



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on September 17, 2015 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on August 20, 2015, previously circulated in draft form, were approved by the Toronto Police Services Board at its meeting held on September 17, 2015.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **SEPTEMBER 17, 2015** at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.

PRESENT:

Mr. Andrew Pringle, Chair
Councillor Chin Lee, Councillor & Vice Chair
Ms. Marie Moliner, Member
Ms. Shelley Carroll, Councillor & Member
Mr. John Tory, Mayor & Member

ABSENT:

Dr. Dhun Noria, Member

ALSO PRESENT:

Mr. Mark Saunders, Chief of Police
Mr. Karl Druckman, City of Toronto - Legal Services Division
Ms. Karlene Bennett, Acting Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P232. STATUS REPORT: TORONTO POLICE SERVICE RESPONSE TO
RECOMMENDATIONS FROM THE HONOURABLE FRANK
IACOBUCCI'S REPORT *POLICE ENCOUNTERS WITH PEOPLE IN
CRISIS***

The Board was in receipt of the following report September 01, 2015 from Mark Saunders, Chief of Police:

Subject: STATUS REPORT: TORONTO POLICE SERVICE RESPONSE TO
RECOMMENDATIONS FROM THE HONOURABLE FRANK IACOBUCCI'S
REPORT "POLICE ENCOUNTERS WITH PEOPLE IN CRISIS"

Recommendation:

It is recommended that the Board receive the following report.

Financial Implications:

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

Background:

At its meeting on December 15, 2014, the Board received a report entitled "Status Update – Toronto Police Service Response to the Jury Recommendations from the Coroner's Inquest into the Deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon" (Min. No. P270/14 refers).

The report detailed the Toronto Police Service's (Service) review and implementation strategies in response to the recommendations from the Honourable Frank Iacobucci's report entitled "Police Encounters With People In Crisis" (Iacobucci report) as well as the jury recommendations from the Coroner's inquest into the deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon (JKE inquest).

The Service concurred with the essence of both sets of recommendations. Due to their commonalities, the Service conducted a coordinated, comprehensive review of all recommendations with the intention to implement them where feasible.

The purpose of this report is to update the Board on the status of the review and implementation of the the Honourable Iacobucci's recommendations.

An update on the status of the review and implementation of the JKE inquest recommendations will be included in a separate report to the Board.

Discussion:

Under the direction of Deputy Chief Mike Federico, Community Safety Command, an implementation team (team) was tasked with administering the review for all recommendations from both the Iacobucci report and the JKE inquest.

After extensive consultations with internal and external stakeholders, the team has now completed their review.

The Service was assigned a total of 84 recommendations. The following table provides an overview of the implementation status and percentage for all the recommendations from the Iacobucci report:

Implementation Status	Number of Recommendations	Percent
TPS Concur – Implemented	67	80%
TPS Concur in part – Implemented in an alternative form	7	8%
TPS Concur – Implemented in part	1	1%
TPS Concur – Under consideration	3	4%
TPS does not concur –	2	2%
TPS does not concur – Implemented in an alternative form	4	5%
Total Recommendations	84	100%
Total Recommendations – Implemented in some form	79	94%

As indicated in the shaded areas of this table, the Service has implemented, implemented in part, or implemented in an alternative form, 79 out of the 84 recommendations (94%). A total of 3 recommendations (4%) are under consideration because they raise resource and process issues (#11 and #12 Selection of Police Officers - psychological assessments; #36 Mental Health of Police Personnel - frequency of psychological wellness visits). For 2 recommendations, the Service does not concur and will not implement them (#55 Equipment - Conducted Energy Weapons – research into effects on EDP; #69 Equipment - Conducted Energy Weapons – threshold of use). All other recommendations, where the Service does not concur have been implemented in an alternative form.

The Iacobucci report categorized its recommendations into 10 themes. The following table indicates the number and percentage of recommendations assigned to each of these themes and those that were implemented in some form (shaded):

Theme	Number of Recommendations	Percent	Number of recommendations implemented in some form	Percent Implemented
Mental Health System and Toronto Police	4	5%	4	100%
Police Culture	1	1%	1	100%
Selection of Police Officers	9	11%	7	77%
Training	9	11%	9	100%
Supervision	9	11%	9	100%
Mental Health of Police Personnel	8	10%	7	87%
Use of Force	2	2%	2	100%
MCIT and Other Crisis Intervention Models	12	14%	12	100%
Equipment	20	24%	18	90%
Implementation	10	12%	10	100%
Total – Themes	84	100%		
Total			79 of 84 assigned	
Percent			94%	

For the purposes of reporting the results of the review process, the implementation team has developed charts summarizing the status of each recommendation (See Attached – Appendix A) as well as a comprehensive response chart that details their analysis as well as stakeholder responses to each recommendation (See Attached Appendix – B).

These supplementary charts will assist the Board in gauging the results of the Service’s review and implementation process.

Conclusion:

The Service has committed staffing resources and has worked diligently with all stakeholders, while considering all recommendations for potential implementation. To date, 79 out of 84 recommendations (94%) from the Iacobucci report have been implemented in some form by the Service. Another 3 recommendations (4%) are under consideration because they raise resource and process issues.

The Service’s response to the Iacobucci report recommendations reflects the furthest extent to which it can feasibly go at this time, given the limits of knowledge, science, and resources. Nevertheless, the Service is committed to the continual pursuit of excellence in the interest of safe encounters with emotionally disturbed persons.

The Service will continue to keep the Board informed on the status and progress of the implementation process of all recommendations in future reports.

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

The electronic copies of Appendices A & B are on file in the Board office.

The Board was also in receipt of the following report September 01, 2015 from Mark Saunders, Chief of Police:

SUBJECT: STATUS UPDATE #2: TORONTO POLICE SERVICE RESPONSE TO THE JURY RECOMMENDATIONS FROM THE CORONER'S INQUEST INTO THE DEATHS OF REYAL JARDINE-DOUGLAS, SYLVIA KLIBINGAITIS AND MICHAEL ELIGON

Recommendations:

It is recommended that:

- (1) the Board receive this report for information; and
- (2) the Board forward a copy of this report to the Chief Coroner for the Province of Ontario.

Financial Implications:

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

Background:

At its meeting on December 15, 2014, the Board received a report entitled "Status Update – Toronto Police Service Response to the Jury Recommendations from the Coroner's Inquest into the Deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon" (Min. No. P270/14 refers).

The report detailed the Toronto Police Service's (Service) review and implementation strategies in response to the jury recommendations from the Coroner's inquest into the deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon (JKE inquest) as well as the recommendations from the Honourable Frank Iacobucci's report entitled "Police Encounters With People In Crisis" (Iacobucci report).

The Service concurred with the essence of both sets of recommendations. Due to their commonalities, the Service conducted a coordinated, comprehensive review of all recommendations with the intention to implement them where feasible.

The purpose of this report is to update the Board on the status of the review and implementation of the JKE inquest recommendations.

An update on the status of the Honourable Iacobucci's recommendations will be included in a separate report to the Board.

Discussion:

Under the direction of Deputy Chief Mike Federico, Community Safety Command, an implementation team (team) was tasked with administering the review for all recommendations from both the Iacobucci report and the JKE inquest.

After extensive consultations with internal and external stakeholders, the team has now completed their review.

Although the Service was only assigned 46 out of the total 74 recommendations from the JKE inquest, other recommendations that were similar in content with the Iacobucci report were also taken into consideration.

The following table indicates an overview of the implementation status and percentage of all the JKE inquest recommendations that were assigned and not assigned to the Service:

Implementation Status	Number of Recommendations	Percent
TPS Concur – Implemented	39	85%
TPS Concur in part – Implemented in an alternative form	1	2%
TPS Concur – Implemented in part	0	0%
TPS Concur – Under consideration	0	0%
TPS does not concur	1	2%
TPS does not concur – Implemented in an alternative form	5	11%
Total of assigned recommendations	46	
Total of assigned – implemented in some form	45	98%
Not assigned	18	0%
Not assigned – TPS does not concur	1	0%
Not assigned – TPS Concur – Action taken (implemented in some form)	9	32%
Total of recommendations not assigned	28	
Total of not assigned – percent implemented in some form/action taken	9	32%

As indicated in the shaded areas of this table, the Service has implemented, implemented in part, or implemented in an alternative form, 45 (98%) out of the 46 recommendations assigned to the Service. While 28 recommendations were not assigned, the Service took action and implemented 9 of them in some form (32%).

For 2 recommendations the Service “does not concur” and will not implement them (#2 Equipment - Conducted Energy Weapons – research into effects on EDP; #29 Equipment - Conducted Energy Weapon – threshold for use). Five (5) other recommendations (#13 & #20 Training - debriefing; #27, Training - MCIT drive-along; #30 Equipment – Conducted Energy Weapon – camera equipped; #46 Mental Health System and Toronto Police – SIU protocols) have been implemented in an alternative form.

Due to commonalities with the Iacobucci Review, all JKE inquest recommendations were categorized utilizing the 10 themes set out in the Iacobucci report. The following table indicates

the number and percentage of recommendations grouped in each of these themes, and those assigned and not assigned to the Service, that were implemented in some form (shaded):

Theme	Number of recommendations	Percent	Number of recommendations implemented in some form/action taken		Percent Implemented	
			Assigned	Not Assigned	Assigned	Not Assigned
Mental Health System and Toronto Police	29	39%	9	2	31%	7%
Police Culture	0	0%	0	0	0%	0%
Selection of Police Officers	0	0%	0	0	0%	0%
Training	25	34%	22	3	88%	12%
Supervision	5	7%	5	0	100%	0%
Mental Health of Police Personnel	0	0%	0	0	0%	0%
Use of Force	4	7%	1	3	25%	75%
MCIT and Other Crisis Intervention Models	3	4%	3	0	100%	0%
Implementation	1	1%	1	0	100%	0%
Equipment	7	8%	4	1	57%	14%
Total – Themes	74	100%				
Total			45 of 46 assigned	9 of 28 not assigned		
Percent			98%	32%		

For the purposes of reporting the results of the review process, the implementation team has developed a chart summarizing the status of each recommendation (See Attached – Appendix A) as well as a comprehensive response chart that details their analysis and stakeholder responses to each recommendation (See Attached Appendix – B).

These supplementary charts will assist the Board in gauging the results of the Service’s review and implementation process.

Conclusion:

The Service has committed staffing resources and has worked diligently with all stakeholders, while considering all the recommendations from the JKE inquest for potential implementation. To date, 45 out of 46 recommendations (98%) that were assigned to the Service have been implemented some form. Furthermore, 9 of the 28 recommendations (32%) not assigned to the Service were implemented or were actioned.

The Service’s response to the JKE inquest recommendations reflects the furthest extent to which it can feasibly go at this time, given the limits of knowledge, science, and resources.

Nevertheless, the Service is committed to the continual pursuit of excellence in the interest of safe encounters with emotionally disturbed persons.

The Service will continue to keep the Board informed on the status and progress of the implementation process of all recommendations in future reports.

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

The electronic copies of Appendices A & B of the JKE inquest recommendations update report are on file in the Board office.

The following persons were in attendance and made deputations to the Board:

- ***Ms Jennifer Chambers, Empowerment Council;**
- ***Ms Margaret Beare, Toronto Police Accountability Coalition; and**
- **Ms. D!ONNE Renée**

Deputy Chief Federico delivered a presentation to the Board and responded to questions from the Board about stigma attached to Service Members reaching out for assistance, debriefing and members' exposure to lived experience during training.

The Board received the deputations and written submissions and received the Chief's reports. The Board also approved forwarding a copy of the JKE inquest update report to the Chief Coroner for the Province of Ontario.

***Written submissions provided and are on file in the Board office.**

Moved by: J. Tory

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P233. UPDATE AND DISCUSSION ON RECENT RECOMMENDATIONS
CONCERNING POLICE DEALING WITH PEOPLE EXPERIENCING
MENTAL ILLNESS FROM COMMUNITY MEMBERS OF THE
BOARD'S MENTAL HEALTH SUB-COMMITTEE**

The Board was in receipt of the following report July 31, 2015 from Alok Mukherjee, Chair, and Co-Chair, Mental Health Sub-Committee and Pat Capponi, Co-Chair, Mental Health Sub-Committee:

Subject: UPDATE AND DISCUSSION ON RECENT RECOMMENDATIONS
CONCERNING POLICE DEALING WITH PEOPLE EXPERIENCING
MENTAL ILLNESS FROM COMMUNITY MEMBERS OF THE BOARD'S
MENTAL HEALTH SUB-COMMITTEE

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

Creation of the Mental Health Sub-Committee

At its meeting on September 24, 2009, the Board approved the establishment of a sub-committee to examine issues related to mental health (Min. No. P265/09 refers). The Mental Health Sub-Committee was created to deal with the complex and multi-faceted issues of mental health that have consistently come before the Board and involve a variety of stakeholders, including the Service, the Board, the community and the government (both municipal and provincial).

The Board noted that it would be advantageous for the Board to create a mechanism that facilitates ongoing liaison with the community and other stakeholders and thereby enables the Board to deal with mental health issues in an informed, systematic and effective manner. The Sub-Committee is tasked to review important issues from a governance perspective, gather pertinent information, advise the Board on needed action, recommend effective strategies to deal with issues of intersectionality and assist the Board in facilitating discussion and coordination among the various partners working in this area.

The Board's Mental Health Sub-Committee is comprised of members of the Board, members of the Service and members of the community. In creating the Sub-Committee, the Board noted that it is important that the Sub-Committee's membership reflect the diversity of Toronto with representatives from major as well as more locally-based groups or organizations serving youth and specific ethno-cultural groups.

The Sub-Committee's mandate is *to create a mechanism that facilitates ongoing liaison with the community and other stakeholders and thereby enables the Board to deal with mental health issues in an informed, systematic and effective manner.*

Discussion:

The Mental Health Sub-Committee continues to meet regularly and reviews issues such as police training and mental health records. The Board, at its meeting of December 15, 2104, considered a report on the status update of the Toronto Police Service's response to jury recommendations from the Coroner's Inquest into the Deaths of Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon (Min No. P270/14 refers). This included a discussion about the report released by retired Supreme Court Justice Frank Iacobucci entitled "Police Encounters with People in Crisis." The Board approved a number of Motions, including the following:

THAT the Board forward a copy of the recommendations directed to the Board to its Sub-Committee on Mental Health and request that the Sub-Committee consider these recommendations in order to assist the Board in preparing its response to them in a report for March 2015;

The Sub-Committee was unable to meet to discuss the recommendations until mid-2015. On July 9, 2015, the Sub-Committee met and discussed its response to the Service's draft response to the JKE (Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon) inquest recommendations and the recommendations contained in the report by The Honourable Frank Iacobucci. It should be noted that the Sub-Committee reviewed all recommendations, and not only the ones directed to the Board, as the Motion states. As a result, the attached document has been prepared on behalf of community members of the Sub-Committee. It also includes a brief status update on the work being done by the Sub-Committee.

It should be noted that this document has not been endorsed by representatives from the Toronto Police Service, and the Ministry of Health and Long-Term Care, who sit as members or subject-matter experts on the Sub-Committee.

It is hoped that this document will inform the Board as it considers the Service's response to these significant recommendations.

Conclusion:

Therefore, it is recommended that the Board receive this report.

Toronto Police Service Responses to JKE Inquest and Iacobucci Report Recommendations

Responses from Toronto Police Services Board's Mental Health Sub-Committee

Use of Lethal Force

- A “zero harm” approach should be the standard for all police interactions, and especially when dealing with vulnerable and marginalized groups, such as people with mental health issues.
- Should apply to all policies, procedures and protocols
 - training and protocols that continue to allow for possibility of lethal use of force are incongruent with de-escalation approach and may preclude effective utilization of this approach in real-life scenarios.
- *lethal force should never be an option*
- Concerned with the TPS’ response of utilizing de-escalation techniques “before using force” as stated in TPS response to JKE recommendation No. 16:

“...when responding to an emotionally disturbed person to continue de-escalation efforts before resorting to force, particularly lethal force when feasible and consistent with officer and public safety.”

- Recommend *expansion of the current system of rewards and incentives* to acknowledge officers who effectively resolve crisis situations without the use of force, and setting this conduct as the standard for all police practice.

Exploration of police practices in England

- Want to understand TPS’ response to the JKE recommendation No. 3, through which TPS aims to explore police practices in England with regards to the application of use of force in cases where officers encounter individuals with an offensive weapon.
- Support TPS’ efforts to understand practices in other jurisdictions where there are different policies for carrying and drawing firearms and are interested to know the response to the TPS inquiry regarding police practices in England, as well as *how the TPS plans to use this information* to inform TPS practice

Conducted Energy Weapons (CEWs)

- Concerned with the implementation of **any initiatives which expand the use of CEWs** by police.
- While availability of CEWs may increase officers' ability for self-defence and allows for greater options in responding to potentially dangerous situations, availability of any weapons **may consequently decrease utilization of non-violent techniques such as de-escalation.**
- Concerned about a *lack of scientific and medical reviews* about the safety of CEWs in real-world operational settings and on whether certain groups or individuals with particular conditions are at increased risk for the adverse outcomes related to CEWs, and the co-factors that may contribute to this risk.
- Concerned that available evidence shows that *police use of force occurs predominantly in individuals who are intoxicated and/or are emotionally distressed.*

Training

De-escalation

- Supports TPS' efforts to **embrace a de-escalation approach** when responding to individuals with mental health issues/experiencing crises.
- Have some concerns regarding how well the TPS' responses reflect de-escalation philosophy and strategies. Specifically, while we support TPS' position noted in JKE recommendation No. 10 and Iacobucci recommendation No. 42 (and related recommendations – JKE recommendation Nos. 15, 16, Iacobucci recommendation No. 42) to train officers to “continually assess the situation, especially the person’s reaction to the officers’ direction” and to “try other communication strategies” as needed, *the description of what officers are taught to do when confronting an individual who may be in crisis contradicts this approach.*
- Concerns that *current instructions are too focused on repeating a simple strategy (using loud and clear commands) rather than emphasizing a calm approach*
- Strongly support Iacobucci recommendation No. 32 - De-escalation needs to be emphasized not only in training, but dealt with through supervision, monitoring and discipline, as recommended by Iacobucci (TPS is in support of this recommendation and has implemented it, but Sub-Committee wishes to voice its strong support for its continued vigorous and meaningful implementation):
 - *Section 11 investigations of Regulation 267/10 under the Police Services Act should investigate whether applicable de-escalation requirements were complied*

with and, if not, a finding of contravention of Service Governance and/or misconduct should be made;

- *In appropriate cases, officers who do not comply with applicable de-escalation requirements should be subject to disciplinary proceedings; and*
- *supervisory officers should be formally directed to (i) monitor whether officers comply with applicable de-escalation requirements, and (ii) take appropriate remedial steps, such as providing mentoring and advice, arranging additional training, making notations in the officer's personnel file, or escalating the matter for disciplinary action.*

Experiential learning

- Experiential learning is an effective way to promote positive interactions between police and people with mental health and addictions issues.
- It further enables officers to become more acquainted with their communities and the people who live in them.
- Research supports this – it reduces stigma and provides officers with opportunities to learn about mental health and addictions issues and to become acquainted with the mental health and other resources available in their community.
- As such, recommend for the TPS to ***reconsider its decision regarding in-service learning exercises*** (e.g. drive-alongs, MCIT shadowing, special day assignments, etc.) ***to increase PRU awareness and knowledge of the mental health community and resources.***
- If this training continues to be limited by operational realities, it is even more crucial for TPS to ensure that all training are not only developed **in partnership with people with lived experience** of mental health and addictions issues, but are also **delivered/co-delivered** by them.

Debriefing

- Concerned that TPS doesn't concur with recommendations in both JKE/Iacobucci regarding debriefing on the basis that "operational debriefings may place officers at heightened psychological risk".
 - Research shows that post-incident debriefing is an effective strategy to **mitigate operational stress and reduce incidence of Post-Traumatic Stress Disorder (PTSD)** and similar conditions in first responders, such as police.
 - Debriefing provides a **non-judgmental environment** and helps to identify good practice and areas that work well, as well as areas that need improvement.

- Debriefing is also an **effective learning tool** which can help to identify effective strategies for responding to people in crisis and minimize use of ineffective techniques and approaches thus ensuring better response to similar situations in the future.

Evaluation

- Questions as to *how the progress of the implementation of recommendations will be evaluated* and how this information will be *disseminated* to the Mental Health Sub-Committee and to the public.
- Would like information from the TPS about *outcome measures and evaluation strategies* for the implementation activities to ensure that the intended outcomes of the recommendations are met, and/or that adjustments to TPS' work are made if needed.

Mobile Crisis Intervention Teams (MCITs)

Iacobucci Recommendations No. 3, 43, 46

- MCITs should be first-responders on the scene in incidents involving individuals experiencing mental illness

Ms. Pat Capponi updated the Board about the work of the Board Mental Health Sub-Committee.

The Board received the forgoing report.

Moved by: J. Tory

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P234. ACCESS TO POLICE SERVICES FOR UNDOCUMENTED
TORONTONIANS**

The Board was in receipt of the following report August 12, 2015 from Mark Saunders, Chief of Police:

Subject: ACCESS TO POLICE SERVICES FOR UNDOCUMENTED
TORONTONIANS

Recommendation:

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

Financial Implications:

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

Background:

During its meetings on June 10, 11 and 12, 2015, City Council adopted the item entitled "Toronto Police Service: Service Governance Pertaining to the Access to Police Services for Undocumented Torontonians" (CD4.2), containing four recommendations, of which recommendations 1, 2 and 3 are directed to the Toronto Police Services Board (Board).

On July 15, 2015, the Board Chair requested that the Office of the Chief of Police prepare a report for the September 17, 2015 Board meeting, so that the Board may respond to the City for the October 15, 2015 Community Development and Recreation Committee meeting.

Discussion:

Recommendation 1 a

City Council requested that the Board report to the October 15, 2015 Community Development and Recreation committee meeting on:

statistics related to the number of undocumented residents reported by the Toronto Police Service to the Canada Border Services Agency (CBSA) over the past five years. These statistics are to include a breakdown on instances where individuals were reported to the CBSA due to a pre-existing immigration warrant, and instances where they were reported in the absence of a pre-existing immigration warrant

The Toronto Police Service (Service) does not maintain statistics on persons reported to the CBSA. The general occurrence and arrest report do not contain a field to record this information, so it is not possible to search for this information. However, it is possible to search for the number of times a person was investigated, reported or arrested on an offence related to the *Immigration and Refugee Protection Act (IRPA)*.

Recommendation 1 b

City Council requested that the Board report to the October 15, 2015 Community Development and Recreation committee meeting on:

any protocols or agreements that exist between the Toronto Police Service and Canada Border Services Agency

There are no protocols or agreements in place between the Service and the CBSA regarding the sharing of information of a person's immigration and/or residence status.

