun 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
<b>Guns &amp; Gangs</b>				
Expenses	\$4.9	\$0.4	\$1.3	\$3.6
Revenues	(\$4.9)	(\$1.1)	(\$4.0)	(\$0.9)
<b>Net impact</b>				<b>\$2.7</b>
<b>Community Safety &amp; Policing</b>				
Expenses	\$0.0	\$3.3	\$5.7	(\$5.7)
Revenues	\$0.0	(\$4.4)	(\$5.7)	\$5.7
<b>Net impact</b>				<b>\$0.0</b>
<b>Other</b>				
Expenses	\$0.2	\$11.0	\$11.3	(\$11.1)
Revenues	(\$0.2)	(\$8.9)	(\$11.3)	\$11.1
<b>Net impact</b>				<b>\$0.0</b>
<b>Net Impact From Grants</b>	<b>\$0.0</b>	<b>\$0.3</b>	<b>(\$2.7)</b>	<b>\$2.7</b>

Grant funding generally results in a net zero variance, as funds are provided for expenditures to achieve specific purposes. However, a net favourable variance is projected in this category since a number of permanent, funded positions are assigned to provincially supported programs and as a result are covered by the grant, and these positions were not all backfilled.

The two biggest grants received by the Service are the Guns and Gangs and Community Safety and Policing (C.S.P.) grants. Other grants include Provincial grants such as the Children at Risk of Exploitation (C.A.R.E.) grant and the Provincial Strategy to Protect Children from Sexual Abuse and funding for Automated Licence Plate Recognition.

The Service is usually aware of grant opportunities prior to budget approval; however, revenue and expenditure budgets cannot be set up if the grant contracts are not approved. In addition, as the provincial fiscal year ends on March 31<sup>st</sup>, versus December 31<sup>st</sup> for the Service, unspent provincial grant funding from 2022 is carried forward into 2023. The amounts being carried forward are not finalized until well after

year-end. As a result, the base budgets for grants are often zero and the grants are reflected as in-year funding.

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

*Expenditure Reductions to Achieve Zero Year-end Variance:*

While preliminary year-end projections are trending \$4.5M unfavourable, it must be noted that projections are based on estimates. The Service is working to stay within its approved budget, and some of the actions and mitigations that the Service is currently exploring include the following:

- ongoing review of the timing and pace of hiring and associated impacts to the Service's workforce;
- close monitoring of premium pay expenses across the Service to keep expenditures to an absolute minimum, taking into account pressures on the front line, investigative and support units as a result of low staffing levels;
- a reassessment of non-salary expenditures; and
- subject to protecting future funding viability, reassessing reserve contribution strategies with a view to deferring reserve contributions where warranted.

Given the early projection estimates and the opportunities for risk mitigation, the Service is reporting a zero net variance at this time.

***Conclusion:***

As at June 30, 2023, the Service is projecting to be on budget. However, preliminary projections show that the Service is managing \$4.5M of unfavourable variance risk. The Service is therefore evaluating spending plans and opportunities to manage this risk in order to continue to stay within budget, recognizing that unanticipated events could require increased action and response to keep our communities safe.

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

**August 4, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Capital Budget Variance Report for the Toronto Police Service, Period Ending June 30, 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendations:**

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

1. amend the 2023-2032 Approved Capital Budget and Plan for the Infrastructure Lifecycle project by increasing the total project costs by \$3.5 Million (M), with cash flow funding in 2023, fully funded by the City's Insurance Reserve Fund, for the purpose of enabling the Service to implement its multi-year technology roadmap and server replacements to accommodate future growth; and
2. forward a copy of this report to the City of Toronto's (City) Chief Financial Officer and Treasurer, for inclusion in the City's overall capital variance report to the City's Budget Committee.

### **Financial Implications:**

At its January 9, 2023 meeting, the Board approved the Toronto Police Service's (Service) 2023-2032 capital program at a net amount of \$16.6M and gross amount of \$46.6M for 2023 (excluding carry forwards from 2022), and a 10-year total of \$219.4M net and \$679M gross (Min. No. P2023-0109-2.3 refers). Subsequently, City Council, at its February 15, 2023 meeting, approved the Service's 2023-2032 capital program at the same level as the Board-approved amount.

At its June 22, 2023 meeting, the Board approved an amendment to the 2023-2032 Approved Capital Budget and Plan for the Infrastructure Lifecycle

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project by increasing project costs by \$3.7M (P2023-0622-10.2 refers). The revised 2023-2032 capital program is now at a net amount of \$16.6M and gross amount of \$50.3M for 2023 (excluding carry forwards from 2022), and a 10-year total of \$219.4M net and \$682.7M gross. Attachment A provides an updated detailed list of all approved projects in the 10-year program.

Table 1 provides a summary of 2023 budget and projected expenditures. Of the \$99.4M (\$50.3M of 2023 budget plus \$49.1M carry forwards) in available gross funding in 2023, \$77.4M is projected to be utilized, for an estimated gross spending rate of 77.8%. Of the total under expenditure of \$22M, \$20.7M will be carried forward to 2024 and \$1.3M will be returned to the City or the Vehicle and Equipment Reserve.

**Table 1 – Summary of 2023 Budget and Expenditures (Ms)**

Category	2023 Gross (Ms)	2023 Debt (Ms)
2023 approved program excluding carry forward	\$50.3	\$16.6
2022 carry forwards	\$49.1	\$32.9
Total 2023 available funding	\$99.4	\$49.5
2023 Projection to year end	\$77.4	\$32.9
Variance to available funding	\$22.0	\$16.6
Carry forward to 2024	\$20.7	\$16.1
Returned Funding	\$1.3	\$0.5
Spending rate	77.8%	66.4%

**Summary:**

The purpose of this report is to provide the Board with the status of the Service’s capital projects as at June 30, 2023. Attachment A provides a detailed list of all approved projects in the 10-year program. Attachment B provides the Service’s capital variance report as at June 30, 2023 including spending rates and project status. The body of this report includes project updates for key on-going projects, and includes high-level project descriptions for new projects within the 2023-2032 program.

## **Discussion:**

### ***Background***

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

- Green - on target to meet project goals (scope/functionality), on budget and on schedule and no corrective action is required; spending rate of 70% or more of the budget.
- Yellow - at risk of not meeting certain goals, some scope, budget and/or schedule issues, and minimal corrective action is required; spending rate is 50% to 70% of budget.
- Red - high risk of not meeting goals, significant scope, budget and/or schedule issues, and extensive corrective action is required; spending rate is less than 50% of budget.

Capital projects fall under the following four main categories:

- facility projects;
- information technology modernization projects;
- replacements, maintenance and equipment projects; and
- lifecycle projects.

The remainder of this report discusses each capital project in detail.

### **Capital Program Variances**

Each year as part of the budgeting process, capital projects are re-baselined with updated project planning and cost assumptions to ensure cash flows are aligned with requirements and to improve project spend rates.

Table 2 provides a high-level summary of 2023 spending for each capital project, variances and spend rates, and whether funds are to be carried forward to 2024, or are no longer required.

**Table 2 – 2023 Capital Budget Variance Report as at June 30, 2023 (\$000s)**

	2023 Cash Flow		Variance (Over)/ Under	Return to City/Reserve	Spending Rate	Carry Forward to 2024	Overall Project Health	Reasons for Yellow or Red Health Status
	Available to Spend	Projected Actuals						
<b>Facility Projects:</b>								
Long Term Facility Plan - 54/55 Amalgamation; New Build	768.1	150.0	618.1	0.0	19.5%	618.1	<b>Red</b>	Project on hold while alternative options are evaluated
Long Term Facility Plan - 41 Division; New Build	20,627.9	14,646.0	5,981.9	0.0	71.0%	5,981.9	<b>Green</b>	
Communication Center Consulting	101.1	101.1	0.0	0.0	100.0%	0.0	<b>Green</b>	
Long Term Facility Plan - Facility and Process Improvement	899.9	622.0	277.9	149.9	69.1%	128.0	<b>Yellow</b>	Delays in approvals
Relocation of Wellness Services	1,700.0	274.7	1,425.3	0.0	16.2%	1,425.3	<b>Red</b>	Delays in design phase
Long Term Facility Plan - Consulting	774.5	398.1	376.4	0.0	51.4%	376.4	<b>Yellow</b>	Delays in building assessments
<b>Information Technology Modernization Projects:</b>								
Transforming Corporate Support (HRMS, TRMS)	865.0	265.0	600.0	0.0	30.6%	600.0	<b>Red</b>	Delays in hiring external expertise
ANCOE (Enterprise Business Intelligence, Global Search)	392.5	281.8	110.7	0.9	71.8%	109.9	<b>Green</b>	
Body Worn Camera - Phase II	560.0	401.0	159.0	0.0	71.6%	159.0	<b>Green</b>	
Next Generation (N.G.) 9-1-1	3,944.8	2,844.8	1,100.0	0.0	72.1%	1,100.0	<b>Green</b>	
<b>Replacements/ Maintenance/ Equipment Projects:</b>								
State-of-Good-Repair - Police	6,038.4	3,839.6	2,198.8	0.0	63.6%	2,198.8	<b>Yellow</b>	Resource constraints
Radio Replacement	1,949.2	1,916.0	33.2	0.0	98.3%	33.2	<b>Green</b>	
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,106.7	869.5	237.2	0.0	78.6%	237.2	<b>Yellow</b>	Vendor resource constraints
Mobile Command Centre	1,608.8	1,258.8	350.0	350.0	78.2%	0.0	<b>Green</b>	
Information Technology Storage Growth	500.0	461.0	39.0	0.0	92.2%	39.0	<b>Green</b>	
New Records Management System (RMS)	10,000.0	6,200.0	3,800.0	0.0	62.0%	3,800.0	<b>Yellow</b>	Delays in contract negotiations
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	467.4	419.9	47.5	0.0	89.8%	47.5	<b>Green</b>	
<b>Lifecycle Projects:</b>								
Vehicle Replacement	9,892.5	9,441.6	450.9	0.0	95.4%	450.9		
IT- Related Replacements	26,160.4	24,370.9	1,789.5	824.9	93.2%	964.6		
Other Equipment	11,033.6	8,610.7	2,422.9	8.5	78.0%	2,414.3		
<b>Total Capital Expenditures</b>	<b>99,390.9</b>	<b>77,372.6</b>	<b>22,018.3</b>	<b>1,334.2</b>	<b>77.8%</b>	<b>20,684.1</b>		
Funding from Developmental Charges	(5,888.2)	(5,126.7)	(761.5)	0.0	87.1%	(761.5)		
Vehicle & Equipment Reserve	(43,972.5)	(39,341.6)	(4,630.9)	(833.4)	89.5%	(3,797.4)		
<b>Debt</b>	<b>49,530.2</b>	<b>32,904.3</b>	<b>16,625.9</b>	<b>500.8</b>	<b>66.4%</b>	<b>16,125.2</b>		

**Facility Projects:**

As an ongoing impact due to the pandemic, there have been delays in planned construction schedules, including labour and critical supply-chain disruptions and delays in obtaining required permits. The Service continues to monitor these factors and mitigate their impact on the progress and cost of the Service’s facility-related projects.

In late 2021, the Service hired a consultant to develop a strategic building and office/operational space optimization program that assesses current space utilization and forecasts the short and long-term requirements of the Service with respect to its current building portfolio. The facility-related capital program will be updated in future years as more information becomes available. Details on this project are included under the Long Term Facility Plan - Consulting Services section.

#### *54/55 Amalgamation; New Build (Red)*

This project provided for the amalgamation of 54 and 55 Divisions (built in 1951 and 1972 respectively) into one consolidated facility (as recommended by the Transformational Task Force), at the former Toronto Transit Commission's (T.T.C.) Danforth Garage site located at 1627 Danforth Avenue.

- The cost of construction has increased considerably due to the increased labour and materials costs, as well as other factors such as the high cost of constructing a very deep waterproof underground parking structure in a location with a high water table. Moreover the land available on the Danforth site is not sufficient to meet the space requirements of an amalgamated Division.
- The project was put on hold in the second quarter of 2022 to allow staff to evaluate alternative options so that the Command could make an informed decision on how to proceed in a fiscally responsible way that meets operational requirements. The project remains on hold while staff continues to work with the City Real Estate Management Division on viable options for an amalgamated division. It has been determined that the current budget of \$50.5M is insufficient for any of the options considered to date. The Service will keep the Board informed of the outcome of the potential options and any required budget increases will be included in the 2024-2033 capital program.
- The health status of this project is Red as this project is currently on hold and has an anticipated spending rate of 19.5% for the year. Of the available funding of \$768 Thousand (K), \$150K will be utilized in 2023. The remaining amount of \$618K will be carried forward to 2024.

