



**Public Meeting**

**Tuesday,  
April 30, 2024  
at 9:00AM**



**PUBLIC MEETING AGENDA**  
**Tuesday, April 30, 2024 at 9:00AM**  
**Livestreaming at**

<https://youtube.com/live/BPhGc7FJP3o?feature=share>

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Call to Order

Indigenous Land Acknowledgement

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

Chief's Monthly Verbal Update

1. Confirmation of the Minutes from the regular public meeting held on [March 18, 2024](#).

Presentation and Items for Consideration

2. **Race-Based Data**

2.1 **Presentation**

2.2 March 1, 2024 from Myron Demkiw, Chief of Police

**Re: [Toronto Police Services Board's Race-Based Data Collection, Analysis and Public Reporting Policy – Phase 2 Update](#)**

3. April 15, 2024 from Dubi Kanengisser, Executive Director

**Re: [Community Safety and Policing Act – Compliance Update](#)**

4. April 4, 2024 from Board and Committee Members Lily Cheng, Amber Morley and Nadine Spencer  
**Re: Request for Review of a Service Complaint Investigation – Professional Standards Case Number PRS-081443**
5. April 19, 2024 from Myron Demkiw, Chief of Police  
**Re: Senior Officer Uniform Promotions**
6. April 4, 2024 from Dubi Kanengisser, Executive Director  
**Re: Request for Special Funds – Champions of Change 2024 Awards Gala**
7. April 15, 2024 from Dubi Kanengisser, Executive Director  
**Re: Semi-Annual Report: Toronto Police Service Board Special Fund Unaudited Statement: July to December 2023**
8. March 11, 2024 from Dubi Kanengisser, Executive Director  
**Re: Annual Report: Toronto Police Service Board's 2023 Consulting Expenditures**
9. March 22, 2024 from Myron Demkiw, Chief of Police  
**Re: Annual Report: 2023 Toronto Police Service's Consulting Expenditures**
10. March 22, 2024 from Myron Demkiw, Chief of Police  
**Re: Annual Report: Write-off of Uncollectible Accounts Receivable Balances January 1, 2023 to December 31, 2023**
11. April 4, 2024 from Dubi Kanengisser, Executive Director  
**Re: City Council Decision - New Business Item 15.1 - Budget Implementation Including Property Tax Rates, User Fees and Related Matter**

## 12. Budget Variance Reports

- 12.1 March 22, 2024 from Myron Demkiw, Chief of Police  
**Re: 2023 Operating Budget Variance for the Toronto Police Service, Year Ending December 31, 2023**
- 12.2 March 28, 2024 from Myron Demkiw, Chief of Police  
**Re: Capital Budget Variance Report for the Toronto Police Service, Period Ending December 31, 2023**
- 12.3 March 28, 2024 from Myron Demkiw, Chief of Police  
**Re: 2023 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Year Ending December 31, 2023**
- 12.4 April 2, 2024 from Dubi Kanengisser, Executive Director  
**Re: 2023 Operating Budget Variance Report for the Toronto Police Service Board, Period Ending December 31, 2023**

## 13. Chief's Administrative Investigation Reports

- 13.1 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Vehicle Injury of Complainant 2023.22**
- 13.2 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.35**
- 13.3 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Firearm Injury of Complainant 2023.57**
- 13.4 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Vehicle Injury of Complainant 2023.60**
- 13.5 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.68**
- 13.6 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Alleged Sexual Assault of Complainant 2023.70**

- 13.7 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.74**
- 13.8 March 5, 2024 from Myron Demkiw, Chief of Police  
**Re: Chief's Administrative Investigation into the Custody Injury of Complainant 2023.80**
14. April 15, 2024 from Dubi Kanengisser, Executive Director  
**Re: Notice of Revisions to Board's Procedural By-Law**
15. March 11, 2024 from Myron Demkiw, Chief of Police  
**Re: Request for Review of a Service Complaint Investigation – Professional Standards Case Number PRS-093661**

The Police Service Board will adjourn the public portion of the meeting and reconvene in-camera for consideration of confidential matters pursuant to Section 44 (1) of the *Community Safety and Policing Act* (CSPA).

#### **MOTION**

- **That the Toronto Police Service Board adjourn the public portion of its meeting to move In Camera to discuss the following subject matters in accordance with Section 44(2) of the *Community Safety and Policing Act*, 2019:**
  1. **Chief's Verbal Updates - Confidential operational updates**
  2. **Human Resources Matters**
  3. **Investigative Matters**
  4. **Labour Relations Matters**
  5. **Board Updates – Instructions on Negotiations and Financial Information**

Adjournment

Next Meeting

**Regular Board Meeting**

Friday, May 31, 2024

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

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**Members of the Toronto Police Service Board**

Ann Morgan, Chair

Amber Morley, Deputy Mayor & Member

Lily Cheng, Member & Councillor

Nick Migliore, Board Member

Lisa Kostakis, Vice-Chair

Nadine Spencer, Board Member

Shelley Carroll, Member & Councillor



## PUBLIC REPORT

**March 1, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Toronto Police Services Board's Race-Based Data Collection, Analysis and Public Reporting Policy – Phase 2 Update**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation:**

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This report recommends that the Toronto Police Services Board (Board) receives this report for information purposes.

**Summary:**

This report provides an update to the Board on the progress in implementing Phase 2 of the Race and Identity-Based Data Collection (R.B.D.C.) Strategy.

**Discussion:**

***Background***

The R.B.D.C. Strategy (Strategy) represents the Toronto Police Service's (Service) roadmap to implement the Board's Race-Based Data Collection, Analysis and Public Reporting Policy (Policy) approved on September 19, 2019 (Min. No. P178/19 refers). The Strategy is key to the Service's work to advance equity, transparency, and

accountability. Collecting, analysing and reporting on race and identity-based data is critical to achieving the Service's goal of promoting fair and unbiased policing services in Toronto.

The Service is implementing the Strategy in phases to properly address the complexity of the work and help the Service to gain greater understanding, and incorporate this knowledge into the next phases.

Phase 1 began in January 2020 with the collection of Service members' perception of the race of an individual in use of force interactions as required by the *Anti-Racism Act, 2017*. The Service also included strip searches into Phase 1 in response to the Office of the Independent Police Review Director's report "*Breaking the Golden Rule: A Review of the Police Strip Searches in Ontario*."

In June 2022, the Service released its first public report, based on analysis of data collected in 2020 for use-of-force and strip search interactions. The Service led the way through an innovative approach to data analysis, coupled with engagements with a Community Advisory Panel (C.A.P.) and frontline members.

The Service identified 38 action items as part of its commitment to reduce the disparate outcomes found in the June report, continued implementing these items, and made adjustments to the work based on community feedback. This feedback was gathered through a series of six town halls that took place between October 2022 and March 2023, which were organized in collaboration with community organizations.

Key themes we heard from community members are posted on the public RBDC website: [Community Town Halls: Response to What We Heard- Toronto Police Service \(tps.ca\)](https://www.tps.ca/community-town-halls-response-to-what-we-heard-toronto-police-service)

**Appendix A** provides implementation progress on the 38 action items.

#### *Relevant Board Policies and Compliance*

In addition to Board Policy Race-Based Data Collection, Analysis and Public Reporting, other relevant legislation/compliance includes:

- Data Standards for the Identification and Monitoring of Systemic Racism (also known as Ontario's Anti-Racism Data Standards);
- Anti-Racism Act, 2017 and 2018 regulation;
- Board's 81 Directions for Police Reform.

#### **Phase 2 – iterative and transparent cycle**

The Service has continued this work by launching Phase 2 of the Strategy in January 2023. The Strategy has been significantly expanding its scope by including several police interactions that diverse communities prioritized:

- arrests and arrest outcomes;
- mental health apprehensions; and
- youth diversions.



This is pioneering work in Canada and the Service continues to innovate with new approaches to deliver on its commitment to greater transparency and accountability.

- **Ongoing data analysis and reporting process:**

The Service took a fully transparent approach in Phase 2 by publicly sharing findings along the way. This has allowed the public to follow our progress throughout the entire journey of the data exploration that will inform concrete solutions moving forward.

R.B.D.C. Strategy is an ongoing cycle which applies ***an iterative, hypothesis-driven approach*** to data analysis for each police interaction considered under this phase. Questions are generated in collaboration with the C.A.P., Service members, and stakeholder contact groups, and as many questions are answered as possible. If the questions don't have data to support an answer, stakeholders are engaged to see what change is possible. This cycle is repeated until we temporarily exhaust questions and publicly share data findings to keep the public informed on the work while it is unfolding.

This approach began with the 2021 arrest and mental health apprehension data. To-date, the Service has publicly released ***three reports of data findings*** and will continue to share findings as new hypotheses are tested. No other police service in Canada has been looking into racial disparities for mental health apprehensions. These reports are posted on the public website at: [RBDC Findings](#) and also attached to this report.

Key findings from these releases are summarized below:

- The majority of arrests follow a call for service to 911 or a non-emergency line rather than a police-initiated event.
- There were no notable differences across race groups when looking at arrests by time of day.
- There were differences by race in arrests across age groups, particularly for Black youth and Indigenous people aged 55 and older.
- While there were no notable differences in arrests for most race groups after accounting for gender, Indigenous women were 1.9 times over-represented in arrests relative to their presence in enforcement actions.
- There were some differences by race in time in custody, with Indigenous people consistently experiencing higher than average time in custody after accounting for repeat offence and gender. Further exploration is required to better understand the circumstances of these differences.
- White people are over-represented in mental health apprehensions relative to their presence in enforcement actions.
- Black people are under-represented in mental health apprehensions relative to their presence in enforcement actions.

More in-depth analyses are required to better understand these patterns.

Consultations with the C.A.P., our members, and the stakeholder groups have generated several questions requiring further exploration. The results of these analyses will be included in the next public release.

The Service also developed ***an interactive dashboard*** in consultation with the C.A.P. This tool provides a complete log of hypotheses gathered through internal and external engagements, as well as simple and consistent racial disparity metrics across various police interactions. The dashboard is continually updated as data analysis is progressing. It is posted on the public website at: [RBDC Dashboard- Toronto Police Service \(tps.ca\)](https://www.tps.ca/rbdc-dashboard).

In parallel with continuing in-depth analyses on arrest and mental health data, the R.B.D.C. team is working with the C.A.P. to prioritize and replicate key statistics from Phase 1, with new cycles of data. Trends over time for key metrics will be generated and hosted on the interactive dashboard. This work enables the Service to monitor changes year over year, and inform decision making moving forward.

Balancing the workload between Phase 2 in-depth analysis and Phase 1 replication analysis is carefully considered within the context of limited staff resources and key timelines in order to advance other critical areas of work such as internal and stakeholder engagements.

- **Refreshing the C.A.P and continuing work with its members to advance data analysis for new police interactions:**

The C.A.P. is instrumental to the success of the Strategy. The inaugural C.A.P. has been critical to the key milestones achieved under Phase 1. As Phase 2 expanded with new police interactions, different skills and expertise were required. The Service conducted a gap analysis and worked to address this gap within the C.A.P. membership. The inaugural members worked with the new members from April to December 2023, providing valuable knowledge transfer and a smooth transition. The retiring C.A.P. handed over the torch to 14 new members at the end of last year.

The refreshed C.A.P. brings specialized expertise and experience across various areas such as community organizing, policy, mental health and youth services. The members are working closely with the Service's R.B.D.C. team to generate hypotheses, and advise on how the arrest and mental health apprehension data should be analysed, interpreted, and publicly disseminated. Bios of the new members are posted on the public website: <https://www.tps.ca/race-identity-based-data-collection/community-advisory-panel/>

- **Enabling broader, continuous and transparent engagement:**

In Phase 2, the Service has been moving from a process of confidential analysis and limited consultation in Phase 1, to open analysis, a frequent engagement of communities and stakeholders, and greater transparency of the process. Stakeholder contact groups were formed and meet quarterly since March 2023. Anyone who chooses to attend these engagements is welcome – stakeholder groups are separated only to facilitate focus and interest. The data presented is the same for each group.

- **Community Focused Group:** community leaders and organizational representatives from agencies and public sector organizations serving diverse communities;
- **Policing Focused Group:** representatives from Internal Support Networks (I.S.N.), Neighbourhood Community Officers (N.C.O.), Association of Black Law Enforcers (A.B.L.E.), R.B.D.C. Liaisons, and Toronto Police Association (T.P.A.);
- **Formal Committee Group:** representatives from the Anti-Racism Advisory Panel (A.R.A.P.), Community Consultative Committees (C.C.C.s), Community-Police Liaison Committees (C.P.L.C.), the Police and Community Engagement Review (P.A.C.E.R.) Committee, and Mental Health and Addictions Advisory Panel (M.H.A.A.P.); and
- **Government Stakeholders Group:** representatives from government bodies and agencies such as the Anti-Racism Directorate (A.R.D.), the Information and Privacy Commissioner of Ontario (I.P.C.), Ontario Human Rights Commission (O.H.R.C.), and the Ministry of the Attorney General (M.A.G.).

These groups provide a forum for the Service to consult regularly with key stakeholders around the Strategy, share updates and preliminary data findings, and gather stakeholders' feedback to inform next steps. The stakeholders benefit from hearing diverse perspectives and concerns and engaging with cross-sectoral partners to support a more comprehensive approach to systemic issues. By communicating back to their organizations and committees, gathering feedback, and sharing this feedback with the Service, stakeholder group members have the opportunity to inform the Service's work to improve policing outcomes.

- **Internal engagement:**

While the R.B.D.C. team works closely with the C.A.P. and consults regularly with a wide breadth of stakeholders, we acknowledge that the success of the strategy depends heavily on the support of Service members. It is vital that members are engaged, confident in the direction we are taking, and properly equipped to drive the change from within. Fostering a culture of internal engagement allows our members to provide their insights, voice their concerns, and create an environment of collaboration and a shared sense of purpose. Furthermore, our members bring unique operational perspectives and experiences, which are critical to developing a robust data analysis approach that reflects the complexity of police interactions.

The scope of our internal engagement has grown considerably in Phase 2 with broader and more frequent engagement of Service members throughout the entire process of data analysis, interpretation and reporting. 42 liaison officers were on-boarded at the onset of Phase 2 to engage with Service members, answer their questions, and provide their feedback to the R.B.D.C. team. We are also engaging closely with our Neighbourhood Community Officers (N.C.O.s), as they work closely with diverse communities across the city, and better understand their needs and concerns.

The R.B.D.C. team meets quarterly with the liaisons and the N.C.O.s to gather questions and operational feedback to inform data analysis and interpretation, to listen to their concerns and challenges on the ground, and to provide further support they might need moving forward. To accommodate different shifts and enable greater participation, two optional dates are offered for each quarterly meeting. Ten engagements have taken place since June 2023. In addition, there was an engagement with 60 Court Officers on Family Day this year.

Moving forward, we are working to expand internal engagement through “roadshow” appearances across the Service. In addition to regular R.B.D.C. Liaison meetings and attending divisions to provide support as needed, the R.B.D.C. team plans to attend In-Service Training sessions, and engagements with Communications Services.

- **Training:**

Training our members is critical to the successful implementation of the R.B.D.C. Strategy. Members need to be adequately equipped with the right knowledge and skills to get a sound understanding of the Strategy, why the Service is doing this work and its relevance to the Service’s commitment to police reform and fair policing, and what role they can play to advance this work. Training needs to be regularly updated to reflect the latest work as the Strategy progresses and evolves.

The R.B.D.C. team regularly delivers training at the Toronto Police College (T.P.C.) as part of a broader training program known as Fair and Unbiased Policing. The module includes foundational concepts of R.B.D.C., the purpose and benefits of the strategy, approach for data collection and analysis, key data findings, and the members’ role in the success of this work.

The team delivered 2 sessions for new recruits involving over 250 participants and 2 sessions for Special Constables, Parking Enforcement Officers, and Communication Operators with over 150 participants since March 2023.

- **Expert advice to other police services and stakeholders in the public sector:**

The Service is recognized as leading the way in race-based data work and is often approached by other police services and stakeholders in the public sector to share expertise and lessons learned. Consultations have taken place with the Royal Canadian Mounted Police (R.C.M.P.), Halifax Regional Police, Hamilton Police Service, Winnipeg Police Service, and Immigration, Refugee and Citizenship Canada. The Service also played a key role on the Ontario Association of Chiefs of Police (O.A.C.P.) Working Group to develop a consistent approach to race-based data work for police services across the province.

The work under the R.B.D.C. Strategy has been profiled in several publications and conferences, including:

- R.B.D.C. Strategy showcased in the Information and Privacy Commissioner's (I.P.C.) *Transparency Challenge*, May 2023;
  - Workshop co-led with the R.C.M.P. at the *Canadian Open Data Summit Conference*, November 2023;
  - Panel at the *International Association of Chiefs of Police (I.A.C.P) Officer Safety and Wellness Conference*, March 2024.
- **Next Steps:**
    - In collaboration with the C.A.P., the Service will conduct more in-depth analyses on mental health apprehensions. Both the quality and volume of data for mental health apprehensions is high, allowing us to explore many of the hypotheses generated so far through consultations with the C.A.P., Service members, and stakeholder groups. Some data points are, however, missing, such as demographic information on who placed a 911 call for service for a person in crisis. The data analyses will be conducted to explore questions under three main areas:
      - Policing pathway analyses (e.g., call for service outcomes, perceived subject behaviour);
      - Spatial and temporal analyses (e.g., proximity to supports, neighbourhood);
      - Socio-demographic analyses (e.g., age, gender, housing status);
      - Frequency and type based analyses (e.g., MHA type, repeat clients).
    - The Service will engage with key stakeholders in the mental health sector to discuss data findings, meaningful solutions, and cross-sectoral collaborations to address systemic issues. Feedback from this work will also provide a foundation for community town halls with diverse communities across the city to explain the data findings and engage in co-designing relevant solutions.

**Conclusion:**

The Service has made significant progress in implementing Phase 2 of the Strategy grounded in a new approach that builds on the lessons learned from Phase 1 and also enables a broader, deeper, and continuous engagement with the C.A.P., Service members, community members, and cross-sectoral stakeholders throughout the entire cycle from data analysis to action.

A new section on the public website, *Follow Our Progress*, provides regular updates on the work unfolding under the R.B.D.C. Strategy at <https://www.tps.ca/race-identity-based-data-collection/follow-our-progress/>.

Information about the strategy, including all data findings releases are posted on the R.B.D.C. public site at <https://www.tps.ca/race-identity-based-data-collection/>.

Chief Information Officer Colin Stairs will be in attendance to answer any questions the Board members may have regarding this report.

**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

*Attachments:*

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Appendix A - Implementation status on the 38 action items

## Appendix A:

Implementation status on the 38 action items

Action Item	Description	Status	Theme
<b>WORK WITH MINISTRY OF SOLICITOR GENERAL AND OTHER POLICE AGENCIES TO IMPROVE REPORTING REQUIREMENTS IN USE OF FORCE</b>	Develop a Working Group with other police services and the Ministry of Solicitor General to discuss race-based data collection, analysis, and approaches, including reporting challenges.	Completed	Governance, Procedures & Workflow
<b>IMPROVE AUDITING PRACTICES AT THE SENIOR MANAGEMENT LEVEL FOR ITEMS FOUND DURING STRIP SEARCHES</b>	This data field contained all items found during a search, and not necessarily what was located during a strip search (i.e. shoe laces and belts, that may be found during lower levels of search). Improved auditing on this specific data point allows for proper categorization of items found as a result of strip searches.	Completed	Governance, Procedures & Workflow
<b>REVISE EXISTING STRIP SEARCH PROCEDURE AND IMPROVE REPORTING REQUIREMENTS</b>	Review Search of Persons procedure and reporting/booking template to document the search within the Records Management System that allows for data analysis and extraction, including the reason for search, time of search, and items found during a search.	Completed	Governance, Procedures & Workflow
<b>HIRE SPECIALIZED EQUITY AND INCLUSION INSTRUCTORS TO DEVELOP AND LEAD TRAINING, INCLUDING ENHANCEMENT FOR NEW RECRUIT PROGRAM</b>	Create an Equity & Inclusion section within the Toronto Police College to develop and lead training for members. In line with the 81 Recommendations for Police Reform and ARAP.	Completed	Training
<b>IMPROVE TRAINING ON STRIP SEARCHES</b>	Develop and implement training for all police officers and special constables on Search of Person, including reasons for a strip search, relevant case law, and how to properly complete the Search of Persons template.	Completed	Training

Action Item	Description	Status	Theme
<b>REVIEW AND REVISE USE OF FORCE PROCEDURE (15-01)</b>	An organizational review of the Toronto Police Service's Use of Force Procedure in line with the development of the revised TPSB Policy on Use of Force.	<b>Completed</b>	Governance, Procedures & Workflow
<b>IMPLEMENT MANDATORY DEBRIEFS WITH A SUPERVISOR FOR ALL USE OF FORCE REPORTS WITHIN AN OFFICER'S PROBATIONARY PERIOD</b>	All officers involved in a use of force report shall debrief with a supervisory officer within their probation period.	<b>Completed</b>	Governance, Procedures & Workflow
<b>IMPLEMENT MANDATORY REVIEWS OF BODY WORN CAMERA AND IN CAR CAMERA SYSTEM FOR ALL USE OF FORCE INCIDENTS</b>	The Body Worn Cameras and In Car Camera System for all officers involved in a use of force incident will be reviewed by supervisor(s).	<b>Completed</b>	Governance, Procedures & Workflow
<b>CONDUCT AN ACADEMIC AND COMMUNITY REVIEW AND AUDIT OF EXISTING TRAINING CURRICULUM</b>	Ongoing review the current training curriculum by academic partners and members of the community through a Community Advisory Panel. In line with the 81 Recommendations for Police Reform, PACER, ARAP, and CABR.	<b>Completed</b>	Training
<b>DEVELOPMENT OF A SERVICE-WIDE EQUITY STRATEGY</b>	To commit the Service to do the work needed and create accountability for driving systemic change that results in fair and unbiased policing.	<b>Completed</b>	Governance, Procedures & Workflow
<b>DEVELOP AND IMPLEMENT ANTI-BIAS WORKSHOPS FOR SENIOR LEADERS WITHIN THE SERVICE</b>	In line with recommendations from the 81 Recommendations for Police Reform and PACER, training for all Senior Officers, uniform and civilian, on how to address bias in policing and rebuild trust with communities, through the exploration of policies and procedures of bias free policing adopted by police departments across North America and potential best practices for the Toronto Police Service.	<b>Completed</b>	Training
<b>DEVELOP AND IMPLEMENT MANDATORY MEMBER TRAINING ON ANTI-BLACK</b>	Develop and implement training for all Members on Anti-Black Racism and the Indigenous Experience that includes third-party bias training, in partnership with subject matter experts and members of the community.	<b>Completed &amp; Ongoing</b>	Training



Action Item	Description	Status	Theme
<b>RACISM AND THE INDIGENOUS EXPERIENCE</b>	In line with the 81 Recommendations for Police Reform, PACER, ARAP, and CABR.		
<b>INCLUDE OPEN ANALYTICS AND DATA ON STRIP SEARCHES ON THE PUBLIC SAFETY DATA PORTAL</b>	To increase transparency, public accountability, and understanding of data, open data will be published on strip searches on the Public Safety Data Portal. In line with the 81 Recommendations for Police Reform.	<b>Completed &amp; Ongoing</b>	Monitoring
<b>INCLUDE OPEN ANALYTICS FOR USE OF FORCE DATA</b>	To increase transparency, public accountability, and understanding of data, open analytics for Use of Force will be published on the Public Safety Data Portal. In line with the 81 Recommendations for Police Reform.	<b>Completed &amp; Ongoing</b>	Monitoring
<b>HOLD TOWN HALLS AND ENGAGEMENT SESSIONS TO DEVELOP MEANINGFUL ACTIONS AND A PATH FORWARD</b>	Following public data release, hold town halls in partnership with community leaders and agencies to discuss the outcomes of analysis and a path forward.	<b>Completed &amp; Ongoing</b>	Monitoring
<b>DEVELOP AND IMPLEMENT NEW FAIR AND IMPARTIAL POLICING COURSE</b>	This training will include a focus on confirmation bias and be mandatory for all uniform and civilian members. In line with the 81 Recommendations for Police Reform.	<b>Completed &amp; Ongoing</b>	Training
<b>MEASURE OTHER POINTS OF POLICE CONTACT</b>	Identify areas where police interact with members of communities and add these interactions to the Race & Identity Based Data Strategy. This will help us learn where opportunities for improvement could lie.	<b>Completed &amp; Ongoing</b>	Monitoring
<b>PROVIDE ADVERSE CHILDHOOD EXPERIENCE TRAINING TO OFFICERS</b>	Expand Adverse Childhood Experience Training to all uniform members. Currently this training is provided to Neighbourhood Community Officers.	<b>Completed &amp; Ongoing</b>	Training

Action Item	Description	Status	Theme
<b>DEVELOP SCENARIO-BASED TRAINING BASED ON USE OF FORCE TRENDS</b>	Incorporate anti-racism and unconscious bias elements into scenario-based and dynamic training to simulate real-world conditions where officers must make split-second decisions; emphasizes and prioritizes de-escalation. In line with the 81 Recommendations for Police Reform, ARAP, and MHAAP.	<b>Completed &amp; Ongoing</b>	Training
<b>COLLECT INTERNAL DIVERSITY AND DEMOGRAPHIC DATA</b>	Collect workforce diversity data internally.	<b>Completed &amp; Ongoing</b>	Monitoring
<b>CREATE AND DELIVER AN ACTIVE BY-STANDERSHIP COURSE FOR ALL MEMBERS</b>	The Toronto Police College will develop training for all members on active by-standership in partnership with the Equity, Inclusion and Human Rights Unit.	<b>Completed &amp; Ongoing</b>	Training
<b>REVISE THE PROBATIONARY CONSTABLE PROGRAM TO ENSURE EVERY PROBATIONARY CONSTABLE HAS A DIVISIONAL SPECIFIC COMMUNITY EXPERIENCE</b>	Revise the probationary constable program to ensure every probationary constable has a divisional specific community experience (40 hrs.) and 3 cycles (12 weeks) assigned to a Neighbourhood Community Officer to build an enhanced foundation to community-centric policing and exposure to the community with a proactive lens.	<b>Completed &amp; Ongoing</b>	Training
<b>DEVELOP AND CONDUCT MANDATORY SPECIALIZED TRAINING FOR CRIME AND INVESTIGATIVE ANALYSTS ON EQUITY AND IMPLICIT BIAS</b>	The creation of specialized anti-bias and equity training for all crime and investigative analysts. This training will include the impact of over-policing and under-policing on communities, as well as how to develop equity impact statements for operational planning.	<b>Completed &amp; Ongoing</b>	Training
<b>IMPLEMENT MANDATORY SPECIALIZED TRAINING FOR COMMUNICATIONS OPERATORS ON EQUITY AND IMPLICIT BIAS</b>	The creation of specialized anti-bias and equity training for all Communications Operators. This training will include the impact of over-policing and under-policing on communities, with a focus on third party bias.	<b>Completed &amp; Ongoing</b>	Training
<b>REVIEW EXISTING CORPORATE RISK MANAGEMENT REPORT AND USE OF FORCE PUBLIC REPORTING</b>	Better alignment between the Corporate Risk Management Report and public reporting to include non-race contextual information of Use of Force reports, including order of force and unit/assignment.	<b>Completed &amp; Ongoing</b>	Monitoring

Action Item	Description	Status	Theme
<b>REVIEW OF NON-EMERGENCY INTERACTIONS SUITABLE FOR CALL DIVERSION</b>	Identify non-core policing services that can be delivered by alternative service providers. In line with 81 Recommendations for Police Reform and MHAAP.	<b>In Progress</b>	Governance, Procedures & Workflow
<b>REVISE COACH OFFICER TRAINING COURSE</b>	Enhance the Coach Officer Training Course to ensure our coach officers have an understanding of community-centric service delivery, embracing collaboration, and an understanding and sensitivity to the unique needs/perspectives of people of diverse communities.	<b>In Progress</b>	Training
<b>IMPROVE USE OF FORCE REPORTING AND DATA ENTRY</b>	Ensure that the proper general occurrence is referenced within the Use of Force report to allow for contextual information to be collected during the Race & Identity Based Data Collection Strategy; improve data systems to allow for order of force used to be analysed.	<b>In Progress</b>	Governance, Procedures & Workflow
<b>DEVELOP POST-POLICE INTERACTION SURVEY WITH COMMUNITIES</b>	Post-interaction surveys are a part of the Service's investment in Information Management. The information collected in these surveys will allow for communities to provide information on their interaction with officers.	<b>In Progress</b>	Monitoring
<b>COLLECT DATA AND ANALYZE OTHER OUTCOMES FOR ARRESTED PERSONS INCLUDING DIVERSIONS, BOOKING, PROTECTIVE, AND FRISK SEARCHES</b>	Incorporate arrests, charges, releases, bookings, diversions, and other search of person outcomes into the Race & Identity Based Data Collection strategy to better understand outcomes by race.	<b>In Progress</b>	Monitoring
<b>CONDUCT INTERCULTURAL DEVELOPMENT TRAINING FOR RECRUITS AND NEW SUPERVISORS</b>	Ensure that all new recruits and supervisors complete Intercultural Development Training to develop intercultural competence and cultural sensitivity. This tool will assist Members in assessing their level of intercultural competence and will allow the Service to adapt training to meet the level of intercultural competence shown in aggregate results.	<b>In Progress</b>	Training

Action Item	Description	Status	Theme
<b>ASSESS EQUITY IMPACT FOR CRIME MANAGEMENT PLANS</b>	An Equity Assessment for operational plans will help determine how projects and deployments will impact Equity-Deserving Groups, specifically on Black, Indigenous and Racialized communities, within the City, a Division, or a neighbourhood. Criteria applied to each Operational Plan should include the Equity-Deserving Group(s) impacted (if applicable), the level of impact, and actions taken to reduce negative impacts or increase positive impacts. The full criteria will be developed in partnership with the Equity, Inclusion & Human Rights Unit and be in line with best practices and the Equity Strategy. This will ensure that each Service operational plan is viewed with an equity lens, rather than solely a crime reduction focus.	In Progress	Monitoring
<b>REVISE OFFICER PERFORMANCE REPORTS</b>	To include additional metrics pertaining to community focus, including: referrals to agencies and diversion.	In Progress	Monitoring
<b>DEVELOP AN INDIGENOUS-SPECIFIC REPORT ON THE OUTCOMES OF USE OF FORCE &amp; STRIP SEARCHES</b>	Indigenous perspectives are important given the unique experiences and challenges communities face. In order to understand the findings, and seek input from Indigenous Communities, a separate Indigenous Engagement Strategy and report will be developed to engage stakeholders and community agencies around the data to help shape the analyses.	In Progress	Monitoring
<b>RE-AFFIRM THE ROLE OF THE INCIDENT REVIEW COMMITTEE AND INCLUDE REPRESENTATION FROM EQUITY, INCLUSION &amp; HUMAN RIGHTS ON THE COMMITTEE</b>	The mandate of this committee is to review incidents where force was used by members of the Service; assess the effectiveness of the Service's training, practices and associated Service Governance; and report its findings to the Senior Management Team (SMT). This committee will now include a member of the Equity, Inclusion & Human Rights Unit.	Not Yet Started	Governance, Procedures & Workflow

Action Item	Description	Status	Theme
<b>IMPLEMENT STRIP SEARCH REVIEW COMMITTEE WITH SERVICE-WIDE REPRESENTATION , INCLUDING EQUITY, INCLUSION &amp; HUMAN RIGHTS</b>	The mandate of this committee is to review strip searches to assess the effectiveness of the Service’s training, practices and associated Service Governance and report its findings to the Senior Management Team (SMT). This committee will include a member of the Equity, Inclusion & Human Rights Unit.	<b>Not Yet Started</b>	Governance, Procedures & Workflow
<b>ENHANCE RISK MANAGEMENT THROUGH THE INTRODUCTION OF AN AUDIT AND QUALITY CONTROL SUPERVISOR IN EVERY DIVISION</b>	Effective risk management requires an integrated and coordinated approach. Early indication of risk or non-compliance, assessment of root causes, and implementation of recommendations to resolve causative factors is required to reduce risk and maintain public and internal member trust and confidence. This includes review of all appropriate reviews of information sets, occurrences, and other operational records, and recordings to ensure compliance with Service governance including Use of force and Strip Search incidents. Identifying compliance issues, risks and mitigation recommendations including training or internal complaint as appropriate.	<b>Not Yet Started</b>	Governance, Procedures & Workflow
<b>CONDUCT MULTI-YEAR REGRESSION ANALYSIS ON USE OF FORCE &amp; STRIP SEARCH DATA TO ASSESS ACTIONS AND CHANGES THAT WE ARE MAKING</b>	Use sophisticated data modelling techniques to more precisely identify the relative contribution of different factors to outcomes, and track our progress over time.	<b>Not Yet* Started</b>	Monitoring

\*requires several years of data to conduct statistically robust analyses





## PUBLIC REPORT

**April 15, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Dubi Kanengisser  
Executive Director

**Subject: *Community Safety and Policing Act Compliance Update***

**Purpose:**  Information Purposes Only  Seeking Decision

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

It is recommended that the Board:

1. Direct the Chief of Police to ensure that the Toronto Police Service (Service) is in compliance with all requirements of the *Community Safety and Policing Act, 2019 (Act)* and its regulations, and report to the Board if any delays are encountered or expected in achieving compliance;
2. Approve the revised crest, included in Appendix A, as the official crest of the Toronto Police Service Board, alongside the existing crest;
3. Direct the Executive Director to amend all Board Policies to reflect the Board's new name (i.e., the Toronto Police Service Board), replace all references to the *Police Services Act* with references to the new *Act*, and make any additional non-substantive administrative and legibility amendments, and post the amended Policies to the Board's website without any additional amendments, unless specifically approved by the Board;
4. Approve the proposed new Policies included in Appendix B;
5. Repeal the following Board Policies, to be replaced by the proposed Chief and Command Members Policy included in Appendix B:
  - a. Chief of Police;

## **Toronto Police Service Board**

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- b. Deputy Chiefs of Police;
  - c. Chief Administrative Officer Policy;
  - d. Absence of Chief of Police, Deputy Chief and Chief Administrative Officer Policy; and
  - e. Process to Appoint Chief of Police, Deputy Chief of Police and Chief Administrative Officer Policy
6. Approve proposed revisions to the Board Policies included in Appendix C; and
  7. Approve the process for filing complaints with respect to special constables included in Appendix D, and direct the Executive Director to post it on the Board's website.

*Financial Implications:*

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

**Summary:**

The *Community Safety and Policing Act, 2019 (Act)*, came into force on April 1, 2024. This *Act* replaces the *Police Services Act, 1990*, as the legislation that governs police services and their boards in Ontario. The modernized *Act* includes a number of changes impacting the Board and its processes. This report provides an update on the ongoing work by the Board Office to bring the Board into compliance with the *Act*, including revisions to existing Board Policies, the development of new Board Policies, a change to the Board's name and crest, and other changes made to meet the new legislative requirements.

**Discussion:**

***Community Safety and Policing Act, 2019***

On April 1, 2024, the *Act* came into force, along with a number of associated regulations. The *Act*, which replaces the *Police Services Act, 1990*, provides a modernized framework for policing and oversight in Ontario.

The changes introduced include, among others, the creation of the Inspectorate of Policing, which is responsible for ensuring that policing is delivered adequately and effectively across Ontario, and that police board members are complying with their Code of Conduct. The Inspector General exercises independent compliance oversight focused on ensuring police services, police service boards and board members, and special constable employers are complying with requirements under the *Act* for policing and police governance. The *Act* also replaces the Office of Independent Police Review Director (O.I.P.R.D.) with the Law Enforcement Complaints Agency (L.E.C.A.), and also introduces an independent adjudication process to the hearing process as it relates to serious misconduct incidents.



### *Changes to the Board's Duties and Responsibilities*

Sections 37 and 38 of the *Act* identify the duties of the Board, and policies the Board must enact, respectively.

Section 37 stipulates that the Board shall:

- (a) Ensure that adequate and effective policing is provided within its area of jurisdiction;
- (b) Employ members of the police service;
- (c) Appoint members of the police service as police officers;
- (d) Recruit and appoint the chief of police and any deputy chief of police and determine their remuneration and working conditions, taking their submissions into account;
- (e) Prepare and adopt a diversity plan to ensure that the members of the police service reflect the diversity of Toronto;
- (f) Monitor the chief of police's performance;
- (g) Conduct a review of the chief of police's performance at least annually in accordance with the regulations;
- (h) Monitor the chief of police's decisions regarding the restrictions on secondary activities and review the reports from the chief of police on those decisions;
- (i) Monitor the chief of police's handling of discipline within the police service;
- (j) Ensure that any police facilities, including police lock-ups, used by the board comply with the prescribed standards, if any; and
- (k) Perform any other duties prescribed by or under the *Act* or any other act.

Section 38 requires the Board to establish policies respecting:

- (a) The administration of the police service;
- (b) The provision of adequate and effective policing in accordance with the needs of the population of Toronto;
- (c) Disclosure by the chief of police of personal information about individuals;
- (d) Disclosure of secondary activities under section 89 of the *Act* and decisions under that section;
- (e) The handling of discipline within the police service;
- (f) The indemnification of members of the police service for legal costs; and
- (g) Any other prescribed matters.

Of note, section 24(1)2 of O. Reg. 392/23: *Adequate and Effective Policing (General)* prescribes that the Board must establish policies for every matter with respect to which a chief of police is required to establish procedures under this regulation.

In addition, section 38 of the *Act* also stipulates that the Board may establish policies respecting any other matters related to the Service or the provision of policing. This overall policy-making role is qualified in that the Board may not establish policies with respect to specific investigations, the conduct of specific operations, the management or discipline of specific police officers or other prescribed matters. Furthermore, the Board may not establish policies that would require a member of the Service to do something or refrain from doing something where this would be inconsistent with their duties; or that prohibit

a member of the Service from attempting to collect information for the purpose of investigating an offence or assisting with the prosecution of an offence.

### *Change to the Board's Name*

Section 31(1) of the *Act* stipulates that the Board will be known as the Toronto Police Service Board, in contrast with its previous name, the Toronto Police Services Board. As a result, all references to the Board, including those on the Board's website, on the Service's website, and on any other documentation produced by the Board or the Service must reflect the Board's current name.

As a result of this change, the Board's crest must also be changed to reflect the new name. The proposed revised crest is attached to this report as Appendix A. To reduce costs associated with this change, existing stocks of printed materials bearing the current crest, such as business card and stationary, will be exhausted prior to procuring additional stocks bearing the new crest.

### *Board Member Conduct*

The *Act* requires Board Members to comply with the prescribed Code of Conduct, as set out in O. Reg. 408/23: *Code of Conduct for Police Service Board Members*. This regulation details the code of conduct governing the conduct of Board Members, including with respect to conflicts of interest. All Board Members must review the *Code of Conduct for Police Service Board Members* regulation, and ensure that they comply with it.

The *Act* provides the Inspector General with the authority to investigate complaints with regard to the conduct of Board Members. Where the Inspector General makes a finding of misconduct by a Board Member, they may, in accordance with section 124 of the *Act*, reprimand, suspend or remove the Board Member from the Board.

### ***New and Revised Policies***

In accordance with the *Act* and its regulations, the Board is required to amend its Policies, and establish new policies, in some instances.

### *Technical Amendments*

As a result of the coming into force of the *Act*, all Board Policies must be amended to revise the name of the Board, and to replace references to the *Police Services Act* with updated references to the *Act*.