Recommendation 1 c

City Council requested that the Board report to the October 15, 2015 Community Development and Recreation committee meeting on:

practical implementation (including further policy development. Police training, evaluation of compliance) of the Access without Fear Policy

Toronto Police Services Board Policy

On May 18, 2006, the Board approved a new Board policy entitled "Victims and Witnesses Without Legal Status" (Min. No. 140/06 refers).

Toronto Police Service Governance

On February 16, 2007, the Service adopted the following new Service Governance:

- A new Standards of Conduct, Section 1.35 "Persons Without Status", which directs; "Victims and witnesses of a crime shall not be asked their immigration status, unless there are bona fide reasons to do so."
- A new Service Definition, Bona Fide Reasons, which is defined as;
 - a victim or witness who may possibly require or may seek admission into the Provincial Witness Protection Program
 - a Crown Attorney is requesting information for disclosure purposes
 - the information is necessary to prove essential elements of an offence
 - investigations where the circumstances make it clear that it is essential to public or officer safety and security to ascertain the immigration status of a victim or witness.

On February 20, 2007, Service Procedure 05-04 entitled “Domestic Violence” was revised to include the definition for Bona Fide Reasons, and the Persons Without Status directive was included in the “Calls for Service” section of the procedure.

Service members are often in need of an interpreter to communicate with a citizen in sign language, or in a language other than English. The Service has contracted Language Line Service since 1991 to provide around-the-clock telephone access to interpreting services in over 140 languages. The Canadian Hearing Society has been contracted to provide around-the-clock access to American Sign Language interpreters. These services are available at no cost to the individual. The access to interpreting services is governed by Service Procedure 04-09 “American Sign Language and Language Interpreters”.

Recommendation 1 d

City Council requested that the Board report to the October 15, 2015 Community Development and Recreation committee meeting on:

the issues raised by deputants at the May 21, 2015 Community Development and Recreation Committee meeting; including but not limited to, enhanced domestic violence training, development of a new survivor informed protocol, and development of a protocol that ensures gender based violence is central to police interactions with immigrants and migrants involved in sex work.

Training – Toronto Police College

Training on domestic violence is included on the Domestic Violence Investigators, Supervisors, Coach Officers, and Death Investigators courses delivered by the Toronto Police College. During these training opportunities, the importance of complying with and understanding the contents of the Domestic Violence procedure is emphasized.

Officers are trained that immigration/legal status of the parties shall not influence the decision to lay charges. Training also addresses the many dynamics that impact a domestic situation, such as the immigration/legal status of the parties involved, the vulnerabilities of complainants, and the mechanisms of control and influence.

The issues around immigration/legal status are addressed in the Sexual Assault Investigators and Domestic Violence Investigators courses. Officers receive training on the Domestic Violence and Sexual Assault procedures when attending the Sexual Assault Investigators, Domestic Violence Investigators, Supervisors, and Coach Officers courses. Officers are trained to conduct an investigation into an allegation of abuse, no matter the person’s immigration status, and that “victims and witnesses of crime shall not be asked their immigration status unless there are bona fide reasons to do so.”

The Sexual Assault Investigators course and the Child and Human Trafficking Abuse Investigators course include presentations on the topic of human trafficking.

One of the Goals identified in the *2014-2016 Priorities and Strategies* is to; “Deliver professional, ethical, bias-free service, both to members of the public and within the organization.”

A Key Strategy to achieving this Goal is to; “Enhance, at the unit level and at the Toronto Police College, learning related to delivery of professional, bias-free service, including Fair and Impartial Policing and the Intercultural Development Program.”

The Toronto Police College delivers a one-day course called “Fair and Impartial Policing” course. Attendance is mandatory for all police officers. Professional, appropriate, respectful behaviour is included and reinforced during all courses.

Deputations

The deputants at the May 21, 2015 Community Development and Recreation committee meeting spoke of many issues, some of which are outside of the focus of the original report on access to municipal services. This report will only respond to deputations that are within the scope of the issue of access to police services for all people, including undocumented Torontonians.

1. A concern was raised that immigrant and migrant sex workers do not have access to “...linguistically accessible services”.

When a Service member language interpreter cannot be located, officers have around-the-clock telephone access to interpreting services in over 140 languages through Language Line Service, and around-the-clock access to American Sign Language interpreters from the Canadian Hearing Society. These services are available at no cost to the individual. Also, Multilingual Community Interpreter Services (MCIS) provides interpretation services during the investigation of all domestic and sexual assault occurrences. MCIS interpretation services are available to all involved parties, including the accused up to the time when a formal charge has been laid.

2. A concern was raised that, when executing immigration warrants, or returning persons wanted on outstanding immigration warrants to the CBSA, the Service is doing “the job of the federal immigration system”. One councillor summarised that “it is not our (the Service’s) job to enforce immigration violations”.

When there is reason to investigate the person, or during an investigation incident to arrest, the police officer conducts a check of the person on the CPIC system.

If there is an outstanding warrant on CPIC, the officer must enforce the warrant as they have a duty to do so pursuant to the *PSA* and the common law.

3. It was recommended that Toronto Police officer not contact the CBSA regarding persons wanted on immigration warrants and removal orders.

Before executing any arrest warrant (including immigration warrants) held by another police service or law enforcement agency, the police officer must confirm that the warrant is still outstanding and whether they will return the person. This necessitates contact with the police service or law enforcement agency holding the warrant. The purpose of this contact is not to report a person's status (it was already reported by the CBSA when they entered the warrant on CPIC), but to confirm the arrest warrant.

Service Procedure 02-01, entitled "Arrest Warrants", directs that:

When processing a person arrested on a warrant held by another police service or law enforcement agency, the police officer shall

- *ensure the person is within the return radius as stipulated on CPIC*
- *contact the police service holding the warrant to confirm that the warrant is still outstanding and whether they will return the person*

Service Procedure 02-01 applies to all arrest warrants. There is no distinction between immigration warrants and any other arrest warrants.

4. A concern was raised that some people fear the police.

The Service recognises that, as a result of their cultural background or country of origin, or through past experience here or elsewhere, some people fear interaction with the police. The Service has programs aimed at improving police/community relations, and work continuously to improve these programs.

Recommendation 2

Recommendation 2 states:

City Council request Toronto Police Services Board for further clarification and possible policy development on Ontario Regulation 265/98 of the Police Services Act, to have police officers report immigration status to the Canada Border Services Agency only when directed by the courts after a conviction has been registered.

The power to disclose personal information is provided by the *Police Services Act (PSA)*. Ontario Regulation 265/98 entitled *Disclosure of Personal Information*, made under the *PSA* states that:

5 (1) A chief of police or his or her designate may disclose any personal information about an individual if the individual is under investigation of, is charged with or is convicted or found guilty of an offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any other federal or provincial Act to,

- (a) any police force in Canada;*
- (b) any correctional or parole authority in Canada; or*

- (c) *any person or agency engaged in the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program.*

Further, subsections 41(1.1) and 41(1.2) of the *PSA* states that:

Power to disclose personal information

(1.1) Despite any other Act, a chief of police, or a person designated by him or her for the purpose of this subsection, may disclose personal information about an individual in accordance with the regulations.

Purpose of disclosure

(1.2) Any disclosure made under subsection (1.1) shall be for one or more of the following purposes:

- 1. Protection of the public.*
- 2. Protection of victims of crime.*
- 3. Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them.*
- 4. Law enforcement.*
- 5. Correctional purposes.*
- 6. Administration of justice.*
- 7. Enforcement of and compliance with any federal or provincial Act, regulation or government program.*
- 8. Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual.*

Recommendation 3

Recommendation 3 states:

City Council, through the Toronto Police Services Board, invite Board representatives and Toronto Police Services Officers to attend the October 15, 2015 Community Development and Recreation Committee meeting.

Conclusion:

In summary, the Service has processes, governance and training on the delivery of police services to all people, including undocumented Torontonians. Any person, whether resident of or visitor to Toronto, may request and will receive police response and police services without being asked about their immigration status. Police officers are trained not to ask victims and witnesses of crime for their immigration status, unless there are bona fide reasons to do so.

All people are encouraged and have a mechanism to report crime. The Service recognises that, as a result of their cultural background or country of origin, or through past experience here or elsewhere, some people fear interaction with the police. However, this fear does not negate the Service's processes, governance and training on the delivery of police services to all people.

Deputy Chief Peter Sloly, Operational Support Command, will be in attendance at the Board Meeting to answer any questions that the Board may have regarding this report.

The Board approved the following Motions:

- 1. THAT the foregoing report be withdrawn and referred back to the Chief of Police so that he may consult with the Deputy City Manager and report to the Board in the future, as may be required.**
- 2. THAT the Board correspond with the Community Development and Recreation Committee to advise it of this motion.**

Moved by: S. Carroll

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P235. SEMI-ANNUAL REPORT: WRITE-OFF OF UNCOLLECTIBLE
ACCOUNTS RECEIVABLE BALANCES: JANUARY TO JUNE 2015**

The Board was in receipt of the following report August 27, 2015 from Mark Saunders, Chief of Police:

Subject: SEMI-ANNUAL REPORT 2015: WRITE-OFF OF UNCOLLECTIBLE
ACCOUNTS RECEIVABLE BALANCES - JANUARY TO JUNE 2015

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

The write-off amount of \$9,547 in the first half of 2015 reduced the allowance for uncollectible accounts to \$317,038. The adequacy of this amount is analyzed annually as part of the year end accounting process. Any adjustment required to this balance will be included in operating expenses in the year the adjustment is made.

Write-offs for the first half of 2015 represent 0.038% of revenues for this period, excluding grants.

Background/Purpose:

At its meeting of May 29, 2003, the Board approved Financial Control By-law 147. Part IX, Section 29 – Authority for Write-offs, delegates the authority to write-off uncollectible accounts of \$50,000 or less to the Chief of Police and requires that a semi-annual report be provided to the Board on amounts written off in the previous six months (Min. No. P132/03 refers).

The purpose of this report is to provide the Board with information on the amounts written off during the period of January 1 to June 30, 2015.

Discussion:

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

performed by the Accounting Services unit is intended to ensure that invoiced amounts are collected.

Accounts Receivable Collection Process - Paid Duty Customers

In March 2014, the terms of payment for paid duty customers were changed as a result of the implementation of the Paid Duty Management System (PDMS). Most customers are required to secure a deposit or pre-pay in advance of the paid duty event for the entire cost of paid duty. As at this reporting period, paid duty customers have an aggregate credit balance of \$2.3 Million (M) recorded on the Service's balance sheet, representing prepayments for officers, administrative fees and vehicle/equipment rentals for paid duty events scheduled to occur at a future date.

Long standing customers that have good credit history with the Service are invoiced and not required to pre-pay in advance. These customers, which represent less than 20% of the paid duty receivables portfolio, include the City of Toronto's ABCD's, other government partners, and several large private sector organizations with a solid credit history.

Accounts Receivable Collection Process - Non-Paid Duty Customers

Customers other than those requesting paid duties are given a 30 day payment term for all invoices and receive monthly statements showing their outstanding balances if the 30 day term is exceeded. In addition, they are provided with progressively assertive reminder letters for every 30 days their accounts remain outstanding. The Accounts Receivable team makes regular telephone calls requesting payment from customers. Customers with large outstanding balances have an opportunity to make payment arrangements with Accounting Services to ensure collection is maximized. In addition, the Service offers several payment options, including paying through VISA and MasterCard, to facilitate the payment process for our customers.

Customers are sent a final notice when their accounts are in arrears for more than 90 days. They are provided with a ten day grace period, from receipt of the final notice, to make payment on their account before the balance is sent to an outside agency for collection. The Service's collection agency, obtained from a joint competitive process with the City, has been successful in collecting many accounts on behalf of the Service. However, in situations where amounts are small, company principals cannot be located, organizations are no longer in business or circumstances indicate that no further work is warranted, the collection agency will recommend write-off.

Amounts written off during the January 1 to June 30, 2015 period:

During the six month period of January 1 to June 30, 2015, eight (8) accounts totalling \$9,547 were written off, in accordance with By-law 147. The write-offs relate to marijuana grow operation clean-up cost recovery fees, employee receivables, paid duty administrative fees and miscellaneous items. Additional information on the accounts written off is provided in the sections that follow.

Marihuana Grow Operation invoices (\$7,161):

The amount written off consists of four (4) items, representing the original cost recovery amount approved by City Council and associated interest. The by-law governing cost recovery associated with marihuana grow operations gives the Service latitude to determine who the “owner” of the establishment is. There are three possible definitions for owner:

1. The individual whose name is on the title for the property;
2. The tenant occupying the property; or
3. The property management organization, acting as an agent on behalf of the titled individual.

In all four accounts written-off, responsibility for the grow operation was determined to lie with the tenant of the establishment in which the grow operation was located. As a result, given the latitude allowed in the by-law and exercised by the Unit Commander of the Service’s Drug Squad, the tenant was invoiced the cost recovery amount. The Service followed its normal collection procedures, however, the amounts could not be collected.

As a result, all accounts were forwarded to the Service’s collection agency, who spent several months attempting to collect the outstanding balances. The collection agency followed their standard collection process which includes finding the principal where required, sending payment demand letters and investigating the individual’s ability to pay. Despite these efforts, collection proved difficult as the individual associated with each account could not be located or was unresponsive to the request for payment. The collection agency advised that the amounts were not significant enough to warrant the involvement of legal personnel, determined that payment was unlikely and recommended write-off.

Employee Receivables (\$2,063):

One employee receivable was written off during the first half of 2015. This overpayment represents an amount owing from a former employee that had negative hours in her lieu time bank at the time of suspension and eventually, termination. A letter was sent to this member advising of the overpayment, however, there was no positive response. No other funds were available from which to recover the monies.

Paid Duties (\$255):

One paid duty receivable was written off during the first half of 2015 which represents a paid duty for traffic control in April 2014. The officer’s portion, administrative fees and vehicle rental were prepaid by the customer, based on the order initially placed with the Service’s Central Paid Duty Office. However, due to the weather, the customer requested for an extension. The credit card on file was declined when the additional charges were processed. All collection efforts such as monthly statements, reminder letters, telephone calls and emails were exhausted by the Accounting Services Unit. The outstanding account was also forwarded to the collection

agency with no positive results. The Service abandoned its efforts to collect this amount and recommended write-off.

It should be noted that as part of the paid duty process, customers whose accounts are written off are flagged and future paid duty requests are denied until the previous outstanding/written-off balance is collected.

From January to June this year, the paid duty program generated over \$14.2M in officers' paid duty earnings, administrative fees, and vehicle and equipment rentals. This particular write off represents less than .0018% of paid duty cost recovery.

Miscellaneous item (\$68):

Two miscellaneous items are recommended for write-offs; one representing a US exchange rate differential of \$15 and the other is for a witness fee of \$53. Accounting exhausted all possible efforts to retrieve these funds, but obtained no positive results. Therefore, these two small items were recommended for write-off.

Conclusion:

In accordance with By-law 147, Section 29 – Authorization for Write-offs, this report provides information to the Board on the amounts written off by the Service during the period from January 1 to June 30, 2015.

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

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions from the Board.

The Board received the foregoing report.

Moved by: A. Pringle

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P236. ANNUAL REPORT: 2015 HUMAN RIGHTS AND ACCOMMODATION
POLICIES**

The Board was in receipt of the following report September 02, 2015 from Mark Saunders, Chief of Police:

Subject: ANNUAL REPORT: 2015 HUMAN RIGHTS AND ACCOMMODATION
POLICIES

Recommendation:

It is recommended that the Board receive this report.

Financial Implications:

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

Background/Purpose:

At its meeting on June 15, 2012, the Board approved the two policies entitled, “Human Rights Policy” and “Accommodation Policy” (Min. No. P141/12 refers). Among the requirements contained within these policies were the following:

- The Chief of Police will submit to the Board an Annual Report on Human Rights, which includes performance measures with respect to the relevant procedures and practices to be used to assess the effectiveness and impact of the implementation of this policy.
- The Chief of Police will report to the Board annually on accommodation requests and measures taken to deal with such requests, including the development of accommodation plans.

The purpose of this report is to inform the Board of initiatives the Toronto Police Service (Service) has undertaken commencing January 2015, as well as ongoing initiatives. It also provides the framework to assist the Service in its compliance with these two policies and in its reporting on outputs and outcomes in future board reports.

Discussion:

The Service developed a Human Rights Strategy (Strategy) in 2014, as required by the Board (see Appendix A – Human Rights Strategy). The goal of the Strategy was to establish, “a sustainable workplace and service delivery that is inclusive and respectful.” This Strategy is to

be reviewed annually, updated as required, and is a means of addressing the requirements contained within the Board's Human Rights and Accommodation Policies. It breaks the 14 requirements down into three categories:

- a) Training and Education;
- b) Identification of Emerging Themes; and
- c) Professionalism and Accountability.

Each category sets out initiatives, the unit(s) responsible and the status as of January 2015.

A Logic Model (see Appendix B), for the Strategy serves as a reference as it provides a list of unit responsibilities, activities required by each unit to address the requirements in the Board policies, the outputs from those activities and short-term outcomes for the Service. These outcomes are measured each year through the internal Annual Personnel Survey and the external Annual Community Perception Survey.

The Activities section of the Logic Model has been broken down further into a table (see Appendix C – Input-Activity-Output Table). This table lists in detail, the activities that each unit will engage in and the specific outcome that is anticipated for each activity.

Many of the reporting requirements in the Board's Human Rights and Accommodation Policies are already in place and are being reported as indicated below.

- Diversity & Inclusion – Emerging Themes - Initiatives are reported annually to the Board on the Race and Ethnocultural Equity Policy report (Min. No. P170/13 refers)
- Labour Relations – Report on Grievances – Reported semi-annually and annually to the Board (Mins. No. C159/15 and P23/14 refer)
- Labour Relations – statistics on internal human rights applications – Reported semi-annually and annually to the Board (Mins. No. C159/15 and P23/14 refer)
- Legal Services – Statistics on external human rights applications – Reported annually to the Board (Min. No. C46/14 refers)
- Professional Standards – Statistics on internal/external complaints – Reported annually to the Board (Min. No. P105/14 refers)
- Toronto Police College (TPC) – Overview of human rights training and education – A description of all training delivered by TPC is reported annually to the Board (Min. No. P142/14 refers)

Conclusion:

This report provides the Board with an overview of all systems currently in place, as well as those to be implemented in the future, in addition to the Service's diversity management initiatives, which fulfil the requirements in both the human rights and accommodation policies.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any question that the Board may have regarding this report.

The Board received the foregoing report.

Moved by: A. Pringle

Toronto Police Service Human Rights Strategy



The Toronto Police Service's Human Rights Strategy aims to eliminate discrimination and harassment in the workplace and promote fairness and inclusivity in the delivery of services, in accordance with the *Human Rights Code*.

The Toronto Police Service is committed to providing equitable and professional services internally and externally, by ensuring interactions are professional, non-biased and respectful.

The Human Rights Strategy has been designed to align with current Toronto Police Service goals. These are further expanded with detailed objectives and initiatives. Additionally, the Strategy also includes units responsible for each initiative/element, timelines and ensures that the implementation is effective and inclusive. Diversity & Inclusion Unit will review and manage the implementation of this Strategy, and provide progress reports.

Human Rights Strategy

Goal	Objective	Initiatives/Elements	Unit Responsible	Status
Public Awareness and Outreach:	Ensure Strategy sets clear targets and objectives in addition to initiatives related to public education, outreach and continuous training of members	Review annually and update Strategy as required	CC/D&I	in development
	Ensure supervisors and managers are aware of their responsibilities and legal liabilities to the Service, related to the <i>Human Rights Code (Code)</i> Ensure appropriate Service members are trained on accommodation principles, so they are able to respond appropriately to requests for accommodation	Enhanced Human Rights training is included in Leadership courses Training on Accommodation policy and procedures for Senior Officers and supervisory personnel. Accommodation is provided to the point of undue hardship	TPC/D&I	ongoing
Training and Education: To enhance and provide continuous Human Rights training and education for uniform and civilian members	Ensure members are aware of their responsibilities, rights and Service procedures related to the <i>Code</i>	Annual ISTP training has contained a Human Rights (HR) component since 2012. All courses in the academic section have a component of HR, in addition to several on-line (CPKCN) HR related courses	TPC	ongoing
	Regular evaluation of training/courses to ensure they are meeting the objectives of the TPSB Human Rights Policy	TPC will track and evaluate courses	TPC	in development
	Annual Report on Human Rights	Include an overview of all human rights training and education provided by the Service over the year	TPC	in development
	Ensure the Service meets its legislative requirements under the <i>Accessibility for Ontarians with Disabilities Act (AODA)</i>	The Accessibility Leadership Committee (ALC) will develop a multi-year accessibility plan to be implemented, reviewed and updated	D&I	on going
Identification of Emerging Themes:	Annual Report on human rights	Include information on implementation of the Service's Strategy, including initiatives undertaken, intended objectives and outcomes	D&I	in development
	Ensure HR Strategy includes a provision for identification for emerging human rights themes and the development of appropriate procedures	D&I reviews and updates diversity initiatives annually to reflect current trends. Additionally, D&I has initiatives such as workshops and ISN's to keep members apprised. D&I makes recommendations re procedures	D&I	in development

Human Rights Strategy

Goal	Objective	Initiatives/Elements	Unit Responsible	Status
<p>Professionalism and Accountability: Reinforce and encourage positive and professional practices that aim to promote and protect human rights</p>	<p>Develop procedures to implement the principle of equitable treatment in police services and in the workplace, without discrimination and harassment, consistent with the <i>Code</i></p>	<p>Review procedures to ensure practices related to the provisions of service and employment do not result in discrimination or harassment</p>	PSS	ongoing - procedures are reviewed every 3 years
	<p>Ensure a process is in place for internal complaints alleging discrimination or harassment related to employment within the Service</p>	<p>Ensure procedures are in place with respect to the complaint process, in accordance with Part V of the <i>Police Services Act (Act)</i></p>	D&I/PSS	PSS/PRS to confirm
	<p>Develop procedures to deal with requests for accommodation from members of the public and members of the Service</p>	<p>Ensure complaint process is clear, accessible, readily available, fair, objective, transparent and timely</p>	OHS/D&I	PSS to confirm
	<p>Submit an Annual Report on human rights to the Board, which includes performance measures with respect to the relevant procedures and practices to be used to assess the effectiveness and impact on the implementation of this policy.</p>	<p>Receive, examine, explore and respond to requests for accommodation with the principles of dignity and inclusion, tailored to the individual seeking accommodation</p>	OHS	these procedures need to be updated as there is overlap
	<p>Ensure annual report includes information about the internal and external complaints alleging a breach of the Human Rights Board Policy and/or the <i>Code</i> and/or Service Standards of Conduct relating to discrimination or harassment</p>	<p>Include information on all accommodation requests and measures taken to deal with such requests, including the development of accommodation plans</p>	PSS	in development
		<p>Include information on any procedures developed to support this policy and an assessment of their effectiveness and impact on Service practices</p>	PRS	ongoing
		<p>Report will include: 1) Year to year comparison 2) Area of discrimination/harassment complained 3) Grounds on which complaints are based 4) Status of complaints 5) Resolution of complaints</p>	LBR, LSV, PRS	ongoing
		<p>Include information on mechanisms that ensure accountability by supervisors and managers</p>		