#### *41 Division; New Build (Green)*

The current 41 Division facility is approximately 60 years old. Due to its aging infrastructure and poor operational configuration, this facility was identified as a priority in the Long Term Facility Replacement Program a number of years ago. Assessments performed confirmed that it was not economically feasible to address the ongoing building deficiencies through renovations or to retrofit the existing 41 Division to accommodate the current needs of the Service.

- This new divisional building is being constructed in phases on the existing 41 Division site. Operations will continue on the site while construction is ongoing.
- There has been cost escalation and some delays due to inflationary factors and the redesign requirements to achieve Net Zero Emissions, which were included in the 2023-2032 capital program. The new 41 Division will be the first Net Zero Emissions building in the Service's asset base.
- Working drawings are completed and tendering of the balance of trades is expected to be completed by September 2023. The Board will be updated on budget impacts following receipt of the tender submissions from the various sub-

contractors, and any changes will be included as part of the 2024-2033 capital program.

- Conditional permits (i.e. Foundations, Drainage and site services) have been received. The full building permit was also received in mid-July.
- Excavation is complete and formwork/footings are 70% complete. Construction is moving west to east across the site with the west side of the facility having already poured the first floor suspended slab. Steel structure installation is underway. The structure will be completely above grade and framed by the end of the third quarter of 2023.
- The health status of this project is Green with a projected spending rate of 71%.

#### *Communication Centre Consulting (Green)*

This project provides funding to acquire external expertise to assist the Service with a comprehensive review of all requirements for a new Communications Centre, taking into account the impact of Next Generation (N.G.) 9-1-1 and other key considerations. The actual cost for the new facility project is not included in the Service's capital program.

Until a new Communications Centre is built, some modifications are required to the existing Communications Centre (Primary Site), including a new training room, as well as to the Back-up Site (Secondary Site). This project provides funding for the design of the architectural, mechanical, electrical, and structural drawings of the Primary and Secondary Sites. The renovation and construction aspects are part of the (separate) N.G.9-1-1 project described later in this report.

- The existing location for Communications Services (C.O.M.) has reached maximum capacity for personnel, workspace and technology. The current facility cannot accommodate the anticipated expansion that will be required because of N.G. 9-1-1.
- The analysis being conducted includes the impact of technological changes from N.G. 9-1-1, population growth, shifts in calling behaviour (text versus voice, videos), staffing requirements, location, size, and backup site.
- The new Communications Centre building feasibility study is now complete, and indicates that the estimated cost for a new Communications Centre facility will be significant (at \$100M+). The cost of this project should be jointly coordinated with the other City emergency services. The Service will work with City Finance, Toronto Fire and Toronto Paramedic Services to that end, for the development of the future year's capital program.
- The design for the construction phase of the new training room at the Primary Site, which will also serve as a full Production Tertiary site is completed.
- AECOM has completed the drawings for the renovations at the three other floors of the Primary Site. Renovations at the Primary Site will likely begin in the fourth quarter of 2023 or the first quarter of 2024.

- Construction for the Secondary Site has been substantially completed.
- The health status of this project is Green. It is anticipated that all available funding will be utilized in 2023.

*Long-Term Facility Plan – Facility and Process Improvement (Yellow)*

Aligned with the police reform directions and Auditor General recommendations approved by the Board, this project funds the review of operational processes, focusing on opportunities to improve the efficiency and effectiveness of service delivery.

- The installation and implementation of remote appearance video bail was completed at 23, 14, 51 and 43 Divisions, in collaboration with the Ministry of the Attorney General (M.A.G.) and other external agencies. Installation at 32 Division has been completed and was implemented in the second quarter of 2023. Work has begun to transition the video bail pilot project into a permanent program, which should be complete by the third quarter of 2023.
- Work on the Service-wide investigative review continues, including a review of the Community Investigative Support Unit (C.I.S.U.), with a focus on identifying potential efficiencies, standardizing functions across the divisions and enhancing service delivery of criminal investigative processes. The final report is scheduled to be delivered to Command in the fourth quarter of 2023, and a number of analysis projects to support this work are underway.
- Staffing Analysis is also underway, with the goal of determining appropriate time targets for response times and proactive policing time, as well as the number of officers required to improve response times. Discussions are underway with a vendor to complete this work and some funding will be required in 2024 to support this project.
- The health status of this project has changed to Yellow due to the delay in Staffing Analysis.

*Relocation of Wellness Services (Red)*

The project is to undertake renovations required to relocate portions of the Service's Wellness Unit from Toronto Police Headquarters (H.Q.) to more accessible locations in the west end of the city at the Toronto Police College and an east end location at 2075 Kennedy Road. Once completed, the new decentralized delivery model will allow members to access wellness services from a central, east and west location. The anticipated benefits are increased access to care and improved service to members, creating a greater willingness by members to seek support.

- The City of Toronto has recently entered into a lease agreement with a landlord on the Service's behalf for a 2,709 square foot leased space at an office building at 2075 Kennedy Road. Facilities Management has worked with Wellness to develop furniture, security, information technology and audio visual requirements

to fit out this space. This work has been completed and staff have occupied the leased facility as of July 4<sup>th</sup>.

- The Service's Facilities Management Unit has hired an architect who held a series of design meetings with staff, leading to the completion of the design development drawings for the spaces at Toronto Police H.Q. and the Toronto Police College.
- The health status of this project is Red due to the low projected spending rate of 16%. Due to the longer time required to complete the design, renovation work and furniture purchases for the other two spaces, the project will be completed in 2024. Of the available funding of \$1.7M for 2023, \$275K is expected to be spent by year-end. The remaining funds will be carried forward to 2024.

#### *Long-Term Facility Plan – Consulting Services (Yellow)*

The Service is the largest municipal police service in Canada and has a portfolio of over 52 buildings throughout Toronto. Some of these buildings range between 35 and 50 years old and are in need of replacement or major renovation to meet current and projected staffing and operational needs. External expertise has been retained to develop a long-term strategic building program based on the assessment of current space utilization, short and long-term requirements of the Service, and the condition of the existing buildings.

- The Service hired Stantec Architecture Limited (Stantec) through a competitive Request for Proposal process to provide architectural consulting services to develop a Strategic Building Program. The review will assess the condition of existing buildings, locations, cost to renovate versus building new, and/or cost to relocate in order to meet current and future operational requirements of the Service. As well, it will explore best practices with respect to the current building portfolio, office space standards, staffing needs, and the ability to provide services in a growing city.
- Assessment objectives are to enhance operational flexibility, improve aging facility infrastructure, optimize resources, and where possible, reduce the Service's facilities footprint.
- The consultant has submitted all Building Condition Assessment (B.C.A.) reports in draft format, and has completed approximately half of the strategic interviews of staff at each building. Although completion of the balance of these interviews has been delayed by T.P.S. staff availability, it is anticipated that all interviews will be completed by the third quarter of 2023.
- The consultant has submitted a draft work plan describing the approach to the analytic portion of the study. This will require further review by Facilities Management, Strategy Management and senior management, and further revision by the consultant to ensure the Service's study goals are met. Additional analytical work and preparation of the formal written report is anticipated to be completed in the spring of 2024.

- The health status of this project is Yellow as there has been a delay from the original schedule, although the project is still within budget.

### **Information Technology Modernization Projects:**

In the last decade, there have been many important developments with respect to information technologies that the Service has embraced. These systems are designed to improve efficiencies through advanced technology that eliminates costly and manual processes. They also have the benefit of improving information that supports the Service's overall goal of providing reliable and value-added public safety services.

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

The project focus is to develop more cost-effective, modern and automated processes to administer and report on the Service's people and human resources-related activities, including employee record management, payroll, benefits administration, and time and labour recording.

- The T.R.M.S database migration, in all non-production environments, was completed at the end of 2022.
- Work has been completed in 2023 to modify T.R.M.S application code to work with query/S.Q.L. databases. End user T.R.M.S testing will begin in August 2023. Development work to rewrite T.R.M.S reports and interfaces will begin with the start of user acceptance testing. Anticipated completion by the second quarter of 2024.
- H.R.M.S. PeopleTools and application upgrade are on track for migration to production before the end of 2023.
- Process underway to secure external resource to manage the replacement of the Service's recruiting system to allow for an improved candidate experience and greater transparency.
- The health status of this project is Red due to a low projected spending rate of 30.6%. Of the available funding of \$865K, \$265K will be utilized in 2023 and the remaining \$600K will be carried forward to 2024 to complete the rewrite of T.R.M.S. reports and for the replacement of the Service's recruiting system.

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

A.N.C.O.E. is a business-led analytics and innovation program, which oversees and drives analytics and information management activities for the Service. This project includes Enterprise Business Intelligence (E.B.I.) as well as Global Search. The program focuses on improving the analytical reporting environments with new and enhanced Power B.I. and geospatial and reporting technologies, and will deliver

streamlined service processes that will make data and analytics products available to front-line members, management, and the public.

- The E.B.I. portion of the project has been completed along with the Service's Geographic Information System (G.I.S.) platform implementation.
- The Service continues to increase the use of Power B.I. and the G.I.S. technologies for monitoring and reporting on operational and strategic initiatives. The use of these technologies enable the Service to share information in the forms of maps, applications and interactive dashboards internally, with the public and other agencies.
- Improvement to the Global Search program for 2023 will include the addition of new datasets, additional search features and the migration of the Global Search functionality to a new platform.
- The health status of the A.N.C.O.E. project is Green as the project is progressing on time and within budget.

#### *Body Worn Cameras (B.W.C.) – Phase II (Green)*

This project has equipped frontline officers with B.W.C.s. This initiative will enhance public trust and accountability, as part of its commitment to the delivery of professional, transparent, unbiased and accountable policing.

- The consolidation and extension of contracts with Axon Canada for B.W.C's, Conducted Energy Devices and In-Car Cameras was approved by the Board at its December 2022 meeting (Min. No. P2022-1216-7.0 refers).
- To date the Service has issued and deployed 2,504 body worn cameras, and has trained 3,300 frontline officers (accounting for the rotation of officers assigned to frontline roles), including some members of the Emergency Task Force.
- In June 2022, a new training course for Case Managers and Investigators focussing on evidence management and disclosure was created. This course encapsulates all of the body-worn camera training, and leverages our Evidence.com cloud-based platform as a digital evidence management system with the purpose of creating efficiencies and streamlining disclosure workflows to court. To date, 98% of all Case Managers/Investigators from all units have been trained. Training of all Case Managers/Investigators will continue throughout 2023 as officers move into new roles.
- Current priorities include integration of the legacy evidence system into Evidence.com, as well as improving evidence disclosure compliance throughout the Service. It should be noted that the Service currently has significant disclosure backlog and is exploring ways of addressing this issue.
- The status of this project is Green as it is progressing on time and within budget.

### *Next Generation (N.G.) 9-1-1 (Green)*

Current 9-1-1 systems are voice-centric and were originally designed for landlines. Per the Canadian Radio-television and Telecommunications (C.R.T.C.) mandate, Canadian telecommunications service providers will be upgrading their infrastructure for N.G. 9-1-1 to an Internet Protocol (I.P.) - based platform technology capable of carrying voice, text and other data components. The system is designed to improve the way people request emergency services and how emergency responders communicate with each other. The system will also provide more accurate location information, which will help emergency responders reach people more quickly and efficiently.

This project includes the implementation of the new technology provided by Solacom, as well as the renovation of the training room, training room furniture and the retrofitting of three other floors at the current Communications Centre building which serves as the Primary Site.

