



Public Meeting

**Tuesday,
September 13, 2022
at 9:00AM**



PUBLIC MEETING MINUTES

Tuesday, September 13, 2022, at 9:00AM
Livestreamed at: <https://youtu.be/g4YI-dKVCDc>

The following *draft* Minutes of the hybrid public meeting of the Toronto Police Services Board that was held on September 13, 2022 are subject to approval at its next regularly scheduled meeting.

Attendance:

The following Members were present:

Jim Hart, Chair
Frances Nunziata, Vice-Chair and Councillor
John Tory, Mayor and Member
Ainsworth Morgan, Member
Lisa Kostakis, Member
Ann Morgan, Member
Mark Grimes, Councillor and Member

The following individuals were also present:

James Ramer, Chief of Police, Toronto Police Service
Ryan Teschner, Executive Director and Chief of Staff, Toronto Police Services Board
Diana Achim, Board Administrator, Toronto Police Services Board
Jane Burton, Solicitor, City of Toronto – Legal Services Division

Declarations:

There were no declarations of interest under the *Municipal Conflict of Interest Act*.

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-0.1. Moment of Silence for Police Constable Andrew Hong

The Board observed a moment of silence for Police Constable Andrew Hong of Traffic Services, who was tragically killed while on duty on September 12, 2022.

Chair Hart made the following remarks: *“Before we begin today’s meeting, I would ask that we observe a moment of silence for Police Constable Andrew Hong of Traffic Services who was tragically killed while on duty on September 12, 2022.*

With his death, he has made the ultimate sacrifice to keeping his community safe and, for that, we extend our deepest gratitude for his service, and for his sacrifice.

In the days ahead, as we learn more, and plan a fitting tribute to Police Constable Hong, more will be shared with the public.

We know that the Toronto Police Service is very much a family in many ways, and the loss of one Member has a deep and profound impact on the entire organization. In this time of extraordinary grief and sadness, as we struggle, together, to deal with this senseless loss of life, we hope that Members find solace and support in each other, and in the various supports and resources available to them through the Service”.

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-0.2. Moment of Silence for Queen Elizabeth II

The Board observed a moment of silence for the passing of *Her Majesty Queen Elizabeth II.*

Chair Hart made the following remarks: *“On behalf of the Toronto Police Services Board, I would like to acknowledge the passing of Her Majesty Queen Elizabeth II last Thursday, at the age of 96.*

Renowned for her grace, integrity and dedication, Queen Elizabeth's life was the embodiment of extraordinary public service, over an incredible reign spanning 70 years.

As a policing organization, comprised of members dedicated to preserving the greater good, it is an especially poignant time. We know that Queen Elizabeth loved Canada and its people, and was always deeply supportive of the work of military, police, and others in service to their communities.

We join the international community in mourning her death, offering our sincere condolences to the Royal Family, and we pay tribute to her incredible contributions over the years”.

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P2022-0913-0.3. Chief's Monthly Verbal Update

Chief Ramer provided the Board with an update on several items of interest. For a more detailed account of his overview, see the YouTube recording here at Minute 47:42 <https://youtu.be/g4YI-dKVCDC?t=2862>.

Chair Hart thanked Chief Ramer for his updates.

The Board received the update.

Moved by: F. Nunziata
Seconded by: J. Tory

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-1.0. Board Minutes

The Board approved the Minutes of the public meeting that was held on [July 27, 2022](#).

Deputations: Albert Venczel ([written submission included](#))
Miguel Avila
Kris Langenfeld
Derek Moran ([written submission included](#))

The Board received the deputations and approved the Minutes.

Moved by: M. Grimes
Seconded by: F. Nunziata

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-2.0. Request to Extend Term of 9-1-1 Crisis Call Diversion Pilot Project

The Board was in receipt of a report dated August 29, 2022 from James Ramer, Chief of Police.

Recommendations:

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

- 1) Approve an extension of the 9-1-1 Crisis Call Diversion Pilot Project (9-1-1 C.C.D.) with Gerstein Crisis Centre (G.C.C.) from October 1, 2022 to September 30, 2023, at a cost of approximately \$1 Million (M); and
- 2) Authorize the Chair to execute all documents required to facilitate the extension of the 9-1-1 C.C.D., based on the terms and conditions satisfactory to the Chief, and subject to the City's Solicitor's approval, as to form.

Deputation: Nicole Corrado ([written deputation only](#))

The Board received the written deputation, and approved the foregoing report.

Moved by: M. Grimes
Seconded by: Ann Morgan

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-3.0. New Board Policy – Electronic Monitoring of Employees

The Board was in receipt of a report dated August 30, 2022 from Ryan Teschner, Executive Director and Chief of Staff.

Recommendation:

It is recommended that the Board approve the new proposed Board Policy, entitled "Electronic Monitoring of Employees" attached as Appendix "A."

Deputation: Derek Moran ([written deputation included](#))

The Board received the deputation and approved the foregoing report.

Moved by: Ann Morgan
Seconded by: M. Grimes

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-4.0. Records Management System (RMS)

P2022-0913-4.1. [Vendor Pre-qualification for Records Management System](#)

The Board was in receipt of a report dated August 11, 2022 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) approve Niche Technologies as a pre-qualified vendor for the potential provision of a Records Management System (R.M.S.) for a period of three years.

P2022-0913-4.2. [Opinion of the Fairness Commissioner](#)

The Board was in receipt of the Fairness Commissioner's Opinion dated July 29, 2022.

Deputation: Adam Schwartz ([written submission included](#))
Versaterm Public Safety

For a recording of the verbal deputation, questions from Board Members and responses to questions, see the YouTube Minute number 1:02:25 <https://youtu.be/g4YI-dKVCDc?t=3746>.

Chief Information Officer, Colin Stairs, answered questions from Board Members and advised that the procurement team, along with counsel from City Legal, conducted a review of this procurement process. He also advised that the Fairness Commissioner was engaged, reviewed the entire process and concluded it was conducted fairly. Chief Information Officer Stairs noted that the Fairness Commissioner's report is provided as part of the public agenda.

The Board received the deputation and approved the foregoing report.

Moved by: L. Kostakis
Seconded by: M. Grimes

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-5.0. Vendor Pre-qualification for Cyber Security Penetration Testing Services

The Board was in receipt of a report dated August 11, 2022 from James Ramer, Chief of Police.

Recommendations:

It is recommended that the Board:

- 1) Approve the pre-qualification of both Packetlabs and ISA Cybersecurity for the provision of cyber security penetration (pen) testing services for a period of three years from September 13, 2022 to September 12, 2025; and
- 2) Authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

The Board approved the foregoing report.

Moved by: F. Nunziata
Seconded by: M. Grimes

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-6.0. Contract Award to Yonge Steeles Ford Lincoln for Ford Automotive Parts and Supplies

The Board was in receipt of a report dated September 2, 2022 from James Ramer, Chief of Police.

Recommendations:

It is recommended that the Board:

- 1) Approve a contract award to Yonge Steeles Ford Lincoln for Ford automotive parts and supplies for a one year term from October 1, 2022 to September 30, 2023, with the option to extend for an additional three one-year periods, at an estimated cost of \$4.0 Million (M), excluding taxes, over the four-year period;

- 2) Authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and
- 3) Authorize the Chief of Police to exercise the three additional one-year option periods, subject to continuing business need, budget availability, and satisfactory performance by the vendor.

The Board approved the foregoing report.

Moved by: M. Grimes
Seconded by: Ann Morgan

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-7.0. [Addition of Select Highway Traffic Act Authorities for Toronto Police Service Court Officers](#)

The Board was in receipt of a report dated August 10, 2022 from James Ramer, Chief of Police.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) grant Court Officers police powers under the following sections of the *Highway Traffic Act* (H.T.A.):

- Section 134 (1) Traffic Direction;
- Section 134 (2) Road Closure; and
- Section 134.1 (1),(2),(4) Removal of Vehicle, Debris Blocking Traffic
-

Deputation: Kris Langenfeld

The Board received the deputation and approved the foregoing report.

Moved by: M. Grimes
Seconded by: Ainsworth Morgan

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-8.0. [Special Constable Appointments and Re-Appointments – September 2022](#)

The Board was in receipt of a report dated August 1, 2022 from James Ramer, Chief of Police.

Recommendation:

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

The Board approved the foregoing report.

Moved by: F. Nunziata
Seconded by: J. Tory

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-9.0. Budget Variance Reports

P2022-0913-9.1. [2022 Operating Budget Variance for the Toronto Police Service, Period Ending June 30, 2022](#)

The Board was in receipt of a report dated September 2, 2022 from James Ramer, Chief of Police.

Recommendation:

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

P2022-0913-9.2. [Capital Budget Variance Report for the Toronto Police Service - Period Ending June 30, 2022](#)

The Board was in receipt of a report dated August 16, 2022 from James Ramer, Chief of Police.

Recommendation:

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

P2022-0913-9.3. 2022 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending June 30, 2022

The Board was in receipt of a report dated August 8, 2022 from James Ramer, Chief of Police.

Recommendation:

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

P2022-0913-9.4. 2022 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending June 30, 2022

The Board was in receipt of a report dated September 2, 2022 from Ryan Teschner, Executive Director and Chief of Staff.

Recommendation:

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

Deputation: Derek Moran ([written submission included](#))

In response to questions from Board Members, Ms. Svina Dhaliwal, Chief Administrative Officer, advised that part of the reported unpaid leave had to do with the implementation of the Service's vaccination requirements, and said that she can provide follow-up information with detailed numbers and statistics for the Board, since this report is in reference to only the first half of the fiscal year.

In response to another question from Mayor Tory, Chief Ramer advised that the Service had 120 candidates for the upcoming August 2022 recruit class, and that the Ontario Police College was not able to accommodate all 120, but could only accept 110, due to the high demands for hiring police officers across the province.

In response to Chair Hart's questions regarding making expenditures in 2022 in order to reduce the pressures for the 2023 budget, Ms. Dhaliwal advised the Board that the Service has asked all the Unit Commanders to look into their 2023 mandatory budget needs, and try to advance any possible purchases this year to try and reduce the budget requirements for next year.

In response to questions from Mayor Tory, Mr. Ryan Teschner, Executive Director and Chief of Staff, advised the Board that the Board Office has sent a formal request to the Province of Ontario seeking cost recovery in relation to the unique policing

requirements associated with the 'Freedom Convoy' event, as well as additional policing and enforcement costs associated with aspects of the COVID-19 pandemic. He advised that the Ministry of the Solicitor General is reviewing the request, but has not provided a final response as of yet.

The Board received the deputation and approved the foregoing reports.

Moved by: F. Nunziata
Seconded by: L. Kostakis

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-10.0. [Request for Review of a Service Complaint Investigation- Professional Standards Case Number PRS-085616](#)

The Board was in receipt of a report dated August 3, 2022 from James Ramer, Chief of Police.

Recommendations:

It is recommended that:

- 1) The Toronto Police Services Board (Board) determine whether to concur with the decision that no further action was required with respect to the complaint; and,
- 2) The complainant, the Independent Police Review Director and I are advised in writing of the disposition of the complaint, with reasons.

The Board approved the foregoing report.

Moved by: M. Grimes
Seconded by: Ann Morgan

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-11.0. [Semi-Annual Report: Toronto Police Services Board Special Fund Unaudited Statement – January to June 2022](#)

The Board was in receipt of a report dated August 9, 2022 from Ryan Teschner, Executive Director and Chief of Staff.

Recommendation:

This report recommends that the Board receive the report on the Toronto Police Services Board's Special Fund un-audited statement for the period of January to June 2022.

Deputation: Debbie Kumoi

The Board received the deputation and the foregoing report.

Moved by: L. Kostakis
Seconded by: M. Grimes

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-12.0. Chief's Administrative Investigation reports

P2022-0913-12.1. [Chief's Administrative Investigation into the Custody Injury of Complainant 2022.07](#)

The Board was in receipt of a report dated August 10, 2022 from James Ramer, Chief of Police.

Recommendation:

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

P2022-0913-12.2. [Chief's Administrative Investigation into the Custody Injury of Complainant 2022.10](#)

The Board was in receipt of a report dated August 10, 2022 from James Ramer, Chief of Police.

Recommendation:

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

Deputation: Kris Langenfeld

The Board received the deputation and the foregoing reports.

Moved by: Ann Morgan
Seconded by: M. Grimes

This is an Extract from the Minutes of the Public Meeting of the Toronto Police Services Board that was held on September 13, 2022

P2022-0913-13.0. Confidential

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

The following Members attended the confidential meeting:

Mr. Jim Hart, Chair
Ms. Frances Nunziata, Vice-Chair
Mr. John Tory, Mayor and Member
Mr. Mark Grimes, Councillor and Member
Mr. Ainsworth Morgan, Member
Ms. Lisa Kostakis, Member
Ms. Ann Morgan, Member

A Motion to adjourn the meeting was moved by Board Member Lisa Kostakis, and seconded by Councillor Mark Grimes.

Next Regular Board Meeting

Date: Tuesday, October 11, 2022
Location: 40 College Street, Auditorium

Minutes Approved by:

-original signed-

Jim Hart
Chair

Members of the Toronto Police Services Board

Jim Hart, Chair
Mark Grimes, Councillor & Member
Lisa Kostakis, Member

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



Toronto Police Services Board Report

August 29, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Request to Extend Term of 9-1-1 Crisis Call Diversion Pilot Project

Recommendation(s):

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

- 1) Approve an extension of the 9-1-1 Crisis Call Diversion Pilot Project (9-1-1 C.C.D.) with Gerstein Crisis Centre (G.C.C.) from October 1, 2022 to September 30, 2023, at a cost of approximately \$1 Million (M); and
- 2) Authorize the Chair to execute all documents required to facilitate the extension of the 9-1-1 C.C.D., based on the terms and conditions satisfactory to the Chief, and subject to the City’s Solicitor’s approval, as to form.

Financial Implications:

The 9-1-1 C.C.D. is proposed to be extended for one year, from October 1, 2022 to September 30, 2023, and this extension term is estimated to cost just over a \$1M, as outlined in the table below:

Expenditure	Incurred by Partner Agency and Reimbursed by TPS	Incurred Directly by TPS	Total Estimated TPS Cost
Project Coordinator salary and benefits 1.0 FTE	\$90,000		\$90,000
Crisis Intervention Worker salary and benefits 5.5 FTE (providing a total coverage of 24 hours each day)	\$456,600		\$456,600
Crisis Intervention Worker for Peak Hours Support salary and benefits 2.6 FTE (providing a total coverage of 12 hours each day during peak demand for crisis calls for service)	\$219,200		\$219,200
Training	\$62,100		\$62,100
Administrative Fee	\$19,100		\$19,100
Telecommunications, equipment and furniture	\$69,400	\$75,900	\$145,300
Legal (Legal bills to be paid by TPS-LSV)		\$10,000	\$10,000
Total estimated cost	\$916,400	\$85,900	\$1,002,300

Under the terms of the existing Memorandum of Understanding (M.O.U.) for the 9-1-1 C.C.D., the Toronto Police Service (Service) reimburses G.C.C. for the following costs incurred by G.C.C. in its provision of services for the pilot:

- Salary and benefits for G.C.C.'s crisis intervention workers and project co-ordinator;
- An administrative fee to cover time spent by G.C.C. for project development, recruitment of G.C.C. staff and financial, payroll and administrative functions; and
- Telecommunications, equipment and furniture costs.

Under the new terms and conditions for the extended program, funding would be increased to also include funding for a second crisis worker during peak hours and staff education and training.

As shown in the above chart, the Service would be responsible to reimburse G.C.C. up to \$916,400 for the extension term from October 1, 2022 to September 30, 2023. These costs will be primarily for salaries, benefits and administration costs incurred by G.C.C., in line with the terms of the existing M.O.U. G.C.C. will continue to invoice the Service quarterly based on actual costs incurred over the extended term of the pilot project.

For the extension period, the Service is also proposing to reimburse G.C.C. for its costs in obtaining independent legal advice for the review of an amended M.O.U. with the Board. G.C.C. does not have in-house legal staff and will obtain external legal advice for this matter. Legal costs are estimated to be approximately \$10,000.

Additional estimated costs of \$75,900 will be incurred directly by the Service for fit-up for both primary and secondary sites.

The total estimated cost of \$1,002,300 for a one year extension of the 9-1-1 Crisis Call Diversion Program Pilot will be funded from the Service's Modernization Reserve, with the exception of the legal fees which will be funded through the Services' Legal Reserve. As costs will be incurred over two fiscal years, the draws from the Modernization Reserve will be made in 2022 and 2023. The amount required for the 2023 draw will be considered in the development of the 2023 operating budget.

Any associated costs beyond 2023 will be considered as part of future year operating budget submissions, supported by a business case that justifies the continuation of this program.

Background / Purpose:

At its meeting of June 24, 2021, the Board authorized the entering into of a M.O.U. between the Board and Gerstein Crisis Centre to establish the 9-1-1 C.C.D. (Min. No P2021-0624-2.1). The 9-1-1 C.C.D. co-locates a G.C.C. crisis worker with specialized training in mental health crisis response in the Service's 911 Communications Services Call Centre.

This Pilot Project aims to quickly connect inbound callers experiencing non-emergency mental health-related issues with mental health professionals and support at G.C.C. and other community support agencies. The Pilot Project has had a G.C.C. crisis worker available 20 hours a day, seven days a week to respond to people in crisis in 14, 51 and 52 Division neighbourhoods.

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

The current term of the 9-1-1 C.C.D. M.O.U. will conclude on September 30, 2022.

The purpose of this report is to obtain the Board's approval to extend the 9-1-1 C.C.D. for an additional one year term and expand the 9-1-1 C.C.D. catchment area city-wide with hours of operation extending to 24 hours each day.

The 9-1-1 C.C.D. demonstrates the willingness and determination of the Service to change the role of police in crisis calls and supports recommendations made the City of Toronto Auditor General and the police reform program, adopted by the Board to provide alternative non-police models of community safety response for persons in crisis.

Discussion:

Over the past year, the 9-1-1 C.C.D. has provided persons calling 9-1-1 with the option to speak with a crisis worker in lieu of a police response in relation to crisis calls for service. This service has been available 20 hours a day, seven days a week to respond to people in crisis in 14, 51 and 52 Division neighbourhoods. In some instances where event volumes allowed, G.C.C. crisis workers assisted with events from divisions located outside of the pilot area. At the six-month mark of the 9-1-1 C.C.D., there were more events referred to the 9-1-1 C.C.D. which originated from outside the pilot catchment area than from within it, as shown in table 1 below.

Table 1.

# of Events Sent to 9-1-1 Crisis Call Diversion Pilot October 4, 2021 - April 4, 2022	
14, 51, and 52 Divisions	All other Divisions
272 Events	343 Events

Given the high demand for the 9-1-1 C.C.D. from outside the current catchment area, the Service is seeking to expand the scope of the 9-1-1 C.C.D. and provide this non-police response option to 9-1-1 callers from anywhere in the city.

Currently, there is one crisis worker operating in the 9-1-1 C.C.D. for 20 hours each day between 07:00 a.m. and 03:00 a.m. The Service is also seeking to expand the operating hours to 24 hours each day, which avoids any gap in alternative response option service.

Expansion of the catchment area city-wide and extension of the operating hours to 24 hours each day will likely produce a higher number of events referred to the crisis worker in the extension term. Therefore, the funding proposal for the extension term includes the addition of a second crisis worker to overlap with the first for 12 hours each day during the peak hours of demand.

The volume of events referred to the 9-1-1 C.C.D. will be monitored during the first three months of the extension term to determine when the peak hours are and if there is demand and need for a second crisis worker.

Memorandum of Understanding:

The Board and G.C.C. entered into a M.O.U. in relation to the 9-1-1 C.C.D. which detailed the roles and responsibilities of both parties. This M.O.U. states that close to the end of the original term of the 9-1-1 C.C.D., the parties would review the pilot project and the Service could make recommendations to the Board on the future of the pilot project. The M.O.U. allowed that the parties could, if approved by the Board, enter into a separate M.O.U. to extend the term of the pilot project, subject to availability of funding.

This report recommends the Board extend the 9-1-1 C.C.D. for an additional term from October 1, 2022 to September 31, 2023, inclusive, and that the existing M.O.U. be amended to reflect the extension and operational changes to the 9-1-1 C.C.D. described above.

If needed to prevent a gap in service while the operational amendments to the M.O.U. are being finalized, the term of the existing M.O.U. would be extended, based on the existing terms and conditions, and until such time as the amended M.O.U. is finalized.

Conclusion:

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

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 30, 2022

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: New Board Policy – Electronic Monitoring of Employees

Recommendation(s):

It is recommended that the Board approve the new proposed Board Policy, entitled “Electronic Monitoring of Employees” attached as Appendix “A”.

Financial Implications:

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

Background / Purpose:

On February 28, 2022, the Ontario Government introduced Bill 88, the *Working for Workers Act, 2022* (the “Act”), in the Ontario Legislature. The Act subsequently received Royal Assent and came into force on April 11, 2022. The purpose of the Act was to introduce new employee protections and improvements to employee experiences, through changes to various pieces of employment-related legislation.

Among these changes, the Act made significant amendments to the *Employment Standards Act, 2000* (the “E.S.A.”), including the introduction of a new requirement for employers in Ontario with 25 or more employees to have a written policy on electronic monitoring for all employees covered by the E.S.A. The intention behind this amendment is to protect employee privacy by requiring employers to be transparent about if, how, and in what circumstances, they track employees and their use of electronic devices, as well as the purpose for which the information obtained by the employer can or will be used.

The amended E.S.A. provides for a transition period of six months from the date on which the Act received Royal Assent for employers to comply with the relevant

requirements regarding the written policy on electronic monitoring of employees, meaning that employers are required to have a compliant policy prepared by October 11, 2022.

As the Board is the statutory employer of all Members of the Toronto Police Service and Board Staff, including those to whom the *E.S.A.* generally applies, the proposed Electronic Monitoring of Employees Policy seeks to ensure that the Board complies with its statutory obligations under the *E.S.A.*

Discussion:

Context for the new legislative requirement that the Board have a Policy

Ontario is the first province or territory within Canada to require employers to create a policy related to electronic monitoring of employees. This requirement enhances transparency in the workplace by requiring employers to have a policy on electronic monitoring of employees, in which employers are required to describe how and in what circumstances electronic monitoring is performed, and the purpose for which any information is collected. This policy obligation coincides with a shift in decentralized work, as more employees are now performing their job remotely.

Research and alignment with best practice

Staff within the Service's People & Culture pillar and the Board Office conducted a jurisdictional scan in order to understand the approach other municipalities and policing agencies were taking to address the new requirement. Policies were slow to develop as many awaited further direction from the Province, as well as guidance from professional organizations.