It is recommended that the Board direct the Executive Director to make these changes, any non-substantive corrections such as formatting or spelling errors that may be found in the course of this review, as well as replacing gendered language with gender-neutral language, and post the revised Policies to the Board's website.

## *New Policies and By-law*

The following new draft Policies are proposed, in compliance with the *Act*:

**Chief of Police and Command Members:** This proposed new Policy combines and updates five existing policies: 1) Chief of Police; 2) Deputy Chiefs of Police; 3) Chief Administrative Officer; 4) Absence of Chief of Police, Deputy Chief and Chief Administrative Officer; and 5) Process to Appoint Chief of Police, Deputy Chief of Police and Chief Administrative Officer. The duties of the Chief of Police have been updated to reflect the duties as set in the *Act*.

**Conducting Investigations:** O. Reg. 395/23: *Investigations* sets the framework for how investigations should be conducted by police services in Ontario. This regulation also requires the Board to establish a policy on how investigations should be conducted. The proposed Policy brings the Board into compliance with the *Act*.

**Disclosure of Misconduct – Chief of Police and Deputy Chiefs:** Section 183(2) of the *Act* requires every police service board to establish written procedures regarding the disclosure of misconduct that is alleged to have been engaged in by the chief of police or deputy chief of police of the police service. In particular, section 183(5) requires procedures which:

- (a) Address how a member or former member of the police service, or an employee or former employee of the special constable employer, may make disclosures of misconduct, including giving directions as to the persons to whom disclosures may be made;
- (b) Establish procedures to protect the identities of persons involved in the disclosure process, including persons who make disclosures, witnesses and persons alleged to be responsible for misconduct; and
- (c) Provide for exceptions to procedures described in clause (b) where the interests of fairness require that a person's identity be disclosed to one or more persons.

The proposed Policy describes the process for current or former Service Members to disclose misconduct to either the Board or to the Inspector General, pursuant to the Policy. Disclosures of alleged misconduct submitted to the Board shall be made in writing, addressed to the Chair of the Board (Chair), and submitted to the Board Office by letter or email. The proposed Policy further requires that all Board Members and Board Office Staff take all necessary steps to maintain confidentiality and protect the identity of the individuals involved in the complaint process. When it is necessary to disclose the identity of an individual, they will be advised in advance and the information will only be disclosed to the extent that it is required to protect the interest of fairness.

**Disclosure of Personal Information:** Section 80 of the *Act* stipulates that the chief of police may disclose personal information about an individual in accordance with the regulations. O. Reg. 412/23: *Disclosure of Personal Information* governs the conditions under which personal information may be disclosed, and the manner in which this disclosure may be made. The proposed Policy aligns with the regulation in setting the conditions for disclosure, along with the form of the disclosure, as well as requiring the Chief to report to the Board of any matter of significant public interest which arises related to this Policy.

**Extreme Incident Response Plan:** O. Reg. 392/23: *Adequate and Effective Policing (General)* mandates that the chief of police will establish procedures consistent with the provincial Extreme Incident Response Plan, in alignment with corresponding Board Policies. The proposed Policy fulfils this requirement by providing guidance to the Chief of Police on the Service's adherence to the Extreme Incident Response Plan, including responses to various hazardous incidents, including chemical, biological, radiological, nuclear or explosive incidents. It also establishes the reporting duties of the Chief of Police, and the Board's duty of transparency with regards to reports from the Chief of Police. This proposed Policy will form a new chapter of the Board's Adequacy Standards Compliance Policy.

In addition, a proposed new by-law, the **Committees By-law**, is included for consideration by the Board. The proposed By-law, as amended from time to time, will allow the Board to establish committees. At this time, the proposed By-law establishes two committees of the Board:

- *Appointments Committee:* Section 42(1) of the *Act* stipulates that the Board may only form committees and delegate any of its powers to them by by-law. In addition, Section 37(1)(c) establishes that one of the powers of the Board is to appoint members of the Service as police officers. To facilitate the timely appointment of police officers, it is proposed that the Board establish a committee composed of the Chair and Vice-Chair, which will meet as necessary to appoint police officers employed by the Service.
- *Bargaining Committee:* Section 42(4) provides that a committee to which only the Board's power to bargain under Part XIII of the *Act* is delegated is only required to have one Board Member. It is, therefore, proposed that the Board establish a Bargaining Committee composed of the Chair, to which the Board will delegate its power to bargain with the Toronto Police Association, and the Senior Officers' Organization.

The proposed new Policies and By-law described above are included in full in Appendix B.

### *Revised Policies*

In addition to the technical amendments discussed above, some Board Policies require more substantive revisions to align them with the *Act*. The following proposed draft revised Policies are proposed:

**Standards Compliance Framework:** This chapter (formerly titled *Adequacy Standards Compliance Framework*) of the Board's *Adequacy Standards Compliance Policy* has been revised to reflect the essential obligations for the Service under O. Reg. 393/23: *Adequate and Effective Policing (General)*, which replaces O. Reg. 3/99: *Adequacy and Effectiveness of Police Services* under the *Police Services Act*. The proposed revised Policy establishes frameworks for quality assurance and reporting, enabling the Board to monitor compliance with legislation and provide direction to the Chief of Police, as needed, to ensure the provision of adequate and effective policing by the Service. The proposed revised Policy aligns the Board's framework with the new *Act* and regulation.

**Board Member: Code of Conduct:** The *Act* replaces the existing O. Reg. 421/97: *Members of Police Services Boards - Code of Conduct* with O. Reg. 408/23: *Code of Conduct for Police Service Board Members*. The new Code of Conduct modernizes the language of the previous Code of Conduct, including, for example, providing a clear definition for conflict of interest and personal relationships. The proposed revised Policy aligns the Policy with the new regulation. Board Members are encouraged to review the Code of Conduct regularly to ensure their actions comply with these duties and responsibilities.

**Board Member: Conduct Complaints:** The *Act* establishes a new process for filing complaints about the conduct of board members, through the Inspector General of Policing for Ontario, as opposed to the previous process which required the Board to request an investigation of the Ontario Civilian Police Commission. The proposed revised Policy aligns the Board's Policy with the new process established by the *Act*.

**Board Member: Training:** The *Act* establishes new mandatory training requirements for Board Members. Specifically, section 35(2) of the *Act* requires all board members to complete training with respect to the role of a police service board and the responsibilities of members before they may exercise any powers or carry out any duties as board members, and, within six months, to complete:

- Prescribed training on human rights and systemic racism;
- Prescribed training that promotes recognition of and respect for, the diverse, multiracial and multicultural character of Ontario society, and the rights and cultures of First Nation, Inuit and Métis Peoples; and
- Any other training prescribed by the Minister.

The proposed revised Policy incorporates these requirements into the Board's Policy on Board Member training.

**Recruitment, Appointments and Promotions:** The *Strengthening Safety and Modernizing Justice Act, 2023*, assented to on June 8, 2023, revised section 83(1)(f) of the *Act*, which sets the education requirements for police officers, to include a secondary school diploma or equivalent as a sufficient minimum educational requirement for new police officers.

At its meeting of September 27, 2021, the Board approved the Recruitment, Appointments and Promotions for Uniform and Civilian Members of the Toronto Police Service Policy, which, anticipating the previous language of the *Act*, required, at a minimum, a post-secondary degree for new police officers. To maintain the Service's competitiveness as an employer, it is proposed that the Board align with the minimum requirement of the *Act*, while establishing that preference will be given to candidates with post-secondary education, and those with work and volunteer experience, particularly where such experience demonstrates alignment with Service Values or is rooted in community service.

The proposed revised Policy, aligns with the above principle, and reflects other updates introduced in the *Act*.

**Strategic Plan:** The *Act* replaces the requirement for a three-year Business Plan with a new requirement for a Strategic Plan that must be reviewed at least once every four years. The proposed Policy, a revision of the *Business Plan* chapter in the Board's Adequacy Standards Compliance Policy, establishes the requirements for the Board, in accordance with the *Act*.

The full proposed text of the above revised Policies is attached as Appendix C.

### ***Special Constables Complaint Process***

Section 4(1) of O. Reg. 411/23: *Complaints about Special Constables* requires the Board to establish and make public a process for complaints to be made to the Chief of Police about the conduct of the Service's Special Constables. The Service already has an established process for this purpose, provided in Attachment D.

It is recommended that the Board approve the existing process, and direct the Executive Director to post this process on the Board's website, in accordance with the regulation.

### ***Next Steps***

The Board Office, in consultation with the Chief of Police, legal counsel, and other stakeholders, continues to review the *Act* and its regulations to identify additional Policies to be recommended for revision or development.

In particular, the Board Office is currently developing new/revised Policies in the following areas:

- Adequacy Standards Compliance Policy (multiple chapters)
- Conduct of Service Members and Conduct Complaints
- Conflict of Interest
- Regulated Interaction with the Community and the Collection of Identifying Information
- Special Constables
- Vehicle Pursuit

These new and revised Policies will be brought before the Board for its consideration over the coming months.

### ***Conclusion:***

The *Act* and its regulations introduced a significant number of changes to policing and police oversight in Ontario which will help the Board ensure adequate and effective policing in Toronto. The proposed recommendations outlined in this report will help bring the Board into compliance with the *Act*.

The Board Office continues to analyze these changes to both ensure compliance with the *Act*, and to maximize the benefits from these changes.

We will also continue to work with the Service, the Inspectorate of Policing and the Ontario Association of Police Service Boards to better understand the *Act* and its regulations, to ensure compliance, and to use any opportunities the *Act* offers to improve the Board's governance and oversight of the Service.

Respectfully submitted,

Dubi Kanengisser  
Executive Director

*Attachments:*

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[Appendix A](#): Revised crest

[Appendix B](#): Proposed New Board Policies and By-law

[Appendix C](#): Proposed Revisions to Existing Board Policies

[Appendix D](#): Process of the Filing of Complaints with regards to Special Constables  
Employed by the Service

## Appendix A

### Revised Crest



Full Colour



Monochrome



## Appendix B

### Proposed New Board Policies and By-law

1. [Chief of Police and Command Members](#)
2. [Conducting Investigations](#)
3. [Disclosure of Misconduct – Chief of Police and Deputy Chiefs](#)
4. [Disclosure of Personal Information](#)
5. [Extreme Incident Response Plan](#)
6. [Committees By-law](#)



## TORONTO POLICE SERVICE BOARD

### CHIEF OF POLICE AND COMMAND MEMBERS

<b>DATE APPROVED</b>		Minute No:
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>		
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 37 and 38(1).</i>	

#### ***Background and Guiding Principles***

Recruiting and appointing the Chief of Police and Command members, are some of the main responsibilities entrusted with Police Service Boards by the *Community Safety and Policing Act (Act)*, along with directing the Chief and monitoring their performance. This Policy identifies the duties and responsibilities of the Chief of Police of the Toronto Police Service (Service), and those of the members of the Chief's Command Team, and the manner in which they are to be recruited and appointed.

As the Service's leaders, the Toronto Police Service Board (Board) expects the Chief and Command members to serve as role models for Service Members, demonstrating the values and principles of the Service. In addition, the Chief and, as their delegates, the Command Team are the primary source of information for the Board on the Service's actions and effectiveness. As a result, the recruitment and appointment process for the Chief and Command Members must be fair, transparent, equitable and consistent. It should place an emphasis on their ability to represent the Service's values, on their ability to communicate effectively with Service Members, Board Members and the public, as well as on their professional excellence.

#### ***Purpose of Policy***

The purpose of this Policy is:

- To ensure the effective management of the Service by its leadership;
- To ensure the recruitment and appointment process for the Chief of Police and the Command Team is fair and transparent; and
- To ensure a good working relationship between the Board and the Chief of Police and their Command Team.

## ***Policy of the Board***

### *Chief of Police*

It is, therefore, the policy of the Board that:

1. The Chief of Police will:
  - a. Assume the responsibility for providing overall leadership to the Service by embodying the Service's core values and clearly communicating the Board's priorities and the Service's Vision to Service Members;
  - b. Manage the Service Members to ensure that they carry out their duties in accordance with the *Act* and the regulations and in a manner that reflects the needs of the community;
  - c. Administer the Service and oversee its operation in accordance with the Board's policies and strategic plan;
  - d. Comply with any investigations conducted by the Complaints Director or the Special Investigations Unit Director and any inspections conducted by the Inspector General;
  - e. Comply with the lawful directions of the board, and provide the Board with all information necessary for the Board to carry out its oversight and governance duties, as established by the *Act*, Board policy, or Board direction, and be forthcoming in all their communications with the Board;
  - f. Establish written procedures regarding the administration of the Toronto Police Service and the provision of policing;
  - g. Report to the Board as set out in the *Act*, and as required in the Board's Policies and directions;
  - h. Work with the Board on the development of an effective management team for the current and ongoing needs of the organization by identifying and nurturing talent, and developing a succession plan to address future organizational needs;
  - i. Encourage within the Service openness to new ideas and innovative thinking, and a spirit of cooperation, collaboration, support and teamwork among all members of the Service, uniform and civilian, and with community partners;
  - j. Encourage within the Service a spirit of transparency and accountability to the public;
  - k. Manage issues arising in the course of enforcing the law and preventing crime;

- l. Develop priorities and objectives in consultation with the Board and the community;
- m. Balance policing priorities with fiscal priorities to meet the essential policing needs of the community;
- n. Ensure that recruitment and outreach programs are in place to meet the ongoing staffing needs of the Service; such programs should ensure that the Service attracts, develops and retains qualified Service members that reflect the ethnocultural nature of the City of Toronto at all levels of the organization; and
- o. Maintain ongoing public consultation efforts with the public to obtain feedback on the Service's programs and identify emerging issues of concern to the community.

### *Command Members*

It is the policy of the Board that:

- 2. Command Members consist of Deputy Chiefs of Police, the Chief Administrative Officer and the Chief Information Officer, or any other Command Member as established by the Chief and approved by the Board from time to time;
- 3. It is the role of Command Members to:
  - a. Be responsible for the efficient, effective and economical operation of their respective area of command and perform such other duties as may be assigned to them by the Chief of Police;
  - b. Regularly inform the Chief of Police of significant issues that may compromise the integrity of the police service or that may affect the operations of the Service;
  - c. Assist the Chief of Police in the development of the Service's goals and objectives based on the mission statement and service delivery priorities. In addition, Command members ensure that Unit Commanders under their command develop strategies to achieve the Service's goals and objectives along with measurements for the success of those strategies;
  - d. Ensure that day-to-day management decisions are consistent with the Service's mission statement, goals, objectives, strategies, Core Values, as well as Board policies, and ensure that the Service's vision is clearly communicated throughout their command area with an emphasis on maintaining public trust and the principles of community policing;
  - e. Ensure that diversity, equity, and inclusion is maintained as a priority in the recruitment, development and appointment of Service members;

- f. Ensure that their Unit Commanders evaluate, on an ongoing basis, the functions performed by police officers in their area to ensure adequate and effective delivery of police services, through effective redeployment of officers to various duties; and monitoring of the deployment of all their personnel, on a regular basis; and
- g. Evaluate the Unit Commanders under their Command on a regular basis and define responsibilities and create accountability guidelines at all levels of the Service.

### *Appointment Process*

It is the policy of the Board that:

- 4. The selection process to recruit and appoint the Chief of Police and Command Members, for both internal and external candidates, is the sole responsibility of the Board, and must be consistent with the following general process, consisting of four steps: application, interview, verification and appointment.
  - a. Step 1: Application: In order to apply and be eligible for appointment, candidates must meet all of the eligibility requirements for the position, including those identified in documents or notices advertising the position. Failure to conform to the Service's core values may result in the candidate being removed from the process at any stage.
  - b. Step 2: Interview: Candidates who have met the eligibility requirements will attend an interview with an interview panel comprising at least two Board Members.
  - c. Step 3: Verification: Recommendation for appointment will be subject to verification of all information provided by the candidate, including a comprehensive background check of all candidates under consideration.
  - d. Step 4: Appointment: The decision to appoint a candidate to a position will be made by the Board and recorded in its Minutes.
- 5. The recruitment process will be consistent with the Board's *Race and Ethnocultural Equity* and *Human Rights* Policies to ensure that the selection of candidates is free from bias or prejudice on the grounds of race, sex, place of origin, sexual orientation, age, disability and socio-economic status, and to ensure that the candidates selected will uphold the values expressed in these Policies.

### *Absences*

- 6. The Chief of Police will, when not available to provide supervision and direction, appoint a Deputy Chief of Police to assume the duties of the Chief of Police.

7. When a Command Member is not available to provide supervision and direction, the Chief of Police will appoint another Service Member, to *Act* in their place and assume the duties of the absent Command Member.



## TORONTO POLICE SERVICE BOARD

### CONDUCTING INVESTIGATIONS

<b>DATE APPROVED</b>		Minute No:
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>		
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, section 38(1)(g)</i> <i>Investigations, O. Reg. 395/23</i>	

#### ***Policy of the Board***

It is the policy of the Toronto Police Service Board that the Chief conduct all investigations in compliance with O. Reg. 395/23. Addendum.

## **ADDENDUM**

Note: This addendum is included for ease of reference only. In case of any disparity between this addendum and the official regulation as amended, the language of the official regulation shall prevail.

### Ontario Regulation 395/23

#### Investigations

##### INTERPRETATION AND APPLICATION

#### **Definitions**

1. In this Regulation,

“familial relationship” means a current or former relationship between members of a family, and includes, without limitation, a relationship with or between,

- (a) adoptive parents, adoptive siblings and adoptive children,
- (b) step-parents, step-siblings and step-children,
- (c) individuals in a parent-child relationship within the meaning of section 4 of the *Children’s Law Reform Act*,
- (d) current and former married and common-law spouses and the children of either spouse; (“lien de parenté”)

“investigation” means a systematic inquiry,

- (a) to locate a missing person, or
- (b) into an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) that has been or will be committed when there is a reasonable suspicion that such an offence has been or will be committed; (“enquête”)

“investigating officer” means, in respect of an investigation, an investigator or senior investigator who undertakes the investigation; (“agent enquêteur”)

“investigation procedures” means, in respect of a police service, the procedures established by the chief of police under section 20; (“procédures d’enquête”)



“investigator” means a peace officer who is a member of a police service and who has successfully completed the applicable training prescribed by the Minister; (“enquêteur”)

“major case” has the same meaning as in the Major Case Management Regulation; (“cas grave”)

“Major Case Management Regulation” means Ontario Regulation 394/23 (Major Case Management and Approved Software Requirements) made under the Act; (“Règlement sur la gestion des cas graves”)

“major case manager” has the same meaning as in the Major Case Management Regulation; (“responsable de la gestion de cas grave”)

“Provincial ViCLAS Centre” means the Provincial ViCLAS Centre operated by the Ontario Provincial Police; (“Centre provincial du SALVAC”)

“senior investigator” means a police officer who,

- (a) has successfully completed the applicable training prescribed by the Minister, or
- (b) within the three years before this Regulation came into force,
  - (i) participated as a police officer in a threshold investigation, as defined in the Major Case Management Regulation,
  - (ii) led a non-threshold investigation, as defined in the Major Case Management Regulation,
  - (iii) led an investigation into an offence involving firearms or conducted energy weapons or into a criminal organization offence or terrorism offence, as those terms are defined in section 2 of the *Criminal Code* (Canada), or
  - (iv) led any other investigation that, in the opinion of the officer’s chief of police, required the exercise of the skills that a police officer would acquire by successfully completing the applicable training prescribed by the Minister; (“enquêteur principal”)

“supervisor” means a police officer who is assigned to monitor the performance of and provide support to an investigating officer with respect to an investigation; (“superviseur”)

“ViCLAS” means the Violent Crime Linkage Analysis System. (“SALVAC”)

## **Failure to comply**

2. (1) Failure to comply with a requirement of this Regulation does not, in itself, impugn the lawfulness of any step taken in an investigation.

(2) For greater certainty, subsection (1) shall not be read as having any effect on whether a failure to comply with this Regulation constitutes misconduct under a prescribed code of conduct.

### **Non-application**

3. This Regulation does not apply with respect to police officers appointed under the *Interprovincial Policing Act, 2009* or with respect to investigations undertaken by a police service all the members of which are police officers appointed under that Act.

## STANDARDS FOR INVESTIGATIONS

### **Availability for investigation**

4. A police service shall have at least one of each of the following individuals available 24 hours a day:

1. A senior investigator.
2. A supervisor.
3. A major case manager.

### **Investigator or senior investigator**

5. Every investigation shall be undertaken by an investigator or senior investigator, as determined by a supervisor.

### **Duty to notify supervisor**

6. (1) If a member of a police service, in the course of their duties, becomes aware of a matter mentioned in subsection (2) and believes that a supervisor has not yet been notified of the matter, the member shall as soon as possible notify a supervisor of the matter in accordance with the investigation procedures.

(2) The matters referred to in subsection (1) are the following:

1. A missing person occurrence.
2. A matter in relation to which there is a reasonable suspicion that an offence under the *Criminal Code (Canada)*, the *Controlled Drugs and Substances Act (Canada)* or the *Cannabis Act (Canada)* has been or will be committed.

### **Determination re investigation**

7. (1) On being notified of a matter under section 6, the supervisor shall determine whether the matter should be investigated.

(2) If the supervisor determines the matter should be investigated, the supervisor shall, based on the following factors, assign either an investigator or a senior investigator to undertake the investigation:

1. All information available at the time regarding the matter to be investigated.
2. The complexity of the investigation.
3. Public safety concerns and the impact on the community resulting from the matter to be investigated.
4. The resources required for the investigation and the anticipated length of the investigation.
5. Any applicable investigation procedures.

(3) This section does not prevent the start of an investigation of a matter by an investigating officer once the supervisor is notified of the matter, but any such investigation is subject to the determinations made by the supervisor under this section.

### **Supervisor duties re investigation**

8. A supervisor who determines that a matter should be investigated shall,
  - (a) monitor the performance of and provide support to the investigating officer;
  - (b) ensure that the investigation is carried out effectively and in compliance with all relevant law, including this Regulation;
  - (c) reassign the investigation to a different investigating officer if the assigned investigating officer is unable to undertake the investigation adequately; and
  - (d) notify the chief of police, or the chief's designate, if any factors relating to the administration of the police service create systemic barriers to effectively undertaking the investigation, including factors such as resources, the investigation procedures and any agreements made under section 14 of the Act.

### **Duty to notify major case manager**

9. If a supervisor determines that a matter of which the supervisor has been notified under section 6, or which is already under investigation, is a major case, the supervisor shall as soon as possible notify a major case manager.

### **Ensuring safety of persons**

10. Every investigating officer shall take all necessary and reasonable steps to ensure the immediate safety of all persons relevant to the investigation, including victims, suspects, witnesses and persons of interest, and notify a supervisor if there is an immediate threat to the safety of any of these persons.

### **Interviews**

11. Every investigating officer shall perform any individual interviews with a victim, suspect, witness or person of interest in accordance with the officer's training, the

investigation procedures, all relevant law, including this Regulation, and the reasonable exercise of the officer's discretion.

### **Searching a scene**

**12.** (1) If a location is identified as a scene that should be searched for the purpose of an investigation, an investigating officer shall,

- (a) establish the boundaries of the scene;
- (b) ensure that the scene is secured;
- (c) limit access to the scene; and
- (d) identify and maintain a record of persons present at the scene.

(2) If subsection (1) applies, an investigating officer shall ensure that,

- (a) a complete scene search is conducted;
- (b) the scene is documented, including through photographs and, if possible, video recording; and
- (c) records of all actions taken as part of the search are made and kept.

### **Evidence collection**

**13.** (1) An investigating officer shall ensure that all items of potential evidentiary value that may lawfully be collected are collected, regardless of whether immediate relevance to the investigation is established.

(2) An investigating officer shall ensure that the chain of continuity is maintained for all evidence collected, including ensuring that any transfer of evidence from one person's control to another person's control is documented.

### **Records management**

**14.** An investigating officer shall ensure the following records relating to an investigation, if obtained or prepared by them or by someone acting under their direction, are entered into the police service's records management system:

- 1. A copy of the occurrence report or missing person report regarding the matter to be investigated and copies of reports regarding follow-up steps taken.
- 2. Confessions, admissions and any other statements recorded in any form.
- 3. Investigative notes.
- 4. Any Canadian Police Information Centre checks.
- 5. Any reports from another police service in relation to a Canadian Police Information Centre check.

6. A list of evidence collected during the investigation.

### **Special investigative teams**

**15.** If a police service has a team primarily responsible for conducting investigations into one of the following matters, then at least one member of the team must have successfully completed any training prescribed by the Minister with respect to the investigation of that matter:

1. Familial or intimate partner violence.
2. Hate crimes.
3. Elder abuse.
4. Human trafficking.

### **Use of specialized services**

**16.** (1) An investigating officer shall consider whether it is appropriate to make use of any specialized services provided by members of a police service who are dedicated to or specially trained for the provision of those services, and, if so, shall make use of them.

(2) Examples of services to which subsection (1) applies include,

- (a) forensic identification;
- (b) technical collision investigation and reconstruction;
- (c) physical surveillance;
- (d) video and photographic surveillance; and
- (e) community liaison services.

### **Consulting with Crown Attorney**

**17.** (1) An investigating officer shall consult with the Crown Attorney before continuing an investigation, if an in-custody informer becomes relevant to the investigation.

(2) An investigating officer undertaking an investigation that involves an in-custody informer shall consult with the Crown Attorney before starting any new investigative avenue.

(3) In addition to the requirements of subsections (1) and (2), an investigating officer shall consult with the Crown Attorney when necessary, including when necessary with respect to,

- (a) search and seizure;

- (b) evidence collection;
- (c) use of electronic surveillance;
- (d) recording of interviews;
- (e) undercover operations;
- (f) use of informers or agents;
- (g) charges to be laid; and
- (h) provision of disclosure to the Crown.

### **ViCLAS reports**

**18.** (1) In this section,

“reportable investigation” means an investigation into any of the following matters:

1. Homicide within the meaning of subsection 222 (4) of the *Criminal Code* (Canada) or attempted homicide within the meaning of section 239 of the *Criminal Code* (Canada).
2. Sexual assault or attempted sexual assault within the meaning of sections 271 to 273 of the *Criminal Code* (Canada) where the victim and the person responsible are not intimate partners or in a familial relationship, whether solved or unsolved.
3. Sexual assault where the victim and the person responsible are intimate partners or in a familial relationship, if the victim is under 16 years of age at the time of the assault or the assault includes unique or significant physical, sexual or verbal behaviour.
4. Sexual interference within the meaning of section 151 of the *Criminal Code* (Canada).
5. Sexual exploitation within the meaning of sections 153 and 153.1 of the *Criminal Code* (Canada).
6. Invitation to sexual touching within the meaning of section 152 of the *Criminal Code* (Canada).
7. A non-parental abduction or kidnapping or an attempted non-parental abduction or kidnapping.
8. A missing person, if,
  - i. there is a strong possibility that the missing person has been the victim of homicide, an assault causing serious bodily harm, abduction or kidnapping, or
  - ii the person cannot be located or contacted by a member of a police service for 30 days after being reported missing.
9. An occurrence involving found human remains that is suspected to be homicide.

10. An attempt to meet with a child for the purpose of committing an offence, solved or unsolved.

(2) Within 30 days of the start of a reportable investigation, the investigating officer leading the investigation shall complete and submit one or more ViCLAS Crime Analysis Reports respecting the investigation to the Provincial ViCLAS Centre.

(3) Within 30 days of a material change or of acquiring information that is significant to a reportable investigation, the investigating officer leading the investigation shall update the ViCLAS Crime Analysis Report and resubmit it to the Provincial ViCLAS Centre.

(4) The investigating officer leading an investigation that is not a reportable investigation may submit a ViCLAS Crime Analysis Report to the Provincial ViCLAS Centre if the officer has reason to believe that the person responsible for committing the offence, whether known or unknown, may have been responsible for other violent offences or has the potential to reoffend.

(5) An investigating officer who receives a Potential Linkage Report respecting an investigation from the Provincial ViCLAS Centre shall,

(a) follow up the potential linkage with the investigation as soon as possible; and

(b) within 60 days of receiving the Potential Linkage Report, submit to the Provincial ViCLAS Centre a Potential Linkage Response Form reporting the results of the follow up.

(6) A document that is required to be provided to the Provincial ViCLAS Centre under this section must be in the form approved by the Provincial ViCLAS Centre's Manager and must be submitted in accordance with the established standards of ViCLAS.

### **If hindered**

19. An investigating officer shall as soon as possible inform a supervisor if their ability to undertake the investigation is hindered.

## **PROCEDURES**

### **Procedures re investigations**

20. Every chief of police shall establish and maintain the following procedures:

1. Procedures regarding notifying supervisors of matters for the purposes of section 6.
2. Procedures for undertaking investigations.
3. Procedures for the management of information relating to investigations.
4. Procedures for managing informers and agents and ensuring their security.

## OTHER DUTIES OF CHIEF OF POLICE

### **Consulting with Crown Attorney**

21. Every chief of police shall consult with the Crown Attorney regarding any concerns raised by the Crown Attorney or judiciary regarding the investigation procedures or the practices of members of the police service related to any aspect of an investigation.

### **Deployment**

22. Every chief of police shall deploy members of their police service as required to undertake or supervise investigations.

### **Factors re number of members required**

23. Every chief of police shall consider at least the following factors when determining the number of members of a police service that are required to undertake and supervise an investigation:

1. Data on the workload of members conducting investigations from the previous five years.
2. The crime severity index for areas being policed.
3. The strategic plan for the police service.
4. The geographical characteristics of the community.

## POLICIES

### **Policies to be established by police service boards, the Minister**

24. The conduct of investigations is prescribed for the purposes of clauses 38 (1) (g) and 60 (1) (f) of the Act.





## TORONTO POLICE SERVICE BOARD

### DISCLOSURE OF MISCONDUCT – CHIEF OF POLICE AND DEPUTY CHIEFS

<b>DATE APPROVED</b>		Minute No:
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>	The Board will inform the public of any material information related to the application of this Policy, while maintaining the confidentiality necessary to protect the integrity of complaint processes and the identity of those who may be involved in the processes.	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 38(1)(a), 183(2) and (5), 184(1), 185, 190 and 195.</i> <i>Code of Conduct for Police Officers, O. Reg. 407/23, s. 22.</i>	

#### ***Policy of the Board***

It is the policy of the Toronto Police Service Board (Board) that:

1. Where a police officer reasonably believes, or reasonably ought to believe, that a Chief of Police or a Deputy Chief of Police's conduct constitutes misconduct, the police officer is required by the *Code of Conduct for Police Officers, O. Reg. 407/23*, to report the misconduct and may do so pursuant to this Policy.
2. A Member or former Member of the Toronto Police Service (Service) may disclose alleged misconduct by the Chief of Police or a Deputy Chief of Police to the Board.
3. A Service Member or former Service Member, including police officers, should make any disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police to the Board pursuant to this Policy.
4. A Service Member, including current police officers, may disclose misconduct by the Chief of Police or a Deputy Chief of Police to the Inspector General of Policing if:

- a. The Member has reason to believe that it would not be appropriate to disclose the misconduct in accordance with this Policy; or
  - b. The Member has already disclosed the misconduct to the Board and has concerns that the matter is not being dealt with appropriately.
5. Disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police will be made in writing, addressed to the Chair of the Board (Chair), and submitted to the Board Office by letter or email. The disclosure should include at a minimum: a description of the conduct alleged to constitute misconduct, a summary of the relevant facts, all relevant dates, the names of relevant witness, and any relevant supporting documents. Information on how to contact the Board is available at: <https://tpsb.ca/about/contact-us>.
6. The Board will confirm receipt of any disclosure made under this Policy and will inform a Service Member making a disclosure of the protections against reprisals found in the *Act*, Regulations and any applicable Service procedures and Board policies.
7. The Chair will review the disclosure of alleged misconduct to determine whether it should be referred for review by the Board at the next regular meeting of the Board or whether a special meeting is warranted.
8. The Board will review the disclosure of alleged misconduct and decide whether to conduct an investigation to determine if the Chief of Police or Deputy Chief of Police engaged in conduct that constitutes misconduct or unsatisfactory work performance.
9. In deciding whether to investigate the conduct raised in a disclosure of alleged misconduct or any portion of a disclosure, the Board may consider whether:
  - a. The disclosed conduct, on its face, constitutes misconduct or unsatisfactory work performance within the meaning of the *Act* and regulations;
  - b. The subject matter of the disclosure is an employment or labour relations matter that can be dealt with through a dispute resolution mechanism, including a grievance procedure, under a collective agreement or under an agreement of another kind;
  - c. The disclosure is frivolous, vexatious or made in bad faith;
  - d. There has been substantial delay between the disclosure and the incidents that are the subject matter of the disclosure of sufficient duration to preclude an effective investigation of the alleged misconduct; and/or
  - e. There is another reason for not dealing with the disclosure.
10. In addition to the considerations set out in section 9 of this Policy and without limiting the Board considerations, the Board may delay or decide not to investigate the conduct raised in a disclosure of alleged misconduct or any portion of a disclosure

where a different body or authority is investigating, addressing or otherwise dealing with the subject matter of the disclosure in accordance with the *Act* or any other *Act*, as a matter of law enforcement or in exercise of other applicable powers, authority or jurisdiction.

11. If the Board decides to investigate conduct raised in a disclosure of alleged misconduct, it will follow the provisions of the *Act*, its regulations and any Board Policy applicable to the investigation of alleged misconduct by the Chief of Police or Deputy Chief of Police.
12. If the Board decides not to investigate conduct raised in a disclosure of alleged misconduct, the Board will:
  - a. Inform the Service Member or former Service Member who made the disclosure in writing that the Board will not investigate the alleged misconduct; and
  - b. Provide the Service Member or former Service Member with the reason for the refusal.
13. The Board and Board staff will keep the identity of persons involved in the disclosure process confidential, including those who make disclosures of misconduct against the Chief of Police or a Deputy Chief, witnesses, persons alleged to be responsible for misconduct.
14. The identity of persons involved in the disclosure process will be protected unless to do so would be contrary to the interests of fairness. The Board may determine that it is necessary to disclose the identity of an individual involved in the disclosure process to one or more persons where the interests of fairness require that the person's identity be disclosed. If the Board decides to disclose the identity of an individual, the Board will:
  - a. Advise the person whose identity will be disclosed in advance of the disclosure;
  - b. Advise the person who made the disclosure of alleged misconduct;
  - c. Require an undertaking of confidentiality from the person or persons to whom the disclosure is made requiring them not to make any further disclosure of the person's identity to any other person for any purpose; and
  - d. Inform the persons to whom the identity is revealed that reprisals are not permitted under the *Act*, Service procedure and Board policy and that, per the *Act*, Service procedure and Board policy, reprisals will not be tolerated.
15. The disclosure process and the Board's review of any disclosure of misconduct by the Chief of Police or a Deputy Chief of Police shall be confidential. Any Board correspondence, including electronic correspondence, related to the disclosure of alleged misconduct by a Chief of Police or Deputy Chief of Police will be clearly labelled "confidential".

16. The Chief of Police and all Deputy Chiefs will familiarize themselves with this Policy.
17. The Chief of Police will include this Policy in the training of Service Members and include reference to this Policy in relevant procedures addressing Service Member conduct, conduct complaints and the disclosure or reporting of misconduct.



## TORONTO POLICE SERVICE BOARD

### DISCLOSURE OF PERSONAL INFORMATION

<b>DATE APPROVED</b>		Minute No:
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>	Chief or designate to report to the Board any matters of significant public interest as the need arises.	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019</i> , S.O. 2019, c. 1, Sched. 1, ss. 38(1)(c) and 80.  <i>Disclosure of Personal Information</i> , O. Reg. 412/23.	

#### ***Background***

The *Community Safety and Policing Act, 2019 (Act)*, prescribes the circumstances in which a chief of police or a designate may disclose personal information about an individual. O. Reg. 412/23, *Disclosure of Personal Information* establishes to whom and in what circumstances personal information may be disclosed by a chief of police or a designate for the purposes of subsection (80) (1) of the *Act*.

#### ***Purpose of Policy***

When making decisions regarding the release of personal information, a number of considerations must be weighed within the applicable legislative parameters that aim to balance privacy and the public interest. This Policy intends to promote accountability and consistency by establishing clear criteria and conditions for the disclosure of personal information.

#### ***Policy of the Board***

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

1. The Chief of Police or a designate will develop procedures and processes consistent with section 80 of the *Act*, along with the relevant regulation, O. Reg. 412/23: *Disclosure of Personal Information*.

### *Purpose of Disclosure*

2. The Chief of Police or a designate will ensure that any disclosure of personal information will be for one or more of the following purposes:
  - a. Protection of the public;
  - b. Protection of victims of crime;
  - c. Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them;
  - d. Law enforcement;
  - e. Correctional purposes;
  - f. Administration of justice, including the conduct of civil proceedings.
  - g. Enforcement of and compliance with any federal or provincial Act, regulation or government program;
  - h. Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual.

### *Considerations*

3. The Chief of Police or a designate will consider, in deciding whether or not to disclose personal information:
  - a. The availability of resources and information;
  - b. What is reasonable in the circumstances of the case;
  - c. What is consistent with the law and the public interest; and
  - d. What is necessary to ensure that the resolution of criminal proceedings is not delayed.

### *Disclosure of Personal Information*

4. The Chief of Police or a designate may disclose any personal information about any person if:
  - a. The individual has been convicted or found guilty of an offence under any federal or provincial Act;
  - b. The Chief of Police or designate reasonably believes that the individual poses a significant risk to other persons or to property; and
  - c. The Chief of Police or designate reasonably believes that the disclosure of the personal information is necessary to reduce the risk described in 4(b).

5. The Chief of Police or a designate may disclose to any person the following personal information about an individual who has been charged with, convicted of or found guilty of an offence under any federal or provincial Act:
  - a. The individual's name, age, date of birth and address;
  - b. The offence in question and, if the individual has been convicted or found guilty of the offence, any sentence imposed;
  - c. The outcome of all judicial proceedings relevant to the offence;
  - d. The procedural stage of the criminal justice process to which the prosecution of the offence has progressed and the status of the individual in that process as it relates to the individual's location or custody, including whether the individual is in custody, or the terms, if any, upon which the individual has been released from custody; and
  - e. The date of the release or impending release of the individual from custody for the offence, including any release on parole or temporary absence.
  
6. The Chief of Police or a designate may disclose to a victim of crime, as defined in O. Reg.412/23: *Disclosure of Personal Information*, if requested by the victim, any of the following information about an individual who is accused of committing the offence in question:
  - a. The progress of investigations that relate to the offence;
  - b. The charges laid with respect to the offence or, if no charges were laid, the reasons why no charges were laid;
  - c. The dates and places of all proceedings that relate to the prosecution of the offence;
  - d. The outcome of all proceedings, including the outcome of any proceedings on appeal;
  - e. Any pretrial arrangements that are made that relate to a plea that may be entered at the trial by the individual;
  - f. The interim release and, in the event of conviction, the sentencing of the individual;
  - g. If the individual is convicted of the offence, any application for release or any impending release of the individual, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence;
  - h. If the individual is charged with or convicted of the offence, any escape from custody of the individual; and
  - i. If the individual is found unfit to stand trial or is found not criminally responsible on account of mental disorder:

- i. Any disposition provided for under section 672.54 or 672.58 of the *Criminal Code* (Canada) that is made in respect of the individual; and
  - ii. Any hearing held with respect to the individual by the Review Board established or designated for Ontario under subsection 672.38(1) of the *Criminal Code* (Canada).
- 7. The Chief of Police or a designate may disclose personal information about an individual who is under investigation for having committed an offence under any federal or provincial Act, or is charged with, convicted of or found guilty of such an offence, to any:
  - a. Police service in Canada;
  - b. Correctional or parole authority in Canada;
  - c. Person or agency engaged in the protection of the public or the administration of justice; or
  - d. Person or agency engaged in the enforcement of or compliance with any federal or provincial Act, regulation or government program.
- 8. The Chief of Police or a designate may only disclose personal information as set out in 7, above, if the circumstances are such that the disclosure is required for the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program.
- 9. In the case of the disclosure of personal information to an agency as set out in 7(d), above, the Chief of Police or a designate will disclose the personal information in accordance with a memorandum of understanding entered into between the Chief of Police and the agency.