- The design of the technological architecture which isolates Solacom solution from the rest of the Service's network is being reviewed to ensure we have made the necessary provisions.
- Construction of the new N.G. 9-1-1 Training Room at the Primary Site, contracted to Stevens & Black Electrical Contractors Limited, has been 95% completed. However, some upgrades to the heating, ventilation, and air conditioning (H.V.A.C.) are still outstanding and are scheduled for completion by the end of August.
- To assist with the creation of a comprehensive test plan, the Service requires external expertise and resources. A Request for Services (R.F.S.) has been issued and a vendor has been selected to deliver the Privacy Impact Assessment (P.I.A.). The R.F.S. for the Information Technology Quality Assurance has been issued, with the resource on-boarded in July.
- It is anticipated that the training (*train the trainer*) for the new N.G. 9-1-1 technological solution will begin by the third quarter of 2023.
- Collaboration meetings with the secondary Public Safety Answering Point (Toronto Paramedic Services and Toronto Fire) on the N.G. 9-1-1 platform are ongoing.
- The implementation of Real Time Text (R.T.T.) is anticipated to occur in April of 2024. However, public education efforts are crucial for the successful implementation of N.G.9-1-1 and it is important for stakeholders to prioritize and allocate resources towards public education to ensure a smooth and effective transition to the new system. It is uncertain how much the implementation of N.G.9-1-1 will be affected by the required education effort, but it is possible that delays in the go-live date could occur.
- The health status of this project is Green with the project being on time and on budget.

### **Replacements/ Maintenance/ Equipment Projects:**

Projects in this category are for replacement and maintenance of equipment and facility projects.

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

S.O.G.R. funds are used to maintain the overall safety, condition and requirements of existing Service buildings.

- The overall demand for upkeep at many of the Service's existing facilities is steadily increasing with escalating costs. Some examples of work are hardware replacement, repairs/replacement of overhead door and gate equipment, flooring repairs/replacement and painting, and replacement of security equipment.
- This funding source is also used by the Service for technology upgrades to optimize service delivery and increase efficiencies.
- The health status of this project is Yellow with a projected spending rate of 63.6%. Of the available funding of \$6M, \$3.8M will be utilized in 2023 and the remaining \$2.2M will be carried forward to 2024.

#### *Radio Lifecycle Replacement (Green)*

The Service's Telecommunications Services Unit (T.S.U.) maintains 4,913 mobile, portable and desktop radio units. The replacement lifecycle of the radios was extended from seven years to ten years a number of years ago, in order to reduce the replacement cost of these important and expensive assets.

- The health status of this project is Green with a projected spending rate of 98.3%. The orders for the radios have been placed to ensure delivery by year-end 2023.

#### *Automated Fingerprint Identification System Replacement (A.F.I.S.) (Yellow)*

The current A.F.I.S. is a 2011 model that was first deployed in January 2013, and has reached end of life as of December 31, 2020. The A.F.I.S. system is based on a biometric identification (I.D.) methodology that uses digital imaging technology to obtain, store, and analyze fingerprint data.

- The contract award to IDEMIA was approved in April 2020 and contract negotiations were completed in December 2020.
- The Planning phase was completed and the project plan was delivered in August 2021.
- IDEMIA is facing resource constraints and this is impacting project delivery. System acceptance and Go-Live milestones have therefore shifted from 2023 to 2024. The Design Phase is undergoing final reviews and is anticipated to be finalized in the third quarter of 2023.

- The risk register continues to be closely monitored by both the Forensic Identification Unit and IDEMIA. The residual COVID-19 global impacts including hardware procurement, shipping and human-resource constraints continue to be evaluated. There are some risks involved with maintaining our current A.F.I.S. system while implementing the new solution and utilizing the same staffing in both areas. Steps are being taken to manage this risk with enhanced support from the vendor and securing global resources to assist with configuration, migration and timeline requirements.
- The health status of this project is Yellow as some project milestones are to be completed in 2024. Of the available funding of \$1.1M, \$870K will be utilized and the remaining \$237K will be carried forward into 2024.

#### *Mobile Command Centre (Green)*

The Service is in the process of building a new state of the art Mobile Command Vehicle. This vehicle will support unique challenges of providing public safety services in a large urban city. The vehicle will play an essential role in fulfilling the need to readily support any and all operations and occurrences within the city. The design of this vehicle will allow for the flexibility to cover emergencies and non-emergency events such as extreme event response, major sporting events, searches and investigative operations. The Mobile Command Vehicle represents a significant leap forward in enabling the Service to respond swiftly and efficiently to emergent situations and evolving security threats.

- To ensure seamless coordination and collaboration, the vehicle will incorporate all necessary capabilities to support and integrate with other emergency services, as well as municipal, provincial and federal agencies. Utilizing current technology solutions, the vehicle will be equipped with essential tools and resources to support a wide range of operations. Moreover, the vehicle's design will remain adaptable to accommodate future technological advancements, guaranteeing its relevance and efficient functioning within the Command, Control and Communications (C.3.) environment.
- P.K. Van Welding and Fabrication, the selected bidder, has commenced the construction of the vehicle, and progress is underway. The Service remains committed to closely monitoring and implementing the identified technical requirements. This ongoing development and implementation ensures that the vehicle is equipped with state-of-the-art technology solutions that align with the Service's vision of a safer, more secure community.
- The health status of this project is Green. It is anticipated that the Mobile Command Vehicle will be functional to respond to operational requirements by the end of 2023.

#### *New Records Management System (R.M.S.) (Yellow)*

This project is for replacement of the existing R.M.S. system, a core business operating system of the Service. A review of our existing system has highlighted technological

weaknesses, as usability and functional gaps continue to create operational challenges, as well as hinder progress to a digital environment. This misalignment with the Service’s strategy for digital enablement limits its ability to improve the flow of information through the organization from front-line to investigative and analytical/intelligence functions.

- The new system is expected to improve the ability to make connections between related pieces of information and increase the interaction and openness to the public of our information and our processes. It is expected to generate tangible savings, cost avoidance, reduce risk, increase transparency and improve other operational processes to deliver public safety services effectively and efficiently.
- Following approval of the contract award by the Board at the April 28, 2023 Board meeting (Min. No. P2023-0428-7.0. refers), the R.M.S. project team is able to move forward with the development of more detailed plans, procurement of infrastructure implementation hardware and services, and procurement of the Niche R.M.S. software.
- Onboarding of resources for the project has begun. The roles of the overall Program Manager, Organizational Change Manager, Technical Project Manager and Data Lead have been staffed and are onboarding. Hiring continues for remaining roles ahead of the project kick-off projected for September 2023.
- The health status of this project is Yellow due to the spending rate of 62%.

**Lifecycle Projects:**

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), as well as developmental charges. The Reserve is in turn funded through annual contributions from the Service and Parking Enforcement Unit’s operating budgets. As table 3 shows, Lifecycle Projects include the regular replacement of vehicles, information technology equipment and other equipment.

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

Project Name	Carry Forward from previous years	2023 Budget	Available to Spend	Year End Projection	YE Variance (Over)/ Under	Carry Forward to 2024	Return to Reserve
Vehicle Replacement	361.5	9,531.0	9,892.5	9,441.6	450.9	450.9	0.0
IT- Related Replacements	10,690.4	15,470.0	26,160.4	24,370.9	1,789.5	964.6	824.9
Other Equipment	2,325.6	8,708.0	11,033.6	8,610.7	2,422.9	2,414.3	8.5
<b>Total Lifecycle Projects</b>	<b>13,377.5</b>	<b>33,709.0</b>	<b>47,086.5</b>	<b>42,423.2</b>	<b>4,663.3</b>	<b>3,829.8</b>	<b>833.4</b>

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

It is important to note that as the Service modernizes, new systems have been implemented over the years (e.g., In-Car Camera program, data and analytics initiatives) and on premise storage requirements have increased (e.g., to accommodate video). While the Service has taken steps to create efficiencies, the amount of equipment that must be replaced continues to increase as a result of these new systems and storage requirements. These increased requirements put significant pressure on this Reserve, which in turn puts pressure on the operating budget, as increased annual contributions are required to ensure the Reserve can adequately meet the Service's vehicle and equipment requirements. The Service will continue to review all projects' planned expenditures to address future pressures, including additional reserve contributions that may be required. The Service is also exploring other options (e.g., utilization of the cloud) for more efficient and potentially less costly data storage.

Significant variances resulting in the \$4.7M underspending are:

- \$1.4M – Furniture Lifecycle – Replacement of office furniture at the Communications Centre Primary Site are deferred until renovations are complete.
- \$1.6M – Workstation, Laptop, and Printer Lifecycle – As the Service consolidated devices and shifted to laptops during the pandemic, there are fewer workstations that need to be life cycled in 2023 which will result in underspending.

Due to new systems and storage requirements, the Service is implementing a multi-year technology roadmap and server replacements. To ensure there is sufficient funding in 2023, this report recommends that the Board approve an increase of \$3.5M for the Infrastructure Lifecycle project, fully funded by the City's Insurance Reserve Fund, to enable the Service to accommodate growth. This funding strategy has been arranged through consultation with the City's Financial Planning Division. Following Board approval, the costs and budgets would be incorporated into the overall program costs in subsequent variance reports.

*Relevant Board Policies and Compliance:*

This report is in compliance with the Board's Budget Transparency Policy, approved on July 29, 2021 (Min. No. P2021-0729-3.0. refers).

**Conclusion:**

The Service's 2023 gross spending rate is estimated at 77.8%. From the under-expenditure of \$22M, \$20.7M will be carried forward to 2024 and \$1.3M will be returned to the City or the Vehicle and Equipment Reserve.

Although labour and supply chain issues, as well as, competing operational priorities continue to have an impact on the projects in the Service's capital program, the Service is committed to mitigating these risks so that projects remain on schedule and have an improved process which improves the spending rate.

The Board will continue to be kept apprised of project progress through the quarterly variance report, including any major issues as projects progress, and any proposed capital program changes.

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police

*Attachments:*

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Attachment A – Revised 2023 – 2032 Capital Program

Attachment B – 2023 Capital Budget Variance Report as at June 30, 2023



# Attachments

**TORONTO POLICE SERVICES BOARD**

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Revised - Approved 2023-2032 Capital Program