The Board's proposed Electronic Monitoring of Employees Policy was created in consultation with external labour relations and employment law counsel at Hicks Morley Hamilton Stewart Storie L.L.P. Further, the Policy was the subject of consultation with both the Toronto Police Association (the "T.P.A.") and the Toronto Police Senior Officers' Organization (the "S.O.O.").

Policy approach, scope, and E.S.A. compliance

In developing the proposed Policy, People & Culture staff considered the unique and varied work performed by Members of the Service in delivering police services in partnership with the communities they serve. The employment relationship between the Board and Members of the Service is governed by a constellation of statutes, regulations, collective agreements, procedures, and practices. In particular, staff considered the unique rights, responsibilities, and obligations of police officers employed by the Board, as recognized in the *Police Services Act* and reflected through the general non-application of the *E.S.A.*

The proposed Policy, therefore, applies exclusively to civilian Members of the Service and Board Staff (for the purposes of the Policy, collectively referred to as “Employees”).

The purpose of the Policy is to set out the parameters of electronic monitoring of Employees in accordance with the *E.S.A.*, the collective agreements in force between the Board and the T.P.A. and the S.O.O., and any other terms and conditions of employment with the Board.

Overarching general principles

The Policy aligns with the Board and the Service’s (for the purposes of the Policy, referred to as the “Employer”) commitment to promoting a culture of transparency and trust, by outlining how and in what circumstances Employees are electronically monitored. No changes have been made to existing Board Policies, Service procedures, standards, guidelines, or practices as a result of this proposed Policy.

The Policy affirms that Employees must not expect privacy when using Employer systems. However, each of the electronic monitoring measures which are in place are an essential component to enforcing Board and Service governance, maintaining a respectful work environment, and ensuring that Information Technology assets that are owned and managed by the Board and the Service are used both safely and appropriately.

Conclusion:

The proposed Policy was developed jointly by Board Office and People & Culture staff, in consultation with the Service and key stakeholders, including the T.P.A. and the S.O.O. Staff thank all stakeholders for their valued contributions.

In light of the foregoing, and to ensure that the Board has a policy in place regarding electronic monitoring of employees in place by October 11, 2022, in compliance with the amended *E.S.A.*, it is recommended that the Board approve the proposed Policy, attached as Appendix “A”.

Peter Mowat, Manager of Labour Relations, and Jennifer Heikamp, A/Manager, People Strategy & Performance, will be in attendance to answer any questions that the Board may have regarding this report.

Respectfully submitted,

Ryan Teschner
Executive Director and Chief of Staff



TORONTO POLICE SERVICES BOARD

ELECTRONIC MONITORING OF EMPLOYEES

APPROVED	Mm/dd/yy	Minute No: Pxxx/00
REVIEWED (R) AND/OR AMENDED (A)		
REPORTING REQUIREMENT		
LEGISLATION	<i>Employment Standards Act, 2000</i> , S.O. 2000, c. 41, Part XI.1	

PURPOSE OF POLICY

The purpose of this Electronic Monitoring of Employees Policy (the “Policy”) is to describe how and in what circumstances the Employer may electronically monitor Employees, and to outline the purposes for which information obtained through electronic monitoring may be used. “Electronic monitoring” refers to employee monitoring that is conducted electronically.

APPLICATION

This Policy applies to civilian Members of the Toronto Police Service (the “Service”) and to Toronto Police Services Board Staff. For greater clarity, this Policy applies solely to all employees of the Toronto Police Services Board (the “Board”), as defined by the Ontario *Employment Standards Act, 2000* (collectively “Employees”).

For the purposes of this Policy, the term “Employer” refers to the Board and/or Service, as applicable.

The Policy should be read in conjunction with other applicable Board Policies, Service Procedures, guidelines, and standards, including, but not limited to:

- Standards of Conduct
- Affirmation/Oath of Secrecy
- Information Security Policy
- Core Values
- Guidelines for Remote Work and Remote Work Member Agreement
- Conduct of Service Members
- Records Retention Schedule
- Closed Circuit Television (CCTV) Program
- Procedure 04-46 Closed Circuit Television (CCTV)
- Procedure 15-11 Use of Service Vehicles
- Procedure 15-17 In Car Camera System

- Procedure 15-18 Secure Laptop
- Procedure 15-20 Body-Worn Camera
- Procedure 17-02 Information Breaches
- Procedure 17-11 Toronto Police Service Intranet
- Procedure 17-12 Service Communication Systems

DEFINITIONS

For the purpose of this Policy, the following definitions apply:

Video/Audio Surveillance/Monitoring Equipment: Surveillance or otherwise monitoring by means of a camera or other recording device that monitors or records visual images and/or captures audio of activities recorded on Employer-owned electronic devices. This includes, but is not limited to, on-site surveillance cameras, in-car camera systems, and body-worn cameras.

Computer Monitoring: The practice of collecting user activity data on Employer-owned computers, tablets, Connected Officer devices, networks, and other IT infrastructure. This data includes, but is not limited to, web browsing history, files downloaded, data input, network traffic, logons to corporate systems, interactions with data, peripheral device usage (mouse, keyboard, monitor, etc.), and information about the Employee's computer.

Electronic Access Controls (EACs): The technology used to provide and deny physical or virtual access to a physical or virtual space. This includes, but is not limited to, the magnetic stripe included within proximity/ID access cards, which also keeps records of access times and locations.

Global Positioning System (GPS): A network of satellites and receiving devices used to determine the location of something on Earth. This technology can be enabled within equipment such as vehicles [Automated Vehicle Location System (AVLS)], Connected Officer devices, and portable radios, in order to determine the location of the equipment, both at present, and historically. AVLS also documents current and historical speed of vehicles in which it is enabled.

GUIDING PRINCIPLES

Expectation of Privacy in the Workplace

Monitoring Employee usage of Employer-owned workplace technology devices is an essential component of enforcing Procedures, maintaining a respectful work environment, and ensuring that Information Technology (I.T.) assets that are owned and managed by the Employer are used safely and appropriately. This includes an Employee's personal device when operated on the Remote Desktop Connection desktop-as-a-service platform. The Employer monitors workplace technology devices to ensure I.T. resources are used in accordance with the *Information Security Policy, Information Security Guidelines*, and other relevant Board Policies, guidelines and Service Procedures.

For that reason, **Employees must not expect privacy when using Employer systems.** While all personal information collected by the Employer will be used fairly and appropriately as per this Policy, all activities that take place via Employer-owned electronic assets should be considered monitored.

Types of Employee Monitoring Conducted and Their Purpose

The Employer uses various electronic tools to monitor Employees for different purposes.

a) Video/Audio Surveillance/Monitoring

Video/audio surveillance/monitoring equipment is used on a continuous basis on Employer premises to ensure that Employees and visitors are provided with a safe and secure environment, as well as to ensure that Employer-owned assets are kept secure from theft, vandalism, and other forms of misconduct.

Video/audio surveillance/monitoring equipment will not be used in areas where Employees have a reasonable expectation of privacy, such as bathrooms, changing rooms, and other private areas. Where video/audio surveillance equipment is used, the equipment will be made clearly visible and there will be notices indicating the presence of the equipment.

Employees may also be subject to video/audio surveillance/monitoring on and off Employer facilities at any time during the course of performing their regular job duties. This includes Closed Circuit Television (CCTV), in-car camera systems (ICCS), body-worn cameras (BWC), Connected Officer devices, and Service communications systems. Use of this equipment is monitored to ensure resources are used in accordance with relevant Employer Procedures.

b) Computer Monitoring

The Employer monitors the network and computer activity of Employees to ensure that Employer-owned I.T. resources (including email communications, instant messages and facsimiles) are used in accordance with the *Information Security Policy, Information Security Guidelines* and other Board Policies, guidelines and Service Procedures where relevant. I.T. systems continually log activities while devices are on and connected to the Internet. All logs are stored in the Employer's centralized audit log repository. Employees who are utilizing the Remote Desktop Connection desktop-as-a-service platform are subject to the same monitoring while accessing the Employer's virtual desktop.

I.T. systems are capable of accessing system information, as well as all information and data stored and communicated through I.T. resources. For example, all email communications, instant messages and facsimiles that are sent through Employer-owned networks, equipment, or user accounts are automatically logged, and at any time, are subject to monitoring and audit to ensure appropriate usage. This may include personal email accounts when those accounts are accessed through Employer-owned I.T. assets.

Computer activity data collected through electronic monitoring may be used to facilitate work in an Employee's absence, to evaluate an Employee's performance, to detect malicious or high-risk activities, to monitor network performance and to prevent security incidents from occurring. Data collected may also be subject to evidence in a workplace investigation or Freedom of Information request.

The Employee monitoring measures put in place capture the following data:

- Timestamps of computer power states: startup, shutdown, and sleep events
- Logons on Employer computers, virtual machines, and other desktops
- Logs of peripheral devices used on a given endpoint, such as storage devices (USB, DVD/CD, Tape, SD Card, etc.), wireless devices, communication ports, imaging devices, and mobile phones
- Documents sent to a printer and copies of documents made and sent
- File operations to portable storage devices (files copied, created, renamed, and/or deleted to/from these devices)
- Internet usage data, including URLs/domains, pre-defined website content category, web page headers, search engine queries, timestamps, bandwidth consumption, and browsing time
- Application usage, including software downloads, and time spent using each software
- Screenshots of activities performed on Employer-owned workstations through the Employer centralized audit log repository
- IP addresses and system information of client computers

c) Telephone Monitoring

All Employer-owned mobile and landline phones may be monitored to ensure appropriate usage and compliance with the Board's Policy and Service Procedures regarding the use of telephones in the workplace.

All calls made from Employer landlines are automatically logged and information regarding the caller/recipient, location of phone, and duration are recorded onto telephone provider hardware. Telephone conversations may be recorded.

When an Employee accesses any Employer software through their Employer-owned mobile phones, information is automatically catalogued, by means of Employer auditing systems, with respect to what information is accessed and communicated through I.T. resources.

All Employer-owned mobile devices are equipped with Global Positioning System (GPS) that are able to access the device's location, which may assist the Employer in locating a lost or stolen device.

If a personal mobile device is used for work purposes, phone calls will not be monitored unless they are made through Employer-provided mobile applications that are provided for the purpose of making work-related calls.

Telephone data and information from a cell phone's forensic extraction may be used to locate a missing or stolen device, detect malicious or high-risk activities, and to prevent security incidents from occurring.

d) *Electronic Access Controls (EACs)*

Information obtained from the use of EACs (such as proximity/ID access cards) is automatically recorded upon an Employee scanning or tapping their ID access card. This information may be used to ensure compliance, and to assist in the investigation of theft, accident, or other incidents.

e) *Global Positioning System (GPS)*

GPS data is automatically collected when Employer devices, such as smartphones and Employer vehicles, are turned on and connected to the internet or a mobile network. Data acquired through the use of GPS in Employer-issued equipment is recorded and monitored for purposes related to the location of Employer-owned assets, such as mobile devices and vehicles, for the retrieval of lost or stolen property, driver safety, vehicle maintenance, driver behaviour, and patrol coverage.

Data Retention

To ensure that all personal information is only kept for as long as it is necessary to do so, all data that is captured as a result of workplace monitoring will be stored digitally on Employer-owned servers, as well as Cloud servers, in accordance with the Records Retention Schedule. Personal information will only be stored for a greater period of time under exceptional circumstances, or as required by law, including (but not limited to) retention of data related to criminal conduct, internal investigations, civil litigation, Special Investigations Unit requests, and Freedom of Information requests.

Unlawful Activity, Discipline, and/or Termination of Employment

In addition to the purposes listed above, the Employer may rely on information collected through electronic monitoring to discipline or terminate the employment of an Employee.

Information collected by electronic monitoring tools may be used for the purposes of monitoring, evaluating or investigating Employee performance, behaviour or conduct.

Nothing in this Policy affects or limits the Employer's ability to use or disclose information obtained through electronic monitoring in accordance with any applicable laws, regulations, collective agreements, or contracts.

POLICY OF THE BOARD

It is the policy of the Board that:

1. All Employees acknowledge that there is no expectation of privacy when using Employer systems, including Employer-owned computers, tablets, Connected Officer devices, networks, and other I.T. infrastructure;
2. The Employer is authorized to electronically monitor Employees through the use of video/audio surveillance/monitoring equipment, computer monitoring, telephone monitoring, Electronic Access Controls and Global Positioning Systems, as outlined in this Policy, and for the purposes detailed in this Policy;
3. The Chief of Police will ensure that all data that is captured as a result of workplace monitoring will be stored digitally on Employer-owned servers, as well as Cloud servers, in accordance with the Employer's Records Retention Schedule;
4. The Chief of Police may rely on information collected through electronic monitoring to discipline or terminate the employment of an Employee;
5. The Chief of Police, in regards to civilian Members of the Toronto Police Service, and the Executive Director, in regards to employees of the Toronto Police Services Board, will ensure that Unit Commanders take all reasonable steps to ensure Employees under their management are aware of the information included within this Policy;
6. The Chief of Police, in regards to civilian Members of the Toronto Police Service , and the Executive Director, in regards to employees of the Toronto Police Services Board, will ensure that:
 - a. All new Employees are provided with a copy of this Policy within 30 days of their hire date; and
 - b. All existing Employees are provided with a copy of this Policy, and any amended versions of this Policy, within 30 days of approval or amendment; and
7. The Employer will retain a copy of this Policy for three (3) years after the Policy ceases to be in effect.



Toronto Police Services Board Report

August 11, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Vendor Pre-qualification for Records Management System

Recommendation(s):

It is recommended that the Toronto Police Services Board (Board) approve Niche Technologies as a pre-qualified vendor for the potential provision of a Records Management System (R.M.S.) for a period of three years.

Financial Implications:

There are no immediate financial implications or financial obligations resulting from the Board's approval of the pre-qualified vendor.

The Toronto Police Service's (Service) capital program does not include any funding for a new R.M.S. Accordingly, subject to the Board's approval to move forward with the sole pre-qualified vendor, a business case will be developed for the project and incorporated into the Service's 2023-2032 capital budget request for consideration by the Board.

Background / Purpose:

The Service's R.M.S. is a critical business system that touches many parts of the organization.

After a review of the Service's information and technology capabilities, including an assessment of the ability of the current R.M.S. to match up against the Service's evolving needs and goals of digital transformation, it was determined that an assessment of the status quo versus alternatives was required, and in the best interests of the Service.

The objective of this process is to find a solution that would reduce the administrative burden on officers, improve the flow of information through the organization, increase interaction and openness to the public, and streamline processes to enhance organizational agility and security.

To facilitate this objective, the Service issued a Request for Pre-Qualification (R.F.P.Q.) earlier this year, to pre-qualify vendors for the provision of a new R.M.S.

The purpose of this report is to advise the Board of the results of the R.F.P.Q., obtain approval for the pre-qualification of a vendor for the potential provision of a new R.M.S., and outline next steps.

Discussion:

R.F.P.Q. # 2021-05 was issued on MERX by the Service's Purchasing Services Unit on November 15, 2021, and closed on December 10, 2021. The objective of the R.F.P.Q. was to pre-qualify vendor(s) for the provision of a new R.M.S. All pre-qualified proponents would be eligible to participate in a possible subsequent Request for Proposal (R.F.P.) competition. This window would be open for a period of up to 36 months.

If only one vendor pre-qualified through the R.F.P.Q. process, then the Service, at its sole discretion and without any obligation or commitment, could commence negotiations with that vendor, again within the 36-month window.

The Service received five responses to the R.F.P.Q.

Evaluation Process:

The evaluation process involved four stages. The purpose and outcome at each stage are summarized below.

Stage 1 of the process was a review to assess (prima facie) compliance with the mandatory requirements listed in the R.F.P.Q. and was evaluated using a pass/fail grading. Each proponent was evaluated on:

- whether the product is said to have the functionality/capability as stated in the mandatory requirements;
- whether each mandatory function/capability is said to be currently installed and used by a policing agency larger than 2,000 officers; and
- whether each mandatory function/capability has an 'in-production' release date of February 28, 2022.

Stage 1 Outcome:

Two proponents passed Stage 1 and moved on to Stage 2.

Stage 2 required that proponents demonstrate their product, including an in-depth demonstration of the mandatory requirements, and provide an overview of the

proponent's proposed project approach should they eventually be selected to provide a new R.M.S., and a product road map.

Stage 2 Outcome:

- Two proponents presented their R.M.S. solution to the evaluation team, which was comprised of nine evaluators from the Service's Information Technology Services (I.T.S.) pillar and other Service business units.
- Following an evaluator consensus meeting, the evaluation team concluded that one proponent did not pass this stage as it did not demonstrate 12 of the mandatory functionalities/capabilities identified in the R.F.P.Q.
- Niche met all of the mandatory functionalities/capabilities and proceeded to Stage 3

Stage 3 required reference checks of the solution to validate functionality/capability.

- Two Senior Officers from I.T.S. performed the reference checks with four policing agencies currently using Niche's R.M.S.

Stage 3 Outcome:

Based on the results of the reference checks, Niche passed this stage and moved to Stage 4.

Stage 4, subject to Board approval to move forward (through approval of vendor pre-qualification), is the final stage of the R.F.P.Q. process and involves a discussion with the remaining proponent on the solution costs, including acquisition, implementation, operating, etc. The purpose of this stage is to assist the Service in the creation of a business case for the project, for inclusion and consideration in the Service's 2023-2032 budget request.

Next Steps:

Upon approval of the Board, the vendors who responded to the R.F.P.Q will be notified of the results and a notice will be posted on MERX.

Meetings and discussions will commence with Niche to firm up broader system functionalities, capabilities and requirements, and identify the estimated costs, both one-time and on-going, to acquire, implement and operate the system.

Based on information that comes out of those discussions, a business case will be developed for the project.

Assuming moving forward with the project is still viable, value-added and beneficial to the Service's operations (including being of assistance in ensuring that the Service delivers on its undertaking that it will implement the recommendations of the Auditor

General in her most recent reports on the Service) and provision of efficient and effective public safety services, the project will then be included in the Service's 2023 operating and/or capital budgets for consideration by the Board.

It is important to note that as per the terms of the R.F.P.Q., pre-qualification does not include a commitment on the part of the Service to select, acquire, purchase or negotiate a contract or proceed with an R.F.P., or award a contract in whole or part.

Fairness Monitor:

The Service engaged a fairness monitor to review the procurement process to ensure it was fair, open and transparent. The fairness monitor concluded that, as documented, the RFPQ process presents no fairness issues. A copy of that redacted report is attached.

Conclusion:

This report outlines the results of the Service's recent R.F.P.Q. for a R.M.S., and proposed next steps in the process, and is requesting approval from the Board to pre-qualify Niche for the provision of a new R.M.S.

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

Respectfully submitted,

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

*original copy with signature on file in Board office

Toronto Police Service (TPS)

Subject of Review - RFPQ 2021-05 – Records Management System (RMS)

Final Report July 29, 2022

Task - Opinion of the Fairness Commissioner

Fairness Commissioner Background

Mr. Greg Dorbeck is President of Pivotal Technologies Inc., with 26 years of Procurement, Risk Management, Financial Advisory and Fairness Commissioner experience in the private and public sectors.

Scope of the Engagement

The TPS (the Service) engaged the Fairness Commissioner to perform an independent evaluation review of the processes applied to date concerning the subject RFPQ outcomes. Specifically, the review is directed to focus on whether or not the processes applied were conducted in a fair, transparent, open and consistent manner. The scope direction covered the following key topics;

1. Review and analysis of the RFPQ document issued by TPS, assessing the scope, deliverables and the fairness of the RFPQ process undertaken by the TPS.
2. Review and analysis of the RFPQ proposal evaluation process used to determine the shortlisted proponents for each stage.
3. Identify potential issues which may result in complaints about the RFPQ process and provide advice about resolving complaints in alignment with the TPS Purchasing By-law.
4. Provide advice on next steps and potential risks.
5. Provide a report on the findings and conclusions as to whether the process to date is and has been conducted in a fair, open and transparent manner concerning; assessing the RFPQ document and process; potential risks and mitigation strategies; and, how to move forward with the RFPQ.

The FC was not engaged during the development, issuance or evaluation of the RFPQ. This report can only address the documented facts of the process as provided by the TPS. The FC reserves the right to change the opinion(s) presented herein should new or additional information arise after this report is filed.

The following text addresses the five (5) key topics presented above.

The TPS Business Requirements in the RFPQ as released

Our understanding of the business needs and reasons for issuance of the RFPQ are;

1. The Service undertook a recent comprehensive review of its information technology management structure, processes and capabilities. This review focused on the current infrastructures and software applications used with a view as to what changes would be required to support a modernized future state as well as the impact of any decisions may have on the evolving needs of the Service.
2. One of the key areas of the review established that more information was required to resolve the current state of the Service RMS platform functionality; meaning, source the identified required functional change(s) to modernize the RMS or, realize the same modernization goals by continuing to invest in the current incumbent RMS vendor's platform.
3. The RFPQ was developed with high-level RMS functionalities and requirements designed for the Service future state business needs. These requirements, inclusive of existing and new items, was released to the RMS market. They established the baseline elements upon which the TPS would seriously consider moving forward upon as a basis for modernizing RMS. A jurisdictional review of allied sector agencies assisted with establishing the go forward criterion.
4. The TPS was aware that potential transition costs to new platforms and the associated risks had to be balanced against introducing new RMS functional improvements and their benefits to the Service. Transition costs and risks can be substantial, therefore the TPS established a realistic future state of functionality that could justify, operationally and financially, to pursue a modernized RMS solution aligned with the TPS strategic goals.
5. The functional and non-functional requirements bar was set high for a reason. The TPS would move forward only if the required functionalities could be met by any vendor(s) as an "existing product in full production in another sector agency" thus avoiding the costs of co-developing RMS functionality with a vendor or waiting for functionality to be provided in a production operating state. This scenario is costly, is high risk and problematic for any entity to undertake. This is the fundamental cost benefit difference between configuring an RMS product with existing core functionalities versus customizing an RMS product that does not have the desired core functionalities.
6. The RFPQ disclosed that should the process identify more than one (1) RMS vendor that meet the identified business requirements, the TPS would subsequently move on to informal discussions with qualified vendors to establish a 'business case'. If a fully costed business case could be developed, the business area would seek formal TPS Board approval to undertake a Request for Proposal (RFP) with the qualified RFPQ respondents. The RFP would detail and define the deliverables, solution

requirements together with associated bid costing in order to competitively select a final RMS Vendor.

The forgoing summarizes the FC's understanding of the TPS business needs and approach to the development of the RFPQ. It also underscores the defined conditions under which the TPS would move forward with modernizing its RMS solution, or not.