### *Reporting*

- 10. The Chief of Police or a designate will report to the Board any matters of significant public interest as they relate to this Policy as the need arises.





## TORONTO POLICE SERVICE BOARD

### EXTREME INCIDENT RESPONSE PLAN POLICY

<b>DATE APPROVED</b>		Minute No:
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>	<ul style="list-style-type: none"> <li>• Within 120 days, the Chief of Police will endeavor to ensure that a report reviewing and evaluating the response to the extreme incident is completed.</li> <li>• If the report is not available within 120 days, updates shall be provided to the Board every 30 days.</li> <li>• Following approval by the Chief of Police, the report shall be submitted to the Board for publication online, in line with privacy considerations.</li> </ul>	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 37(1) and 38(1).</i> <i>Adequate and Effective Policing (General), O. Reg. 392/23, ss. 10(4), 10(7), 11(2)(3) and 12(1)</i>	

#### **Background**

This Policy pertains to the [Provincial Extreme Incident Response Plan](#) (the Provincial Plan), officially approved by the Solicitor General on November 28, 2023. The Provincial Plan is cited in Ontario Regulation 392/23 - Adequate and Effective Policing (General). The Toronto Police Service Board (Board) is dedicated to guaranteeing a systematic, coordinated, and efficient response to any extreme incident, and to fully implementing all stipulations outlined within the Provincial Plan.

#### **Definitions**

**Extreme incident**, in relation to a police service, is defined as a situation in which there is reason to suspect any of the following:

- a. A terrorism offence within the meaning of section 2 of the [Criminal Code \(Canada\)](#) that will cause or has caused casualties or negative impacts to critical infrastructure in the police service's area of policing responsibility will be or has been committed;

- b. A criminal offence that will cause or has caused mass casualties will be or has been committed, and the effects of that offence could potentially exceed the capacity of the police service;
- c. A criminal offence that will cause or has caused negative impacts to critical infrastructure, requiring a response by the police service that could potentially exceed its capacity, will be or has been committed;
- d. Multiple active attacker incidents, at least one of which is in the police service's area of policing responsibility, will occur or are occurring, simultaneously, and there is reason to suspect the incidents are related; and/or
- e. A protest, demonstration or occupation that will pose a serious threat to human life or critical infrastructure will occur or is occurring.

### ***Policy of the Board***

It is the policy of the Board that:

#### *Procedures*

1. The Chief of Police shall establish and maintain procedures consistent with the Provincial Plan.
2. The Chief of Police shall establish procedures on responses to a chemical, biological, radiological, nuclear or explosive incident in accordance with the *Community Safety and Policing Act, 2019*, O. Reg. 392/23, including providing assistance to victims and witnesses, and referrals that are appropriate in the circumstances to emergency services, health care professionals, victim support agencies, social service agencies and other appropriate governmental, non-governmental or community organizations.

#### *Response to an Extreme Incident*

3. Where an extreme incident occurs within the jurisdiction of the Toronto Police Service (Service), the Chief of Police shall ensure that all the responsibilities as set out in the Provincial Plan are fulfilled, as the circumstances require, in addition to satisfying any other operational priorities that may exist.
4. The Chief of Police shall ensure that members of the police service respond to extreme incidents in a manner consistent with the Extreme Incident Response Plan.
5. If the Chief of Police is of the opinion that an extreme incident is an emergency, they may request the Commissioner of the OPP or chief of another police service to provide assistance.

6. If the Board is of the opinion that external assistance is necessary during an extreme incident, the Board may request the OPP's or another police service's assistance by resolution.

#### *Situational Awareness and Monitoring*

7. The Chief of Police will ensure that members of the police service respond to extreme incidents in a manner consistent with the Extreme Incident Response Plan.
8. The Chief of Police shall inform the Chair of the extreme incident and continue providing appropriate updates through the Chair or their designate.
9. When informed by the Chief of Police of an extreme event, the Chair shall convene a special meeting as soon as possible to inform the Board of the extreme event.
10. The Chair will consider the need for additional special meetings to update the Board on critical updates received from the Chief of Police.

#### *Reporting*

11. The Chief of Police or designate shall, following an extreme incident, prepare a report for the Board reviewing and evaluating the Service's response to the incident. The report must include:
  - a. General information regarding the incident, including the nature of the incident, the date, time and location of the incident, the environment in which the incident occurred and the details on the response to the incident;
  - b. The type of personnel from the Service and any other agencies involved in responding to the incident and their role in the response;
  - c. An analysis of the outcome of the incident, including what worked well and recommendations for improvements, including matters to be addressed through changes to procedures and/or training; and
  - d. As applicable, the impact of the extreme incident and the Service's response to the extreme incident as it related to:
    - i. Victims;
    - ii. The community;
    - iii. The Service and other first responder agencies; and
    - iv. Individual members of the Service.
12. If the extreme incident involves the members of another police service, the Chief of Police shall prepare the above report, in consultation with the chiefs of police of the other involved police services.

13. The Chief of Police will endeavor to ensure that the report is prepared within 120 days after:
  - a. The day of the incident, if there is no Special Investigations Unit investigation into the incident; or
  - b. If there is a Special Investigations Unit investigation into the incident, the day on which public notice in respect of the incident is given under section 33 of the *Special Investigations Unit Act, 2019*, or a report is published in respect of the incident under section 34 of that *Act*.
14. If the Chief of Police is unable to complete the report within the timeframe above, the Chief of Police will notify the Board of the status of the report every 30 days, until the report is complete.
15. The Chief of Police will provide the report to the Board within 30 days from the date on which it is approved by the Chief of Police.
16. The Board will publish the report on the internet, subject to the following:
  - a. The Board will not make any information from the report available to the public without consulting with the Chief of Police regarding:
    - i. Whether any information from the report should not be disclosed; and
    - ii. Whether the information could be redacted if access to the report were requested under the Ontario *Freedom of Information and Protection of Privacy Act (FIPPA)* and the Ontario *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.
  - b. The Board will not redact any information in the report that would be required to be disclosed in response to a request for access under the *FIPPA* or *MFIPPA*.

TORONTO POLICE SERVICE BOARD  
BY-LAW NUMBER 162

A By-Law to Establish Committees of the Toronto Police Service Board

1. PREAMBLE

- 1.1 Subsections 42(1)(a), (3)(a) and (4) of the *Community Safety and Policing Act (Act)* provides that the Board may, by by-law, establish a committee and delegate any of the Board's powers under the *Act* to the committee composed of at least two Members of the Board, except where a committee's only power is to bargain under Part XIII of the *Act*, in which case only one Member is required to sit on the committee.
- 1.2 Subsection 42(2) of the *Act* provides that the by-law made under subsection (1) may govern the name, powers, duties and quorums of the committee, as well as the composition of the committee, subject to the requirements of the *Act*.
- 1.3 The Toronto Police Service Board wants to establish committees to facilitate the meaningful and efficient consideration of certain matters under the Board's authority.

NOW THEREFORE, the Toronto Police Service Board hereby enacts as follows:

2. APPOINTMENTS COMMITTEE

- 2.1 The Board establishes a committee named *Appointments Committee*, and delegates to this committee the power to appoint members of the Service as police officers, except for appointments to the rank of Inspector and above, which shall be approved by the Board.
- 2.2 The *Appointments Committee* shall be composed of the Chair and Vice-Chair of the Board, as elected in accordance with the *Act*.
- 2.3 The *Appointments Committee* shall report all its decisions to the Board at the next regular Board Meeting.
- 2.4 The *Appointments Committee* shall meet from time to time as necessary.
- 2.5 The quorum for a meeting of the *Appointments Committee* is two committee members.

3. BARGAINING COMMITTEE

- 3.1 The Board establishes a committee named *Bargaining Committee*, and

delegates to this committee the power to bargain under Part XIII of the *Act*.

3.2 The *Bargaining Committee* shall be composed of the Chair, as elected in accordance with the *Act*.

4. ADMINISTRATION

4.1 This by-law may be cited as the *Committees By-law*.

4.2 This By-law will come into force upon the date immediately following the Board meeting at which it is enacted.

5. **EFFECTIVE DATE**

This by-law is hereby enacted by the Toronto Police Service Board on this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Executive Director

## Appendix C

### Proposed Revised Policies

1. [Standards Compliance Framework](#)
2. [Board Member: Code of Conduct](#)
3. [Board Member: Conduct Complaints](#)
4. [Board Member: Training](#)
5. [Recruitment, Appointments and Promotions](#) (previously Recruitment, Appointments and Promotions of for Uniform and Civilian Members of the Toronto Police Service)
6. [Strategic Plan](#) (previously AI-001 – Board Business Plan)



## TORONTO POLICE SERVICE BOARD

### STANDARDS COMPLIANCE FRAMEWORK

<b>DATE APPROVED</b>		Minute No.
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>	Annually, on or before June 30 <sup>th</sup> , reflecting activities and updates completed in the preceding calendar year.	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 10(1), 37(1)(a) and 38(1)(b)</i> <i>Adequate and Effective Policing (General), O. Reg. 392/23</i>	

#### **Background**

The *Community Safety and Policing Act (Act)*, and its regulations, sets out Ontario's modernized policing framework, outlining the standards and protocols for police service delivery across the province. Under the *Act*, civilian police service boards are entrusted with the governance and oversight of policing within their respective municipalities. In the context of Toronto, the Toronto Police Service Board (Board) holds the responsibility for ensuring the provision of adequate and effective police services.

The Board is committed to developing evidence-based, community-centered, and equitable policies to govern the Toronto Police Service (the Service), emphasizing safety of both the public and Service Members, and fostering increased trust between the police and the community. Through adherence to the principles outlined in this Policy, the Board strives to safeguard fundamental rights, respect diverse communities, and ensure that policing services are effective and representative of, and accessible to, all residents of Toronto.

Oversight of compliance with these standards is conducted by the Inspector General of Policing, an arms-length office within the Ontario Ministry of the Solicitor General, through regular evaluations of both the Board and the Service.



### ***Purpose of the Policy***

This Policy outlines the essential obligations for the Service under O. Reg. 393/23: Adequate and Effective Policing (General) (Regulation), to ensure the delivery of adequate and effective policing in Toronto. It establishes frameworks for quality assurance and reporting, enabling the Board to monitor compliance with legislation and provide direction to the Chief as needed.

### ***Policy of the Board***

It is the Policy of the Board that:

#### *Standards Compliance*

1. The Chief of Police will ensure that the Service complies with all chapters of this Policy, and is in compliance with all requirements set out in the *Act* and the Regulation.
2. The Board, in consultation with the Chief of Police, will develop, maintain, review, and update Board policies as required and on the basis of new developments, and legal requirements.
3. The Chief of Police will ensure that processes are established and procedures are developed to operationalize all new and revised Board policies within the Service.
4. The Chief of Police will ensure the provision of policing services in Toronto 24 hours a day and that emergency response functions are deployed within a reasonable time frame.
5. The Chief of Police will ensure that policing functions are provided to an extent and in a manner that is reasonable, having regard to the following factors:
  - a. The policing needs of the community;
  - b. The geographic and socio-demographic characteristics of Toronto;
  - c. The extent to and manner in which the policing function is effectively provided in similar communities in Ontario;
  - d. The extent to which past provision of the policing function by the Service has been effective in addressing the policing needs of the community; and
  - e. Best practices respecting the policing function.
6. The Board, in consultation with the Chief of Police, will ensure that appropriate equipment and other resources which enable provision of police services in Toronto are provided to Service Members.
7. The Chief of Police will ensure that Service Members receive the appropriate training and use the equipment made available to them in accordance with relevant legislation, regulation and best practices;
8. The Chief of Police, in collaboration with the Board, will ensure that the Service works with the City of Toronto, school boards, community organizations, neighbourhoods

and residents, businesses and neighbouring municipalities on issues and matters of policing in Toronto.

#### *Training – Toronto Police Service*

8. The Chief of Police, in consultation with the Board, will ensure that officers and all other Service Members receive appropriate training, are informed of legislative changes and are provided with timely information for proper execution of their required duties;
9. The Chief of Police will ensure that every Service Member will have successfully completed all training prescribed by the Minister, unless exempted in accordance with the regulations, including:
  - a. Training on techniques to de-escalate conflict situations;
  - b. Training regarding human rights and systemic racism; and
  - c. Training that promotes recognition of and respect for:
    - i. The diverse, multiracial and multicultural character of Ontario society, and
    - ii. The rights and cultures of First Nation, Inuit and Métis Peoples.
10. The Chief of Police will ensure that every Service Member providing the following policing services will have successfully completed all relevant Ministry-accredited training and/or have Ministry-approved equivalent qualifications and skills:
  - a. Communications operators and supervisors providing police communications and dispatch services;
  - b. Criminal investigators;
  - c. Service members providing investigative support in the areas of crime scene analysis and/or forensic identification;
  - d. Police officers who are members of a containment team, tactical unit and/or hostage rescue team;
  - e. Service Members assigned responsibilities respecting the recording of information and decisions during an emergency response incident involving the functions of a containment team, tactical unit, hostage rescue team, crisis negotiator and/or explosive disposal;
  - f. Police officers who are incident commanders;
  - g. Police officers who are crisis negotiators; and
  - h. Any other policing service as determined by the Chief of Police.
11. The Chief of Police will ensure that, when obtaining policing assistance from another police service or any other external organization, personnel from that service or agency be qualified to carry out the task(s) assigned to them, including, where appropriate, undertake or manage a criminal investigation, or provide investigative support of an occurrence.

### *Quality Assurance Processes*

It is the policy of the Board that, in accordance with section 23 of the Regulation:

12. The Chief of Police will establish and maintain quality assurance processes related to operational, management, training, information technology, and financial controls that ensure compliance with Service procedures, Board Policies, and the Act and its regulations.
13. The Chief of Police will ensure that quality assurance mechanisms are reviewed on a regular basis, to ensure that Service procedures remain consistent with applicable legislation, case law, inquest findings, guidelines and direction from the Ministry of the Solicitor General guidelines, and direction from the Board.
14. The Chief of Police will ensure that internal quality assurance processes are assessed for compliance in accordance with internal auditing standards, and report to the Board all findings, explanations, and, if applicable, mitigation plans.
15. The Chief of Police will ensure that internal audits are carried out independently and in accordance with the auditors' professional discretion.
16. The Chief of Police, in consultation with the Board, will ensure the preparation, using appropriate risk-based methodology, of an annual quality assurance work plan which will identify and prioritize audits to be conducted by the Service. The plan will identify risks and tentatively identify resource requirements.
17. The Chief of Police will ensure that members of the Service engaged in audit processes have the knowledge, skills, abilities and accreditations, as may be required, to perform their duties.
18. The Chief of Police will ensure that the head auditor submits all audit reports to the Board for its consideration, as well as to the Service's Executive Assurance Committee;
19. The Chief of Police will provide a report to the Board on an annual basis, including:
  - a. The annual quality assurance work plan, and
  - b. Audits included in the previous annual quality assurance work plan but not completed during the reporting period, and an estimated time for their completion or an indication that they will no longer be pursued with supporting rationale.
20. The Board will include a standing agenda item allowing for the head of the Service's internal auditing function to discuss confidential matters, where appropriate, without the presence of the Chief of Police, Command Members, or any other supervisor of the head of the internal auditing function.

21. The Board Office will maintain an internal quality assurance process to support the implementation of Board Policies, offering insights and recommendations to enhance service delivery and identify areas for improvement within the Service.
22. The Chief of Police will facilitate the Board Office's access to necessary resources for evaluations and reviews conducted by the Board Office, subject to legal constraints (e.g. information subject to informer privilege, investigative techniques, ongoing investigations etc.). This may include, but is not limited to: personnel, data and information, records and any other materials deemed necessary by the Board Office.
21. The Board and Service will uphold a Memorandum of Understanding with the City of Toronto Auditor General to facilitate external audits aligned with the Auditor General's work plan. This collaboration aims to enhance service delivery, pinpoint areas of success and improvement within the Service, and identify potential cost-saving opportunities. For this purpose:
  - a. The Board retains the authority to request that the City of Toronto Auditor General conduct audits addressing systemic organizational issues or matters of significant public interest.
  - b. Additionally, the Auditor General may autonomously propose audits to the Board for consideration.
  - c. The Auditor General will formulate an annual audit work plan, which will be shared with the Board.
  - d. The Chief of Police will facilitate access for the Board Office and the Auditor General to personnel, information, records, and other materials necessary for audits outlined in the aforementioned work plan, subject to legal constraints prohibiting disclosure.
22. Upon the conclusion of each of the audits, the Auditor General will provide the Board with a report which includes:
  - a. An assessment of the adequacy and effectiveness of the Service's or Board's policies, procedures and/or processes in the areas stated in the audit plan, relative to the requirements of the Act and associated regulations;
  - b. Identification of notable issues related to the policies, procedures and/or processes of the Service or the Board, including recommended improvements; and,
  - c. Updates on the status and results of the audit work plan, as required.
23. The Chief of Police will ensure that the Service's financial transactions are verified by an annual audit conducted by the City of Toronto's external Auditor as identified in section 139 of the *City of Toronto Act, 2006*;

*Annual Report from the Chief of Police to the Board:*

24. In addition to any other reporting requirements required by the Board, the Chief of Police will prepare annual report(s) for the Board relating to the activities during the previous fiscal year for each of the standards included in the Policy, including information on:

- a. Performance objectives, indicators, applicable generally accepted industry standards, and results.
  - b. Public complaints.
  - c. The Service's compliance with this Policy and the standards required under the Regulation, including:
    - i. A summary of any changes made during the reporting period to procedures regarding each of the sections of this Policy;
    - ii. The status of Service compliance with these procedures;
    - iii. The publication of crime analysis, call analysis and public disorder analysis data, and of information on crime trends;
    - iv. Every matter with respect to which a chief of police is required under this Regulation to establish procedures; and
    - v. Any additional reporting requirements specified by the Board in the following chapters.
25. The Chief of Police, in consultation with the Executive Director/Chief of Staff, will develop an expected schedule for the annual report(s), and post it on the Service's website.

*Annual Report from the Board to the City of Toronto*

26. The Board will prepare an annual report which includes information on:
- a. The implementation of the Board's strategic plan and relevant updates on the performance objectives identified in the strategic plan,
  - b. The affairs of the police service,
  - c. The provision of policing as it relates to the City of Toronto's community safety and well-being plan (i.e., SafeTO), and
  - d. Any other prescribed matters.
27. The Board will file the annual report with the City and publish to the Board's website on or before June 30 in each year.



## TORONTO POLICE SERVICE BOARD

### BOARD MEMBERS: CODE OF CONDUCT

<b>DATE APPROVED</b>	May 1, 2000	Minute No: P156/00
<b>DATE(S) AMENDED</b>	November 15, 2010	Minute No: P292/10
<b>REPORTING REQUIREMENT</b>		
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, s. 37</i> <i>Code of Conduct for Police Service Board Members, O. Reg. 408/23</i> <i>Municipal Conflict of Interest Act, R.S.O. 1990, as amended, c. M50.</i>	

It is the policy of the Toronto Police Service Board that Board Members familiarize themselves and comply with *Ontario Regulation 408/23, Code of Conduct for Police Service Board Members* and the *Municipal Conflict of Interest Act*. Addendum

Note: This addendum is included for ease of reference only. In case of any disparity between this addendum and the official regulation as amended, the language of the official regulation shall prevail.

ONTARIO REGULATION 408/23

CODE OF CONDUCT FOR POLICE SERVICE BOARD MEMBERS

**Application and Interpretation**

1. (1) This Regulation sets out the code of conduct with which every member of a police service board must comply.

(2) For greater certainty, the existence of a good faith exception in this code of conduct does not limit the grounds on which it may be determined that a member of a police service board has not contravened this code of conduct.

2. In this Regulation,

“conflict of interest” means a situation in which a member of a police service board’s private interests or personal relationships place, or may reasonably be perceived to place, the member in conflict with their duties as a member of the police service board; (“conflit d’intérêts”)

“personal relationship” includes, but is not limited to, a relationship with any of the following persons:

1. A current or former spouse or common-law partner of the board member.
2. A current or former intimate partner of the board member.

3. The board member's children, including biological and adoptive children and stepchildren.
4. The legal dependants of the board member.
5. A child in the board member's care.
6. The board member's grandparents, parents or siblings, including grandparents-in-law, parents-in-law and siblings-in-law. ("rappports personnels")

### **Conduct Becoming of a Board Member**

3. (1) A member of a police service board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the police service board or the police service maintained by the police service board.

(2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a board member.

4. A member of a police service board shall comply with the *Act* and the regulations made under it.

5. A member of a police service board shall not, by act or omission, conduct themselves in a manner that is likely to cause the board to fail to comply with the *Act* or the regulations made under it.

6. A member of a police service board shall comply with any rules, procedures and by-laws of the police service board.

7. A member of a police service board shall not substantially interfere with the conduct of police service board meetings.

8. A member of a police service board contravenes this code of conduct if they are found guilty of an offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or the Cannabis Act (Canada) that was committed after they were appointed as a member of the police service board.



9. (1) A member of a police service board shall not, in the course of their duties, treat any person in a manner that the member, at the time, knows or reasonably ought to know would contravene the Human Rights Code.

(2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties.

10. (1) A member of a police service board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties.

(2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties.

### **Statements and Attendance**

11. A member of a police service board shall not knowingly make false statements pertaining to the duties of a member of a police service board.

12. A member of a police service board shall not purport to speak on behalf of the police service board unless authorized by the board to do so.

13. A member of a police service board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of the police service board, the police service maintained by the board or a member of the police service.

14. A member of a police service board shall not access, collect, use, alter, retain, destroy or disclose to any person information that has been obtained by or made available to the member in the course of their duties if doing so would be contrary to law.

15. (1) A member of a police service board shall not disclose to the public information obtained or made available in the course of the member's duties except as authorized by the police service board or as required by law.

(2) Subsection (1) does not apply to information that was already made available to the public by a person who was authorized to do so prior to the member's disclosure.

16. A member of a police service board shall attend all police service board meetings unless able to provide a reasonable explanation for the absence.

### **Misconduct and Conflicts of Interest**

17. A member of a police service board shall disclose any conduct of another member of the police service board that the member reasonably believes constitutes misconduct,

(a) to the chair of the board; or

(b) if the misconduct involves the chair, to the Inspector General.

18. (1) A member of a police service board shall disclose any charges laid against them under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or the Cannabis Act (Canada) and any finding of guilt made in relation to those charges.

(2) Subsection (1) only applies to charges or findings that were made after the member's appointment to the police service board.

(3) The disclosure required by subsection (1) must be made to the person or body that appointed the individual as a member of the police service board or, in the case of a member appointed by the Lieutenant Governor in Council, to the Minister.

19. A member of a police service board shall not apply for employment with the police service maintained by the police service board unless they resign from the board before applying.

20. (1) A member of a police service board shall promptly disclose any conflict of interest,

(a) to the chair of the board; or

(b) if the conflict of interest involves the chair, to the Inspector General.

(2) After making the disclosure required by subsection (1), the member shall disclose the conflict at the next meeting of the police service board.

21. A member of a police service board shall not use their position as a police service board member to:

(a) Benefit themselves;

(b) Benefit one or more persons with whom they have a personal relationship; or

(c) Interfere with the administration of justice.

22. A member of a police service board shall not participate in discussion of or voting with respect to matters at police service board meetings if the member has a conflict of interest in the matter.

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## **Municipal Conflict of Interest Act**

### **R.S.O. 1990, CHAPTER M.50**

Last amendment: 2022, c. 18, Sched. 3.

#### **Definitions**

1 In this Act,

“child” means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; (“enfant”)

“controlling interest” means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; (“intérêts majoritaires”)

“council” means the council of a municipality; (“conseil”)

“elector” means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; (“électeur”)

“interest in common with electors generally” means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; (“intérêt commun à tous les électeurs”)

“judge” means a judge of the Superior Court of Justice; (“juge”)

“local board” means a school board, board of directors of a children's aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police service board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village, board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; (“conseil local”)

“meeting” includes any regular, special, committee or other meeting of a council or local board, as the case may be; (“réunion”)

“member” means a member of a council or of a local board; (“membre”)

“municipality” includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; (“municipalité”)

“parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family; (“parent”)

“school board” means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; (“conseil scolaire”)

“senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; (“dirigeant”)

“spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. (“conjoint”) R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219; 2016, c. 23, s. 58; 2021, c. 4, Sched. 11, s. 23 (1-3).

#### **Section Amendments with date in force (d/m/y)**

## **Principles**

**1.1** The Province of Ontario endorses the following principles in relation to the duties of members of councils and of local boards under this Act:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interests of members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise. 2017, c. 10, Sched. 3, s. 1.

### **Section Amendments with date in force (d/m/y)**

#### **Indirect pecuniary interest**

**2** For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
  - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
  - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
  - (iii) is a member of a body,that has a pecuniary interest in the matter; or
- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

#### **Interest of certain persons deemed that of member**

**3** For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3); 2021, c. 4, Sched. 11, s. 23 (4).

### **Section Amendments with date in force (d/m/y)**

#### EXCEPTIONS

#### **Where ss. 5, 5.2 and 5.3 do not apply**

**4** Sections 5, 5.2 and 5.3 do not apply to a pecuniary interest in any matter that a member may have,

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;

- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1); 2017, c. 10, Sched. 3, s. 2; 2022, c. 18, Sched. 3, s. 1.

**Section Amendments with date in force (d/m/y)**

DUTY OF MEMBER

**When present at meeting at which matter considered**

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

**Where member to leave closed meeting**

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

### **Exception, consideration of penalty**

(2.1) The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*:

1. Despite clauses (1) (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
2. Despite subsection (2), in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration. 2017, c. 10, Sched. 3, s. 3.

### **When absent from meeting at which matter considered**

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

### **Section Amendments with date in force (d/m/y)**

#### **Written statement re disclosure**

**5.1** At a meeting at which a member discloses an interest under section 5, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the clerk of the municipality or the secretary of the committee or local board, as the case may be. 2017, c. 10, Sched. 3, s. 4.

### **Section Amendments with date in force (d/m/y)**

#### **Influence**

**5.2** (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the municipality or local board, or by a person or body to which the municipality or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

#### **Exception**

(2) However, if a municipality delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the *Municipal Act, 2001* or subsection 160 (5) of the *City of Toronto Act, 2006* to a person or body, and the person or body is considering exercising that power with respect to a member, subsection (1) of this section does not prevent the member from attempting to influence any decision or recommendation of the person or body that results from consideration of the matter. 2017, c. 10, Sched. 3, s. 4.

## **Section Amendments with date in force (d/m/y)**

### **Head of council**

**5.3** (1) Where a head of council of a municipality either on their own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter of the municipality and has a power or duty listed in subsection (2) with respect to the matter, the head of council,

- (a) shall, upon becoming aware of the interest in the matter, disclose the interest by filing a written statement of the interest and its general nature with the clerk of the municipality;
- (b) shall not use the power or exercise the duty with respect to the matter; and
- (c) shall not use their office in any way to attempt to influence any decision or recommendation of the municipality that results from consideration of the matter. 2022, c. 18, Sched. 3, s. 2.

### **Same**

(2) For the purposes of subsection (1), the powers and duties are the powers and duties of a head of council in Part VI.1 of the *Municipal Act, 2001* and Part VI.1 of the *City of Toronto Act, 2006* but do not include the power to delegate in section 284.13 of the *Municipal Act, 2001* and section 226.11 of the *City of Toronto Act, 2006*. 2022, c. 18, Sched. 3, s. 2.

## **Section Amendments with date in force (d/m/y)**

### **RECORD OF DISCLOSURE**

#### **Disclosure to be recorded in minutes**

**6** (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

#### **Idem**

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

### **REGISTRY**

#### **Requirement to establish registry**

**6.1** (1) Every municipality and local board shall establish and maintain a registry in which shall be kept,

- (a) a copy of each statement filed under section 5.1 or 5.3; and
- (b) a copy of each declaration recorded under section 6. 2017, c. 10, Sched. 3, s. 5; 2022, c. 18, Sched. 3, s. 3.

#### **Access to registry**



(2) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine. 2017, c. 10, Sched. 3, s. 5.

### **Section Amendments with date in force (d/m/y)**

#### REMEDY FOR LACK OF QUORUM

### **Quorum deemed constituted**

7 (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

### **Application to judge**

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

### **Power of judge to declare s. 5, 5.1 or 5.2 not to apply**

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5, 5.1 or 5.2 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3); 2017, c. 10, Sched. 3, s. 6.

### **Section Amendments with date in force (d/m/y)**

#### ACTION WHERE CONTRAVENTION ALLEGED

### **Application**

8 (1) An elector, an Integrity Commissioner of a municipality or a person demonstrably acting in the public interest may apply to a judge for a determination of the question of whether,

- (a) a member has contravened section 5, 5.1, 5.2 or 5.3; or
- (b) a former member contravened section 5, 5.1, 5.2 or 5.3 while he or she was a member. 2017, c. 10, Sched. 3, s. 7; 2022, c. 18, Sched. 3, s. 4.

### **Six-week period**

(2) An application may only be made within six weeks after the applicant became aware of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

### **Exception**

(3) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if all of the following conditions are satisfied:

1. The applicant applied to an Integrity Commissioner for an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* in accordance with those sections.
2. The Integrity Commissioner conducted an inquiry under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006* and the Commissioner,
  - i. has advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
  - ii. has not completed the inquiry within the time limit set out in subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006*, or
  - iii. has terminated the inquiry under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*.
3. The application under this section includes a copy of the applicant's statutory declaration made under subsection 223.4.1 (6) of the *Municipal Act, 2001* or under subsection 160.1 (6) of the *City of Toronto Act, 2006*.
4. The application under this section is made within six weeks after the earlier of the following,
  - i. the day the Commissioner advised the applicant under subsection 223.4.1 (16) of the *Municipal Act, 2001* or under subsection 160.1 (16) of the *City of Toronto Act, 2006* that the Commissioner will not be making an application to a judge,
  - ii. the last day on which the Commissioner is required under subsection 223.4.1 (14) of the *Municipal Act, 2001* or subsection 160.1 (14) of the *City of Toronto Act, 2006* to complete the inquiry referred to in paragraph 2 of this subsection, and
  - iii. the day the inquiry was terminated under subsection 223.4.1 (12) of the *Municipal Act, 2001* or subsection 160.1 (12) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

#### **Same, application by Integrity Commissioner**

(4) Despite subsection (2), an application may be made more than six weeks after the applicant became aware of the alleged contravention if the applicant is an Integrity Commissioner and if the application relates to an inquiry conducted by the Commissioner under section 223.4.1 of the *Municipal Act, 2001* or under section 160.1 of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 7.

#### **No application by Integrity Commissioner during regular election**

(5) No application shall be made by an Integrity Commissioner of a municipality during the period of time starting on nomination day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996*, and ending on voting day in a regular election, as set out in section 5 of that Act. 2017, c. 10, Sched. 3, s. 7.

#### **Limitation**

(6) Despite subsections (2), (3) and (4), no application shall be made after the sixth anniversary of the alleged contravention. 2017, c. 10, Sched. 3, s. 7.

### **Contents of notice of application**

(7) The notice of application shall state the grounds for finding that the member or former member contravened section 5, 5.1, 5.2 or 5.3. 2017, c. 10, Sched. 3, s. 7; 2022, c. 18, Sched. 3, s. 4.

### **Section Amendments with date in force (d/m/y)**

#### **Power of judge**

**9** (1) If the judge determines that the member or former member contravened section 5, 5.1, 5.2 or 5.3, the judge may do any or all of the following:

1. Reprimand the member or former member.
2. Suspend the remuneration paid to the member for a period of up to 90 days.
3. Declare the member's seat vacant.
4. Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order.
5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party's identity is not readily ascertainable, to the municipality or local board, as the case may be. 2017, c. 10, Sched. 3, s. 7; 2022, c. 18, Sched. 3, s. 4.

#### **Same**

(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,

- (a) took reasonable measures to prevent the contravention;
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the *Municipal Act, 2001* or the *City of Toronto Act, 2006* and acted in accordance with the advice, if any, provided to the member by the Commissioner; or
- (c) committed the contravention through inadvertence or by reason of an error in judgment made in good faith. 2017, c. 10, Sched. 3, s. 7.

### **Section Amendments with date in force (d/m/y)**

**10** REPEALED: 2017, c. 10, Sched. 3, s. 7.

### **Section Amendments with date in force (d/m/y)**

#### **Appeal to Divisional Court**

**11** (1) An appeal lies from any order made under section 9 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1); 2017, c. 10, Sched. 3, s. 8.

#### **Judgment or new trial**

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

#### **Appeal from order or new trial**

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

#### **Section Amendments with date in force (d/m/y)**

#### **Proceedings not invalidated but voidable**

**12** (1) A member's failure to comply with section 5, 5.1, 5.2 or 5.3 does not invalidate any proceedings in respect of a matter referred to in those sections, but those proceedings are voidable in the circumstances described in subsection (2). 2017, c. 10, Sched. 3, s. 9; 2022, c. 18, Sched. 3, s. 4.

#### **Declaring proceedings void**

(2) Subject to subsection (3), if a member has failed to comply with section 5, 5.1, 5.2 or 5.3 in respect of a matter referred to in those sections, the municipality or local board, as the case may be, may declare the proceedings to be void before the second anniversary of the date of the passing of the by-law or resolution authorizing the matter. 2017, c. 10, Sched. 3, s. 9; 2022, c. 18, Sched. 3, s. 4.

#### **Exception**

(3) Subsection (2) does not apply if declaring the proceedings to be void would adversely affect the rights that any person who acted in good faith and without actual notice of the failure to comply with section 5, 5.1, 5.2 or 5.3 acquired under or by virtue of the proceedings. 2017, c. 10, Sched. 3, s. 9; 2022, c. 18, Sched. 3, s. 4.

#### **Section Amendments with date in force (d/m/y)**

#### **Other proceedings prohibited**

**13** (1) A proceeding that relates to a member's or former member's alleged conflict of interest and seeks a remedy described in subsection 9 (1) shall be brought only under this Act. 2017, c. 10, Sched. 3, s. 9.

#### **Same**

(2) Subsection (1) does not affect the power of a municipality or a local board to reprimand a member or suspend a member's remuneration under subsection 223.4 (5) or (6) of the *Municipal Act, 2001* or under subsection 160 (5) or (6) of the *City of Toronto Act, 2006*. 2017, c. 10, Sched. 3, s. 9.

#### **Section Amendments with date in force (d/m/y)**

GENERAL

#### **Insurance**

**14** (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, 5.1, 5.2 or 5.3 against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2); 2017, c. 10, Sched. 3, s. 10 (1); 2022, c. 18, Sched. 3, s. 4.

#### **Insurance Act does not apply**

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

#### **Surplus funds**

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in accordance with subsection 279 (2) of the *Municipal Act, 2001* or subsection 218 (3) of the *City of Toronto Act, 2006*, as the case may be. 2017, c. 10, Sched. 3, s. 10 (2).

#### **Reserve funds**

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

#### **Local boards**

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

#### **Former members**

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

#### **Section Amendments with date in force (d/m/y)**

#### **Conflict with other Acts**

**15** In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.



## TORONTO POLICE SERVICE BOARD

### BOARD MEMBERS: CONDUCT COMPLAINTS

<b>APPROVED</b>	<b>December 11, 2003</b>	<b>Minute No: P344/03</b>
<b>DATE(S) AMENDED</b>	<b>November 15, 2010</b>	<b>Minute No: P292/10</b>
<b>REPORTING REQUIREMENT</b>		
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 106 and 108</i> <i>Code of Conduct for Police Service Board Members, O. Reg. 408/23.</i>	

#### ***Background***

The *Community Safety and Policing Act, 2019 (Act)*, and O. Reg. 408/23, *Code of Conduct for Police Service Board Members*, requires Board Members to comply with a code of conduct. This regulation sets out the code of conduct for police service board members which is intended to strengthen civilian governance by clarifying the behaviors that are expected and prohibited of individual board members.

Pursuant to the *Act*, complaints about board member conduct are made to the Inspector General of Policing for Ontario. The Inspector General is an independent office responsible for ensuring compliance with the *Act* and its regulations.

#### ***Policy of the Board***

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

1. In accordance with section 106 of the *Act*, any person who believes that a Board Member has committed misconduct may make a complaint to the Inspector General of Policing.
2. In accordance with section 108 of the *Act*, if a person who may make a complaint to the Inspector General under section 106 of the *Act* instead makes a complaint to the Board or another Board Member, the Board or Board Member (or Board Staff, on behalf of the Board or Board Member) will forward the complaint to the

Inspector General, inform the person who made the complaint that the complaint has been forwarded, and provide the person with information about the role of the Inspector General.





**BOARD MEMBERS: TRAINING**

<b>DATE APPROVED</b>	May 1, 2000	Minute No: P156/00
<b>DATE(S) AMENDED</b>	February 22, 2001 November 15, 2010 October 19, 2023	Minute No: P44/01 Minute No: P292/10 Minute No: P2023-1019-3.0.
<b>REPORTING REQUIREMENT</b>	Annual report to Chair detailing all training completed by Board Members	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 35(2)-(5)</i> <i>Code of Conduct for Police Board Members, O. Reg. 408/23.</i>	

***Policy of the Board***

It is the policy of the Toronto Police Service Board that:

1. Every Board Member must complete the training prescribed by the *Community Safety and Policing Act, 2019 (Act)* within the prescribed timelines.
2. No Board Member may perform their duties as Board Members if they have not provided evidence to the Executive Director that they have completed the training prescribed by the *Act* within the prescribed timelines.
3. Each new Board Member will participate in a mandatory training session, which will, at a minimum, consist of:
  - Mandate of the Board
  - Policy Making Role
  - Code of Conduct
  - Role of Board Office
  - Board Meeting Procedures
  - Labour Relations
  - Overview of the Toronto Police Service, which includes discussion about internal and external stakeholders, including the Toronto Police Association and the Toronto Senior Officers' Organization
  - All other training mandated under the *Act* and by the Ministry of the Solicitor General.

4. Every new Board Member must complete the training in accordance with section 3 within two months of the Member being appointed to the Board.
5. If a Board Member does not successfully complete the mandatory training session in accordance with section 3 within two months of the Member being appointed to the Board, the Executive Director will detail this in a report to the Board, and the Board will determine what limitations, if any, may be imposed on the Board Member as a result.
6. In addition to the mandatory training session, the Executive Director will develop, in consultation with the Chair, an annual training program to ensure Board Members are informed of matters of interest and relevance to the Board.
7. Board Members will make every effort to participate in the annual training program sessions.
8. The Executive Director will inform Board Members of ongoing, additional training opportunities, including, but not limited to, conferences and training sessions offered by the Ontario Association of Police Service Board (OAPSB) and the Canadian Association of Police Governors (CAPG).
9. Board Members are encouraged to take advantage of such opportunities where possible.
10. The Executive Director will track the participation of Board Members in the mandatory training, as well as any additional training opportunities, and report training participation annually to the Chair.