Attachment A

Project Name	2023	2024	2025	2026	2027	2023-2027 Request	2028	2029	2030	2031	2032	Total 2028-2032	Total 2023-2032
<b>Facility Projects:</b>													
Long Term Facility Plan - 54 and 55 Division	0	8,825	16,625	19,029	3,783	48,262	0	0	0	0	0	0	48,262
Long Term Facility Plan - 41 Division; New Build	1,367	24,959	23,333	0	0	49,659	0	0	0	0	0	0	49,659
Long Term Facility Plan - Facility and Process Improvement	50	0	0	0	0	50	0	0	0	0	0	0	50
Long Term Facility Plan - Consulting	0	0	0	0	0	0	0	0	0	0	0	0	0
Communication Centre - New Facility Assessment	0	0	0	0	0	0	0	0	0	0	0	0	0
Relocation of Wellness Services	1,700	300	0	0	0	2,000	0	0	0	0	0	0	2,000
Long Term Facility Plan - 13,53 Division	0	0	0	0	0	0	0	300	8,661	23,303	24,553	56,817	56,817
Long Term Facility Plan - 51 Division; Major Expansion	0	0	0	0	8,761	8,761	9,120	7,729	0	0	0	16,849	25,610
<b>Information Technology Modernization Projects:</b>													
Transforming Corporate Support (HRMS, TRMS)	0	0	0	0	0	0	0	0	0	0	0	0	0
ANCOE (Enterprise Business Intelligence, Global Search)	202	0	0	0	0	202	0	0	0	0	0	0	202
Next Generation (N.G.) 9-1-1	0	814	0	0	0	814	0	0	0	0	0	0	814
Body Worn Camera - Phase II	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Replacements/ Maintenance/ Equipment Projects:</b>													
State-of-Good-Repair - Police	2,348	4,400	4,400	4,400	4,400	19,948	4,400	4,400	4,400	4,400	4,400	22,000	41,948
New Records Management System (RMS)	10,000	10,600	0	0	0	20,600	0	0	0	0	0	0	20,600
Radio Replacement	0	0	0	0	14,734	14,734	4,733	6,429	4,867	6,116	0	22,145	36,879
Automated Fingerprint Identification System (A.F.I.S.) Replacement	0	0	0	0	3,589	3,589	0	0	0	0	0	0	3,589
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	450	450	450	450	450	2,250	450	450	450	450	450	2,250	4,500
Mobile Command Centre	0	0	0	270	50	320	0	0	0	270	0	270	590
Information Technology Storage Growth	500	500	500	500	500	2,500	500	500	500	500	500	2,500	5,000
Property & Evidence Warehouse Racking	0	50	950	0	0	1,000	0	0	0	0	0	0	1,000
<b>Lifecycle Projects:</b>													
Vehicle Replacement	9,531	10,251	10,013	9,991	10,028	49,814	9,975	10,077	10,102	10,423	10,128	50,705	100,519
IT- Related Replacements	15,470	24,184	21,751	21,404	22,098	104,907	16,703	18,667	28,994	16,492	22,827	103,683	208,590
Other Equipment	8,708	9,786	7,655	6,557	7,075	39,781	6,570	5,119	11,916	7,765	4,968	36,338	76,119
<b>Vehicle and Equipment Total</b>	<b>33,709</b>	<b>44,221</b>	<b>39,419</b>	<b>37,952</b>	<b>39,201</b>	<b>194,502</b>	<b>33,248</b>	<b>33,863</b>	<b>51,012</b>	<b>34,680</b>	<b>37,923</b>	<b>190,726</b>	<b>385,228</b>
<b>Total Gross Projects</b>	<b>50,326</b>	<b>95,119</b>	<b>85,677</b>	<b>62,601</b>	<b>75,468</b>	<b>369,191</b>	<b>52,451</b>	<b>53,671</b>	<b>69,890</b>	<b>69,719</b>	<b>67,826</b>	<b>313,557</b>	<b>682,748</b>
<b>Funding Sources:</b>													
Vehicle and Equipment Reserve	(30,680)	(40,230)	(36,077)	(34,855)	(37,468)	(179,310)	(29,586)	(33,863)	(50,208)	(34,667)	(37,923)	(186,247)	(365,557)
Development Charges Funding	(3,029)	(16,362)	(20,917)	(15,600)	(17,416)	(73,324)	(5,662)	(1,239)	(5,756)	(4,248)	(7,518)	(24,423)	(97,747)
<b>Total Debt</b>	<b>16,617</b>	<b>38,527</b>	<b>28,683</b>	<b>12,146</b>	<b>20,584</b>	<b>116,557</b>	<b>17,203</b>	<b>18,569</b>	<b>13,926</b>	<b>30,804</b>	<b>22,385</b>	<b>102,887</b>	<b>219,444</b>

2023 Capital Budget Variance Report as at June 30, 2023 (\$000)

Attachment B

Project Name	2023 Cashflow					Variance (Over)/ Under	Spending Rate	Return to City/Reserve	Carry Forward to 2024	Total Project Cost		Status
	Carry Forward from 2021 & 2022	2023 Budget	Total Available Funding	Actuals as of June 30, 2023	Projected Actuals to year-end					Budget	Life to Date	
<b>Facility Projects:</b>												
Long Term Facility Plan - 54/55 Amalgamation; New Build	768.1	0.0	768.1	0.0	150.0	618.1	19.5%	0.0	618.1	50,500.0	685.1	On hold
Long Term Facility Plan - 41 Division; New Build	19,260.9	1,367.0	20,627.9	5,745.2	14,646.0	5,981.9	71.0%	0.0	5,981.9	76,656.0	13,481.3	On Time
Communication Center Consulting	101.1	0.0	101.1	65.4	101.1	0.0	100.0%	0.0	0.0	500.0	464.2	On Time
Long Term Facility Plan - Facility and Process Improvement	849.9	50.0	899.9	188.8	622.0	277.9	69.1%	149.9	128.0	3,507.7	2,796.6	Delayed
Relocation of Wellness Services	0.0	1,700.0	1,700.0	58.5	274.7	1,425.3	16.2%	0.0	1,425.3	2,000.0	58.5	Delayed
Long Term Facility Plan - Consulting	774.5	0.0	774.5	183.8	398.1	376.4	51.4%	0.0	376.4	878.0	287.3	Delayed
<b>Information Technology Modernization Projects:</b>												
Transforming Corporate Support (HRMS, TRMS)	865.0	0.0	865.0	111.2	265.0	600.0	30.6%	0.0	600.0	8,435.0	7,052.1	Delayed
ANCOE (Enterprise Business Intelligence, Global Search)	190.5	202.0	392.5	134.8	281.8	110.7	71.8%	0.9	109.9	12,527.6	12,270.0	On Time
Body Worn Camera - Phase II	560.0	0.0	560.0	87.0	401.0	159.0	71.6%	0.0	159.0	5,887.0	5,169.9	On Time
Next Generation (N.G.) 9-1-1	3,944.8	0.0	3,944.8	1,606.4	2,844.8	1,100.0	72.1%	0.0	1,100.0	10,856.0	6,103.5	On Time
<b>Replacements/ Maintenance/ Equipment Projects:</b>												
State-of-Good-Repair - Police	3,690.4	2,348.0	6,038.4	1,612.5	3,839.6	2,198.8	63.6%	0.0	2,198.8	on-going	on-going	Delayed
Radio Replacement	1,949.2	0.0	1,949.2	173.2	1,916.0	33.2	98.3%	0.0	33.2	38,051.4	36,275.5	On Time
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,106.7	0.0	1,106.7	0.0	869.5	237.2	78.6%	0.0	237.2	4,285.1	474.3	Delayed
Mobile Command Centre	1,608.8	0.0	1,608.8	70.0	1,258.8	350.0	78.2%	350.0	0.0	2,325.0	196.1	On Time
Information Technology Storage Growth	0.0	500.0	500.0	461.0	461.0	39.0	92.2%	0.0	39.0	5,000.0	461.0	On Time
New Records Management System (RMS)	0.0	10,000.0	10,000.0	0.0	6,200.0	3,800.0	62.0%	0.0	3,800.0	20,600.0	0.0	Delayed
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	17.4	450.0	467.4	419.6	419.9	47.5	89.8%	0.0	47.5	4,900.0	802.2	On Time
<b>Lifecycle Projects:</b>												
Vehicle Replacement	361.5	9,531.0	9,892.5	7,657.3	9,441.6	450.9	95.4%	0.0	450.9	On-going	On-going	On-going
IT- Related Replacements	10,690.4	15,470.0	26,160.4	13,703.5	24,370.9	1,789.5	93.2%	824.9	964.6	On-going	On-going	On-going
Other Equipment	2,325.6	8,708.0	11,033.6	2,391.8	8,610.7	2,422.9	78.0%	8.5	2,414.3	On-going	On-going	On-going
<b>Total Capital Expenditures</b>	<b>49,064.9</b>	<b>50,326.0</b>	<b>99,390.9</b>	<b>34,670.0</b>	<b>77,372.6</b>	<b>22,018.3</b>	<b>77.8%</b>	<b>1,334.2</b>	<b>20,684.1</b>			
Funding from Developmental Charges	(2,859.2)	(3,029.0)	(5,888.2)	(3,296.5)	(5,126.7)	(761.5)	87.1%	0.0	(761.5)			
Funding from Vehicle and Equipment Reserve	(13,292.5)	(30,680.0)	(43,972.5)	(21,471.1)	(39,341.6)	(4,630.9)	89.5%	(833.4)	(3,797.4)			
<b>Debt</b>	<b>32,913.2</b>	<b>16,617.0</b>	<b>49,530.2</b>	<b>9,902.5</b>	<b>32,904.3</b>	<b>16,625.9</b>	<b>66.4%</b>	<b>500.8</b>	<b>16,125.2</b>			



## PUBLIC REPORT

**August 13, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: 2023 Operating Budget Variance for the Toronto Police Service Parking Enforcement Unit, Period Ending June 30, 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation:**

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

### **Financial Implications:**

The Toronto Police Service (Service) Parking Enforcement Unit's (P.E.U.) 2023 approved net operating budget is \$51.3 Million (M). The P.E.U.'s projected total net expenditures as at June 30, 2023 is \$49.4M, resulting in a 2023 projected year-end favourable variance of \$2.0M.

### **Summary:**

The purpose of this report is to provide the Board with information on the P.E.U.'s 2023 projected year-end variance as at June 30, 2023. The P.E.U.'s projected net expenditures are \$49.4M, resulting in a projected favourable variance of \$2.0M. Table 1 provides a high-level summary of variances by feature category. The body of this report provides explanations of the variances in each category.

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**Table 1 – 2023 Variance by Feature Category**

<b>Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Actual to June 30/23 (\$Ms)</b>	<b>Projected Year-End Actual (\$Ms)</b>	<b>Fav/(Unfav) (\$Ms)</b>
1- Salaries	\$34.1	\$15.6	\$32.4	\$1.8
2- Premium Pay	\$1.9	\$0.7	\$1.8	\$0.1
3- Benefits	\$8.8	\$2.7	\$8.6	\$0.2
4- Materials & Equipment	\$2.0	\$0.8	\$2.2	(\$0.1)
5- Services	\$5.7	\$1.3	\$5.7	(\$0.0)
6- Revenue (e.g. T.T.C., towing recoveries)	(\$1.3)	(\$0.4)	(\$1.3)	\$0.0
<b>Total Net</b>	<b>\$51.3</b>	<b>\$20.7</b>	<b>\$49.4</b>	<b>\$2.0</b>

**Discussion:**

***Background***

At its January 9, 2023 meeting, the Board approved the Service’s P.E.U. operating budget request at \$51.3 Million (M) (Min. No. P2023-0109-2.4 refers), a 0.95% increase over the 2022 approved budget. Subsequently, City Council, at its February 15, 2023 meeting, approved the P.E.U.’s 2023 operating budget at the same amount.

The P.E.U. is managed by the Service; however, the P.E.U.’s operating budget is separate from the Service budget, and is maintained in the City’s non-program budget. In addition, revenues from the collection of parking tags issued accrue to the City, not the Service.

***Relevant Board Policies and Compliance***

This report is in compliance with the Board’s Budget Transparency Policy, approved on July 29, 2021 (Min. No. P2021-0729-3.0. refers).

***Budget Variances***

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

***1 – Salaries:***

The total Salaries budget for 2023 is \$34.1M with an estimated spending of \$32.4M, resulting in a \$1.8M favourable variance. Salary expenditures are primarily impacted by the number of Parking Enforcement Officers (P.E.O.) hired each year and the number of P.E.O.s retiring or resigning each year, and how these vary from budget. The timing of hires and separations can also significantly impact expenditures.

The hiring of Special Constables and Cadets has a significant impact on the P.E.U., as a significant number of P.E.O.s have historically made the transition from P.E.O. to Special Constable and Cadet. While there are challenges to predicting the amount of P.E.O.s who will make the transition to these other positions, we continue to monitor actual separations and have increased our year-end projected separations from 34 to 51 to reflect higher than anticipated transitions from P.E.O to Special Constable and Cadet.

The 2023 approved budget includes funding for a January class of 35 P.E.O. hires, and another class of 40 hires in June. To offset actual and anticipated separations, classes and hires have been modified with 42 hires in the January class (who graduated in March), 42 hires in the June class, and another class of 30 being added in November. All planned hires will offset anticipated separations for the same net budgeted overall number of positions on average for the year (357 budgeted, on average).

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

The impact of the above factors results in a projected favourable salary variance of \$1.8M.

## **2 – Premium Pay:**

The total Premium Pay budget for 2023 is \$1.9M with an estimated \$0.1M favourable variance due to lower than anticipated staffing levels. Nearly all premium pay at the P.E.U. is related to enforcement activities, such as special events or directed enforcement activities.

## **3 – Benefits:**

The total Benefit budget for 2023 is \$8.8M with an estimated \$0.2M favourable variance due to lower than anticipated staffing levels.

## **4 – Materials and Equipment:**

The total Materials and Equipment budget for 2023 is \$2M with an estimated \$0.1M unfavourable variance. This is due to a higher than anticipated requirement for parking tags. Significant items in this category include parking tags, uniforms, gasoline, vehicle parts and batteries for handheld parking devices.

## **5 – Services:**

The total Services budget for 2023 is \$5.7M, with no variance anticipated at this time. Significant items in this category include interdepartmental chargebacks, contributions to reserves, rental of property and maintenance, and support costs for the handheld parking devices. It must be noted that the contributions to the reserves are not made until the end of the year, as a result, year to date expenditures are low relative to the overall budget in this category.