The RFPQ – Request for Pre-Qualification

The RFPQ was released via the MERX bid portal service on November 15, 2021. The closing date was specified as December 10, 2021. In the opinion of the FC, twenty-five days for the open response period is a short timeframe for any competition. While it is common practice for the TPS to follow certain trade agreements for procurement standards in response timing, the FC suggests a minimum of 45 days for future solicitations issued by the TPS irrespective of policy minimums. Any extended time beyond policy minimums should account for the complexity, form of response required, sufficient question and answer time and the scope of enterprise impacts of the procurement.

The RFPQ consisted of four (4) Stages; they are,

Stage 1 – Evaluation of the Appendix C which contained forty-nine (49) mandatory functional and non-functional requirements any RMS solution in its current production state. The Appendix required a self-declaration of 'yes' or 'no' from respondents for each item. The evaluation was based on a Mandatory Pass/Fail scheme.

Stage 2 – Proposed Solution demonstration. This was a real-time RMS product demonstration of all the Appendix C functional and non-functional requirements. Again, this stage was evaluated on a Pass/Fail basis. In essence this stage was designed to provide proof of the respondents' solution functionality claims provided in stage 1 Appendix C.

Stage 3 – Reference Check – Validation of a Canadian law enforcement agency reference provided by the respondent, to once again verify Appendix C functionalities. Again, this stage was evaluated on a Pass/Fail basis.

Stage 4 – Discussions with qualified respondent concerning solution details, costs and transition requirements. This stage was intended to be informal to support the development of a business case to advance the decision to move forward or not by way of TPS Board approval.

Stage 1 – Mandatory Review – Appendix C

The format of the submission requirements was quite simple for respondents to comply with. Aside from the TPS standard terms and conditions in the RFPQ the primary response element revolved around the Appendix C – Mandatory Requirements.

The Appendix C specified forty-nine (49) RMS mandatory system functional and non-functional requirements. As discussed earlier these were identified as the 'baseline' functionalities required for the TPS to realistically move forward. All items in Appendix C were collectively presented as mandatory, meaning, should a respondent answer 'no' to any single item, they would be eliminated from further consideration in the RFPQ evaluation scheme. The RFPQ text was very specific concerning this outcome and provided clear instructions on this evaluation component.

The FC notes that such a large number of mandatory items is unusual in a qualification solicitation scheme meant to encourage qualified subsequent RFB competition. This simply means that far too many disqualification prospects may have resulted in no qualified respondents to move forward with. It is typical that mandatory items to qualify are limited to a few mission critical criterion to the issuer. The remaining majority of items would be typically evaluated on a rated scored basis in a typical RFPQ. The FC reiterates the TPS business imperatives stated earlier concerning the minimum RMS functionality to support a go forward decision resulted in this very strict process.

While the TPS may be criticized for setting such a definitive high bar for solution requirements, it can also be interpreted as a definitive commitment to the vendor community of the terms upon which the TPS would move forward with a modernized RMS solution. Two (2) submissions qualified to move on to the Stage 2 RFPQ process.

Stage 2 – Solution Demonstration

For those respondents passing Stage 1, the solution demonstration required all 49 Appendix C functional and non-functional requirements to be confirmed and or demonstrated to an evaluation team consisting of nine (9) TPS RMS subject matter experts. The two (2) formal sessions went well procedurally speaking. The outcome is discussed later. The FC notes once again that failure to demonstrate or provide evidence of compliance to any single mandatory item of the Appendix C items in this stage would result in the respondent failing to proceed further in the evaluation scheme. One (1) respondent solution qualified to move to stage 3 of the process.

Stage 3 – Reference checks

Only one (1) reference review of a respondent was undertaken and jointly conducted by two (2) TPS SME's. This stage once again had a pass or fail outcome. The FC notes that the reference validation did not specify any other criterion other than independent 'yes' or 'no' confirmation of functionality claims by a respondent in Stage 2. This evaluation discretion is very broad and lacks clarity as to what would constitute a failure at this stage. This is consistent with previous Stages of the RFPQ. However, the method of determining a pass versus fail could have been very subjective considering all requirements had been

previously confirmed by the TPS in both of Stages 1 and 2. The single qualified respondent references qualified the submission to move on stage 4.

Stage 4 – Discussions – Solution and Transition

No evaluation criteria are present in this stage of the process. A proposal has been filed with the TPS by a single successful proponent [REDACTED] and provided to the FC concerning this stage of the RFPQ process. [REDACTED]
[REDACTED]
[REDACTED]

Open for Response Period

After the release of the RFPQ the TPS received questions in writing from all interested respondents. Twenty-two (22) questions were received in total. The TPS responses were posted to all respondents as formal addendums to the RFPQ. Three (3) addendums were released. Two (2) of the three (3) addressed administrative issues. The third and final addendum addressed a number of direct questions. These questions mostly concerned the specific Appendix C functional and non-functional requirements. The TPS responses were clear and mostly based on the original text content of the RFPQ. In summary the Q&A period revolved on two categories, they are;

1. **Additional time:** One request was received to extend the closing date beyond December 10, 2021. The TPS denied the request. It is typical in procurement processes that when multiple requests are made by different respondents, additional time is granted. A single request was not deemed sufficient to extend the open period. As stated earlier in this review, the RFPQ response format was simplified and concise and did not require extensive written submissions.
2. **Mandatory Requirements:** Several questions directly confronted the Appendix C mandatory functional and non-functional requirements as limiting the respondent's competitive scope in the process to qualify. This perception by the respondent(s) failed to recognize the intents of the TPS which were clearly articulated in the RFPQ. The TPS, in order to be more inclusive for respondents, required any respondent to be able to demonstrate in stage 2 all mandatory functionality declarations in Appendix C on the basis of a disclosed product release date that was within the timing of the RFPQ. Any of the functionalities then in development, but demonstrated in Stage 2, must be released and in production at a reference client by February 28, 2022. This covered the potential that any product functional enhancement in development would be considered compliant as long as completed within the February 28, 2022 timeframe.

provided, the TPS undertook to deliver the evaluation exactly as presented in the RFPQ. The FC cannot identify any inconsistencies in the evaluation process that deviate from the disclosures made in the RFPQ concerning evaluations. The fact that the TPS 'did what they said they were going to do' and additionally, in a consistent manner for each submission does not present any fairness issues to be resolved.

2. The incumbent provider, [REDACTED], responded to the RFPQ and were free to exploit their existing 'business advantage' with the TPS. Other competing RMS vendors were in exactly the same position. The Fairness Commissioner asserts that the RMS requirements for the proposed future state development strategy placed all respondents on an equal footing to exercise their business experience and their current RMS solutions' capabilities to pursue the TPS business. This aligns with parts 3 and 4 of the TPS Business Requirements stated earlier in this report.

Other Opinion Elements

Mandatory Functional and Non-functional requirements

The number of mandatory requirements may draw criticism from certain vendors. The perception that the bar was intentionally set too high for some vendors to meet may present some difficulty in de-briefing unsuccessful respondents. Some of these concerns were documented in the Addendum #3 released during the open period. However, the TPS did not deviate from the original intents to determine if pursuing a modernized RMS was operationally worthwhile or even cost efficient to undertake. Even with a successful RFPQ respondent at hand, this aspect remains open and indeterminate to inform the risks and the TPS next steps.

The RFPQ vs. TPS Bylaws

The definition of RFPQ within the TPS Purchasing By-law states;

"REQUEST FOR PRE-QUALIFICATION (R.F.P.Q.)" – A Solicitation that is issued to gather submission information on supplier capabilities and qualifications with the intention of creating a list of pre-qualified suppliers for future selective Solicitations, including:

(i) A one-time future solicitation; or

(ii) A multi-use list approved by the Board for Solicitations of a predefined scope and duration.

From a process perspective it has already been stated that the TPS evaluated the RFPQ exactly as disclosed in the document. [REDACTED]

[REDACTED]

The definition of technical specification within the TPS Purchasing By-law states;

"TECHNICAL SPECIFICATION" – A requirement in a Solicitation that:

- (i) Sets out the characteristics of a Good or Service to be procured, including quality, performance (safety and dimensions, or the processes and methods for their production or provision);**
- (ii) Is based on international standards or national technical regulations, recognized national standards or building codes;**
- (iii) Is set out in terms of performance and functional requirements rather than design or descriptive characteristics; and**
- (iv) If standards are used to define specifications, the Service must ensure that they do not create a barrier to a competitive procurement and shall consider any equivalent specifications that meet the performance.**

Had two or more successful respondents emerged from the RFPQ process that met the specifications in Appendix C, the TPS would certainly be faced with developing and releasing a full-scale Request for Proposal run off between the qualified RFPQ respondents. This may have occurred and competitively validated the requirements specified in the RFPQ.

[REDACTED]

Part (iv) within the definition of "Technical Specification" specifically requires the TPS to consider equivalent specifications that can meet the performance criterion. [REDACTED]

[REDACTED]

Moving beyond the RFPQ

[REDACTED]

[REDACTED]

Incumbent relationship

[REDACTED]

[REDACTED]

[REDACTED]

Conclusion

1. The RFPQ, from a 'process' perspective as documented presents no fairness issues. This is primarily due to the fact that the TPS issued the RFPQ with disclosed details of the process concerning the business requirements with their evaluation terms and performed these steps as defined in the document. This is a basic foundational aspect of all public solicitations.
2. [REDACTED]



Toronto Police Services Board Report

August 11, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Vendor Pre-qualification for Cyber Security Penetration Testing Services

Recommendation:

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

1. approve the pre-qualification of both Packetlabs and ISA Cybersecurity for the provision of cyber security penetration (pen) testing services for a period of three years from September 13, 2022 to September 12, 2025; and
2. authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

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

The selected pre-qualified vendors will be eligible to respond to competitive procurement processes for future pen testing services required by the Toronto Police Service (Service) on an as-needed basis.

The testing services will be funded from approved projects and the Information Technology Services (I.T.S.) operating budget, subject to the availability of funds.

Background / Purpose:

Ensuring the security of the technology that the Service depends on every day is a Service and Board priority. This requires that third-party experts be engaged to test the Service's systems to identify and mitigate cyber security risks as early and effectively as possible.

The purpose of this report is to obtain the Board's approval for the Service to establish a roster of vendors that will be provided the opportunity to bid on all pen testing services to assist the Service to protect sensitive data by identifying security gaps, and allowing for remediation based on risk level. I.T.S. plans to perform regular annual pen tests and any additional ad-hoc pen tests that are driven by specific projects or security needs.

The Board's approval of the recommended pre-qualification list will help facilitate quick turnaround time for future projects requiring pen testing expertise by streamlining the process to procure these services.

Discussion:

On April 22, 2022, the Service's Purchasing Services unit issued a Request for Pre-Qualification (R.F.P.Q.) # 2022-01 on MERX to establish a list of pre-qualified vendors for the provision of pen testing services. The R.F.P.Q. closed on May 17, 2022 and eight submissions were received from the 54 vendors that downloaded the R.F.P.Q. Of these eight submissions, one submission was a no bid and three were disqualified as not having met the minimum mandatory requirements detailed in the R.F.P.Q.

As indicated in the R.F.P.Q., the top three scoring proponents meeting the minimum mandatory criteria would be permitted to bid on future opportunities for pen testing services. A committee comprised of members of the I.T.S evaluated the proponent responses in two stages.

In Stage 1, proponents were evaluated to ensure that the mandatory requirements were met.

Proponents meeting the mandatory criteria advanced to Stage 2 of the evaluation process and were scored on rated requirements in the categories outlined below:

- Company Experience – Law Enforcement and Financial / Public Sector
- Methodologies
- Sample Test Report
- Client Data Protection

Within each of these weighting criteria, ratings and associated points were assigned by the evaluators based on the pre-defined rating system outlined in the R.F.P.Q.

Following an in-depth evaluation of the submissions one proponent did not meet the minimum threshold score of 75 % and another proponent provided qualifiers to the terms and conditions of the R.F.P.Q. and as a result, both of these proponents were disqualified.

Accordingly, the two successful proponents summarized below, are being recommended for inclusion on a pre-qualified list of vendors for the term commencing September 13, 2022 and concluding on September 12, 2025:

- Packetlabs; and
- ISA Cybersecurity.

Pen testing services required by the Service will be tendered on a project by project basis, and the pre-qualified vendors will have an opportunity to bid on the work required through a competitive bidding process. The pre-qualified vendors will be subject to performance evaluations.

Conclusion:

This report outlines the results of the Service's recent R.F.P.Q. for penetration testing services providers and a request for approval to pre-qualify the two successful proponents for future bidding opportunities.

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

September 5, 2022

To: Chair and Members
Toronto Police Services Board

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

Subject: Contract Award to Yonge Steeles Ford Lincoln for Ford Automotive Parts and Supplies

Recommendation:

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

1. approve a contract award to Yonge Steeles Ford Lincoln for Ford automotive parts and supplies for a one year term from October 1, 2022 to September 30, 2023, with the option to extend for an additional three one-year periods, at an estimated cost of \$4.0 Million (M), excluding taxes, over the four-year period;
2. authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to approval by the City Solicitor as to form; and
3. authorize the Chief of Police to exercise the three additional one-year option periods, subject to continuing business need, budget availability, and satisfactory performance by the vendor.

Financial Implications:

The average estimated annual spend for Ford automotive parts and supplies is \$1.0M (excluding taxes). The funding for this requirement is included in the Toronto Police Service's (Service) approved 2022 Operating Budget (Min. No. P2022-0111-3.2 refers). The approximate total value of the award over the term of the contract, including the three one-year extensions, is \$4.0M. Funds will be included in future operating budget requests for this purpose.

Background / Purpose:

The purpose of this report is to request the Board's approval of a contract award for the provision of Ford automotive parts and supplies required by the Service's Fleet and Materials Management unit, to ensure Service vehicles are properly maintained and repaired in a timely fashion.

Discussion:

The Service's Purchasing Services unit issued a Request for Quotation (R.F.Q.) # 1520158-22 for the supply and delivery of Ford automotive parts on MERX on June 3, 2022 and the R.F.Q. closed on June 30, 2022.

The R.F.Q. requested bidders to provide pricing over the four-year period of the contract, including option periods, for the top 184 auto parts used by the Service based on expenditure records for 2021 and 2022. Five suppliers downloaded the R.F.Q. from MERX, and two bids were received.

Yonge Steeles Ford Lincoln was the lowest compliant bidder meeting all specifications and is recommended for award.

Conclusion:

It is therefore recommended that the Board approve a contract award to Yonge Steeles Ford Lincoln for Ford automotive parts and supplies for a one year term from October 1, 2022 to September 30, 2023, with the option to extend for an additional three one-year periods, at an estimated cost of for \$4.0 million (M) excluding taxes over the four-year period.

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 10, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Addition of Select Highway Traffic Act Authorities for Toronto Police Service Court Officers.

Recommendation:

It is recommended that the Toronto Police Services Board (Board) grant Court Officers police powers under the following sections of the *Highway Traffic Act (H.T.A.)*:

- Section 134 (1) Traffic Direction;
- Section 134 (2) Road Closure; and
- Section 134.1 (1),(2),(4) Removal of Vehicle, Debris Blocking Traffic

Financial Implications:

There are no financial implications associated to this recommendation.

Background / Purpose:

The Toronto Police Service (T.P.S.) currently employs three types of special constables within the same job classification and pay grade; District Special Constables (D.S.C.s), Booking Officers and Court Officers. In an effort to better utilize resources through a modernized policing approach, the T.P.S. put forth a request to grant police powers under sections 134, 134(2) and 134.1 (1), 134.1(2) and 134.1(4) of the *Highway Traffic Act* to D.S.C.s, which was passed by the Board at its meeting on September 17, 2020 (Min. No. P139/20 refers).

The T.P.S. currently employs 110 D.S.C.s who have received *H.T.A.* training and have been appointed with the aforementioned powers by the Ministry of the Solicitor General. These authorities permit D.S.C.s to direct traffic, close roads and remove obstructions from roadways. The deployment of D.S.C.s in this capacity has decreased the number of police officer hours required to assist at collision and crime scenes and for major events that require road closures. This has allowed for police officers to be deployed in a more efficient and effective capacity based on their skillsets and legislative abilities.

Discussion:

Hazards and Homicide Scenes:

In 2019, T.P.S. responded to 78 homicides and 1,882 hazards and wires down calls for service. Primary response officers were assigned to close the required roads and direct traffic at these locations; each time, using an average of 2.6 officers per call spending 2 hours at each hazard and 5 hours at each homicide. This resulted in a minimum of 10,800 police officer hours used at these scenes.

Special Event Assistance:

In addition to the closure of roadways for crime and traffic scenes, in 2019, 1,131 on-duty police hours were used to fill essential paid duty positions that were safety sensitive and could not be filled by off duty officers. As a result, on duty officers were assigned to close roads and direct traffic during parades and other major events, taking them away from emergency response.

Effective Use of Resources:

Authorizing the listed *H.T.A.* authorities for special constables allows for a more effective use of approximately 13,910 officer hours per year. These officer hours could be redistributed to emergency and crime prevention efforts requiring the skill sets and authorities of a police officer.

Training:

Court Officers would receive the same traffic direction, road closure and roadway clearing training that T.P.S. police officers receive. This includes in-class training and practical application training.

Ministry of the Solicitor General's Position:

The Ministry of Solicitor General was consulted and provided a favourable response in relations to the approval of *H.T.A.* police powers for special constables, as long as the powers are necessary to perform the specific duties associated to the special constable appointment. Based on the T.P.S.'s need for additional support closing roads at crime and collision scenes and major events, the expanded Court Officer job description and justification for the select *H.T.A.* police powers would meet the Ministry's requirement.

Paid Duty Assignments:

Court Officers will not be permitted to accept paid duties as current paid duty contracts and City requirements are specific for police officers and their full powers and often include added responsibilities requiring additional authorities not authorized for special constables. The issue of paid duty assignments is a topic of discussion involving labour relations and the TPA, with no timeline allocated at this time.

Financial Implications:

Labour Relations was consulted and there would be no impact on job grade level or pay with the additional responsibilities. T.P.S. Stores will be required to issue Court Officers the mandated equipment required to direct traffic and close roads. This recommendation

supports the 'Transformational Task Force Report – The Way Forward', under the recommendation of 'Priority Response, focusing on calls that require a police presence and providing effective alternatives when that presence is not required', through better utilization of Special Constables to free up police officers to engage in functions only police officers can perform.

Conclusion:

As budgetary and resource constraints are on the forefront of frontline operations, this recommendation will allow the T.P.S. to deploy the most suitable resources, based on skillset, knowledge and legislative requirements.

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

Respectfully submitted,

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

*copy with original signature on file at Board Office



Toronto Police Services Board Report

August 1, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

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

Recommendation:

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

Financial Implications:

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

Background / Purpose:

Under Section 53 of the *Police Services Act*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Ministry. Pursuant to this authority, the Board has agreements with T.C.H.C., and U of T governing the administration of special constables (Min. Nos. P153/02, and P571/94 refer).

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

Table 1 Name of Agency and Special Constable Applicant

Agency	Name	Status Requested	Current Expiry Date
U of T St. George Campus	Bing Yu LOU	Appointment	N/A

Agency	Name	Status Requested	Current Expiry Date
T.C.H.C.	Robert HOOK	Re-Appointment	November 13, 2022
T.C.H.C.	Barry MOY	Re-Appointment	November 23, 2022

Discussion:

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

The agreements between the Board and each agency require that background investigations be conducted on all individuals who are being recommended for appointment and re-appointment as special constables. The Service's Talent Acquisition Unit completed background investigations on these individuals, of which the agencies are satisfied with the results. Re-appointments have been employed by their agency for at least one 5-year term, and as such, they are satisfied that the members have satisfactorily carried out their duties and, from their perspective, there is nothing that precludes re-appointment.

The agencies have advised the Service that the above individuals satisfy all of the appointment criteria as set out in their agreements with the Board. The T.C.H.C., and U of T's approved and current complements are indicated below:

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

Agency	Approved Complement	Current Complement
T.C.H.C.	300	172
U of T St. George Campus	50	34

Conclusion:

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

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

Respectfully submitted,

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

*copy with original signature on file at Board Office



University of Toronto
CAMPUS SAFETY
SPECIAL CONSTABLE SERVICE

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

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

July 7, 2022

To: Special Constable Liaison Office

From: Michael Munroe

Subject: Request for Toronto Police Services Board approval for the Appointment of Special Constable

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

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

Name	Type	Current Term Expiry
LOU, Bing, Yu	New Appointment	N/A

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

Regards


Michael Munroe – Director

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



July 25, 2022

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

DELIVERED VIA ELECTRONIC MAIL

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

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

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

Name	Type	Current Term Expiry
Robert HOOK	Re-Appointment	2022/11/13
Barry MOY	Re-Appointment	2022/11/23

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

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

Respectfully,

A handwritten signature in black ink, appearing to read 'Allan Britton', is positioned above the typed name.

Allan Britton

Acting Senior Director, Community Safety Unit
Acting Chief Special Constable | Badge #31194

Toronto Community Housing

931 Yonge St, Toronto, ON M4W 2H2

T: 416 981-4116

torontohousing.ca



Toronto Police Services Board Report

September 2, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: 2022 Operating Budget Variance for the Toronto Police Service, Period Ending June 30, 2022

Recommendation:

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

Financial Implications:

At its January 11, 2022 meeting, the Board approved the Toronto Police Service's (Service) budget request at \$1,100.6 Million (M) (Min. No. P2022-0111-3.2 refers).

Subsequently, City Council, at its February 17, 2022 meeting, approved the Service's 2022 operating budget at \$1,118.2M. The Council-approved budget reflects an increase of \$17.6M for the estimated impacts of COVID-19 in 2022.

As at June 30, 2022, the Service is projecting a favourable variance of \$9.2M. Table 1 provides a breakdown of the projected variance, by feature category. Details regarding these categories are discussed in the sections that follow.

Table 1 – 2022 Variance by Feature Category

Category	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
1- Salaries	\$841.7	\$408.1	\$819.2	\$22.5
2- Premium Pay	\$46.2	\$35.3	\$70.9	(\$24.7)
3- Benefits	\$243.6	\$132.1	\$241.7	\$1.9
4- Non Salary	\$89.9	\$49.6	\$96.3	(\$6.4)
5- Contributions to / (Draws from) Reserves	\$2.9	\$0.0	\$2.9	\$0.0
6- Revenue	(\$106.1)	(\$25.7)	(\$110.4)	\$4.3
Total Net Before Grants	\$1,118.2	\$599.4	\$1,120.6	(\$2.4)
7- Net Impact of Grants	\$0.0	(\$1.8)	(\$11.6)	\$11.6
Total Net	\$1,118.2	\$597.6	\$1,109.0	\$9.2

Note: Minor reallocations to the 2022 budgets have been made to reflect updated account classifications. These reallocations result in a net zero change to the approved budget.