Glossary:

- CC Corporate Communications
- D&I Diversity & Inclusion
- PSS Professional Standards Support
- OHS Occupational Health and Safety
- PRS Professional Standards
- LBR Labour Relations
- LSV Legal Services

STRATEGY GOAL (2015-2017)
A sustainable workplace and service delivery that is Inclusive and Respectful

WHO BENEFITS
Community Members
Toronto Police Service Members

STRATEGY OBJECTIVES
Both in the workplace and in our delivery of service to the community, I add in accordance with the Human Rights Code:

- o Eliminate discrimination and harassment
- o Promote Fairness
- o Ensure professional, bias-free and respectful interactions

Inputs

Diversity & Inclusion (D&I)
Labour Relations (LBR)
Legal Services (LSV)
Occupational Health & Safety (OHS)
Professional Standards (PRS)
Professional Standards Support (PSS)
Toronto Police College (TPC)

Activities

D&I - Establish ALC, Support TPC, HR 101 training, Customer Service, Accommodation, AODA, ISN's, Lunch & Learns, Process non-medical accommodation requests
LBR - Support TPC re HRTO training, Senior Officer training, Report on grievances and Internal Human Rights applications
LSV - Chair Human Rights Case Review Committee, ensure compliance with the Code
OHS - Create/use standard documentation form, Process medical accommodation requests & manage accommodation plans, develop rehabilitation program
PRS - Support TPC, Keep statistics on internal & external complaints alleging a breach of the Code, Human Rights Board Policy, and/or Service Standards of Conduct relating to discrimination and harassment
PSS - Develop procedures to implement principles of equitable treatment in police services and in the workplace, consistent with the Code. Ensure process in place for internal complaints of harassment/discrimination. Ensure complaint process is accessible, fair, objective, etc.
TPC - Training IST, Ethics, Inclusivity, Human Rights, Intercultural Development Inventory Program, Fair and Impartial Policing (FIP), LGBTQ, OHRC, Charter rights, respecting customs
See Appendix C for full Activity/Output Details

Outputs

D&I - ALC ensures Service is AODA compliant
LBR- New Supervisors and UCC's trained, Quarterly reports with comparisons
LSV - Identify trends, Human Rights Code compliance
OHS - Report on individualized Accommodation plans, Pilot Rehab program in Parking Enforcement
PRS - Accountability by members, Report on Internal/External complaints
PSS - Procedures reviewed every 3 years, complaint process that is fair, objective, transparent, timely, accessible and available
TPC - FIP training for all Sworn members in 2014-15, Other training - Approximately 1040 sworn and 150 Civilian members trained, FIP training for Senior Officers and Command

Short-Term Outcomes

- Decrease in number of public complaints
- Decrease in number of internal complaints
- Decrease in number of public HRTO complaints
- Decrease in number of internal HRTO complaints
- Increase in community perception of officer professionalism during contact
- Increase in community perception of bias-free services provided by officers during contact
- Increase in community perception that Service officers are trustworthy
- Increase in proportion of the community who are confident that Service officers treat people fairly
- Decrease in community perception that Service officers target members of minority or ethnic groups for enforcement
- Increase in community perception of accessibility to police services by disabled persons
- Increase in member perception of professionalism within the Service when making requests of other members/units
- Increase in member perception of bias-free services provided by other members/units
- Increase in proportion of members who feel that in general they receive bias-free service when requesting something from another member or unit
- Increase in proportion of members who feel everyone in the Service is treated with dignity and respect regardless of their:
 - o Gender
 - o Race, colour, ethnic origin, place of origin
 - o Disability
 - o Sexual orientation, gender identity/expression
- Increase in proportion of members who feel they are treated with respect by other members of the Service
- Increase in member perception of an accessible workplace



Logic Model Breakdown

Input	Activity	Output
Diversity & Inclusion (D&I)	<p>Community Outreach</p> <ul style="list-style-type: none"> • Diversity @ Work Conference <ul style="list-style-type: none"> ◦ Skills for Change • Presentation at Ryerson University <ul style="list-style-type: none"> ◦ Those seeking a career with the Service • Transgender Training <ul style="list-style-type: none"> ◦ Sharing best practices on 'transitioning in the workplace' • World Pride Human Rights Conference • Presentation to Carrol University students from Wisconsin <ul style="list-style-type: none"> ◦ How law enforcement related organizations integrate the theme of culture ◦ Applying classroom-based learning on cultural differences to off-campus setting • Service's 2014 LGBT Law Enforcement & Criminal Justice Conference • Pink Dot T.O. Conference <ul style="list-style-type: none"> ◦ Scatting Court/China Town Pride • Duty to Accommodate Conference 	<ul style="list-style-type: none"> • 300 practitioners • 30 Immigration and Settle Studies program students • 30 City of Toronto staff • 400 people • 35 students from Cross-Cultural Experience course • 450 law enforcement (global) • 75 community members • 40-50 practitioners
D&I	Support PRS in reviewing complaints through a human rights lens	<ul style="list-style-type: none"> • 42 ROI's reviewed in 2014
AODA	<ul style="list-style-type: none"> • Establish Accessibility Leadership Committee (ALC) • Develop multi-year plan and post on websites 	<ul style="list-style-type: none"> • Multi-year plan posted on internal and external websites in 2014
	Identify emerging themes and communicate issues and solutions	<ul style="list-style-type: none"> • Implement 2014/2015 • Reported annually to the Board on the Race and Ethnocultural Equity Policy report (Min. No. P170/13 refers)
	<ul style="list-style-type: none"> • Project Charter • ISN's <ul style="list-style-type: none"> • Workshops • Lunch and Learns • Diversity management initiatives/community partnerships 	

Input	Activity	Output
	Non-medical Accommodation <ul style="list-style-type: none"> • Receive & respond to requests • Develop a process to examine and explore requests • Ensure process is individualized 	<ul style="list-style-type: none"> • 47 non-medical accommodation requests submitted by members in 2014 • 38 non-medical accommodation requests submitted to date in 2015
D&I	Support TPC in delivery of human rights training Deliver training at Divisions/Units <ul style="list-style-type: none"> • Drop by Drop, focusing on micro inequities in the workplace 	<ul style="list-style-type: none"> • Approximately 500 members in 2014 • Projected at 250 members in 2015-16
	Facilitate Human Rights Training for members by external sources <ul style="list-style-type: none"> • Human Rights Investigative Training 	<ul style="list-style-type: none"> • All new UCC's and PRS investigators
Labour Relations (LBR)		
	Report on Grievances	<ul style="list-style-type: none"> • Reported semi-annually and annually to the Board (Min. No. C159/15 and P23/14 refers)
LBR	Keep statistics on all internal Human Rights Applications <ul style="list-style-type: none"> • Year to year comparison • Area of discrimination/harassment • Grounds on which complaints are based • Status of complaints • Resolution of complaints 	<ul style="list-style-type: none"> • Reported semi-annually (Min. No. C159/15 refers)
	Support TPC in delivery of training <ul style="list-style-type: none"> • Introduction to Labour Relations • Performance Appraisals • HRTO 	<ul style="list-style-type: none"> • Annual updates for: <ul style="list-style-type: none"> o UCC/PRS o All new Sergeants and Staff Sergeants
Legal Services (LSV)		
LSV	Track and Report on External Human Rights Applications <ul style="list-style-type: none"> • Year to year comparison • Area of discrimination/harassment • Grounds on which complaints are based • Status of complaints • Resolution of complaints 	<ul style="list-style-type: none"> • Reported annually to the Board (Min. No. C48/14 refers)

Input	Activity	Output
LSV	Chair Human Rights Case Review Committee <ul style="list-style-type: none"> • Ensure compliance with Code • Minimize future complaints 	<ul style="list-style-type: none"> • Meetings held monthly
Occupational Health and Safety (OHS)		
OHS	Keep statistics on all accommodation requests Receive requests for medical accommodation <ul style="list-style-type: none"> • Assess severity, duration and type of accommodation • Ensure process is individualized • Create/use standard documentation form (MED 1) • Implement and manage accommodation plans • Communication with Unit Commanders • Incorporate plan, timeline and limitations Develop Phases Rehabilitation Program <ul style="list-style-type: none"> • Allowing for accommodation plans to be managed according to therapy principles 	<ul style="list-style-type: none"> • Data to report required statistics is being collected in 2015, to be reported in September 2016 Human Rights and Accommodation Board report and annually thereafter
	<ul style="list-style-type: none"> • Pilot project now completed in Parking Enforcement 	
	Keep statistics on all accommodation requests Facilitate non-medical accommodation with members <ul style="list-style-type: none"> • Receive notification from DM on all requests, whether denied or approved. • Communicate with members to implement all approved non-medical accommodation requests 	<ul style="list-style-type: none"> • Data to report required statistics is being collected in 2015, to be reported in September 2016 Human Rights and Accommodation Board report and annually thereafter
Professional Standards (PRS)		
PRS	Keep statistics on all internal/external complaints <ul style="list-style-type: none"> • Year to year comparison • Area of discrimination/harassment • Grounds on which complaints are based • Status of complaints • Resolution of complaints 	<ul style="list-style-type: none"> • Reported annually to the Board (Min. No. P105/14 refers)

Input	Activity	Output
Professional Standards Support (PSS)		
Review procedures <ul style="list-style-type: none"> • Ensure practices relate to provisions of service and employment • Ensure practices do not result in discrimination or harassment 		<ul style="list-style-type: none"> • Every 3 years
Ensure procedures are in place for Complaint Process <ul style="list-style-type: none"> • In accordance with Part V of PSA 		<ul style="list-style-type: none"> • Currently in place
PSS	Ensure Complaint process is: <ul style="list-style-type: none"> • Clear • Accessible • Readily available • Timely • Fair • Objective • Transparent 	<ul style="list-style-type: none"> • Currently in place
Toronto Police College (TPC)		
TPC	2015 Curriculum In-Service Training – 7.5 hours <ul style="list-style-type: none"> • Human Rights specific to EDP • Human Rights, implicit/explicit bias • Clem Marshall decision • PACER recommendations • Investigative training specific to Human Rights • Human Rights scenarios and debrief Advanced Leadership Course – 4.5 hours <ul style="list-style-type: none"> • Human Rights 101 review • Complaint Trends • Human Rights scenarios and debrief • Customer Service • Service Procedures 13-14 and 14-19 	<ul style="list-style-type: none"> • Mandatory for all police officers trained in 2015 • Mandatory for all new Staff Sergeants

Input	Activity	Output
TPC	AODA – Integrated Accessibility Standards – 1 hour 30 minutes <ul style="list-style-type: none"> • CPKN (eLearning) • Mandatory 	<ul style="list-style-type: none"> • All Service Members complete by the end of 2015
	Auxiliary Officer Course – 3 hours <ul style="list-style-type: none"> • Human Rights 101 • Human Rights scenarios and debrief • Mandatory 	<ul style="list-style-type: none"> • Auxiliary officers annually
	Coach Officer Course – 3 hours <ul style="list-style-type: none"> • Human Rights 101 • Customer Service • Role Playing • Human Rights scenarios and debrief • Elective 	<ul style="list-style-type: none"> • Senior PRU officers annually
	Crime Prevention Course – 1.5 hours <ul style="list-style-type: none"> • Human Rights 101 • Trends • Elective 	<ul style="list-style-type: none"> • Community Response officers annually
	Ethics & Inclusivity in the Workplace (civilian) – 3 hours <ul style="list-style-type: none"> • Human Rights 101 • Complaint Trends • Non-medical Accommodation • Human Rights scenarios and debrief • Elective 	<ul style="list-style-type: none"> • Civilian members annually
	Ethics & Inclusivity in the Workplace (uniform) – 3 hours <ul style="list-style-type: none"> • Human Rights 101 • Complaint Trends • Non-medical Accommodation • Human Rights scenarios and debrief • Elective 	<ul style="list-style-type: none"> • Uniform members annually

Input	Activity	Output
TPC	Ethics in Policing (dispatchers) – 3 hours <ul style="list-style-type: none"> • Human Rights 101 • Bias-free policing • Elective drop-in session 	<ul style="list-style-type: none"> • Dispatchers
	Ethics in Policing (uniform) 0.5hrs <ul style="list-style-type: none"> • Human Rights 101 	<ul style="list-style-type: none"> • PRU officers (especially TAVIS) • Elective
	Fair and Impartial Policing – 1 day (Outsourced) <ul style="list-style-type: none"> • Signs of bias • Racism • Implicit vs explicit bias • Profiling • Case studies, Group/Interactive work • Mandatory 	<ul style="list-style-type: none"> • All Senior Officers and Civilian Managers
	Fair and Impartial Policing – 2 days (Outsourced) <ul style="list-style-type: none"> • Signs of bias • Racism • Implicit vs explicit bias • Profiling • Case studies, Interactive work • Mandatory 	<ul style="list-style-type: none"> • All Command Officers & Senior Management Team
	Fair and Impartial Policing – Train the Trainer – 3 days <ul style="list-style-type: none"> • Instruction on delivering FIP training to members • Elective 	<ul style="list-style-type: none"> • 30 police officers completed train-the-trainer
	Front Line Supervisor Course – 1.5 hours <ul style="list-style-type: none"> • Human Rights 101 • Customer Service • Human Rights scenarios and debrief • PACER • Fair and Impartial Policing • Mandatory for newly promoted Sergeants 	<ul style="list-style-type: none"> • All newly promoted Sergeants annually

Input	Activity	Output
<p>General Investigators Course</p> <p>Death Investigators Course</p> <p>Child Abuse Course</p> <p>Sexual Assault Course</p> <p>Sexual Assault Update Course</p> <ul style="list-style-type: none"> No specific Human Rights Training, however woven into these courses is the importance of respecting Charter rights, accommodation special needs, respecting customs and religion, bias free investigations. 	<p>Lateral Entry Police Constable Class – 6 hours</p> <ul style="list-style-type: none"> Human Rights 101 Procedures 13-14 and 14-19 Customer Service Human Rights scenarios and debrief Accommodation AODA PACER Fair and Impartial Policing LGBTQ 	<ul style="list-style-type: none"> Investigators All Sworn Police Officers transferring in from other Ontario Police Services annually All Service officers who have been off the road for an extended time annually
<p>TPC</p>	<p>Organizational Development Course – 3 hours</p> <ul style="list-style-type: none"> Human Rights 101 Human Rights scenarios and debrief Elective 	<ul style="list-style-type: none"> Primary Response Officers annually
	<p>Overview of Human Rights Training and Education</p>	<ul style="list-style-type: none"> Annual Report describes all training delivered by TPC (Min. No. P142/14 refers)
	<p>Police Services Act Course – 4 hours</p> <ul style="list-style-type: none"> Human Rights 101 Review Procedure 13-14 Bill 188 Human Rights Case Study HRTD Mandatory for new Unit Complaint Coordinator's and those transferring into PRS 	<ul style="list-style-type: none"> Police officers annually, including: <ul style="list-style-type: none"> Unit Complaint Coordinators Members of PRS

Input	Activity	Output
	<p>Recruit Training – Post OPC – 4.5 hours</p> <ul style="list-style-type: none"> • Human Rights 101 review • Procedures 13-14 and 14-19 • Human Rights scenarios and debrief • Accommodation • AODA • Fair and Impartial Policing • PACER • LGBTQ 	<ul style="list-style-type: none"> • Mandatory for all new uniform hires
TPC	<p>Recruit Training – Pre OPC – 4.5 hours</p> <ul style="list-style-type: none"> • Human Rights • Invisible Disabilities • OHRC <p>Staff Development Day – Black Racism</p> <ul style="list-style-type: none"> • Academic panel • Workshops • Personal experiences • Elective 	<ul style="list-style-type: none"> • Mandatory for all new uniform hires • All members who instruct at TPC

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P237. ANNUAL REPORT: 2014 TORONTO POLICE SERVICES BOARD
SPECIAL FUND – ANNUAL SPECIFIED PROCEDURES REPORT**

The Board was in receipt of the following report August 14, 2015 from Andy Pringle, Chair:

Subject: TORONTO POLICE SERVICES BOARD SPECIAL FUND – ANNUAL
SPECIFIED PROCEDURES REPORT FOR THE YEAR ENDED DECEMBER
31, 2014

Recommendation:

It is recommended that the Board receive the annual Specified Procedures Report, performed by Price Waterhouse Coopers LLP.

Financial Implications:

There are no financial implications associated with the recommendation contained in this report.

Background/Purpose:

Attached is the Specified Procedures Report which provides results of the audit of the Police Services Board Special Fund, for the year ended December 31, 2014. The audit is performed by independent external auditors, to assist the Board in evaluating the application and disbursement procedures and processes related to the Special Fund.

It was determined that an audit that assesses the Special Fund procedures and processes is a more useful approach, as it tests the degree to which the Board is adhering to its policy governing the Special Fund.

The 2014 audit included a review of Special Fund disbursements, bank statements, bank deposits, disbursements that are an exception to the policy, account balance, record keeping, signatories, etc. The audit revealed that the Board is in compliance with the administrative processes as outlined in the Board's Special Fund Policy.

A copy of the auditor's findings is attached to this report.

Conclusion:

Therefore, it is recommended that the Board receive the annual Specified Procedures Report, performed by Price Waterhouse Coopers LLP.

The Board received the foregoing report.

Moved by: C. Lee



July 31, 2015

To the Toronto Police Services Board:

We have performed the procedures agreed with you and enumerated in Appendix 1 to this report with respect to the Toronto Police Services Board Special Fund (TPSB Special Fund). The procedures were performed solely to assist you in evaluating the application and disbursement procedures and processes related to the TPSB Special Fund for the year ended December 31, 2014.

As a result of applying the procedures detailed in Appendix 1, we set out our findings in our report attached as Appendix 2.

Because the above procedures do not constitute an audit of the account balances or transactional activity within the TPSB Special Fund as at and for the year ended December 31, 2014, we express no opinion on these account balances as at December 31, 2014 or the transactional activity for the year ended December 31, 2014. Had we performed additional procedures or had we performed an audit of the account balances and transactional activity of the TPSB Special Fund, other matters might have come to our attention that would have been reported to you.

This report has been prepared solely for the use of the Toronto Police Services Board, and should not be used by anyone other than this specified party. Any use that a third party makes of this report, or any reliance or decisions made based on it, are the responsibility of such third party. We accept no responsibility for any loss or damages suffered by any third party as a result of decisions made or actions taken based on this report. This report relates only to the items specified above and does not extend to any financial statements of TPSB Special Fund taken as a whole.

PricewaterhouseCoopers LLP

Chartered Professional Accountants, Licensed Public Accountant

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PwC refers to PricewaterhouseCoopers LLP, an Ontario limited liability partnership.



Appendix 1: Specified Procedures

Application and disbursement procedures

Haphazardly select 25% of the number of annual disbursements (cheques) from the Toronto Police Services Board Special Fund (TPSB Special Fund) general ledger and:

1. Ensure that Board approval has been obtained for the disbursement
2. Ensure that the cheque amount agrees to the approved amount, and that such amount is recorded in the TPSB Special Fund general ledger (book of accounts)
3. Ensure that a Board report which includes an overview of the funding proposal is submitted to the Board for approval in accordance with the TPSB Special Fund Policy
4. Ensure that the cheque is signed by the appropriate signatories in accordance with the TPSB Special Fund approval guidelines and policies

General procedures

5. Haphazardly select ten disbursements from the TPSB Special Fund and ensure that the funding is provided prior to the date of the event/activity, as specified in the funding application
6. Haphazardly select six bank statements and ensure that the account balance does not fall below \$150,000 during the period covered by the statement, as set out in the TPSB Special Fund Policy
7. Request the Board office to provide a listing of disbursements which were exceptions to the policy, and ensure that the Board approved the disbursement despite the exception by reference to the Board minutes
8. Haphazardly select ten deposits within the bank statements and ensure that they are from authorized revenue sources as allowed by the Police Services Act



Appendix 2: Findings

1-4. We haphazardly selected 23 disbursements from the TPSB Special Fund bank statements for testing, itemized below, for the year ended December 31, 2014, representing 25% of the total number of annual disbursements for the year ended December 31, 2014.

For each disbursement selected, we completed procedures 1 through to 4 and have noted no exceptions.

Disbursements (cheque numbers)						
913	915	917	919	920	932	935
940	941	947	950	961	965	962
973	975	976	982	983	984	989
994	1006					

5. We haphazardly selected ten disbursements, itemized below, from the TPSB Special Fund bank statements and ensured that the funding was provided prior to the date of the event/activity, as specified in the funding application.

For each disbursement selected, we have noted no exceptions.

Disbursements (cheque numbers)				
913	919	932	935	941
950	962	975	976	989

6. We haphazardly selected six bank statements of the TPSB Special Fund, itemized below, and ensured that the account balance did not fall below \$150,000 during the period covered by the statement, as set out in the TPSB Special Fund Policy.

We have noted no exceptions as a result of completing this procedure.

Monthly Bank statements		
January 2014	March 2014	June 2014
July 2014	September 2014	October 2014

7. Based on enquiry of Etheline Komoseng (Executive Assistant to the Chair, Toronto Police Services Board) & Joanne Campbell (Executive Director, Toronto Police Services Board), there were five exceptions to the policy, itemized below, during the year ended December 31, 2014. We have reviewed the minutes to the Board meeting outlining the exception and have no further exceptions to report.



The following are exceptions as they do not fall into one of the five approved categories according to the Toronto Police Services Board Special Fund policies:

Exceptions to the Policy	
Description	Board minutes reviewed
Ontario Association of Police Services Board - costs to support the 2014 OAPSB Conference	BM#P97/2014
Canadian Association of Police Governance Annual Conference	BM#P149/2014
Carleton University - to support Carleton University's Social Sciences and Humanities Research Project, Sustainability of Public Policing	BM#P293/2012 & P94/2014
Ontario Association of Police Services Board - funding to OAPSB's cost of coordinating bargaining	BMC306/13
Multiple payments to LogicalOutcomes Canada for consulting services rendered for conducting a community satisfaction survey	BM#P153/2014

8. We haphazardly selected ten deposits to the TPSB Special Fund, itemized below, and ensured that they were from authorized revenue sources as allowed by the Police Services Act.

We have no exceptions to report as a result of completing this procedure.