**6 – Revenues:**

The total Revenue budget for 2023 is \$1.3M with no variance anticipated at this time. Revenues include towing recoveries, draws from reserves, and recoveries from the Toronto Transit Commission (T.T.C.). The recoveries from the T.T.C. are for premium pay expenditures that are incurred to enforce parking by-laws on T.T.C. right of ways, which are necessitated by the continuing weekend subway closures for signal replacements maintenance.

**Conclusion:**

As at June 30, 2023, the P.E.U. is projecting a favourable variance of \$2.0M, and the unit will continue to review its spending plans.

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

**July 31, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Dubi Kanengisser  
Executive Director

**Subject: 2023 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending June 30, 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

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

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

### **Financial Implications:**

As of June 30, 2023, the Board is anticipating no year-end variance on its 2023 Operating Budget.

### **Summary:**

The purpose of this report is to provide information on the Board's 2023 projected year-end variance as at June 30, 2023.

The Board is not projecting any year-end variance on its 2023 Operating Budget. Anticipated savings in Salaries and Benefits will be offset by lower than projected draws from reserves and in-year pressures due to the Deputy Chief, Chief Administrative Officer (C.A.O.), and Executive Director & Chief of Staff selection processes.

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## Discussion:

### **Background**

At its January 9, 2023 meeting, the Board approved the Toronto Police Services Board's 2023 Operating Budget at a net amount of \$2,176,800 (Min. No. P2023-0109-2.6 refers), a \$207K increase over the 2022 approved budget. Subsequently, City Council, at its February 15, 2023 meeting, approved the Board's 2023 Operating Budget at the same net amount.

### **Relevant Board Policies and Compliance**

This report is in compliance with the Board's Budget Transparency Policy, approved on July 29, 2021 under Board Minute P2021-0729-3.0.

### **Overall Variance**

As of June 30, 2023, no variance is anticipated at year-end. Details are discussed below.

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

<b>Expenditure Category</b>	<b>2023 Budget (\$000s)</b>	<b>Actual to June 30/2023 (\$000s)</b>	<b>Projected Year-End Actual (\$000s)</b>	<b>Fav/(Unfav) (\$000s)</b>
Salaries & Benefits	\$1,561.4	\$670.5	\$1,333.1	\$228.3
Non-Salary Expenditures	\$1,691.1	\$435.5	\$1,889.9	(\$198.8)
Draws from Reserves	(\$1,075.7)	\$0.0	(\$1,046.2)	(\$29.5)
<b>Total Net</b>	<b>\$2,176.8</b>	<b>\$1,106.0</b>	<b>\$2,176.8</b>	<b>\$0.0</b>

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

### **Salaries & Benefits**

Year-to-date expenditures for Salaries and Benefits are lower than budgeted, as not all Board staff are at the highest 'step' of their respective salary band, and one position became vacant at the beginning of the year. Therefore, a favourable projection of \$228,300 is expected at year-end.

These projected savings are expected to be fully offset by lower than budgeted draws from reserves and expenditures related to the selection process for the Deputy Chief, C.A.O. and Executive Director & Chief of Staff as outlined in the subsequent sections.

### ***Non-Salary Expenditures/Draws from Reserves***

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

The Toronto Police Services Board cannot predict or control the number of grievances filed or referred to arbitration, as filings are at the discretion of bargaining units. In order to address this uncertainty and ensure adequate financial resources are available to respond to these matters when they arise, the 2023 Operating Budget includes a \$424,800 contribution to a Reserve for costs associated with the provision of legal advice and representation. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board ultimately has funds available in the Reserve, upon which to draw, to fund these variable expenditures.

In case of a favourable operating variance at year-end, the Board may choose to draw less than the budgeted amount from the reserves in order to preserve the reserves' balances.

### ***Executive Selection Process***

The Board previously secured an outside professional firm to assist the Board with the executive search services to select Toronto's Chief of Police. The Board has again secured similar services in 2023 to assist with the selection of two Deputy Chiefs and the C.A.O. for the Toronto Police Service, as well as the Board's Executive Director & Chief of Staff. Costs for the executive search processes are estimated to be \$191K and will all occur within 2023.

Every effort will be made to absorb the costs associated with these processes within the 2023 Operating Budget, however, as these executive selection processes do not occur regularly, the associated funds are not 'built in' to the Board Office's annual budget, and therefore create a potential budget pressure. This pressure will partially offset the anticipated savings for Salaries and Benefits.

### ***Conclusion:***

As of June 30, 2023, no variance is being projected by the end of 2023. Every effort is being made to absorb the costs associated with the executive selections within the 2023 Operating Budget.

Respectfully submitted,

Dubi Kanengisser  
Executive Director

\*copy with original signature on file at Board Office



## PUBLIC REPORT

**August 28, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Dubi Kanengisser  
Executive Director

**Subject: City Council Decision – CC8.2: Declaring Gender-Based Violence and Intimate Partner Violence an Epidemic in the City of Toronto; and EX6.1: Review of City of Toronto Guiding Principles for Executive Compensation Policies at City Agencies and Corporations**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation(s):**

It is recommended that:

- 1) the Board receive this report; and,
- 2) the Board forward a copy of this report to the City Clerk to inform Council, as required.

**Financial Implications:**

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

### Summary:

The Board is in receipt of two pieces of correspondence from the City Clerk with regards to items adopted by City Council at its meeting held on July 19 and 20, 2023: CC8.2 - Declaring Gender-Based Violence and Intimate Partner Violence an Epidemic in the City of Toronto; and EX6.1 - Review of City of Toronto Guiding Principles for Executive Compensation Policies at City Agencies and Corporations. This report provides the Board with the decisions of City Council on these two matters.

## **Discussion:**

### ***CC8.2 - Declaring Gender-Based Violence and Intimate Partner Violence an Epidemic in the City of Toronto***

City Council, at its meeting on July 19 and 20, 2023, adopted item CC8.2 with respect to Declaring Gender-Based Violence and Intimate Partner Violence and Epidemic in the City of Toronto. The Motion is available at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.2>

In considering this matter, Council adopted, among other recommendations, the following:

**City Council direct the City Manager, in consultation with the Medical Officer of Health, the Executive Director, Social Development Finance and Administration, the Director, Indigenous Affairs Office, the Chief People Officer, community organizations serving victims of intimate partner violence and the Toronto Police Service, to consider the best ways to actualize this declaration through community safety, wellbeing, and other related plans and making meaningful investments to the programs and services that prevent intimate partner and gender-based violence and support those who face it.**

The item is attached as Appendix 'A'.

### ***EX6.1: Review of City of Toronto Guiding Principles for Executive Compensation Policies at City Agencies and Corporations***

At the same meeting, City Council also adopted item EX6.1 with respect to a review of the City of Toronto's Guiding Principles for Executive Compensation Policies at City Agencies and Corporations. The Motion is available at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EX6.19>

In considering this matter, Council adopted, among other recommendations, the following:

**City Council forward this item to the Boards of Directors of those City agencies and corporations that were not in scope for this review, except for the Seniors Housing Corporation to which the Guiding Principles apply, for their review, reference and use as those Boards deem appropriate.**

The item is attached as Appendix 'B'.

## **Conclusion:**

The Board Office has forwarded the above correspondence to the Chief of Police for information and consideration as appropriate.

It is recommended that the Board receive this report and the attached correspondence.

Respectfully submitted,

Dubi Kanengisser  
Executive Director

*Attachments:*

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Appendix 'A': CC8.2 - Declaring Gender-Based Violence and Intimate Partner Violence an Epidemic in the City of Toronto

Appendix 'B': EX6.1: Review of City of Toronto Guiding Principles for Executive Compensation Policies at City Agencies and Corporations



## PUBLIC REPORT

July 26, 2023

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Special Constable Appointments and Re-Appointments –  
September 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation:**

This report recommends 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 City of Toronto Traffic Agents (C.T.A.) 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 arising from the recommendation(s) contained in this report.

### **Summary:**

The purpose of this report is to seek the Board's approval for the agency requested appointment(s) and re-appointment(s) of special constables for the C.T.A., T.C.H.C., and U of T.

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## Discussion:

### Background

#### Relevant Board Policies and Compliance

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 C.T.A., T.C.H.C. and U of T governing the administration of special constables (Min. Nos.P158/19, P153/02, and P571/94 refer).

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

Table 1. Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Current Expiry Date
T.C.H.C.	Allan G BRITTON	Re-Appointment	November 18, 2023
University of Toronto Scarborough	Jacek PIENCZYKOWSKI	Re-Appointment	November 19, 2023
University of Toronto Scarborough	Shakia KERR	New Appointment	N/A
University of Toronto Scarborough	Russell INCE	New Appointment	N/A
University of Toronto Scarborough	Farbod MANDEGARY	New Appointment	N/A
CTA	Aiden KURFURST	New Appointment	N/A
CTA	Alexander BOTELHO	New Appointment	N/A
CTA	Alfredo PEREZ	New Appointment	N/A
CTA	Aristidis DOUITISIS	New Appointment	N/A
CTA	Gregory KURNIK	New Appointment	N/A
CTA	Ibrahim YAKUBU	New Appointment	N/A
CTA	Jeremy PIROTTA	New Appointment	N/A
CTA	Jonathan CADIEUX	New Appointment	N/A

<b>Agency</b>	<b>Name</b>	<b>Status Requested</b>	<b>Current Expiry Date</b>
CTA	Maaz KARNELIA	New Appointment	N/A
CTA	Marius CARLIA	New Appointment	N/A
CTA	Michael DAVILA	New Appointment	N/A
CTA	Sarmilan THEVATHAS	New Appointment	N/A
CTA	Shaunell JOHN	New Appointment	N/A
CTA	Siobhan CABANAS	New Appointment	N/A
CTA	Talha AHMAD	New Appointment	N/A
CTA	William NEAL	New Appointment	N/A

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.

City Traffic Agents are appointed to conduct traffic direction under select sections of the *Highway Traffic Act* within the City of Toronto, but do not possess enforcement authorities.

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 CTA, 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**

<b>Agency</b>	<b>Approved Complement</b>	<b>Current Complement</b>
C.T.A.	50	33
T.C.H.C.	300	171
U of T Scarborough Campus	25	19

***Conclusion:***

The Service continues to work together in partnership with the C.T.A., 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.

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police

***Attachments:***

- 
1. TCHC Re-Appointment Request Letter
  2. U of T Scarborough Campus Appointment Request Letter
  3. City of Toronto CTA Appointment Request Letter

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



July 26, 2023

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

DELIVERED VIA ELECTRONIC MAIL

**Re: Request for Toronto Police Services Board Approval for 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 Toronto Community Housing, the Board is authorized to appoint special constables, subject to the approval of the Ministry of the Solicitor General.

The following individual 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. This re-appointment has undergone a background check, conducted by the Toronto Police Service, and we are satisfied with the results of those checks. This candidate has been employed by Toronto Community Housing for at least one 5-year term, and as such, we are satisfied that the member has satisfactorily carried out their duties and, from our perspective, there is nothing that precludes reappointment.

Name	Type	Current Term Expiry
Allan George Britton	Re-Appointment	11/18/2023

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

Should you require any further information, please contact Jacqueline Doo, Specialist-Compliance, Training & Quality Assurance at 416-268-8365.

Respectfully,



---

**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)

July 20, 2023

**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
Jacek Pienczykowski	Re-Appointment	11/19/2023
Shakia Kerr	New Appointment	
Russell Ince	New Appointment	
Farbod Mandegary	New Appointment	

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.