Background / Purpose:

The purpose of this report is to provide the Board with the Service's 2022 projected year-end variance as at June 30, 2022, and provides high-level explanations of variances in each feature category.

Discussion:

Although the Service is projecting a favourable variance, there are many factors that could impact the level of expenditures/revenues in the coming months, and are difficult to predict. Some of these are:

- Since COVID-19 restrictions have been largely lifted, the Service is anticipating an increase in special events and demonstrations which will have a greater impact on premium pay spending as a result of staffing shortages.
- Global supply chain issues have resulted in delays in obtaining and paying for police equipment and supplies, the net effect of which is difficult to predict.
- While the Service has been attempting to fill job vacancies, the ability to fill these vacancies through recruitment has been challenging as there has been a sector wide issue of significantly reduced applicant pools. Also, separations increased significantly at the end of 2021 and continue to occur at an accelerated pace in 2022 – both for uniform officers and civilians, creating more vacancies and negatively impacting service levels. As a result, the Service will continue to rely on premium pay to address operational needs and will bolster its hiring efforts by increasing recruitment resources and exploring other marketing and outreach strategies to attract qualified candidates.

The Service incurred costs associated with the Freedom Convoy. While the Service has requested the recovery of these costs from the Province, we have yet to hear back from the Province on the reimbursement of these costs. It should be noted that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in-year grant funding and revenues from grant funding can offset related expenditures, resulting in in-year savings.

1 - Salaries:

As can be seen in Table 2 below, the total salary budget is \$841.7M with a projected spending of \$819.2M, resulting in a favourable variance of \$22.5M in this category. Part of the favourable variance is a result of the Service’s COVID-19 vaccination policy. For both uniform and civilian salaries, there has been reduced spending due to members being placed on unpaid absence for not complying with the vaccination policy. The vaccination policy states that effective November 30, 2021, any member who is not fully vaccinated against COVID-19, and/or any member who has failed to disclose their vaccination status to the Service’s Wellness Unit, will have rendered themselves unable to perform their duties, and placed on unpaid absence. There were 100 Service members (civilian and uniform) on unpaid absence during the first half of the year. While these members have returned to work as of the end of June, salary savings resulted in the first half of the year, as a result of these members being on unpaid absence.

Table 2 - Salaries Expenditures

Expenditure Category	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform Officers	\$621.4	\$305.8	\$610.6	\$10.8
Civilians	\$220.3	\$102.3	\$208.6	\$11.7
Total Salaries	\$841.7	\$408.1	\$819.2	\$22.5

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

- The 2022 approved budget assumed that there would be 200 uniform officer separations during the year. To date, 157 officers have separated from the Service, as compared to the 118 that was assumed in the budget for the same time period (39 more than anticipated). As a result, the year-end projected separations has been further increased to 250, from the 225 separations that were projected previously, reducing salary expenditures.

- The Service experienced higher-than-anticipated separations at the end of 2021 (224 actual separations, 9 more than the 215 budgeted separations), also resulting in savings.
- There has also been a greater-than-budgeted number of members on unpaid leaves (e.g. maternity and parental, secondment and central sick).

The impact of the above variances results in a net favourable overall uniform salary variance of \$10.8M.

The 2022 approved budget includes funding for 174 uniform hires with class sizes of 80 in April, 50 in August, 30 in December and 14 lateral hires. Due to the higher-than-anticipated separations, the Service has increased the April class to 86 and is looking to increase the August and December classes to 120 each and/or increase lateral hires, if possible, should class sizes of 120 not be achievable.

As at the end of June 2022, the Service was at about 4,945 uniform officers compared to a target strength of 4,988. Although we are close to the target strength at this point in time, the average deployed strength is projected to be 4,908 for the year.

Civilians - The 2022 approved budget includes funding to continue hiring to fill various civilian vacancies. This includes Communications Operators, Special Constables and other civilian vacancies that support the frontline and/or other mandated activities. While the Service has been hiring to fill key positions, many of the positions have been filled through internal promotions, creating other cascading vacancies. In addition, year-to-date civilian separations are 50% higher than that experienced in 2021 (112 versus 75). A number of staff were also on unpaid absence in the first half of the year due non-compliance with the Service's vaccination policy. As a result, the Service is currently at 2,277, or 123 below its funded civilian strength of 2,400. Therefore, the Service is projecting savings of \$11.7M in civilian salaries.

Longer-than-anticipated hiring timelines and cascading vacancies will continue to put pressure on premium pay expenditures as the Service ensures required services are provided and necessary work continues, including supporting/assisting police reform and other key initiatives.

2 - Premium Pay:

The total premium pay budget is \$46.2M with a projected spending of \$70.9M resulting in an unfavourable variance of \$24.7M in this category.

Table 3 – Premium Pay Expenditures

Expenditure Category	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform Officers	\$40.8	\$31.1	\$62.1	(\$21.3)
Civilians	\$5.4	\$4.2	\$8.8	(\$3.4)
Total Premium Pay	\$46.2	\$35.3	\$70.9	(\$24.7)

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

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

The Service’s ability to deal with and absorb the impact of major planned and 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 declining uniform staffing levels, the Service’s ability to manage these events is becoming increasingly challenging. The redeployment of officers to other priorities such as the hate crimes unit, organized crime and the Community Response Unit to the Neighbourhood Community Officer Program, has reduced the capacity for the Service to respond to known and unknown events with on duty resources. As a result, the Service has commenced planning for a group of off duty resources to return on call-backs in order to provide the surge capacity required in order to ensure adequate resources are available to respond during major unplanned events.

The 2022 operating budget includes an opening premium pay pressure of approximately \$10M, as the Service experienced an unfavourable premium pay variance of \$6.4M in 2021 and the 2022 operating budget submission included a \$3.5M reduction to the premium pay budget in order to keep the Service’s budget increase to a minimum. The unfavourable variance occurred in 2021, despite the fact COVID-19 resulted in significant savings due to limited court openings for part of the year and reduced special events as a result of the pandemic. Now that the majority of the COVID-19 restrictions have ended, premium pay requirements having been increasing, as special events return. In addition, the Service has experienced an increase in demonstrations and protests over the summer months.

The uniform premium pay variance is projected at \$21.3M unfavourable.

Civilians - Civilian overtime and call-backs are authorized when required to ensure deadlines are met, key service levels are maintained, tasks are completed to mitigate risks, and to address critical workload issues resulting from civilian vacancies, across

the Service.

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

The civilian premium pay variance for 2022 is projected at \$3.4M unfavourable. The projected higher-than-budgeted civilian premium pay expenditures are offset by savings in civilian salaries.

3 - Benefits:

The total Benefits budget is \$243.6M with a projected spending of \$241.7M, resulting in a \$1.9M favourable variance. Table 4 below outlines the major categories of Benefit expenditures, and each category is discussed below.

Table 4 – Benefits Expenditures

Expenditure Category	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Medical / Dental	\$47.1	\$23.6	\$47.5	(\$0.4)
O.M.E.R.S. / C.P.P. / E.I. / E.H.T.	\$147.0	\$86.2	\$142.9	\$4.1
Sick Pay Gratuity /C.S.B./L.T.D.	\$23.2	\$11.0	\$23.3	(\$0.1)
Other (e.g., W.S.I.B., life insurance)	\$26.3	\$11.3	\$28.0	(\$1.7)
Total Benefits	\$243.6	\$132.1	\$241.7	\$1.9

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

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

Medical/Dental - Group benefit entitlements as per the collective agreements are captured in this category. Costs have increased in the second quarter and are now trending \$0.4M unfavourable at this time. Expenditures are often subject to cost increases and active and eligible retired member utilization rates and therefore projections are subject to change.

O.M.E.R.S. /C.P.P. /E.I. /E.H.T. - Favourable variances of \$4.1M in this category are a result of reduced staffing levels and associated salaries.

Sick Pay Gratuity /C.S.B. /L.T.D. - A minimal variance is projected at this time. The majority of costs in this category are funded from reserves and any expenditure differentials would result in a net zero impact.

Other - The unfavourable variance of \$1.7M in this category is mainly as a result of a \$1.9M unfavourable variance in W.S.I.B. The Service has been experiencing an increase in W.S.I.B. costs, similar to other emergency services across the City and Province. This increase is primarily due to impacts of Bill 163, Supporting Ontario’s First Responders Act regarding Post Traumatic Stress Disorder. Although the 2021 and 2022 operating budgets were increased in anticipation of the increasing costs, the rate of cost increase has been greater than originally projected. The Service is undergoing a review of W.S.I.B. costs and its administrative processes as part of its Wellness Strategy.

4 - Non-Salary:

The total Non-Salary budget is \$89.9M with a projected spending of \$96.3M, resulting in a \$6.4M unfavourable variance. Table 5 summarizes the major categories, and each is discussed below.

Table 5 – Non-Salary Expenditures

Non-Salary	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Vehicles (e.g. gas, parts)	\$13.8	\$8.6	\$17.1	(\$3.3)
Information Technology	\$37.1	\$28.4	\$37.9	(\$0.8)
Contracted Services	\$13.3	\$3.0	\$13.3	\$0.0
Other	\$25.7	\$9.6	\$28.0	(\$2.3)
Total Non-Salary	\$89.9	\$49.6	\$96.3	(\$6.4)

Vehicles (e.g., gas, parts) - The unfavourable variance of \$3.3M is mainly due to \$2.6M unfavourable variance in gasoline due to significant in-year price increases. This cost will continue to be monitored very closely.

Information Technology (I.T.) - This category funds the acquisition, maintenance and support of the Service’s computer infrastructure. The unfavourable variance is a result of cost pressures to fund computer and software requirements.

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

Other - The “Other” category is comprised of multiple items that support staffing and policing operations. The largest expenditures are in the areas of training, operating impacts from capital, uniform and outfitting and equipment purchases. Other items in this category include various supplies and services such as fingerprint supplies, traffic

enforcement supplies, expenses to support investigations, photocopying and translation services. The projected unfavourable variance of \$2.3M is due to increased costs to police the Freedom Convoy demonstrations of \$0.3M (e.g. tow truck rental and operators), costs for joint policing projects (\$0.2M), costs to search a Landfill site for an ongoing homicide investigation (\$1.6M) and other spending pressures of \$0.2M. The costs for the joint projects are being funded from other services, as discussed in the revenue section below.

Due to COVID-19, the Service needs to ensure its members have the equipment and supplies to keep them and the community safe as they do their work. Even though the majority of restrictions have been lifted, there is an on-going need to purchase gloves, masks, sanitizer and other supplies, equipment and services to keep our members, their workspace, their vehicles and equipment, free from contamination.

5 - Contributions to / (Draws from) Reserves:

As part of the annual operating budget process, the Board and Council approve 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 \$2.9M, and a net zero variance is projected in this category. Table 6 identifies the categories of Reserves and activity in each Reserve.

Table 6 – Reserves

Reserve	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Collective Agreement Mandated - Central Sick, Sick Pay Gratuity & Post-Retirement Health				
Contribution to Reserve	\$14.3	\$0.0	\$14.3	\$0.0
Draw from Reserve	(\$25.4)	\$0.0	(\$25.4)	\$0.0
Net Impact				\$0.0
Legal, Modernization and Cannabis				
Contribution to Reserve	\$0.9	\$0.0	\$0.9	\$0.0
Draw from Reserve	(\$7.7)	\$0.0	(\$7.7)	\$0.0
Net Impact				\$0.0
Vehicle & Equipment				
Contribution to Reserve	\$20.8	\$0.0	\$20.8	\$0.0
Draw from Reserve	n/a	n/a	n/a	n/a

Net Impact				\$0.0
Net Contribution to / (Draws from) Reserves	\$2.9	\$0.0	\$2.9	\$0.0

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

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

6 – Revenue (excluding Reserves):

A favourable variance of \$4.3M is projected in this category. The major revenue categories are summarized in Table 7 below.

Table 7 – Revenues

Revenue Category excluding Reserves	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Provincial Recoveries	(\$55.7)	(\$1.1)	(\$55.7)	\$0.0
Fees and Recoveries (e.g., paid duty, secondments, vulnerable sector screening.)	(\$25.0)	(\$10.9)	(\$26.6)	\$1.6
Paid Duty - Officer Portion	(\$24.7)	(\$11.6)	(\$24.7)	\$0.0
Miscellaneous Revenue	(\$0.7)	(\$2.1)	(\$3.4)	\$2.7
Total Revenues excluding Reserves	(\$106.1)	(\$25.7)	(\$110.4)	\$4.3

Provincial Recoveries – These recoveries consist of the provincial uploading of court security and prisoner transportation and the Public Safety Response Team. No variance is projected at this time.

Fees and Recoveries - The Service experienced a reduction in revenues during 2020, as there was less demand for paid duties and vulnerable sector screenings as a result of COVID-19. In preparing the 2022 operating budget, it was anticipated that revenue losses due to COVID-19 would continue. While revenues have not fully returned to pre-pandemic levels, year-to-date recoveries indicate that revenues have made a partial return to pre-pandemic levels, and the Service is projecting a \$1.2M favourable variance. The Service is also projecting favourable recoveries of \$0.4M from outside agencies to facilitate expenditures for joint projects.

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

Miscellaneous Revenue – The favourable variance represents recoveries from Ottawa for expenses incurred as a result of the Freedom Convoy (\$0.8M) and Rolling Thunder (\$0.3M), the recovery of other premium pay expenses incurred on behalf of other jurisdictions (\$1.4M) and other favourable variances (\$0.2M).

7 - Grants:

A favourable variance of \$11.6M is projected in this category. Table 8 summarizes the grants portion of the Service’s budget.

Table 8 – Grants

Grants	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Guns & Gangs				
Expenses	\$4.9	\$0.4	\$1.9	\$3.0
Revenues	(\$4.9)	(\$0.9)	(\$5.1)	\$0.2
Net impact				\$3.2
Community Safety & Policing				
Expenses	\$0.0	\$3.3	\$7.8	(\$7.8)
Revenues	\$0.0	(\$3.3)	(\$14.4)	\$14.4
Net impact				\$6.6
Other				
Expenses	\$0.2	\$1.0	\$1.5	(\$1.3)
Revenues	(\$0.2)	(\$2.3)	(\$3.3)	\$3.1
Net impact				\$1.8
Net Impact From Grants	\$0.0	(\$1.8)	(\$11.6)	\$11.6

Grant funding generally results in a net zero variance, as funds are provided for expenditures to achieve specific purposes. However, a net favourable variance is projected in this category since a number of permanent, funded positions are assigned to provincially supported programs and as a result are covered by the grant, and these positions were not all backfilled. Savings are projected mainly due to the Guns and Gangs grants (\$3.2M) and the Community Safety & Policing grants (\$6.6M). The remaining savings are across several other 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 Exploitation on the Internet grant.

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 31st, versus December 31st for the Service, unspent provincial grant funding from 2021 is carried forward into the first quarter of 2022. The amounts being carried forward are not finalized until well after year-end. As a result, the base budgets for grants are often zero and the grants are reflected as in-year funding.

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

Conclusion:

As at June 30, 2022, the Service is projecting a favourable variance of \$9.2M. Expenditures and revenues will continue to be closely monitored throughout the year, recognizing that unanticipated events could require increased action and response to keep our communities safe. However, it is important to note that the decreased staffing levels, mainly due to increased separations and hiring challenges, contribute to the surplus, but are impacting the Service's surge capacity and ability to deal with unplanned events and day to day operational service requirements, as well as special projects and other important initiatives.

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 16, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

**Subject: Capital Budget Variance Report for the Toronto Police Service -
Period Ending June 30, 2022**

Recommendations:

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:

At its January 11, 2022 meeting, the Board approved the Toronto Police Service's (Service) 2022-2031 capital program at a net amount of \$30.7 Million (M) and gross amount of \$60.5M for 2022 (excluding carry forwards from 2021), and a 10-year total of \$219.6M net and \$646.8M gross (Min. No. P2022-0111-3.3 refers). Subsequently, City Council, at its February 17, 2022 meeting, approved the Service's 2022-2031 capital program at the same level as the Board-approved amount. Attachment A provides a detailed list of all approved projects in the 10-year program.

Table 1 provides a summary of available funding in 2022 (including carry forward funding from 2021) and projected expenditures. Of the \$82.9M in available gross funding in 2022, \$52M is projected to be utilized, for an estimated gross spending rate of 63%. The entire under-expenditure of \$30.9M will be carried forward to 2023.

Table 1 – Summary of 2022 Budget and Expenditures (Ms)

Category	2022 Gross (Ms)	2022 Net (Ms)
2022 approved program excluding carry forward	\$60.5	\$30.7
2021 carry forwards	\$22.4	\$11.8
Total 2022 available funding	\$82.9	\$42.5
2022 Projection	\$52.0	\$24.7
Variance to available funding	\$30.9	\$17.8
Carry forward to 2023	\$30.9	\$17.8
Spending rate	63%	58%

Note: Due to rounding, numbers presented may not add up precisely. These figures include the budget transfers noted in this report.

Background / Purpose:

The purpose of this report is to provide the Board with the status of the Service’s capital projects as at June 30, 2022. Attachment A provides a detailed list of all approved projects in the 10-year program. Attachment B provides the Service’s capital variance report as at June 30, 2022 including spending rates and project status. The body of this report includes project updates for key on-going projects, and includes high-level project descriptions for new projects within the 2022-2031 program.

COVID-19 Impact on Capital projects:

There have been significant delays and cost increases in various projects due to COVID-19 restrictions and other challenges, such as supply chain issues and inflationary costs. The Service continues to monitor the impacts of COVID-19 on projects in the capital plan in order to ensure any action required is undertaken.

Key Highlights / Issues:

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:

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

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

Table 2 provides a high-level summary of 2022 spending for each capital project and carry forward funds to 2023.

Table 2 – 2022 Capital Budget Variance Report as at June 30, 2022 (\$000s)

	2022 Cash Flow		Variance (Over)/ Under	Spending Rate	Carry Forward to 2023	Overall Project Health
	Available to Spend	Projected Actuals				
Debt - Funded Projects						
Facility Projects:						
Long Term Facility Plan - 54/55 Amalgamation; New Build	1,054.0	68.6	985.4	7%	985.4	Red
Long Term Facility Plan - 41 Division; New Build	19,925.0	7,650.0	12,275.0	38%	12,275.0	Red
Communication Center Consulting	239.5	100.0	139.5	42%	139.5	Red
Long Term Facility Plan - Facility and Process Improvement	1,083.2	729.0	354.2	67%	354.2	Yellow
Long Term Facility Plan - Consulting	878.0	458.0	420.0	52%	420.0	Yellow
Information Technology Modernization Projects:						
Transforming Corporate Support (HRMS, TRMS)	1,721.9	600.0	1,121.9	35%	1,121.9	Red
ANCOE (Enterprise Business Intelligence, Global Search)	391.4	258.2	133.2	66%	133.2	Yellow
Body Worn Camera - Phase II	920.8	920.8	0.0	100%	0.0	Green
Next Generation (N.G.) 9-1-1	7,000.0	6,007.8	992.2	86%	992.2	Green
Replacements/ Maintenance/ Equipment Projects:						
State-of-Good-Repair - Police	6,017.9	4,017.9	2,000.0	67%	2,000.0	Yellow
Radio Replacement	2,729.1	2,238.8	490.3	82%	490.3	Green
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,106.7	1,106.7	0.0	100%	0.0	Green
Mobile Command Centre	1,735.0	950.0	785.0	55%	785.0	Yellow
Connected Officer LR - DC Funding	1,180.0	1,180.0	0.0	100%	0.0	Green
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	400.0	400.0	0.0	100%	0.0	Green
Total Debt - Funded Projects	46,382	26,686	19,697	58%	19,697	
Lifecycle Projects (Vehicle & Equipment Reserve)						
Vehicle Replacement	9,060.1	8,959.8	100.3	99%	100.3	
IT- Related Replacements	16,600.3	8,144.5	8,455.8	49%	8,455.8	
Other Equipment	10,888.9	8,205.9	2,683.0	75%	2,683.0	
Total Lifecycle Projects	36,549.4	25,310.3	11,239.1	69%	11,239.1	
Total Gross Expenditures	82,931.9	51,996.0	30,935.8	63%	30,935.8	
Less other-than-debt Funding						
Funding from Developmental Charges	(3,900.6)	(2,007.6)	(1,893.0)	51%	(1,893.0)	
Vehicle & Equipment Reserve	(36,549.4)	(25,310.3)	(11,239.1)	69%	(11,239.1)	
Total Other-than-debt Funding	(40,450.0)	(27,317.8)	(13,132.2)	68%	(13,132.2)	
Total Net Expenditures	42,481.9	24,678.2	17,803.7	58%	17,803.7	

Note: the above numbers reflect the budget transfers noted in this report.

Debt-Funded Facility Projects:

Due to the ongoing pandemic, there have been delays in planned construction schedules, including labour and critical supply-chain disruption and delays in obtaining required permits. These factors continue to play a significant role in the progress and cost of the Service's facility-related projects.

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

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 current budget for this project is \$50.5M. The cost consultant has identified that the cost of construction has increased considerably due to the increased costs of labour and materials from the ongoing pandemic as well as other factors such as the high cost of constructing a very deep, waterproof underground parking structure in a location having a high water table.
- The health status of this project is Red as this project is on hold while staff evaluate options for moving forward given the significant cost pressures. A proper evaluation of any alternative options will be assessed to ensure adequate and appropriate information is presented to make an informed decision on how to proceed in a fiscally responsible way that meets operational requirements. The Service will keep the Board informed of the outcome of the potential options.

41 Division; New Build (Red):

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

- This new divisional building is being constructed in phases on the existing 41 Division site. Operations will continue on the site while construction is ongoing.
- The project design is now at 50% completion of the working drawing stage. The working drawing stage is estimated to be complete by the end of the third quarter of 2022.

- Site Plan approval process is ongoing. A full building permit has been applied for and is expected to be received by the beginning of the fourth quarter of 2022.
- The demolition permit has been received and abatement began in July 2022. Demolition of the south portion of the building is expected to be complete by the end of August 2022.
- Sequential tendering has commenced. The Board will be updated on budget impacts following receipt of the tender submissions from the various sub-contractors.
- At the request of the City, the project team has spent the past several months modifying and value engineering the building's design in order to achieve net zero emissions. The new 41 Division will be the first net zero emissions building in the Service's asset base. In addition, the new building will have a green roof / solar photovoltaics (P.V.) combination on the north side of the building with a biodiverse roof on the south portion of the building.
- All costs associated with achieving Net Zero Emissions will be recovered through the City's Environment and Energy Department (Sustainable Energy Plan Financing) resulting in a net zero impact on the Service's capital program. The Service is working with the City's Environment and Energy Department on the completion of the application for funding to be submitted by the third quarter of 2022.
- Community feedback has informed the design of the division's public spaces. Facilities Management is liaising with local City councillors for future Town Hall information sessions with the community. A ground-breaking ceremony was held in late July 2022.
- The health status of this project is Red as a result of delays for the Site Plan Approval process and the redesign requirements to achieve Net Zero Emissions. Of the available funding of \$19.9M, \$7.7M will be utilized in 2022 (a spending rate of 38%) and the remaining \$12.3M will be carried forward to 2023.