## TORONTO POLICE SERVICE BOARD

### RECRUITMENT, APPOINTMENTS AND PROMOTIONS

<b>DATE APPROVED</b>	September 27, 2021	Minute No.: P2021-0927-3.0.
<b>DATE(S) AMENDED</b>	March 2, 2023	Minute No.: P2023-0302-2.0.
<b>REPORTING REQUIREMENT</b>	Chief to report to Board quarterly, annually, and as required, as described;	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 37(1)(b) and (c).</i>	

#### Guiding Principles

The Toronto Police Services Board (Board) is the employer of all Members of the Toronto Police Service (Service), and in that capacity, is responsible for the recruitment, appointment and promotion of all Members, sworn and civilian. In addition, candidates for appointment as Police Officers must meet the conditions as prescribed in sections 83(1) and 85 of the *Community Safety and Policing Act*, and any other conditions as approved by the Board from time to time.

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

Recruitment and appointment of new Members, as well as promotions, must be made in the context of a long-term human resources strategy, identifying the educational attainment, skills and characteristics sought after in new Members and in individuals in leadership and supervisory positions, and ensuring that the Service's Members represent a diversity of backgrounds, experiences and perspectives at all levels, and reflect the priorities of the Board and the need to ensure proper succession of senior roles by qualified individuals, representing a diverse range of perspectives and backgrounds. At the same time, the Board is committed to building a more inclusive, accessible and barrier-free workplace that supports all Service Members in realizing their full potential.

The appointment and promotional processes used by the Service must also be transparent, accessible, efficient and procedurally fair for those that are involved in them. The processes for selection should ensure that bias and the appearance of bias do not manifest in the decision-making process. More than this, the appointments and promotions processes used by the Service must be designed so as to dislodge any systemic bias that may have potentially limited certain groups' opportunities to undertake job assignments traditionally valued as the most rewarded or challenging in policing.

## Purpose of the Policy

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

- Ensuring that Members embody the Service's values, and are ready and able to provide excellent and equitable policing services to all the people of Toronto, in partnership with the communities;
- Ensuring that Toronto's diversity is reflected both in new Members and throughout the ranks and levels of the Service, both in sworn and civilian Members;
- Maintaining appointments and promotions processes that recognize the existence of systemic barriers, are designed to address and minimize these barriers and facilitate opportunities to more equitably provide the most rewarded and challenging job assignments to those with the proven ability to undertake them;
- Ensuring excellence in the Service's leadership cadre, emphasizing proven leadership in decisions that advance the organization;
- Incorporating comprehensive organizational succession-planning into the promotional process and promotional decision-making;
- Transparently and fairly including and considering candidates' disciplinary history in promotional decision-making;
- Reporting regularly to the Board on appointments and promotion recommendations or decisions.

## Definitions

In this policy:

- **Appointment** means the initial appointment of a new hire into a position as a member of the Service;
- **Promotion** means the assignment of a member to a higher rank or job classification;
- **Classification** means a job classification as outlined in the Collective Agreements between the Board and the Toronto Police Association or the Toronto Police Service Senior Officers' Organization;

- **Reclassification** means the movement of a constable to a gradation within the rank of constable as defined in the Board's Rank Structure Policy, or the movement of a civilian member from one classification to another which is not a promotion.

## **Board's Policy**

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

### ***Recruitment and Appointments***

1. The Chief of Police will establish processes for the recruitment of new sworn and civilian Service Members, ensuring that the processes and approach:
  - a. Reflect the requirements for appointment as set out in the *Community Safety and Policing Act, 2019 (CSPA)* and any other applicable legislation;
  - b. Require that successful cadet-in-training candidates must have at least a secondary school diploma, and preference is given to candidates with at least one of the following:
    - i. a university degree;
    - ii. a degree from a college of applied arts and technology authorized to grant the degree;
    - iii. a degree from an Indigenous Institute that is approved under the *Indigenous Institutes Act, 2017* to grant the degree.
    - iv. a diploma or advanced diploma granted by a college of applied arts and technology following successful completion of a program that is the equivalent in class hours of a full-time program of at least four academic semesters; or
    - v. a certificate or other document by a post-secondary institution evidencing successful completion of a program that the regulations prescribe as being equivalent to a degree or diploma described in subclause (i), (ii), (iii) or (iv);
  - c. Give preference in the selection of successful cadet-in-training candidates to those with work or volunteer experience, and particularly those experiences that demonstrate alignment with Service Values and those that are rooted in community service
  - d. Are inclusive, comprehensive, and linked to communities across Toronto, including those whose members have not historically sought or successfully secured employment with the Service;
  - e. Acknowledge those communities and demographics that typically face systemic barriers to employment, including employment in a policing organization, and addressing these barriers while balancing the unique operational realities of the requirements made of Service Members;
  - f. Are grounded in a comprehensive strategic human resources approach that is data-driven, analytical and regularly evolving to meet the needs of the Service;
  - g. Ensure that any communication or advertisement of open positions will not contain unnecessary or discriminatory barriers that would screen out potential employees for reasons unrelated to qualifications, merit, or occupational requirements;
  - h. Are clearly communicated on the Service's website, through its social media channels, and through traditional media (where applicable); and,

- i. Are evaluated regularly to ensure that recruitments and appointments achieve the purposes outlined in this Policy and priorities as articulated by the Board from time to time and in its Business or Strategic Plan, including:
    - i. representing the diversity of the City and the continued progress being made in this regard;
    - ii. transparency of the process and its decisions, and the satisfaction of candidates with its procedural fairness;
    - iii. timeliness of the process and of the communication of decisions to candidates;
    - iv. supporting the goal to be an employer of choice; and,
    - v. providing the promotions process with a strong slate of potential candidates for promotion with diverse backgrounds, experiences and perspectives.
2. To be appointed by the Board as Service Members, in addition to meeting any minimum standards for appointment articulated in the applicable legislation, Cadets-in-training must also successfully complete the applicable training program conducted at the Ontario Police College and at the Toronto Police College.
3. The Board will, after taking into account the recommendations of the Chief of Police, determine whether to appoint sworn and civilian Members, recognizing the Board's role as employer, the significant legal authorities that accompany the role of a police officer, and the role civilian governance and oversight plays in promoting public confidence in policing.
4. The Board's responsibility to appoint new civilian members to the Service is delegated to the Chair and Vice Chair, except for appointments to the following classifications, which shall be approved by the Board:
  - a. Civilian Senior Officer classification of Z30 and above; and,
  - b. Excluded Member classification of X36 and above.
5. The Board authorizes the Chief of Police to appoint employees of the Board who are under the direction of the Chief as police cadets, to undergo training.

### ***Job Descriptions***

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

### ***The Promotional Process***

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

7. Stating that, to apply and be eligible for promotion, candidates must meet all the mandatory requirements of the process;
8. Outlining that the promotional process must be:
  - a. open, fair, consistent and transparent;
  - b. reflect the diversity and evolving needs and expectations of the communities served by the Service;
  - c. accommodating, so as to reflect unique individual circumstances;
  - d. based on the Service's core competencies and values; and,
  - e. grounded in a comprehensive and strategic human resources approach that includes succession planning in identifying current and future leaders;
9. Requiring enhanced transparency in any promotional process, including:
  - a. the advance posting and description of any promotional opportunities, so as to provide sufficient notice for those that may wish to apply and adequately prepare for the process;
  - b. publication of the specific criteria that will be applied to promotional decision-making;
  - c. a fulsome description of the elements of the promotional process, so as to provide candidates with sufficient information to adequately prepare for the process;
  - d. for civilian positions, clearly outlined career pathways for advancement and promotion; and,
  - e. the dissemination of information about the outcomes of any promotional process in terms of those who were successful, including aggregate and de-identified gender-identity and race-based statistics;
10. Where a change to the established promotional process is being contemplated, the Chief of Police will consult with the Chair, Vice Chair and Executive Director and Chief of Staff prior to the implementation of the change(s) in process.
11. For sworn promotions (in addition to sections 7 and 8, above):
  - a. Indicating that candidates for promotion must have at least two years with a clear discipline record from the date of any finding of serious misconduct made as a result of the professional discipline process prescribed by the *Community Safety and Policing Act*;
  - b. Requiring that a candidates' previous two-year disciplinary and complaint history, including complaints that were not substantiated but that, when taken as a whole, may suggest a pattern of behaviour that could impact on the candidate's suitability for promotion:
    - i. be considered as part of the promotional process; and,
    - ii. reported on to the Board *in camera* when making any promotional recommendation by the Chief of Police.
12. For sworn promotions and where appropriate for civilian promotions, placing emphasis in the promotional process on a candidate's particular skills and proven abilities in effectively and compassionately representing the Service's core competencies and

values when: assisting people in crisis, including those experiencing mental health and addictions issues; supporting and contributing to community safety and community relationships, in particular with members of Black and Indigenous communities and other racialized, marginalized and vulnerable communities; engaged in situations that require the application of de-escalation approaches and techniques.

### ***Approval of Promotions***

It is further the policy of the Board that:

13. The Board will, after taking into account the recommendations of the Chief of Police, determine whether to approve promotions or appointments of sworn Service Members to the rank of Inspector or above, of civilian Senior Officers to the classification of Z30 or above, and promotions to Excluded positions to the classification of X36 or above.
14. All promotions of sworn Service Members to ranks below Inspector, or of civilian Service Members to classifications other than Z30 and above, will be approved by the Chief of Police or their delegate, provided that the delegate is a Staff Superintendent or Director or of higher rank.
15. All promotions or appointments to Excluded positions below the classification of X36 will be approved by the Chair and Vice Chair.

### ***Reclassifications and Confirmation in Rank***

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

### ***Terminations***

18. All terminations of civilian senior officers below the classification of Z36 will be approved by the Chief of Police or their delegate, provided that the delegate is a Director or Staff Superintendent or of higher rank or classification. Terminations of civilian senior officers at the classification of Z36 will be approved by the Chief of Police only.
19. All terminations of probationary sworn members will be reviewed by the Board's Executive Director and Chief of Staff, and approved by the Appointments Committee.



20. The Board holds the sole authority for any termination of a Command Member.

### ***Reporting Requirements***

17. All terminations by the Chief or their delegate must be reported annually to the Board and should include the following:
  - a. justification for the termination
  - b. an outline of the steps that were taken to address the issues leading to termination; and
  - c. all equity and inclusion matters which may be related to the termination
18. The Chief of Police will report at the earliest Board Meeting possible to inform the Board of any barriers that impact the ability to comply with any of the requirements under section 1 of this Policy, and propose a mitigation plan to address these barriers, including expected timelines.

Further, it is the policy of the Board that:

19. The Chief of Police will Provide an annual report to the Board, including:
  - a. A description of the current promotional process(es);
  - b. New job descriptions for civilian Service Members;
  - c. De-identified demographic data, including the distribution of race, gender identity, and other demographic information, for candidates being considered for hire, for every stage of the hiring and appointment process;
  - d. Detailed and de-identified demographic information about applicants applying for, and who are successful in promotion, including race, gender-identity and other demographic information, and an analysis of trends at every stage of the promotional process, including analysis concerning whether it appears that there may be systemic or other barriers to promotion based on aggregated demographic information, and if so, what strategies the Service intends to employ in order to rectify any identified barriers in, or concerns that have arisen concerning the promotional process and/or disparate outcomes for identified groups;
  - e. De-identified demographic information concerning the distribution of race, gender identity, and other demographic information for all Members who have been terminated; and,
  - f. A summary and analysis of workplace well-being and/or human rights-related issues or concerns raised in Service exit interviews where a member has resigned, and the Service's response to these issues or concerns.



## TORONTO POLICE SERVICE BOARD

### STRATEGIC PLAN

<b>DATE APPROVED</b>		Minute No.:
<b>DATE(S) AMENDED</b>		
<b>REPORTING REQUIREMENT</b>	Information on the implementation of the strategic plan and the status of the included performance objectives to be included in the annual report.	
<b>LEGISLATION</b>	<i>Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, ss. 39 and 41(1a)</i>	

It is the Policy of the Toronto Police Service Board (Board) that:

1. The Board will, in accordance with the *Community Safety and Policing Act, 2019* and its associated regulations, prepare and adopt a strategic plan for the provision of policing in Toronto, which will address the following matters, at a minimum:
  - a. How the Board will ensure the provision of adequate and effective policing in accordance with the needs of Toronto's population;
  - b. The objectives, priorities, and core functions of the Toronto Police Service (Service);
  - c. Quantitative and qualitative performance objectives and indicators of outcomes relating to:
    - i. The provision of community-based crime prevention initiatives, community patrol, and criminal investigation services,
    - ii. Community satisfaction with the policing provided,
    - iii. Emergency calls for service,
    - iv. Violent crime and clearance rates for violent crime,
    - v. Property crime and clearance rates for property crime,
    - vi. Youth crime and clearance rates for youth crime,
    - vii. Police assistance to victims of crime and re-victimization rates,
    - viii. Interactions with persons described in Item 1d, below,
    - ix. Road safety, and
    - x. Any other prescribed matters or locally relevant topics;

- d. Interactions with:
    - i. Youths,
    - ii. Members of racialized groups,
    - iii. Members of First Nation, Inuit and Métis communities, and
    - iv. Persons who appear to have a mental illness or a neurodevelopmental disability;
  - e. Information technology;
  - f. Resource planning;
  - g. Police facilities; and
  - h. Any other prescribed matters or locally relevant topics.
2. In preparing or revising the strategic plan, the Board will consult with:
- a. The Chief of Police;
  - b. Toronto City Council;
  - c. Groups representing the diverse communities of Toronto;
  - d. School boards, community organizations, businesses and members of the public in Toronto;
    - i. Any other relevant stakeholders identified by the Board; and
    - ii. Any other persons, organizations or groups prescribed by the Ministry.
3. The strategic plan will provide an overview of the consultations that were conducted during the strategic plan preparation and/or revision process and state whether and, if applicable, how the needs and concerns regarding policing identified during the consultations have been addressed by the strategic plan.
4. In preparing or revising the strategic plan, the Board will consider, at a minimum:
- a. Results and key findings of the consultations that were conducted;
  - b. Any community safety and well-being plans adopted by the City of Toronto; and
  - c. The needs of members of Toronto's diverse communities, including the needs of members of racialized groups and of First Nation, Inuit and Métis communities.
5. The Board will review and, if appropriate, revise the strategic plan in accordance with the regulations, if any, at least once every four years.
6. The Board will publish the strategic plan in accordance with the regulations, if any, on the Toronto Police Service Board website.

## **Appendix D**

### **Process of the Filing of Complaints with regards to Special Constables Employed by the Service**

Any member of the public may make a complaint about a special constable in one of the following ways:

- **In person** at any Toronto Police Service station and speaking to a supervisor; or
- **By calling** any Toronto Police Service station and speaking to a supervisor



## PUBLIC REPORT

**April 4, 2024**

**To:** Chair and Members  
Toronto Police Service Board

**From:** Members Amber Morley, Lily Cheng and Nadine Spencer

**Subject: Request for Review of a Service Complaint Investigation  
– Professional Standards Case Number PRS-081443**

**Purpose:**  Information Purposes Only  Seeking Decision

### Recommendation(s):

The Committee recommends that, in response to the Request for Review of Service Complaint Investigation No. PRS-081443, the Board:

1. Concur with the Chief's decision that no further action by the Toronto Police Service is necessary regarding the complaint; and
2. Advise the complainant, the former Independent Police Review Director (O.I.P.R.D.) (now the Law Enforcement Complaints Agency), and the Chief of Police of the disposition of the complaint, in writing, with reasons.

In addition, while outside the scope of the Request for Review, the Committee also recommends that the Board:

3. Request that the Attorney General review the implementation of the report of the Independent Police Oversight Review, written by the Honourable Michael H. Tulloch, in particular, with regards to expanding the discretion of the Special Investigations Unit (S.I.U.) to conduct investigations that are in the public interest, and to take steps necessary to achieve the goals identified by Chief Justice Tulloch; and
4. Direct the Executive Director, in consultation with the Board's Anti-Racism Advisory Panel (ARAP) and the Chief of Police, to review the Board's Race and Ethnocultural Equity Policy, and other related

## Toronto Police Service Board

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Board Policies, and report to the Board with recommendations on possible revisions to the existing Policies and/or the need for a stand-alone Board Policy on Confronting Anti-Black and Anti-Indigenous Racism, including a requirement for the Chief to ensure reporting at the divisional level.

**Financial Implications:**

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

**Summary:**

On November 23, 2023, the Board received a request to review the Chief's decision on a complaint referred to the Service by the O.I.P.R.D. as a policy complaint. The Board established a committee which comprised three Board Members (the Committee) to review the complaint. This report summarizes the Committee's review, and provides the Board with recommendations on the disposition of the complaint, as well as additional recommendations that resulted from the review of materials in connection with this Request for Review.

With regards to the Request for Review, the Committee concurs with the findings of the Chief's investigation, and advises that no further action is required by the Service.

Outside the scope of the Request for Review, the Committee agrees with the complainant that an important recommendation made by the Independent Police Oversight Review has not been implemented, and recommends that the Board call on the Attorney General to consider the implementation of this recommendation. Finally, the Committee recommends a review of existing and potential Board Policies related to race and human rights.

**Discussion:**

***Background***

*The Request for Review*

On November 25, 2020, the O.I.P.R.D. received a public complaint involving the the Toronto Police Service (the Service). The O.I.P.R.D. separated the complaint into two parts: a complaint about the conduct of police officers, which was retained by the O.I.P.R.D., and a complaint about the policies of the Service, which the O.I.P.R.D. referred to the Service for investigation on January 22, 2021.

In the complaint, the complainant expressed concerns about the Service's policies and procedures. The specific paragraphs of the complaint that were referred to the Service for investigation are as follows:

The complainant, seeks that the O.I.P.R.D. recommend that an investigation and finding be made against 11 Division for not addressing systemic racism in their organization and for failing to implement recommendations that have been mandated since the Tulloch Report of 2017.

In addition to disciplinary processes and procedures, [the complainant] is also seeking broader systemic change to the T.P.S. policy and procedures, specifically with respect to the recommendation of the Tulloch report, as well as when the mobile crisis intervention team should and ought to be mobilized; especially in light of a family that has a pre-existing history of emergency calls for service.

On May 25, 2021, the Service. concluded the investigation into this matter, determining that “no further action” was required. On June 21, 2021, Counsel Jason Bogle, on behalf of the complainant, requested that the Board review that decision and the investigation. On June 28, 2021, the Board decided to pause the review process to await the conclusion of a judicial review of the O.I.P.R.D.-retained conduct investigation initiated by the complainant at Divisional Court.

In his deputation to the Board on November 23, 2023, Mr. Bogle advised that the complainant was satisfied with the work done by the Service on the MCIT program. The Committee has, therefore, treated this portion of the complaint as having been addressed and has not conducted any further review of that portion of the complaint.

#### *The Review Committee*

At its meeting of November 23, 2023, the Board considered a report from Chief Demkiw titled “Request for Review of a Service Complaint Investigation – Professional Standards Case Number PRS-081443.” At that time, the Board approved the following Motion:

**THAT The Board create a committee comprised of Deputy Mayor Morley, Councillor Cheng and Member Spencer to review Professional Standards Case Number PRS-081443, and make recommendations to the Board on how to proceed after the committee’s review is complete.**

#### *Relevant Board Policies and Compliance*

Section 63 of the *Police Services Act* (the legislation previously in force) directs the Chief of Police to review every complaint about the policies of or services provided by a municipal police force that is referred to him or her by the O.I.P.R.D.

A complainant may request that the Board review the complaint by serving a written request to that effect on the Board.

The Board may appoint a committee of not fewer than three Members of the Board to review a complaint, and to make recommendations to the Board after the review. The Board must then consider the recommendations and take any action, or no action, in response to the complaint as the Board considers appropriate.

### ***Committee's Review of the Complaint***

As part of its review, the Committee reviewed the following documents:

1. The Chief's Report titled "Request for Review of a Service Complaint Investigation – Professional Standards Case Number PRS-081443", including details of the complaint ("Chief's Report");
2. Toronto Police Service (T.P.S.) Report of Investigation – O.I.P.R.D. File: 210013252;
3. Deputation of Mr. Jason Bogle, Counsel for the Complainant, at the Board's meeting of November 23, 2023;
4. Report of the Independent Police Oversight Review by the Honourable Michael H. Tulloch (the Tulloch Report);
5. The Service's Equity Strategy;
6. The recommendations contained in the report by Chair Jim Hart, titled "Police Reform in Toronto: Systemic Racism, Alternative Community Safety and Crisis Response Models and Building New Confidence in Public Safety" approved by the Board at its August 18, 2020 (the 81 Recommendations), and the report's implementation dashboard; and
7. The Board's Race and Ethnocultural Equity Policy.

In addition, the Committee met with staff from the Professional Standards Unit and the Office of the Toronto Police Service Board to receive further information and clarification with regards to these documents.

Because the complainant advised that they were satisfied with the work done by the Service in relation to MCIT, the Committee did not conduct any further review of that portion of the complaint. The Committee focused on the complaint that the Service has not addressed systemic racism, and had failed to implement recommendations from the Tulloch Report.

The scope of the review excludes a review of the incident, and the discussion should not be taken to imply that the Committee finds fault in, or has any comment on the actions of any of the officers involved.

### ***Recommendations of the Committee in Response to the Request for Review***

Over the past several years, and, in particular, since the Board's approval of the 81 Recommendations, the Service has been engaged in a significant process of confronting and addressing systemic racism, guided by recommendations from several recent reports, reviews and inquiries, including, among others, the 81 Recommendations, the Report of the Independent Civilian Review into Missing Person Investigations, and the recommendations generated by the Ontario Human Rights



Commission's inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service.

The process followed, and steps taken by the Service in relation to each of these are outlined in detail in the Chief's Report. Most recently, the Service launched its Equity Strategy, which specifically addresses anti-Black racism and Indigenous cultural safety as two of four identified priorities.

In light of this ongoing work and the Service's commitment to continue this process and transparently ensure it is effective and impactful, the Committee recommends that no additional actions are required by the Service in responding to this complaint.

### ***Additional Recommendations outside the Scope of the Request for Review***

In examining documents related to the Request for Review, the Committee also considered the potential for additional recommendations that fall outside the scope of the Review. These recommendations address potential areas for Board policy review and development, as well as changes that can only be addressed by the Provincial Government.

#### *Implementation of the Tulloch Report*

The Committee noted that both the complaint and Mr. Bogle's deputation referred to the incomplete implementation of the Tulloch Report. Specifically, recommendation 5.3 of the Tulloch Report suggests that:

The SIU should have the discretion to conduct an investigation into any criminal matter when such an investigation is in the public interest. When deciding whether an investigation is in the public interest, the SIU should consider the following:

- a. If there is a request to investigate from a chief of police, a police services board, the Attorney General, or the Minister of Community Safety and Correctional Services;
- b. If the conduct in question involves allegations of criminal fraud, breach of trust, corruption, obstruction of justice, perjury, or another serious criminal offence; or
- c. If the matter is potentially aggravated by systemic racism or by discrimination.

It is the Committee's understanding that this recommendation was not implemented.

However, it is not within the purview of the Board to implement this, or indeed any, of the Tulloch Report's recommendations, as they were directed to the Province of Ontario, the O.I.P.R.D. and the S.I.U. We also note that there may be other considerations with regard to these recommendations to which the Committee is not privy, which may explain the Province's decision not to implement all of the recommendations in full.

Nevertheless, the Committee believes that the full implementation of this recommendation could have a significant positive effect on police accountability and public trust in the police. The Committee, therefore, recommends that the Board ask the Attorney General to review the implementation of this recommendation, and consider taking any necessary steps to implement the recommendation identified by Chief Justice Tulloch.

### *Board Policies*

The Committee also considered additional areas for policy review and development by the Board.

The Committee understands that the Board's existing policy on Race and Ethnocultural Equity and related policies, do not specifically address anti-Black and anti-Indigenous racism. We note that recommendation 51 of the 81 Recommendations directs the Executive Director to "review and consolidate the Board's Policies on human rights, and develop a revised comprehensive Human Rights Policy that will also include direction on racial profiling, for consideration by the Board." The Committee recognizes that this review is ongoing.

The Committee was advised by the Executive Director that a draft of a proposed Equity Policy will soon be made available to the A.R.A.P. The Committee recognizes the value of a single, comprehensive policy on human rights that incorporates, among others, the Board's Race and Ethnocultural Equity Policy.

However, the Committee also sees potential value for a stand-alone policy on confronting anti-Black and anti-Indigenous racism. The Committee, therefore, recommends that the Board direct the Executive Director to review existing equity and human rights policies, and those under development, with an eye to incorporating specific provisions to address anti-Black and anti-Indigenous racism, and to consider the creation of a stand-alone policy on those matters. The Committee recommends the review be carried out in consultation with A.R.A.P. and the Chief of Police. The review should also consider incorporating a requirement that the Chief ensure reporting at the divisional level.

### *Acknowledging the Pain of the Requestor and his Family*

The Committee believes it is important to acknowledge the pain that the requestor and their family have experienced, and to express our condolences for their loss. We applaud the family for their bravery, their advocacy, and their commitment to reducing future harm.

### **Conclusion:**

The Committee has reviewed the Chief's disposition of complaint, and recommends that the Board concur with the Chief's decision that no further action be taken with regards to this complaint.

While outside the scope of this Request for Review, the Committee further recommends that the Board review the existing Board equity and human rights-related policies, as

well as those policies under development, with a view to incorporating provisions, or creating stand-alone policy, addressing anti-Black and anti-Indigenous racism. In addition, the Committee recommends that the Board request the Attorney General to consider implementing the outstanding recommendations from the Tulloch Report.

Finally, the Committee reiterates its condolences to the requestor and his family for their loss.

Respectfully submitted,

Deputy Mayor  
Amber Morley

Councillor  
Lily Cheng

Member  
Nadine Spencer



## PUBLIC REPORT

**April 19, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Myron Demkiw  
Chief of Police

**Subject: Senior Officer Uniform Promotions**

**Purpose:**  Information Purposes Only  Seeking Decision

### Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) approve the eligibility list of five Staff Superintendents as set out under Appendix 'A' whom will be appointed effective May 7, 2024.

### Financial Implications:

The Staff Superintendent positions cited in this report are approved positions within the Toronto Police Service's (Service) uniform establishment. Funds for filling these vacant positions are included in the Service's approved 2024 operating budget.

### **Summary:**

The purpose of this report is to recommend the promotion of five Officers to the rank of Staff Superintendent as listed in Appendix 'A' effective May 7, 2024.

**Toronto Police Service Board**

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## **Discussion:**

### ***Background***

As part of the ongoing commitment to review the Service's human resource and people management practices to increase trust, transparency and professionalism, the Staff Superintendent process contained new elements. The promotional process steps are outlined below with an asterisk (\*) next to steps that are newly introduced in 2024.

- Expression of interest through the submission of a professional resume and cover letter;
- \*Commitment to completing socio demographic information;
- \*Participation in a leadership assessment conducted by a third-party corporate psychological organization;
- \*Requirement to have completed the Intercultural Development Inventory Assessment within the last four years;
- Participation in a Command-level interview;
- \*Inclusion of a community leader in the Command-level interview; and
- Updated background check by the Professional Standards Unit.

Eleven candidates submitted a resume outlining their qualifications. The qualifications included Service and community relationships, leadership, strategic thinking, planning, operations and administration. Candidates were also asked to demonstrate an exemplary commitment to the Core Values, goals and objectives of the Service, particularly in relation to improving trust in and within the Service, accelerating police reform and professionalization, and supporting safer communities.

Two candidates withdrew from the process for personal reasons. The remaining nine candidates met the qualifications, participated in the assessment(s), and were invited for an interview scheduled in April 2024. The interview panel comprised of Chief Myron Demkiw, Deputy Chief Robert Johnson, Deputy Chief Lauren Pogue, Chief Administrative Officer Svina Dhaliwal, Chief Information Officer Colin Stairs and community leader Pauline Larsen.

The Command team considered each candidate's career history, interview, input from Ms. Larsen, as well as a summary of each candidate's leadership assessment.

Following the completion of this process, five candidates were identified and placed on a Staff Superintendent eligibility List.

**Conclusion:**

The Board is therefore being requested to approve the eligibility list of five Staff Superintendents as set out under Appendix 'A'; five of whom will be promoted effective May 7, 2024. Appendix 'B' contains a brief biography for each of the candidates on the promotional list and Appendix 'C' contains a brief biography of the community leader that was selected to participate in the interview.

Chief Administrative Officer Svina Dhaliwal, will be in attendance to respond to any questions that the Board may have in regards to this report.

Respectfully submitted,

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

**Attachments:**

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Appendix A:	Promotions to the Rank of Staff Superintendent
Appendix B:	Brief Biography of Each of the Candidates
Appendix C:	Brief Biography of the Community Leader

**Appendix A**

<b>Promotions to the Rank of Staff Superintendent</b>		
<b>Name</b>	<b>Badge</b>	<b>Date of Board Appointment</b>
BARREDO, Francisco	4101	May 7, 2024
DAWSON, Shannon	5061	May 7, 2024
MATTHEWS, Joseph	1199	May 7, 2024
NICOL, Brett	99444	May 7, 2024
SKINNER, Kelly	5268	May 7, 2024

**Appendix B**

**RECOMMENDATION**

**Promotion to Staff Superintendent**

**Police Service Board Meeting – April 30, 2024**

**Name, Rank and Badge No.:** Francisco BARREDO, Superintendent #4101

**Unit:** Project Resolute/Toronto Police College

**Date Promoted to current rank:** April 2, 2019

**Length of Service:** 37 years, 10 months

**Career History:**

<b>Unit</b>
Project Resolute
Toronto Police College
Court Services
Professional Standards
43 Division
Emergency Management
Public Safety Response
Records Management
Communications
Emergency Task Force
53 Division
Public Order
Special Investigation Services

**Management and Supervisory Training:**

<b>Course</b>
Enhancing the Delivery of Effective and Bias Free Policing – Senior Officer
Incident Command 200
Incident Command 100
Equity & Inclusion Presentation
Incident Management System 300
CACC 100 – Ryerson University
Road to Mental Readiness
The Art of Leadership
Incident Management System 200
Incident Management System 100



<b>Course</b>
Advanced Leadership
Leadership of Organizational Change – University of Guelph

**Post Secondary Certificates & Degrees:**

<b>Certificate / Degree</b>
Diversity, Equity and Inclusion Certificate – Cornell University

**Awards:**

<b>Award</b>	<b>Date</b>
Unit Commander Award	2024
30 Year Police Exemplary Service	2017
Unit Commander Commendation	2014
25 Year Service Watch Presentation	2011
Unit Commander Award	2008
Teamwork Commendation Award	2007
Unit Commander Commendation	2007
Police Exemplary Service Medal	2006
PC Training Top 25%	1988

**RECOMMENDATION**

**Promotion to Staff Superintendent**

**Police Service Board Meeting – April 30, 2024**

**Name, Rank and Badge No.:** Shannon DAWSON, A/Staff Superintendent #5061

**Unit:** East Field Command

**Date Promoted to current rank:** August 2, 2022

**Length of Service:** 28 Years, 4 Months

**Career History:**

<b>Unit</b>
East Field Command
Field Services
32 Division
Intelligence Services
Homicide
41 Division
Drug Squad
51 Division

**Management and Supervisory Training:**

<b>Course</b>
Advanced Leadership Development – Schulich School of Business, York University
Enhancing the Delivery of Effective and Bias Free Policing – Senior Officer
Sexual Harassment Supervisor
Equity & Inclusion Presentation
Race Based Data Collection
Advanced Leadership
Road to Mental Readiness (R2MR)
Collection of Identifying Information in Certain Circumstances (CIICC )
Human Resources Management – University of Guelph
Trends in Gender Issues – University of Guelph
Ethics and the Justice System – University of Guelph
Public Policy Challenges – University of Guelph
Advanced Issues: Community Policing – University of Guelph
Police and Society – University of Guelph
Quantitative Methods – University of Guelph

<b>Course</b>
Research Methods – University of Guelph
Canadian Social Problems – University of Guelph
Criminological Theory II – University of Guelph
Organizational Behaviour – University of Guelph
PSU Advanced IMS Frontline Supervisor Training
Supervisory Leadership – Humber College
Psychology of Human Behaviour – Ryerson
Command Post Operator

**Post Secondary Certificates & Degrees:**

<b>Certificate / Degree</b>
Bachelor of Arts - Sociology – University of Guelph
Police Foundations Leadership – Humber College

**Awards:**

<b>Award</b>	<b>Date</b>
25 Year Long Service	2021
Police Exemplary Service Medal	2016
Teamwork Commendation Award	2016
Unit Commander Award	2012
Unit Commander Award	2010
Unit Commander Award	2008
Unit Commander Award	2005
Teamwork Commendation Award	2005
Unit Commander Award	2005
Unit Commander Award	2005
Teamwork Commendation Award	2004
Unit Commander Award	2004
Unit Commander Award	2004
Service Award Commendation	2000
Teamwork Commendation Award	2000
Teamwork Commendation Award	1999

**RECOMMENDATION**

**Promotion to Staff Superintendent**

**Police Service Board Meeting – April 30, 2024**

**Name, Rank and Badge No.:** Joseph Matthews, A/Staff Superintendent #1199

**Unit:** Strategy Management

**Date Promoted to current rank:** August 2, 2022

**Length of Service:** 32 Years, 6 Months

**Career History:**

<b>Unit</b>
Strategy Management
Missing Persons Implementation Team
Guns & Gangs
Intelligence
12 Division
Sex Crimes
Professional Standards
Risk Management – Duty Desk
55 Division
Hold Up Squad
Drug Squad
Central Field Command
13 Division

**Management and Supervisory Training:**

<b>Course</b>
Incident Command 200
Enhancing the Delivery of Effective and Bias Free Policing – Senior Officer
Sexual Harassment – Supervisor
Equity & Inclusion Presentation
Race Based Data Collection
Incident Management 300
Leadership Training
Command Institute for Law Enforcement – FBI LEEDA
Road to Mental Readiness (R2MR)

<b>Course</b>
Collection of Identifying Information in Certain Circumstances (CIICC )
TPS Pan Am Games – Venue Commander
Incident Management 200
Incident Management 100
Front Line Supervisor Course

**Post Secondary Certificates & Degrees:**

<b>Certificate / Degree</b>	<b>Date</b>

**Awards:**

<b>Award</b>	<b>Date</b>
30 Year Police Exemplary Service Medal	2022
Unit Commander Award	2020
Unit Commander Award	2017
Police Officer of the Month	2017
25 Year Service Award	2016
Service Award Commendation	2016
Unit Commander Award	2016
Police Exemplary Service Medal	2011
Unit Commander Award	2010

**RECOMMENDATION**

**Promotion to Staff Superintendent**

**Police Service Board Meeting – April 30, 2024**

**Name, Rank and Badge No.: Brett NICOL, A/Staff Superintendent, #99444**

**Unit: West Field Command**

**Date Promoted to current rank: August 2, 2022**

**Length of Service: 30 Years**

**Career History:**

<b>Unit</b>
West Field Command
52 Division
33 Division
Professional Standards
Organized Crime Enforcement
Homicide
Hold Up Squad
53 Division
32 Division
Gun & Gang Task Force
Organized Crime
Training & Education

**Management and Supervisory Training:**

<b>Course</b>
Equity & Inclusion Presentation
Public Order Commander
Public Order & Crowd Management
Ontario Public Order Advisory
Race Based Data Collection
Managing Service Excellence – Ontario Police College
Workplace Investigations – Bernardi Human Resource Law
Legal Guide to Sexual Misconduct – Osgoode Hall Law School
Leadership Training
Police Psychology – Wilfrid Laurier University

<b>Course</b>
Models in Policing – Wilfrid Laurier University
Intercultural Communications in Policing
Change Management Certification
Leadership & Career Development in Law Enforcement – Wilfrid Laurier University
Leading People to Effectiveness – University of Waterloo
Road to Mental Readiness (R2MR)
Collection of Identifying Information in Certain Circumstances (CIICC )
Incident Management 200
Incident Management 100
Front Line Supervisor Course – Ontario Police College
Major Incident Rapid Response Team (MIRRT) Course

### **Post Secondary Certificates & Degrees:**

<b>Certificate / Degree</b>
Police Leadership Management Certificate - Dalhousie University
Law Enforcement Diploma - Seneca College

### **Awards:**

<b>Award</b>	<b>Date</b>
25 Year Service Watch Presentation	2020
Teamwork Commendation Award	2020
Unit Commander Award	2020
Teamwork Commendation Award	2018
Unit Commander Award	2018
Police Exemplary Service Medal	2017
Teamwork Commendation Award	2017
Unit Commander Award	2016
Teamwork Commendation Award	2015
Teamwork Commendation Award	2015
Unit Commander Award	2015
Unit Commander Award	2014
Unit Commander Award	2010
Teamwork Commendation Award	2009
Teamwork Commendation Award	2006
Unit Commander Award	2006
Service Award Commendation	2006
Teamwork Commendation Award	2004
Police Officer of the Year	2001
Service Award Commendation	2000
Police Officer of the Month	2000
Service Pay Award	1999
PC Training – Top 25%	1997

**RECOMMENDATION**

**Promotion to Staff Superintendent**

**Police Service Board Meeting – April 30, 2024**

**Name, Rank and Badge No: Kelly SKINNER, A/Staff Superintendent #5268**

**Unit: Field Services**

**Date Promoted to Current Rank: August 2, 2022**

**Length of Service: 25 years, 8 months**

**Career History:**

<b>Unit</b>
Field Services
11 Division
22 Division
23 Division
Toronto Police Operations Centre
Specialized Operations Command
Detective Operations
Intelligence Services
31 Division
Organized Crime Enforcement
Homicide Squad (Temp)
Intelligence Services
31 Division Major Crime Unit
31 Division CIB
31 Division CRU
31 Division ARU
31 Division PRU

**Management and Supervisory Training:**

<b>Course</b>
Incident Management System 200
Incident Command 100
Advanced Leadership Development
Advanced Leadership Course



<b>Course</b>
Supervisor Leadership Part 2
Supervisor Leadership Part 1

**Post Secondary Certificates & Degrees:**

<b>Certificate/Degree</b>	<b>Date</b>
Police Leadership Program – University of Toronto – Rotman School of Management	2021
Advanced Leadership Development – York University – Schulich School of Business	2021
Teaching Adult Learners Online	2018
Bachelor of Applied Arts Justice Studies	2013
Law & Security Administration Diploma	1998

**Awards:**

<b>Award</b>	<b>Date</b>
20 Year Long Service	2019
Unit Commander Award	2014
Unit Commander Award	2012
Teamwork Commendation Award	2010
Unit Commander Award	2007
Unit Commander Award	2005
PC Training Top 25%	1999
Several Letters Of Commendation, Community Appreciation & Achievement	

## **Appendix C**

### **Pauline Larsen Executive Director and Chief Operating Officer Downtown Yonge BIA**

Building on a background in economic analysis and journalism, along with a passion for building communities and neighbourhoods, Pauline has spent the past 25 years working in the field of urban economics, based first in Johannesburg, South Africa, and then in Toronto, Canada.

She has extensive experience as an urban economist, in both the private and public sectors, and takes a particular interest in cycles of urban revitalization and urban blight, as well as the cycle of decentralization seen in many global cities. She holds both a BSocSc (Hons) degree in Economics from the University of Kwazulu-Natal and an MA (cum laude) in Geography from the University of Pretoria.