Deposit Date	Revenue Source
January 17, 2014	Unclaimed Cash
January 28, 2014	Unclaimed Cash
June 25, 2014	Unclaimed Cash
June 25, 2014	Unclaimed Cash
July 17, 2014	Unclaimed Cash



Deposit Date	Revenue Source
July 17, 2014	Police Auction Proceeds
September 15, 2014	Police Auction Proceeds
November 13, 2014	Unclaimed Cash
November 13, 2014	Unclaimed Cash
November 17, 2014	Police Auction Proceeds

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

#P238. FINAL UPDATE: REPORT BY THE HONOURABLE JOHN W. MORDEN – INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO THE G20 SUMMIT

The Board was in receipt of the following report August 24, 2015 from Andy Pringle, Chair:

Subject: FINAL UPDATE: REPORT BY THE HONOURABLE JOHN W. MORDEN -
*INDEPENDENT CIVILIAN REVIEW INTO MATTERS RELATING TO THE G20
SUMMIT*

Recommendations:

It is recommended:

1. THAT the Board receive this report as the final update with respect to the implementation of the recommendations contained in the Independent Civilian Review into Matters Relating to the G20 Summit Report; and
2. THAT the Chair, in consultation with the Chief, develop a comprehensive policy on crowd control at mass demonstrations for the Board's consideration.

Financial Implications:

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

Background/Purpose:

The Board, at its meeting of July 19, 2012, received the report from the Honourable John W. Morden entitled "Independent Civilian Review Into Matters Relating to the G20 Summit," (the ICR) and approved a number of recommendations with respect to the implementation of the recommendations and the creation of a working group to review and propose changes to Board rules, practices and policies (Min. No. P166/12 refers).

Since this time, the Board has approved and amended a number of policies as a result of recommendations contained in the ICR. There have also been changes to Board practices as well as the relationship amongst Board members and between the Board and the Chief. Indeed, the ICR has been the impetus for the development of a new approach and perspective with respect to the role of the Board.

The purpose of this report is to provide a final status update regarding the implementation of the ICR recommendations.

Discussion:

The ICR recommendations have resulted in newly developed policies and amendments to existing policies, as well as the implementation of several initiatives, which have helped to further define the Board's role in ensuring adequate and efficient policing during organizationally significant special events and have aided both the Board and the Chief of Police to establish improved communication amongst Board Members and between the Board and Chief.

In considering the ICR recommendations the Board also reviewed the report entitled, "Policing the Right to Protest" authored by Mr. Gerry McNeilly, Office of the Independent Police Review Director (OIPRD). The OIPRD report included 42 recommendations some of which overlapped significantly with the ICR recommendations. Board policies such as Designated Special Events, Mass Detention Centres, Name Badges, and Board Members: Communication and Information-Sharing, to name a few, which resulted from the ICR recommendations, are applicable to 19 of the 42 recommendations contained in Mr. McNeilly's report. An additional 8 OIPRD recommendations concerning crowd control at mass demonstrations could be addressed through the development of a policy as proposed in recommendation 2 of this report.

In addition to Mr. McNeilly's report, the Board also considered the Toronto Police Service "After Action Review" report, presented to the Board on July 21, 2011, by then Chief of Police William Blair (Min. No. P177/11 refers). The Chief's report focused on planning, training, security, prisoner management and public information and included 15 recommendations, some of which mirrored the ICR and OIPRD recommendations and which the Chief was to address through internal practices and Service Procedures.

Appended to this report is a chart labelled Appendix A, which details all 38 ICR recommendations and provides information about the status of each recommendation. The chart also cross references ICR recommendations to 27 applicable OIPRD recommendations, (1, 2, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 18, 20, 21, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 37 and 39), most of which have been addressed through the implementation of ICR recommendations. To date, the Board has fully implemented 34 of the 38 ICR recommendations, one recommendation has been partially implemented and three recommendations have not been implemented. The chart includes explanatory notes for the recommendations that have not been fully implemented. These recommendations are grey shaded for ease of reference.

Conclusion:

The ICR recommendations have been implemented by way of Board policies and operationalized where warranted by Service procedures. The principles found in the ICR have been incorporated into the way in which the Board now conducts its business, especially in relation to policing major events.

Therefore, it is recommended that, subject to the development of a comprehensive policy on crowd control at mass demonstrations, the Board receive this report as the final update report regarding the implementation of the ICR recommendations and the Board notes that this report concludes the work the Board has undertaken to implement Mr. Morden's recommendations.

On behalf of the Board, I would like to thank Mr. Morden for this extremely important work.

The Board thanked Mr. Morden for his work and approved the foregoing report.

Moved by: J. Tory

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
1	The Board, the Chief of Police, and the Ministry of Community Safety and Correctional Services should engage in consultation with a view to devising a method of improving the general nature and quality of Board policies made under O. Reg. 3/99 and otherwise.	Implemented Letter to Minister of MCSCS dated January 2013 inviting consultation to explore changes to the policy process. Ministry established policy working group which reported out through the Ministry's Future of Policing Advisory Committee.		
2	All Toronto Police Service procedures and processes should be filed with the Board as a necessary step to strengthen the exercise of its monitoring and oversight responsibilities.	Implemented Filing of Toronto Police Service Procedures. Board, Min. No P5 – January 16, 2014		
3	The Board should have its own counsel whose legal services are not available to either the Toronto Police Service of the City of Toronto	Not Implemented The Board will continue to retain the services of City of Toronto–Legal Services Division. Board Min. No. P248/12		
4	The Board and the Toronto Police Service should ensure that an open exchange of information on all matters of operations and policy is established and maintained. The purpose of this information exchange is to ensure that both the Board and the Toronto Police Service are aware of the details necessary to engage in consultation concerning Board policies and Toronto	Implemented Chair to ensure Board in-camera agendas provide time for information exchange.		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	Police Service operational mandates.			
5	The Board should, in consultation with the Toronto Police Service, draft a policy that defines what will constitute a “critical point” in municipal policing and identifies criteria that will be applied in determining when a “critical point” has arisen. This policy will assist both the Board and the Chief of Police in determining when operational information should be provided to the Board in advance of the “critical point.”	Implemented Designated Special Events Policy. Board Min. P186/15		
6	The Board should determine appropriate objectives, priorities, and policies for major events, operations, and organizationally-significant issues in which the Toronto Police Service will be involved	Implemented Designated Special Events Policy. Board Min. P186/15	1	Governments and police services should ensure that joint security events are given adequate planning and preparation time. In particular: -Policies & procedures should be developed by police entities so that they can be modified as required and quickly -Allow sufficient time for input from public & police -Police should incorporate contingency plans into overall policing plans.
7	Board to negotiate framework for funding conditions. In all cases where the Toronto Police Service will be involved in policing and security for a major event, the Board should, at a minimum, negotiate a framework funding agreement with the entity requiring the Toronto Police Service’s assistance. This agreement should set out the funding and reimbursement conditions with respect to the Toronto	Implemented Designated Special Events Policy. Board Min. P186/15		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	Police Service's expenses associated with planning and policing the event.			
8	Board involvement in consultation Where the Board learns of the potential for Toronto to be selected as the host city for an event sponsored by the federal or provincial government, the Board should make a formal request that it be consulted, in advance of final decisions being made, on matters relevant to the Toronto Police Service's policing function at the event. In particular, the Board should request information that will enable it to understand the Toronto Police Service's role at the event, the legal framework applicable to the event's policing and other relevant matters.	Implemented Designated Special Events Policy. Board Min. P186/15		
9	Confirmation concerning Toronto Police Service's planning process. The Board should request regular updates concerning the progress of the Toronto Police Service in planning for the policing of a major event. In particular, the Board should seek information from the Toronto Police Service about (i) what mechanisms exist to capture, during the planning process, the input of those who will have operational decision-making responsibilities during the event and (ii) what testing of the operational plans will be conducted before the event.	Implemented Designated Special Events Policy. Board Min. P186/15		
10	Where the Toronto Police Service is required to develop operational plans for a major event, the Board should consult with	Implemented Designated Special Events	1	See ICR #6

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	the Chief of Police to determine whether there is a sufficient amount of time available for proper planning and, specifically, whether the adequacy and effectiveness of policing for the event may be compromised by the time available to plan.	Policy. Board Min. P186/15		
11	The Board should be informed, as soon as practicable, where a reasonable possibility exists that the Toronto Police Service may be involved in the policing of a major event hosted by a government entity. The Board should seek information and clarity concerning the proposed decision-making structure and process related to the policing of the event.	Implemented Designated Special Events Policy. Board Min. P186/15		
12	Where the RCMP will be involved in an international event for which security arrangements are required, including the participation of the Toronto Police Service, the Board should encourage the federal and provincial governments to enter into an arrangement under section 10.1(4) of the <i>Foreign Missions and International Organizations Act</i> .	Implemented Arrangement with RCMP for International Events Policy. Board Min. No P31/12		
13	Where the Toronto Police Service is involved in a joint operation related to the policing of a major event, the Board should be provided with detailed information and briefings concerning the planning structure, including information regarding the Toronto Police Service's role in that structure and whether planning decisions by	Implemented Designated Special Events Policy. Board Min. P186/15		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	the Toronto Police Service are subject to the approval of any other entity.			
14	The command and control structure for the policing of a particular event has a direct impact on the manner in which police services will be delivered. When the Toronto Police Service is involved in a multi-jurisdictional policing event in Toronto, the Board shall require information from the Chief of Police concerning the command and control structure for the event. The Board shall also ensure that the command and control structure will enable the Toronto Police Service to adequately and effectively provide police services for the event and for the City of Toronto generally.	Implemented Designated Special Events Policy. Board Min. P186/15	2	The Toronto Police Service (TPS) should develop policies & procedures regarding any agreements entered into with other police services for any future integrated project, regardless of its size. These policies and procedures should be developed early in the planning process. The focus must be on the authority, structure, roles, strategic, operational, and tactical processes, and implementation.
15	Properly recording discussion and information provided during Board meetings is critical. It ensures that an accurate record of the questions asked and decisions or recommendations made is preserved. The Board should institute a practice of audio recording all confidential Board meetings.	Not Implemented - City Legal opinion, Jan 2, 2013 Written minutes will continue to be taken at all confidential meetings. Audio recording is not operationally feasible and is cost prohibitive.		
16	The Board should develop a mechanism that requires canvassing all members in advance of these briefings to identify questions or requests for information that can be conveyed by the Chair during the briefings.	Implemented Executive Director will communicate with all Board Members prior to scheduled monthly Board meetings,		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
		advising/inviting them to attend scheduled agenda briefing session with the Chair, Chief and staff. In addition, Board members are encouraged to submit any questions/issues related to the agenda for E.D's follow-up and response prior to the Board meeting. Board Min. No. P242/12		
17	The Board should develop a policy that sets guidelines for the exchange of information between Board members. Under this policy all Board members would be required to share, at the earliest opportunity, information he/she receives through informal communications with the Chief on a particular matter or issue that is before the Board or that otherwise falls within the Board's statutory role and responsibilities.	Implemented Board Members: Communication and Information Sharing. Board Min. No. P41/14		
18	Where time is of the essence and the Board decides to suspend or alter its usual procurement practices, the Board should establish a process that will ensure it receives relevant information from the Toronto Police Service regarding the purpose and justification of all expenditures.	Implemented Designated Special Events Policy. Board Min. P186/15		
19	The Board should be involved in the negotiation of contribution agreements pertaining to the Toronto Police Service's	Implemented Designated Special Events		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	involvement in a policing event	Policy. Board Min. P186/15		
20	<p>Board policies and Toronto Police Service procedures should apply to police personnel seconded to assist the Toronto Police Service in a joint operation.</p> <p>In that regard, the Board should provide its policies and the Toronto Police Service procedures to the home police services board so that it can help ensure that its officers are familiar with these policies and procedures. If external police officers violate Board policies or Toronto Police Service procedures while carrying out their duties in assisting the Toronto Police Service, the home board or their complaints and disciplinary oversight body should have the authority to discipline those officers, thereby avoiding any jurisdictional dispute between the Board and the home boards.</p>	<p>Not Implemented</p> <p>Legal opinion received raised concerns from a legal and practical perspective with respect to the feasibility of implementing this recommendation.</p> <p>- City Legal opinion, Jan 2, 2013</p>		
21	<p>The Board should receive information related to the training of Toronto Police Service officers and other external officers seconded to assist the Toronto Police Service with policing a major event. The information the Board receives should permit it to determine whether the training accords with the Board's existing policies and give the Board an opportunity to identify any gaps in its policies that need to be addressed prior to the event.</p>	<p>Implemented</p> <p>Designated Special Events Policy. Board Min. P186/15</p>		
22	<p>Where there is a large event that may impact upon the Toronto Police Service's</p>	Implemented		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	ability to deliver regular policing officers in Toronto, the Board should consult with the Chief of Police concerning how continuity of service can be achieved. The Board should be provided with any plans developed by the Toronto Police Service to aid in the consultation.	Designated Special Events Policy. Board Min. P186/15		
23	The Board should amend its existing information sharing protocol with City Council to include a mutual information sharing mechanism. This mechanism should address the type of information to be shared and the method and frequency for sharing such information. The Board should also work with City Council to develop a protocol that ensures there is a free flow of communication to and from the Board and City Council with respect to the policing of major events.	Implemented City Council Protocol Board Min. P72/13		
24	The Board should, with the assistance of the Ontario Association of Police Services Boards analyze the issues and concerns raised with respect to sharing confidential or classified information	Partially Implemented Correspondence to OAPSB dated August 2012, requesting they examine and propose solutions to sharing of sensitive information.		
25	The Board should develop a specific information-sharing policy tailored specifically for major policing events. The policy should include a direction concerning the manner and frequency in which the information should be provided to the Board.	Implemented Designated Special Events Policy. Board Min. P186/15		

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
26	<p>The Toronto Police Service should share information with the Board on the training being developed for officers participating in a major event. This information should include: the topics to be covered, an overview of the general content, and any potential issues or concerns raised regarding the sufficiency of the training materials. The Board should examine the information provided with a view to maximizing the overall effectiveness of the training materials and ensuring that the materials properly reflect existing Board policies. This examination should include an assessment of the methods of delivery of the training (e.g. Elearning, practical exercises, etc.).</p>	<p>Implemented</p> <p>Designated Special Events Policy. Board Min. P186/15</p>	12	<p>Police services should review and revise specific training regarding the policing of large protests and applicable police powers. This training should be implemented as part of the general continuing education of officers. The training should include a clear understanding of parameters of a legal protest and the rights of protesters. Although police must train and be prepared for possible violence, training should not depict all protesters as violent and confrontational.</p>
			13	<p>Police services should provide practical training to equip officers with the skills to facilitate peaceful protest, including de-escalating potentially violent situations and communicating effectively in challenging situations. That should be the police officers' primary goal.</p>
			14	<p>The Toronto Police Service and all other Ontario police services must provide refresher training on its policies regarding use of level 3 or "strip" searches to ensure that its policies are followed.</p>
			15	<p>Officers should be provided with refresher training in the legal parameters of their authorities to stop and search protests, and the legal authorities to detain and arrest.</p>
			16	<p>If, in future, the Toronto Police Service polices a large event using the Incident Command Management System, it should ensure that officers</p>

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
			18	in charge of the command system are well trained in managing large-scale protests and it should train all those working in the command system, especially regarding their roles and responsibilities.
			39	If multiple police services are to work together under the same Incident Command Management System structure, training should be a cooperative effort. Those who will be working together in the system should train together.
				Following large events and protests, police services should debrief officers and discuss what worked or did not work areas of concern, or best practices. This feedback will help to improve policies and training plans for future events.
27	The Board, with the assistance of the Ontario Association of Police Services Boards and other bodies that would be of assistance, should prepare a comprehensive policy on crowd control at mass demonstrations. This policy should address the following subject matters, among others: necessary preparation times for adequate planning; command structures; the organization and dissemination of intelligence; incident management systems; the adaptation, if necessary, of existing services procedures for use during the contemplated event; and training.	Pending - Chair to consult with Chief regarding the developing of a crowd control at mass demonstration policy	20	Police services should ensure that, before police take action to make mass arrests or arrests involving extractions from a crowd of protesters, loud and clear warnings are given and enough time allowed for protesters to comply with any police direction. Before any major protests begin, the Toronto Police Service should tests its public announcement systems to ensure that public announcements can easily be heard by all who attend the event.
			21	The Toronto Police Service should develop policies for dealing with breaches of the peace at large protests. The objective should be to remove people from the scene of the protest and to restore the peace. The TPS policies should include criteria to determine when to arrest for breach of the peace, and, in the case of mass arrests, criteria to determine

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS	STATUS	OIPRD RECOMMENDATIONS
		<p>the length of detention. In any event, a detention for breach of the peace should not exceed 24 hours.</p> <p>22 Reorganize their policies and procedures. During any containment procedure, all officers must be authorized to use their discretion to allow access and egress, trusting their own judgment and experience when necessary.</p> <p>23 The use of containment tactics should also be closely linked to the intelligence information police have received. The police must have reasonable grounds to believe that the protesters being contained are actually causing a disturbance or likely to cause a disturbance elsewhere. Innocent bystanders and non-violent protesters (where they can be identified) must be allowed to filter out. Containment should continue only for as long as absolutely necessary, and the well-being of those contained must be given as much consideration as possible.</p> <p>25 Police services should recognize that containment must not be used for purposes of effecting mass arrests but must only be used for temporary crowd control to ensure that the peace is kept.</p> <p>30 All police services that have public order units should continually review their tactics for maintaining public order. These tactics should enable them to respond effectively to existing protester actions or evolving actions that may be employed at major events or events of mass</p>

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
			31	disorder. Police services that have public order units should look into developing POU uniforms to permit the officers enough mobility to allow them to respond quickly. The existing hard tac gear does not permit officers to move with sufficient agility. It should be possible to develop a uniform that offers much of the protection of hard tac while providing the mobility of soft tac.
			37	The public needs to take responsibility for working/cooperating with police security organizations, especially when requested to relocate during incidents that appear to be bordering on danger or violence. It is recommended that police ensure that the public be informed of the reason to relocated before employing police security procedures. Thereafter the public must be aware that they are subject to police action.
28	The Board should express its policy on the wearing of name badges and/or police badge numbers in its standard policy format and include it in its catalogue of policies. The policy should require the chief of police to report to the Board on a regular basis concerning incidents of non-compliance with the policy.	Implemented Name Badges. Board Min. P284/12	10	The Toronto Police Service and other Ontario police services should ensure that the names and badge numbers of officers at public order events are displayed prominently on outer clothing and helmets at all times. This requirement should include hard tac equipment. Senior officers should also be accountable for enforcing the policy. Where major events involve more than one police service security planning for the event should include an agreement among the police services that name badges will be used by all officers no matter what policy the individual police services have in place.

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
29	The Board should make a policy on the process governing the seeking of changes to legislation on the provision of police services. Under this policy, the Chief of Police should be required to advise the Board when the Chief of Police is of the opinion that the current legislative powers are not sufficient for the purposes of carrying out any police responsibilities or otherwise should be amended.	Implemented Process for Seeking Legislative Change Policy. Board Min. No P32/12		
30	The Board should create a policy that addresses how legislative changes that may affect policing by the Toronto Police Service will be effectively communicated to the public in advance of major events. The policy must ensure that the public receive adequate and correct information concerning police powers in a timely manner.	Implemented Designated Special Events Policy. Board Min. P186/15	32	Major events require robust communication plans. Police services in Ontario should work with the OIPRD to develop plans for improved communications. The public's support for security measures is crucial to their success. Police services should develop a detailed public communications plan for major protests that include the police's role in facilitating peaceful protest.
			33	Police chiefs and command leads should proactively communicate with the public through traditional media such as television, radio, and newspapers, as well as through non-traditional means such as social media, to address situations, to explain measures being taken, and to seek the public's cooperation. Protesters should be made aware of likely police action so that they can make informed decisions.
			34	Police services involved in large events or protests should make a greater effort to communicate policing plans to protests groups at an earlier stage of planning. As much as possible, police should

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
				develop communication strategies for protest groups that are reluctant to communicate or respond to police. Such attempts by police would go a long way to build trust and better relations.
31	The Board should create a policy governing circumstances where the Toronto Police Service is required to design and plan for a unique operational requirement, such as the PPC. The Board's policy should require that the Chief of Police ensure that major event planning specialists and other relevant experts are engaged to assist the Toronto Police Service with the development of operational plans and the design of specific processes associated with the operational plans.	Implemented Designated Special Events Policy. Board Min. P186/15		
32	Where the Toronto Police Service has created an operational plan for a major event, the Board should seek confirmation that the operational plan constitutes a complete document that addresses all potentially applicable policies and procedures. Further, where different units within the Toronto Police Service have different procedures that relate to the same matter, the Board should seek confirmation regarding how the Toronto Police Service has reconciled these different procedures.	Implemented Designated Special Events Policy. Board Min. P186/15		
33	The Board should make a policy that directs the Chief of Police to create an operational plan for a temporary mass prisoner processing centre, if such a facility is	Implemented Mass Detention Centres Policy. Board Min. P186/15	6	Recognizing that extraordinary events may lead to mass arrests in the future, police services should develop policies and procedures to deal with mass arrests, especially policies and procedures to track

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS	STATUS	OIPRD RECOMMENDATIONS
<p>required at major events are held in Toronto. The plan should address the design and processes for the facility, including procedures concerning to prisoner care and management.</p>		<p>prisoners and their belongings. In situations of mass arrests, police services should develop better methods to ensure that existing policies are followed – particularly the policies that protect the rights and dignity of the prisoners, such as access to counsel, reasonable use of a telephone, and conditions governing strip searches.</p> <p>7 Any prisoner detention facility set up specifically for a large protest event must have emergency management plans created by policing entities to provide specific instructions on what constitutes an emergency and what steps should be taken in each scenario. Every person staffing such a facility must be trained on the emergency procedures, and appropriate run-throughs should be conducted to ensure the safety and security of staff and detainees.</p> <p>8 The planning for any detention facility should include specific benchmarks or timelines for procedures. Such benchmarks should include the length of time before prisoners must be fed and the length of time physical restraints can be used.</p> <p>9 The planning for any detention facility should also specify what the physical plant should be and what the capacity is for each cell as well as designation of male, female, and youth cells.</p> <p>24 In situations where mass arrests may be anticipated, police services should prepare a workable model for transporting, booking, holding, feeding, and administering and ensuring the health and safety for</p>

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
			29	<p>an anticipated large number of prisoners.</p> <p>Police services should discontinue the use of flex cuffs, or, in the alternative, only use them in dynamic situations, such as mass arrests, and then only for a short time, replacing them with regular metal handcuffs as soon as possible. In all cases, handcuffs should be removed from prisoners who have been searched and lodged in cells unless there is good reason to continue their use.</p>
34	In situations where the Toronto Police Service must plan for a unique operational requirement, like the PPC, the Board ensure that adequate and complete policy direction is in place. The Board must ensure it is provided with relevant information, including operational information, to enable it to decide if its existing policies are adequate and to engage in an informed consultation with the Chief of Police.	Implemented Mass Detention Centres Policy. Board Min. P186/15	6, 7, 8, 9, 24 & 29	See ICR #33 for details of OIPRD recommendations.
35	Mass detention centres to be used at large policing events pose unique policy concerns and operational demands, and bears on the rights of a large number of prisoners. For these reasons, the Board should develop a specific policy pertaining to mass detention that highlights the specific procedural matters the Chief of Police should address in a related Toronto Police Service procedure on mass detention. The Board should also consult with legal and policy advisors to create a policy that is in accordance with current Canadian legal	Implemented Mass Detention Centres Policy. Board Min. P186/15	6, 7, 8, 9, 24 & 29	See ICR #33 for details of OIPRD recommendations.