*Christopher Ibell*

Christopher Ibell, Assistant Director, Campus Safety

Transportation Services  
Barbara Gray, General Manager

Reply to: Josh Thomas  
Senior Project Manager  
Traffic Management  
703 Don Mills Road 5<sup>th</sup> Floor  
Toronto, Ontario, M3C 3N3  
Tel: (416) 338-0075  
Email: josh.thomas@toronto.ca

July 21, 2023

Sgt. Qian Yang  
Special Constable Liaison Office  
40 College St.  
Toronto, Ontario, M5G 2J3

Dear Sgt. Yang,

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

In accordance with the terms and conditions set out in the Memorandum of Understanding between the Toronto Police Services Board and THE CITY OF TORONTO, 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. Reappointments have been employed by THE CITY OF TORONTO 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
Aiden Kurfurst	New Appointment	N/A
Alexander Botelho	New Appointment	N/A
Alfredo Perez	New Appointment	N/A
Aristidis Douitsis	New Appointment	N/A
Gregory Kurnik	New Appointment	N/A
Ibrahim Yakubu	New Appointment	N/A
Jeremy Pirota	New Appointment	N/A
Jonathan Cadieux	New Appointment	N/A
Maaz Karnelia	New Appointment	N/A
Marius Carlia	New Appointment	N/A
Michael Davila	New Appointment	N/A
Samilan Thevathas	New Appointment	N/A
Shaunell John	New Appointment	N/A
Siobhan Cabanas	New Appointment	N/A

Talha Ahmad	New Appointment	N/A
William Neal	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.

Yours truly,



Josh Thomas  
Senior Project Manager, Traffic Agent Program



## PUBLIC REPORT

**August 4, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Dubi Kanengisser  
Executive Director

**Subject: Semi-Annual Report: Toronto Police Services Board  
Special Fund Unaudited Statement: January to June 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation(s):**

It is recommended that the Board receive the report on the Toronto Police Services Board's Special Fund un-audited statement for the period of January to June 2023.

**Financial Implications:**

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

**Summary:**

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

## Discussion:

Enclosed is the un-audited statement of receipts and disbursements with respect to the Toronto Police Services Board's Special Fund for the period January 01 to June 30, 2023.

As at June 30, 2023, the balance of the Special Fund was \$ 309,043. During the first half of the year, the Special Fund recorded receipts of \$76,093 and disbursements of \$157,963. There has been a net decrease of \$81,870 against the December 31, 2022 fund balance of \$390,913.

Auction proceeds have been estimated for the months of April, May, and June 2023, as the actual deposits have not yet been made.

For the first half of 2023 the Board approved and disbursed the following sponsorships:

<b>Sponsorship</b>	<b>Total Amount</b>
Community Consultative Groups	\$29,000
Midaynta Community Services	\$25,000
Police Officer Excellence Awards	\$15,000
Police Consultative Conference	\$6,000
Caribbean Carnival Kick-off Event & Float	\$5,000
Toronto Police Cricket Club	\$5,000
United Way Campaign	\$5,000
National Aboriginal Day	\$4,600
Black History Month	\$2,600
Special Olympics Ontario – Torch Run	\$2,500
Auxiliary Graduation Ceremonies	\$2,400
Asian Heritage Month	\$2,300
Pride Reception	\$2,300
Islamic Heritage Month	\$2,300
Jewish Heritage Month and Hanukkah Celebrations	\$2,300
Pride Month Celebrations	\$2,300
Chief's Fundraising Gala/Victim Services Toronto	\$2,000
LGBTQ2S Youth Justice Bursary	\$2,000
National Victims of Crime Awareness Week	\$1,000
Day of Pink	\$400

In addition, the Board approved and disbursed the following:

<b>Disbursed Funds</b>	<b>Total Amount</b>
Recognition of Service Members	\$22,945
Recognition of Community Members	\$5,116
Ontario Association of Police Services Board	\$5,000
Canadian Association of Police Governance	\$5,000
Recognition of Board Members	\$89

***Conclusion:***

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

Respectfully submitted,

Dubi Kanengisser  
Executive Director

\*copy with original signature on file at Board Office

***Attachments:***

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*2023 1H Special Fund Results with Initial Projection*

# Appendix A

<b>The Toronto Police Services Board Special Fund 2023 First Half Year Result with Initial Projections</b>					
<b>Particulars</b>	<b>Initial Projection 2023</b>	<b>January 01 to June 30, 2023</b>	<b>July 01 to December 31, 2023</b>	<b>Year-to-date 2023</b>	<b>January 01 to December 31, 2022</b>
<b>Balance Forward</b>	390,913	<b>390,913</b>	-	390,913	656,372
<b>Revenue</b>					
Proceeds from Auctions	154,524	<b>113,732</b>	-	113,732	108,490
Less Overhead Cost	(75,712)	<b>(53,934)</b>	-	(53,934)	(53,185)
Unclaimed Money	113,360	<b>10,174</b>	-	10,174	113,360
Less Return of Unclaimed Money	(21,599)	<b>(4,024)</b>	-	(4,024)	(21,599)
Interest	22,373	<b>9,955</b>	-	9,955	9,555
Others	1,353	<b>190</b>	-	190	1,353
<b>Total Revenue</b>	<b>194,299</b>	<b>76,093</b>	-	<b>76,093</b>	<b>148,901</b>
<b>Balance Forward Before Expenses</b>	585,212	467,006	-	467,006	805,273
<b>Disbursements</b>					
<b>Police Community Sponsorships - Toronto Police Services</b>					
Community Partnerships and Engagement Unit Events	50,000	<b>50,000</b>	-	50,000	78,500
Volunteer Appreciation Event	3,000	-	-	-	-
Community Consultative Groups	29,000	<b>29,000</b>	-	29,000	30,000
Youth in Policing Initiative (Y.I.P.I.)	6,000	-	-	-	-
Toronto Beyond the Blue Gala	5,000	-	-	-	-
Occupational Health and Safety Awareness Day	4,000	-	-	-	4,000
<b>Police Community Sponsorships - Community</b>					
Midaynta Community Services	25,000	<b>25,000</b>	-	25,000	-
Victim Services Program	25,000	-	-	-	25,000
Police Officer Excellence Awards	15,000	<b>15,000</b>	-	15,000	15,000
<b>Funds Returned on Sponsorships</b>					
Asian Heritage Month	-	-	-	-	(1,389)
Auxiliary Appreciation Event	-	-	-	-	(648)
Board & Chiefs Pride Reception	-	-	-	-	(654)
Community Consultative Groups	-	-	-	-	(9,625)
Community Police Academy	-	-	-	-	(2,000)
Community Police Consultative Conference	-	-	-	-	(510)
Day of Pink	-	-	-	-	(1,287)
Lesbian, Gay, Bisexual, Transgender, Queer, and Two-Spirit (L.G.B.T.Q.2S) Youth Justice	-	-	-	-	(1,000)
International Francophone Day	-	-	-	-	(2,500)
National Victims Crime Awareness Month	-	-	-	-	(1,000)
National Aboriginal Day	-	-	-	-	(99)
Ontario Special Olympics - Law Enforcement Torch Run (LETR)	-	-	-	-	(1,107)
United Way	-	-	-	-	(1,499)
Volunteer Appreciation Event	-	-	-	-	(293)
Youth in Policing Initiative (Y.I.P.I.)	-	-	-	-	(55)
<b>Toronto Police Amateur Athletic Association (T.P.A.A.A.) Assistance</b>	10,000	-	-	-	17,400
<b>Recognition of Service Members</b>					
Awards	110,000	<b>22,220</b>	-	22,220	109,281
Catering	76,000	<b>725</b>	-	725	36,280
<b>Recognition of Community Members</b>					
Awards	7,000	<b>4,996</b>	-	4,996	7,301
Catering	1,500	<b>120</b>	-	120	507
<b>Recognition of Board Members and Staff</b>					
Awards	1,000	-	-	-	-
Catering	1,800	<b>89</b>	-	89	-
<b>Conferences</b>					
Canadian Association of Police Governance	5,000	<b>5,000</b>	-	5,000	5,000
Ontario Association of Police Services Board (O.A.P.S.B.)	5,000	<b>5,000</b>	-	5,000	5,000
<b>Donations/Flowers in Memoriam</b>					
Toronto Police Services Board (T.P.S.B.) and Toronto Police Association (T.P.A.) Retirement Dinner	800	<b>200</b>	-	200	423
<b>Report on Specified Auditing Procedures - KPMG</b>	10,000	-	-	-	9,005
<b>Report on Specified Auditing Procedures - KPMG</b>	11,702	-	-	-	11,194
<b>Other Expenses</b>					
Funeral Cost	-	-	-	-	84,135
Bank Service Charges	9,784	<b>613</b>	-	613	-
Others	-	-	-	-	-
<b>Total Disbursements</b>	411,586	<b>157,963</b>	-	157,964	414,360
<b>Special Fund Balance</b>	173,626	<b>309,043</b>	-	309,043	390,913



## PUBLIC REPORT

July 31, 2023

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.04**

**Purpose:**  Information Purposes Only  Seeking Decision

### Summary:

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (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 Toronto Police Service (T.P.S.) procedures.

### Discussion:

#### ***Background***

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.

#### ***Relevant Board Policies and Compliance***

- Toronto Police Service (T.P.S.) procedures
- *Special Investigations Unit Act, (S.I.U.A.) 2019*
- *Criminal Code (C.C.)*

## **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 May 16, 2023, 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 subject 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 23-TCI-018, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2404](https://www.siu.on.ca/en/directors_report_details.php?drid=2404)

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

*“The evidence collected by the SIU, including interviews with the Complainant and several police officers who participated in his arrest, as well as video footage that captured the incident in parts, gives rise to the following scenario. As was his legal right, the SO declined an interview or to authorize the release of his notes to the SIU.*

*In the afternoon of January 15, 2023, TPS officers, including the SO, arrived at the Complainant’s apartment in the area of Rutherford Road and Jane Street, Vaughan. They were there to arrest him following a 911 call to police earlier that day in which the caller reported having been confined and assaulted by the Complainant. The officers had with them a Feeney warrant authorizing their entry into the apartment, if necessary, to take the Complainant into custody. Minutes earlier, during an initial knock at the apartment door, the Complainant’s girlfriend had answered, lied about the Complainant not being present, and refused to allow the officers entry to search for him. On this occasion, they encountered the Complainant and his girlfriend just outside the door to the apartment.*

*Told that he was under arrest, and his left arm grabbed by one of the attending officers, WO #1, the Complainant attempted to re-enter the apartment through the closed apartment door. The SO intervened to prevent that from happening. He took hold of the Complainant by the back of the head and right side, and pulled him away from the door. WO #5 was also present and active, pulling on the Complainant’s right arm. As he was being forced to the hallway floor, WO #4 dropped his right knee onto the Complainant’s back at about the same time as the*

*SO kicked down on the back of his head, the Complainant's face impacting the floor in the process. Shortly thereafter, the Complainant's arms were brought behind his back and handcuffed.*

*Following his arrest, the Complainant was taken first to the police station and then to hospital, where he was diagnosed with a broken nose."*

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

*"The Complainant was seriously injured while being arrested by TPS officers in Vaughan on January 15, 2023. In the ensuing SIU investigation, one of the arresting 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 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 information they had received via 911 calls earlier in the day in which the caller reported having been confined and repeatedly assaulted by the Complainant in his vehicle, and the warrant obtained authorizing the Complainant's arrest, I am satisfied that the officers, including the SO, were within their rights in seeking to take the Complainant into custody.*

*With respect to the force that was used by the SO, the evidence falls short of establishing that it was not legally justified. I accept that the SO's role in pulling the Complainant forward towards the hallway floor was reasonable. The Complainant had pulled away from a lawful arrest as if to re-enter his apartment, and the officers were entitled to prevent that from happening by countering that movement. Less clear is whether the SO kicking down on the back of the Complainant's head was warranted. On the one hand, the Complainant was on his way to the floor and surrounded by three other officers at the time; it was clear that he was not going anywhere. On the other hand, the Complainant's arrest was a highly dynamic event over a few seconds in the cramped quarters of a narrow hallway, all of which would have combined to diminish the SO's appreciation of what was going on around him. Coupled with the need to take him into custody as soon as possible, I am unable to reasonably conclude that the SO acted with excess when he sought to fully pin the Complainant on the floor by forcing his head down with his foot. In that position, the officers could better manage any resistance from the Complainant. After all, the officers had reasons to be concerned about their personal safety given the violence that the Complainant had reportedly perpetrated on a woman hours earlier, the fact that he was holding a pair of pliers at the time of his arrest and carrying a satchel around his upper body, and his unwillingness to peacefully surrender to arrest when approached at the*

door. In arriving at this conclusion, I am mindful that the common law does not require that officers caught in volatile and potentially dangerous situations measure their force with precision; what is required is a reasonable response, not an exacting one: *R v Nasogaluak*, [2010] 1 SCR 206; *R v Baxter* (1975), 27 CCC (2d) 96 (Ont. CA).