Communication Centre Consulting (Red)

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 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+). This project is not included in the Service's capital program, and funding for this project should be jointly coordinated with the other City emergency services. The Service will work with City Finance, Toronto Fire and Toronto Paramedic Services to that end, for the development of the future year's capital program.
- The tender documents for the back-up site are being developed and are 90% complete.
- Operational floors design development drawings for the Communication Centre are 40% complete with further design development to continue.
- The health status of this project is Red due to an estimated spending rate of 42%. Of the available funding of \$239.5K, \$100K will be utilized in 2022 and the remaining \$139.5K will be carried forward to 2023.

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

Aligned with both The Way Forward report and the police reform recommendations approved by the Board, this project funds the review of operational processes, focusing on opportunities to improve the efficiency and effectiveness of service delivery. The review of operational processes continues to focus on opportunities to improve service delivery.

- The installation and implementation of remote appearance video bail was completed at 23, 14, 51 and 43 Divisions, in collaboration with the Ministry of the Attorney General (M.A.G.) and other external agencies. The installation of video bail equipment at 32 Division is on track for completion by the end of 2022.
- A feasibility study for 55 Division's video bail site will be completed in the third quarter of 2022. The revised installation schedule is estimated for the first quarter of 2023 due to supply chain issues.
- Work on the Service-wide investigative review continues, including a review of the Community Investigative Support Unit (C.I.S.U.), with a focus to identify potential efficiencies, standardizing functions across the divisions and enhanced service delivery in the area of criminal investigative processes. A draft interim report has been completed and submitted to the Senior Management Team for review.
- The health status of this project is Yellow due to an estimated spending rate of 67%. Of the available funding of \$1.1M, \$729K will be utilized in 2022 and the remaining \$354.2K will be carried forward to 2023.

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. This project provides for the acquisition of external expertise 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.

- A Request for Quotation (R.F.Q.) for consulting services was issued to the Board's approved shortlist of pre-qualified architects to acquire external expertise to develop a Strategic Building Program that assesses space utilization and forecasts the short and long-term requirements of the Service. The R.F.Q. closed and Stantec Architecture Limited (Stantec) was the successful bidder. Stantec has commenced meetings with various stakeholders to confirm operational and space requirements; this work will continue into 2023.
- 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 its current building portfolio, office space standards, staffing needs, and the ability to provide services in a growing city. Building condition assessments will commence in the third quarter of 2022.
- Assessment objectives are to enhance operational flexibility, improve aging facility infrastructure, optimize resources, and where possible, reduce the Service's facilities footprint. The Service will consider the constraints on funding levels and will maximize the use of City Development Charges (D.C.) for qualifying Service projects, which reduces the Service's reliance on debt funding. D.C.s are fees charged to developers to help pay for the cost of infrastructure required to provide municipal services in growing areas.
- The health status of this project is Yellow, due to an estimated spending rate of 52%. Due to lack of resources and workload constraints, of the available funding of \$878K, \$458K will be utilized in 2022 and the remaining \$420K will be carried forward to 2023.

Debt-Funded Information Technology Modernization Projects:

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

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

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

- The H.R.M.S. system implementation portion of this project is complete. The technical upgrade of T.R.M.S is also complete.
- Additional T.R.M.S. reports were created in T.R.M.S. for Budgeting and Court Attendance sections. Enhanced functionality were added to Court Kiosk function (including mobile capabilities), automation of carry over vacation rules and implementation of secure communication protocols. The majority of work was done by utilizing existing Information Technology (I.T.) staffing. The I.T. consultant will continue working on the T.R.M.S. reports along with functionality enhancements.
- The health status of this project is Red as resource constraints have hampered the planning for additional functionality and enhancement of this project, and the project has a spending rate of 35%. Of the available \$1.7M, \$600K will be utilized in 2022 and the remaining \$1.1M will be carried forward to 2023 to upgrade H.R.M.S. functionality and retain additional resources for enhanced reporting and workforce analytics, as well as ensure integration of H.R.M.S. and T.R.M.S.

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 Enterprise Business Intelligence (E.B.I.) as well as Global Search. The program focuses on improving the analytical reporting environments with new and enhanced Power B.I., geospatial and reporting technologies, and will deliver streamlined service processes that will make data and analytics products available to front-line members, management, and the public.

- The E.B.I. portion of the project is complete and provides for increased use of Power B.I. for reporting on persons in crisis, monitoring and reporting of the 81 Police Reform recommendations, etc.
- Production and implementation of the Global Search platform is completed for Service-wide use.
- The Service's Geographic Information System (G.I.S.) platform is completed and will ensure data, maps, apps and other items can be shared with internal members and with the public. Ongoing support and enhancement activities will continue for the life of the platform.

- The use of spatial analysis is underway to enable better decision making for operations and planning activities with ease of data access via a smart phone, tablet. It will allow Information to be easily embedded into the Service's website.
- The Service continues to work on a number of mapping solutions that form part of the public Open Data Portal and the Service's website assisting with visualization of multiple layers of data through web maps and apps that can be accessed from anywhere at any time.
- In 2022, the focus is on the implementation of new and improved functionalities, as well as enhanced reporting and workforce analytics. Enhancements include, but are not limited to, expanding the functionality of the G.I.S. platform for more operational support, location enhancements and special-event planning assistance for Toronto Police Operations Centre (T.P.O.C.). The G.I.S. environment technical review is complete and the environment build is currently in progress.
- It is anticipated that the improvements to the Global Search program such as advanced search functionality and addition of images will be completed by the end of 2022.
- Global Search was built on the Attivio platform, which was purchased by ServiceNow in 2020. It has been confirmed that the current Attivio platform is scheduled for replacement. Service staff will be reviewing options for moving the Global Search functionality to a new platform.
- Overall, the health status of the A.N.C.O.E. project is Yellow due to an overall spending rate of 66%. Of the available \$391K, \$258K will be utilized in 2022 and the remaining \$133K will be carried forward to 2023.

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

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

- The contract award to Axon Canada was approved by the Board at its August 2020 meeting (Min. No. P129/20 refers).
- To date, the Service has issued all 2,350 body cameras, and has trained 2,700 frontline officers (accounting for the rotation of officers assigned to frontline roles).
- Digital disclosure of body-worn camera, along with most other digital media, evidence (photos, videos, audio) has been successfully piloted at 23 Division to the M.A.G. Toronto West Court location.

- An Evidence.com disclosure training course has been developed for all the active case managers/investigators. In June 2022, a new training course focused on case managers and investigators focus on Evidence Management and Disclosure was created. This course encapsulates all of the body-worn camera training, and leverages our Evidence.com cloud-based platform as a digital evidence management system with the purpose of creating efficiencies and streamlining disclosure workflows to court. To date, all case managers / investigators from 23 Division have been Disclosure trained. Case managers / investigators from 12 and 22 Divisions will be trained over the July/August timeframe. The training course is scheduled for the remaining divisions, units and courts during 2022.
- Timelines and funding requirements are revised for 2022 and the status of this project is changed to Green. It is estimated that the entire available funding of \$920.8K will be utilized in 2022.

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.

This project includes the renovation of the training room, training room furniture, and the expansion to three other floors at the current Communications Centre building.

- The extensive detail design phase is near completion, resulting in some changes such as a network re-design, whereby Solacom, the new N.G. 9-1-1 solution, will be isolated from the rest of the Service's network. Currently details on Call Flow Configuration, Report Structure, Support and Maintenance aspects, etc. are being considered.

AECOM, the engineering design firm, has finalized the architectural, mechanical, electrical, and structural drawings required for the construction phase of the new training room at the Primary Site, which will also serve as a full Production Tertiary site. The R.F.Q. for the construction phase has been issued and it is expected that the work will be completed by the end of year.

- Construction of the new N.G. Training Room, contracted to Stevens & Black Electrical Contractors Limited, is experiencing a slight delay caused by supply chain issues, but is expected to be completed by the end of September, 2022.
- AECOM is finalizing renovations drawings for the backup site. Those will be much smaller in scope and entail electrical and data cables as well as adjustment to the existing servers' cage.
- AECOM has completed 40% of the drawings for the renovations at the remaining portion of the Primary Site. The plan is to expand the existing Primary Operation

floor to help accommodate the implementation of N.G. 9-1-1, as well as to allow for a potential future expansion for additional call-taking positions. The renovations will also create much-needed rest areas and meeting space, as well as consolidated management, administration and support areas. This portion of the renovations is expected to be completed by the fourth quarter of 2023.

- It is anticipated that the new N.G. 9-1-1 solution will be fully implemented in two phases:
 - Phase I: deployment between the current Secondary Site and the new Tertiary Site – by mid-2023; and
 - Phase II: deployment at the Primary Site (post major renovations), with the Tertiary Site switching back to a training room functionality – by the first quarter of 2024.
- Collaboration meetings with the secondary Public Safety Answering Point (Toronto Paramedic Services and Toronto Fire) on the N.G. platform are ongoing.
- Real Time Text (R.T.T.) is expected to be rolled out at some point in 2024. While the impact of R.T.T. is unknown at this time, it is widely anticipated to require increased staff levels to accommodate longer processing time of R.T.T. calls.
- Timeline and funding requirements have been revised for 2022 and the status of this project is changed to Green. Of the available \$7M, \$6M will be utilized in 2022 with a spending rate of 86% and the remaining \$992.2K will be carried forward to 2023.

Debt-Funded 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 safety, condition and requirements of existing Service buildings.

- In light of the future plans for Service facilities, use of these funds will be closely aligned with the Long-Term Facility Plan, with priority being given to previously approved and ongoing projects that must continue through to completion.
- This funding source is also used by the Service for technology upgrades to optimize service delivery and increase efficiencies.
- Timelines and funding requirements were revised for 2022 and the status of this project is changed to Yellow. It is estimated that from the available \$6M, \$4M will be utilized in 2022 with a spending rate of 67% and the remaining \$2M will be carried forward to 2023.

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 radio purchases will occur in third quarter of 2022.
- The health status of this project is Green. The project is progressing well, and is on schedule and within budget. Of the available \$2.7M, \$2.2M will be utilized in 2022 for an estimated spending rate of 82% and the remaining \$490K will be carried forward to be spent in 2023 (delays are due to supply-chain issues).

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

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

- The contract award to IDEMIA was approved in April 2020 and contract negotiations were completed in December 2020.
- The Planning phase was completed and the project plan was delivered in August 2021.
- Throughout the design phase the vendor has been experiencing limited resources, primarily due to COVID-19, and this impacted the preparation and delivery of documents for review and approval. Due to this delay in the design phase, the remaining milestones were moved from 2021 to 2022. The Design Phase is now in the process of being completed with final reviews and approval of the design documents and it is anticipated that the Design Phase will be finalized in the third quarter of 2022.
- The vendor is continuing to work through the configuration of the new system in tandem with the Design Phase completion. As well, efforts are continuing with the planning of migration and integration of the system. Service staff have regular discussions with the vendor and have been assured that the delays with the Design Phase will not impact the initiation and completion of future milestones.
- The risk register continues to be closely monitored by both the Forensic Identification Unit and IDEMIA. Unpredictable COVID-19 impacts including materials, shipping and human resource constraints continue to be evaluated. There are some risks involved with maintaining our current A.F.I.S. system while implementing the new solution and utilizing the same staffing in both areas. Steps will be taken to manage this risk.

- As delays continue to impact the Go-Live date, the project plan is being re-evaluated to take into account the change in event timelines. The Service is currently in discussions with the vendor and anticipates implementation and being operational by end of 2022. However, there is a risk of completion moving into January 2023.
- The new timelines have been adjusted for 2022 and the health status of this project is currently Green. This could change in future reports depending on the re-evaluation of the project plan. It is estimated that the entire available funding of \$1.1M will be utilized in 2022.

Mobile Command Centre (Yellow)

The Service will be acquiring a new Mobile Command Vehicle to support the challenges of providing public safety services in a large urban city. The vehicle will play an essential role 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 joint operations.

- The vehicle will be designed to operate with other emergency services, as well as municipal, provincial and federal agencies. The technology will focus on both the current and future technological needs required to work within the C3 (Command, Control, Communications) environment, further ensuring efficient and effective management of public safety responses.
- The R.F.Q. for the Mobile Command Vehicle was completed in 2021 and P.K. Van Welding and Fabrication was the successful bidder. After initial consultation with the proponent, it was identified that the project would have several delays due to the ongoing world-wide vehicle chip shortage.
- The delivery of the chassis is postponed from May 2022 to the third quarter of 2022, and is expected to be built in the first quarter of 2023. at which time the Mobile Command Vehicle will be fully functional to respond to and support operational requirements.
- In the interim, P.K. Van Welding and Fabrication has been working with the Service to finalize the plan view drawings.
- The health status of this project is Yellow due to ongoing delays in project completion. It is estimated that of the available \$1.7M, \$950K will be utilized in 2022 with a spending rate of 55% and the remaining \$785K will be carried forward to 2023.

Lifecycle Projects (Vehicle and Equipment Reserve):

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement operating budgets. The Reserve has no net impact on the capital

program at this time, as it is fully funded through contributions from the operating budget and does not require debt funding. Items funded through this Reserve include the regular replacement of vehicles and information technology equipment, based on the deemed lifecycle for the various vehicles and equipment.

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

Project Name	Carry Forward from previous years	2022 Budget	Available to Spend	Year End Actuals	YE Variance (Over)/ Under	Carry Forward to 2023
Vehicle Replacement	650.1	8,410.0	9,060.1	8,959.8	100.3	100.3
IT- Related Replacements	5,505.3	11,095.0	16,600.3	8,144.5	8,455.8	8,455.8
Other Equipment	3,438.9	7,450.0	10,888.9	8,205.9	2,683.0	2,683.0
Total Lifecycle Projects	9,594.4	26,955.0	36,549.4	25,310.3	11,239.1	11,239.1

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

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

Significant variances resulting in the carry forward of funding are:

- \$5.6M – I.T. Business Resumption – As the Secondary Data Centre will not be ready until third quarter of 2023, procurement of the Servers has been deferred.
- \$2.1M – Net Work Equipment – Due to COVID-19 supply chain issues, CISCO items are projected to be delayed by one year, resulting to carry forward funding to 2023.
- \$1.7M – Server Lifecycle Replacement – Due to COVID-19 supply chain issues there is delay in receiving the goods.
- \$0.9M – Workstations, Laptop, Printer – Due to COVID-19 supply chain issues there is delay in receiving the goods.

Conclusion:

Competing operational priorities, the impact of the COVID-19 pandemic and in particular labour and supply chain issues, continue to have an impact on many of the projects in

the Service's capital program, and has resulted in several projects' health being assessed as Yellow or Red. Projects will continue to be monitored on an ongoing basis and known issues will continue to be actively addressed, so that the health of these projects improves.

The Service's 2022 gross spending rate is estimated at 63%. The entire under-expenditure of \$30.9M will be carried forward to 2023.

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

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

Respectfully submitted,

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

*original copy with signature on file in Board office

APPROVED 2022 – 2031 Capital Program Request (\$000s)

Attachment A

Project Name	to end of 2021	Carry forward	2022	2023	2024	2025	2026	2022-2026 Request	2027	2028	2029	2030	2031	Total 2027-2031	Total 2022-2031 Program	Total Project Cost
Projects in Progress																
State-of-Good-Repair - Police		2,628	4,400	4,400	4,400	4,400	4,400	22,000	4,400	4,400	4,400	4,400	4,400	22,000	44,000	44,000
Transforming Corporate Support (HRMS, TRMS)	7,935	1,176	500	0	0	0	0	500	0	0	0	0	0	0	500	8,435
Long Term Facility Plan - 54/55 Amalgamation; New Build	1,184	421	1,054	8,825	16,625	19,029	3,783	49,316	0	0	0	0	0	0	49,316	50,500
Long Term Facility Plan - 41 Division; New Build	7,072	3,626	19,925	16,004	9,863	0	0	45,792	0	0	0	0	0	0	45,792	52,864
Long Term Facility Plan - Facility and Process Improvement	2,723	264	735	0	0	0	0	735	0	0	0	0	0	0	735	3,458
Long Term Facility Plan - Consulting	750	675	128	0	0	0	0	128	0	0	0	0	0	0	128	878
ANCOE (Enterprise Business Intelligence, Global Search)	12,124	133	202	202	0	0	0	404	0	0	0	0	0	0	404	12,528
Radio Replacement	35,696	0	2,356	0	0	0	0	2,356	14,734	4,733	6,429	4,867	6,116	36,879	39,235	74,931
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,581	870	0	0	0	0	0	0	1,581	0	0	0	0	1,581	1,581	3,162
Next Generation (N.G.) 9-1-1	7,350	4,116	2,692	214	0	0	0	2,906	0	0	0	0	0	0	2,906	10,256
Body Worn Camera - Phase II	5,887	200	0	0	0	0	0	0	0	0	0	0	0	0	0	5,887
Communication Centre - New Facility Assessment	500	200	0	0	0	0	0	0	0	0	0	0	0	0	0	500
Mobile Command Centre	1,735	1,735	0	0	0	0	270	270	50	0	0	0	270	320	590	2,325
Total, Projects In Progress	84,536	16,044	31,992	29,645	30,888	23,429	8,453	124,407	20,765	9,133	10,829	9,267	10,786	60,780	185,187	269,723
Upcoming Projects																
Connected/Mobile Officer life cycle replacement - DC funded	0	0	1,180	223	1,450	232	1,505	4,590	240	1,560	249	1,067	0	3,116	7,706	7,706
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	0	0	400	400	400	400	400	2,000	0	0	400	400	400	1,200	3,200	3,200
Long Term Facility Plan - 13/53 Division; New Build	0	0	0	600	6,516	16,796	13,096	37,008	4,364	0	0	0	0	4,364	41,372	41,372
Long Term Facility Plan - 22 Division; New Build	0	0	0	0	0	600	4,717	5,317	19,082	18,590	7,511	0	0	45,183	50,500	50,500
Long Term Facility Plan - 51 Division; Major Expansion	0	0	0	0	0	0	0	0	3,300	5,240	3,460	0	0	12,000	12,000	12,000
Property & Evidence Warehouse Racking	30	0	0	0	50	950	0	1,000	0	0	0	0	0	0	1,000	1,030
Total, Upcoming Capital Projects:	30	0	1,580	1,223	8,416	18,978	19,718	49,915	26,986	25,390	11,620	1,467	400	65,863	115,778	115,808
Total Gross Debt Funded Capital Project	84,566	16,044	33,572	30,868	39,304	42,407	28,171	174,322	47,751	34,523	22,449	10,734	11,186	126,643	300,965	385,531
Vehicle and Equipment Total	306,096	8,569	26,955	35,819	36,342	33,267	34,275	166,658	35,402	34,236	35,027	43,891	30,627	179,183	345,841	651,937
Total Gross Projects	390,662	24,612	60,527	66,687	75,646	75,674	62,446	340,980	83,153	68,759	57,476	54,625	41,813	305,826	646,806	1,037,468
Funding Sources:																
Vehicle and Equipment Reserve	(306,096)	(8,569)	(26,955)	(35,819)	(36,342)	(33,267)	(34,275)	(166,658)	(35,402)	(34,236)	(35,027)	(43,891)	(30,627)	(179,183)	(345,841)	(651,937)
Development charges Funding	(33,242)	(621)	(2,893)	(9,648)	(19,473)	(17,628)	(6,222)	(55,864)	(17,240)	(6,955)	(249)	(1,067)	0	(25,511)	(81,375)	(114,617)
Total Other Funding Sources:	(339,338)	(9,190)	(29,848)	(45,467)	(55,815)	(50,895)	(40,497)	(222,522)	(52,642)	(41,191)	(35,276)	(44,958)	(30,627)	(204,694)	(427,216)	(766,554)
Total Net Debt-Funding Request:		15,422	30,679	21,220	19,831	24,779	21,949	118,458	30,511	27,568	22,200	9,667	11,186	101,132	219,590	270,914