Appendix A - Listing of ICR Recommendations Cross Referenced With OIPRD Recommendations

ICR RECOMMENDATIONS		STATUS	OIPRD RECOMMENDATIONS	
	standards.			
36	The Board should require that the Chief of Police's next quarterly report address the number of Level 3 searches conducted at the PPC and lack of proper documentation for many of these searches.	Implemented Reporting request approved. Board Min. No. P192/12		
37	The Board should amend Board Policy LE-016 – Prisoner Care and Control to provide that where young people may be detained in the same facility as adults specific measures are taken to guarantee compliance with the <i>Youth Criminal Justice Act, S.C. 2002, c. 1.</i>	Implemented Amendments to Prisoner Care and Control Policy. Board Min. No. P249/12		
38	The Board should amend Board Policy LE-016 – Prisoner Care and Control to provide that where male, female, transsexual, and transgendered persons are to be detained in the same facility specific measures are taken to separate completely male, female, transsexual, and transgendered prisoners.	Implemented Amendments to Prisoner Care and Control Policy. Board Min. No. P249/12		

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P239. ROLE OF THE AUDITOR GENERAL - CITY COUNCIL MOTION AND
AUDITOR GENERAL'S PRESENTATION**

The Board was in receipt of the following report August 19, 2015 from Andy Pringle, Chair:

Subject: ROLE OF THE AUDITOR GENERAL: CITY COUNCIL MOTION AND
AUDITOR GENERAL'S PRESENTATION

Recommendations:

It is recommended

1. THAT the Board receive the correspondence from City Clerk M. Toft dated June 19, 2015;
2. THAT the Chief of Police report to the November meeting with respect to the implementation of the Board's Audit Policy; and
3. THAT the Board forward a copy of this report to the City of Toronto Audit Committee.

Financial Implications:

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

Background/Purpose:

On September 12, 2013, the Board approved a recommendation that then Chair Alok Mukherjee draft an audit policy. The Board also approved that should the Board approve a policy which would contemplate the engagement of the services of the City's Internal Audit Division, such services would be charged back to the Board through an inter-departmental chargeback (Min. No. P222/13 refers).

In 2014, Chair Mukherjee, in consultation with the Toronto Police Service (the Service), the City's Audit Division, the former Auditor General and City Legal, developed an audit policy which was approved by the Board on December 15, 2014 (Min. No. P272/14 refers).

Discussion:

The Board is in receipt of correspondence dated June 19, 2015, from the City Clerk M. Toft advising that City Council has adopted a motion requesting that agencies, local boards and corporations that are outside the Auditor General's jurisdiction, allow the Auditor General (AG)

to undertake any audits she deems necessary. A copy of the City Clerk's correspondence is attached for your information.

In addition, at the Board meeting held on July 16, 2015, the AG made a presentation to the Board in which she made the following recommendations:

1. Request that, as part of her 2016 work plan, the AG review Toronto Police Service operations to independently recommend to the Board the audits that should be conducted to help support the fulfillment of the Board's Section 31(1) responsibilities
 - Audits may include confirming compliance with Board Policies and evaluating the economy, efficiency and effectiveness of Toronto Police Services operations
2. Request the AG to consider including the Toronto Police Service as part of regular City-wide audits
 - 2015 audits include: Long Term Disability, capital project management and accounts payable.
3. Request the AG to independently follow-up complaints made to the fraud or waste hotline about the Toronto Police Service to confirm, where appropriate, that risks have been addressed.

The Board approved a motion directing that the Chair in consultation with the Chief respond to the AG's recommendations at the September 17, 2015 Board meeting (Min. No. P.179/15 refers). This report is in response to City Council's motion, as well as to the AG's July 16th presentation.

Through policy, the Board adopted a multifaceted approach to fulfilling its responsibility relating to quality assurance. Provisions in the Board's Audit Policy include:

- regular reports from the Chief of Police on compliance with Board policies and directions;
- annual financial audits conducted by the City of Toronto's external auditors;
- audits requested of, and conducted by, the City of Toronto's Internal Audit Division;
- audits requested of, and conducted by, the City of Toronto's Auditor General; and
- inspections conducted by the Ontario Ministry of Community Safety and Correctional Services; or
- other audits as determined by the Board.

The Audit Policy reflects a collaborative relationship with the City of Toronto Internal Audit Division and the AG and sets out the Board's audit processes. The purpose of the policy is to assist the Board in assessing the adequacy and effectiveness of police services and compliance with the *Police Services Act* (PSA). This would be achieved through establishing a structured program for the review of Board policies, and resulting Service procedures, processes, practices and programs.

In accordance with the Audit Policy the Board can invite the AG to conduct specific audits. In the past, these have included reviews of the following; Enterprise Case and Occurrence Processing System, Revenue Controls Review, Vehicle Replacement Policy, Review of the Controls Relating to Overtime and Premium Pay, Payroll Process Review, Review of Police Training, Paid Duty System, Parking Tag Issuance Process, Review of the Investigation of Sexual Assaults, Integrated Records and Information System, Court Services Review, et cetera. As a more recent example, the Board has been advised that the AG will undertake the Board's requested audit of level 3 and 4 searches of persons.

Conclusion:

The Board and Service are in the process of establishing a structured audit program that will adhere to Board policy. The Audit Policy is fairly new and the Chief of Police has not yet had an opportunity to report to the Board on his implementation of the policy. I am recommending that the Board receive a full report on the implementation of the Audit Policy. Once the Board and Chief have had an opportunity to assess the effectiveness of the Audit Policy I will revisit the AG's proposals.

A copy of the Audit Policy is attached to this report.

The Board approved the foregoing report.

Moved by: C. Lee



COPY

Ulli S. Watkiss
City Clerk

City Clerk's Office

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Council Secretariat Support
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**In reply please quote:
Ref.: 15-AU2.8**

June 19, 2015

Dr. Alok Mukherjee
Chair
Toronto Police Services Board
40 College Street
Toronto, Ontario
M5G 2J3

Dear Dr. Mukherjee:

**Subject: Audit Committee Item 2.8
Amendments to the 2015 Audit Work Plan (Ward All)**

City Council on June 10, 11 and 12, 2015, adopted this Item as amended, and among other things, has requested those agencies, local boards and corporations that are outside of the Auditor General's jurisdiction, to allow the Auditor General to undertake any audits she deems necessary.

Yours truly,

for City Clerk

M. Toft/sb

Attachment

Sent to: Auditor General
Board of Health
Chair, Toronto Police Services Board
City Librarian, Toronto Public Library

c. City Manager

Audit Committee

AU2.8		Amended		Ward:All
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Amendments to the 2015 Audit Work Plan

City Council Decision

City Council on June 10, 11 and 12, 2015, adopted the following:

1. City Council request the City Manager to include seeking amendments to the City of Toronto Act as part of the upcoming 5 year review if necessary, which would allow the Auditor General jurisdiction to audit the Toronto Police Services Board, the Toronto Public Library Board and the Board of Health and request the City Manager to report to the Executive Committee, as part of the City of Toronto Act review, on any by-law amendments, and other implications, necessary to implement this change, if granted by the Province, respecting the independence of these boards in order to:

- a. undertake audits, inquiries and risk assessments at any of the City's agencies, local boards and corporations which are currently outside of her jurisdiction; and
- b. review any audits that have been undertaken by their Audit departments;

in order to allow those projects to be included on future Audit Work Plans.

2. City Council formally request those agencies, local boards and corporations that are outside of the Auditor General's jurisdiction, to allow the Auditor General to undertake any audits she deems necessary.

3. City Council request the Auditor General to consider amending her 2015 Audit Work Plan by selecting the Leslie Barns and connecting track as a specific significant capital project within her work plan.

4. City Council receive the Auditor General's amended 2015 Audit Work Plan, for information.

Committee Recommendations

The Audit Committee recommends that:

1. City Council request the City Manager to undertake the necessary actions, including seeking amendments to the City of Toronto Act as part of the upcoming 5-year review if necessary, which would allow the Auditor General to:

- undertake audits at any of the City's agencies, local boards and corporations which are currently outside of her jurisdiction; and

- review any audits that have been undertaken by their Audit departments,

in order to allow those projects to be included on future Audit Work Plans.

2. City Council formally request those agencies, local boards and corporations that are outside of the Auditor General's jurisdiction, to allow the Auditor General to undertake any audits she deems necessary.

3. City Council receive the Auditor General's amended 2015 Audit Work Plan, for information.

Committee Decision Advice and Other Information

Beverly Romeo-Beehler, Auditor General and Jerry Shaubel, Director, Auditor General's Office, made a presentation to the Audit Committee on this Item.

Origin

(May 2, 2015) Report from the Auditor General

Summary

The purpose of this report is to advise Audit Committee of amendments to the Auditor General's 2015 Audit Work Plan. The Audit Work Plan is being amended to reflect projects identified as a result of our recently completed City-wide risk assessment and requests made by City Council.

Appendix 1 lists projects included in the amended 2015 Audit Work Plan.

Appendix 2 lists projects selected in high priority areas and is grouped into three main categories:

1. Areas where there has been little or no audit activity from the Auditor General's Office over the past seven years.
2. Capital projects that should be considered for audit.
3. Other priority areas that should be audited.

Due to limited resources, many of these projects will remain in the backlog for several years. These projects will continue to be assessed and prioritized according to their risks.

Our risk assessment did not include restricted boards, including the Police Services Board, the Library Board and the Board of Health. The Auditor General can only undertake audit work at these Boards if she is requested by the Board.

Background Information (Committee)

(May 2, 2015) Report from the Auditor General - Amendments to the 2015 Audit Work Plan (<http://www.toronto.ca/legdocs/mmis/2015/au/bgrd/backgroundfile-79980.pdf>)

Presentation material submitted by the Auditor General
(<http://www.toronto.ca/legdocs/mmis/2015/au/bgrd/backgroundfile-80338.pdf>)

Speakers

Councillor Frank Di Giorgio



TORONTO POLICE SERVICES BOARD

AUDIT POLICY

DATE APPROVED	November 15, 2010	Minute No: P292/10
DATE(S) AMENDED	December 15, 2014* October 9, 2014	Minute No: P272/14 Minute No: P219/14
DATE REVIEWED		
REPORTING REQUIREMENT	Toronto Police Service audit work plan – annually Toronto Police Services Board audit work plan - annually	
LEGISLATION	<i>Police Services Act</i> , R.S.O. 1990, c.P.15, as amended, s. 31(1)(c). <i>Adequacy and Effectiveness of Police Services</i> , O. Reg. 3/99, s. 35	
DERIVATION		
CROSS REFERENCE	Adequacy Standards Regulation - LE-020	

The *Adequacy and Effectiveness of Police Services*, O. Reg. 3/99, stipulates that the Board and Chief of Police are responsible for implementing a quality assurance process relating to the delivery of adequate and effective police services and compliance with the *Police Services Act* and its regulations.

The Board adopts a multifaceted approach to fulfill its responsibility relating to quality assurance. It includes:

- regular reports from the Chief of Police on compliance with Board policies and directions;
- annual financial audits conducted by the City of Toronto's external auditors;
- audits requested of, and conducted by, the City of Toronto's Internal Audit Division;
- audits requested of, and conducted by, the City of Toronto's Auditor General; and
- inspections conducted by the Ontario Ministry of Community Safety and Correctional Services; or
- other audits as determined by the Board.

The purpose of this policy is to assist the Board in assessing the adequacy and effectiveness of police services and compliance with the *Police Services Act*. This would be achieved through establishing a structured program for the review of Board policies, and resulting Toronto Police Service ("Service") procedures, processes, practices and programs.

The reviews, included in the Board's audit workplan, will assist the Board in determining whether the Service is in compliance with related statutory requirements, Board policies and directions. Further, these reviews may assist in determining whether risk management activity, financial controls and Service and Board governance efforts are adequate and effective, and functioning in a manner that complies with legislation, case law, inquest findings, inquiry findings, and Ministry of Community Safety and Correctional Services' guidelines.

Therefore, it is the policy of the Toronto Police Services Board that:

1. The Chief of Police will ensure that the Service's financial statements are verified by an annual audit conducted by the City of Toronto's external Auditor as identified in section 139 of the *City of Toronto Act, 2006*;
2. The Chief of Police will establish an internal quality assurance process to ensure that operational, management, training and financial controls are established and maintained to ensure compliance with Service procedures and with Board policies and to ensure that they remain consistent with case law, inquest findings, inquiry findings, legislation and Ministry of Community Safety and Correctional Services' guidelines;
3. The Chief of Police will prepare, using appropriate risk-based methodology, an annual quality assurance work plan which will identify and prioritize audits to be conducted. The plan will identify inherent risks, resource requirements and the overall objectives for each audit and the work plan will be reported to the Board at a public or a confidential meeting as deemed appropriate
4. The Chief of Police will ensure that members of the Service engaged in audit processes have the knowledge, skills, abilities and accreditations, as may be required, to perform their duties;
5. The Chief of Police will provide an annual report to the Board with the results of all audits and will highlight any issues that in accordance with this policy will assist the Board in determining whether the Service is in compliance with related statutory requirements, and issues that have potential risk or liability to the Board and/or to the Service.

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

6. In addition to the annual quality assurance workplan prepared by the Chief, the Board may, in consultation with the City of Toronto Internal Audit Division or the Auditor General, as may be appropriate, and in consultation with the Chief of Police, request external audits to be conducted on matters of concern to the Board;
7. The Board may request that the City of Toronto Auditor General conduct audits that typically address systemic organizational issues or issues of an emergent nature that are of significant public interest. In addition, the Auditor General may independently recommend to the Board, audits to be conducted by the Auditor General. The Board, in consultation with the

Chief, through a service-level agreement, may engage the City of Toronto Internal Audit Division to conduct audits respecting adherence by the Board and Service to specific Board policies and relevant legislation. The Board may include, in its annual operating budget request, sufficient funds to procure external auditing services;

8. The Board will provide a public report containing its annual audit work plan; and
9. Upon the conclusion of each of its audits, the Board will provide a report which will address the following:
 - assessment of the adequacy and effectiveness of the Service's or Board's processes in the areas stated in the audit plan;
 - identification of significant issues related to the processes of the Service or the Board, including recommended improvements to those processes; and
 - updates where necessary on the status and results of the audit plan and the sufficiency of the Board's audit resources.
10. Reports with respect to audits conducted on behalf of the Board, will consider, but not be limited to, whether:
 - Operational and financial risks are appropriately identified and managed;
 - The appropriate levels of internal control exist within the Service;
 - Financial, management, and operational information provided to the Board is accurate, reliable, and timely;
 - Staff and management actions are in compliance with policies, procedures, contracts, laws, and regulations;
 - Resources are acquired economically, used efficiently, and adequately protected;
 - Programs and their objectives are achieved;
 - Quality and continuous improvement are encouraged in the Service's control processes; and
 - Significant legislative or regulatory issues affecting the Service are recognized and addressed appropriately.

**This policy supersedes any Audit Policy prior to December 15, 2014.*

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P240. REQUEST FOR A REVIEW OF A COMPLAINT INVESTIGATION
PERTAINING TO THE SERVICE PROVIDED BY THE TORONTO
POLICE SERVICE – PROFESSIONAL STANDARDS CASE NO. PRS-
057662**

The Board was in receipt of the following report July 18, 2015 from Mark Saunders, Chief of Police:

Subject: REQUEST FOR A REVIEW OF A COMPLAINT INVESTIGATION
PERTAINING TO SERVICE PROVIDED BY THE TORONTO POLICE
SERVICE - PROFESSIONAL STANDARDS CASE NUMBER PRS-057662

Recommendations:

It is recommended that:

- (1) the Board receive the complaint summarized in this report;
- (2) the Board determine whether to concur with the decision that no further action be taken with respect to the complaint; and
- (3) the complainant, the Independent Police Review Director and I be 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 Toronto Police Services Board has received a request to review the disposition of a complaint about service provided by the Toronto Police Service (the Service).

Legislative Requirements:

Section 63 of the *Police Service Act* (PSA) 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.

Review by Board:

Section 63 of the PSA 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

Nature of Complaint and Discussion:

At 08:30 a.m. on December 19, 2014, the complainant returned to where he had parked his vehicle overnight on the street and discovered that the vehicle was missing and contacted the Service to report the theft.

An officer attended a short time later and a stolen vehicle occurrence was completed.

On December 29, 2014, the complainant's brother, who was the registered owner of the vehicle, received correspondence from the Service informing him that his vehicle had been towed on December 19, 2014, and was being stored at a local towing company.

The complainant filed a complaint with the Office of the Independent Police Review Director (OIPRD) stating in part that:

I then get a letter in the mail on Dec 29th that Abrams Towing had the intent to sell the truck as no one has picked it up. I call and they say "the police have to tell you within 24 hours they have towed the truck, we send out letters once a week" the bill is \$2800.00. Too bad.

...the bill should be 1,107.29 plus tax as my vehicle is not 13,000 lbs...I end up paying this.

The vehicle was towed as the plates had been removed (by my brother) without telling me. It was correctly towed.

I would like to be repaid for the 10 days of storage that did not have to occur (I would have picked it up the same day had I known it was towed). I have also missed jobs, useless to me now tools I have bought I can't return. Large labour increases due to no work truck...

I am looking for 10 days of storage at around \$70 a day (the truck was at the lot of 11

days and 11 hours per the bill in front of me) and other expenses. Two thousand is fair and does not cover my expenses.

The OIPRD classified this complaint as a service complaint and on January 27, 2015, assigned the matter to the Service for investigation.

The investigator concluded the investigation on May 12, 2015, with the recommendation that no action was required and on June 25, 2015, the Toronto Police Services Board received a request from the complainant requesting a review of the matter.

The Chief's Decision

This complaint arises from an incident which occurred on December 19, 2014.

The complainant parked his vehicle on the street near his residence on the evening of December 18, 2014, and when he returned at approximately 08:30 a.m. the next morning, he observed that the vehicle was gone.

The complainant contacted the Service to report a stolen vehicle. At the time of his call to the Service, the complainant provided the vehicle's licence plate number. The Communications call taker queried the licence number and determined that the number was recorded as 'Returned to Ministry' and was not attached to a vehicle. The complainant was unable to provide the Vehicle Identification Number (VIN). This information was recorded into the details of the call and an officer was subsequently dispatched and completed a stolen vehicle occurrence.

The complainant purchased the vehicle on December 17, 2014, from his brother. He was in possession of the vehicle registration, however, the ownership had yet to be switched over and the vehicle was still registered to the brother at the time the officer completed the report.

It was unknown to the officer and the complainant, that the brother, who was the original owner, had removed the licence plates from the vehicle some time on December 18th. As a result, the vehicle had been parked without plates and at 03:44 a.m. on December 19th, the vehicle was towed by a Service Parking Enforcement Officer (PEO) as it was parked on the street without licence plates. As the vehicle was without plates, the VIN was recorded on the impound report at the time it was towed.

The PEO had the vehicle towed to a contract pound and at 05:18 a.m. the vehicle was entered in to the Service's Vehicle Impound System (VIP) database.

When the officer attended to complete the stolen vehicle occurrence, he was provided a licence plate number by the complainant because at that time it was not known that the vehicle was now without plates. The officer was also able to obtain the vehicle's VIN from a previous police occurrence.

The registered owner of the vehicle (the complainant's brother) was sent correspondence on December 22, 2014, informing him of the vehicle's location at Abrams pound. The complainant

and the brother had resided at the same address so the complainant saw this letter on December 29, 2014, and took the necessary steps to recover his vehicle.

The complaint is in regards to the service provided when the complainant contacted the Service to report his vehicle as stolen.

The Service has a procedure which details what a member shall do when impounding a vehicle and the PEO was in compliance.

The Service also has a procedure detailing what is required of a member when receiving a complaint of stolen vehicle. This includes the requirement to 'conduct a Vehicle Query, including a VIN and licence plate CPIC check, the Vehicle Query Log, the Pound System and PARIS to confirm registration details'. A review has determined that the officer did not query the vehicle's VIN number as required by procedure. This query would have shown that the vehicle had been towed for a bylaw offence earlier in the morning of December 19, 2014, and was stored at Abrams Towing.

As a result of the VIN not being queried, a stolen vehicle report was completed and at 10:50 a.m. was entered onto CPIC as stolen. A review of the Vehicle Query Log at the time the vehicle was entered onto CPIC, shows that the vehicle had been towed and was stored at Abrams towing, however, the vehicle was still entered as stolen.

The investigator concluded the investigation with the recommendation that no action was required on behalf of the service provided by Parking Enforcement personnel. The investigator did identify that the officer who completed the stolen vehicle occurrence, did not query the VIN as required by procedure.

In this case, I am satisfied with the investigator's findings and the review by Professional Standards as the vehicle was properly towed and recorded on the Service's VIP database. The complainant in this matter has statutory requirements under the *Highway Traffic Act*, which include the requirement to display licence plates on a vehicle on the roadway. In this case, the complainant bought the vehicle on December 17th from his brother and left his brother's plates on the vehicle. The complainant does have six days upon the change of ownership, to inform the Ministry of Transportation of that change. The brother then later removed those plates, as they were in his name, leaving the vehicle on the roadway with no plates. It was the brother leaving the vehicle in this condition that resulted in it being towed. It is not known why the complainant was not informed of this, but as a result, the vehicle was towed. The towing company did send correspondence to the original owner (the brother), though it was the holiday season and the letter took perhaps longer to arrive than normal, but that is beyond the control of any party involved in this matter.

Had the officer who attended to complete the stolen vehicle report conducted a VIN query as required by Procedure, the complainant would have known that his vehicle had been towed earlier that morning and could have avoided the \$1,107.29 charge that was necessary to have his vehicle returned. This matter is being investigated by the officer's home unit; however, the Service will be reimbursing the complainant for the \$1107.29 fee.

Conclusion

This complaint was classified by the OIPRD as a service complaint involving the Toronto Police Service. As such, the scope of the investigation was limited to an examination of the service provided to the complainant during the investigation of this incident.

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, the Board may:

- Review the complaint and take action, or no action, in response to the complaint, as it considers appropriate; or
- Appoint a committee of not fewer than three Board members, two of whom constitute a quorum for the purpose of this section, to review the complaint and 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; or
- Hold a public meeting with respect to the complaint.

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

Deputy Chief Peter Sloly, Operational Support Command, will be in attendance to answer any questions the Board may have regarding this report.