In Toronto, she has focused her practice on the intersection of safety, inclusion and economic development. She aims to build effective partnerships to address those needs in the Downtown Yonge community of Toronto, with multiple award-winning programs that collaborate between a diverse range of different stakeholders: from neighbourhood police officers; to Elders and peer workers in the Indigenous community; to rapid-response crisis intervention teams for street-front businesses; and piloting partnered outreach in large, private commercial properties.

Her commitment to community safety and wellbeing was expanded when Downtown Yonge joined forces with SafeTO, the City of Toronto's community safety and well-being plan, through several joint projects in 2023.

In 2023, she was awarded an Award of Excellence in Community Safety, Wellness & Crime Prevention by the Ontario Association of Chiefs of Police, as well as a Community Member Award from the Toronto Police Service.

She was appointed Executive Director & Chief Operating Officer of the Downtown Yonge BIA in November 2023.

Pauline has always spent time in the classroom, lecturing at the University of the Witwatersrand in Johannesburg, South Africa for five years as well as guest lecturing at the University of Pretoria. In 2017, she developed and taught the first university course in pop-up retail as a tool for economic and community revitalization at Toronto Metropolitan University's School of Retail Management and in 2022, she taught the capstone course for TMU's graduate certificate in Local Economic Development.

Her current volunteer activities include serving on the Board of Governors at Humber College.



## PUBLIC REPORT

**April 4, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Dubi Kanengisser  
Executive Director

**Subject: Request for Special Funds – Champions of Change  
2024 Awards Gala**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation(s):**

It is recommended that, as an exception to its Special Fund Policy, the Board approve funding in the amount of \$5,000.00 to sponsor the 2024 Champions of Change Awards Gala that is being organized by Canada Beyond the Blue.

**Financial Implications:**

If the Board approves the recommendation contained within this report, the Board's Special Fund will be reduced by \$5,000.00. The current approximate balance of the Special Fund is \$405,642.

**Summary:**

Canada Beyond the Blue's 3rd Annual Champions of Change Awards Gala acknowledges and celebrates police service Members and community partners who are championing the advancement of mental health and well-being initiatives within their respective police service. The purpose of this report is to recommend that the Board sponsor the Gala, both to support the work of Canada Beyond the Blue, and to demonstrate the Board's dedication to the mental health and well-being of Service Members.

## Toronto Police Service Board

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## **Discussion:**

### ***Canada Beyond the Blue***

Established in 2013, Canada Beyond the Blue (Canada BTB) and its chapters have been dedicated to strengthening and supporting families of law enforcement officers in Canada by providing education, awareness and emotional support to families of police officers.

In 2017, Canada BTB welcomed Toronto as a newly instituted chapter under the leadership of its President, Ms. Dilnaz Garda, and Vice-President, Ms. Kristal Jones – both strong and dedicated advocates of mental health and well-being for Toronto Police Service Members and their families.

### ***Board's Commitment to Mental Health***

As the employer of Service Members, the Board is committed to enhancing and promoting mental health and wellness in the workplace. Police officers and civilian Members are faced with the most difficult, intense and challenging situations on a daily basis, regularly experiencing and witnessing situations involving trauma and tragedy. This can often manifest in Post-Traumatic Stress Disorder, Operational Stress Injuries, as well as depression and anxiety - mental health conditions that have a tremendous, and sometimes tragic, impact on the lives of the Members they touch, as well as the lives of their loved ones.

### ***Champions of Change Gala***

Canada BTB is organizing the 3<sup>rd</sup> Annual Champions of Change Awards Gala taking place on September 5, 2024, to acknowledge and celebrate police service Members and community partners who are championing the advancement of mental health and well-being initiatives within their respective police service. This Gala is an extension of the Canada BTB Memorial which remembers officers who have died by suicide. It is imperative that we honour those lives, paying tribute to their contributions to our community safety and their role in our organizations. It is important that we learn from these tragedies, and make the necessary changes so we can, as best as possible, prevent another life from being lost.

The Gala will allow people to come together, to grieve, to remember, to honour, and to support and strengthen one another in dealing with such tragedy. Significantly, it will also increase awareness of a topic that must be discussed - openly and regularly - in every policing organization today.

The attendance of Board Members and staff at the Gala will not only support the efforts of Canada BTB, but will also send a strong message to Service Members of the importance the Board assigns to recognizing the tragic impacts of policing on Service Members, advancing mental health within the Service, and fighting stigmas around seeking support.

### *Awards of Excellence*

At this Gala, awards of excellence will be granted to recognize those who have demonstrated a commitment to championing mental health wellness, awareness and advocacy. The awards categories are as follows:

1. **Darius Garda Legacy Award** recognizes any uniform or civilian service Member or family member who is within the Blue Family who is sharing their story of struggle and perseverance.
2. **Leadership Award** recognizes police service Members who serve in a formal leadership role and are committed to making change within the organization. This may include uniform or civilian supervisors, senior officers, executive and command level officers, and civilian managers and directors.
3. **Agent of Change Award** recognizes police service uniform and civilian Members who actively strive to normalize the conversations around mental health and to remove the stigma in the workplace.
4. **Association Advocacy Award** recognizes Police Service Association Members who are working to provide their membership with advocacy, resources and supports, and who champion mental health.
5. **Community Partner Award** recognizes a community partner dedicated to helping the police service or their family members attain the help they need. This may include but not limited to partners such as clinicians, non-profit organizations, religious leaders, chaplains, and educators.

These awards recognize the importance of dealing with mental health proactively. It is critical that we not only continue to put into place the relevant programming and initiatives to effectively support workplace mental health, but also that we persist in encouraging the cultural shifts necessary to remove stigma and inspire dialogue.

Therefore, I am recommending that the Board provide sponsorship to the 3<sup>rd</sup> Annual Gala, which will go towards the purchase of a table, logo placement on campaign materials, and a half page in the gala program.

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

This report is in compliance with the Board's *Special Fund Policy*.

### ***Conclusion:***

Given the Board's ongoing commitment to providing support to the well-being of Members of the Toronto Police Service, and the Board's important relationship with Canada BTB's Toronto Chapter, I am recommending that, as an exception to its Special Fund Policy, the Board approve funding in the amount of \$5,000.00 to sponsor The Champions of Change Awards Gala.

Respectfully submitted,

Dubi Kanengisser  
Executive Director

*Contact*

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Sheri Chapman  
Executive Assistant to Chair  
Email: [Sheri.Chapman@tpsb.ca](mailto:Sheri.Chapman@tpsb.ca)



## PUBLIC REPORT

**April 15, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Dubi Kanengisser  
Executive Director

**Subject: Semi-Annual Report: Toronto Police Service Board  
Special Fund Unaudited Statement: July to December  
2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### Summary:

The Toronto Police Service Board (Board) remains committed to promoting transparency and accountability in the area of finance. As required by the Board's Special Fund Policy (Board Minute #P2022-0502-8.0), 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.

As at December 31, 2023, the balance of the Special Fund was \$460,062, representing a net increase of \$69,149 against the December 31, 2022 fund balance of \$390,913.

### Discussion:

Enclosed is the un-audited statement of receipts and disbursements with respect to the Board's Special Fund for the period July 01 to December 31, 2023.

As at December 31, 2023, the balance of the Special Fund was \$460,062. During the second half of the year, the Special Fund recorded receipts of \$257,302 and disbursements of \$106,284. There has been a net increase of \$151,018 against the June 30, 2023 fund balance of \$309,043.

Auction proceeds have been estimated for the month of December 2023, as the actual deposit have not yet been made.

**Toronto Police Service Board**

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

<b>Sponsorship</b>	<b>Total Amount</b>
Victim Services Toronto	\$25,000
Youth in Policing Initiative (Y.I.P.I.)	\$6,000
Canada Beyond the Blue	\$5,000
Association of Black Law Enforcers	\$5,000
Occupational Health and Safety Awareness	\$4,000
Volunteer Appreciation Event	\$2,915

The following unused funds were returned:

<b>Unused Funds</b>	<b>Total Amount</b>
Community Consultative Groups	\$8,666
Islamic Heritage Month	\$2,300
Canadian Jewish Heritage Month and Hanukkah Celebrations	\$1,445
National Victims Crime Awareness Month	\$1,000
Community Police Consultative Conference	\$595
Pride Month Celebrations	\$516
Asian Heritage Month	\$499
United Way Campaign	\$474
Day of Pink	\$285
Board & Chief's Pride Reception	\$210
Youth in Policing Initiative (Y.I.P.I.)	\$137
National Indigenous Peoples Day	\$80
Caribbean Carnival Kick-off Event & Float	\$31
Black History Month	\$6

In addition, the Board approved and disbursed the following:

<b>Disbursed Funds</b>	<b>Total Amount</b>
Recognition of Service Members	\$58,221
Toronto Police Amateur Athletic Association	\$32,000
Recognition of Community Members	\$3,602

***Supplementary information – Funding provided for internal initiatives in 2023***

A breakdown of the amounts expended in corresponding categories specified in the Special Fund Policy are provided below.

1. Corporate Awards and Recognition Programs



Expenditures related to the recognition of the work of Board Members, Toronto Police Service Members, Auxiliary Members, Volunteers and Community members for 2023.

<b>Disbursed Funds</b>	<b>Total Amount</b>
Recognition of Toronto Police Service Members	\$81,166
Recognition of Community Members	\$8,719
Recognition of Board Members	\$89

2. Ontario Association of Police Services Boards (O.A.P.S.B.) and Canadian Association of Police Governance (C.A.P.G.)

Contributions towards C.A.P.G. and O.A.P.S.B. Annual Conference to support networking, education and training in the police governance sector with other municipal police board or commission in their city. The total funding provided by the Board and incurred in 2023 was \$ 10,000.

3. Toronto Police Amateur Athletic Association

Funding to offset the expenses of members participating in Toronto Police Amateur Athletic Association (T.P.A.A.A.) sponsored events and competitions to a maximum of \$200 per member, per event. The total funding provided by the Board and incurred in 2023 was \$32,000.

**Conclusion:**

It is, therefore, recommended that the Board receive the report on the Toronto Police Service Board’s Special Fund unaudited statement for the period of July to December 2023.

**Recommendation(s):**

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It is recommended that the Board receive the report on the Toronto Police Service Board’s Special Fund un-audited statement for the period of July to December 2023.

**Financial Implications:**

---

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

Respectfully submitted,

Dubi Kanengisser  
Executive Director

\*copy with original signature on file at Board Office

*Attachment(s):*  

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*2023 2H Special Fund Results with Initial Projection*

**The Toronto Police Services Board Special Fund  
2023 Second Half Year Result with Initial Projections**

Particulars	Initial Projection 2023	January 01 to June 30, 2023	July 01 to December 31, 2023	January 01 to December 31, 2023	January 01 to December 31, 2022	Comments Relating to Current Reporting Period
<b>Balance Forward</b>	390,913	390,913	-	<b>390,913</b>	666,372	
<b>Revenue</b>						
Proceeds from Auctions	154,524	113,732	194,331	<b>308,063</b>	109,490	
Less Overhead Cost	(75,712)	(53,334)	(95,527)	<b>(149,460)</b>	(53,365)	
Unclaimed Money	113,360	10,174	149,852	<b>159,826</b>	113,360	
Less Return of Unclaimed Money	(21,539)	(4,024)	(4,125)	<b>(8,150)</b>	(21,539)	
Interest	22,373	3,955	12,648	<b>22,603</b>	3,555	
Less Bank Service Charges	-	-	-	-	(9,073)	
Others	1,363	190	323	<b>514</b>	1,363	
<b>Total Revenue</b>	<b>194,239</b>	<b>76,093</b>	<b>257,302</b>	<b>333,395</b>	<b>148,901</b>	
<b>Balance Forward Before Expenses</b>	<b>585,212</b>	<b>467,006</b>	<b>257,302</b>	<b>724,308</b>	<b>805,273</b>	
<b>Disbursements</b>						
<b>Police Community Sponsorships - Toronto Police Services</b>						
Community Partnerships and Engagement Unit Events	50,000	50,000	-	<b>50,000</b>	78,500	
Volunteer Appreciation Event	3,000	-	2,915	<b>2,915</b>	-	
Community Consultative Groups	29,000	29,000	-	<b>29,000</b>	30,000	
Youth in Policing Initiative (Y.I.P.I.)	6,000	-	6,000	<b>6,000</b>	-	
Canada Beyond the Blue Gala	5,000	-	5,000	<b>5,000</b>	-	
Occupational Health and Safety Awareness Day	4,000	-	4,000	<b>4,000</b>	4,000	
International Review of Best Practices	-	-	-	-	-	
<b>Police Community Sponsorships - Community</b>						
Midnight Community Services	25,000	25,000	-	<b>25,000</b>	-	
Victim Services Toronto	25,000	-	25,000	<b>25,000</b>	25,000	
Association of Black Law Enforcers	-	-	5,000	<b>5,000</b>	-	
Police Officer Excellence Awards	15,000	15,000	-	<b>15,000</b>	15,000	
<b>Funds Returned on Sponsorships</b>						
Asian Heritage Month	-	-	(499)	<b>(499)</b>	(1,389)	
Auxiliary Appreciation Event	-	-	-	-	(648)	
Black History Month	-	-	(6)	<b>(6)</b>	-	
Board & Chief's Pride Reception	-	-	(210)	<b>(210)</b>	(654)	
Community Consultative Groups	-	-	(8,666)	<b>(8,666)</b>	(9,525)	
Community Police Academy	-	-	-	-	(2,000)	
Community Police Consultative Conference	-	-	(595)	<b>(595)</b>	(510)	
Day of Pink	-	-	(285)	<b>(285)</b>	(1,287)	
Islamic Heritage Month	-	-	(2,300)	<b>(2,300)</b>	-	Complete Funding Returned
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)	<b>(1,000)</b>	(1,000)	Complete Funding Returned
National Indigenous Peoples Day	-	-	(80)	<b>(80)</b>	(99)	
Pride Month Celebrations	-	-	(516)	<b>(516)</b>	-	
Ontario Special Olympics - Law Enforcement Torch Run (LETR)	-	-	-	-	(1,107)	
United Way	-	-	(474)	<b>(474)</b>	(1,499)	
Volunteer Appreciation Event	-	-	-	-	(293)	
Youth in Policing Initiative (Y.I.P.I.)	-	-	(137)	<b>(137)</b>	(65)	

**The Toronto Police Services Board Special Fund  
2023 Second Half Year Result with Initial Projections**

Particulars	Initial Projection 2023	January 01 to June 30, 2023	July 01 to December 31, 2023	January 01 to December 31, 2023	January 01 to December 31, 2022	Comments Relating to Current Reporting Period
Toronto Police Amateur Athletic Association (T.P.A.A.A.) Assistance	10,000	-	32,000	32,000	17,400	
<b>Recognition of Service Members</b>						
Awards	110,000	22,220	23,809	46,029	109,281	
Catering	76,000	725	34,412	35,137	36,280	
<b>Recognition of Community Members</b>						
Awards	7,000	4,996	3,602	8,599	7,301	
Catering	1,500	120	-	120	507	
<b>Recognition of Board Members and Staff</b>						
Awards	1,000	-	-	-	-	
Catering	1,800	89	-	89	-	
<b>Conferences</b>						
Canadian Association of Police Governance	5,000	5,000	-	5,000	5,000	
Ontario Association of Police Services Board (O.A.P.S.B.)	5,000	5,000	-	5,000	5,000	
Donations/Flowers in Memoriam	800	200	-	200	423	
Toronto Police Services Board (T.P.S.B.) and Toronto Police Association (T.P.A.) Retirement Dinner	10,000	-	-	-	9,005	
Report on Specified Auditing Procedures - KPMG	11,702	-	11,702	11,702	11,194	
<b>Other Expenses</b>						
Funeral Cost	-	-	-	-	84,135	-
Bank Service Charges	9,784	613	(30,913)	(30,299)		
<b>Total Disbursements</b>	411,586	157,963	106,284	264,247	414,360	
<b>Special Fund Balance</b>	173,626	309,043	151,018	460,062	390,913	



## PUBLIC REPORT

**March 11, 2023**

**To:** Chair and Members  
Toronto Police Services Board

**From:** Dubi Kanengisser  
Executive Director

**Subject: Annual Report: Toronto Police Services Board's 2023 Consulting Expenditures**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Summary:**

This report provides details of the 2023 consulting expenditures for the Toronto Police Services Board. A total of \$37,081 was spent in 2023 on consulting services.

### **Discussion:**

#### ***Background:***

At its meeting on February 20, 2023, the Board approved a motion requiring the reporting of all consulting expenditures on an annual basis (Min. No. P45/03 refers).

This report provides the details of the 2023 consulting expenditures for the Toronto Police Services Board, in the City of Toronto's (the City) prescribed format and based on the definition of consulting services provided by the City. See attached, Appendix A.

The City's definition of consulting services is as follows:

- **any firm or individual providing expert advice/opinion on a nonrecurring basis to support/assist management decision making in the areas of technical, information technology, management/research and development (R&D), external lawyers and planners, and creative communications.**

## **Toronto Police Service Board**

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*Timing of the Report*

The information contained in this report has already been forwarded to the City, as the completion of the Service's year-end accounting process and the timing of the Board meetings did not allow this report to be forwarded to the Board in advance of the City's February 28, 2024 deadline.

**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.

**Conclusion:**

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

Respectfully submitted,

Dubi Kanengisser  
Executive Director

*Contact*

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Sheri Chapman  
Executive Assistant to Chair  
Email: [Sheri.Chapman@tpsb.ca](mailto:Sheri.Chapman@tpsb.ca)

*Attachments:*

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Appendix A: 2023 Consulting Services Expenditure – Operating

## Appendix A

2023 Consulting Services Expenditure - Operating Divisions, Agencies, and Corporations								
						For any abbreviations used, please provide the full name/what the abbreviation is.	Please ensure this matches last year's data	
Service Group / Agency / Corp.	Division / Agency / Corp.	Expense Category	Contract / PO / DPO Date (mm/dd/yyyy)	Contract / PO / DPO Number	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
<b>Drop down menu</b>	<b>Drop down menu</b>				<b>Note 1</b>	<b>Note 2</b>		<b>Note 3</b>
Agencies and Corporations	Toronto Police Services Board	Technical - CE 4078					0	0
		<b>Sub-total</b>					-	-
Agencies and Corporations	Toronto Police Services Board	Information Technology - CE 4079					0	0
		<b>Sub-total</b>					-	-
Agencies and Corporations	Toronto Police Services Board	Management / Research & Development - CE 4089	08/13/2020	47023353 9497928	J. Wallace Skelton	To provide in the development of Transgender inclusive policies, procedures, orders, forms and training. <b>COMPLETE</b>	0	9,152
Agencies and Corporations	Toronto Police Services Board	Management / Research & Development - CE 4089	07/11/2022	3617135	Cooper, Sandler, Shime & Bergman LLP	Stakeholder Consultations (BM# C2022-0622-12.0) <b>COMPLETE</b>	0	13,229
Agencies and Corporations	Toronto Police Services Board	Management / Research & Development - CE 4089	03/29/2023	3624593	Malcolm Berrnstein	Provided subject matter expertise to Board Staff on organization and leadership development and strategic planning	509	0
		<b>Sub-total</b>					509	22,381
Agencies and Corporations	Toronto Police Services Board	Legal (External Lawyers & Planners) - CE 4091	01/08/2023 06/01/2023	9464050 9550371	Hicks Morley Hamilton Stewart Storie LLP	Provide expert advice/legal opinion on general employment and labour relations issues	36,572	43,105
		<b>Sub-total</b>					36,572	43,105
Agencies and Corporations	Toronto Police Services Board	Creative Communications - CE 4093					0	0
		<b>Sub-total</b>					-	-
		<b>Total - Division / Agency / Corporation</b>					<b>37,081</b>	<b>65,486</b>



## PUBLIC REPORT

**March 22, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Annual Report: 2023 Toronto Police Service's Consulting Expenditures**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation:**

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

### **Financial Implications:**

The 2023 actual consulting expenditures totalled \$2.17Million (M) (\$2.04M for operating and \$0.13M for capital).

Funding for the expenditures detailed in this report were paid for out of the 2023 Toronto Police Service (Service) operating budget or capital budget. The expenditures referenced in this report are net of the harmonized sales tax (H.S.T.) rebate.

### **Summary:**

This report provides the information about 2023 expenditures for consulting services.

### **Discussion:**

The operating budget for consulting services is developed using zero-based budgeting. As such, 2023 expenditures for consulting services are mainly based on requirements identified during the 2023 budget process.

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The Service has taken steps to manage the use of consultants and only contract for these services when:

- The skills/expertise are not available in-house;
- There is not a permanent requirement for the expertise/skill set; or
- There is a need to obtain independent/third party advice on an issue or initiative.

The actual consulting expenditures funded from the 2023 operating budget totalled \$2.04M, net of Harmonized Sales Tax (H.S.T.) rebate. This represents a 90% increase in consulting expenditures from 2022 (\$1.07M). The majority of this increase comes from the 2023 Information Technology consultant expenditures, which were \$0.6M higher than the previous year as project work related to Community Policing and Engagement technology solutions and automation continued. The following table summarizes the nature of the expenditures with the 2023 details reflected in Attachment A.

<b>Nature of Expense / Initiative</b>	<b>2023 Amount</b>	<b>2022 Amount</b>
Technical	\$0	\$0
Information Technology	\$955,984	\$333,773
Management/Research and Development	\$727,344	\$469,463
Legal Services	\$222,291	\$129,658
Creative Communications	\$139,189	\$141,346
Total	\$2,044,808	\$1,074,240

The actual consulting expenditures funded from the 2023 capital budget totalled \$0.13M net of H.S.T. rebate. This amount represents technical and operational procurement advice required for the following projects, with additional details included in Attachment B:

- Facility assessment to determine state of infrastructure;
- Technical assessment for privacy and data security.

## **Background**

### *Relevant Board Policies and Compliance*

At its meeting of February 20, 2003 (Min. No. P45/03 refers), the Board requested that the Service report all consulting expenditures on an annual basis. In addition, at its meeting of March 23, 2006 (Min. No. P103/06 refers), the Board requested that future

annual reports be revised so that capital consulting expenditures are linked to the specific capital project for which the consulting services were required. City of Toronto (City) Finance also requires the annual reporting of consulting expenditures in their prescribed format, so that the City's Chief Financial Officer and Treasurer can provide a consolidated report to City Council. Information on why consultants were used has been incorporated into the report format, per the City's requirements.

This report provides details of the 2023 consulting expenditures for the Service's operating and capital budgets, in the City's prescribed format and based on the definition of consulting services provided by the City, defined as follows:

*“any firm or individual providing expert advice/opinion on a non-recurring basis to support/assist management decision-making in the areas of technical, information technology, management/research and development (R.&D.), external lawyers and planners, and creative communications.”*

The information contained in this report was forwarded to the City on March 11, 2024 as a requirement of the City's year-end accounting process.

**Conclusion:**

Consulting expenditures are funded from the Service's operating and capital budgets and are reported annually to the Board and the City. The Service ensures that consulting services are used only where necessary and beneficial.

Details of the 2023 consulting expenditures for the Service's operating and capital budgets are provided in Attachments A and B, respectively.

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: 2023 Consulting Services Expenditure – Operating  
Attachment B: 2023 Consulting Services Expenditure - Capital

2023 Consulting Services Expenditure - Operating  
Attachment A

Expense Category	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
			\$	\$
Technical			-	-
<b>Sub-total</b>			<b>-</b>	<b>-</b>

Information Technology	Slalom Consulting U.L.C.	To provide expertise to help guide Toronto Police Service (T.P.S.) in defining the future state of Reference Architecture and identify technology solutions required in support of Community Policing and Engagement unit eMemobook solution, call diversion and forms automation.	896,506	333,773
Information Technology	OnX Enterprise Solution Ltd.	To provide pre-sale advice on hardware, software, cloud, and services selection, determining cost-effective buying strategy for the TPS, and identifying I.T. / .IS. (Information Technology/Information Services) solution options to meet specific needs.	49,149	-
Information Technology	TEKsystems Canada Corp.	To conduct Customer Relationship Management (C.R.M.) software evaluation, selection and implementation services.	10,329	-
<b>Sub-total</b>			<b>955,984</b>	<b>333,773</b>

Management / Research & Development	Wellesley Institute	To provide advice on Equity, Inclusion and Human Rights projects such as the T.P.S.' race-based data strategy, the Service's equity strategy and a systemic review of T.P.S.' recruitment processes. <b>COMPLETE</b>	-	15,999
Management / Research & Development	Doctor Lorne Foster	To conduct an examination of T.P.S.' analysis and findings of race-based data, providing recommendations to improve the collection, analysis, interpretation and/or reporting of preliminary data and recommendations regarding methods and approaches towards the development of action plans. <b>COMPLETE</b>	-	32,224
Management / Research & Development	Mercer (Canada) Limited	To conduct a review of Survivor Income Benefits (S.I.B.), grievances, premium renewal/waiver of premium support with Green Shield Canada (G.S.C.) and Manulife.	83,748	151,201

Expense Category	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
			\$	\$
Management / Research & Development	Gallagher Benefit Services (Canada) Group Inc. (former name: Gallagher McDowall Associates)	To review and evaluate submissions for new and existing civilian positions and make recommendations. <b>COMPLETE</b>	-	75,572
Management / Research & Development	Deloitte L.L.P.	Review and assessment of policies, procedures, and programs in relation to harassment and discrimination, as well as wellness needs, with recommendations and roadmap to improvement. <b>COMPLETE</b>	-	20,352
Management / Research & Development	Pivotal Technologies Inc..	To review, advise, and report on the fairness of the Records Management Services (R.M.S.) Request For Pre-Qualification (R.F.P.Q.) Process, identify potential risks and mitigation strategies, and make recommendations in relation to the process that has been undertaken. <b>COMPLETE</b>	-	11,957
Management / Research & Development	PriceWaterhouseCoopers L.L.P.	To review and assess the inventory of alternative service delivery initiatives, and how it relates to resources and deployment. <b>COMPLETE</b>	-	54,442
Management / Research & Development	PriceWaterhouseCoopers L.L.P.	To provide advisory services on creating an integrated data ecosystem, including standards, policies and guidelines to support, and creation of an enablement kit/toolkit for data governance, data classification, data quality, data architecture, modelling and master data management.	282,907	-
Management / Research & Development	J Wallace Skelton Consulting	To serve as the expert advisor on the Gender Diverse Trans Inclusion project and provide a report that develops the evaluation approach for training and its impact on the community. The advice also included exploring the option of human rights-based data collection, relating in part to the M.M.I.T. Justice Epstein recommendations. <b>COMPLETE</b>	-	16,275

Expense Category	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
			\$	\$
Management / Research & Development	Mental Health Innovation	To conduct a program audit and gap analysis, against the national standards of practice for peer support. Services included a review and analysis of policies, procedures, accountability framework, scope of practice and program evaluation, and provision of a report focused on recommendations and next steps to inform the future of the TPS peer support and Critical Incident Response Team (C.I.R.T.) programs.	29,642	27,307
Management / Research & Development	Public Services Health & Safety Association	To produce detailed reports outlining a comprehensive assessment of the essential physical demands analysis and cognitive demands analysis for particular positions, to provide recommendations to help identify suitable alternate work or modified work/tasks.	23,659	42,739
Management / Research & Development	Public Services Health & Safety Association	To research, recommend and design a comprehensive, multi-stream work reintegration program that will serve to improve and standardize the available resources and processes by which TPS members are returned to work following extended absence leaves.	17,655	-
Management / Research & Development	Dr. Ashley David Bender	To review and assist with the development, evaluation and implementation of a procedure for the application and assessment of requests for the inclusion of names on the Memorial Wall.	8,904	7,556
Management / Research & Development	Bellmio, Peter	To review data and present a report on front-line patrol workload, service levels and formulate resourcing recommendations to meet the needs of the community. <b>COMPLETE</b>	-	13,839
Management / Research & Development	White & Gale Consulting	To assist the T.P.S. in modernization of job evaluation plans, and to provide recommendations on job titles and placement of roles.	19,904	-
Management / Research & Development	Facilitating Change	Help develop the evaluation framework for the Gender Diversity and Trans Inclusion Project.	8,243	-

Expense Category	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
			\$	\$
Management / Research & Development	Upsurgence Inc.	To consult on Confronting Anti-Black Racism priority of the TPS Equity Strategy.	8,955	-
Management / Research & Development	Humber College	To evaluate the Toronto Police Neighborhood Community Officer Program (N.C.O.P.) including applicable research, community consultation, neighborhood selection, infographics, analysis and reporting on NCOP findings and recommendations for improvement.	75,000	-
Management / Research & Development	Mokwatch LP.	To provide indigenous expertise on interpretation of findings of race and identity-based data analysis, and give recommendations on concrete action plan and strategic priority. Review the Service's community engagement approach and advise on the Service's equity strategy.	143,736	-
Management / Research & Development	Hulton Workplace Resolutions	To advise on and review the uniform promotion process and develop an evaluation framework with the objectives of creating a process that is fair, unbiased and transparent.	24,991	-
<b>Sub-total</b>			<b>727,344</b>	<b>469,463</b>

Legal (External Lawyers & Planners)	Henein, Hutchison L.L.P.	To provide consultation and legal advice on various issues surrounding Ontario Human Rights Commission (O.H.R.C.) inquiry.	35,770	94,133
Legal (External Lawyers & Planners)	Henein, Hutchison L.L.P.	To provide legal advice and consultation related to an investigation. <b>COMPLETE</b>	-	3,343
Legal (External Lawyers & Planners)	Henein, Hutchison L.L.P.	To provide consultation and legal advice regarding prosecution services.	54,598	32,182
Legal (External Lawyers & Planners)	Henein, Hutchison L.L.P.	Legal services provided regarding enforcement activities statistics.	12,397	-
Legal (External Lawyers & Planners)	Henein, Hutchison L.L.P.	Privileged Legal services	20,785	-
Legal (External Lawyers & Planners)	Ceyssens & Bauchman	Legal services/training session provided in relation to Tribunal cases.	2,035	-
Legal (External Lawyers & Planners)	Henein, Hutchison L.L.P.	To provide legal services and advice in relation to a prosecutions work.	6,993	-

Expense Category	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
			\$	\$
Legal (External Lawyers & Planners)	Lerners L.L.P.	To provide legal services in relation to a Charter of Rights application.	992	-
Legal (External Lawyers & Planners)	Lerners L.L.P.	To provide legal services and advice in relation to prosecutions services.	37,841	-
Legal (External Lawyers & Planners)	Macklin, Audrey	External consultant retained to provide an independant legal opinion in relation to recommendations from the "Missing and Missed" report.	50,880	-
<b>Sub-total</b>			<b>222,291</b>	<b>129,658</b>
Creative Communications	Navigator Limited	To provide strategic communication advice in relation to Policing Reform.	139,189	141,346
<b>Sub-total</b>			<b>139,189</b>	<b>141,346</b>
			<b>2,044,808</b>	<b>1,074,240</b>

2023 Consulting Services Expenditure - Capital  
Attachment B

Expense Category	Consultant Name	Description of Work	2023 Expenditure	2022 Expenditure
			\$	\$
Technical	Aecom Canada Ltd.	To conduct a feasibility study to relocate the current Communications Services unit to a new location or building.	-	22,270
Technical	J&B Engineering Inc.	Mechanical site assessment to determine state of infrastructure.	6,889	-
<b>Sub-total</b>			<b>6,889</b>	<b>22,270</b>
Information Technology	Gartner Canada Inc.	Provide analysis of the current infrastructure, network and storage Vendor of Record (V.O.R.) agreements. Document TPS infrastructure goals, vendor requirements and provide recommendations to support TPS in achieving desired objectives regarding infrastructure optimization. <b>COMPLETE</b>	-	228,960
Information Technology	OnX Enterprise Solution Ltd.	To conduct assessment on security systems, policies and processes under the Information Privacy & Security unit's purview and to develop report of areas for improvements for TPS security & identity management systems and request tracking system.	27,582	-
<b>Sub-total</b>			<b>27,582</b>	<b>228,960</b>
Management / Research & Development	Deloitte LL.P.	To conduct Privacy Impact Assessments (PIA) for Next Generation 9-1-1 (NG911) project to implement recommendations made by the Auditor General in 2011 and to keep up with privacy and data protection trends, improving TPS internal knowledge as part of the Privacy program.	96,163	-
<b>Sub-total</b>			<b>96,163</b>	<b>-</b>
Legal (External Lawyers & Planners)				
<b>Sub-total</b>			<b>-</b>	<b>-</b>
Creative Communications				
<b>Sub-total</b>			<b>-</b>	<b>-</b>
			<b>130,634</b>	<b>251,230</b>





## PUBLIC REPORT

**March 22, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Annual Report: Write-off of Uncollectible Accounts  
Receivable Balances January 1, 2023 to December 31,  
2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendation:**

This report recommends that the Toronto Police Services Board (Board) receive this report of the 2023 Write-off of Uncollectible Accounts in the amount of \$4,303.

### **Financial Implications:**

The write-off amount of \$4,303 reduces the allowance for uncollectible accounts to \$193,241. The adequacy of this amount is analysed annually as part of the year-end accounting process. In 2023, the write-off amount is specific to Employee Receivables in the amount of \$4,303.

The total write-offs for 2023 represent 0.09% of the year-end Accounts Receivable balance and 0.006% of revenues for the year, excluding grants. Industry standards suggest that write-offs of 0.30% of total revenues is considered low.

The last write off reported to the Board was in December 2020 for \$4,484.

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## **Summary:**

The purpose of this report is to provide the Board with information on the amounts written off during the period of January 1 to December 31, 2023.

## **Discussion:**

### ***Background***

At its meeting of May 29, 2019, the Board approved Financial Management and Control By-law (Min. No. P105/19 refers) Part V1, Section 16 – Authority for Write-offs, which delegates the authority to write-off uncollectible accounts of \$50,000 or less to the Chief of Police and requires that an annual report be provided to the Board on amounts written off.

### ***Discussion:***

External customers receiving goods and/or services from Toronto Police Service (Service) units are invoiced for the value of such goods or services. The Service's Accounting Services unit (Accounting) works closely with divisions, units and customers to ensure that some form of written authority is in place with the receiving party prior to work commencing and an invoice being sent. Accounting also ensures that accurate and complete invoices are sent to the proper location, on a timely basis.

### ***Amount written off in 2023:***

During the year, one account totalling \$4,303 was written off, in accordance with the By-law. The write-off relates to employee receivables.

### ***Employee Receivables (\$4,303):***

An amount receivable from a former employee was written off relating to 2017 vacation time taken by a former member that was not earned. If a member leaves the Service, Employee Services will work with the former member to develop a payment plan to collect any outstanding overpayments. When Employee Services is unsuccessful, the member is placed on the dunning notice cycle up to a 90-day notice period, in an attempt to collect the funds.

Should the account remain delinquent, the next step is Collections. The account was sent to a third party Collection agency in July 2018.

The Collections agency specializes in collecting activities on delinquent accounts. In this instance, the collections agency has been unable to locate the former member. Given collection efforts and the number of years this balance has been outstanding, there is no reasonable prospect of collection and therefore the amount is being written off as uncollectible.

To mitigate risks of future overpayments to members that may become uncollectible, the Employee Services Unit is working with Service units to refine processes and controls to prevent employee overpayments.

**Conclusion:**

In accordance with Part VI, Section 16 – Authority for Write-offs, of the Financial Management and Control By-law, this report provides information to the Board on the \$4,303 of accounts receivable written off by the Service for the period January 1 to December 31, 2023.

For all receivables, action within the Service's control has been taken to reduce the risk of amounts owing to the Service from becoming uncollectible and to more aggressively pursue amounts owing, in accordance with the Service's Accounts Receivable collection procedures.

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

**April 4, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Dubi Kanengisser  
Executive Director

**Subject: City Council Decision - New Business Item 15.1 - Budget Implementation Including Property Tax Rates, User Fees and Related Matters**

**Purpose:**     Information Purposes Only     Seeking Decision

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

This report recommends that:

1. The Board direct the Chief to work with the General Manager, Economic Development and Culture on opportunities to leverage up to \$10.0 million in funds available from the Major Special Events Reserve Fund (X.R.1218) to offset premium pay costs incurred relating to policing services during the City's special events;
2. The Board direct the Chief, in consultation with the Executive Director, to develop and report back to the Board with a multi-year staffing plan, inclusive of associated costs, with targets and estimates, under different probable scenarios, of:
  - a. Priority 1 response times;
  - b. Number of available frontline officers;
  - c. Number of Neighbourhood Officers; and
  - d. Gender diversity in recruitment;
3. The Board direct the Chief, in consultation with the Executive Director, to develop a framework for public reporting on targets and outcomes of the Toronto Police Service's (Service) efforts to

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reduce response times, increase the number of frontline officers, and enhance the diversity of the Service's Membership;

4. The Board direct the Executive Director, in consultation with the Chief and other stakeholders, to continue prioritizing the implementation of the Board's 81 Recommendations on Policing Reform and the 151 recommendation of the *Missing and Missed* report;
5. The Board direct the Executive Director to provide City Council with a list of the Service's applications to the 14 programs under the Province of Ontario Community Safety Project Grants, and the dollar amounts associated with them; and,
6. The Board forward a copy of this report to City Council via the Executive Committee.

**Financial Implications:**

---

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

**Discussion:**

***CC15.1 – Budget Implementation Including Property Tax Rates, User Fees and Related Matters***

City Council, at its meeting held on February 14, 2024, adopted item CC15.1 - Budget Implementation Including Property Tax Rates, User Fees and Related Matters. The Motion is available at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.CC15.1>

**Conclusion:**

It is, therefore, recommended that:

1. The Board direct the Chief to work with the General Manager, Economic Development and Culture on opportunities to leverage up to \$10.0 million in funds available from the Major Special Events Reserve Fund (X.R.1218) to offset premium pay costs incurred relating to policing services during the City's special events;
2. The Board direct the Chief, in consultation with the Executive Director, to develop and report back to the Board with a multi-year staffing plan, inclusive of

associated costs, with targets and estimates, under different probable scenarios, of:

- e. Priority 1 response times;
  - f. Number of available frontline officers;
  - g. Number of Neighbourhood Officers; and
  - h. Gender diversity in recruitment;
3. The Board direct the Chief, in consultation with the Executive Director, to develop a framework for public reporting on targets and outcomes of the Toronto Police Service's (Service) efforts to reduce response times, increase the number of frontline officers, enhance the diversity of the Service's Membership;
  4. The Board direct the Executive Director, in consultation with the Chief and other stakeholders, to continue prioritizing the implementation of the Board's 81 Recommendations on Policing Reform and the 151 recommendation of the *Missing and Missed* report;
  5. The Board direct the Executive Director to provide City Council with a list of the Service's applications to the 14 programs under the Province of Ontario Community Safety Project Grants, and the dollar amounts associated with them; and,
  6. The Board forward a copy of this report to City Council via the Executive Committee.

Respectfully submitted,

Dubi Kanengisser  
Executive Director



## PUBLIC REPORT

**March 22, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: 2023 Operating Budget Variance for the Toronto Police Service, Year Ending December 31, 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). The Service's total net expenditures were \$1,168.3M, resulting in a 2023 year-end unfavourable variance of \$1.8M.

For reporting purposes, the Toronto Police Service, Toronto Parking Enforcement and the Board budgets are collectively considered in the City's financial processes. Sufficient favourable variance exists in the Parking and Board budget to offset the unfavourable variance in the Service's operating budget.