Project Name	Carry Forward from 2021	2022 Cash Flow			Variance (Over)/ Under	Spending Rate	Lost Funding/ Return to Reserve	Carry Forward to 2023	Total Project Cost		Status	Start Date	End Date		Overall Project Health
		Budget	Available to Spend	Projected Actuals					Budget	Life to Date			Planned	Revised	
Debt - Funded Projects															
<i>Facility Projects:</i>															
Long Term Facility Plan - 54/55 Amalgamation; New Build	0.0	1,054.0	1,054.0	68.6	985.4	7%	0.0	985.4	50,500.0	50,500.0	On hold	Jan-17	Dec-24	TBD	Red
Long Term Facility Plan - 41 Division;	0.0	19,925.0	19,925.0	7,650.0	12,275.0	38%	0.0	12,275.0	52,864.0	52,864.0	Delayed	Jan-18	Dec-22	Dec-25	Red
Communication Center Consulting	239.5	0.0	239.5	100.0	139.5	42%	0.0	139.5	500.0	500.0	Delayed	Jan-20	Dec-20	Dec-23	Red
Long Term Facility Plan - Facility and Process Improvement	348.2	735.0	1,083.2	729.0	354.2	67%	0.0	354.2	3,458.0	3,458.0	Delayed	Jan-18	Dec-23	Dec-23	Yellow
Long Term Facility Plan - Consulting	750.0	128.0	878.0	458.0	420.0	52%	0.0	420.0	878.0	878.0	Delayed	Jan-21	Dec-22	Dec-23	Yellow
<i>Information Technology Modernization Projects:</i>															
Transforming Corporate Support (HRMS, TRMS)	1,221.9	500.0	1,721.9	600.0	1,121.9	35%	0.0	1,121.9	8,435.0	8,435.0	Delayed	Jan-14	Dec-20	Dec-23	Red
ANCOE (Enterprise Business Intelligence, Global Search)	189.4	202.0	391.4	258.2	133.2	66%	0.0	133.2	12,528.0	12,528.0	Delayed	Jan-15	Dec-18	Dec-23	Yellow
Body Worn Camera - Phase II	920.8	0.0	920.8	920.8	0.0	100%	0.0	0.0	5,887.0	5,887.0	On Time	Jan-17	Dec-20	Dec-22	Green
Next Generation (N.G.) 9-1-1	4,308.0	2,692.0	7,000.0	6,007.8	992.2	86%	0.0	992.2	10,256.0	10,256.0	On Time	Jan-19	Dec-23	Dec-24	Green
<i>Replacements/ Maintenance/ Equipment Projects:</i>															
State-of-Good-Repair - Police	1,617.9	4,400.0	6,017.9	4,017.9	2,000.0	67%	0.0	2,000.0	on-going	on-going	Delayed	on-going	on-going	on-going	Yellow
Radio Replacement	373.1	2,356.0	2,729.1	2,238.8	490.3	82%	0.0	490.3	38,051.4	38,051.4	On Time	Jan-16	on-going	on-going	Green
Automated Fingerprint Identification System (A.F.I.S.) Replacement	1,106.7	0.0	1,106.7	1,106.7	0.0	100%	0.0	0.0	3,162.0	3,162.0	On Time	Jan-19	Dec-20	Dec-22	Green
Mobile Command Centre	1,735.0	0.0	1,735.0	950.0	785.0	55%	0.0	785.0	2,325.0	2,325.0	Delayed	Feb-21	Apr-22	Jun-23	Yellow
Connected Officer LR - DC Funding	0.0	1,180.0	1,180.0	1,180.0	0.0	100%	0.0	0.0	7,706.0	7,706.0	On Time	Feb-21	Apr-22	Dec-22	Green
Uninterrupted Power Supply (U.P.S.) Lifecycle Replacement	0.0	400.0	400.0	400.0	0.0	100%	0.0	0.0	3,200.0	3,200.0	On Time	Feb-21	Apr-22	Dec-22	Green
Total Debt - Funded Projects	12,810.5	33,572.0	46,382.5	26,685.7	19,696.7	58%	0.0	19,696.7	199,750.4	199,750.4					
<i>Lifecycle Projects (Vehicle & Equipment Reserve)</i>															
Vehicle Replacement	650.1	8,410.0	9,060.1	8,959.8	100.3	99%	0.0	100.3	On-going	On-going	On-going				
IT- Related Replacements	5,505.3	11,095.0	16,600.3	8,144.5	8,455.8	49%	0.0	8,455.8	On-going	On-going	On-going				
Other Equipment	3,438.9	7,450.0	10,888.9	8,205.9	2,683.0	75%	0.0	2,683.0	On-going	On-going	On-going				
Total Lifecycle Projects	9,594.4	26,955.0	36,549.4	25,310.3	11,239.1	69%	0.0	11,239.1							
Total Gross Expenditures	22,404.9	60,527.0	82,931.9	51,996.0	30,935.8	63%	0.0	30,935.8							
<i>Less other-than-debt Funding</i>															
Funding from Developmental Charges	(1,007.6)	(2,893.0)	(3,900.6)	(2,007.6)	(1,893.0)	51%	0.0	(1,893.0)							
Vehicle & Equipment Reserve	(9,594.4)	(26,955.0)	(36,549.4)	(25,310.3)	(11,239.1)	69%	0.0	(11,239.1)							
Total Other-than-debt Funding	(10,602.0)	(29,848.0)	(40,450.0)	(27,317.8)	(13,132.2)	68%	0.0	(13,132.2)							
Total Net Expenditures	11,802.9	30,679.0	42,481.9	24,678.2	17,803.7	58%	0.0	17,803.7							



Toronto Police Services Board Report

August 8, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: 2022 Operating Budget Variance Report for the Toronto Police Service Parking Enforcement Unit, Period Ending June 30, 2022

Recommendations:

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

Financial Implications:

At its January 11, 2022 meeting, the Board approved the Toronto Police Service's Parking Enforcement Unit (P.E.U.) operating budget request at \$50.9 Million (M) (Min. No. P2022-0111-3.4 refers). Subsequently, City Council, at its February 17, 2022 meeting, approved the P.E.U.'s 2022 operating budget at the same amount.

As at June 30, 2022, the P.E.U. is projecting a favourable variance of \$3.5M. Table 1 provides a high-level summary of variances by feature category. Details regarding these categories are discussed in the section that follows.

Table 1 – 2022 Variance by Feature Category

Category	2022 Budget (\$Ms)	Actual to Jun 30/22 (\$Ms)	Projected Year-End Actual (\$Ms)	Fav/(Unfav) (\$Ms)
1- Salaries	\$33.9	\$15.4	\$31.3	\$2.6
2- Premium Pay	\$1.9	\$0.6	\$1.2	\$0.7
3- Benefits	\$8.5	\$2.9	\$8.3	\$0.2
4- Materials & Equipment	\$2.0	\$0.5	\$2.0	\$0.0
5- Services	\$5.7	\$1.3	\$5.7	\$0.0
6- Revenue (e.g. T.T.C., towing reco)	(\$1.1)	(\$0.2)	(\$1.1)	\$0.0
Total Net	\$50.9	\$20.5	\$47.4	\$3.5

Background / Purpose:

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.

The purpose of this report is to provide information on the P.E.U.’s 2022 projected year-end variance as at June 30, 2022.

Discussion:

It is important to note that while the P.E.U. did consider COVID-19 in developing its 2022 operating budget, the financial implications of the pandemic are difficult to predict. For planning purposes, the projections below assume that the majority of the COVID-19 restrictions will remain lifted for the rest of the year.

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

1 - Salaries:

The total Salaries budget for 2022 is \$33.9M with an estimated spending of \$31.3M resulting in a \$2.6M 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. This year, in particular, is also affected by the number of staff on unpaid leave as summarized below.

- The 2022 approved budget assumed that there would be 24 P.E.O. separations during the year; however, at the time of budget preparation, the hiring strategy with respect to Special Constables was not finalized. The hiring of Special

Constables 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. Subsequent to the approval of the 2022 operating budget, the timing and size of the Special Constables classes has been determined, and the P.E.U. is now expecting to lose a significant number P.E.O.s to the Special Constable classes. As a result, the year-end projected separations has been increased to 62 contributing to the favourable variance being projected to year end.

- The P.E.U. experienced higher-than-anticipated separations during 2021 (31 actual separations, 6 more than the 25 budgeted separations), resulting in savings.
- There has also been a greater-than-budgeted number of members on unpaid leaves (e.g. maternity and parental, secondment and central sick).
- Spending has also been reduced due to members on unpaid absence as a result of the Service's vaccination policy.

The 2022 approved budget includes funding for an April class of 24 P.E.O. hires. Due to timing issues, this class was delayed. However, as a result of the higher-than-anticipated separations, it is now expected that the class size will be increased to 40 in November. Additional hires will also take place in early 2023.

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

The impact of the above factors results in a projected favourable salary variance of \$2.6M by year-end.

2 - Premium Pay:

The total Premium Pay budget for 2022 is \$1.9M with an estimated spending of \$1.2M resulting in a \$0.7M favourable variance by year-end. Nearly all premium pay at the P.E.U. is related to enforcement activities, such as special events or directed enforcement activities. Directed enforcement activities are instituted to address specific problems. Premium pay expenditures are anticipated to begin to return to normal levels by the end of summer. However, at this time since the city activities have not fully returned to pre-pandemic level, a favourable variance is projected.

3 - Benefits:

The total Benefit budget for 2022 is \$8.5M with an estimated spending of \$8.3M resulting in a \$0.2M favourable variance. This variance is due to reduced staffing levels and current spending levels.

4 - Materials and Equipment:

The total Materials and Equipment budget for 2022 is \$2M with no variance anticipated at this time. Significant items in this category include parking tags, uniforms, gasoline,

vehicle parts and batteries for handheld parking devices. While gas prices are currently and expected to be much higher than budgeted, volume is currently less than what was budgeted, as a result, no significant variance is projected in gasoline at this time.

5 - Services:

The total Services budget for 2022 is \$5.7M, with no variance anticipated at this time. Significant items in this category include interdepartmental chargebacks, contributions to reserves, rental of property and maintenance, and support costs for the handheld parking devices. It must be noted that the contributions to the reserves are not made until the end of the year, as a result, year to date expenditures are low relative to the overall budget in this category.

6- Revenue:

The total Revenue budget for 2022 is \$1.1M with no variance anticipated at this time. Revenues include towing recoveries, draws from reserves, and recoveries from the T.T.C. The recoveries from the T.T.C. are for premium pay expenditures that are incurred to enforce parking by-laws on T.T.C. right of ways, which are necessitated by the continuing weekend subway closures for signal replacements and maintenance.

Conclusion:

As at June 30, 2022, the P.E.U. is projecting a favourable variance of \$3.5M, and the unit will continue to review its spending plans.

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

September 2, 2022

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: 2022 Operating Budget Variance Report for the Toronto Police Services Board, Period Ending June 30, 2022

Recommendation:

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

Financial Implications:

As of June 30, the Board is anticipating no year-end variance on its 2022 Operating Budget.

Background / Purpose:

At its January 11, 2022 meeting, the Board approved the Toronto Police Services Board's 2022 Operating Budget at a net amount of \$1,969,800 (Min. No. P2022-0111-3.6 refers), which represented a 2% increase over the 2021 Operating Budget. Subsequently, at its February 17, 2022 meeting, City Council approved the Board's 2022 Operating Budget at the same net amount.

The purpose of this report is to provide information on the Board's 2022 projected year-end variance.

Discussion:

As of June 30, 2022, no variance is anticipated at year-end. Details are discussed below.

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

Expenditure Category	2022 Budget (\$000s)	Actual to June 30/2022 (\$000s)	Projected Year-End Actual (\$000s)	Fav/(Unfav) (\$000s)
Salaries & Benefits	\$1,354.4	\$641.7	\$1,239.4	\$115.0
Non-Salary Expenditures	\$1,691.1	\$378.0	\$1,704.9	(\$13.8)
Draws from Reserves	(\$1,075.7)	\$0.0	(\$974.5)	(\$101.2)
Total Net	\$1,969.8	\$1,019.7	\$1,969.8	\$0.0

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

Salaries & Benefits

Year-to-date expenditures are lower than planned, as not all Board Staff are at the highest 'step' of their respective salary band. Therefore, a favourable projection of \$115,000 is expected at year-end.

These projected savings are expected to be fully offset by lower than budgeted draws from reserves and expenditures for the Chief of Police selection process as outlined in the subsequent sections.

Non-salary Budget/Draws from Reserves

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

The Toronto Police Services Board cannot predict or control the number of grievances filed or referred to arbitration, as filings are at the discretion of bargaining units. In order to address this uncertainty and ensure adequate financial resources are available to respond to these matters when they arise, the 2022 Operating Budget includes a \$424,800 contribution to a Reserve for costs associated with the provision of legal advice and representation. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board ultimately has funds available in the Reserve, upon which to draw, to fund these variable expenditures.

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

Chief of Police Selection Process

The Board authorized commencing the process for outside professional firms to assist the Board with the executive search services in order to select Toronto's next Chief of Police.

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

In 2021, expenditures incurred with respect to the Chief of Police selection process was absorbed within the Board's 2021 Operating Budget. Every effort will be made to absorb 2022 costs associated with this process, as well; however, as a Chief Selection process does not occur regularly, the funds associated with the process are not 'built in' to the Board Office's annual budget, and, therefore, create a potential budget pressure. This pressure will partially offset the anticipated savings for Salaries and Benefits.

Conclusion:

As of June 30, 2022, no variance is being projected by the end of 2022. Every effort is being made to absorb the costs associated with the Chief selection within the 2022 Operating Budget.

Respectfully submitted,

Ryan Teschner
Executive Director and Chief of Staff



Toronto Police Services Board Report

August 3, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

**Subject: Request for Review of a Service Complaint Investigation-
Professional Standards Case Number PRS-085616**

Recommendations:

It is recommended that:

- (1) the Toronto Police Services Board (Board) determine whether to concur with the decision that no further action was required with respect to the complaint; and
- (2) the complainant, the Independent Police Review Director and I are advised in writing of the disposition of the complaint, with reasons.

Financial Implications:

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

Background / Purpose:

The Board has received a request to review the disposition of a complaint about a service of the Toronto Police Service (T.P.S.).

Legislative Requirements:

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 Independent Police Review Director.

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 Independent Police Review Director in writing of its disposition of the complaint, with reasons.

Complaint:

On January 4, 2022, the Office of the Independent Police Review Director (O.I.P.R.D.) received a complaint from a person who had been arrested as part of a Neighbour Dispute investigation. The complainant was held in a 51 Division holding cell, awaiting a virtual bail hearing.

The Complainant believes that he was subjected to unreasonable vibrations in his cell, and that the conditions in which he was housed were contrary to Covid-19 health protocols. He described the over-all conditions of his cell to be dirty. He described the overall state of the 51 Division building to be disgusting.

This was investigated by the T.P.S. and concluded as 'No Further Action' on May 17, 2022.

The O.I.P.R.D. concurred with the findings. On June 20, 2022, the complainant has requested the Board review that decision and investigation.

The Chief's Decision:

On January 4, 2022, the O.I.P.R.D. received a complaint from a person who had been arrested as part of a Neighbour Dispute investigation. The complainant was then held in a 51 Division holding cell, awaiting a virtual bail hearing. The Complainant believes

that he was subjected to unreasonable vibrations in his cell, and that the conditions in which he was housed were contrary to Covid-19 health protocols. He described the over-all conditions of his cell to be dirty. He described the overall state of the 51 Division building to be disgusting.

As a part of the investigation, documents were reviewed, including: T.P.S. procedures, statements and related occurrences along with various sources of video. As a result of the investigation into the service that was provided, the following information was gleaned:

- The Complainant states in his written complaint, that he was arrested on July 19, 2021, at approximately 8:50 p.m. He requested a facemask due to Covid-19 restrictions, and received a slightly used mask from the pocket of an officer.
- The Complainant stated that the Heating, Ventilation, and Air Conditioning (H.V.A.C) motor unit was switched to high speed and produced extensive vibration and mechanical noise amplified by the empty concrete cell.
- There was extensive vibration and extensive mechanical noise caused by electromechanical malfunctioning or intentional manual overload of the H.V.A.C. system.
- The Complainant stated that floors of the corridor and cells at 51 division are visibly dirty and that there was no soap, hand sanitizer, or even toilet paper in the cell.
- The Complainant did not participate in the investigation. He did not answer any of the Investigator's telephone calls and he did not return any voice mail messages.
- The entirety of the Complainant's detention at 51 Division is preserved, as it was captured on the internal Closed-Circuit Television (C.C.T.V.) recording system.
- The complaint Investigator reviewed the Complainant's arrival in the booking hall. He arrives at 9:28 p.m. He is wearing a black, disposal facemask. He is handcuffed. He is accompanied by the two arresting officers. They are wearing facemasks. The booking Sergeant is wearing a facemask, as is the booking officer. The Complainant is placed in Cell #2 at 9:35 p.m. The Complainant hands his facemask to the arresting officer and then enters his cell. The arresting officer throws the used facemask in a waste bin in the booking area.
- On July 18, 2021, at 7:05 p.m., Cell #2 was subjected to a steam cleaning by a male custodian. The bed, then the toilet, then the floors were steamed, and then wiped. At 7:52 p.m., Cell #2 was mopped out by a different male custodian. C.C.T.V. footage shows the floors being mopped. The cell was not used again until the Complainant's arrival. The cell is completely clean and free of debris.

This level of cleaning was introduced at the onset on the Covid-19 era in 2020.

- Via the cell video, the Complainant was observed to be in his cell and when he was moved for fingerprinting just over an hour later, he was handed a black disposable facemask, which he wears. He returns seven minutes later wearing a black disposable facemask, carrying a juice box and a sandwich.
- The Complainant does not sleep during the night, but does drink the juice box at approximately 2:19 a.m.
- At 10:19 a.m., the Complainant exits his cell and attends his virtual bail hearing in a private room down the hall. At 10:27 a.m., the Complainant returns to Cell #2.
- At 12:46 p.m., the cell door opens and the Complainant stands. He is provided his shoes. The Complainant exits and puts on his shoes. The Complainant walks in a normal fashion to the booking area, and is released from custody at 12:52 p.m., July 20, 2021. He is accompanied out of the station at that time, and leaves police property.
- At 1:20 p.m., a cleaner uses a wet vacuum on the cell and disinfects it.
- The complaint Investigator examined every aspect of the Complainant's time in custody and found it to be in compliance with T.P.S. procedure.
- With respect to the Complainant's view that there was "extensive vibration and extensive mechanical noise caused by electromechanical malfunctioning or intentional manual overload of the H.V.A.C. system" and the "structural limitations of the building", the complaint investigator queried the T.P.S. online "Facilities Management User Request Dashboard". No complaint of system malfunctions that remotely resembled those of which the Complainant writes were located.

Conclusion:

The portion of the complaint assigned to the T.P.S. for investigation was classified by the O.I.P.R.D. as a complaint about the service provided by the T.P.S.

Pursuant to the notice provided; the complainant requested that the Board review my decision. It is the Board's responsibility to review this investigation to determine if they are satisfied that my decision to take no further action was reasonable.

In reviewing a policy or service complaint, subsection 63(7) of the P.S.A. directs that a Board that is composed of more than three members may appoint a committee of not fewer than three members of the Board, two of whom constitute a quorum for the purpose of this subsection, to review a complaint and to make recommendations to the

Board after the review and the Board shall consider the recommendations and shall take any action, or no action, in response to the complaint as the Board considers appropriate.

Subsection 63(8) of the P.S.A. directs that in conducting a review under this section, the Board or the committee of the Board may hold a public meeting respecting the complaint.

To assist the Board in reviewing this matter, Board members will receive confidential information in a separate report.

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

Respectfully submitted,

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

*original copy with signature on file in Board office



Toronto Police Services Board Report

August 9, 2022

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

**Subject: Semi-Annual Report: Toronto Police Services Board
Special Fund Unaudited Statement: January to June 2022**

Recommendation:

This report recommends that the Board receive the report on the Toronto Police Services Board's Special Fund un-audited statement for the period of January to June 2022.

Financial Implications:

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

Background / Purpose:

The Board remains committed to promoting transparency and accountability in the area of finance. As required by the Toronto Police Services Board (the Board) Special Fund Policy (Board Minute #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.

Discussion:

Enclosed is the un-audited statement of receipts and disbursements with respect to the Toronto Police Services Board's Special Fund for the period January 01 to June 30, 2022.

As at June 30, 2022, the balance of the Special Fund was \$518,902. During the first half of the year, the Special Fund recorded receipts of \$13,513 and disbursements of \$150,983. There has been a net decrease of \$137,470 against the December 31, 2021 fund balance of \$656,372.

Auction proceeds have been estimated for the months of March, April, May, and June 2022, as the actual deposits have not yet been made. For the first half of 2022, the Board approved and disbursed the following sponsorships:

Sponsorship	Total Amount
Police Officer Excellence Awards	\$15,000
United Way	\$10,000
Toronto Police Service Cricket Club	\$10,000
Community Police Consultative Conference	\$6,000
Youth in Policing Initiative (Y.I.P.I.)	\$6,000
Toronto Caribbean Carnival	\$5,500
Special Olympics Ontario – Torch Run	\$5,000
Chief's Fundraising Gala/Victim Services Toronto	\$4,000
Black History Month	\$4,000
Asian Heritage Month	\$3,000
National Aboriginal Day	\$3,000
Auxiliary Appreciation Event	\$3,000
Pride Reception	\$3,000
Pride Month Celebrations	\$3,000
Lesbian, Gay, Bisexual, Transgender, Queer, and 2-Spirit (L.G.B.T.Q.2S.) Youth Justice Bursary	\$3,000
Volunteer Appreciation Event	\$3,000
International Francophone Day	\$2,500
Community Police Academy	\$2,000
Day of Pink	\$1,500
National Victims of Crime Awareness Week	\$1,000

In addition, the Board approved and disbursed the following:

Disbursed Funds	Total Amount
Recognition of Service Members	\$37,254
Recognition of Community Members	\$5,022
Canadian Association of Police Governance	\$5,000
Toronto Police Amateur Athletic Association	\$2,600

Conclusion:

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

Respectfully submitted,

Ryan Teschner

Executive Director and Chief of Staff

File Name: AODA – 1st half of 2022 SPF Board Report

Appendix A

The Toronto Police Services Board Special Fund 2022 First Half Year Result with Initial Projections

Particulars	Initial Projection 2022	January 01 to June 30, 2022	July 01 to December 31, 2022	January 01 to December 31, 2022	January 01 to December 31, 2021
Balance Forward	656,372	656,372	-	656,372	622,600
Revenue					
Proceeds from Auctions	168,009	62,979	-	62,979	168,009
Less Overhead Cost	(81,747)	(30,761)	-	(30,761)	(81,747)
Unclaimed Money	239,581	-	-	-	239,581
Less Return of Unclaimed Money	(14,210)	(18,705)	-	(18,705)	(6,999)
Others	1,018	-	-	-	1,018
Total Revenue	312,651	13,513	-	13,513	319,862
Balance Forward Before Expenses	969,023	669,885	-	669,885	942,462
Disbursements					
Police Community Sponsorships - Toronto Police Services					
Community Partnerships and Engagement Unit Events	78,500	78,500	-	78,500	78,500
Community Consultative Groups	30,000	-	-	-	30,000
Occupational Health and Safety Awareness Day	6,000	-	-	-	-
Public Consultation Process Regarding Annual Proposed Toronto Police Service Budget	25,000	-	-	-	-
Toronto Beyond the Blue Gala	5,000	-	-	-	-
International Review of Best Practices	-	-	-	-	80,000
Police Community Sponsorships - Community					
Midaynta Community Services	25,000	-	-	-	-
Police Officer Excellence Awards	10,000	15,000	-	15,000	5,786
Victim Services Program	25,000	-	-	-	25,000
Funds Returned on Sponsorships					
Asian Heritage Month	-	-	-	-	(3,000)
Auxiliary Appreciation Event	-	-	-	-	(3,000)
Board & Chiefs Pride Reception	-	-	-	-	(3,000)
Community Consultative Groups	-	-	-	-	(11,831)
Day of Pink	-	-	-	-	(1,500)
International Francophone Day	-	-	-	-	(2,500)
National Victims Crime Awareness Month	-	-	-	-	(1,000)
National Aboriginal Day	-	-	-	-	(1,500)
Pride Month Celebrations	-	-	-	-	(2,938)
Occupational Health and Safety Awareness Day	-	-	-	-	(4,000)
Ontario Special Olympics - Law Enforcement Torch Run (LETR)	-	-	-	-	(5,000)
Toronto Caribbean Carnival	-	-	-	-	(5,500)
United Way	-	-	-	-	(4,039)
Volunteer Appreciation Event	-	-	-	-	(3,000)
Youth in Policing Initiative (Y.I.P.I.)	-	-	-	-	(550)
Toronto Police Amateur Athletic Association (T.P.A.A.A.) Assistance	10,000	2,600	-	2,600	1,200
Recognition of Service Members					
Awards	118,000	37,075	-	37,075	86,313
Catering	22,000	179	-	179	-
Recognition of Community Members					
Awards	5,000	4,783	-	4,783	-
Catering	4,000	239	-	239	-
Recognition of Board Members					
Awards	1,000	-	-	-	539
Catering	1,000	-	-	-	-
Conferences					
Canadian Association of Police Governance	5,000	5,000	-	5,000	-
Ontario Association of Police Services Board (O.A.P.S.B.)	5,000	-	-	-	3,000
Ontario Association of Police Services Board Virtual Labor Seminar	2,000	-	-	-	-
Donations/Flowers in Memoriam	800	149	-	149	237
Toronto Police Services Board (T.P.S.B.) and Toronto Police Association (T.P.A.) Retirement Dinner	10,500	-	-	-	-
Report on Specified Auditing Procedures - KPMG	11,194	-	-	-	10,685
Other Expenses					
Bank Service Charges	18,077	8,572	-	8,572	18,077
Less Interest Income	(1,322)	(1,114)	-	(1,114)	(1,322)
Others	-	-	-	-	433
Total Disbursements	416,749	150,983	-	150,983	286,090
Special Fund Balance	552,275	518,902	-	518,902	656,372



Toronto Police Services Board Report

August 10, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.07

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

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

S.I.U. Terminology:

Complainant – Refers to the affected person

SO – Subject Official

WO – Witness Official

ETF – Emergency Task Force

TDS – Toronto Drug Squad

S.I.U. Investigative Conclusion:

In a letter to the Chief of Police dated May 31, 2022, Director Joseph Martino of the S.I.U. advised, *“the file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the official.*

The following *S.I.U. Incident Narrative and Analysis and Directors Decision* have been reprinted from the S.I.U. Director’s report, number 22-TCI-028, which can be found via the following link:

https://siu.on.ca/en/directors_report_details.php?drid=1978

S.I.U. Incident Narrative:

“The following scenario emerges from the evidence collected by the SIU, which included interviews with the Complainant, a civilian witness and several ETF officers who observed the incident in parts. As was his legal right, the SO chose not to interview with the SIU or authorize the release of his notes.