The Board approved the foregoing report and approved the following motion:

Prior to the Board's review of the complaint, the complainant advised the Board that he was now content with the Chief's disposition of the complainant, which now included a repayment for some of the towing and storage costs he incurred.

In light of the complainant's position, and the Chief's report, the Board had decided to concur with the Chief's disposition of the complaint and that no further action be taken with respect to the complaint.

In considering the Chief's report, the Board has become aware of the possibility that the Chief may not be fully complying with his obligations under subsection 63(4) of the Police Services Act which provides, in respect to any disposition of a policy and service complaint, that:

The chief of police shall, upon his or her disposition of the complaint, submit a written report to the board and to the Independent Police Review Director respecting the disposition, with reasons.

While the Board has been receiving reports in cases where the complainant had requested Board review of the Chief's disposition of a complaint, it's not clear that it has received such reports in cases where the complainant has not requested a review. The Board requests the Chief to provide a report to the Board in all cases where he has disposed of a policy and service complaint, in accordance with the requirements of subsection 63(4) of the Act.

Moved by: C. Lee

Additional information regarding this matter was also considered by the Board during its *in camera* meeting today (Min. No. C191/15 refer).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P241. TORONTO POLICE SERVICE – 2015 CAPITAL BUDGET VARIANCE
REPORT FOR THE PERIOD ENDING JUNE 30, 2015**

The Board was in receipt of the following report August 05, 2015 from Mark Saunders, Chief of Police:

Subject: 2015 CAPITAL BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE – PERIOD ENDING JUNE 30, 2015

Recommendations:

It is recommended that the Board forward a copy of this report to the City's Deputy City Manager and Chief Financial Officer for information and for inclusion in the City's overall variance report to the City's Budget Committee.

Financial Implications:

The Council-approved net capital budget for 2015 was \$15.9 million (M). The net available funding in 2015 is \$26.2M, which includes the 2014 carry forward.

As at June 30, 2015, the Toronto Police Service (Service) is projecting total net expenditures of \$10.6M compared to \$26.2M in available funding (a spending rate of 41%). This includes a \$7M under expenditure due to the Board deferral of the new 54 Division capital project.

The projected under-expenditure for 2015 is \$15.6M, \$14.6M of which will be carried forward to 2016. The estimated remaining \$1M will be returned back to the City at the end of the year. The projected surplus is the result of the Integrated Records and Information System (\$700,000) and Parking East Facility (\$210,000) projects both of which are expected to be completed below budget. The Peer to Peer Data Centre project will lose \$90,000, which will be returned back to the City due to the one year carry forward rule.

Background/Purpose:

At its meeting of November 13, 2014, the Toronto Police Services Board (Board) approved the Service's 2015-2024 Capital Program (Min. No. P262/14 refers). The Board's approval, however, deferred the 54 Division facility project, until the Board considers the KPMG Comprehensive Organizational Review report. Toronto City Council, at its meeting of March 10 and 11, 2015, approved the Service's 2015-2024 Board-approved Capital program. Attachment A provides a summary of the Board and Council approved program.

This capital variance report provides the status of projects as at June 30, 2015.

Discussion:

Summary of Capital Projects:

Attachment B provides a status summary of the on-going projects from 2014 as well as projects that started in 2015. Any significant issues or concerns have been highlighted below in the “Key Highlights/Issues” section of this report.

Key Highlights/Issues:

As part of its project management framework, the Service uses a colour code system (i.e. green, yellow or red) to reflect the health status 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/functionalities), and on budget and schedule;
- Yellow – at risk of not meeting certain goals, some scope, budget and/or schedule issues, and corrective action required; and
- Red – high risk of not meeting goals, significant scope, budget and/or schedule issues, and corrective action required.

The following provides summary information on key projects within the 2015-2024 Capital Program. Summary information includes status updates as at the time of writing this report.

- Parking Enforcement East (\$7.8M revised budget - \$9M original budget)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	GREEN

This project provides funding to relocate the Parking Enforcement East (PKE) and Parking Headquarter Management (PHQ) operation from a leased facility to the Service’s Progress Avenue site. Construction, fit-up work and the relocation of PKE and PHQ operations were completed at the end of July 2014.

Since July 2014, the Service has continued to work through some construction deficiencies. In addition, requirements for additional exterior security cameras, along with operational requirements, such as changes to gates and the building automation system, and any additional fit-up work are being completed in 2015. It is anticipated that this project will be completed below budget by \$210,000 in addition to the \$1.2M that was returned to the City at the end of 2014, for a total estimated underspending of \$1.4M from the original budget when the project is fully complete.

- 54 Division Facility (\$37.3M)

Overall Project Health Status	
Current	Previous Variance Report
RED	YELLOW

This project provides funding for the construction of a new 54 Division facility. The current facility was originally constructed as a light industrial building in 1951 and was subsequently retrofitted as a police facility and occupied by the Service in 1973. The structural condition of this facility is poor, significantly impacting the Service’s ability to maintain the facility in a state of good repair, and it no longer meets the requirements of the Service or needs of the community. The current budget assumes the construction of a 55,000 square foot facility built to LEEDS Silver standards, although the Service no longer seeks LEEDS Silver certification. The size of the facility may however be reduced, pending the finalization of the design and operational requirements.

The project cash flow assumes land acquisition in 2015 and the start of construction in 2016. However, the Board put the start date of the new 54 Division facility on hold until the Board has an opportunity to receive and consider the results of the Comprehensive Organizational Review it requested KPMG to conduct. No decision has been made as of yet. As a result of the hold, the entire available funding of \$7M for 2015 will be carried forward to 2016.

- IRIS – Integrated Records and Information System (\$21.8M revised budget - \$24.4M original budget)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	GREEN

This project provides funding for the implementation of Versadex, a commercial off-the-shelf integrated records and information system, which is the core operations system for the Service. Part of the IRIS project is a separate electronic disclosure system, eJust that will help reduce time spent on manual/paper preparation of court disclosure documents.

The Versadex and eJust systems went live on November 5, 2013, and the Service is continuing with post-implementation stabilization/production support efforts, including retraining members and refining business processes with stakeholders, where necessary.

In the 2nd quarter of 2015, work on the development of reliable business analytics and reports, and the development of crime analysis and mapping tools is continuing, in addition to work related to document scanning directly into the Versadex system.

It is anticipated that this project will be completed below budget by about \$700,000 in addition to the \$2.6M that was already returned to the City, for a total underspending of \$3.3M from the original budget when the project is fully complete.

- Peer to Peer Site (Disaster Recovery Site) (\$19.1M)

Overall Project Health Status	
Current	Previous Variance Report
YELLOW	YELLOW

This project provides funding for a new Peer to Peer Data Centre facility. The Service's current peer to peer data centre is co-located with the City's main data centre in a City-owned and managed facility. The current location has significant space and power requirement issues for both the City and the Service. As a result, this mission-critical operation is at risk because the Service is subject to limitations in the existing facility which impair current operations and future growth requirements. In addition, the current line-of-sight distance from the primary site is 7 kilometers, which is significantly less than the industry minimum standard of 25 kilometers for disaster recovery sites.

The City will commission a real estate firm to search properties in the Region of Peel and City of Vaughan, based on set criteria developed by an information technology consultant. A Request for Proposal (RFP) has been issued in the second quarter of 2015 to hire an architect and data centre specialist to assist with evaluation of the available sites, prepare detailed requirements and an updated budget for the facility, as well as complete specific systems inventory and staging work. Once the evaluations are completed, a recommendation will be brought forward to the Board for approval.

The coordination of the different activities associated with this project is complex, requiring detailed planning prior to the release of the RFP. Although the project timeline has not been significantly impacted, the timing of expenditures has been delayed. As a result, from the available \$3.9M, it is anticipated that \$3.7M will be carried forward to 2016.

- Human Resources Management System Upgrade (\$1.5M)

Overall Project Health Status	
Current	Previous Variance Report
YELLOW	YELLOW

The Service uses an Oracle product, Peoplesoft, to manage human resources related information, and to administer and report payroll and benefits related information. This system is referred to as the Human Resource Management System (HRMS).

This project consists of a technical upgrade and a functional upgrade. The technical upgrade is necessary in order to bring the associated software up to date so it can continue to receive vendor support. This support includes receiving system updates, at various times during the year, based on both federal and provincial government legislated changes. There are also technical updates that need to happen on a regular basis pending other vendor software related issues. The planned technical upgrade will bring the system from the current version of 9.1 to version 9.2.

The scope of this project also includes funds for a functional upgrade. Version 9.2 has new functionality that the Service will explore to achieve operational efficiencies and be in a position to provide better information and customer service. As a result, the project scope has evolved to include functionality improvements such as full position management, the use of organizational charts and the full implementation of benefits administration. The work required to move this project forward has begun, now that these additional functional improvements have been considered. Any cost implications in this regard are in the process of being considered, and any changes to the project budget will be incorporated into the Service's 2016-2025 capital budget request.

The Request for Service (RFS) for the project work was issued in the first quarter of 2015. A Project Manager and Senior Developer are set to begin work in early July. The Service continues its work to select a second Developer and a Senior Business Analyst to manage fit-gap sessions and advance the additional functionality. It is anticipated that these individuals will begin their work in the third quarter of 2015. The project does, however, remain in yellow status due to the continuing efforts exerted to secure required contract staff.

Based on current high level plans, the technical upgrade will be completed by early 2016, depending on resource and timing considerations. In addition, some business analysis work to analyze the new functionality available and its applicability to Service requirements and business processes will begin in the last quarter of 2015. As a result, from the available funding of \$1.5M, it is anticipated that \$1.1M will be carried forward to 2016, as current plans for the functional upgrade anticipated completion by the end of 2016.

- Time Management Resource System (\$4.1M)

Overall Project Health Status	
Current	Previous Variance Report
YELLOW	GREEN

An effective time and attendance system is critical for any organization. Project funding has been approved to upgrade the current time keeping system, which is an Infor product, known as the Time Management Resource System (TRMS). This system was implemented and went live in August 2003. The system is used Service-wide to collect and process time and attendance-specific data, administer accrual bank data, and assist in the deployment of members. Since its implementation, the Service has upgraded TRMS to enhance the existing functionality and de-customized the application to reduce maintenance and upgrade costs.

The original scope of this project provided funding to upgrade the version used in 2014, which was expected to only be supported until the end of 2017. The cost estimate for the original project is based on the costs incurred during the last upgrade. However, in 2014, the Service performed an in-house technical upgrade to alleviate a database problem and now has support beyond 2017, although not operating on the latest version. In addition, despite the fact that the funds allocated to this project are based on the continuing need to upgrade, the Service's needs with respect to time-keeping, deployment, scheduling, exception reporting and approval are becoming more sophisticated and complex. The Service wants to

therefore ensure that any funds invested to upgrade the current system or implement a new time and attendance system, are well spent and value-added.

As a result, the Service is reviewing the original business case, system functionality and operational requirements, with the goal of exploring all options available including possible participation in the enterprise time and attendance system solution the City is currently exploring. The Service will perform required due diligence and review to determine if the City's enterprise-wide time and attendance system would provide a viable option for the Service in light of its unique labour and time keeping environment. In addition, the Service will explore a further upgrade to the latest version of the product. Given these current unknowns, this business case will continue to be developed and the Board will be kept apprised during the future budget development and approval cycle.

From the available \$600,000, it is anticipated that \$400,000 will be carried forward to 2016.

- Enterprise Business Intelligence (\$8.8M)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	N/A

Business Intelligence (BI) Technologies represent a set of methodologies, processes, architectures, and technologies that transform raw data into meaningful and useful information used to enable more effective strategic, tactical, and operational insights and decision-making. Services such as Edmonton, Vancouver, New York and Chicago have BI solutions.

The objectives of this project include developing a strategy and architecture for building and maintaining a data warehouse environment, and providing appropriate query, interfaces and data mining tools. The environment created will allow users to make more effective business decisions, provide improved customer service, and spend less time on searching, acquiring and understanding data. In a policing environment, improved data management can lead to improved and more effective crime analysis by removing data silos. This allows for better accuracy and reliability of data, enabling improved deployment of police resources, and the ability to prioritize the investigation of crimes or incidents which enable more value added policing activities and enhanced public safety.

In 2015, the project team will be established in order to develop the BI framework and reference architecture, develop data modeling and build requirements for business and technology, in order to select the right technology and product. Consequently, from the available funding of \$2.3M, it is anticipated that \$1.2M will be carried forward to 2016.

- State of Good Repair (\$6M available funds in 2015 – ongoing, includes carry forward)

Overall Project Health Status	
Current	Previous Variance Report
GREEN	YELLOW

This project, managed by the Service’s Facilities Management (FCM) unit, provides funds to maintain the interior of police buildings in a safe and reliable state of good repair. Due to a significant staff shortage in the FCM unit, and the need to provide considerable support to the IRIS project in 2013, much of the work scheduled for 2013 was deferred. Staffing shortages continued to be an issue in 2014, resulting in further deferral of planned work. The 2015 project plan, which included some 2014 projects, was adjusted to reflect the unit’s capacity during the year.

It is anticipated that the unit will be restored to full staffing by the end of 2015, allowing for project plan adjustments based on current priorities and previously deferred projects. By 2016, it is anticipated that the Service’s backlog list of projects will be prioritized, a work-plan established and resources be allocated to address capacity considerations and funding available.

From the available funding of \$6M, it is anticipated that \$1.7M will be carried forward to 2016.

- 52 Division Renovations (\$8.3M)

Overall Project Health Status	
Current	Previous Variance Report
YELLOW	YELLOW

This project provides funding for the 52 Division facility renovations to correct structural and other building deficiencies. The pre-qualification process for the project architect has been completed and awarded. The design is currently being finalized and the Service has engaged the City of Toronto for preliminary planning review, to verify zoning requirements. The pre-qualification process for the general contractor has just been completed, and the contract award is expected to be granted to the successful bidder by September 2015.

Once the facility design is finalized and the work schedule firmed up, the Service will be in a better position to assess the status of funding provided during 2015, as well as provide an update to the Board on the overall project budget.

From the available funding of \$8.3M, it is anticipated that \$5.4M will be carried forward to 2016 to complete the project.

- Vehicle and Equipment Lifecycle Replacements

Projects listed in this category are funded from the Vehicle and Equipment Reserve (Reserve), which is in turn funded through annual contributions from the Service and Parking Enforcement operating budgets. The Reserve has no impact on the Capital Program and does not require debt funding. Items funded through this Reserve include the regular replacement of vehicles and information technology equipment.

The projected under-expenditure for 2015 is \$6.1M, \$5.3M of which will be carried forward to 2016. The estimated remaining \$0.8M will be returned back to the Reserve. The

projected surplus is the result of the Digital Video Asset Management (DVAMS) I Lifecycle project for \$657,000 which is not required in 2015. At this time, installation on this system is contingent upon the lifecycle replacement of DVAMS II, a system which will be the standard architecture for closed-circuit television (CCTV) systems for the Service. These two lifecycle projects will be combined in 2016 and cash flow requirements will be adjusted. From the Workstation, Laptop and Printer lifecycle project, \$107,000 will not be required due to a lower than anticipated cost for printers.

Conclusion:

As at June 30, 2015, the Service is projecting total net expenditures of \$10.6M compared to \$26.2M in available funding. The projected under-expenditure for 2015 is \$15.6M of which \$14.6M will be carried forward to 2016. The projected surplus is as a result of the Integrated Records and Information System (\$700,000) and Parking East Facility (\$210,000) projects which are expected to be completed below budget. The Peer to Peer site project will lose \$90,000, which will be returned back to the City in accordance with its one year carry forward rule.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command will be in attendance to answer any questions from the Board.

Mr. Kris Langenfeld was in attendance and delivered a deputation to the Board.

The Board approved the foregoing report and received Mr. Langenfeld 's deputation.

Moved by: S. Carroll

2015-2024 CAPITAL PROGRAM REQUEST (\$000s)

Attachment A

Project Name	Plan to end of 2014	2015	2016	2017	2018	2019	Total 2015-2019 Request	2020	2021	2022	2023	2024	Total 2020-2024 Forecast	Total 2015-2024 Program	Total Project Cost
Projects In Progress															
State-of-Good-Repair - Police	4,594	1,800	3,000	4,000	4,100	4,100	17,000	4,100	4,100	4,100	4,100	4,100	20,500	37,500	42,094
HRMS Upgrade	360	1,125	0	0	0	0	1,125	378	799	0	0	0	1,177	2,302	2,662
52 Division - Renovation	2,948	5,352	0	0	0	0	5,352	0	0	0	0	0	0	5,352	8,300
Peer to Peer Site (Disaster Recovery Site)	250	3,629	8,470	6,659	130	0	18,888	0	0	0	0	0	0	18,888	19,138
Total, Projects In Progress	8,152	11,906	11,470	10,659	4,230	4,100	42,365	4,478	4,899	4,100	4,100	4,100	21,677	64,042	72,194
Upcoming Projects															
54 Division (includes land)	0	7,000	2,500	18,500	9,296	0	37,296	0	0	0	0	0	0	37,296	37,296
TRMS Upgrade	0	600	1,500	2,022	0	0	4,122	0	0	630	1,500	2,022	4,152	8,274	8,274
Business Intelligence	0	2,336	2,818	3,664	0	0	8,818	0	0	0	0	0	0	8,818	8,818
Electronic Document Management (Proof of Concept)	0	50	450	0	0	0	500	0	0	0	0	0	0	500	500
Radio Replacement	0	0	13,913	2,713	3,542	2,478	22,646	4,093	5,304	4,480	0	0	13,877	36,523	36,523
41 Division (includes land)	0	0	0	395	9,561	19,122	29,078	9,850	0	0	0	0	9,850	38,928	38,928
TPS Archiving	0	0	0	750	0	0	750	0	0	0	0	0	0	750	750
32 Division - Renovation	0	0	0	4,990	4,990	2,000	11,980	0	0	0	0	0	0	11,980	11,980
13 Division (includes land)	0	0	0	0	372	8,645	9,017	18,500	11,411	0	0	0	29,911	38,928	38,928
AFIS (next replacement)	0	0	0	0	0	3,053	3,053	0	0	0	0	0	0	3,053	3,053
Expansion of Fibre Optics Network	0	0	0	0	0	0	0	0	881	0	4,785	6,385	12,051	12,051	12,051
55 Division - Renovation	0	0	0	0	0	0	0	0	0	0	3,000	5,300	8,300	8,300	8,300
22 Division - Renovation	0	0	0	0	0	0	0	0	0	0	3,000	5,300	8,300	8,300	8,300
Relocation of PSU	0	0	0	0	0	0	0	0	0	500	7,400	5,148	13,048	13,048	13,048
Relocation of FIS	0	0	0	0	0	0	0	0	0	0	0	4,649	4,649	4,649	60,525
Total, Upcoming Capital Projects:	0	9,986	21,181	33,034	27,761	35,298	127,260	32,443	17,596	5,610	19,685	28,804	104,138	231,398	287,274
Total Debt Funded Capital Projects:	8,152	21,892	32,651	43,693	31,991	39,398	169,625	36,921	22,495	9,710	23,785	32,904	125,815	295,440	359,468
Total Reserve Projects:	178,924	21,415	19,752	26,732	30,926	27,453	126,278	20,465	21,904	21,222	34,566	23,182	121,339	247,617	426,541
Total Gross Projects	187,076	43,307	52,403	70,425	62,917	66,851	295,902	57,386	44,399	30,932	58,351	56,086	247,154	543,057	786,008
Funding Sources:															
Vehicle and Equipment Reserve	(178,924)	(21,415)	(19,752)	(26,732)	(30,926)	(27,453)	(126,278)	(20,465)	(21,904)	(21,222)	(34,566)	(23,182)	(121,339)	(247,617)	(426,541)
Funding from Development Charges	(15,476)	(6,000)	(1,285)	(8,462)	0	(11,420)	(27,167)	(5,121)	(5,173)	(400)	(5,204)	(10,323)	(26,221)	(53,388)	(68,864)
Total Funding Sources:	(194,400)	(27,415)	(21,037)	(35,194)	(30,926)	(38,873)	(153,445)	(25,586)	(27,077)	(21,622)	(39,770)	(33,505)	(147,560)	(301,005)	(495,405)
Total Net Debt-Funding Request:	(7,324)	15,892	31,366	35,231	31,991	27,978	142,458	31,800	17,322	9,310	18,581	22,581	99,594	242,052	290,604
5-year Average:							28,492						19,919	24,205	
City Target:		20,829	36,320	35,231	36,539	26,428	155,347	23,083	21,592	9,310	16,360	16,360	86,705	242,052	
City Target - 5-year Average:							31,069						17,341	24,205	
Variance to Target:		4,937	4,954	0	4,548	(1,550)	12,889	(8,717)	4,270	0	(2,221)	(6,221)	(12,889)	(0)	
Cumulative Variance to Target			9,891	9,891	14,439	12,889		4,172	8,442	8,442	6,221	(0)			
Variance to Target - 5-year Average:							2,578						(2,578)	(0)	

2015 Capital Budget Variance Report as at June 30, 2015 (\$000s)

Project Name	Carry Forward from 2014	2015 Budget	Available to Spend in 2015	2015 Projection	Year-End Variance - (Over)/ Under	Total Project Budget	Total Project Cost (Projects)	Project Variance - (Over) / Under	Comments	Overall Project Health
Debt-Funded Projects										
<u>Facility Projects:</u>										
Parking East Facility	700.0	0.0	700.0	490.0	210.0	7,818.0	7,608.0	210.0	Please refer to the body of the report.	Green
54 Division Facility (includes land)	0.0	7,000.0	7,000.0	0.0	7,000.0	37,296.0	37,296.0	-	Please refer to the body of the report.	Red
<u>Information Technology Projects:</u>										
Integrated Records and Information System (IRIS)	1,800.0	0.0	1,800.0	1,100.0	700.0	21,847.0	21,147.0	700.0	Please refer to the body of the report.	Green
Peer to Peer Site	240.3	3,629.0	3,869.3	150.0	3,719.3	19,138.0	19,138.0	-	Please refer to the body of the report.	Yellow
HRMS Upgrade	360.0	1,125.0	1,485.0	400.0	1,085.0	1,485.0	1,485.0	-	Please refer to the body of the report.	Yellow
TRMS Upgrade	0.0	600.0	600.0	200.0	400.0	4,122.0	4,122.0	-	Please refer to the body of the report.	Yellow
Business Intelligence	0.0	2,336.0	2,336.0	1,100.0	1,236.0	8,818.0	8,818.0	-	Please refer to the body of the report.	Green
Electronic Document Management (Proof of Concept)	0.0	50.0	50.0	50.0	-	500.0	500.0	-	Project is on time and on budget.	Green
<u>Replacements / Maintenance / Equipment Projects:</u>										
State-of-Good-Repair - Police	4,238.4	1,800.0	6,038.4	4,338.4	1,700.0	n/a	n/a	n/a	Please refer to the body of the report.	Green
52 Division Renovations	2,948.0	5,352.0	8,300.0	2,948.0	5,352.0	8,300.0	8,300.0	-	Please refer to the body of the report.	Yellow
Total Debt-Funded Projects	10,286.7	21,892.0	32,178.7	10,776.4	21,402.3					
<u>Lifecycle Projects (Vehicle & Equipment Reserve)</u>										
Vehicle Replacement	526.1	6,350.0	6,876.1	6,876.1	-	n/a	n/a	n/a	Please refer to the body of the report.	Green
IT-Related Replacements	5,947.2	9,823.0	15,770.2	12,375.4	3,394.8	n/a	n/a	n/a	Please refer to the body of the report.	Green
Other Equipment	1,735.9	5,171.9	6,907.9	4,217.5	2,690.3	n/a	n/a	n/a	Please refer to the body of the report.	Green
Total Lifecycle Projects	8,209.2	21,344.9	29,554.1	23,469.0	6,085.1					
Total Gross Expenditures:	18,495.9	43,236.9	61,732.8	34,245.4	27,487.5	Percent spent:		55.5%		
<u>Less other-than-debt funding:</u>										
Funding from Developmental Charges (\$5M for 54 div and \$1M for peer to peer)	0.000	(6,000.000)	(6,000.000)	(150.000)	(5,850.000)	n/a	n/a	n/a		
Vehicle & Equipment Reserve	(8,209.158)	(21,344.947)	(29,554.106)	(23,468.987)	(6,085.119)	n/a	n/a	n/a		
Total Other-than-debt Funding:	(8,209.158)	(27,344.947)	(35,554.106)	(23,618.987)	(11,935.119)					
Total Net Expenditures:	10,286.7	15,892.0	26,178.7	10,626.4	15,552.3			40.6%		

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P242. TORONTO POLICE SERVICE – 2015 OPERATING BUDGET
VARIANCE REPORT FOR THE PERIOD ENDING JULY 31, 2015**

The Board was in receipt of the following report September 01, 2015 from Mark Saunders, Chief of Police:

Subject: 2015 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICE – PERIOD ENDING JULY 31, 2015

Recommendations:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City of Toronto's (City) Deputy City Manager and Chief Financial Officer for information and for inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its February 13, 2015 meeting, the Toronto Police Services Board (Board) approved the Toronto Police Service's (Service) revised budget request of \$952.7 Million (M) (Min. No. P24/15 refers). This included an additional \$5M reduction requested by the City Budget Committee to help balance the overall City Budget. Toronto City Council, at its March 11, 2015 meeting, approved the Service's 2015 operating budget at the same amount. At the time the Service's budget was approved, the impact from the collective agreement negotiations between the Toronto Police Association (TPA) and the Board was not known, and was therefore not included in the budget request.