Table 1 provides a breakdown of the 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 final year-end operating budget variance. The Service was dealing with a potential shortfall of \$7.8M

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earlier in the year due to unbudgeted pressures. Through various mitigation efforts, the Service was able to significantly reduce this pressure by the end of the year. Despite these mitigation efforts, when also taking into consideration the overall health of the Service's reserves, the total net expenditures were \$1,168.3M, resulting in a year-end unfavourable variance of \$1.8M.

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.

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

<b>Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
1- Salaries	\$869.3	\$870.0	(\$0.7)
2- Premium Pay	\$58.9	\$89.3	(\$30.4)
3- Benefits	\$261.4	\$257.0	\$4.4
4- Non Salary	\$100.0	\$93.3	\$6.7
5- Contributions to / (Draws from) Reserves	(\$3.6)	\$8.6	(\$12.2)
6- Revenue	(\$119.5)	(\$143.7)	\$24.2
7- Net Impact of Grants	\$0.0	(\$6.2)	\$6.2
<b>Total Net</b>	<b>\$1,166.5</b>	<b>\$1,168.3</b>	<b>(\$1.8)</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.

The Service's 2023 year-end deficit was \$1.8M.

### ***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.

#### ***1 - Salaries:***

As can be seen in Table 2 below, the total salary budget is \$869.3M with final spending of \$870.0M, resulting in an unfavourable variance of \$0.7M in this category.



**Table 2 - Salaries Expenditures**

<b>Expenditure Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Uniform Officers	\$641.0	\$651.0	(\$10.0)
Civilians	\$228.3	\$219.0	\$9.3
<b>Total Salaries</b>	<b>\$869.3</b>	<b>\$870.0</b>	<b>(\$0.7)</b>

Uniform Officers - Salary expenditures are primarily impacted by the number of new officers hired each year, 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. Final separations reached 192 (8 less than anticipated).
- The 2023 approved budget included 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, as well as anticipated service level demands, the Service updated its hiring assumptions and increased the August class to 147 cadets. The August class was deployed in early 2024. As at the end of December 2023, the Service's uniform strength was 5,107, compared to the targeted strength of 5,127.
- There was a greater than budgeted number of members on unpaid leaves (e.g. maternity and parental, secondment and long term disability).

The impact of the above variances resulted in a net favourable variance of \$4.5M.

Offsetting the above were the salaries associated with paid duties, which were \$14.5M more than budgeted, resulting in a net unfavourable variance of \$10.0M in the uniform salary category. It must be noted that the \$14.5M unfavourable variance in salaries associated with paid duties results in a net zero overall variance to the Service, as the Service receives a recovery for the costs incurred and this is reflected as a favourable variance in the revenue section of this report.

Civilians - The 2023 approved budget included funding to continue hiring to fill various civilian vacancies. This included 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 occurred at a pace greater than anticipated (177

versus 116). As at December 31, 2023, the Service’s civilian strength was at 2,491, or 21 below its funded strength of 2,512. Although the Service was near its funded strength at year-end, the pace of hiring throughout the year was slower than planned.

As a result of the above factors, the year-end savings were \$9.3M in civilian salaries.

Greater separations and cascading vacancies put pressure on premium pay expenditures as the Service ensured required services were provided and necessary work continued.

*2 - Premium Pay:*

The total premium pay budget is \$58.9M with final spending of \$89.3M resulting in an unfavourable variance of \$30.4M in this category.

**Table 3 – Premium Pay Expenditures**

<b>Expenditure Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Uniform Officers	\$53.3	\$75.0	(\$21.7)
Civilians	\$5.6	\$14.3	(\$8.7)
<b>Total Premium Pay</b>	<b>\$58.9</b>	<b>\$89.3</b>	<b>(\$30.4)</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).

Annually, the premium pay budget is underfunded, and represents a pressure for the Service to manage, in the interest of achieving a reasonable budget request. 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 over a period of more than a decade and growth in demand for calls for service, the Service’s ability to manage both unplanned and planned events has become increasingly challenging. The redeployment of the Community Response Units to the Neighbourhood Community Officer Program during 2022 reduced the capacity for the Service to respond to unplanned events with on duty resources. As a result, the Service 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 were 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 also applied more off duty resources to the annual corporate events in order to increase safety. In addition, officer attendance at Criminal and Traffic Courts approached pre-pandemic levels, resulting in further premium pay pressures.

While the Service ramps up its deployed strength, the Service incurred significant premium pay expenditures to meet general demands across the City that have ramped up significantly since the end of the pandemic. For example, the Service used premium pay to supplement staff to deal with auto theft and carjackings, deploy officers in the community on foot patrol to enhance public safety, to ensure adequate levels of supervision, to ensure divisional detective offices are adequately staffed, to monitor bail compliance and to address increased criminal activities associated with guns & gangs. Greater footprint of City-wide events such as Pride, Victoria Day and Canada Day also increased the premium pay requirement. The Service also incurred over \$3.2M in premium pay that will be recovered from other jurisdictions as explained in the revenue section below. As the Service continues to ramp up its strength going forward, there is an expectation that some reliance on premium pay will decrease.

The Middle East conflict continues to unfold with devastating impacts, particularly to our Israeli, Palestinian, Jewish and Muslim communities. Project Resolute was initiated to ensure members from all communities in Toronto feel safe and secure. As a municipal police service, our focus is on the local impacts of global events and keeping all residents of Toronto safe. To the end of December 31<sup>st</sup>, the Service attended over 350 protests, demonstrations and gatherings, and 14,000 proactive visits. The overall resourcing was 2,100 different members and drawn from all areas of the Service. This reallocation directly and indirectly caused significant premium pay pressure across the Service. However, due to the volume and nature of ongoing events, the Service continues to experience significant pressures on staffing requirements. To December 31<sup>st</sup>, the Service incurred \$2.5M in direct premium pay expenditures for Project Resolute, in addition to premium pay pressures occurring in the individual units as a result of project staffing reallocation.

The uniform premium pay variance for 2023 was \$21.7M unfavourable.

Civilians - Civilian premium pay is also incurred as units address critical workload issues resulting from civilian vacancies. For the first half of the year, the Service had a 5% civilian vacancy rate across the Service, which was 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 that were across the Service. In addition, the Service spent \$2.1M in premium pay to staff Booker and Station Duty Operator positions in order to avoid taking police officers off the road when short term vacancies occurred.

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



increase has been difficult to accurately project. Officer wellness supports and programs continues to be a priority and the Service has experienced tangible benefits in terms of earlier return to work and overall shorter duration of absences.

*4 - Non-Salary:*

The total Non-Salary budget is \$100.0M with final spending \$93.3M, resulting in a \$6.7M favourable 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>Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Vehicles (e.g. gas, parts)	\$17.3	\$14.9	\$2.4
Information Technology	\$39.2	\$42.7	(\$3.5)
Contracted Services	\$13.7	\$8.8	\$4.9
Other	\$29.8	\$26.9	\$2.9
<b>Total Non-Salary</b>	<b>\$100.0</b>	<b>\$93.3</b>	<b>\$6.7</b>

Vehicles (e.g., gas, parts) - The favourable variance was mainly due to a favourable variance in gasoline due to lower than budgeted gas prices, which was 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 Service experienced an in year pressure of \$2.6M in maintenance costs as a result of having to amortize contract savings over the next several years, instead of recognizing the savings in 2023. While the overall maintenance costs have not changed, this created a pressure in 2023 and a cost savings in future years. The remaining variance was 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. That is, the Service incurred \$2.2M in legal costs, which were budgeted at \$3.3M and \$1.9M in modernization costs, which were budgeted at \$5.0M, representing a majority of the savings.

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 favourable variance was a result of several factors, which included examples such as lower than budgeted costs due to COVID-19, delays in receiving orders of ammunition that is used for firearms training and lower than anticipated specialized training costs.

*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 (\$3.6M), and the actual impact was \$8.6M, resulting an unfavourable variance of \$12.2M, due to fewer draws as compared to budget. Table 6 identifies the categories of Reserves and activity in each Reserve.

**Table 6 – Reserves**

<b>Reserve</b>	<b>2023 Budget (\$Ms)</b>	<b>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	\$14.3	\$0.0
Draw from Reserve	(\$28.2)	(\$19.8)	(\$8.4)
<b>Net Impact</b>			<b>(\$8.4)</b>
<b>Legal, Modernization, Tax Stabilization and Cannabis</b>			
Contribution to Reserve	\$0.9	\$0.9	\$0.0
Draw from Reserve	(\$11.4)	(\$7.6)	(\$3.8)
<b>Net Impact</b>			<b>(\$3.8)</b>
<b>Vehicle &amp; Equipment</b>			
Contribution to Reserve	\$20.8	\$20.8	\$0.0
Draw from Reserve	n/a	n/a	n/a
<b>Net Impact</b>			<b>\$0.0</b>
<b>Net Contribution to / (Draws from) Reserves</b>	<b>(\$3.6)</b>	<b>\$8.6</b>	<b>(\$12.2)</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. As such, despite being in an overall deficit, contributions were made to the Service's reserves to the full budget in order to maintain the overall health of the reserves. It must be noted that unfavourable variances in draws from reserves are a result of reduced expenditures, and therefore result in a net zero variance.

*6 – Revenue (excluding Reserves):*

The total Revenue budget for 2023 is \$119.5M, and \$143.7M was received, resulting in a favourable variance of \$24.2M. The major revenue categories are summarized in Table 7 below.

**Table 7 – Revenues**

<b>Revenue Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
Provincial Recoveries	(\$67.4)	(\$66.4)	(\$1.0)
Fees and Recoveries (e.g., paid duty, secondments, vulnerable sector screening.)	(\$26.5)	(\$32.7)	\$6.2
Paid Duty - Officer Portion	(\$24.7)	(\$39.5)	\$14.8
Miscellaneous Revenue	(\$0.9)	(\$5.1)	\$4.2
<b>Total Revenues</b>	<b>(\$119.5)</b>	<b>(\$143.7)</b>	<b>\$24.2</b>

Provincial Recoveries – These recoveries mainly consist of the provincial uploading of court security and prisoner transportation and the recovery for the Public Safety Response Team. The unfavourable variance of \$1.0M was mainly as a result of \$2.4M less than anticipated recoveries for the provincial uploading of courts due to the related recoverable costs being lower, which was offset by \$1.4M in provincial funding to support the work related to N.G.9-1-1.

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. Revenues largely made a return to pre-pandemic levels and the Service experienced a \$3.4M favourable variance. The Service also had favourable recoveries of \$2.8M from outside agencies to facilitate expenditures for joint projects.

Paid Duty – Officer Portion – The favourable variance of \$14.8M has an overall net zero impact, as this portion of the paid duty recovery is directly offset by the salaries earned by paid duty officers described in the salaries section above.

Miscellaneous Revenue – The favourable variance of \$4.2M includes \$3.2M in recoveries for premium pay, which results in a net zero impact as it offsets premium pay costs incurred. There was also a reversal of a \$1.0M liability in payroll that is no longer required in 2023.

7 - Grants:

The budget reflects the net impact from grants of \$0.0M (expenditures net of revenues). Actual revenues exceeded expenditures by \$6.2M. Table 8 summarizes the grants portion of the Service's budget.

**Table 8 – Grants**

<b>Grants</b>	<b>2023 Budget (\$Ms)</b>	<b>Year-End Actual (\$Ms)</b>	<b>Fav / (Unfav) (\$Ms)</b>
<b>Guns &amp; Gangs</b>			
Expenses	\$4.9	\$0.9	\$4.0
Revenues	(\$4.9)	(\$5.4)	\$0.5
<b>Net impact</b>			<b>\$4.5</b>
<b>Community Safety &amp; Policing</b>			
Expenses	\$0.0	\$4.9	(\$4.9)
Revenues	\$0.0	(\$4.9)	\$4.9
<b>Net impact</b>			<b>\$0.0</b>
<b>Other</b>			
Expenses	\$0.2	\$12.3	(\$12.1)
Revenues	(\$0.2)	(\$14.0)	\$13.8
<b>Net impact</b>			<b>\$1.7</b>
<b>Net Impact From Grants</b>	<b>\$0.0</b>	<b>(\$6.2)</b>	<b>\$6.2</b>

Grant funding generally results in a net zero variance, as funds are provided for expenditures to achieve specific purposes. However, a favourable variance was achieved in this category since a number of permanent, funded positions were 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.

**Conclusion:**

The Service was dealing with a potential shortfall of \$7.8M earlier in the year. Through various mitigation efforts, the Service was able to significantly reduce this pressure by the end of the year. The Service has a long standing history of fiscal responsibility and constraint, while also considering and anticipating future pressures.

For reporting purposes, the Toronto Police Service, Toronto Parking Enforcement and the Board budgets are collectively considered in the City's financial processes. When taking into consideration the long-term health of the Service's reserves, despite cost mitigation efforts, the Service's 2023 year-end deficit was \$1.8M.

Sufficient favourable variance exists in the Parking and Board budget to offset the unfavourable variance in the Service's operating budget, resulting in an overall favourable consolidated variance.

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

**March 28, 2024**

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 December 31, 2023**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendations:**

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

### **Financial Implications:**

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At its January 9, 2023 meeting, the Board approved the Toronto Police Service's (Service) 2023-2032 capital program at \$46.6 Million (M) gross and \$16.6M debt for 2023 (excluding carry forwards from 2022), and a 10-year total of \$679M gross and \$219.4M debt (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 project by increasing project costs by \$3.7M (P2023-0622-10.2 refers). At its September 14, 2023 meeting, the Board approved a further amendment to the 2023-2032 approved Capital Budget and Plan for the Infrastructure Lifecycle project by increasing project costs by \$3.5M (P2023-0914-7.2 refers).

The revised 2023-2032 capital program is now \$53.8M gross and \$16.6M debt for 2023 (excluding carry forwards from 2022), and a 10-year total of \$686.2M gross and \$219.4M debt. Attachment A provides an updated detailed list of all approved projects in the 10-year program.

**TORONTO POLICE SERVICES BOARD**

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Table 1 provides a summary of the 2023 budget and expenditures. Of the \$102.9M in available gross funding in 2023 (\$53.8M of 2023 budget plus \$49.1M carry forward), \$77.2M was utilized, for a gross spending rate of 75.1%. This represents a significant improvement from the 2022 spending rate of 42% as a result of dedicating additional resources to the oversight of capital projects in order to improve on existing controls, increase transparency and add more rigorous risk management.

Of the total under expenditure of \$25.7M, \$15.9M will be carried forward to 2024, \$9.7M will be carried forward to 2025 and \$0.1M 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	\$53.8	\$16.6
2022 carry forwards	\$49.1	\$32.9
Total 2023 available funding	\$102.9	\$49.5
2023 Expenditure	\$77.2	\$34.2
Variance to available funding	\$25.7	\$15.3
<i>Carry forward to 2024</i>	<i>\$15.9</i>	<i>\$5.7</i>
<i>Carry forward to 2025</i>	<i>\$9.7</i>	<i>\$9.6</i>
<i>Returned Funding</i>	<i>\$0.1</i>	<i>\$0.0</i>
<i>Spending rate</i>	<i>75.1%</i>	<i>69.1%</i>

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

### **Summary:**

The purpose of this report is to provide the Board with the status of the Service's capital projects as at December 31, 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 December 31, 2023 including spending rates and project status. The body of this report includes project updates for major/key on-going projects and high-level project descriptions and updates for 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.

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.

Table 2 provides a high-level summary of 2023 spending for each capital project, and spend rates, and whether funds are to be carried forward to 2024, 2025 or are no longer required. The remainder of this report discusses each capital project in detail.

**Table 2 – 2023 Capital Budget Variance Report as at December 31, 2023 (\$000s)**

Project Name	2023 Cash Flow		Variance (Over)/ Under	Return to City/Reserve	Carry Forward to 2024	Carry Forward to 2025	Overall Project Health	Reason for Yellow or Red Health Status
	Total Available Funding	Actuals to year- end						
<b>Facility Projects:</b>								
Long Term Facility Plan - 54/55 Amalgamation; New Build	768.1	154.0	614.1	0.0	614.1	0.0	<b>Red</b>	Project on hold while alternative options are evaluated
Long Term Facility Plan - 41 Division; New Build	20,627.9	22,811.8	-2,183.9	0.0	-2,183.9	0.0	<b>Green</b>	Project progress accelerated
Communication Center Consulting	101.1	66.3	34.8	34.8	0.0	0.0	<b>Yellow</b>	Project Completed
Long Term Facility Plan - Facility and Process Improvement	899.9	394.0	505.9	0.0	505.9	0.0	<b>Red</b>	Project will be completed in 2024
Relocation of Wellness Services	1,700.0	250.2	1,449.8	0.0	1,449.8	0.0	<b>Red</b>	Delays in design phase
Long Term Facility Plan - Consulting	774.5	459.8	314.7	0.0	314.7	0.0	<b>Yellow</b>	Delays in building assessments
<b>Information Technology Modernization Projects:</b>								
Transforming Corporate Support (HRMS, TRMS)	865.0	258.0	607.0	0.0	329.1	277.9	<b>Red</b>	Delays in hiring external expertise
ANCOE (Enterprise Business Intelligence, Global Search)	392.5	236.2	156.3	0.9	155.5	0.0	<b>Yellow</b>	Resource constraints
Body Worn Camera - Phase II	560.0	296.2	263.8	0.0	263.8	0.0	<b>Yellow</b>	Delays in hiring external expertise
Next Generation (N.G.) 9-1-1	3,944.8	3,058.9	886.0	0.0	886.0	0.0	<b>Green</b>	
<b>Replacements/ Maintenance/ Equipment Projects:</b>								
State-of-Good-Repair - Police	6,038.4	3,570.1	2,468.3	0.0	2,468.3	0.0	<b>Yellow</b>	Resource constraints
Radio Replacement	1,949.2	1,943.6	5.5	5.5	0.0	0.0	<b>Green</b>	
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,106.7	237.1	869.6	0.0	869.6	0.0	<b>Yellow</b>	Vendor resource constraints
Mobile Command Centre	1,608.8	712.1	896.7	0.0	896.7	0.0	<b>Red</b>	Delivery and Install Delays
Information Technology Storage Growth	500.0	461.0	39.0	0.0	39.0	0.0	<b>Green</b>	
New Records Management System (RMS)	10,000.0	692.5	9,307.5	0.0	0.0	9,307.5	<b>Red</b>	Delays in contract negotiations
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	467.4	420.9	46.4	0.0	46.4	0.0	<b>Green</b>	
<b>Lifecycle Projects:</b>								
Vehicle Replacement	9,892.5	9,255.2	637.3	0.0	637.3	0.0		
IT- Related Replacements	29,660.4	23,715.9	5,944.6	16.1	5,928.5	0.0		
Other Equipment	11,033.6	8,247.0	2,786.6	4.6	2,710.8	71.1		
<b>Total Capital Expenditures</b>	<b>102,890.9</b>	<b>77,240.9</b>	<b>25,650.1</b>	<b>61.9</b>	<b>15,931.7</b>	<b>9,656.5</b>		
Funding from Developmental Charges	(5,888.2)	(4,573.4)	(1,314.8)	(34.8)	(1,280.0)	0.0		
Vehicle & Equipment Reserve	(47,472.5)	(38,431.0)	(9,041.5)	(20.7)	(8,949.7)	(71.1)		
<b>Debt</b>	<b>49,530.2</b>	<b>34,236.5</b>	<b>15,293.7</b>	<b>6.4</b>	<b>5,701.9</b>	<b>9,585.4</b>		

**Facility Projects:**

A long-term facility plan is being developed with the objective of enhancing operational flexibility, improving aging facility infrastructure, optimizing resources, and, where possible, reducing the Service’s facilities footprint. Once developed, the facility related capital program will be updated in future years. Details on the development of this plan are included under the Long Term Facility Plan – Consulting. The Service is committed

to including 'green' components to new builds and to maintaining existing facilities where possible. The implementation of L.E.D. lighting has already resulted in hydro savings, and the Service will continue to convert to L.E.D. in all the new facilities. The Service is also committed to the Net Zero by 2040 initiative. The new 41 Division building design reflects the net zero emissions objective. The goal is for all future new builds to meet Toronto's Green Standards related to climate change mitigation or adaptation, energy or water efficiency, renewable or alternative energy, air quality, green infrastructure, or other efforts related to environment, climate, and energy planning.

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

This project provides 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 estimated 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 footprint of land available to the Service on the Danforth site was reduced, creating the requirement for an increased number of parking levels underground, which caused a significant increase to the estimated cost.
- 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 of a growing city.
- The Service is currently working with Create.T.O. to identify viable locations for a new facility. This has proven challenging, with limited suitable options available for the size and location required. Single site and two-site models are being considered. While the Service is reviewing all potential options to minimize costs, it has been determined that the budget of \$50.5M is insufficient for any of the options and the budget request was increased to \$100M in the 2024-2033 Capital Program.
- The health status of this project is Red as this project is currently on hold and had a spending rate of 20% for the year. Of the available funding of \$768 Thousand (K), \$154K was utilized in 2023. The remaining amount of \$614K will be carried forward to 2024. The budget and project will be re-baselined once the site selection decision has been made in 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 needing replacement. 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, and a new build is proceeding. The phased construction and demolition approach for a new building on the existing 41 Division site provides the Service with a new facility with ample area for future expansion. The new division will provide a modern, efficient workspace for the Service, serving the community for decades to come.

- This new divisional building is being constructed in phases. Operations will continue on the site during construction.
- The new 41 Division will be the first Net Zero Emission building in the Service's asset base and the first of its kind in Ontario.
- Working drawings are complete. Tendering for the balance of trade disciplines will be completed by April 2024, following Value Engineering efforts to reduce costs.
- Roof is installed and building is now considered watertight. Curtain wall is installed with metal siding to follow in March 2024.
- Interior fit out is underway (i.e. mechanical and electrical equipment / rough-ins, partition layout and commencement of interior finishes).
- Phase 1 Occupancy is scheduled for August 2024. Phase 2 Occupancy is scheduled for June 2026.
- The construction schedule for 41 Division was accelerated to expedite work in some areas to mitigate schedule impacts and maintain our milestone dates (Critical Path). The over-all project cost remains the same.
- The health status of this project is Green with a spending rate of 110% in 2023 due to some work completed ahead of schedule.

#### *Communication Centre Consulting (Yellow) – Project Completed in 2023*

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 on the development of the funding requirements as part of the future year capital program submissions.
- 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 complete.
- AECOM has completed the drawings for the renovations of three floors of the Primary Site. Activity has been paused to consider impacts of the construction on the 9<sup>th</sup> floor. Work will proceed with the renovation on floors 7 & 8 with a target completion date of December 2024. Cost for the renovations is funded as part of the N.G. 9-1-1 project. The 9<sup>th</sup> floor renovation is anticipated to be removed from scope and will be included as a larger refresh in the future years.
- Construction for the Secondary Site has been substantially completed.
- The health status of this project is Yellow. This project was completed on time and below budget. The unspent funds of \$35K will be returned to the City.

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

Aligned with the Auditor General recommendations and police reform directions 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 were completed at 23, 14, 51, 32 and 43 Divisions, in collaboration with the Ministry of the Attorney General (M.A.G.) and other external agencies. Work to transition the video bail pilot project into a permanent program has now been completed.
- 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. Several analysis projects to support this work are underway, including collaboration with the new Records Management System replacement project, with a final report being submitted to Command once analysis work has been completed.

- The health status of this project is Red due to delays in completing the deliverables of the project. Of the available funding of \$900K, \$394K was spent in 2023. The remaining funding of \$506K will be utilized in 2024.

#### *Relocation of Wellness Services (Red)*

This 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 in the east end of the city, at 2075 Kennedy Road. Once completed, the new decentralized delivery model will allow members to access wellness services from central, east and west locations. The anticipated benefits are increased access to care and improved service to members, creating a more supportive work environment for members to seek support.

- The East location, a 2,709 square foot leased space at 2075 Kennedy Road, became operational on August 29, 2023.
- The architect hired by the Service's Facilities Management (FCM) unit completed the tender drawings and specifications for the renovation work at the Toronto Police College, and Purchasing tendered this on December 18, 2023 to the six pre-qualified general contractors. Tendering closed in February 2024.
- The environmental consultant issued their pre-construction Hazardous Building Materials Assessment report, for use by the bidders.
- Toronto Buildings has issued building permits for the planned renovation.
- Facilities Management has commenced determining office furniture requirements for the renovated spaces.
- The health status of this project is Red due to the low spending rate of 15%. This is due to the longer time required to complete the design work for the original three spaces, renovation work and furniture purchases for the Toronto Police College space. This Toronto Police College space will be completed in 2024. Of the available funding of \$1.7M in 2023, \$250K was spent by year-end. The remaining funds of \$1.5M 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 all of the strategic interviews of staff at each building.
- The consultant has developed a work plan describing the approach to the analytical portion of the study, with input from Facilities Management, Strategy Management and Finance & Business Management Units to ensure the Service's study goals are met. Additional analytical work and preparation of the formal report is anticipated to be completed in 2024.
- The health status of this project is Yellow as there has been a delay from the original schedule. Of the available funding of \$774.5K in 2023, \$460K was spent in 2023. The remaining funds of \$314K will be carried forward to 2024 for the completion of this project.

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

In the last decade, there have been many important developments with respect to information technology in public safety that the Service has embraced. New technology aims to improve efficiencies that eliminate costly and manual processes, increase accessibility, transparency, analysis and augment existing and new capabilities. These systems also improve information management and expand opportunities for enhanced community engagement, and modernize data storage to manage costs (through cost avoidance) and create value added capabilities to our data storage infrastructure.

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

This project's 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 started in August 2023. Development work to rewrite T.R.M.S. reports and interfaces will begin with the start of user acceptance testing. Completion of the database conversion is anticipated by the second quarter of 2024.
- H.R.M.S. PeopleTools and application upgrade for migration to production was completed in November 2023.
- Delays have been faced to secure a resource to review and enhance current Talent Acquisition practices to improve the candidate experience, communication and transparency practices. This will be addressed in 2024.
- The health status of this project is Red due to a low spending rate of 30%. Of the available funding of \$865K, \$258K was utilized in 2023. Of the remaining \$607K, \$329K will be carried forward to 2024 and \$278K will be carried forward to 2025.

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

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 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. The program 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 G.I.S. technologies for monitoring and reporting on operational and strategic initiatives, enabling the Service to effectively share information in the forms of maps, applications and interactive dashboards internally, with the public and other agencies.
- The Global Search portion of the project continues on its improvement journey with search functionality being migrated to a new search platform, Elasticsearch, and the inclusion of additional datasets.

- There have been delays in transitioning to the new Elasticsearch due to resourcing constraints that will be addressed in 2024.
- The health status of this project is Yellow due to the low spending rate of 60%. Of the \$392K available to spend in 2023, \$236K was spent in 2023. \$0.9K will be returned to the City, and \$155K will be carried forward to 2024.

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

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).
- In June 2022, a new training course for Case Managers and Investigators focusing on evidence management and disclosure was created. This course encapsulates all of the B.W.C. 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 and Investigators from all units have been trained. Training of all Case Managers and Investigators will continue as officers move into new roles.
- The Toronto Police College has established a Technology Implementation Section that will include all Evidence.com training into the broader curriculum. Additionally, B.W.C. training and Evidence.com disclosure training are now standard courses that are available as officers require it or as they transfer into new roles.
- Current priorities include integration of the legacy evidence management system(s) into Evidence.com, as well as improving evidence disclosure compliance throughout the Service, including addressing a significant disclosure backlog.
- The status of this project is Yellow due to a 53% spending rate. Of the \$560K available to spend, \$296K was spent in 2023 and \$264K will be carried forward to 2024.

#### *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.

The first phase of 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 other floors at the current Communications Centre building, which serves as the Primary Site. In addition to this, the project includes integration of existing systems such as Computer Aided Dispatch (C.A.D.) and Voice Logging Services (V.L.S.) with the Solacom solution, as well as more robust reporting capabilities.

The second phase of the project will be focused on transitioning to the I.P. protocol and improvements to 9-1-1 capabilities including the way the public requests 9-1-1 services and how emergency responders communicate with each other.

- The design of the technological architecture which isolates the Solacom solution from the rest of the Service's network is being reviewed to ensure necessary provisions have been made.
- To assist with the creation of appropriate Privacy Impact Assessments (P.I.A.s.) for the second phase of N.G. 9-1-1, external expertise has been on-boarded and is working closely with the Information Privacy and Security Office. Work is underway and current state assessments are being performed to understand the work and processes associated with the Communications Team, Information Technology Teams, and privacy legislation. Recommendations and considerations for the Service and the associated evolution of N.G. 9-1-1 are expected by year-end 2024.
- Comprehensive test plan and scripts development for the new Solacom call handling solution are underway to ensure the Solacom system meets T.P.S. and the C.O.M. quality and service standards, is reliable, provides a smooth and intuitive end user experience, and, is integrated and functions as required in the C.O.M. ecosystem. System testing is expected to be completed by the first quarter of 2024.
- Train-the-Trainer and Administrator training provided by Solacom was completed on schedule. Plans and preparations to train the communication centre staff are underway with all communications staff training expected to be completed by the second quarter of 2024.
- 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. Additionally, collaboration meetings with other Primary Safety Answering Points have been initiated and have fallen into a regular cadence.
- The health status of this project is Green with the project being on time and within budget. Of the \$3.94M available to spend, \$3M was spent in 2023 and \$0.9M will be carried forward to 2024.

### **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 general condition, overall safety and requirements of existing Service buildings.

- The ongoing demand for upkeep at many of the Service's facilities continue at a high volume, particularly in those facilities that have been in the Service's portfolio for several years and require small and large-scale renovations. Some examples of work are hardware replacement (locking mechanisms), repairs/replacement of overhead door and gate equipment, flooring replacement, painting, replacement of security equipment, repairs to the range at the Toronto Police College and renovations to the Mounted unit riding ring.
- This project also includes technology upgrades to optimize service delivery and increase efficiencies.
- To improve project efficiency and address the S.O.G.R. backlog, two project supervisors were hired in 2023. This will ensure that critical projects progress on time with the goal of overall improvements of Service facilities and operations.
- The health status of this project is Yellow with a projected spending rate of 59%. Of the available funding of \$6M, \$3.57M was utilized in 2023 and the remaining \$2.46M 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 the project being on time and a spending rate of 100%; funding of \$1.9M was utilized in 2023.

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

The current A.F.I.S. is a 2011 model that was first deployed in January 2013, and 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 A.F.I.S. allows for compatibility with external

systems in other agencies such as the Royal Canadian Mounted Police (R.C.M.P.), communicating electronically for real time identification, fingerprint submissions, searches and criminal record updates. This system is integrated with IntelliBook, a prisoner booking system, and communicates electronically to provide real-time confirmation of prisoner identity for Booking Officers. It is also integrated with Livescan systems at Talent Acquisition and Records Release to process requests for background clearance, police reference checks and clearance letter services where fingerprints are required for confirmation of criminal record history.

- 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.
- The Design Phase was completed in October 2023. With Design completion, focus is now on preparation for shipping, installation and testing.
- The vendor is continuing to align their resources with the demands of the project, and these human-resource constraints continue to be monitored and 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 events and timeline requirements.
- The health status of this project is Red due to the low spending rate as some project milestones are to be completed in 2024 and payments are made on the completion of significant project milestones. Of the available funding of \$1.1M, \$237K was utilized in 2023 and the remaining \$869K will be carried forward into 2024.

#### *Mobile Command Centre (Red)*

The Service is in the final stages for the build of a new 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 vehicle will incorporate all necessary capabilities to support and integrate with other emergency services, as well as municipal, provincial and federal agencies. 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 structure of the vehicle has been built and the interior design and build is ongoing. New technology solutions have been identified and tested to ensure suitability to work in any operating environment.
- It is anticipated that the Mobile Command Vehicle will be functional to respond to operational requirements by the second quarter of 2024.
- The health status of this project is Red due to the low spending rate. Of the available funding of \$1.6M, \$712K was utilized in 2023, and \$897K will be carried forward into 2024 to pay for the final instalment of the vehicle, drone purchases, audio and video and communication equipment for the vehicle, and for staff training.

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

This project is for the replacement of the existing R.M.S., 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 and hinder the progression 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 and cost avoidance, reduce risk, increase transparency and improve other operational processes to deliver public safety services effectively and efficiently.
- The contract award was approved at the April 28, 2023 Board meeting (Min. No. P2023-0428-7.0 refers). Negotiations on contract terms have been ongoing and is targeted to be finalized in the second quarter of 2024.
- While contract negotiations have been ongoing, the Service has resourced a Program team with 19 civilian members and seconded 11 uniform members on a full time basis. There are also subject matter experts from within the Service providing ongoing support to the program on a part time basis. The team officially kicked off the Program in February 2024. The entire Program team is now in the process of being trained on Niche RMS to prepare for the system design and build phase. Training is occurring in March and April 2024.



- The Program Charter has been completed. Some scope decisions are pending further discovery and will be revisited with iterative updates to the Program Charter.
- The biggest Program risk is the retention of resources critical to execute the Program and the reliance on internal subject matter experts (S.M.E.s.), particularly uniform members. Due to a high budget proportion dedicated to resourcing the Program, lack of consistency and reliance on internal S.M.E.s. has the potential to expand timeline and costs of the Project.
- The health status of this project is Red due to the spending rate of 7%. The low spending is due to the delays in contract negotiations and hiring of resources. The Program is progressing as per the overall Program roadmap and the Program is on track. Of the available funding of \$10M, \$692K was utilized in 2023 and the remaining \$9.3M will be carried forward into 2025.

**Lifecycle Projects:**

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), as well as development 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 Projects (\$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	9,255.2	637.3	637.3	0.0
IT- Related Replacements	10,690.4	18,970.0	29,660.4	23,715.9	5,944.6	5,928.5	16.1
Other Equipment	2,325.6	8,708.0	11,033.6	8,247.0	2,786.6	2,710.8	4.6
<b>Total Lifecycle Projects</b>	<b>13,377.5</b>	<b>37,209.0</b>	<b>50,586.5</b>	<b>41,218.0</b>	<b>9,368.5</b>	<b>9,276.7</b>	<b>20.7</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 places significant pressure on the 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 planned expenditures for all projects 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 \$6.46M underspending are:

- \$1.3M – Furniture Lifecycle – Replacements of office furniture at the Communications Centre Primary Site was deferred until renovations were complete.
- \$1.5M – Workstation, Laptop, and Printer Lifecycle – As the Service consolidated devices and shifted to laptops during the pandemic, there are fewer workstations that needed to be life cycled in 2023, which resulted in underspending.
- \$3.7M – Infrastructure Lifecycle – Projected underspending due to various vendor related delays.

*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 for 2023 was 75.1%. This represents a significant improvement from the 2022 spend rate of 42% as a result of dedicating additional resources to the oversight of capital projects to improve on existing controls, increase transparency and add more rigorous risk management.

From the under-expenditure of \$25.7M, \$15.9M will be carried forward to 2024, \$9.7M will be carried forward to 2025 and \$0.1M will be returned to the City or the Vehicle and Equipment Reserve.

The impact of labour and supply chain issues as well as competing operational priorities, continued to have an impact on many of the projects in the Service's capital program, and have resulted in several projects' health being assessed as Yellow or Red. In 2024, the Service will continue to improve processes and mitigate any risks in order to continue to improve the spending rate.

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

Ms. Svina Dhaliwal, Chief Administrative Officer, will attend 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 December 31, 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	18,970	24,184	21,751	21,404	22,098	108,407	16,703	18,667	28,994	16,492	22,827	103,683	212,090
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>37,209</b>	<b>44,221</b>	<b>39,419</b>	<b>37,952</b>	<b>39,201</b>	<b>198,002</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>388,728</b>
<b>Total Gross Projects</b>	<b>53,826</b>	<b>95,119</b>	<b>85,677</b>	<b>62,601</b>	<b>75,468</b>	<b>372,691</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>686,248</b>
<b>Funding Sources:</b>													
Vehicle and Equipment Reserve	(34,180)	(40,230)	(36,077)	(34,855)	(37,468)	(182,810)	(29,586)	(33,863)	(50,208)	(34,667)	(37,923)	(186,247)	(369,057)
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 December 31, 2023 (\$000)

Attachment B

Project Name	2023 Cashflow			Variance (Over)/ Under	Spending Rate	Return to City/Reserve	Carry Forward to 2024	Carry Forward to 2025	Total Project Cost		Status	
	Carry Forward from 2021 & 2022	2023 Budget	Total Available Funding						Actuals to December 31, 2023	Budget		Life to Date
<b>Facility Projects:</b>												
Long Term Facility Plan - 54/55 Amalgamation; New Build	768.1	0.0	768.1	154.0	614.1	20.1%	0.0	614.1	0.0	50,500.0	839.1	On hold
Long Term Facility Plan - 41 Division; New Build	19,260.9	1,367.0	20,627.9	22,811.8	-2,183.9	110.6%	0.0	-2,183.9	0.0	76,656.0	30,547.9	On Time
Communication Center Consulting	101.1	0.0	101.1	66.3	34.8	65.6%	34.8	0.0	0.0	500.0	465.2	Delayed
Long Term Facility Plan - Facility and Process Improvement	849.9	50.0	899.9	394.0	505.9	43.8%	0.0	505.9	0.0	3,507.7	3,001.8	Delayed
Relocation of Wellness Services	0.0	1,700.0	1,700.0	250.2	1,449.8	14.7%	0.0	1,449.8		2,000.0	250.2	Delayed
Long Term Facility Plan - Consulting	774.5	0.0	774.5	459.8	314.7	59.4%	0.0	314.7	0.0	878.0	563.3	Delayed
<b>Information Technology Modernization Projects:</b>												
Transforming Corporate Support (HRMS, TRMS)	865.0	0.0	865.0	258.0	607.0	29.8%	0.0	329.1	277.9	8,435.0	7,198.9	Delayed
ANCOE (Enterprise Business Intelligence, Global Search)	190.5	202.0	392.5	236.2	156.3	60.2%	0.9	155.5		12,527.6	12,371.3	Delayed
Body Worn Camera - Phase II	560.0	0.0	560.0	296.2	263.8	52.9%	0.0	263.8	0.0	5,887.0	5,379.1	Delayed
Next Generation (N.G.) 9-1-1	3,944.8	0.0	3,944.8	3,058.9	886.0	77.5%	0.0	886.0	0.0	10,856.0	7,556.1	On Time
<b>Replacements/ Maintenance/ Equipment Projects:</b>												
State-of-Good-Repair - Police	3,690.4	2,348.0	6,038.4	3,570.1	2,468.3	59.1%	0.0	2,468.3		on-going	on-going	Delayed
Radio Replacement	1,949.2	0.0	1,949.2	1,943.6	5.5	99.7%	5.5	0.0	0.0	38,051.4	38,045.9	On Time
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,106.7	0.0	1,106.7	237.1	869.6	21.4%	0.0	869.6	0.0	4,285.1	711.4	Delayed
Mobile Command Centre	1,608.8	0.0	1,608.8	712.1	896.7	44.3%	0.0	896.7	0.0	2,325.0	838.3	Delayed
Information Technology Storage Growth	0.0	500.0	500.0	461.0	39.0	92.2%	0.0	39.0	0.0	5,000.0	461.0	On Time
New Records Management System (RMS)	0.0	10,000.0	10,000.0	692.5	9,307.5	6.9%	0.0	0.0	9,307.5	20,600.0	692.5	Delayed
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	17.4	450.0	467.4	420.9	46.4	90.1%	0.0	46.4	0.0	4,900.0	803.6	On Time
<b>Lifecycle Projects:</b>												
Vehicle Replacement	361.5	9,531.0	9,892.5	9,255.2	637.3	93.6%	0.0	637.3	0.0	On-going	On-going	On-going
IT- Related Replacements	10,690.4	18,970.0	29,660.4	23,715.9	5,944.6	80.0%	16.1	5,928.5	0.0	On-going	On-going	On-going
Other Equipment	2,325.6	8,708.0	11,033.6	8,247.0	2,786.6	74.7%	4.6	2,710.8	71.1	On-going	On-going	On-going
<b>Total Capital Expenditures</b>	<b>49,064.9</b>	<b>53,826.0</b>	<b>102,890.9</b>	<b>77,240.9</b>	<b>25,650.1</b>	<b>75.1%</b>	<b>61.9</b>	<b>15,931.7</b>	<b>9,656.5</b>			
Funding from Developmental Charges	(2,859.2)	(3,029.0)	(5,888.2)	(4,573.4)	(1,314.8)	77.7%	(34.8)	(1,280.0)	0.0			
Funding from Vehicle and Equipment Reserve	(13,292.5)	(34,180.0)	(47,472.5)	(38,431.0)	(9,041.5)	81.0%	(20.7)	(8,949.7)	-71.1			
<b>Debt</b>	<b>32,913.2</b>	<b>16,617.0</b>	<b>49,530.2</b>	<b>34,236.5</b>	<b>15,293.7</b>	<b>69.1%</b>	<b>6.4</b>	<b>5,701.9</b>	<b>9,585.4</b>			



## PUBLIC REPORT

**March 28, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: 2023 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Year Ending December 31, 2023**

**Purpose:**     Information Purposes Only     Seeking Decision

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

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

1. request the City's Chief Financial Officer and Treasurer to give consideration to allocating a \$1.0M contribution to the Toronto Police Service's Vehicle and Equipment Reserve from the City's 2023 year-end surplus;
2. 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 Parking Enforcement Unit (P.E.U.) 2023 approved net operating budget was \$51.3 Million (M). The P.E.U.'s total net expenditures were \$48.9M, resulting in a 2023 year-end favourable variance of \$2.5 Million (M).