Acting on the authority of a search warrant obtained under the Controlled Drugs and Substances Act, a team of ETF officers forced entry into an apartment on Gamble Avenue, Toronto, at about 3:30 p.m. of January 30, 2022. The SO was a member of the team. They had been enlisted to assist the TDS, whose officers had taken out the warrant based on information in their possession that a resident of the apartment – the Complainant – trafficked in illicit substances. The ETF was to enter the apartment, arrest the Complainant if he was present, and ensure the physical safety of the space ahead of the TDS officers entering to execute the actual search.

Having met ahead of time to plan their entry, the ETF had decided to conduct a ‘dynamic entry’ into the residence. A dynamic entry is intended to mitigate the prospect of evidence destruction and the risks inherent in confronting potentially armed persons by forcing entry into a space with little to no notice with the use of heavily armed personnel. Often, the tactic is accompanied by the deployment of a ‘distraction device’ meant to temporarily distract and disorient persons in the locale. This is precisely what occurred in the instant case.

The door to the apartment was forced open after several strikes of a battering ram as officers yelled out their presence and the presence of a search warrant. A distraction device was deployed into the residence, following which the team of ETF officers entered the unit. The Complainant was located inside his bedroom. He was initially confronted by the SO and WO

#9, forced to the floor, and arrested with the involvement of an additional four officers.

The Complainant was taken to 55 Division after his arrest. The following morning, while still in police custody, the Complainant was transported to hospital and diagnosed with a right-sided facial fracture”.

Analysis and Director’s Decision:

“The Complainant was seriously injured in the course of his arrest by TPS ETF officers on January 30, 2022. One of the officers – the SO – was identified as the subject official for purposes of the ensuing SIU investigation. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the SO committed a criminal offence in connection with the Complainant’s arrest and injury.

Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.

By virtue of the search warrant, the ETF officers, including the SO, were lawfully placed inside the Complainant’s residence at the time of his arrest. By virtue of the same warrant, and the briefing they received ahead of its execution by the TDS outlining the information giving rise to the warrant, the same officers had grounds to believe that the Complainant was subject to arrest for drug trafficking.

It is alleged that ETF officers used excessive force in his arrest. Specifically, there is some evidence that the Complainant was repeatedly punched and kicked in the face by one of the ETF officers even though he offered no resistance to his arrest. If true, this evidence suggests the Complainant was the victim of an unlawful assault. It would be unwise and unsafe, however, to move forward with charges on the strength of this evidence.

There are a number of frailties associated with this account of what occurred. It asserts, for example, that the Complainant was confronted and arrested in the living room of the apartment. The overriding weight of the evidence, including the evidence provided by an independent witness, also present at the time, establishes that the arrest and physical altercation occurred in the Complainant’s bedroom. It is also alleged that the Complainant immediately raised his hands as the officers entered the apartment. This is not true, according to the account of WO #5. The officer, positioned outside at the time of the ETF entry to take note of any objects the Complainant might jettison from the apartment, says she saw the Complainant extend a black

object outside the apartment window just after the distraction device was deployed. She and the Complainant then made eye contact, at which point the Complainant pulled the black object back into the apartment. It would not seem that WO #5 would have any reason to lie about that fact. Lastly, the officer who allegedly beat the Complainant was described as having a moustache. None of the ETF officers interviewed by the SIU had a moustache or described the SO with one. In the circumstances, this evidence is insufficiently cogent to warrant being put to the test by a trier-of-fact.

Of what remains of the evidence, namely, the accounts proffered by the officers, it seems clear that the Complainant did not immediately comply with police requests that he surrender, and that he then physically resisted the efforts of multiple police officers, including the SO, to take him to the ground and secure him in handcuffs. In this process, the evidence indicates that the SO delivered an elbow strike to the Complainant's upper body in an effort to take him down, though where the blow struck exactly is unclear. Thereafter, there is no indication in this body of evidence that any of the officers did anything other than to wrestle the Complainant into submission as he refused to release his hands to be handcuffed and attempted to lift himself up; there is no suggestion of any strikes, for example. On this record, I am unable to reasonably conclude that the SO or any of the involved officers used more force than was necessary to take the Complainant into custody given the nature and extent of the resistance described by the officers. With specific reference to the takedown and the blow struck by the SO at this time, the tactics would appear to have been reasonably available to the officers given the Complainant's initial resistance, the prospect of firearms in the apartment, and the need, therefore, to immediately place the Complainant in a position of disadvantage.

In the result, as there are no reasonable grounds to believe that the SO comported himself other than lawfully in his engagement with the Complainant, there is no basis for proceeding with criminal charges against the officer. The file is closed”.

Summary of the Toronto Police Service's Investigation:

The Professional Standards-S.I.U. Liaison (S.I.U. Liaison) conducted an investigation pursuant to Schedule 1, *Community Safety and Policing Act*, 2019, Part VI, Section 81.

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

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

- Procedure 01-01 (Arrest);
- Procedure 01-03 (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).

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

- *Special Investigations Act, 2019.*

The S.I.U. Liaison investigation determined that the T.P.S.'s policies and procedures associated with this custody injury were lawful, in keeping with current legislation, and written in a manner which provided adequate and appropriate guidance to the members. None of the examined policies and procedures required modification.

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

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

Respectfully submitted,

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

original copy with signature on file in Board office



Toronto Police Services Board Report

August 10, 2022

To: Chair and Members
Toronto Police Services Board

From: James Ramer
Chief of Police

Subject: Chief's Administrative Investigation into the Custody Injury of Complainant 2022.10

Recommendation(s):

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

Financial Implications:

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

Background / Purpose:

Whenever the Special Investigations Unit (S.I.U.) investigates an incident involving serious injury, death, 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.

Discussion:

On February 11, 2022, at 1743 hours, uniformed Police Constable Louie Cerqua (82249) and a second officer from 51 Division were in the area of Lake Shore Boulevard East and Lower Sherbourne Street when they observed Custody Injury Complainant 2022.10 (2022.10) walking eastbound on the median that separates the eastbound and westbound lanes of Lakeshore Boulevard East.

2022.10 was known by both officers to be violent, an escape risk and was wanted for a recent break and enter.

The officers parked their marked police vehicle a short distance away and approached 2022.10 on foot. At this time 2022.10 had his back to the officers as he solicited money from passing vehicles travelling eastbound on Lakeshore Boulevard East.

The officers approached 2022.10 and grabbed him by the right arm. 2022.10 responded by pulling away from the officers in an attempt to escape.

The officers struggled with 2022.10 in an attempt to gain control of his arms. 2022.10 resisted his arrest and both officers responded by delivering several strikes to 2022.10. The strikes were effective and 2022.10 surrendered his hands which were held behind his back while Constable Cerqua retrieved his handcuffs from his handcuff pouch.

Prior to handcuffing 2022.10 and while he was under control Constable Cerqua used unnecessary force on 2022.10 when he pulled his hair.

Constable Cerqua did not activate his Body-Worn Camera (B.W.C.) prior to or during the arrest of 2022.10.

Constable Cerqua's partner's B.W.C was properly activated and captured the arrest of 2022.10.

2022.10 was transported to 51 Division where he was charged with several criminal offences and held pending a show cause hearing.

On February 12, 2022, 2022.10 had a bail hearing via video link from 51 Division and was remanded into custody. Later that day, a Court Services-Prisoner Transport arrived at 51 Division to transport 2022.10 to the Toronto South Detention Centre (T.S.D.C.).

Prior to his transport, 2022.10 complained of soreness to his face and was transported to St. Michael's Hospital by Court Services from 51 Division.

2022.10 was assessed by a physician and a Computerized Tomography Scan (C.T. Scan) was ordered. The attending physician was unable to confirm an injury to 2022.10's face and advised further tests would have to be done and reviewed by a specialist. 2022.10 was released from hospital and transported to the T.S.D.C.

On February 15, 2022, 2022.10 was transported back to St. Michael's Hospital for a follow-up appointment with a specialist.

On this date, he was diagnosed by the specialist with an acute non-displaced fracture to his right mandible.

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

The S.I.U. designated Police Constable Louie Cerqua (82249), who has 10 years and 8 months of service, as a subject official; one other officer was designated as a witness official.

On May 27, 2022, the S.I.U. charged Constable Cerqua with one count of Assault for pulling 2022.10's hair during his arrest.

On May 27, 2022, the S.I.U. published a media release detailing Constable Cerqua's charge. The link to this press release can be found via the following link:

https://www.siu.on.ca/en/news_template.php?nrid=7792

Upon review of the available B.W.C. an internal investigation was immediately initiated by the Professional Standards (P.R.S.) S.I.U. Liaison (S.I.U. Liaison). This investigation was assigned to the P.R.S. Investigative Unit who substantiated that Constable Cerqua used unnecessary force against a prisoner and was insubordinate when he failed to utilize his B.W.C. as required by Toronto Police Service (T.P.S.) Procedure 15-20; Body-Worn Camera.

The allegations of misconduct have been referred to Legal Services and will be held *sine die* until the conclusion of the criminal proceedings.

Summary of the Toronto Police Service's Investigation:

The S.I.U. Liaison conducted an investigation pursuant to Schedule 1, *Community Safety and Policing Act*, 2019, Part VI, Section 81.

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

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

- *Special Investigations Unit Act*, 2019.

- Ontario Regulation 268/10

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 Constable Cerqua was not in compliance with applicable provincial legislation regarding the Standards of Conduct and applicable T.P.S. procedures. Specifically, while Constable Cerqua had a prisoner under control he used force that was unjustified and disproportionate to the task at hand. Constable Cerqua has been charged under the *Criminal Code* with Assault and has been charged with using Unnecessary and/or Excessive Force on 2022.10 pursuant to the *Police Services Act*.

It was also found that Constable Cerqua was Insubordinate when he failed to start his B.W.C. at the earliest opportunity, prior to contacting and arresting 2022.10 as required by Procedure 15-20.

These allegations are before the T.P.S. Tribunal and will be addressed upon the completion of the criminal process.

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

Respectfully submitted,

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

original copy with signature on file in Board office

**Toronto Police Services Board
Public Meeting
September 13, 2022**

**** Speakers' List ****

Opening of the Meeting

1. Confirmation of the Minutes from July 27, 2022

Deputations: Albert Venczel (written submission included) (in person)
Miguel Avila (in person)
Kris Langenfeld (virtual)
Derek Moran (written submission included) (in person)

2. Request to Extend Term of 9-1-1 Crisis Call Diversion Pilot Project

Deputation: Nicole Corrado (written submission **only**)

3. New Board Policy: Electronic Monitoring

Deputation: Derek Moran (in person)
(written submission included)

4. Records Management System (RMS)

Deputation: Adam Schwartz (written submission included) (in person)
Versaterm Public Safety

7. Addition of Select *Highway Traffic Act* Authorities for Toronto Police Service Court Officers.

Deputation: Kris Langenfeld (virtual)

9. Budget Variance Reports

Deputation: Derek Moran (written submission included) (in person)

11. Semi-Annual Report: Toronto Police Services Board Special Fund Unaudited Statement – January to June 2022

Deputation: Debbie Kumoi (virtual)

12. Chief's Administrative Investigation Reports

Deputation: Kris Langenfeld (virtual)



TORONTO POLICE SERVICE
GENERAL OCCURRENCE HARDCOPY

GO# TP 2019-890503

HARASS/INDECENT COMMUNICATIONS

[REDACTED]

7. WITNESS 4 - [REDACTED]

[REDACTED]

8. WITNESS 5 - [REDACTED]

[REDACTED]

9. WITNESS 6 - [REDACTED]

Exemptions Applied:
14(1)(f), 14(3)(b), 38(b)

So in these Minutes it says – “Mayor Tory raised a point of order concerning Mr. Moran’s deputation and suggested the deputant made inappropriate comments in the form of an accusation concerning Dr. Eileen de Villa and her husband.”



(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;

[Regina v. Roestad](#), 1971 CanLII 568 (ON SC)

Superior Court of Justice — Ontario

1971-03-15 | 18 pages | cited by 16 documents

[equality](#) — [cruel](#) — [preventive detention](#) — [dangerous sexual offender sections](#) — [inoperative](#)

[Criminal](#) [Rights and freedoms](#)

Omnis definitio in jure civili periculosa est, parum est enim ut non subverti possit. Every definition in the civil law is **dangerous**, for there is very little that cannot be overthrown.

[...] **The law is no respecter of persons.**” Chief Justice Wells goes on to say: [...] In my opinion everyone charged with an offence under the law enjoys equality before the law and the protection of the law if the matter is dealt with objectively in the manner **explained by Mr. Justice Mackay in r. v. Jackson [unreported]**, if he has a fair trial and if in addition to that he has the right by ss.

ROMANS 2:11

“For there is **no** respect of persons with God.”

KING JAMES VERSION (KJV)

JAMES 2:9

“But if ye have respect to **persons**, ye commit **sin**, and are convinced of the law as **transgressors.**”

KING JAMES VERSION (KJV)

Homo vocabulum est naturae; persona juris civilis.

“Man” (homo) is a term of **nature**; “person” (persona), a term of **civil law**.

[Re Cummings and Ontario Minor Hockey Association](#), 1979 CanLII 1984 (ON CA)

Court of Appeal for Ontario — Ontario

1979-08-30 | 10 pages | cited by 18 documents

[unincorporated](#) — [person](#) — [radium](#) — [corporation](#) — [club](#)

[Rights and freedoms](#)

[...] **The only legal person known to our law is the corporation** -- the body corporate.



Company (Legal Name)	Address
Corporation of the City of Toronto	40 College St , Toronto , ON
Operating As: Toronto Police Services Board	

“Deputants are to keep their comments focused on the agenda item to which they are speaking (for example, a deputation on the Minutes of the previous meeting should be focused on noting corrections to the Minutes and not on the substance of a previous agenda item);”

29. Premier Ford at this press conference below is reminding those in government who they work for - 'the boss,' which is as he puts it, "the people":

At the very beginning of this press conference, Premier Doug Ford says - "...I promised we would get Ontario back on track. I ran on a commitment, to restore accountability and trust...and end their culture of waste, and mismanagement in government. .because one thing every politician, at every level, and every region, needs to remember, is that we all share the same boss, we all work, for the people." - <https://youtu.be/b9CJpGnFRKg?t=2s>



Ford on Toronto city council: 'Most dysfunctional political arena in the country'

7,314 views



CTV News ©
Published on Jul 27, 2018

[Volpe v. Wong-Tam](#), 2022 ONSC 3106 (CanLII)

Superior Court of Justice — Ontario

2022-05-26 | 104 pages | cited by 2 documents

transphobic — *homophobic* — *councillors* — *trustees* — *public*

Defences Practice and procedure Torts

[...] [283] **Public officials "have a duty to keep each other, the government and the public informed on matters related to the public interest. [...] [They] have an obligation to keep each other informed on matters falling within their competence":** Lane , at para. 87 . [...]

[1631651 Ontario Inc v. City of Toronto](#), 2022 ONSC 4197 (CanLII)

Superior Court of Justice — Ontario

2022-07-21 | 45 pages

constituents — *sent an email* — *patio* — *licence* — *variance*

Defences Torts

[...] (c) **"Public officials 'have a duty to keep each other, the government and the public informed on matters related to the public interest. [...] [They] have an obligation to keep each other informed on matters falling within their competence";**

[Municipal Parking Corporation v. Toronto \(City\)](#), 2009 CanLII 65385 (ON SC)

Superior Court of Justice — Ontario

2009-11-23 | 26 pages | cited by 10 documents

by-law — *private property* — *property owners* — *private parking enforcement* — *evidence*

[...] [51] The purpose of the Amending **By-law** was not to restrict freedom of expression, **but the effect of the by-law is to do so, as "expression" has been broadly defined by the Supreme Court of Canada** in *Irwin Toy Ltd. v. Quebec (Attorney General)* 1989 CanLII 87 (SCC) , [1989] 1 S.C.R. 927 at para. 41 . [...] [62] **The core values underlying the freedom of expression guarantee in the Charter are: the pursuit of truth, participation in social and political decision making and individual self-fulfillment and human flourishing** (*Irwin Toy* at paragraphs 52-53 and 55). [...]

City of Toronto lawyer to Giorgio Mammoliti - "It's entirely appropriate for any deputant to say whatever basically they want to say...It's entirely appropriate to have this deputant speak as/on whatever she wishes to speak to..."

<https://youtu.be/v7kmfPb6PxA?t=2206>



Please extend the funding for the Gerstien Centre 911 Crisis Call Diversion Pilot Program to make it a 24/7, city wide, permanent program. Please also hire more social workers to answer person in Crisis calls. A person who is in crisis can often be be calmed down by a social worker to the point where an emergency responder does not need to attend in person. And when an emergency responder does attend, the person is calmer and a more successful outcome can be achieved.

I would love to see all 911 calls to be answered by a non police agency, similar to 311, and then dispatched to the right response.

Nicole Corrado

So in this report it says - "In particular staff considered the unique rights, responsibilities and obligations of police officers employed by the Board as recognized in the Police Services Act and reflected through the general non-application of the E.S.A."

[Barrick Gold Corporation v. Ontario](#), 2000 CanLII 16929 (ON CA)

Court of Appeal for Ontario — Ontario

2000-11-11 | 28 pages | cited by 10 documents

restructuring proposal — unorganized territory — annexation — electors — municipalities

Municipalities

[...] **Municipalities must do more than conform with the strict letter of the law to remain within the boundaries of their lawmaking powers.** [...] [59] **Municipalities must, however, do more than conform with the strict letter of the law in order to remain within the boundaries of their lawmaking powers.** [...]

Quaelibet jurisdictio cancellos suos habet. Every jurisdiction has its boundaries.

[Metropolitan Toronto \(Municipality\) Police Services Board v. Metropolitan Toronto Police Assn.](#), 1992 CanLII 8681 (ON CA)

Court of Appeal for Ontario — Ontario

1992-11-06 | 10 pages | cited by 2 documents

chief of police — officers — summonses — disciplinary — lawful

Labour and employment Practice and procedure

[...] [11] The interesting contradiction is that the association insists on **the letter of the law** being followed when that is in its interest. [...] The officers are within their legal rights in insisting on **the letter of the law.** [...]

"Application - This Policy applies to civilian Members of the Toronto Police Service (the "Service") and to Toronto Police Services Board Staff. For greater clarity, this Policy applies solely to all employees of the Toronto Police Services Board (the "Board"), as defined by the Ontario Employment Standards Act, 2000 (collectively "Employees")."

[Pathak v. Sabha](#), 2004 CanLII 10850 (ON SC)

Superior Court of Justice — Ontario

2004-04-20 | 10 pages

charitable — parens patriae — charity — amicus curiae — intervene

Practice and procedure

[...] **By-laws are regulations, ordinances, rules or laws adopted by a corporation for its government.** [...] **The function of a by-law is to prescribe the rights and duties of the members with reference to the internal government of the corporation, the management of its affairs and the rights and duties existing between the members inter se.** [...] **MacKenzie v. Maple**

Mountain Mining Co., (1910), 20 O.L.R. 615 (C.A.). [...]

inter se (in-tər see or say). [Latin "between or among themselves"] (1845) (Of a right or duty) owed between the parties **rather than to others.** — Also termed *inter sese* (in-tər see-see).

"New Board Policy – Electronic Monitoring of Employees"

[Greater Vancouver Transportation Authority v. Canadian Federation of Students — British Columbia Component](#),

2009 SCC 31 (CanLII), [2009] 2 SCR 295

Supreme Court of Canada — Canada (Federal)

2009-07-10 | 64 pages | cited by 226 documents

transit authorities — advertising — freedom of expression — policies — government

[...] No matter how broadly the word "law" is defined for the purposes of s. 1, **a policy that is administrative in nature does not fall within the definition, because it is not intended to be a legal basis for government action.** [...]

[Homex Realty v. Wyoming](#), 1980 CanLII 55 (SCC), [1980] 2 SCR 1011

1980-11-12 | 51 pages | cited by [111 documents](#)

by-law — water pipe line — notice — subdivision agreement — lands

[...] **It is trite law** that a **municipality may act only by by-law** and in any case **only within its statutory jurisdiction**.

PUBLIC_AGENDA_May30.pdf



das/PUBLIC_AGENDA_May30.pdf



100%



2. Applicability

The provisions of this by-law shall apply to all members and employees of the Service and the Board.