For the foregoing reasons, there are no reasonable grounds to believe that the SO comported himself other than within the limits of the criminal law in his engagement with the Complainant. 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 P.R.S. – 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 T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 02-01 (Arrest Warrants);
- 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 15-02 (Injury/Illness Reporting);
- Procedure 15-17 (In-Car Camera System); and
- Procedure 15-20 (Body-Worn Camera).

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

- *Special Investigations Unit Act* (S.I.U.A), 2019, SO 2019, c 1, Sch 5

### **Conclusion:**

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.

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

**Recommendation:**

---

This report recommends that the Board receive this report for information.

**Financial Implications:**

---

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

July 31, 2023

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.05**

**Purpose:**  Information Purposes Only  Seeking Decision

### Summary:

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (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 Toronto Police Service (T.P.S.) procedures.

### Discussion:

#### *Background*

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.

#### *Relevant Board Policies and Compliance*

- Toronto Police Service (T.P.S.) procedures
- *Special Investigations Unit Act, (S.I.U.A.) 2019*
- *Criminal Code (C.C.)*

## **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 May 18, 2023, 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 subject 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 23-TCI-023, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2412](https://www.siu.on.ca/en/directors_report_details.php?drid=2412)

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

*“In the morning of January 21, 2023, TPS officers were dispatched to an apartment in the area of Royal York Road and Lakeshore Boulevard West following a 911 call. The call was made by an occupant of the unit – the CW. The CW reported that she had just been assaulted by the tenant of the apartment – the Complainant. He had held a knife to her throat and banged her head against a wall.*

*The SO arrived at the address at about 10:50 a.m. and retrieved a less-lethal shotgun from the trunk of his vehicle. He was joined by two plainclothes officers, WO #2 and WO #3. The officers encountered the CW in the hallway outside the Complainant’s apartment, and directed her to wait in the building lobby. They then knocked on the door of the unit and announced that the Complainant was to exit the apartment with his hands up. The Complainant opened the door, indicated that he had no weapons, refused to exit when asked, and closed the door.*

*Shortly thereafter, as the officers continued to demand that he exit the apartment, the Complainant opened the door again. He took a step outside his apartment, bent down and reached to pick up a blue bag from the floor, and was grabbed by the left side by WO #3, who pulled him into the middle of the hallway. The Complainant struggled against the officer’s efforts, and was met with a knee strike to the abdomen by the SO. The officers took the Complainant to the floor, after which they were able to wrestle control of his hands and handcuff them behind the back.*

*Following his arrest, the Complainant was transported to hospital and diagnosed with a left-sided rib fracture.”*

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

*“The Complainant was seriously injured in the course of his arrest by TPS officers on January 21, 2023. In the ensuing SIU 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 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 SO was lawfully placed and engaged in the exercise of his duty when he attended at the Complainant’s apartment to take him into custody. Given the information he had of the 911 call the CW had made, which information had been confirmed by the CW on his arrival on scene, the Complainant was subject to lawful arrest.*

*With respect to the force used by the SO in aid of the Complainant’s arrest, namely, a knee strike followed by a takedown, I am satisfied that it was legally justified. Reportedly, the Complainant had just violently assaulted a woman and was in possession of a knife. Accordingly, it was imperative that he be taken into custody as quickly as possible at the first opportunity. The knee strike and subsequent takedown, in my view, would seem measured and proportionate tactics in the circumstances as they were intended to quickly overcome the Complainant’s resistance as he exited his apartment. Indeed, that was precisely their effect.*

*In the result, while I accept that the Complainant suffered a fractured rib during the altercation that marked his arrest, there are no reasonable grounds to conclude that the injury was attributable to 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 P.R.S. – 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 T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-02 (Injury/Illness Reporting);
- Procedure 15-17 (In-Car Camera System); and
- Procedure 15-20 (Body-Worn Camera).

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

- *Special Investigations Unit Act (S.I.U.A)*, 2019, SO 2019, c 1, Sch 5

**Conclusion:**

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 a designated official was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.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.

**Recommendation:**

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This report recommends that the Board receive this report for information.

**Financial Implications:**

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

July 31, 2023

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Firearm Discharged at a Person - Complainant 2023.10**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation:**

It is recommended that the Toronto Police Services Board (the Board) forward a copy of this report to the Solicitor General as per O. Reg 552/92, s .8

**Financial Implications:**

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

**Summary:**

The Professional Standards (P.R.S.) investigation determined the conduct of six of the seven designated officials was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable Toronto Police Service (T.P.S.) procedures. One of the designated official failed to comply with T.P.S. Procedure.

**Discussion:**

***Background***

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.

### **Relevant Board Policies and Compliance**

- Toronto Police Service (T.P.S.) Procedures
- *Special Investigations Unit Act, (S.I.U.A.) 2019*
- Provincial Regulations

### **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 June 14, 2023, 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 subject 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 23-TFP-044, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2436](https://www.siu.on.ca/en/directors_report_details.php?drid=2436)

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

*“The material events in question are clear on the evidence collected by the SIU and may briefly be summarized.*

*Shortly before 11:30 p.m. of February 13, 2023, the TPS began receiving 911 calls about a male – the 15-year-old Complainant – wielding a knife and chasing people outside of Union Station on Front Street, Toronto. Officers were dispatched to investigate.*

*WO #1 and WO #2 were on scene in their cruiser within minutes and located the Complainant in the area of Bay Street and King Street West. WO #1 brought their cruiser to a stop on Bay Street facing north, just south of the intersection. From inside the vehicle, the Complainant was directed to drop the knife. The Complainant approached the vehicle and banged on it with the knife. When WO*

*#1 executed a turn on the roadway to create distance with the male, the Complainant chased after the cruiser. After a period, the Complainant ran westward along King Street West. WO #1 drove onto King Street West and stopped facing west beside a bus stopped facing east on the roadway.*

*The SO and WO #4 arrived on scene and travelled onto King Street West, bringing their cruiser to a stop behind WO #1 and WO #2's vehicle. The Complainant maneuvered around the cruisers and the bus wielding the knife. At one point, as the SO stepped outside his vehicle and faced eastward, the Complainant rounded the rear driver's side corner of the cruiser and approached the officer. The SO, armed with a less-lethal shotgun, fired it three times at the Complainant.*

*The Complainant was struck at least once but was not immobilized. With the SO, WO #2, WO #1 and WO #4 in foot pursuit, the Complainant ran northwards on Bay Street. The Complainant was subjected to several CEW discharges as he fled northward and then when he was cornered by police officers in the alcove in front of the entrance to the building at 320 Bay Street. He was eventually handcuffed and taken into custody.*

*At hospital following his arrest, the Complainant was found not to have suffered any serious injuries."*

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

*"On February 14, 2023, the TPS contacted the SIU to report that one of their officers – the SO – had fired a less-lethal shotgun at a young male – the Complainant – the day before. The SIU initiated an investigation of the incident, naming WO 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 discharge of his firearm at the Complainant.*

*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 at the time of the less-lethal firearm discharge by the SO. He had dangerously wielded a weapon – a knife – at vehicular and pedestrian traffic on public roadways, including officers responding to deal with the situation.*

*I am further satisfied that the SO's use of his less-lethal shotgun was legally justified. The Complainant was armed with a knife clearly capable of causing grievous bodily harm and death. He was brandishing it indiscriminately to threaten people. And, he had refused repeated commands that he disarm himself. Having given the SO every reason to believe that he would use the knife, I am unable to*

*reasonable conclude that the officer acted with excess when he sought to temporarily incapacitate the Complainant with the use of his less-lethal shotgun as the Complainant bore down on him by the driver's side of the cruiser. Though the discharges did not immediately incapacitate the Complainant so that he could be safely arrested at that time, it did deter the complainant's continued forward progress without infliction of serious injury.*

*In the result, as there are no reasonable grounds to believe that the SO comported himself other than lawfully throughout his engagement with the Complainant, there is no basis for processing with criminal charges in this case. The file is closed."*

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

The Professional Standards (P.R.S.) – SIU Liaison (S.I.U. Liaison) conducted an administrative investigation as is required by provincial legislation.

This investigation examined the circumstances of this firearm discharge 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 01-03 (Persons in Custody);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-01 (Incident Response (Use of Force/De-Escalation));
- Procedure 15-02 (Injury/Illness Reporting);
- Procedure 15-06 (Less Lethal Shotgun);
- Procedure 15-09 (Conducted Energy Weapon);
- Procedure 15-17 (In-Car Camera System) and;
- Procedure 15-20 (Body-Worn Camera).

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

- *Special Investigations Unit Act, 2019;*
- Ontario Regulation 926 (Equipment and Use of Force)

### **Conclusion:**

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 six of the seven designated officers was in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures. It was identified that one of the designated officers failed to comply with T.P.S. Procedure 15-20 (Body Worn Camera). Specifically, this officer failed to start his B.W.C. recording at the earliest opportunity prior to his contact with the Complainant as is required by the procedure. The misconduct was substantiated, and the subject official's penalty was adjudicated at the unit level.

Despite this breach of B.W.C. procedure the other six officers captured the entirety of this event on both B.W.C. and In-Car Camera System (I.C.C.S.) which provided the S.I.U. and T.P.S. Firearms Discharge Investigators with an unparalleled perspective of what happened and why.

Finally, the officers responding to this event were confronted by an armed individual who was actively threatening citizens and the responding officers. The S.O.'s decision to utilize a Less Lethal Shotgun which was followed by the use of Conducted Energy Weapons was reasonable, justified and in line with the Service's priority to reduce fatalities and serious injuries whenever possible.

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,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

**July 31, 2023**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.11**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Summary:**

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (S.I.U. Liaison) investigation determined the conduct of one of the designated officials was not in compliance with applicable Toronto Police Service (T.P.S.) procedures.

### **Discussion:**

#### ***Background***

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.

#### ***Relevant Board Policies and Compliance***

- Toronto Police Service (T.P.S.) procedures
- *Special Investigations Unit Act, (S.I.U.A.) 2019*
- *Criminal Code (C.C.)*

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

**Complainant** – Refers to the Affected Person

**SO** – Subject Official

**WO** – Witness Official

**ETF** – Toronto Police Emergency Task Force

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

In a letter to the Chief of Police dated June 14, 2023, 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 three subject 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 23-TCI-045, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2437](https://www.siu.on.ca/en/directors_report_details.php?drid=2437)

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

*“The evidence collected by the SIU, including interviews with the Complainant and officers present at the time of the events in questions, as well as video footage that captured the incident in parts, gives rise to the following scenario. As was their legal right, the subject officials chose not to interview with the SIU or authorize the release of their notes.*

*In the evening of February 13, 2023, a TPS ETF team mobilized in the area of 230 Lake Promenade, Toronto. Together with a canine unit, the team was there to assist in the search for two males, one of whom had reportedly attacked another TPS officer – Officer #1 – with a machete.*

*Officer #1, in plainclothes at the time, was among a number of officers dispatched to the address following a call to police from a man at that address. The man had called to report the presence of three persons – two males and a female – in the underground parking garage whom he suspected were going to steal a vehicle. One of them had a large rock in hand. Officer #1 had engaged one of the suspects – Male #1 – in the garage when he was confronted by the Complainant wielding a sword. Officer #1 released his hold of Male #1 and drew his gun, prompting Male #1 and the Complainant to flee. The officer gave chase on foot, and broadcast a description of the males and the fact that they were last seen fleeing northward toward Park Boulevard. The time was about 8:00 p.m.*

*Male #1 and the Complainant had found refuge inside a shed in the backyard of a nearby residence on Park Boulevard. There, they waited until about 8:50 p.m., at which time their location was discovered by the police dog. Ordered to come out by ETF officers, the Complainant was the first to do so. He stepped out of the shed with his arms extended and was immediately pulled to the ground by SO #1. Male #1 was next to exit and was taken into custody.*

*Following a short struggle involving SO #1, SO #3 and SO #2, the Complainant was handcuffed behind the back and escorted to the front of the residence and a waiting cruiser. SO #3 was to the Complainant's left and SO #2, the right and back, both with a hold of the Complainant. As they neared the rear driver's side of the police SUV type cruiser, SO #2 pushed the Complainant forward by the back against the vehicle. That action resulted in the Complainant's handcuffed arms being pushed upwards behind his back.*