The P.E.U. would like to request that \$1M of this favourable variance be contributed to the Vehicle and Equipment Reserve to support Traffic and Modernization Projects set to begin later in 2024.

**TORONTO POLICE SERVICES BOARD**

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## Summary:

The purpose of this report is to provide the Board with information on the P.E.U.'s final year-end variance. The P.E.U. achieved a final year-end favourable variance of \$2.5M in 2023. Table 1 provides a high-level summary of variances by feature category. Details regarding these categories are discussed in the sections that follow.

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

<b>Category</b>	<b>2023 Budget (\$Ms)</b>	<b>Year-End Actual (\$Ms)</b>	<b>Fav/(Unfav) (\$Ms)</b>
1- Salaries	\$34.1	\$31.6	\$2.5
2- Premium Pay	\$1.9	\$1.8	\$0.1
3- Benefits	\$8.8	\$8.9	(\$0.1)
4- Materials & Equipment	\$2.0	\$2.2	(\$0.2)
5- Services	\$5.7	\$5.5	\$0.2
6- Revenue (e.g. T.T.C., towing recoveries)	(\$1.3)	(\$1.2)	(\$0.1)
<b>Total Net</b>	<b>\$51.3</b>	<b>\$48.8</b>	<b>\$2.5</b>

## Discussion:

### **Background**

At its January 9, 2023 meeting, the Board approved the Toronto Police Service's (Service) Parking Enforcement Unit (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 Toronto Police Service (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, under Board Minute P2021-0729-3.0.

### **Budget Variances**

Variances to budget are explained below.

#### **1 - Salaries:**

The total budget for Salaries in 2023 was \$34.1M. Year-end spending totalled \$31.6M, resulting in a \$2.5M 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. Actual separations at year-end totalled 68 which is significantly higher than originally anticipated.

The 2023 approved budget included funding for a January class of 35 P.E.O. hires, and another class of 40 hires in June. To offset separations, classes and hires were modified with 42 hires in the January class, 42 hires in the June class, and another class of 30 added in October. All hires offset separations for the same budgeted number of positions on average for the year (357 budgeted, on average).

The impact of the above factors resulted in a favourable salary variance of \$2.5M at year-end.

## ***2 - Premium Pay:***

The total Premium Pay budget for 2023 was \$1.9M. Year-end spending totalled \$1.8M resulting in a \$0.1M favourable variance. 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 Benefits budget for 2023 was \$8.8M. Year-end spending totalled \$8.9M resulting in a \$0.1M unfavourable variance. This variance is due to higher than anticipated medical and dental expenses.

## ***4 - Materials and Equipment:***

The total Materials and Equipment budget for 2023 was \$2M. Year-end spending totalled \$2.2M, resulting in a \$0.2M unfavourable variance. This is due to a higher than anticipated requirements for parking tags and inflationary cost increases. 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 was \$5.7M. Year-end spending totalled \$5.5M, resulting in a \$0.2M favourable variance. Significant items in this category include interdepartmental chargebacks, contributions to reserves, rental of property and maintenance, and support costs for the handheld parking devices. The favourable variance is mostly attributed to less than budgeted computer maintenance costs.

## **6 - Revenue:**

The total revenue budget for 2023 was \$1.3M. Year-end revenues totalled \$1.2M, resulting in a \$0.1M unfavourable variance. Revenues include towing recoveries, contribution from reserves and recoveries from the Toronto Transit Commission (T.T.C.). The recoveries from the T.T.C. are for premium pay expenditures that were 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.

The net unfavourable variance is mainly a result of no draws from reserves being made at year-end, which was done to preserve the reserve health and to meet future funding requirements.

### *Request to C.F.O. and Treasurer – Allocation of City Surplus to the Service’s Vehicle and Equipment Reserve:*

City Council policy dictates how the final city-wide year-end operating budget surplus, if any, can be used. Specifically, the City Chief Financial Officer and Treasurer is authorized to apply any additional surplus, in priority order to:

(a) the Capital Financing Reserve Fund (at least 75 percent of the additional surplus); and

(b) the remainder to fund any under-funded liabilities, and/or reserves/reserve funds, as determined by the Chief Financial Officer (C.F.O.) and Treasurer.

As the City-wide final 2023 operating budget variance will not be finalized until June 2024, the adoption of the recommendations in this report are contingent upon the financial status of the reserves as determined by the City’s C.F.O. and Treasurer at that time.

The Service and the P.E.U. are in the planning stages of additional Traffic and Modernization projects set to begin later in 2024 (such as automated licence plate recognition, vehicle impound management, e-ticketing software/hardware, and other technology that will modernize operations and create efficiencies). Funding for these projects has not been identified within the 2024 budget process, however a contribution of \$1M of the P.E.U.’s year-end surplus to the Vehicle and Equipment Reserve will help ensure some funding is available for these projects. Further funding requirements will be determined as the planning continues and funding will be requested in the 2025 budget submission.

### **Conclusion:**

The P.E.U. year-end surplus is \$2.5M. This surplus will be returned to the City. However, a recommendation has been made in this report to contribute \$1.0M of the City’s 2023 overall final surplus to the Vehicle and Equipment Reserve.

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

**April 2, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Dubi Kanengisser  
Executive Director

**Subject: 2023 Operating Budget Variance Report for the Toronto Police Service Board, Period Ending December 31, 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:**

The Board's year-end variance is \$0.

**Summary:**

The purpose of this report is to provide information on the Board's 2023 year-end variance.

The Board does not have any year-end variance on its 2023 Operating Budget. Savings in Salaries and Benefits have been offset by lower than budgeted draws from reserves and in-year pressures due to the Deputy Chiefs, Chief Administrative Officer (C.A.O.), and Executive Director & Chief of Staff selection processes.

**Toronto Police Service Board**

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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). 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**

The final year-end variance is \$0. 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>Year-End Actual (\$000s)</b>	<b>Fav/(Unfav) (\$000s)</b>
Salaries & Benefits	\$1,561.4	\$1,229.6	\$331.8
Non-Salary Expenditures	\$1,691.1	\$1,482.3	\$208.8
Draws from Reserves	(\$1,075.7)	(\$535.0)	(\$540.7)
<b>Total Net</b>	<b>\$2,176.8</b>	<b>\$2,176.8</b>	<b>\$0.0</b>

### **Salaries & Benefits**

Year-end expenditures are lower than planned, as there have been delays in filling the three positions approved as part of the 2022 budget process. In addition, the Board Staff experienced an additional vacancy for part of the year, and not all current Board Staff were at the highest 'step' of their respective salary band. This resulted in a favourable year-end variance of \$331,800.

### **Non-salary Expenditures**

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 included 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.

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

The Board previously secured an outside professional firm to assist with the executive search services to select Toronto's Chief of Police in 2022. The Board 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 totalled \$189,200 in 2023.

All costs associated with this process have been absorbed resulting in no pressure on the Board's budget.

### ***Draws From Reserves***

The Board experienced an unfavourable variance of \$540,700 for revenues due to lower than budgeted draws from Reserves. Reserve draws are based on the level of legal advice and representation acquired by the Board, and as such can fluctuate above or below budget. These legal costs were less than budgeted in 2023, and thus a lesser amount was drawn to preserve the reserves' balances.

### ***Equity Analysis***

The Board's 2023 variance does not have any significant equity impacts.

### ***Conclusion:***

The 2023 year-end variance for the Board is zero. The costs associated with the executive selection processes have been absorbed within the 2023 Operating Budget, and lower than budgeted draws from Reserves were made to preserve the reserves' balances.

Respectfully submitted,

Dubi Kanengisser  
Executive Director





## PUBLIC REPORT

**March 5, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Vehicle Injury of Complainant 2023.22**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Summary:**

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (S.I.U. Liaison) and Traffic Services (T.S.V.) investigation determined the conduct of the designated subject official 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*



## **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 December 11, 2023, Director Joseph Martino of the S.I.U stated, *“The file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the subject officials.”*

The following *S.I.U. Incident Narrative and Analysis and Director’s Decision* has been reprinted from the S.I.U. Director’s report, number 23-TVI-126, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2755](https://www.siu.on.ca/en/directors_report_details.php?drid=2755)

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

*“The evidence collected by the SIU, including interviews with the Complainant and video footage that captured the incident, gives rise to the following scenario. As was his legal right, the SO chose not to interview with the SIU or authorize the release of his notes.*

*In the morning of the day in question, the TPS received a call from the business at 301 Rexdale Boulevard – a car dealership located on the southside of Rexdale Boulevard just west of Martin Grove Road. Someone had called to report that a male was asleep in a vehicle – a BMW sedan – on the grounds of the dealership. The BMW had earlier struck another vehicle on the business premises. An officer – WO #1 – was dispatched to investigate a possibly impaired driver.*

*WO #1 arrived on scene at about 9:30 a.m., located the BMW parked facing north in the north parking lot of the business, and stopped his cruiser facing east, partially blocking the front of the vehicle. The Complainant was still asleep in the driver’s seat, the engine running. The officer ran a check on the licence plate and learned that the vehicle was registered to a car rental company. Noticing that the Complainant had woken, WO #1 asked him to exit the vehicle. The Complainant refused.*

*At the sight of WO #1, the Complainant shifted his vehicle into drive and drove forward. The BMW struck the cruiser and pushed it out of the way as it continued in an eastward direction across the parking lot and then north to exit via the eastern-most driveway of the dealership. The Complainant drove north across the eastbound lanes of Rexdale Boulevard, jumped a concrete median that*

*separated the east and westbound lanes of Rexdale Boulevard at the Martin Grove Road intersection, and travelled onto the westbound lanes where he embarked on a left hand turn. As the BMW continued into its turn, it was struck head-on by another vehicle.*

*The other vehicle was a police cruiser being operated by the SO. The officer was travelling east on Rexdale Boulevard to the dealership to assist WO #1 with his investigation. Observing the BMW traverse the median onto the westbound lanes of Rexdale Boulevard, the SO maneuvered into the westbound passing lane and struck the front driver's side of the BMW with the front of the cruiser.*

*Following the collision, the SO, WO #1 (arriving in his cruiser within seconds of the collision), and other officers surrounded the vehicle and ordered the Complainant to exit. When he did not do so, WO #1 broke the rear driver's side window with an impact tool, reached in and opened the driver's door and, with the assistance of another officer, pulled the Complainant out onto the roadway where he was handcuffed without further incident.*

*The Complainant was transported to hospital after his arrest and diagnosed with a broken nose and fractured neck."*

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

*"The Complainant suffered serious injuries in a motor vehicle collision in Toronto on April 26, 2023. As the collision involved a TPS cruiser, the SIU was notified and initiated an investigation. The driver of the cruiser – 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 collision.*

*The evidence collected by the SIU, including an interview with the Complainant and video footage that captured the incident, gives rise to the following scenario. As was his legal right, the SO chose not to interview with the SIU or authorize the release of his notes.*

*The offence that arises for consideration is dangerous driving causing bodily harm contrary to section 320.13(2) of the Criminal Code. As an offence of penal negligence, a simple want of care will not suffice to give rise to liability. Rather, the offence is predicated, in part, on conduct that amounts to a marked departure from the level of care that a reasonable person would have observed in the circumstances. In the instant case, the issue is whether there was a want of care in the manner in which the SO operated his vehicle, sufficiently egregious to attract criminal sanction that caused or contributed to the collision. In my view, there was not.*

*The crux of the liability analysis is the SO's decision to drive his cruiser into the BMW the Complainant was operating, presumably, to bring it to a stop. In the*

*pursuit context, O. Reg. 266/10 prohibits an officer from intentionally causing “a police motor vehicle to come into physical contact with a fleeing motor vehicle for the purposes of stopping it” except where “the officer believes on reasonable grounds that to do so is necessary to immediately protect against loss of life or serious bodily harm”. Whether the SO was engaged in a pursuit or not, it is clear that using a police cruiser to strike another vehicle is incredibly risky and should only be countenanced in exceptional circumstances in the interests of public safety. As was his right, the SO chose not to interview with the SIU and the investigation is without first-hand knowledge of the officer’s mind-set at the time. That said, it is arguable whether the circumstances that prevailed at the time gave rise to a justification for the officer’s conduct. On the one hand, the SO had information that the Complainant was impaired, a situation constituting a clear and present danger to public safety had he been allowed to continue driving. On the other hand, there was plenty of third-party traffic present on the roadway, which was directly imperilled by the SO’s conduct.*

*In any event, whether or not the SO drove dangerously when he crashed into the BMW, I am not satisfied that his conduct departed markedly from a reasonable standard of care. As the SO approached the site of the collision, he would have seen the Complainant’s desperate and reckless efforts to escape police apprehension as he travelled across opposing lanes of traffic and over a median. In the split seconds in which he had to decide what he was going to do, the SO, it seems likely, might well have judged that there was an opportunity to bring the Complainant’s dangerous driving to an end before he, a possibly impaired driver, was allowed to continue. It should also be noted that this was not a collision at high speed; the SO had slowed his cruiser from about 60 km/h in the seconds pre-impact to 30 km/h at impact. That evidence suggests that this was an officer with some sense of the need to mitigate the risk inherent in what he was doing. The same may be said of the officer’s driving as he headed to the impact scene. As the footage from his cruiser’s camera depicts, the SO came to a stop at two red lights before proceeding safely through the intersections, made use of his siren and emergency lights, and never travelled at grossly excessive speeds. On this record, I am unable to reasonably conclude that the SO transgressed the limits of care prescribed by the criminal law.*

*In the result, while I am satisfied that the Complainant received his injuries in the collision with the SO’s cruiser, there are no reasonable grounds 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 and T.S.V. conducted an administrative investigation mandated by provincial legislation.

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

The S.I.U. Liaison and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-03 (Persons in Custody);
- Procedure 07-01 (Transportation Collisions);
- Procedure 07-06 (Ability Impaired / 80 mgs and Over Investigation);
- 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 15-10 (Suspect Apprehension Pursuit);
- Procedure 15-17 (In-Car Camera System); and
- Procedure 15-20 (Body-Worn Camera)

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

- *Special Investigations Unit Act, (S.I.U.A.)* 2019, SO 2019, c 1, Sch 5;
- Suspect Apprehension Pursuits, O. Reg. 266/10 under the *Police Services Act* (2010)

**Conclusion:**

The S.I.U. Liaison and T.S.V. investigation determined that the T.P.S. policies and procedures associated with these vehicle injuries 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 and T.S.V. investigation determined the conduct of all involved 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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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

**March 5, 2024**

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 2023.35**

**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, the applicable Toronto Police Service (T.P.S.) procedures and the officers' training.

### **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. Terminology**

**Complainant** – Refers to the Affected Person

**SO** – Subject Official

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

In a letter to the Chief of Police dated January 25, 2024, 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 officials.”*

The following S.I.U. *Incident Narrative and Analysis and Director’s Decision* has been reprinted from the S.I.U. Director’s report, number 23-TCI-198, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2829](https://www.siu.on.ca/en/directors_report_details.php?drid=2829)

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

*“The evidence collected by the SIU, including an interview with the Complainant and a police witness who observed the incident in parts, gives rise to the following scenario. As was their legal right, neither subject official agreed an interview with the SIU. They did authorize the release of their notes.*

*In the afternoon of May 26, 2023, SO #1 and SO #2, attired in plain clothes, were at the intersection of Elm and Elizabeth Streets, Toronto, conducting surveillance in the area. They were looking to identify and arrest the Complainant, who was known to frequent a nearby building. The Complainant was the suspect in a number of break and enters at Shoppers Drug Mart retail stores. At about 4:40 p.m., having located the Complainant standing at the southwest corner of the intersection, the officers moved in to take him into custody.*

*SO #1 and SO #2 took hold of the Complainant’s arms and advised him he was under arrest for break and enter. The Complainant attempted to break free and was taken to the ground by the officers. With the help of another officer – the WO – the Complainant was handcuffed behind the back.*

*Following his arrest, the Complainant was transported to the police station and, from there, to hospital when he complained of jaw pain. He was diagnosed with an acute fracture of the lower right jaw, a broken nose and other injuries, and underwent surgery”.*

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

*"The Complainant was diagnosed with a fractured jaw and other injuries following his arrest by TPS officers on May 26, 2023. The SIU was notified of the incident and initiated an investigation naming the two arresting officers subject officials: SO #1 and SO #2. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that either subject official committed a criminal offence in connection with the Complainant's arrest and injuries.*

*Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.*

*The evidence establishes that the Complainant was subject to arrest at the time he was taken into custody by SO #1 and SO #2. The officers had reasonable grounds to believe the Complainant had committed a series of break and enters.*

*I am also satisfied that the Complainant's arrest was effected with legally justified force. Having been grabbed by the arms, the officers cautioned the Complainant that he would be grounded if he continued to resist by trying to break free. He persisted and was taken to the ground. The tactic was reasonably necessary as it would allow SO #1 and SO #2 to better manage any continuing resistance by the Complainant. On the weight of the evidence, it would also appear that the manoeuvre was executed in a controlled fashion. Thereafter, aside from the officers using their bodies to keep the Complainant pinned to the ground, no further force was brought to bear. At no point was the Complainant struck by the officers.*

*At hospital following his arrest, the Complainant was diagnosed with multiple facial fractures, some of which predated his arrest by SO #1 and SO #2. With respect to the other fractures, while I accept that they were likely incurred as a result of the takedown or the pressure applied by the officers in keeping the Complainant on the ground, I am not reasonably satisfied they were the result of any unlawful conduct on the part of the subject officials. 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 as required by provincial legislation.

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



The S.I.U. Liaison investigation reviewed the following 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

**Conclusion:**

The S.I.U. Liaison investigation determined that the T.P.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, the applicable T.P.S. procedures and the officers' training. The following additional comments are provided.

The S.I.U. Liaison investigation found the force used on the Complainant which consisted of taking him to the ground was authorized, proportionate and reasonably necessary to effect his arrest in the safest manner possible. Outside of this, no other force was used.

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

**March 5, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Firearm Injury of Complainant 2023.57**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation:**

It is recommended that the Toronto Police Service Board (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.) – Firearms Discharge Investigators (F.D.I.) 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*
- *Community Safety and Policing Act (C.S.P.A.)*

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

**Complainant** – Refers to the Affected Person

**CW** – Civilian Witness

**SO** – Subject Official

**WO** – Witness Official

**TPS** – Toronto Police Service

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

In a letter to the Chief of Police dated November 29, 2023, Director Joseph Martino of the S.I.U. stated; *"The file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the subject official."*

The following S.I.U. *Incident Narrative and Analysis and Director's Decision* has been reprinted from the S.I.U. Director's report, number 23-TFD-302, which can be found in its entirety via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2729](https://www.siu.on.ca/en/directors_report_details.php?drid=2729)

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

*"The evidence collected by the SIU, including an interview with a police eyewitness and video footage that captured the incident in parts, gives rise to the following scenario. As was his legal right, the SO chose not to interview with the SIU or authorize the release of his notes.*

*At about 12:21 a.m., August 1, 2023, the SO and his partner, WO #3, arrived at a house situated on Sherwood Avenue, Scarborough. A resident of the home – CW #1 – had called police to report that the Complainant had been behaving strangely and sent a threatening text to his roommate – CW #4. The officers met CW #1 outside and he let them into the house. CW #1 explained that the Complainant had just come out of the bathroom after a couple of hours, had a knife, and had threatened to cut CW #4.*

*With the SO in the lead, the officers descended a flight of stairs to the basement, rounded a corner and made their way cautiously down a corridor. Their CEWs drawn, the SO and WO #3 had made it about halfway to the end of the hallway when the Complainant emerged from the room – a kitchen – at the far left side of the hallway. He had a knife in his right hand. The officers backtracked several steps and the SO fired his CEW. The Complainant appeared unaffected; he remained standing with the knife in hand. The SO and WO #3 repeatedly ordered the Complainant to drop the knife and drew their firearms. The Complainant squared up at the officers, yelled something in anger, and took a step towards the SO. The SO fired his weapon four times in quick succession.*

*The Complainant stopped his forward movement, remained standing a second or two, and moved to his left into another room. The officers would enter the room and find the Complainant on a bed. He had sustained multiple gunshot wounds and was bleeding. The SO and WO #3 placed the Complainant into the recovery position and attempted to reassure him.*

*Paramedics attended at the address and took the Complainant to hospital where he was treated for injuries to both hands and the torso.”*

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

*“The Complainant was shot and wounded by a TPS officer in Toronto on August 1, 2023. In the ensuing SIU investigation of the incident, the officer who fired his weapon – 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 shooting.*

*Section 34 of the Criminal Code provides that conduct that would otherwise constitute an offence is legally justified if it was intended to deter a reasonably apprehended assault, actual or threatened, and was itself reasonable. The reasonableness of the conduct is to be assessed in light of all the relevant circumstances, including with respect to such considerations as the nature of the force or threat; the extent to which the use of force was imminent and whether there were other means available to respond to the potential use of force; whether any party to the incident used or threatened to use a weapon; and, the nature and proportionality of the person’s response to the use or threat of force. The force used by the SO fell within the limits of the protection conferred by the provision.*

*The SO was lawfully placed and engaged in the execution of his duties in the series of events leading to the shooting. He and his partner had been invited into the home to check on the Complainant, who had been exhibiting strange and disturbing behaviour, and to investigate a threat he had made against another resident.*

*The shooting, I am satisfied, constituted defensive force. Though the officer did not come in for an interview, as was his right, the circumstances make plain that the SO fired his weapon to protect himself from a knife attack by the Complainant. The Complainant was holding a knife, had failed to drop it as directed, and was advancing on the officer when the SO discharged his firearm. Tellingly, WO #3, who was similarly situated to the SO, told the SIU he feared for their lives when the shooting happened.*

*I am also satisfied that the shots fired by the SO amounted to reasonable force. The Complainant had withstood a CEW deployment, disregarded repeated direction that he drop the knife, and was within three or four metres of the officer, advancing, when the SO discharged four rounds in rapid succession. The parties were confined within a narrow hallway at the time and there was little if any opportunity for retreat or withdrawal by the officers. On this record, I am persuaded that the Complainant constituted an imminent danger to the lives of the officers and that the SO was within his rights when he chose to meet a lethal threat with a resort to lethal force of his own.*

*For the foregoing reasons, there is no basis for proceeding with criminal charges against the subject official. The file is closed.”*

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

P.R.S. – F.D.I. conducted an administrative investigation as required by provincial legislation.

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

The F.D.I. investigation reviewed the following T.P.S. procedures:

- Procedure 01-01 (Arrest);
- Procedure 01-03 (Persons in Custody);
- Procedure 06-04 (Persons in Crisis);
- Procedure 06-13 (Mobile Crisis Intervention Team (M.C.I.T.));
- Procedure 08-03 (Injured on Duty Reporting);
- Procedure 08-04 (Members involved in a Traumatic Critical Event);
- 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 15-03 (Service Firearms);
- Procedure 15-09 (Conducted Energy Weapons);
- Procedure 15-17 (In-Car Camera System); and;
- Procedure 15-20 (Body-Worn Camera).

The F.D.I. investigation also reviewed the following legislation:

- *Special Investigations Unit Act, 2019* – Section 16(1) (Notification of Incident);
- *Special Investigations Unit Act, 2019* – Section 20 (Securing the Scene);
- *Special Investigations Unit Act, 2019* – Section 31(1) (Duty to Comply);
- Ontario Regulation 926 – Section 14.2 (1) (Use of Force Qualification); and
- Ontario Regulation 926 – Section 14.5 (1) (Reports on the Use of Force);

***Conclusion:***

The F.D.I. investigation determined that the T.P.S. policies and procedures associated with this firearm 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 F.D.I. 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.

Respectfully submitted,

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



## PUBLIC REPORT

**March 5, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation into the Vehicle Injury of Complainant 2023.60**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Summary:**

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (S.I.U. Liaison) and Traffic Services (T.S.V.) investigation determined the conduct of the designated official 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*



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

**Complainant** – Refers to the Affected Person(s)

**SO** – Subject Official

**WO** – Witness Official

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

In a letter to the Chief of Police dated December 5, 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 Director’s Decision* has been reprinted from the S.I.U. Director’s report, number 23-TVI-312, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2740](https://www.siu.on.ca/en/directors_report_details.php?drid=2740)

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

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

*In the evening of August 6, 2023, the SO was operating a marked cruiser southbound on Bathurst Street, south of Queen Street West, when his attention was drawn to a northbound ‘City’ cab. The WO was in the front passenger seat. The officers were aware of fake ‘City’ cabs in the area compromising the credit cards of unsuspecting passengers. The SO checked the licence plate marker and learned that the vehicle was a rental. That piqued his suspicion as he was of the understanding taxis could not be rental cars. The officers decided to stop the vehicle for investigation.*

*The SO executed a U-turn and caught up to the vehicle just north of Queen Street West. It had parked along the east side curb behind a concrete traffic barrier and in front of a pick-up truck. The officer brought his cruiser to a stop at an angle just in front of the vehicle, effectively preventing it from moving forward. As the SO and WO exited the cruiser, the driver of the vehicle was able to reverse through a window between the front of the pick-up truck and the rear of the cruiser. The vehicle continued to reverse around the driver’s side of the pick-up and veered onto the sidewalk on the northeast corner of the Bathurst Street and Queen Street West intersection. It struck a female pedestrian – the Complainant – knocking her down and traversing her left foot. It then accelerated westbound on Queen Street West through a red light.*

*The SO and WO rendered aid to the Complainant and called for an ambulance.*

*The Complainant was taken to hospital and diagnosed with a fractured left foot.*

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

*"The Complainant was seriously injured when a motor vehicle ran over her left foot in Toronto on August 6, 2023. As the vehicle was fleeing from TPS officers at the time, the SIU was notified and initiated an investigation of the incident. The SO was identified as the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant's injury.*

*The offence that arise for consideration are dangerous driving causing bodily harm and criminal negligence causing bodily harm contrary to sections 320.13(2) and 221 of the Criminal Code, respectively. Both require something more than a simple want of care to give rise to liability. The former is predicated, in part, on conduct that amounts to a marked departure from the level of care that a reasonable person would have exercised in the circumstances. The latter is premised on even more egregious conduct that demonstrates a wanton or reckless disregard for the lives or safety of other persons. It is not made out unless the neglect constitutes a marked and substantial departure from a reasonable standard of care. In the instant case, the question is whether there was any want of care on the part of the SO, sufficiently serious to attract criminal sanction, that endangered the Complainant's life or contributed to her injury. There clearly was not.*

*The SO and WO were engaged in the execution of their lawful duties when they decided to pull in front of the purported cab to investigate the driver. They were aware of reports of phony 'City' taxis being used to defraud passengers. They also understood that the vehicle they had spotted was registered to a rental company, another telltale sign of possible fraud.*

*I am also satisfied that the SO comported himself with due care and regard for public safety throughout his brief engagement with the vehicle. Aware that the fake taxis in the area were known to take flight from police, the officer waited for an opportune moment to attempt a stop. With the vehicle positioned between a pick-up and a concrete obstruction, the SO had reason to believe it was sufficiently blockaded with the addition of his cruiser by the driver's side. The fact that the vehicle was able to maneuver out of the barricade suggests that the officer erred, but if he did so, I am unable to reasonably conclude his judgment was markedly substandard.*

*In the result, as there are no reasonable grounds to conclude that the SO transgressed the limits of care prescribed by the criminal law throughout his dealings with the 'taxi', 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 and T.S.V. conducted an administrative investigation as required by provincial legislation.

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

The S.I.U. Liaison and T.S.V. investigation reviewed the following T.P.S. procedures:

- Procedure 07-01 (Transportation Collisions);
- Procedure 07-05 (Service Vehicle Collisions);
- Procedure 10-06 (Medical Emergencies);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);
- Procedure 15-17 (In-Car Camera System); and
- Procedure 15-20 (Body-Worn Camera)

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

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

### ***Conclusion:***

The S.I.U. Liaison and T.S.V. investigation determined that the T.P.S.'s policies and procedures associated with these vehicle injuries 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 and T.S.V. investigation determined the conduct of the designated subject and witness 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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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

**March 5, 2024**

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 2023.68**

**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*

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

**Complainant** – Refers to the Affected Person(s)

**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 December 21, 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 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-344, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2773](https://www.siu.on.ca/en/directors_report_details.php?drid=2773)

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

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

*In the evening of August 23, 2023, DRPS officers had plans to execute a search warrant at an apartment on Adelaide Street East, Toronto, and to arrest the Complainant inside the home. The Complainant was wanted for serious firearms-related offences. Given the nature of the crimes and the prospect that the Complainant might be armed, the TPS ETF was enlisted to enter the apartment to ensure the safety of the scene before the entry of the search team.*

*A team of ETF officers convened outside the apartment at about 4:20 p.m. The door to the apartment was forced open with a battering ram and police announced their presence. A male’s voice was heard to scream. From outside, the ETF called into the apartment without any response. Within moments, they received word that a male had fallen onto the balcony of an apartment two floors below.*

*The male on the balcony was the Complainant. He had heard the ETF at the door, decided to flee his apartment via the balcony, and fell to the balcony below in the process.*

*ETF officers arrived at the lower apartment and took the Complainant into custody. He had fractured his right arm in the fall and dislocated the right elbow.”*

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

*"The Complainant was diagnosed with a serious injury while in police custody on August 23, 2023. As the injury occurred shortly before his arrest as TPS officers were in the process of entering his residence on the authority of a search warrant, the SIU was notified of the incident and initiated an investigation. The investigation is now 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 Complainant's injuries.*

*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 the ETF officers, sufficiently egregious to attract criminal sanction that caused or contributed to the Complainant's injuries. In my view, there was not.*

*The ETF officers were lawfully placed and in the execution of their duties when they attended at the Complainant's residence and forced open his front door. They were acting pursuant to a search warrant authorizing their entry.*

*I am also satisfied that the ETF officers comported themselves with due regard for public safety, including the Complainant's well-being, throughout their engagement at the scene. Their choice of tactic – a no-knock breach of the front door – was reasonable. The Complainant was wanted for serious firearms offences and police had cause to believe that he was in the apartment and armed. Any further notice to the Complainant would have unduly risked the destruction of evidence. Moreover, it should be noted that this was not a full-blown dynamic entry. Rather, once the door opened, the ETF announced their presence and called-out to the Complainant from the hallway. Regrettably, the Complainant chose to attempt an escape from the balcony and ended up seriously hurting himself. Aside from being the impetus for the Complainant's behaviour, however, I am satisfied that the ETF did not contribute to that decision in any fashion that could attract criminal sanction. Nor did they have any opportunity to prevent the Complainant from hurting himself given the speed with which events unfolded.*

*For the foregoing reasons, 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 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 02-18 (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* (S.I.U.A), 2019, s.16(1) (Notification of Incident);
- *Special Investigations Unit Act* (S.I.U.A), 2019, s. 20 (Securing the Scene)
- *Special Investigations Unit Act* (S.I.U.A), 2019, s. 31(1) (Duty to Comply)

**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 the 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

**March 5, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Chief's Administrative Investigation of the Alleged Sexual Assault of Complainant 2023.70**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Summary:**

The Professional Standards (P.R.S.) – Special Investigations Unit Liaison (S.I.U. Liaison) and the Specialized Criminal Investigations – Sex Crimes (S.C.I. – S.C.) 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*

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

In a letter to the Chief of Police dated December 22, 2023, Director Joseph Martino of the S.I.U. stated, *“The file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges in this case”*.

The S.I.U. has not made the Director’s 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 Terminology:***

**Complainant** – Refers to the Affected Person

**SO** - Subject Official

**WO** - Witness Official

### ***Incident Narrative***

On December 16, 2018, at 0128 hours, Toronto Police Communications received a call from a staff member at a bar on Dupont Street reporting a patron exhibiting belligerent behaviour and that he had been assaulted by the same individual.

The WO1 and SO1 from 11 Division responded and commenced an investigation with the complainant. It was discovered that the complainant had also made a false emergency call to 9-1-1, reporting a fire at the location, which prompted a response from Toronto Fire Services. Following the investigation, at 0145 hours, the Complainant was arrested for public mischief and being intoxicated in a public place.

The Complainant was transported to 11 Division and at 0223 hours, was paraded in front of WO2. A *Level 3* search was authorized as the Complainant disclosed intentions of self-harm. SO1 and SO2 conducted the search in a private room off camera.

The Complainant was later released unconditionally.

On August 27, 2023, the T.P.S. was contacted by a supervisor at the Toronto South Detention Centre informing that an inmate had made a complaint to medical staff alleging multiple instances of being a victim of sexual assault.

On August 28, 2023, investigators from 22 Division C.I.B. attended the detention centre and spoke with the Complainant.

The Complainant made vague allegations of several historical sexual assaults. Notably, one such incident is alleged to have involved two unidentified female officers in plain-clothes in 2018 during a time when the Complainant was held in custody at 11 Division.

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

The S.I.U. designated two officers as Retired (Subject) Officials.

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

The P.R.S. – S.I.U. Liaison and the S.C.I. – S.C. conducted an administrative investigation mandated by provincial legislation.

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 and S.C.I. – S.C. investigation reviewed the following T.P.S. procedures:

- Directive 01-02 (Search of Persons); in force in December 2018
- Procedure 01-01 (Arrest);
- Procedure 01-02 (Search of Persons);
- Procedure 01-03 (Persons in Custody);
- Procedure 05-05 (Sexual Assault);
- Procedure 13-16 (Special Investigations Unit);
- Procedure 13-17 (Notes and Reports);

The S.I.U. Liaison and S.C.I. – S.C. 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 and S.C.I. – S.C. 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 that provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

The S.I.U. Liaison and S.C.I. – S.C. 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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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



## PUBLIC REPORT

**March 5, 2024**

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 2023.74**

**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*

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

**Complainant** – Refers to the Affected Person(s)

**SO** – Subject Official

**WO** – Witness Official

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

In a letter to the Chief of Police dated January 29, 2024, 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 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-404, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=2840](https://www.siu.on.ca/en/directors_report_details.php?drid=2840)

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

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

*In the evening of August 27, 2023, the Complainant was in the throes of a psychotic episode. He had come to believe that people who meant him harm were following him. Just outside the front entrance of the apartment building at 77 Howard Street, the Complainant noticed a police cruiser and approached the officer inside. He explained that people were out to kill him and asked for the officer’s help.*

*The officer was the SO. His cruiser was on the driveway adjacent the front doors facing west when he was approached by the Complainant. The officer deduced that the Complainant was a person in crisis. He was highly agitated and apparently delusional. The SO told the Complainant he would assist him after he had finished dealing with another motorist, whom he had pulled over. The Complainant continued to act out – while screaming for help, he ran around the cruiser and the grass field in front of the building.*

*When the SO was done with the motorist, he turned his attention to the Complainant. The Complainant approached the officer by the front driver side of the cruiser and lunged in his direction. The SO asked him to stay back and then took hold of the Complainant, pressed him up against the front hood of the cruiser, and proceeded to handcuff him. The Complainant kicked back with his right leg*

*and struck the SO's inner thigh. The officer reacted by forcing the Complainant to the ground.*

*The Complainant hit the ground hard with the front of his head resulting in multiple facial fractures. He was released at the scene and transported to hospital by ambulance.”*

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

*“The Complainant was seriously injured in the course of his apprehension by TPS officers on August 27, 2023. In the ensuing SIU investigation of the incident, the arresting officer – 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 injuries.*

*Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.*

*The SO was within his rights in taking the Complainant into custody. Given what he had observed of his behaviour to that point, culminating in a lunge towards the officer, there were reasonable grounds to believe that the Complainant was of unsound mind and a threat to himself and others, and therefore subject to apprehension under section 17 of the Mental Health Act.*

*I am also satisfied that the force used by the SO, namely, a takedown, was legally justified. Though he was in handcuffs at the time, the Complainant had struck the officer with a backwards kick. The officer was entitled to repel the assault and deter any further aggression by the Complainant via a resort to force, and a takedown was designed to do just that by placing the officer in a position to better manage any further resistance. It is regrettable that the Complainant's face struck the ground as hard as it did, causing injuries, but that would appear the result of the SO losing grip of the Complainant as he was being forced down and not excessive force brought to bear by the officer.*

*For the foregoing reasons, there is no basis for proceeding with criminal charges in this case against the subject official. 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 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 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* (S.I.U.A), 2019, s.16(1) (Notification of Incident);
- *Special Investigations Unit Act* (S.I.U.A), 2019, s. 20 (Securing the Scene)
- *Special Investigations Unit Act* (S.I.U.A), 2019, s. 31(1) (Duty to Comply)

**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 the 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

**March 5, 2024**

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 2023.80**

**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*

## **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 February 15, 2024, 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 two 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-433, which can be found via the following link:

[https://www.siu.on.ca/en/directors\\_report\\_details.php?drid=3694](https://www.siu.on.ca/en/directors_report_details.php?drid=3694)

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

*“The evidence collected by the SIU, including an interview with the Complainant and video footage that captured the incident, gives rise to the following scenario. As was their legal right, neither subject official agreed an interview with the SIU or the release of their notes.*

*In the morning of October 23, 2023, SO #1 and SO #2 were dispatched to a residence in the area of Morningside Avenue and Lawrence Avenue East, Toronto, to investigate the Complainant. The Complainant, the resident of the home, had earlier that day threatened a municipal bylaw officer with a knife. The bylaw officer was at the home following a property complaint.*

*From the sidewalk in front of the residence, SO #1 called-out to the Complainant. The Complainant exited a side door of the home. He was holding a knife in his left hand and walked quickly towards the officers. Asked by SO #1 if he intended to hurt him with the knife, the Complainant said he would do just that if the officer attacked him. Nearing to within an arm’s-length of the officers, the Complainant raised the knife and waved it at them.*

*The officers retreated from the Complainant onto the roadway in different directions. They were soon joined by another officer – WO #1 – armed with a C8 rifle. The Complainant made his way onto the roadway and walked to and from the officers brandishing the knife in their direction. The officers repeatedly told him to drop the knife. SO #1 attempted to de-escalate the situation by encouraging the Complainant to talk to him. The Complainant could not be appeased. He ran*

*towards SO #1 and was struck by the probes of a CEW fired by the officer, falling onto his left side on the roadway. The Complainant quickly stood up and again moved towards SO #1, who discharged his CEW a second time. At about the same time, from behind the Complainant, SO #2 fired her CEW. Neither discharge had any apparent effect on the Complainant, who continued to move back and forth between the officers with the knife in hand. Following a couple of minutes of this, the Complainant approached one of the parked cruisers, opened the driver's door and leaned in. As he stepped away from the door, SO #2, who had positioned herself by the passenger side of the same cruiser, took aim and fired her CEW again. On this occasion, the Complainant locked-up and fell backwards onto the road. WO #1 immediately approached the Complainant, stepped on his left arm as SO #1 neared and removed the knife from his left hand. The Complainant was eventually handcuffed.*

*Following his arrest, paramedics attended at the scene and transported the Complainant to hospital where he was diagnosed with a fractured left clavicle.”*

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

*“The Complainant was seriously injured in the course of his arrest by TPS officers on October 23, 2023. The SIU was notified of the incident and initiated an investigation. Two officers – SO #1 and SO #2 – were identified as subject officials. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that either subject official committed a criminal offence in connection with the Complainant's arrest and injury.*

*Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.*

*The Complainant had threatened a bylaw officer with a knife and brandished a knife at SO #2 and WO #1, and SO #1. He was clearly subject to arrest for multiple criminal offences.*

*With respect to the force used by SO #1 and SO #2 in aid of the Complainant's arrest, I am satisfied that it was legally justified. The Complainant, without provocation, armed himself with a knife and threatened the officers with it. Despite their exhortations that he drop the knife and stop to talk to them, he continually advanced on the officers as if about to launch a knife attack. Withdrawal from the scene was not a viable option. The Complainant, seemingly of unsound mind, was armed with a dangerous weapon in a public space and the officers would have been concerned about the safety of third-parties. Instead, the officers attempted to contain the Complainant inside a triangular formation while trying to talk him down. The first CEW discharge occurred when the Complainant ran at SO #1 and was within two to three metres of the officer. He constituted a lethal threat at the time and SO #1 was within his rights in seeking to deter him with a*

*less-lethal weapon. The next series of CEW discharges – one from each of SO #1 and SO #2 – occurred shortly after the Complainant got up after falling from the first discharge. Each officer acted reasonably in doing so. They had now just witnessed the Complainant coming within metres of doing real damage and there was an opportunity to temporarily incapacitate him before he again ran at an officer. More than two minutes elapsed before SO #2, finding herself in position to shock the Complainant, fired her weapon again. On this occasion, the CEW had the desired effect – the Complainant stiffened and fell backwards, after which he was disarmed and taken into custody. At the time, there was still significant potential of grievous injury or death coming to an officer or the Complainant if events were allowed to continue. SO #2 was prudent in preventing that from happening when finding herself with an opportunity to bring the situation to an end, she took it.*

*In the result, while I accept that the Complainant's injury was incurred in one or the other of his falls, it was not attributable to any unlawful behaviour on the part of the subject officials. As such, there is no basis for proceeding with criminal charges. 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 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 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 15-09 (Conducted Energy Weapons);
- 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, s.16(1) (Notification of Incident);

- *Special Investigations Unit Act (S.I.U.A), 2019, s. 20 (Securing the Scene)*
- *Special Investigations Unit Act (S.I.U.A), 2019, s.31(1) (Duty to Comply)*

**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 the 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

**April 15, 2024**

To: Chair and Members  
Toronto Police Service Board

From: Dubi Kanengisser  
Executive Director

**Subject: Notice of Revisions to Board's Procedural By-Law**

**Purpose:**  Information Purposes Only  Seeking Decision

**Recommendation(s):**

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

**Financial Implications:**

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

### Summary:

This report provides the requisite notice by the Board's Executive Director for proposed changes to the Board's Procedural By-law. These proposed changes incorporate revisions required pursuant to the new *Community Safety and Policing Act*, along with additional changes identified by Board Office Staff, in consultation with Board Members, to make Board meetings both more efficient, and more effective.