“The Policy aligns with the Board and the Service’s...commitment to promoting a culture of transparency and trust...”

September 12, 2022

Jim Hart
Chair
Toronto Police Services Board
40 College Street
Toronto, ON Canada M5G 2J3

Mr. Hart:

Re: Toronto Police Service RFPQ# 2021-05 (Records Management System)

I am writing on behalf of Versaterm Public Safety. Since 2010 we have been honoured to work with the Toronto Police Services (“TPS”) as our customer partner. Versaterm has a reputation of working closely with police services across North America and has trusted partnerships lasting more than 35 years.

After careful consideration, we are writing to you with our concerns regarding the RFPQ # 2021-05 procurement process. We do not take this decision lightly, but we believe that we have identified serious and important breaches of fairness, openness, and transparency in the procurement process that the Board must review. As the Board maintains oversight for TPS and has responsibility for ensuring compliance with and adherence to the Purchasing By-Law and TPS’ other legal responsibilities to engage in a fair, open, and transparent procurement process, we are bringing these concerns to you directly.

We are writing further to a Deputation that we filed with the Board on June 21st, 2022, outlining our serious and detailed complaints regarding this procurement process. We are deeply concerned that this Deputation was not considered by the Board but was instead unilaterally converted into a pre-award bid dispute by the TPS purchasing group.

We have now considered the response from Mr. Brian Smith to Versaterm, dated August 15th, 2022. After careful consideration, we have decided to take the serious step of escalating our concerns to this Board. Unfortunately, Mr. Smith’s response does not address nor respond to our Deputation and we continue to have acute concerns that the TPS has breached its obligations of fairness, openness, and transparency in the conduct of this procurement process. At the Board’s upcoming September 13th, 2022, meeting, we understand that TPS intends to pursue Board approval to pre-qualify one Proponent only for the potential provision of a new Records Management System. TPS is taking this step absent any independent or impartial review of Versaterm’s concerns. We request that the Board consider our submissions and deny TPS’s request for approval.

A more comprehensive enumeration of our concerns with respect to the Request for Prequalification (RFPQ) can be found in our June 21st Deputation. At a high level our concerns include:

1. TPS has breached its obligations under the trade agreements to provide an independent and impartial review of a supplier’s concerns regarding breaches of fairness;
2. TPS has failed to consider value for money in this procurement process, in violation of the Purchasing By-Law and the RFPQ requirements; and

3. TPS has utilized a non-competitive procurement process, disguised as a competitive process.

Firstly, as described above, TPS has failed to provide Versaterm with an impartial and independent review of its bid dispute, as mandated by Chapter 19 of the *Comprehensive Economic and Trade Agreement*¹ and the *Canadian Free Trade Agreement*². As discussed by Corbett J. in the recent decision of *Thales DIS Canada Inc. v Ontario* 2022 ONSC 3166, the choice to have Versaterm's concerns reviewed by an internal bid dispute process and in particular, by Mr. Smith, who was involved in the underlying decision, does not meet the requirements of the trade agreements, and is a breach of CETA and the CFTA.³ The suggestion that our concerns instead be heard by the TPS Director of Finance and Business Management is also unsatisfactory and fails to comply with the requirement to have an independent and impartial bid dispute process.

An inherent conflict and bias exists in having the Management of Purchasing Services at TPS review its own process and validate it.

Mr. Smith's letter contains conclusory statements, like "all requirements were prepared in good faith" and "TPS finds that bidders were provided with clear instructions." Respectfully, these self-serving statements do not provide any reassurance that Versaterm's concerns have been seriously investigated, considered nor addressed by an independent and impartial third party.

Secondly, TPS has failed to consider value for money in this procurement, in breach of the Purchasing By-Law and the RFPQ requirements. As a publicly funded entity, the TPS must maximize the value that it receives from the use of public funds. As stipulated in paragraph 1 of the Toronto Police Services Board By-Law No. 163, "Purchasing By-Law", the purpose of the By-Law is to promote effective use of funds through procurement methods and decisions that achieve best value for money while maintaining the integrity of the procurement process.⁴ In the RFPQ TPS identified in its procurement approach that the costs and risks of this procurement will be substantial, and that the costs and risks of switching to a new solution, must be balanced against any functional improvements and benefits.⁵

Despite this, TPS paradoxically failed to request information about pricing or costs in the RFPQ. The cost of this contract to TPS is reasonably expected to be in the range of \$10 to \$20 million as the 2009 Records Management System replacement RFP budget was in excess of \$20 million. TPS is now proposing to engage in a process whereby during the only competitive stage of the procurement, there was no consideration of price or cost. In doing so, TPS has undermined its ability to assess what it described as the "core" of its procurement approach – balancing costs and risks against functional improvements. The recommendation to proceed in this manner is also in breach of the Board's Purchasing By-Law, which requires the consideration of best value for money. If TPS negotiates with a single supplier to develop a business case and relies on that

¹ [Comprehensive Economic and Trade Agreement](#), Article 19.17, "Domestic Review Procedures".

² [Canadian Free Trade Agreement](#), Article 518, "Review Procedures".

³ [Thales DIS Canada Inc. v. Ontario](#), 2022 ONSC 3166

⁴ Toronto Police Services Board, By-Law No. 163, *Purchasing By-Law*

⁵ RFPQ, Section 5, Background, Procurement Approach at p. 6: "At the core of this procurement is a decision to switch RMS solutions or to continue to invest in our current platform. Switching costs and risks must be balanced against functional improvements and benefits to the Service and the public beyond. Given that costs and risks will be substantial, we are not interested in pursuing solutions that are not aligned to our strategic goals as outlined above."

sole supplier to determine the solution costs, for acquisition, implementation, and operation, in the absence of any competitive process regarding pricing or cost, it is unclear how TPS can obtain value for money in these negotiations.

Finally, the implementation of the RFPQ process has allowed for an abbreviated competitive process and one that introduced the opportunity for subjectivity and unfairness. The RFPQ has supplanted a detailed and thorough competitive procurement process, i.e., an RFP process which would have provided a meaningful opportunity for TPS to review detailed supplier responses and engage in a thorough evaluation of those responses. Indeed, Mr. Smith acknowledged that “a number of the (RFPQ) requirements were high level” and that the potential subsequent RFP competition could include more detailed specifications. As you know, no subsequent RFP competition will take place if the Board approves TPS’ recommendation to negotiate a contract with a single supplier.

The Fairness Commissioner, Greg Dorbeck, who was retained after the fact to conduct a retrospective review of the procurement process also identified that the process used by TPS was unusual. In his redacted report, Mr. Dorbeck notes that TPS made the unusual decision to use a large number of mandatory items, and that in a typical RFPQ, mandatory items are limited to a few mission critical criteria to the issuer, with the remainder evaluated on a rated scored basis. Conversely, this process did not use any rated or scored evaluation criteria.

Mr. Dorbeck has also described that the evaluation discretion was very broad and lacked clarity, resulting in a possibly subjective method of ensuring compliance. From the limited information provided to Versaterm, we were surprised to learn that Versaterm was deemed to be non-compliant on multiple technical requirements that are in production at TPS today (and have been used by TPS for a number of years). This irregularity in Versaterm’s evaluation is striking and raises questions about the subjective method of ensuring compliance and exercise of discretion.

In this procurement, TPS has summarily moved to negotiate a contract, on an essentially sole source basis, based only on a high-level and abbreviated evaluation process and without having sought any financial information about any of the services proposed in the RFPQ. TPS now seeks this Board’s approval to commence negotiations with one bidder only for a multi-million dollar records management system despite having no information about the cost of this contract. The result is that TPS intends to sole source this contract without any justification to a single bidder, in the absence of detailed technical requirements and any financial information from any bidder under the guise of a competitive process.

As further discussed in our Deputation, it is apparent that there were numerous irregularities in the evaluation of Versaterm’s bid. We have been denied access to the recording of our demonstration via Webex, despite our requests. While TPS has offered a debrief, this offer is conditional on a Board recommendation having already been made to move forward with Niche as the only qualified supplier. With this letter, Versaterm has not waived its rights to engage in a post-award bid dispute or to take any other steps required to protect its position vis-à-vis this procurement process.

In conclusion, we ask that the Board deny TPS’s request for approval to pre-qualify Niche for the provision of a Records Management System. The Board must ensure that an appropriate review of this procurement process has taken place, including an impartial and independent review of the concerns regarding the breach of fairness raised by Versaterm. The responses provided by Mr. Smith do not satisfy the obligations of the trade agreements, nor does the retrospective review

conducted by Mr. Dorbeck. Further, the apparent breaches of the Purchasing By-Law, the trade agreements, and the complete failure to consider whether TPS will obtain value for money, in the negotiation of a contract worth tens of millions of dollars, ought to give this Board serious pause.

Once the Board has conducted its review, we believe it will be apparent that the entire RFPQ process was flawed and unfair and should be cancelled and restarted with proper process and requirements.

We look forward to hearing from the Board on these serious and significant issues.

Yours truly,

Warren Loomis
President & CEO



So in this report it says - "This project has equipped frontline officers with B.W.C.s. This initiative is aligned with and will enable the Service's commitment to maintain and enhance public trust and accountability, as part of its commitment to the delivery of professional, transparent, unbiased and accountable policing."

Re: the discussion we just had about the kids making too much noise in the youth room today at the Agincourt library

Yahoo/Inbox



Ashley Sealy <asealy@tpl.ca>



Tue, Aug 23 at 10:49 AM

To: Derek Moran, Mary Lam

Cc: Vickery Bowles, Councillor Ainslie, Councillor Perks, Councillor Mantas, 42Division, Councillor Minnan-Wong, Sue Graham-Nutter, Wendy Walberg Hide

Good morning Derek,

Thank you for your message regarding concerns about your visit to Agincourt on August 22.

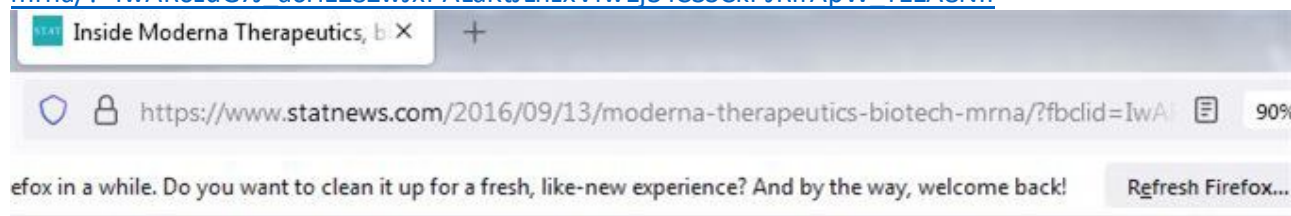
As previously communicated to you by staff at the branch and in the e-mail below, it is not illegal for people to talk out loud in the library. Again, one of Toronto Public Library's strategic priorities is to open up our public spaces in ways that foster community resilience and to build community connection while reducing social isolation.

There are areas and times that the library is more conducive to quiet study, staff would be glad to assist you with looking at times or spaces that may be better suited to your needs.

Best,
Ashley

"For both uniform and civilian salaries, there has been reduced spending due to members being placed on unpaid absence for not complying with the vaccination policy. The vaccination policy states that effective November 30, 2021, any member who is not fully vaccinated against COVID-19, and/or any member who has failed to disclose their vaccination status to the Service's Wellness Unit, will have rendered themselves unable to perform their duties, and placed on unpaid absence. There were 100 Service members...on unpaid absence during the first half of the year."

https://www.statnews.com/2016/09/13/moderna-therapeutics-biotech-mrna/?fbclid=IwAR0zdG7J_a6HE282wJxPALaKtJLnzViv1j34C3SckPJRIrApW_T11A8NII



It's highly risky. Big pharma companies had tried similar work and abandoned it because it's exceedingly hard to get RNA into cells without triggering nasty side effects.

Delivery — actually getting RNA into cells — has long bedeviled the whole field. On their own, RNA molecules have a hard time reaching their targets. They work better if they're wrapped up in a delivery mechanism, such as nanoparticles made of lipids. But those nanoparticles can lead to dangerous side effects, especially if a patient has to take repeated doses over months or years.

Novartis abandoned the related realm of RNA interference over concerns about toxicity, as did Merck and Roche.

Contracts

[...] [103] Moreover, in closing argument at trial, the trial judge was specifically referred to a decision that he had authored two months earlier in **1169822 Ontario Ltd. v. Toronto-Dominion Bank**, [2018] O.J. No. 1570, 2018 ONSC 1631 (S.C.J.), involving knowing assistance and wilful blindness. [...] It has long been held that **actual knowledge of fraud** also extends to parties who are **wilfully blind** of the fraud or who are reckless as to its existence. [...] They are each equivalent to each other in terms of the consequences that flow from having such knowledge and **failing** to act upon it. [...]

ISSN 1188-4169

Canada Communicable Disease Report

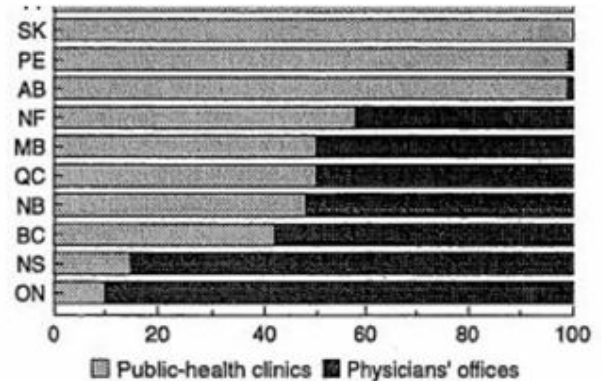
Date of Publication: May 1997

Volume 23S4

Supplement

Canadian National Report on Immunization, 1996

Unlike some countries, immunization is **not** mandatory in Canada; it **cannot** be made mandatory because of the **Canadian Constitution**. Only three provinces have legislation or regulations under their health-protection acts to require proof of immunization for school entrance. Ontario and New Brunswick require proof for diphtheria, tetanus, polio, measles, mumps, and rubella immunization. In Manitoba, only measles vaccination is covered. It must be emphasized that, in these three provinces, exceptions are permitted for medical or



captures

Apr 2005 - 5 Apr 2021

Public Health Agency of Canada
Agence de la santé publique du Canada



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Volume: 23S4 - May 1997

Canadian National Report on Immunization, 1996

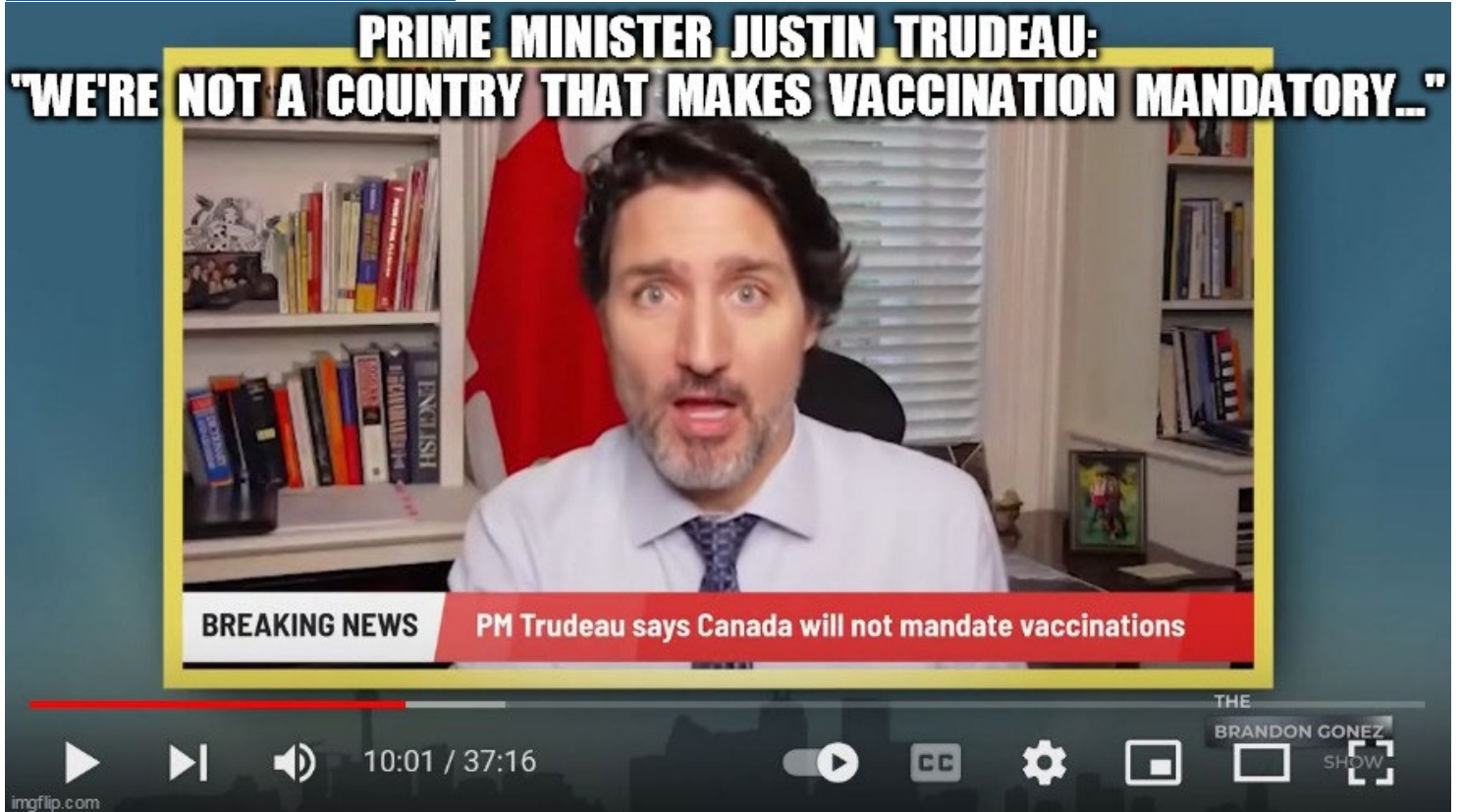
1. Immunization in Canada

Vaccines are licensed for use in Canada by the Bureau of Biologics and Radiopharmaceuticals, Health Protection Branch, Health Canada. Licensing is conditional to an application being filed by the manufacturer and a favourable review of the supporting information submitted by the company. Provincial and territorial ministries of health then buy vaccines from available licensed products on the market, which are then provided to the public free of charge. Each province and territory is responsible for the delivery of immunization programs to its populations; vaccines and schedules are selected to suit the goals of their public-health programs. Nevertheless, general Canadian recommendations on the use of vaccines exist. They are formulated by the National Advisory Committee on Immunization (NACI) - a committee of members from across the country who are experts in areas, such as public health, infectious diseases, and pediatrics.

NACI has reported to the Assistant Deputy Minister of the Health Protection Branch since 1975. Its mandate is to provide Health Canada with ongoing and timely medical, scientific, and public-health advice relating to vaccines and certain prophylactic agents generally and, more specifically, to their use in humans, their evaluation, and the monitoring of vaccine-associated adverse events (VAAEs). In addition to updating the Canadian Immunization Guide, NACI also issues regular statements on the use of vaccines. Currently, all NACI statements are published in the Canada Communicable Disease Report (CCDR) which is available by subscription, from an automated fax delivery service at LCDC, and from the LCDC web site (<http://www.hc-sc.gc.ca/hpb/lcdc>). Provinces and territories will adjust their recommended schedules and selection of vaccines, based on NACI recommendations as well as on local epidemiologic, program, and financial considerations.

Unlike some countries, immunization is **not mandatory** in Canada; it **cannot** be made mandatory because of the **Canadian Constitution**. Only three

<https://youtu.be/qjpFe1fdhxU?t=561>



[Duplessis v. Canada](#), 2000 CanLII 16541 (FC)

Federal Court — Canada (Federal)

2000-11-17 | 27 pages | cited by [14 documents](#)

post-traumatic stress disorder — security of the person — fiduciary duty — pension — duties

[...] [41] In the **Standing Court Martial of Ex-Sergeant Kipling**, whose breach of command resulted in severe disciplinary proceedings, the Chief Military Judge found that the **forced vaccination program did violate section 7 of the Charter**, in that the accused's right to life, liberty, and security of the person was **infringed**. [...] At page 2 of the minutes of the proceedings of the Standing Court Martial: [...] Non-consensual vaccination under the threat of **disciplinary proceedings** amounts to an invasion of the bodily integrity **and** personal autonomy of a person. [...]



Toronto Police ✓
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Toronto Police Service Mandatory Vaccination Requirement Update torontopolice.on.ca/newsreleases/5...

12:45 PM · Oct 21, 2021 · TPS News Releases

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NEWS RELEASE
40 COLLEGE ST, TORONTO, ON M5G 2J3 WWW.TORONTOPOLICE.ON.CA



Toronto Police Service Mandatory Vaccination Requirement Update

Broadcast time: 12:45
Date: Thursday, October 21, 2021
Unit: Corporate Communications
Phone: 416-808-7100

Today, the Toronto Police Service released to members the Service's procedure regarding its mandatory vaccination requirement.

The Service's vaccination requirement aligns with Toronto Police Services Board policy, and is consistent with the approach of the City of Toronto and its agencies, boards and commissions, other police services, and many public and private sector workplaces. Accommodation pursuant to the Human Rights Code will be respected.

Chief James Ramer said, "Vaccination against COVID-19 protects the health and safety of each of our members, our workplaces and the public we serve."

Currently, 90% of members have disclosed their status. 97% have at least one dose and 94% are fully vaccinated against COVID-19.

Effective on November 30, 2021, any member, uniform or civilian, who has not disclosed their vaccination status or is not fully vaccinated against COVID-19 will have rendered themselves unable to perform their duties.

These members will be placed on an indefinite unpaid absence and will not be permitted to enter TPS buildings or facilities. If and when the member is fully vaccinated and discloses their updated vaccination status, they will be able to return to work.

Secondly, effective immediately, those members who have not complied with the procedure will be ineligible for promotion to supervisory or management ranks or positions.

The safety of our workplaces and the health of our members is of critical importance to the Service.

For more news, visit [TPSnews.ca](https://www.torontopolice.on.ca/tpsnews).

Corporate Communications for the Office of the Chief

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https://www.torontopolice.on.ca/newsreleases/51276?fbclid=IwAR2vCTx3icRmxFOEJcTl8AoTmv5aAA-Tke 133%



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rationalizes COERCING people into getting vaccinated:

"...people never lost the choice as to whether they got vaccinated or not. But what we did say to people - and i think it was a very reasonable thing to say is, that certain PRIVILEGES/certain activities that you might engage in, you may not be able to engage in if you choose not to get vaccinated - but it's YOUR choice."

https://youtu.be/x_Gcn_fS27U?t=2117