TPA Salary settlement:

The Board, at its May 14, 2015 meeting, requested the approval of a transfer of \$17.8M to the Toronto Police Service's 2015 net operating budget from the City's Non-Program operating budget, with no incremental cost to the City, to reflect the salary and benefit impact of the now-ratified contract with the TPA (Min. No. P126/15 refers).

It should be noted that the Senior Officers Organization (SOO) collective agreement with the Board also expired on December 31, 2014. Any additional funds required in 2015 as a result of a new collective agreement, will be requested once an agreement is ratified.

City-requested Increase to Insurance Reserve:

The Service was notified by City Finance staff that a further \$1.4M allocation from the Insurance Reserve Fund to the Service's 2015 operating budget would be required. As a result of the reallocation, the Service budget has been restated upwards by \$1.4M. However, this change does not result in additional available funds to the Service, as there will be a corresponding charge from the City related to the Service's contribution to the insurance reserve.

Crossing Guards and Lifeguards:

In 2012, for the 2013 budget, the Service recommended that the Crossing Guard and Lifeguard Programs no longer be performed by the Toronto Police Service as they are not considered core to policing activities. The City agreed to review if they could perform the functions at a reduced cost. In the interim, they agreed to fund the costs from the City's Non-Program operating budget by providing a revenue in the amount of \$7.8M to offset the costs incurred by the Service. The City has completed their review, the results of which are summarized as follows:

Lifeguard Program: The City's Parks, Forestry & Recreation Division (PF&R) performed a comprehensive review and financial analysis to determine the cost of transferring administration of the program to the City. The proposed location for the group was in the PF&R's Aquatic Section. The City took the direct cost of the program, such as supervisory salaries, materials and equipment into account, as well as the indirect costs such as human resources, labour relations, and financial/administrative services. The analysis also took the significant coordination with the Service's Marine Services Unit that is required to successfully carry out rescue-related tasks into account.

The City concluded that it would be more expensive for its PF&R Division to administer the program, and has therefore recommended that the Lifeguard Program continue to be delivered by the Service. The cost of this program is currently provided for in the City's Non-Program budget, but should be moved back to the Service's operating budget.

Crossing Guard Program: During 2014, the City conducted a review of the program, to determine if there was any cost/benefit to moving the program to the City Transportation Services Division. The City took the direct cost of the program, such as supervisory salaries, materials and equipment, into account, along with indirect administrative costs, such as human resource and financial requirements.

The City analysis concluded that it would be more expensive for its Transportation Services Division to manage the Crossing Guard Program, and has recommended that the program continue to be administered by the Service. This also enables the current arrangement, whereby a police officer can cover a crossing guard location in an emergent situation, to continue.

As a result of these reviews, City Council approved transferring \$7.8M funding from the City's Non-Program budget back to the Service's 2015 operating budget.

	<u>2015 Budget</u>	<u>Comments</u>
Board approved Feb. 13/15	\$952.7	
Toronto Police Association Salary Settlement	\$17.8	Board approved adjustment May14/15
Insurance Reserve Fund	\$1.4	Notification from City Finance
Crossing Guard/Lifeguard Programs	<u>\$7.8</u>	Notification from City Finance
2015 Revised Net Operating Budget	\$979.7	

Background/Purpose:

The purpose of this report is to provide the Board with the Service's projected year end variance as at July 31, 2015.

Discussion:

As at July 31, 2015, a \$2.8M unfavourable variance is anticipated. This amount is \$0.5M less unfavourable than reported to the Board for the May variance (Min. No. P188/15 refers).

The following chart summarizes the variance by expenditure and revenue category. Details of each major expenditure category and revenue are discussed in the sections that follow. In addition, the Service has outlined steps being taken to reduce the deficit, while balancing operational needs and public safety concerns.

Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Salaries	\$741.0	\$419.7	\$741.9	(\$0.9)
Premium Pay	\$41.0	\$23.3	\$42.4	(\$1.4)
Benefits	\$198.8	\$115.8	\$200.2	(\$1.4)
Materials and Equipment	\$23.5	\$16.4	\$23.4	\$0.1
Services	<u>\$105.7</u>	<u>\$40.4</u>	<u>\$105.4</u>	<u>\$0.3</u>
Total Gross	<u>\$1,110.0</u>	<u>\$615.6</u>	<u>\$1,113.3</u>	<u>(\$3.3)</u>
Revenue	(\$130.3)	(\$41.0)	(\$130.8)	\$0.5
Total Net	<u>\$979.7</u>	<u>\$574.6</u>	<u>\$982.5</u>	<u>(\$2.8)</u>

It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year-end. Rather, the projection of expenditures to year-end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns. In addition, the Service receives significant amounts of in year grant funding and the revenue and expense budgets are adjusted when receipt of funds is confirmed.

Salaries:

An unfavourable variance of \$0.9M is projected in the salary category, which is unchanged from previously reported.

Expenditure Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Uniform Salaries	\$563.1	\$321.6	\$565.0	(\$1.9)
Civilian Salaries	\$177.9	\$98.1	\$176.9	\$1.0
Total Salaries	\$741.0	\$419.7	\$741.9	(\$0.9)

As a result of lower than anticipated separations at the end of 2014, uniform staffing levels at year-end 2014 were higher than assumed at the time the 2015 budget was prepared by the Service and approved by the Board. The higher than anticipated staffing resulted in continuing annualized salary costs. In addition, actual separations to the end of July 2015 are also less than what had been estimated. At this time, the Service is projecting 150 separations for the year, compared to the 180 included in the 2015 budget. To help integrate the financial impact, the Service reduced the size of the April 2015 class to compensate for the higher year-end staffing levels and has reduced the August class size to take into account the projected reduced separations during 2015. Actual separations are monitored monthly and will continue to be reported in future variance reports. However, a \$1.9M unfavourable is still projected for uniform salaries.

Civilian salaries are projecting favourably \$1.0M as the Service is behind schedule in filling newly created positions resulting from previously approved civilianization initiatives as well as existing position vacancies. However, due to the critical nature of these positions, the Service has been utilizing premium pay to keep up with the workload and ensure critical services are not impacted.

Premium Pay:

An unfavourable variance \$1.4M is projected in the premium pay category, which is \$0.6M less than previously reported.

Expenditure Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Court	\$11.0	\$6.1	\$11.4	(\$0.4)
Overtime	\$5.6	\$4.5	\$6.7	(\$1.1)
Callback	\$5.8	\$5.2	\$5.5	\$0.3
Lieutime Cash Payment	\$18.6	\$7.5	\$18.8	(\$0.2)
Total Premium Pay	\$41.0	\$23.3	\$42.4	(\$1.4)

Approximately \$1M of the variance is the result of additional premium pay required as units address critical workload issues resulting from a significant number of civilian staff vacancies across the Service. Civilian overtime and call-backs are authorized where required to ensure deadlines are met, to maintain service levels and deal with increased workload, and to ensure risk is mitigated and additional hard dollar costs are avoided. As vacancies are filled, the Service will

place less reliance on premium pay, where possible. At this time, the projected premium pay variance has been offset by a corresponding savings in civilian salaries.

The Service continues to strictly monitor and control premium pay. Uniform overtime is authorized by supervisory personnel based on activities for protection of life (i.e., where persons are at risk), protection of property, processing of arrested persons, priority calls for service (i.e., where it would be inappropriate to wait for the relieving shift), and case preparation (where overtime is required to ensure court documentation is completed within required time limits). It must be noted, however, that premium pay is subject to the exigencies of policing and uncontrollable events can have an impact on expenditures.

It is important to note that the Service is expecting additional pressures on premium pay as a result of the pre-Pan/Parapan Games Economic and Climate Change Summits. The “International Economic Forum of the Americas” was originally scheduled for October, while the “Climate Summit of the Americas” was originally located in Ottawa. Organizers rescheduled both summits for July 7 to 10, 2015, in order to take advantage of the momentum building up to the actual Games. The Service’s activities to address safety and security requirements for these two events began on July 4 and ended on July 11, 2015, and were based on the threat level and environment for these events. Costs were originally estimated to be up to \$1M. However, the actual costs incurred came in at approximately \$0.4M, resulting in a \$0.6M lower premium pay pressure than originally estimated. The Province has confirmed that the additional policing costs associated with these Summits will not be covered by the Games Cost Contribution Agreement. As a result of these unexpected events, the Service is faced with a \$0.4M cost pressure incurred to ensure public order and safety were maintained during these pre-Pan/Parapan Games events. The Service and Board are currently pursuing other options with the Province, to try and recover these unanticipated costs.

Benefits:

An unfavourable variance of \$1.4M is projected in the benefits category. This is \$1.0M less favourable than previously reported.

Expenditure Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Medical / Dental	\$39.5	\$18.0	\$41.5	(\$2.0)
OMERS / CPP / EI / EHT	\$127.7	\$82.6	\$127.7	\$0.0
Sick Pay / CSB / LTD	\$18.1	\$8.9	\$18.1	\$0.0
Other (e.g., WSIB, life ins.)	\$13.5	\$6.3	\$12.9	\$0.6
Total Benefits	\$198.8	\$115.8	\$200.2	(\$1.4)

Year to date medical/dental costs are trending higher than expected at this time. As a result, the Service is currently projecting a \$2.0M unfavourable variance in this category. Service staff are currently monitoring and analysing this account, and will be taking the most recent trends into account when preparing the 2016 operating budget request.

The Service is projecting a \$0.6M surplus related to WSIB and life insurance costs, which has helped to offset the unfavourable benefits pressure

Materials and Equipment:

A favourable variance of \$0.1M is projected in this category. This is \$0.1M more favourable than previously reported.

Expenditure Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Vehicles (gas, parts)	\$10.8	\$7.0	\$10.8	\$0.0
Uniforms	\$3.8	\$3.7	\$3.8	\$0.0
Other Materials	\$5.1	\$3.3	\$5.0	\$0.1
Other Equipment	\$3.8	\$2.4	\$3.8	\$0.0
Total Materials & Equipment*	\$23.5	\$16.4	\$23.4	\$0.1

** Approx. \$0.5M is attributed to grant-funded expenditures (revenue budget has been increased by same amount)*

The Service obtains gasoline through consolidated procurement with the City. The budget for gasoline is based on estimated consumption and a cost per litre as provided by City Finance. The estimated price per litre was lowered from \$1.20 to \$0.95 as a result of an overall decline in gas prices during the budget preparation and approval period. At this time, no variance from budget is projected. Since gas prices can fluctuate significantly, this account will continue to be monitored closely.

The favourable variance in other materials is a result of expenditure reductions undertaken by the Service in an effort to make up for the projected deficit.

Services:

A favourable variance of \$0.3M is projected in this category. This is \$0.3M more favourable than previously reported.

Expenditure Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Legal Indemnification	\$5.5	\$5.5	\$5.5	\$0.0
Uniform Cleaning Contract	\$1.3	\$1.2	\$1.3	\$0.0
Courses / Conferences	\$1.7	\$0.6	\$1.6	\$0.1
Clothing Reimbursement	\$1.5	\$0.0	\$1.5	\$0.0
Computer / Systems Maintenance	\$15.4	\$14.0	\$15.4	\$0.0
Phones / cell phones / 911	\$5.4	\$2.8	\$5.4	\$0.0
Reserve contribution	\$38.0	\$0.0	\$38.0	\$0.0
Caretaking / maintenance utilities	\$19.6	\$4.1	\$19.6	\$0.0
Other Services	\$17.3	\$12.2	\$17.1	\$0.2
Total Services*	\$105.7	\$40.4	\$105.4	\$0.3

* Approx. \$0.2M is attributed to grant-funded expenditures (revenue budget has been increased by same amount)

The Service has limited control over the costs of legal indemnifications as these expenses are the result of defence costs for officers involved in criminal or civil proceedings, the outcomes of which cannot be predicted. In order to deal with this uncertainty, the 2015 approved budget included a \$580,000 contribution to the Legal Reserve and a \$742,100 draw for costs of independent legal services.

Normally, fluctuations in legal spending are dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets. However, due to the magnitude of the pressure this year, the Board approved a request to City Council to increase the legal expense and draw budget by \$5.0M, resulting in a net zero change (Min. No. P126/15 refers). The previously requested increase was to be utilized only to the amount required based on expenditures submitted to and approved by the Board for payment. However, the upward trend in these costs is continuing in 2015, meaning that an additional draw increase request may be made in the 2015 year. In addition, the Service is analyzing the extent to which increases to the legal reserve contributions may be required in future budget submissions.

The favourable variance in courses/conferences and other services is a result of expenditure reductions undertaken by the Service in an effort to make up for the projected deficit

Revenue:

A favourable variance of \$0.5M is projected in this category, which is \$0.5M more favourable than previously reported.

Revenue Category	2015 Budget (\$Ms)	Actual to July 31/15 (\$Ms)	Projected Year- End Actual (\$Ms)	Fav / (Unfav) (\$Ms)
Recoveries from City	(\$10.5)	(\$4.4)	(\$10.5)	\$0.0
CPP and Safer Comm'y grants	(\$15.2)	(\$0.4)	(\$15.2)	\$0.0
Other Gov't grants	(\$30.8)	(\$11.3)	(\$30.8)	\$0.0
Fees (e.g., paid duty, alarms, ref.)	(\$12.2)	(\$6.7)	(\$12.2)	\$0.0
Secondments	(\$2.6)	(\$1.4)	(\$2.6)	\$0.0
Draws from Reserves	(\$24.6)	\$0.0	(\$24.6)	\$0.0
Other Revenues (e.g., pris return)	(\$9.7)	(\$3.8)	(\$10.2)	\$0.5
Paid Duty - Officer Portion	(\$24.7)	(\$13.0)	(\$24.7)	\$0.0
Total Revenues	(\$130.3)	(\$41.0)	(\$130.8)	\$0.5

The \$0.5M favourable amount in the Other Revenues category is the result of repayment of salary and associated costs from a member who had entered into a WSIB de-election agreement with the Board. To maintain conservatism, this amount was not included in the 2015 budget as anticipated revenue. When the arrangement with the individual was finalized in July, the repayment made was taken into income directly, resulting in a favourable variance.

The Community Policing Partnership (CPP) and Safer Community grants are tied to staffing levels. As a result of the reduced separations, the Service adjusted its class sizes, therefore the Service is projecting a net zero variance for the Safer Community grant.

Steps Being Taken to Reduce the Deficit:

The Service has already started taking steps to reduce the deficit projected against the 2015 budget. The April class size, originally scheduled for 42 recruits, was reduced by eight, to take into account the eight fewer separations at the end of 2014. Furthermore, the August class, originally scheduled for 74 recruits, was reduced by 30, to take into account lower than anticipated 2015 separations. Although the reduced classes does not account for a full years' salary savings, it does alleviate some of the pressure associated with lower than anticipated separations.

In addition, the Service has embarked on a full review of spending within all unit budgets to identify areas where expenditure avoidance or postponement was possible. Where possible, units relinquished budget funds from their unit budgets. Although this effort, which is still in progress, has produced some reductions, these efforts may only result in one-time cost avoidance and are likely not sustainable beyond the current year.

Conclusion:

As at July 31, 2015, the Service is projecting an unfavourable variance of \$2.8M. This projection is based on an analysis of expenditures incurred to July 31, 2015, as well as a projection of lower than anticipated uniform separations in 2015.

Monitoring and management of operating funds remains a top priority for the Service. All

Commands continue to review spending plans for the year in order to identify areas that can be further reduced. The Board will be kept apprised through future variance reports.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command will be in attendance to answer any questions from the Board.

In response to the Board's question about recouping PanAm cost, Ms. Sandra Califaretti, Acting Chief Administrative Officer, responded that the Service continues to pursue cost recovery options with the Province. The Board suggested that the Service can also explore cost recover through the City Manager's cost round up, as well as through the City's intra governmental bodies.

Mr. Kris Langenfeld was in attendance and delivered a deputation to the Board.

The Board approved the foregoing report and received Mr. Langenfeld 's deputation.

Moved by: C. Lee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P243. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
2015 OPERATING BUDGET VARIANCE REPORT FOR THE PERIOD
ENDING JULY 31, 2015**

The Board was in receipt of the following report September 01, 2015 from Mark Saunders, Chief of Police:

Subject: OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE SERVICE PARKING ENFORCEMENT UNIT – PERIOD ENDING JULY 31, 2015

Recommendations:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City of Toronto's (City) Deputy City Manager and Chief Financial Officer for information and for inclusion in the variance reporting to the City's Budget Committee.

Financial Implications:

At its November 13, 2014 meeting, the Toronto Police Services Board (Board) approved the Parking Enforcement Unit's (PEU) 2015 operating budget at a net amount of \$44.1 Million (M) (Min. No. P261/14 refers). Toronto City Council, at its March 11, 2015 meeting, approved the PEU 2015 operating budget at the same amount. At the time the PEU's budget was approved, the impact from the collective agreement negotiations between Toronto Police Association (TPA) and the Board was not known, and was therefore not included in the budget request.

The Board, at its May 14, 2015 meeting, requested the approval of a transfer of \$0.76M to the PEU's 2015 net operating budget from the City's Non-Program operating budget, with no incremental cost to the City, to reflect the salary and benefits impact of the now-ratified contract with the TPA (Min. No. P127/15 refers), bringing the total net PEU budget to \$44.9M.

Background/Purpose:

The Toronto Police Service Parking Enforcement Unit (PEU) operating budget is not part of the Toronto Police Service's (Service) operating budget. While the PEU is managed by the Service, the PEU's budget is maintained separately in the City's non-program budgets. 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 PEU's 2015 projected year-end variance as at July 31, 2015.

Discussion:

As at July 31, 2015, a favourable variance of \$0.52M is projected at year end.

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

Category	2015 Budget (\$Ms)	Actual to Jul 31/15 (\$Ms)	Year-End Actual Expend (\$Ms)	Fav/(Unfav) (\$Ms)
Salaries	\$29.38	\$16.30	\$28.88	\$0.50
Premium Pay	\$2.77	\$1.37	\$2.77	\$0.00
Benefits	\$7.16	\$2.79	\$7.14	\$0.02
Total Salaries & Benefits	\$39.31	\$20.46	\$38.79	\$0.52
Materials	\$1.62	\$0.53	\$1.62	\$0.00
Equipment	\$0.09	\$0.01	\$0.09	\$0.00
Services	\$5.34	\$1.21	\$5.34	\$0.00
Revenue	(\$1.48)	(\$0.34)	(\$1.48)	\$0.00
Total Non-Salary	\$5.57	\$1.41	\$5.57	\$0.00
Total Net	\$44.88	\$21.87	\$44.36	\$0.52

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

Salaries & Benefits (including Premium Pay):

A favourable variance of \$0.52M is projected in salaries and benefits. PEU generally schedules one recruit class per year and hires the appropriate number of officers to ensure that, on average, it is at its full complement of officers during the year. The size of the recruit class is based on projected separations in 2015. Current trends indicate that 2015 attrition at this time will be slightly higher than the budgeted amount resulting in a small favourable variance in parking enforcement officer salaries. In addition, a small favourable variance is projected in other support function salaries. However, the PEU is looking to fill these positions as soon as possible.

Nearly all premium pay at the PEU is related to enforcement activities, attendance at court and the backfilling of members attending court. With respect to enforcement, premium pay is

utilized to staff special events or directed enforcement activities. The opportunity to redeploy on-duty staff for special events is minimal, as this will result in decreased enforcement in the areas from which they are being deployed. Directed enforcement activities are instituted to address specific problems. All premium pay expenditures are approved by supervisory staff and carefully controlled. No premium pay variance is projected at this time.

Non-salary Expenditures:

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

Conclusion:

As at July 31, 2015, the PEU operating budget is projected to be \$0.52M under spent at year end.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command will be in attendance to answer any questions from the Board.

The Board approved the foregoing report.