### Discussion:

#### **Background**

The Board's Procedural By-law was enacted in 1996, and was updated and expanded in 2017 (Min. No. P33/17 refers). The Procedural By-law governs the meetings of the Board (both regular and Special), as well as all of the associated procedural elements, along with a number of other areas such as the duties of the Chair and Vice Chair, agendas and Minutes, and Committees of the Board.

**Toronto Police Service Board**

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In 2020, a need was identified to further revise the Procedural By-law to reflect desired modifications to the Board's meeting procedures – including with respect to holding electronic meetings – as well as other Board practices, and the changing role of the Board's Executive Director. Board Staff, in consultation with counsel from City Legal, drafted a number of amendments to incorporate these changes, which were approved by the Board at its meeting of June 19, 2020 (Min. No. P90/20 refers).

***Proposed Revisions to the Procedural By-law***

On April 1, 2024, the new *Community Safety and Policing Act* (the *Act*) came into force, replacing the *Police Services Act* as the primary statutory framework governing policing in Ontario. This has resulted in a number of changes required to the Procedural By-law, in order to bring it into compliance with the *Act*.

In addition, a number of changes are being proposed to improve the handling of Board meetings, to make them more efficient and effective. These proposed revisions have been developed in consultation with Board Members.

In particular, changes are proposed to clarify the process for the introduction of motions at Board Meetings, and ensure that Board Members are provided sufficient time to review the motions prior to discussing them.

The proposed revised By-law is included as Appendix A.

***Notice to be provided pursuant to Procedural By-law***

As set out in the procedural By-law at 26.2, “[t]he Board will only consider amendments or repeal of this by By-law at a Board meeting if a previous regular board meeting received notice of the proposed amendment or repeal.” This Board report has been drafted to provide this notice, in accordance with this provision.

***Conclusion:***

It is recommended that the Board receive this report for information, and consider the notice required pursuant to Procedural By-law 26.2 to have been given, as a result.

Respectfully submitted,

Dubi Kanengisser  
Executive Director

***Attachments:***

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Appendix A: Proposed revised Procedural By-law

# APPENDIX A

## PROCEDURAL BY-LAW TPSB

### TABLE OF CONTENTS

1.	PREAMBLE.....	2
2.	INTERPRETATION.....	2
3.	DEFINITIONS .....	3
4.	APPLICATION .....	4
5.	ELECTION OF CHAIR AND VICE-CHAIR.....	5
6.	DUTIES OF THE CHAIR.....	6
7.	DUTIES OF THE VICE-CHAIR.....	7
8.	AGENDA.....	7
9.	MINUTES.....	8
10.	COMMITTEES OF THE BOARD.....	9
11.	REGULAR MEETINGS OF THE BOARD .....	10
12.	SPECIAL MEETINGS OF THE BOARD.....	10
13.	PUBLIC AND CONFIDENTIAL MEETINGS .....	11
13.A	ELECTRONIC MEETINGS.....	11
14.	CALLING MEETINGS TO ORDER .....	11
15.	QUORUM .....	12
16.	CONFLICT OF INTEREST DISCLOSURE.....	12
17.	HEARING OF PUBLIC DEPUTATIONS AT BOARD MEETINGS .....	12
18.	CONDUCT OF THE PUBLIC .....	14
19.	CONDUCT OF MEMBERS.....	15
20.	RULES OF DEBATE AT THE BOARD.....	15
21.	VOTING .....	16
22.	RECONSIDERATIONS .....	17
23.	POINTS OF ORDER AND PROCEDURE .....	17
24.	BY-LAWS.....	18
25.	RECORDING DEVICES.....	18
26.	AMENDMENTS TO BY-LAW .....	18
27.	ADMINISTRATION .....	18
28.	<b>EFFECTIVE DATE</b> .....	19

TORONTO POLICE SERVICE BOARD  
BY-LAW NUMBER 161

A By-Law to Govern the Proceedings of the Toronto  
Police Service Board and its Committees

1. PREAMBLE

- 1.1 Subsection 22(1) of the *Community Safety and Policing Act* (the Act) provides that there will be a police service board for every municipality that maintains a police force.
- 1.2 Subsection 46(1) of the Act provides that a board will establish its own rules and procedures in performing its duties under the Act.
- 1.3 The Toronto Police Service Board wants to establish rules governing the conduct of its meetings and other related matters.
- 1.4 The Toronto Police Service Board wants to ensure that those rules reflect the principles of accessibility, responsiveness and accountability to the community, fairness, respect and full debate in the conduct of its meetings and flexibility in responding to changing circumstances at meetings of the Board.
- 1.5 The Toronto Police Service Board wants to ensure that the application and interpretation of the procedural rules contained in this by-law are consistent with the principles set out above.

NOW THEREFORE, the Toronto Police Service Board hereby enacts as follows:

2. INTERPRETATION

- 2.1 This By-law will be interpreted to be consistent with the following principles:
  - (a) The majority of Members have the right to decide;
  - (b) The minority of Members have the right to be heard;
  - (c) All Members have the right to information to help make decisions, unless otherwise prevented by law;
  - (d) Members have a right to an efficient meeting;
  - (e) All Members have the right to be treated with respect and courtesy; and
  - (f) All Members have equal rights, privileges and obligations, subject to additional rights, privileges and obligations granted to the Chair

under this By-law or other Board resolution.

### 3. DEFINITIONS

#### 3.1 In this By-law:

- (a) “Act” means the Community Safety and Policing Act, 2019, as amended;
- (b) “Agenda Deadline” means the time by which reports or requests must be received in order to be considered by the Chair as a potential matter for an upcoming Board meeting agenda;
- (c) “Board” means the Toronto Police Service Board;
- (d) “Board Administrator” means the administrator of the Board;
- (e) “Business Days” means calendar days exclusive of Saturdays, Sundays and statutory holidays in the Province of Ontario;
- (f) “By-law” means this by-law as amended from time to time;
- (g) “Chair” means the Member elected as Chair of the Board pursuant to subsection 36(1) of the Act;
- (h) “Chief” means the Chief of the Toronto Police Service;
- (i) “Committee” means a committee of the Board which is established by the Board in accordance with the Act and section 10;
- (j) “Confidential Meeting” and “Confidential Agenda” mean a meeting of the Board, or a portion of a meeting, that is closed to the public, and the associated list of items to be considered at the confidential meeting;
- (k) “Council” means the Council of the City of Toronto;
- (l) “Deputation” means an address to the Board or its Committees at the request of a person or representative of a group or organization wishing to speak;
- (m) “Executive Director” means the Executive Director of the Board;
- (n) “Improper Conduct” means behaviour which causes any obstruction to the deliberations or proper conduct of a meeting;
- (o) “Member” means a member of the Board;
- (p) “motion to defer” means a motion made for the purpose of disposing of a matter with or without any proposed amendment, by delaying its consideration indefinitely or until some specified time or event;

- (q) “motion to receive” means a motion made for the purpose of acknowledging receipt of a particular item and placing the item in the records of the Board for future reference;
- (r) “motion to refer” means a motion made for the purpose of disposing of a matter under consideration, with or without any proposed amendment, by referring it and seeking its consideration by any designated Committee, advisory panel, body or official;
- (s) “point of order” means the raising of a question for the purpose of calling attention to any departure from the terms of this By-law or the customary modes of proceedings in debate or in the conduct of the Board’s business;
- (t) “point of procedure” means a question directed to the Chair to obtain information on the rules of the Board bearing on the business at hand in order to assist a Member to make an appropriate motion, raise a point of order or understand the effect of a motion;
- (u) “Presentation” means an address to the Board or Committee at the request or invitation of the Board or a Committee;
- (v) “Quorum” means a majority of the Members of the Board pursuant to section 43(2) of the Act;
- (w) “Recorded Vote” means a vote for which the Board Administrator records all Members present and how they voted; and
- (x) “Vice-Chair” means the Member elected as the Vice-Chair of the Board pursuant to subsection 36(2) of the Act.

3.2 In this By-law, words importing the singular number include the plural and vice-versa, and all references to gender will be read as gender neutral.

#### 4. APPLICATION

4.1 Subject to section 4.3, the rules of procedure set out in this By-law will be observed in all proceedings of the Board, and will govern the order and dispatch of business conducted by the Board.

4.2 The rules of procedure contained in this By-law, with necessary modifications, are likewise applicable to a Committee.

4.3 All points of order or procedure for which rules have not been provided in this By-law will be decided by the Chair, as far as is reasonably possible, first, in accordance with the established rules of City of Toronto Council and second, in accordance with the rules of parliamentary procedure as contained in Robert’s Rules of Order.

4.4 The Board may waive any rules of procedure established by this By-law as

it considers appropriate.

4.5 Notwithstanding section 4.4, the Board cannot waive the following rules:

- (a) Meetings open to the public (section 13);
- (b) Quorum necessary for Board and committee meetings (section 15);
- (c) Reconsidering decisions (section 22); and
- (d) Amending the procedure by-law (section 26).

## 5. ELECTION OF CHAIR AND VICE-CHAIR

5.1 In accordance with subsections 36(1) and (2) of the Act, the Members of the Board will, at the first public meeting of the Board in each calendar year, elect from amongst its Members present, a Chair and Vice-Chair for the year, in the following manner:

- (a) The election of Chair and Vice-Chair will be conducted by the Board Administrator;
- (b) The Board Administrator will call for nominations;
- (c) Nominations will require a mover and seconder;
- (d) Every nominee will be asked by the Board Administrator if they accept their nomination;
- (e) Prior to the vote being taken, when there is more than one nominee, each nominee will be given an opportunity to speak to the nomination for up to five (5) minutes. Candidates will be called upon in alphabetical order of their surname;
- (f) After the nominees have completed their speeches, or, when there is only one nominee, once there are no more nominations, a vote will be taken;
- (g) If there are more than two nominees who choose to accept their nomination and upon the first vote no nominee receives the majority required for election, the name of the nominee receiving the least number of votes will be dropped and the Board will proceed to vote again and continue to do so until either,
  - (i) A nominee receives the majority required for election; or
  - (ii) It becomes apparent by reason of an equality of votes that no nominee can be elected.
- (h) Where the votes cast in a vote under this section are equal for all the candidates:

- (i) if there are three or more candidates nominated or remaining, the Board Administrator will by lot select one such candidate to be excluded from subsequent voting; or
  - (ii) if only two candidates remain, the tie will be broken and the position of Chair filled by the candidate selected by lot conducted by the Board Administrator.
- (i) For the purpose of subsection (i), “lot” means the method for determining the candidate to be excluded or the candidate to fill the position, as the case may be, by placing the names of the candidates on equal size pieces of paper placed in a box and one name being drawn by the Board Administrator.

## 6. DUTIES OF THE CHAIR

### 6.1 The Chair of the Board will:

- (a) preside at all meetings of the Board;
- (b) open the meeting of the Board by taking the chair and calling the Members to order;
- (c) receive and submit all motions presented by the Members;
- (d) put to vote all motions which are duly made and announce the result;
- (e) decline to put to a vote motions which infringe upon the rules of procedure or which are beyond the jurisdiction of the Board;
- (f) ensure that the Members, when engaged in debate, act within the rules of procedure;
- (g) enforce, on all occasions, the observance of order and decorum at a meeting;
- (h) call by name any Member persisting in breach of the rules of procedure and order them to vacate the room in which the meeting is being held;
- (i) advise the Board on any point of order as necessary;
- (j) adjourn the meeting upon motion duly made when the business is concluded;
- (k) adjourn the meeting or suspend or recess the meeting for a time to be specified by the Chair, if considered necessary;
- (l) act as the spokesperson for the Board or designate the Vice-Chair or the Executive Director to do so;

- (m) represent the Board at public or official functions or designate another Board Member or the Executive Director to do so;
- (n) sign all documents for, and on behalf of, the Board including but not limited to by-laws, resolutions, orders, and agreements which have been approved by the Board;
- (o) perform any and all other duties when directed to do so by motion of the Board; and
- (p) where appropriate, expel or exclude from a meeting any person for Improper Conduct.

## 7. DUTIES OF THE VICE-CHAIR

- 7.1 When the Chair is absent or refuses to act, the Vice-Chair will act in their place, and, while acting, will have the authority, rights, duties and powers of a Chair.
- 7.2 If the position of Chair becomes vacant, the Vice-Chair, if willing, will act in their place and assume the position of Chair for the remainder of the term until an election is held at the first meeting in the calendar year. If the Vice-Chair assumes the position of Chair, an election will be held for the position of Vice-Chair at the next regular meeting. If the Vice-Chair declines to assume the position of Chair, the Members will elect an interim Chair in accordance with the procedures set out in section 5 of this By-law.

## 8. AGENDA

- 8.1 The Board Administrator will prepare an agenda, for approval by the Executive Director and the Chair, in that order, for the use of the Members at the meetings of the Board:
  - 1. Call to Order
  - 2. Declarations of Interest
  - 3. Verbal Update from the Chief
  - 4. Confirmation of the Minutes from the Previous Meeting
  - 5. Presentations
  - 6. Reports Deferred from Previous Meetings
  - 7. Items for Consideration
  - 8. Confidential Items
  - 9. Adjournment



- 8.2 Each regular meeting will include a public and confidential agenda, as prepared by the Board Administrator and approved by the Chair.
- 8.3 Information on a confidential agenda of the Board will be marked "Confidential".
- 8.4 Any Member may submit an item to be put on an agenda provided that it is received by the Executive Director prior to the Agenda Deadline.
- 8.4A Where a Member submitted an item to be put on the Agenda in accordance with section 8.4, and the Chair determines not to include it on the agenda, or to defer it to a future meeting, the Chair will notify the Member in writing with reasons
- 8.5 The agenda for each regular meeting will be available to each Member at least five (5) clear Business Days preceding the day appointed for the holding of the meeting.
- 8.6 The public agenda for regular board meetings will be posted on the Board's website no later than five (5) clear Business Days prior to the Board meeting.
- 8.7 The Board will deal with matters in the order established on the agenda. The Chair may, at their discretion, alter the established order to facilitate the business of the meeting.
- 8.8 Any Member may add new business to the agenda after the Agenda Deadline if it relates to an urgent matter and the Board consents to the addition.
- 8.9 The Chair will use their reasonable efforts to satisfy the notice provisions set out in this section. Failure to satisfy any of the notice provisions contained in this section does not invalidate the meeting or any proceeding at the meeting.

## 9. MINUTES

- 9.1 The Board Administrator will cause minutes to be taken of each meeting of the Board, which will include:
  - (a) the place, date and time of the meeting;
  - (b) the name of the Chair and the attendance of the Members, the Executive Director, senior staff of the Toronto Police Service, names of presenters and persons making deputations;
  - (c) the confirmation and correction, if required, of the minutes of the previous meeting;
  - (d) declarations of interest; and

- (e) in accordance with section 43(4) of the Act, a record without note or comment of all resolutions, decisions and other proceedings at the meeting.
- 9.2 Unless otherwise decided by the Board, the minutes of each Board meeting will be submitted for confirmation or amendment to the Board at its next regular meeting or as soon thereafter as is reasonably practicable.
- 9.3 The draft public minutes of the Board, as approved by the Chair, will be posted on the Board's website.
10. COMMITTEES OF THE BOARD
- 10.1 The Board may, subject to the requirements of section 42 of the Act, establish a committee by by-law, and appoint two or more Members to a Committee to exercise any authority conferred on the Board in order to address any matter within the jurisdiction of the Board.
- 10.1A The Board may appoint one or more additional members, who are not Members of the Board, to a committee, as long as a majority of the committee is composed of Members of the Board.
- 10.2 The rules governing the procedures of the Board and the conduct of Members will be observed in all Committee meetings so far as they are applicable.
- 10.3 The Chair will be an ex-officio Member of any Committee appointed pursuant to section 10.1 and will be entitled to vote as a Member of any such Committee.
- 10.4 The Board will appoint Members to Committees for a specified period of time.
- 10.5 The Board will appoint a Chair of each Committee.
- 10.6 Members who are not Members of a specific Committee may attend meetings of that Committee and may, with the consent of the Chair of that Committee, take part in the discussion, but will not be counted in the quorum or entitled to make motions or to vote at these meetings.
- 10.7 Committee members may deal directly with the Chief or their designates, or members of the Command Team or their designates, when the Committee requires the assistance of the Toronto Police Service.
- 10.8 The Committee will report on its work to the Board as directed by the Board.
- 10.9 The Board may establish, by by-law, ad hoc Committees of limited duration, to inquire and report on a particular matter or concern. An ad hoc Committee will dissolve automatically upon submitting its final report to the Board.

## 11. REGULAR MEETINGS OF THE BOARD

- 11.1 The regular meetings of the Board will be held at least four times each year pursuant to subsection 43(1) of the Act or more frequently at the direction of the Board.
- 11.2 The Board will hold its regular public meetings according to the schedule and at locations set annually and approved by the Board, or at such other place or time as may be determined by the Board.
- 11.3 Regular meetings will not be scheduled for a time which conflicts with a regular meeting or a meeting previously called of the Council of the City of Toronto or any of its committees on which Members sit.
- 11.3A Where the Chair determines that a regular meeting must be rescheduled after the approval of the schedule, the meeting will not be called for a time which a Board Member has indicated they cannot accommodate without their written consent.
- 11.4 The Chair will preside at all Board meetings. In the event the Chair does not attend a meeting at which they are to preside within thirty (30) minutes after the time appointed for the meeting, the Vice-Chair will call the Members to order and will preside until the arrival of the Chair. Where the Executive Director advises the Vice-Chair that the Chair has provided notice that they will not attend, the thirty minutes wait time may be waived by resolution of those Members in attendance. If the Chair and Vice-Chair are not in attendance within thirty (30) minutes after the time appointed for the meeting, then, provided that a Quorum is present, those Members in attendance will, by resolution, appoint one of themselves to act as Acting Chair for that meeting or until the arrival of the Chair or Vice-Chair.
- 11.5 The Board may alter the meeting schedule as it considers necessary.

## 12. SPECIAL MEETINGS OF THE BOARD

- 12.1 The Chair may, at any time, call a special meeting of the Board on twenty-four hours' notice and will do so whenever requested in writing by a majority of the Members of the Board.
- 12.2 The Board Administrator may give notice of special meetings to the Members of the Board by electronic means.
- 12.3 The notice calling a special meeting of the Board will state the business to be considered at the special meeting and no business may be considered at a special meeting of the Board other than that specified in the notice, unless approved by the Board.
- 12.4 Special meetings will not be called for a time which conflicts with a regular meeting or a meeting previously called of the Council of the City of Toronto or any of its committees on which Members sit, unless all City Councillors

who are also Members consent to the time of the special meeting.

- 12.5 Notwithstanding any other provision contained in this section, the Chair may cancel a special meeting if they called the meeting. The Chair may only cancel a special meeting that was requested by the Members if a majority of the Members consent to the cancellation.

### 13. PUBLIC AND CONFIDENTIAL MEETINGS

- 13.1 Meetings of the Board will be open to the public except as authorized by subsections 44(2), (3) or (6) of the Act.
- 13.2 No people other than Members and those permitted by the Board will attend confidential meetings, and all others will vacate the meetings when asked by the Chair.
- 13.3 All information pertaining to a confidential meeting will be treated as confidential by all persons in attendance unless the Board agrees to disclose it publicly.
- 13.4 During a confidential meeting, the Board may move any item from the confidential agenda to a public agenda.

#### 13.A ELECTRONIC MEETINGS

- 13.A.1 The Board may, at the direction of the Chair, hold a regular or special meeting where some or all Members participate electronically and are not physically present in the same location.

13.A.2 Where a meeting is being held in accordance with section 13.A.1:

- (a) notice of the meeting and instructions on how members of the public can view and/or participate in the meeting will be included in the agenda and/or notice for the meeting;
- (b) any Member participating in the meeting electronically will be deemed present for the purposes of Quorum under section 15 of the By-law, voting under section 21 of the By-law and for all other purposes; and
- (c) this By-law will apply to the meeting with any other necessary modifications as may be required.

### 14. CALLING MEETINGS TO ORDER

- 14.1 As soon as possible after the hour fixed for a meeting of the Board, and where a quorum is present, the Chair will take the chair and call the meeting to order.

## 15. QUORUM

- 15.1 If a Quorum for either a regular or special Board meeting is not present within thirty (30) minutes of the time fixed for the commencement of the meeting, or the resumption of a meeting after an adjournment or recess, the Board Administrator will record the names of the Members present and the meeting will stand adjourned until the time identified in a motion to “fix the time to which to adjourn”, or the next regular meeting of the Board.
- 15.2 If Quorum is lost during a meeting of the Board, the Chair will, upon determining that a Quorum is not present, request the Board Administrator to call for a Quorum period of fifteen (15) minutes, or until a Quorum is present, whichever is sooner.
- 15.3 If there is still no Quorum of the Board after fifteen (15) minutes, the meeting will stand adjourned and the Board Administrator will record the names of the Members present. In this case, all unfinished business will be carried forward to the next meeting of the Board.

## 16. CONFLICT OF INTEREST DISCLOSURE

- 16.1 Members will be governed by the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended.
- 16.2 To fulfill the Board's function pursuant to Part X of the Act (Public Complaints) or Part XII (Discipline and Termination), Members should not take part in the administration of Part X or Part XII matters if they have a personal interest or where they may be perceived as having a personal interest or bias.
- 16.3 The Board Administrator will record in reasonable detail, the particulars of any disclosure of conflict of interest made by a Member, and the particulars will appear in the minutes of that meeting of the Board.

## 17. HEARING OF PUBLIC DEPUTATIONS AT BOARD MEETINGS

### Items on the Public Agenda

- 17.1 Persons wishing to make a deputation to the Board regarding an item on the public meeting agenda may be heard with the permission of the Chair provided the following requirements are met:
  - (a) the request must be received no later than noon on the business day preceding the day of the meeting;
  - (b) the request must be made to the Board Administrator in a form prescribed by the Board;
  - (c) the request must set out the particulars of the matter and include a copy of any materials that will be presented; and

- (d) the request must indicate the name, and at least one of either the telephone number or email address of the person who will speak to the matter;
- (e) or otherwise at the discretion of the Chair.

#### Items not on a Public Agenda

17.2 Persons wishing to make a deputation to the Board regarding an item not on a public meeting agenda will only be heard at regular meetings, provided the following requirements are met:

- (a) the request must be received no later than ten (10) Business Days before the date for the meeting;
- (b) the request must be made to the Board Administrator in writing or by email;
- (c) the request must set out the particulars of the matter and include a copy of any materials that will be presented;
- (d) the request must indicate the name, telephone number and email address of the person who will speak to the matter; and
- (e) the request must pertain to a matter that falls within the jurisdiction of the Board.

#### Assessment of Request for items not on an Agenda

17.3 Upon receipt of the notice requesting a deputation and provided the requirements in section 17.2 are met, the Chair, at their discretion, may decide to:

- (a) list the deputation as an item on the agenda of any future meeting, and advise the requestor;
- (b) list the deputation on a relevant item already on the agenda of the next regular meeting, if one exists, and advise the requestor; or
- (c) refuse the request, and advise the requestor.

#### No Deputations on Items on a Confidential Agenda

17.3A Persons may not make deputations to the Board with regard to items listed on a confidential agenda.

#### General Rules for Deputations

17.4 Unless otherwise directed by the Board, deputations will be restricted to five (5) minutes and will be addressed only to the stated business. The time

allotted for any deputation may be extended or reduced as considered necessary at the discretion of the Board.

- 17.5 A deputation on behalf of any organization or group may be made by more than a single representative but the entire submission on behalf of an organization or group will be limited to five (5) minutes. If a person is speaking both on their own behalf and as a representative of an organization or group, the entire submission will be limited to five (5) minutes.
- 17.6 Upon the completion of a deputation to the Board, any discourse between Members and the persons making the deputation will be limited to Members asking questions for clarification for up to five (5) minutes. Members of the Board will not enter into debate with the person making the deputation.
- 17.7 Requests to make a deputation after the meeting has commenced will be considered by the Chair and approved at their discretion.
- 17.8 A person making a deputation will not:
  - (i) speak disrespectfully of any person;
  - (ii) use offensive words or language;
  - (iii) speak on any subject other than the subject for which they have received approval to address the Board;
  - (iv) speak concerning the conduct of a police officer or make a complaint against a police officer or member of the Toronto Police Service, staff and Members of the Board; or
  - (v) disobey the rules of procedure or a decision of the Chair.
- 17.9 The Chair may curtail any deputation or debate during a deputation for Improper Conduct or any other breach of this By-law and where, after giving a caution, the Chair rules that the deputation is concluded, the person or persons appearing will immediately withdraw.

#### Use of translator

17.10 A person making a deputation may use a translator, and the translation time does not count towards the five-minute limit.

## 18. CONDUCT OF THE PUBLIC

- 18.1 Members of the public in attendance at a meeting will not:
  - (a) address the Board without permission;

- (b) bring signage, placards or banners into meetings and will refrain from any activity or behaviour that would interfere with Board deliberations; or
- (c) engage in Improper Conduct.

## 19. CONDUCT OF MEMBERS

### 19.1 No Member will:

- (a) use offensive words or language in meetings of the Board;
- (b) speak on any subject other than the subject in debate;
- (c) criticize any decision of the Board at a meeting except for the purpose of moving that the question be reconsidered; or
- (d) disobey the rules set out in this By-law or a decision of the Chair on questions of order or procedure as set out in this By-law or resolution of the Board, or on the interpretation of the rules of the Board.

19.2 If a Member persists in a breach of section 19.1 after having been called to order by the Chair, the Chair shall without debate put the question, "Shall the member be ordered to leave for the rest of the meeting?" to a vote.

19.3 If the Board votes in the affirmative, the Chair shall order the Member to leave for the rest of the meeting.

19.4 If the Member apologizes, the Chair, with the approval of the Board, may permit the Member to return to the meeting.

## 20. RULES OF DEBATE AT THE BOARD

20.1 Before speaking to a question or motion, every Member will first receive recognition from the Chair and then the Member will address the Chair.

- (a) When two or more Members wish to speak, the Chair will designate the Member who, in the Chair's opinion, first requested to speak as the Member who speaks first.
- (b) For each matter under consideration, the Chair will maintain a list of Members who have requested to speak and will designate Members to speak in accordance with that list.
- (c) No Member will speak more than once until every Member who wishes to speak has done so.
- (d) A Member may speak more than once on the same matter.

20.2 When a Member is speaking, no other Member will interrupt them except to raise a point of order.



- 20.3 Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.
- 20.4 A Member may ask a question only for the purpose of obtaining information relating to the matter then under discussion.
- 20.5 Questions may only be asked of:
- (a) a Member who has already spoken on the matter under discussion;
  - (b) the Chair;
  - (c) an official of the Toronto Police Service or the City of Toronto Legal Division or the Executive Director or their designate; and
  - (d) any other person in attendance who may be able to assist the Board.
- 20.6 The following matters may be introduced by Members at a meeting of the Board without written notice and without the consent of the Board:
- (a) a point of order or procedure;
  - (b) a motion to suspend or not follow a rule of procedure;
  - (c) a motion to recess or adjourn the meeting;
  - (d) a motion that the vote on a matter be taken; and
  - (e) other motions of a purely procedural nature.

## 21. VOTING

- 21.1 The Chair will ensure that all Members who wish to speak on a matter have spoken and that the Members are ready to vote and will then put the matter to a vote.
- 21.2 Every Member present at a meeting of the Board when a question is put will vote on the question, unless legally prohibited, in which case the fact of the prohibition will be recorded in the Minutes of the meeting.
- 21.3 The matter put to a vote will be in the form of a motion addressing the matter then under consideration.
- 21.4 Any Member may submit a motion relating to any item on the Agenda by providing a copy to the Executive Director for circulation among Members.
- 21.4A The Chair may rule any motion submitted in relation to an item on the agenda as invalid if the Chair determines that the motion is not relevant to the matter under consideration.

21.4B A Member may appeal the decision of the Chair to the Board, and the Board, if appealed to, will decide the question without debate and its decision will be final.

21.4C Where a motion is submitted after the meeting has commenced the Executive Director will inform the Chair of the submission, and the Chair shall declare a recess for a duration to be determined by the Chair, to allow the Executive Director and the Board Administrator to prepare the motion and circulate it to Members.

21.5 If there is more than one motion with respect to a matter, the Board Administrator will receive all motions and read the various motions to the Members prior to the vote being taken.

21.6 When a vote is taken, and a Member requests a Recorded Vote, the Board Administrator will record each Member's vote.

21.7 Any motion on which there is an equality of votes will be deemed to be lost.

## 22. RECONSIDERATIONS

22.1 Subject to section 22.1, after any matter has been decided, any Member may move a motion for reconsideration of the matter.

22.2 In the case of a Recorded Vote, after any matter has been decided, any Member who voted with the majority may move a motion for a reconsideration of the matter.

22.3 No discussion of the matter will occur until the motion for reconsideration is carried.

## 23. POINTS OF ORDER AND PROCEDURE

23.1 Subject to being overruled by a majority vote of the Members, which vote will be taken without debate, the Chair

- (a) will maintain order and preserve decorum of the meeting;
- (b) will rule upon points of order and points of procedure without debate or comment, other than to state the applicable rule;
- (c) will rule as to whether a motion or proposed amendment is in order or out of order; and
- (d) may call a Member to order.

23.2 When a Member raises a point of order or procedure, he or she will ask leave of the Chair to do so, and after leave is granted, will state the point of order to the Chair and request the Chair's ruling on the point.

23.3 A Member may further address the Chair on the same point of order or

procedure for the purpose of appealing to the Board from the Chair's decision.

- 23.4 If no member appeals, the decision of the Chair will be final.
- 23.5 The Board, if appealed to, will decide the question without debate and its decision will be final.
- 23.6 Whenever any point of order or point of procedure is raised by a Member, it will be immediately taken into consideration and ruled upon by the Chair, and subject to appeal in accordance with section 23.3, the Chair's ruling is final.
- 23.7 When the Chair considers that the integrity of the Chief of Police or other official has been impugned or questioned by a Member, the Chair may permit the Chief or other official to make a statement to the Board on the matter.

#### 24. BY-LAWS

- 24.1 Every by-law when introduced, will be in typewritten form and will contain no blanks except such as may be required to conform to accepted procedure or to comply with the provisions of any Act, and will be complete with the exception of the number and the date of the by-law.
- 24.2 Every by-law which has been passed by the Board will be numbered, dated and signed by the Chair and Executive Director, and will be filed in the Board office.

#### 25. RECORDING DEVICES

- 25.1 The use of cameras, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for recording the proceedings of a meeting by members of the public, including the news media, must be used in accordance with the directions of the Board.

#### 26. AMENDMENTS TO BY-LAW

- 26.1 To pass a motion to amend or repeal this By-law requires a two-thirds vote of Members present.
- 26.2 The Board will only consider amendments or repeal of this By-law at a Board meeting if a previous regular Board meeting received notice of the proposed amendment or repeal.

#### 27. ADMINISTRATION

- 27.1 That By-law No 107 is hereby repealed.
- 27.2 This By-law will come into force upon the date immediately following the Board meeting at which it is enacted.

28. **EFFECTIVE DATE**

This by-law is hereby enacted by the Toronto Police Service Board on this \_\_\_\_ day of \_\_\_\_\_.

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Chair

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Executive Director



## PUBLIC REPORT

**March 11, 2024**

To: Chair and Members  
Toronto Police Services Board

From: Myron Demkiw  
Chief of Police

**Subject: Request for Review of a Service Complaint Investigation  
– Professional Standards Case Number PRS-093661**

**Purpose:**  Information Purposes Only  Seeking Decision

### **Recommendations:**

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

- 1) determine whether to concur with the decision that no further action was required with respect to the complaint, and
- 2) advise the complainant, the Independent Police Review Director (O.I.P.R.D.) and the Chief of Police the disposition of the complaint, in writing, with reasons.

### **Financial Implications:**

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

### **Discussion:**

#### ***Background***

The Board has received a request to review the disposition of a complaint about a policy of Toronto Police Service (T.P.S.).

### *Relevant Board Policies and Compliance*

Section 63 of the *Police Services Act* (P.S.A.) directs the Chief of Police to review every complaint about the policies of or services provided by a municipal police force that is referred to him or her by the O.I.P.R.D.

The Chief of Police shall, within 60 days of the referral of the complaint to him or her notify the complainant in writing of his or her disposition of the complaint, with reasons, and of the complainant's right to request that the Board review the complaint if the complainant is not satisfied with the disposition.

A complainant may, within 30 days after receiving the notice, request that the Board review the complaint by serving a written request to that effect on the Board.

### **Board Review:**

Section 63 of the P.S.A. directs that upon receiving a written request for a review of a complaint previously dealt with by the Chief of Police, the Board shall:

- a) advise the Chief of Police of the request.
- b) subject to subsection (7), review the complaint and take any action, or no action, in response to the complaint, as it considers appropriate; and
- c) notify the complainant, the Chief of Police and the O.I.P.R.D. in writing of its disposition of the complaint, with reasons.

### **Summary of the Complaint and Investigation**

Complaint Number: PRS-093661  
Complaint Type: Service  
Disposition: Concluded

### **Complaint**

On October 19, 2023, the O.I.P.R.D. received a complaint. The complainant alleged they received inadequate service because they learned of their son's death through a family member two weeks after the fact – rather than from the T.P.S.

The O.I.P.R.D. classified this complaint as a complaint about the service provided by the T.P.S. and on November 14, 2023, assigned it to the T.P.S. for investigation.

On November 15, 2023, Detective Stacie Branton, Unit Complaints Co-ordinator of 55 Division was assigned the file for investigation. The investigation revealed that

misconduct was identified against the subject officer. The matter was adjudicated and is now concluded.

As part of the investigation, information and/or documents were reviewed, including: the Complainant's statement, Intergraph Computer Aided Dispatch (I.C.A.D.) event details, Versadex Occurrence 23-1966405, and T.P.S. Procedures and Governance.

As a result of the investigation into the service that was provided, the following information was gleaned:

- On 2023.08.23, officers responded to an echo tiered radio call which unfortunately concluded as a Sudden Death occurrence.
- On 2023.08.24, a lead investigator was assigned to the occurrence and began taking investigative steps to attempt to identify and locate a next of kin contact for the deceased.
- The supplementary report submitted by the lead investigator outlines a log of actions taken over the next two weeks, until the lead investigator was contacted by a witness officer regarding the identity of next of kin, the deceased individual's mother.
- Although on its face, the log appears to outline a number of investigative checks that were conducted, the investigation has revealed that one crucial check was missed, which would have revealed the next of kin's identity.

***Conclusion:***

As a result of this Service Complaint investigation:

A deficiency was identified in the delivery of the service (notification of next of kin).

A review of the evidence indicates that the service provided was inadequate (or not delivered in accordance with all governing authorities).

Therefore the following action has been taken to improve this service to ensure such an occurrence does not happen in the future:

An internal complaint (PRS-094334 / 2023.INT-0721) was initiated to determine how this deficiency occurred and to allow for an individual officer to be held accountable if deemed appropriate.

## **Reason for Confidential Information**

This report includes a confidential appendix containing details of two Investigative Reports. This confidential appendix is for Board members only and will not be made public.

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

### *Appendix:*

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Toronto Police Service (T.P.S.) Report of Investigation – O.I.P.R.D. File:  
(E202310191757573578) and Toronto Police Service (T.P.S.) Report of Investigation  
– File (PRS-094334/2023.INT-0721)