*The Complainant was checked by paramedics on scene and then taken to the station. He subsequently complained of pain to his left wrist and was transported to hospital where he was diagnosed with a fracture in the area.”*

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

*“The Complainant was seriously injured in and around the time of his arrest by TPS officers on February 13, 2023. In the ensuing SIU investigation of the incident, three TPS officers were identified as subject officials – SO #1, SO #2 and SO #3. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that any of 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.*

*I am satisfied that the Complainant was subject to arrest when he was taken into custody by the ETF officers. He matched the description of the male who had reportedly swung a machete at Officer #1 at 230 Lake Promenade and he was found trespassing and hiding on the grounds of a nearby address. Once in lawful custody, the officers were entitled to restrict his movements in order that he be processed according to law.*

*With respect to the force used by the SO #1, SO #3 and SO #2, I am unable to reasonably conclude that it was unlawful. There is a version of events proffered in the evidence that the Complainant was repeatedly kicked and punched after being taken to the ground despite having surrendered voluntarily and not offered any resistance. That rendition of events is contested by the eyewitness evidence of WO #1, also involved in the Complainant's arrest. While acknowledging that the*

*Complainant was immediately pulled down by SO #1, WO #1 says that the Complainant struggled with the officers on the ground by refusing to lie flat and released his arms, and kicking out with his legs. Accordingly to WO #1, he reacted by kicking at the Complainant's legs to force him flat and SO #1 struck the Complainant with a punch. Shortly thereafter, with the assistance of SO #3, the Complainant was handcuffed without further incident. In view of this conflict in the evidence, it would appear as likely as not that the officers' rendition of events is the more accurate version. That being the case, the force described by the officers would not appear disproportionate in view of the exigencies of the moment. That is to say, it makes sense that the officers would want to immediately ground the Complainant, whom they had reason to believe had recently attacked another officer with a machete and might still be armed and dangerous, and then use a quantum of physical force to quickly subdue him when he struggled against their efforts to arrest him on the ground. As for the shove in the back as SO #3 and SO #2 accompanied the Complainant to the cruiser, the force used was minimal, resulted in a negligible impact, and was more in the nature of SO. #2 assertively pinning the Complainant against the vehicle so that he could be searched as opposed to abusive and gratuitous force. While the result was that the Complainant's arms were forced upwards slightly behind the back, the officer's conduct did not transgress the limits of justifiable force in the circumstances.*

*It remains unclear when precisely the Complainant fractured his left wrist. The evidence gives rise to the distinct possibility that the injury was incurred as he stumbled fleeing from police prior to his arrest. Be that as it may, as there are no reasonable grounds to believe that the subject officials comported themselves other than lawfully in their dealings with the Complainant, 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 P.R.S. – S.I.U. Liaison conducted an administrative investigation as is 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 T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 04-27 (Use of Police Dog Services);

- 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 15-02 (Injury/Illness Reporting);
- Procedure 15-17 (In-Car Camera System); and
- Procedure 15-20 (Body-Worn Camera).

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

- *Special Investigations Unit Act* (S.I.U.A), 2019, SO 2019, c 1, Sch 5

**Conclusion:**

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 following additional comments are provided.

The S.I.U. Liaison investigation determined the conduct of one of the designated officials was not in compliance with T.P.S procedures. Specifically, it was substantiated this officer failed to start his Body-Worn Camera as is required by T.P.S. Procedure 15-20 (Body-Worn Camera). This misconduct was adjudicated at the unit level.

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

**Recommendation:**

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This report recommends that the Board receive this report for information.

**Financial Implications:**

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

July 31, 2023

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.12**

**Purpose:**  Information Purposes Only  Seeking Decision

### Summary:

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (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 Toronto Police Service (T.P.S.) procedures.

### Discussion:

#### ***Background***

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.

#### ***Relevant Board Policies and Compliance***

- Toronto Police Service (T.P.S.) procedures
- *Special Investigations Unit Act, (S.I.U.A.) 2019*
- *Criminal Code (C.C.)*

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

**Complainant** – Refers to the Affected Person

**SO** – Subject Official

**WO** – Witness Official

**ETF** – Toronto Police Emergency Task Force

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

In a letter to the Chief of Police dated June 16, 2023, 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 any 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 23-TCI-048, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2440](https://www.siu.on.ca/en/directors_report_details.php?drid=2440)

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

*“The material events in question are clear on the evidence collected by the SIU.*

*In the evening of February 17, 2023, a team of ETF officers deployed outside the entrance to an apartment unit on East Liberty Street. Acting on the strength of a search warrant, the officers were there to force entry into the unit and ensure safe conditions ahead of the entry of officers with the CSRT, whose task it was to search the residence. The CSRT were investigating an incident from September 2022 in which a male had been shot and robbed of his Rolex watch. It was believed that the assailant – Complainant #1 – and evidence of the robbery, including the gun, would be located at the address.*

*At about 9:10 p.m., the ETF announced their presence at the door, after which a couple of officers used a ram to force open the door. Promptly thereafter, a distraction device was thrown in the residence before officers entered.*

*Complainant #1 was present in the unit when the door was forced open, as was an associate, Complainant #2. They immediately ran onto the unit balcony and scaled over the railing attempting to escape. Complainant #1 fell from the balcony and struck a balcony on a lower floor before continuing his fall to ground level. Complainant #2 also dropped from the balcony and landed on the lower-floor balcony.*

*Complainant #1 and Complainant #2 were arrested where they landed and provided medical attention. Complainant #1 suffered multiple fractures and internal bleeding. Complainant #2's legs were reportedly broken."*

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

*"On February 17, 2023, the TPS contacted the SIU to report that Complainant #1 and Complainant #2 had been seriously injured that day attempting to avoid police apprehension. The SIU initiated an investigation, which has since been concluded. On my assessment of the evidence, there are no reasonable grounds to believe that any TPS officer committed a criminal offence in connection with the injuries suffered by Complainant #1 and Complainant #2.*

*The offence that arises for consideration is criminal negligence causing bodily harm contrary to section 221 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. It is predicated, in part, on conduct that amounts 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 on the part of any police officer, sufficiently egregious to attract criminal sanction that caused or contributed to the injuries suffered by Complainant #1 and Complainant #2. In my view, there was not.*

*The ETF officers were acting lawfully when they mobilized in front of the apartment unit to assist the CSRT. In effect at the time was a search warrant authorizing their entry into the residence.*

*I am also satisfied that that the manner of entry effected by the ETF was reasonable in the circumstances. The ETF had good reason to want to take the unit's occupants by surprise. Complainant #1 was believed to be in possession of a firearm, which he had used to shoot an individual in September 2022. Indeed, a loaded gun and ammunition were eventually recovered in the search of the residence. As for the decision by Complainant #1 and Complainant #2 to attempt to scale down the balconies, no doubt prompted by the officers' imminent entry into the residence, they alone are responsible for the consequences of their actions. While it is always conceivable that individuals will seek to evade police apprehension in high rises by fleeing via their balconies, it is not clear that anything could have been done to prevent that from happening in the circumstances that prevailed at the time. It is equally possible that Complainant #1 and Complainant #2 would have embarked on their flight even with a knock on the door and more notice of police presence, and the ETF did announce their presence, albeit just before the door was forced open, to alert the unit's occupants to what was happening. Once inside the unit, it is apparent that the ETF officers were in no position to prevent Complainant #1 and Complainant #2 from doing what they did. Indeed, the evidence indicates they had scaled the balcony just before or as the officers entered the unit.*

*In the result, as there are no reasonable grounds to believe that any of the TPS officers involved in the entry of the apartment unit transgressed the limits of care prescribed by the criminal law, 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 P.R.S. – S.I.U. Liaison conducted an administrative investigation as is 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 T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 02-17 (Obtaining a Search Warrant);
- Procedure 02-18 (Executing a Search Warrant);
- Procedure 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 15-02 (Injury/Illness Reporting);
- Procedure 15-17 (In-Car Camera System); and
- Procedure 15-20 (Body-Worn Camera).

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

- *Special Investigations Unit Act, 2019, s 31(1) Duty to Comply;*
- *Special Investigations Unit Act, 2019, s 20 Securing the Scene;*
- *Special Investigations Unit Act, 2019, s 16(1) Notification of Incident;*
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### **Conclusion:**

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.

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

**Recommendation:**

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This report recommends that the Board receive this report for information.

**Financial Implications:**

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police



## PUBLIC REPORT

July 31, 2023

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Alleged Sexual Assault of Complainant 2023.18**

**Purpose:**  Information Purposes Only  Seeking Decision

### Summary:

The Special Investigations Unit Liaison (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.

### Discussion:

#### *Background*

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.

#### *Relevant Board Policies and Compliance*

- Toronto Police Service (T.P.S.) procedures
- *Special Investigations Unit Act (S.I.U.A.), 2019*

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

In a letter to the Chief of Police dated July 10, 2023, 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 in this case”*.

The S.I.U. has not made the Directors Report public stating in part, *“pursuant to section 34(6) of the Special Investigations Unit Act, 2019, the SIU Director may exercise a discretion, subject to prior consultation with the complainant, to not publish the report if the Director is of the opinion that the complainant’s privacy interest in not having the report published clearly outweighs the public interest in having the report published.”*

### ***Incident Narrative***

On March 28, 2023, the Toronto Police Communications Services (Communications) received a series of calls for a break and enter in progress at an apartment building on Victoria Park Avenue. Callers and members of Toronto Community Housing Corporation Security (T.C.H.C.) reported a female walking around on several floors of the building and banging her fists on numerous doors. Further information was obtained from other callers indicating that the female was armed with a screwdriver and was spitting on several of the doors.

A number of uniformed officers from 42 Division responded to the call. The female, later identified as Alleged Sexual Assault Complainant 2023.18 (2023.18), was located in an elevator as it opened on the ground floor.

Two uniformed Police attempted to deescalate the situation and engaged 2023.18 in conversation. She was erratic in her behavior, appeared to be under the influence of an unknown substance and was becoming more verbally abusive towards the officers. She stated that she had been sexually assaulted by an unknown male that lived on the 8<sup>th</sup> floor.

The officers convinced her to get back on the elevator and return to her unit so that they could further their investigation. Upon reaching 2023.18’s floor, her behavior became more violent. She began to scream at the officers before running away. The officer’s, fearing for her safety, caught her, and subdued her after a brief struggle. 2023.18 was apprehended by the officers under the authority of the *Mental Health Act* (M.H.A.).

Other officers arrived on scene and were forced to carry 2023.18 face down from the building as she continued to be non-compliant with officers. As she continued to actively resist the assistance of attending officers through her words and actions, she yelled to any and all passer-by’s that she was being sexually assaulted by police.

2023.18 was transported by the officers to Scarborough Grace Hospital. She was placed in restraints due to her escalating violent behavior towards the officers and

medical staff. She was admitted to the hospital under the authority of the M.H.A. for psychiatric assessment.

The S.I.U. was notified and invoked its mandate.

All of the interactions between the officers and 2023.18 were recorded on their Body-Worn Cameras (B.W.C.) and In-Car Camera Systems (I.C.C.S.) and disclosed to the S.I.U.

The S.I.U. designated two Police Constables as subject officials; three other officers were designated as witness officials.

### ***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 was reviewed by Specialized Criminal Investigations – Sex Crimes Unit in accordance to T.P.S. Procedure 13-16 (Special Investigations Unit).

This investigation examined the circumstances of the alleged sexual assault 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 T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 06-04 (Persons In Crisis);
- 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 15-02 (Injury/Illness Reporting);
- Procedure 15-17 (In-Car Camera System) and;
- Procedure 15-20 (Body-Worn Camera).

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

- *Special Investigations Unit Act, 2019*, s 31(1) Duty to Comply;
- *Special Investigations Unit Act, 2019*, s 20 Securing the Scene;
- *Special Investigations Unit Act, 2019*, s 16(1) Notification of Incident;

**Conclusion:**

The S.I.U. Liaison investigation determined that the T.P.S.'s policies and procedures associated with this alleged sexual assault 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.

**Recommendation:**

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It is recommended that the Board receive this report for information.

**Financial Implications:**

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

Respectfully submitted,

Myron Demkiw, M.O.M.  
Chief of Police