Moved by: C. Lee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P244. WIRELESS PARKING TICKET ISSUANCE SYSTEM – HARDWARE
AND SOFTWARE MAINTENANCE AGREEMENTS DUE TO VENDOR
BANKRUPTCY**

The Board was in receipt of the following report August 27, 2015 from Mark Saunders, Chief of Police:

Subject: WIRELESS PARKING TICKET ISSUANCE SYSTEM - HARDWARE AND
SOFTWARE MAINTENANCE AGREEMENTS DUE TO VENDOR
BANKRUPTCY

Recommendations:

It is recommended that the Board:

1. approve the assignment of the existing hardware support agreement, between the Board and Aparc Systems for the Wireless Parking Ticket Issuance System (the System), to Bluestar Canada, for the term of April 18, 2015 to March 31, 2018, for a total cost of \$131,358.88 inclusive of all taxes, to be paid on an annual basis;
2. award the software maintenance for the System, to Mr. Robert Suranyi for the term of October 1, 2015 to March 31, 2018, for a total cost of \$67,800.00, inclusive of all taxes; and,
3. authorize the Chair to execute all required agreements and related documents for the purposes of Recommendations 1 and 2 on behalf of the Board, subject to approval by the City Solicitor as to form.

Financial Implications:

The funding for hardware and software support and maintenance is included in the Parking Enforcement Unit's annual operating budget.

Background/Purpose:

The purpose of this report is to approve the assignment of the existing hardware support and maintenance agreement between the Board and Aparc Systems to Bluestar Canada and to approve the award of the software support agreement to Mr. Robert Suranyi to permit the continued support and maintenance of the System.

The System streamlines the parking ticket issuance process through electronic ticketing and contributes to the overall efficiency of parking enforcement operations, thereby providing enhanced operational support to the Toronto Police Service (Service). The System also provides

for more cost effective ticket processing practices and more timely two-way communication of information, which provides for higher levels of customer service and the provision of real-time intelligence to Parking Enforcement Officers performing their duties in the field.

In 2011 and 2012, the Board had previously contracted with Aparc Systems for hardware and software support and maintenance for the System. In January 2015, Parktoria Technologies Inc. advised the Service that it had acquired all the assets of Aparc respecting the System, including its staff. As a result, Aparc Systems requested the Board to assign its agreements with Aparc Systems to Parktoria Technologies Ltd. A Board report was prepared for intended submission to the May 2015 Board meeting in order to recommend the assignment of the agreement to Parktoria Technologies Ltd. However, Parktoria Technologies Ltd. declared bankruptcy on April 17, 2015. Consequently, the Board report was withdrawn from the Board's agenda while the parties worked to review alternatives.

This report provides recommendations to support the ongoing support and maintenance of the System for the term ending March 31, 2018.

Discussion:

The Service has been successfully utilizing the System since its implementation on July 24, 2006. Parking Enforcement Officers prepare and issue parking tickets using a handheld computer and a printer. Through a wireless connection, the handheld computers communicate in real time with the data collection servers holding parking ticket data. The data collection server interfaces with several City of Toronto (City) and Service systems, resulting in a more comprehensive and intelligent parking system. The interface to and from the City Parking Tag Operations allows for more real-time information sharing, including sharing outstanding ticket data, which allows the Service to enforce the City's Habitual Offender Towing program. The System is connected to City permit parking information, street addresses, vehicle alerts, and stolen vehicle information. This real-time data transfer ability enhances information sharing, public safety and the ability to provide timely and optimal customer service.

Aparc Systems was the provider of the hardware, software and related maintenance agreements. On January 24, 2015, Aparc Systems had advised the Service that it had undergone a reorganization of its operations and had transferred its System software and related business services to Parktoria Technologies Ltd., effective September 16, 2014. As such, Parktoria Technologies Ltd. acquired the System software, hardware, related employees and existing client agreements including the agreements between the Board and Aparc Systems. Both Service staff and staff in the City Legal Division reviewed the request and clarified various matters with representatives of Aparc and Parktoria and prepared a report on the matter for the Board's May meeting. However, on April 17, 2015, Parktoria Technologies Ltd. declared bankruptcy and the process that was underway to seek approval from the Board to assign the agreements was halted while alternatives were explored.

Hardware Support:

On August 13, 2012, the Board entered into an agreement with Aparc Systems to provide hardware support for the System for a five-year term, commencing on April 1, 2013 and ending on March 31, 2018 (Min. No. P219/2012 refers). Aparc Systems provided the Service's hardware support and maintenance through the Motorola/Zebra distributor, Bluestar Canada.

Notwithstanding the difficult situation that occurred as a result of the Parktoria Technologies Ltd. bankruptcy on April 17, 2015, Bluestar Canada continued to provide the Service with hardware support and maintenance for the System from April 18, 2015 onward. Bluestar Canada operated in good faith to ensure the Service could achieve business continuity through the existing ongoing support provided by Zebra/Motorola.

Due to the extraordinary and unique circumstances that have occurred, Bluestar Canada also has agreed to maintain the existing hardware support agreements until the end of the term on March 31, 2018, at the rates previously approved by the Board in an amount of \$44,476.80 per year (Min. No. P219/2012 refers). Zebra/Motorola has discontinued the production of the Motorola MC65, which is the current hardware device used by the System. Therefore, it is important to maintain the existing hardware support structure to ensure business continuity is maintained. Although consideration was given to approaching the marketplace for a new hardware maintenance agreement, this avenue was not explored further since the existing process in place is cost effective and the service is provided at a high level which supports effective business continuity.

As such, it is recommended that the Board approve the assignment of the existing hardware maintenance agreement to Bluestar Canada in the total amount of \$131,358.88 (inclusive of taxes) which includes the cost of annual service from April 1, 2016 to March 31, 2018 and a prorated amount for the current year for the period from April 18, 2015 to March 31, 2016.

Software Support:

On October 21, 2011, the Board entered into an agreement with Aparc Systems to continue to provide software support for the System for a five-year term, commencing August 30, 2011 and ending on August 29, 2016, at an annual cost of \$155,400, inclusive of taxes (Min. No. P188/2011 refers).

As a result of the Parktoria Technologies Ltd. Bankruptcy, the Service no longer has a software support agreement in place and has explored alternative options for ongoing software support. The software was subject to an escrow agreement in order to mitigate potential future risk. An escrow agreement defines the arrangement by which one party deposits an asset with a third person (called an "escrow agent"), who will in turn make delivery to another party if and when the specified conditions have occurred. In this case, the Service entered into an escrow agreement, and upon the bankruptcy of Parktoria Technologies Ltd., the Service was granted the rights to the System software code for its use. As such, the source code has been discharged by the escrow agent and has been delivered to the Service. Notwithstanding the fact that the Service is in possession of the source code for its own use, it is necessary to have the System supported by someone who is experienced and knowledgeable with the System. Since direct knowledge of the customized software is required, two options were available and were explored in order to

keep the software in operation until the end of the potential lifecycle (March 31, 2018) and quotations were received accordingly.

The first option explored was utilizing VenTek International, which purchased the intellectual property from Parktoria as part of the bankruptcy. VenTek provided a quotation of \$155,400 per year, inclusive of taxes, for the provision of the required support services.

The second option explored was utilizing Mr. Robert Suranyi who was one of the original architects of the System. Mr. Suranyi has thorough knowledge of the System and has been the Service's previous key support and development person since 2006 when the Service implemented the System. Mr. Suranyi has worked with all of the previous vendors who at one point in time owned and supported the System software. Mr. Suranyi provided a quotation of \$2,260 per month, inclusive of taxes, for 20 hours of support per month (an estimated \$27,120 per year). At this stage, considering that the software is stable, it is expected that the basic support of 20 hours will be adequate in order to maintain the system until the end of the lifecycle. Mr. Suranyi is also able to provide any required software development at a rate of \$100 per hour plus tax. This will allow the Service to implement any required change requests based on the City of Toronto business initiatives.

Based on the available options, it is recommended that the Board approve Mr. Robert Suranyi for the provision of software support of the System for a total amount of \$67,800.00, inclusive of taxes, to be paid on a monthly basis, for the term of October 1, 2015 to March 31, 2018. Mr. Suranyi has previously satisfied all of the Service's security requirements to allow him to maintain the System during his tenure with various former vendors to the Service.

Conclusion:

The Service requires continued hardware and software support and maintenance of the System in order to maintain business continuity. Since Aparc Systems and Parktoria Technologies Ltd. are no longer in operation, the Service has researched options in order to ensure continued support of the System. The Service also wishes to align the expiry dates of the hardware and software maintenance agreements which will be beneficial for the management of both these contracts and any future contracts.

The recommendations in this report for the assignment of hardware support and maintenance as well as software support until March 31, 2018, will allow the service to achieve the aforementioned objectives.

Deputy Chief Peter Sloly, Operational Support Command, and Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions the Board may have concerning this report.

The Board approved the foregoing report.

Moved by: S. Carroll

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P245. DRY CLEANING, PRESSING AND LAUNDERING SERVICES –
REQUEST FOR ONE YEAR EXTENSION**

The Board was in receipt of the following report August 27, 2015 from Mark Saunders, Chief of Police:

Subject: DRY CLEANING, PRESSING AND LAUNDERING SERVICES - REQUEST
FOR ONE YEAR EXTENSION

Recommendation:

It is recommended that the Board approve the option to extend the current contract with The Dry Cleaner-1639181 Ontario Inc., to provide dry cleaning, pressing and laundering services, for one additional year commencing January 1, 2016, and ending December 31, 2016, at a cost of \$2.95 per voucher (plus applicable taxes).

Financial Implications:

The proposed cost per voucher for the one-year extension in 2016 was pre-set at \$2.95 plus taxes in the original RFQ #1116072-11, which is an increase of \$0.10 per voucher from the previous four years. The cost of dry cleaning, pressing and laundering services in 2016 is estimated at \$1.2M, which is based on projected staffing and average voucher redemption. This is a decrease from the \$1.4M estimated for the previous year as fewer cleaning vouchers than anticipated were redeemed in 2014. Notwithstanding the increased cost per voucher, it is estimated that there will be no increase in the annual cost and there will be little to no impact on the 2016 operating budgeted amount of \$1.2M.

Background/Purpose:

A request for quotation (RFQ #1116072-11) was issued on August 26, 2011, by Purchasing Services, for dry cleaning, pressing and laundering services. At its meeting on October 20, 2011, the Board approved the services of The Dry Cleaner-1639181 Ontario Inc., commencing January 1, 2012 to December 31, 2014, along with an option for two one-year extensions at the discretion of the Board (Min. No. P269/11 refers). At its meeting on September 11, 2014, the Board approved the initial extension of the current contract for The Dry Cleaner for a period of one-year commencing January 1, 2015 (Min. No. P206/2014 refers).

This report provides information on the Service's recommendation to exercise the option and extend the services of The Dry Cleaner-1639181 Ontario Inc., for an additional period of one year.

Discussion:

In 2011, The Dry Cleaner was selected as the successful vendor over two other quotations. The contract was valid for a three-year period, with an option to renew for an additional two one-year periods at the Board's discretion.

The Service is now requesting that the second one-year extension be granted. Under this arrangement, the cost per voucher will be \$2.95, an increase of \$0.10 per voucher. Despite the increase of \$0.10 per voucher, the cost will be substantially lower than the cost prior to 2011, which was \$4.25 per voucher.

The Service has been satisfied with the performance of The Dry Cleaner over the term of the current contract. The Dry Cleaner will be expected to continue to provide the same level of service in compliance with the Service's specifications. This second one-year extension will also allow the Service the time to review and develop a more efficient process for the administration of the dry cleaning, pressing and laundering services.

Conclusion:

The Service is therefore recommending that the Board approve the option to extend the current contract with The Dry Cleaner for an additional one-year period commencing January 1, 2016.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Service Command, will be in attendance to answer any questions from the Board.

The Board approved the foregoing report.

Moved by: S. Carroll

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P246. MASTER PURCHASE AGREEMENT EXTENSION – INTERGRAPH
CANADA LTD.**

The Board was in receipt of the following report September 01, 2015 from Mark Saunders, Chief of Police:

Subject: MASTER PURCHASE AGREEMENT EXTENSION - INTERGRAPH
CANADA LTD.

Recommendations:

It is recommended that:

- (1) The Board approve the extension of the Master Purchase Agreement with Intergraph Canada Ltd. as the vendor of record for the supply and delivery of software and professional services for the Toronto Police Service's Computer Aided Dispatch System, for a three year term ending on July 9, 2018; and
- (2) The Board authorize the Chair to execute all required agreements and related documents on behalf of the Board, subject to the approval as to form by the City Solicitor.

Financial Implications:

There are no financial implications related to the recommendations contained within this report. The software acquisition and professional services are budgeted and approved on a project by project basis.

Background/Purpose:

The Intergraph Computer Aided Dispatch System (ICAD) used by Toronto Police Service (Service) Communications Services was purchased in December 1991. It is an integrated package of software from Intergraph Canada Ltd. (Intergraph) providing call taking, dispatching and historical recording of information, allowing for the timely handling and recording of 9-1-1 and other Service related calls for service.

As originally planned, components of this system have been upgraded regularly to keep the system current with new technology, thereby ensuring 9-1-1 calls are handled effectively. Lifecycle upgrades were performed in 1999, 2003, 2008 and 2013.

Discussion:

The software of the ICAD system and the services required to maintain and support it can only be provided by Intergraph. Intergraph is the manufacturer and sole supplier of the software and services and does not authorize third party agents or consultants to provide services or resell products. The Service also has a maintenance agreement in place with Intergraph that expires on December 31, 2016.

The ICAD is a critical public safety system used by the Services' Communication 9-1-1 Centre. Since its implementation in 1994, the system has provided all the necessary functionality for the efficient handling of all calls for service and fully meets the Services' requirements. Over the next few years, the Service will need to purchase additional software products and services to integrate ICAD with the new Motorola Portable Radio Global Positioning System (GPS), adopt the modern Internet Protocol (IP) based 9-1-1 data networks to enable delivery of multimedia to 9-1-1, as well as other Next Generation (NG911) features.

At its meeting held on June 15, 2012, the Board approved Intergraph as the vendor of record for ICAD software products and services as well as the overall terms and conditions for all such purchases from Intergraph through a Master Purchase Agreement (Min. No. P151/12 refers). This Agreement would continue to be used for all future purchases of goods and services from Intergraph. Consequently, there would not be a need to have separate terms and conditions for each individual purchase.

Representatives from the Information Technology Services, in consultation with Purchasing Support Services and the City Legal Division, were actively involved in the development of the 2012 Agreement with Intergraph. Key provisions of the Agreement include:

- General principles governing the contractual relationship between the Board and Intergraph;
- Definition of the standard of care and skill to be used by Intergraph in performing the services;
- Identification of the responsibility of Intergraph for its personnel and subcontractors, if any;
- Establishment of both parties confidentially and security obligations;
- Establishment of the high level structure for payments and invoicing;
- Identification of the right to use of the software source code in specified circumstances;
- Establishment of a process to resolve disputes, including escalation of disputed matters from the project managers to the executive level;
- Establishment of the warranties on the standards of services and the meeting of TPS requirements;
- Provisions of indemnity obligations for Intergraph for harm to the TPS in carrying out the project (subject to limitation of liability) and violation of a third party's intellectual property rights; and
- Identifying termination rights in the event of breach of the Agreement.

Any purchase of goods and services that are required from Intergraph would follow standard Service procurement procedure, be based on Intergraph's quotations and approved in accordance with the Financial Control By-law.

Conclusion:

It is recommended that the Board approve the extension of Intergraph as the vendor of record for the supply and delivery of software and professional services for the Services' ICAD system for a three year term ending on July 9, 2018, by extension of the Master Purchase Agreement with Intergraph.

The extension of the Agreement will allow for the continued modernization and transformation of the Communication Services 9-1-1 Centre to meet public safety needs, and will facilitate the purchase of goods and services required in this regard.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions from the Board.

The Board approved the foregoing report.

Moved by: C. Lee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P247. EXTENSION OF VENDOR OF RECORD FOR ACQUISITION AND
MAINTENANCE OF NETWORKING HARDWARE, SOFTWARE AND
PROFESSIONAL SERVICES**

The Board was in receipt of the following report August 27, 2015 from Mark Saunders, Chief of Police:

Subject: EXTENSION OF VENDOR OF RECORD FOR ACQUISITION AND
MAINTENANCE OF NETWORKING HARDWARE, SOFTWARE AND
PROFESSIONAL SERVICES

Recommendations:

It is recommended that:

- (1) the Board approve the second one-year contract extension option with OnX Enterprise Solutions Ltd. as the vendor of record for the supply of networking hardware, software and professional services for the period commencing January 1, 2016 to December 31, 2016;
- (2) the Board approve the second one-year contract extension option with OnX Enterprise Solutions Ltd. for the supply of Cisco SMARTnet maintenance and upgrade protection for the installed Cisco network hardware and related software products, for the period commencing January 1, 2016 to December 31, 2016; and
- (3) the Board 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:

The replacement of the existing network system is funded from the Service's Vehicle and Equipment Reserve, based on the network lifecycle replacement plan. The project was included in the 2016-2025 capital program submission with a cash flow requirement of \$1.2 million (M) in 2016.

The annual network maintenance services and software support costs of approximately \$1.5M have been included in the 2016 operating budget request. These costs can vary year to year as they are based upon the current inventory of devices and software in service. These changes are determined on an annual basis as part of the maintenance renewal process and will be taken into account in future years' operating budget requests.

Additional networking devices and software may be procured to support additional projects and requirements. Any such additional acquisitions are subject to separate budget approval.

Background/Purpose:

The purpose of this report is to request Board approval to exercise the second and final one-year extension option.

Discussion:

The Toronto Police Service's (Service) computing infrastructure is comprised of a main data centre, a secondary data centre that provides backup facilities for the Service's mission critical requirements, and local servers at all major remote sites (divisions and units). The network provides the critical link between the two data centres and the Service's approximate 3,700 desktops and printers, to the information housed in the central and local servers. As the Service completes its migration to Voice over IP (VoIP) telephone systems, the Service's voicemail and phone system will also depend upon this network infrastructure for operation.

The Service requires a reliable and cost-effective supply of equipment, maintenance and professional services to maintain its network infrastructure in a "state of good repair", to support its use of information technology and ensure that necessary information can be accessed by Service members for operational purposes.

Request for Proposal (RFP) 1121881-11 was issued in 2011 for the procurement, supply, maintenance and support of networking hardware & software, and professional services required to support the Service network environment which included Cisco SMARTnet maintenance services.

At its meeting on November 24, 2011, the Board approved OnX Enterprise Solutions Ltd. (OnX) as the vendor of record for the supply of network hardware, software and professional services, as well Cisco SMARTnet maintenance services, to provide on-going and reliable maintenance for the Service's networking environment (Min. No. P297/11 refers). The contract awarded to OnX for the period January 1, 2012 to December 31, 2014, also included the option to renew for two, one-year terms at the discretion of the Board.

At its meeting on November 13, 2014, the Board approved the first one-year extension of this contract (Min. No. P258/14 refers).

OnX has met or exceeded all contract terms in providing network products and support. The discount and associated prices for all acquisition and maintenance for networking hardware, software and professional services is periodically compared to similar services and equipment provided to the City and its Agencies, Boards and Commissions as well as other similar sized organizations. These comparisons verified that the prices and discounts provided by OnX are comparable or less expensive.

Conclusion:

OnX Enterprise Solutions Ltd. has met all of the Service's terms, conditions and requirements since January 1, 2012, and it is therefore recommended that the second one-year extension option be exercised on both contracts. Service staff has had discussions with the vendor to ensure the pricing structure for the various components and services required is as competitive as possible, during the recommended extension period.

This is the final one-year extension for these contracts. The Service will conduct a Request for Proposal (RFP) process for the supply of networking hardware, software and professional services in 2016, and will report to the Board on a contract recommendation, as required.

Mr. Tony Veneziano, Chief Administrative Officer, Corporate Services Command, will be in attendance to answer any questions from the Board.

The Board approved the foregoing report.

Moved by: C. Lee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P248. REQUEST FOR SPECIAL FUNDS: TORONTO POLICE SERVICE
PARTNERS WITH CYCLE TO FOR 2015 GET LIT CAMPAIGN**

The Board was in receipt of the following report July 31, 2015 from Mark Saunders, Chief of Police:

Subject: REQUEST FOR FUNDS: TORONTO POLICE SERVICE PARTNERS WITH
CYCLE TO FOR 2015 GET LIT CAMPAIGN

Recommendation:

It is recommended that the Board approve an expenditure not to exceed \$6,000 from the Board's Special Fund, to support our partnership in the 2015 Get Lit Campaign with community partners Cycle TO.

Financial Implications:

Funding to cover the costs of bicycle lights and promotional materials would be drawn from the Board's Special Fund and would not exceed \$6,000. Other sponsorship opportunities would be applied for by Cycle TO and would offset the total costs of the event.

Background/Purpose:

The Toronto Police Service identified Traffic Safety as a Service Priority. This priority was determined through extensive consultation, with both members of the Service and members of the community, as well as from a comprehensive analysis of ongoing trends and anticipated challenges to the delivery of police services within the coming years.

The Toronto Police Service, Traffic Services Unit has developed a Comprehensive Traffic Safety Strategy, the focus of which is education, awareness and enforcement. The goal is to deliver effective and efficient traffic policing services aimed at reducing collisions and incidents of poor driving behaviour thereby reducing deaths and injuries, and to ensure the orderly movement of traffic on our city streets.

The Traffic Services Unit has recognized that in order for the Comprehensive Traffic Safety Strategy to be effective, it must include areas such as pedestrian and cyclist safety. In addition, the Service as a whole has recognized that successful crime prevention and/or public safety initiatives are borne out of community partnerships between grassroots organizations and the police service. To that end, the Service has partnered with the community organization Cycle TO on a number of initiatives aimed at improving road-sharing among drivers, cyclists and pedestrians.

Cycle TO's vision is to make Toronto a city that embraces cycling as an essential part of its sustainable transportation network. It aims to have the needs of people who cycle taken into account in all municipal planning and decision-making. Cycle TO believes Toronto is a healthy, safe and livable city and that it is recognized as a leading urban centre, where multiple modes of transportation are not just accepted but are actively promoted.

Throughout the course of the year, the Service has maintained its relationship with Cycle TO by enhancing communication between the organization and various units throughout the Service. For instance, Cycle TO and Special Events worked closely together to facilitate a successful Bike To Work Day in May 2015 and create further awareness of the new Bike Valets that can be found at large events throughout the city. The organization will also be working with 14 Division to provide an officer to participate in an upcoming Start Cycling feature.

In October, Cycle TO will host its annual Get Lit Campaign. As summer turns to fall, diminished daylight hours put a renewed emphasis on cyclists having proper lights and reflective gear on their bicycles to help ensure their safety. With this in mind, the Get Lit Campaign establishes locations across the city where members of Cycle TO and the Toronto Police Service will encourage passing cyclists to pull over and learn about the importance of proper lighting on their bicycle. In exchange for taking the time to stop, the cyclists will receive free lights. The locations are chosen by Cycle TO and a different one is selected every Tuesday for the month of October (four in total) in order to ensure each area of the city is covered during the campaign.

Ontario law requires that bicycles be equipped with a front white light and a rear, red light or reflector, from half an hour before sunset to half an hour after sunrise. Lights, reflectors, reflective tape and bright clothing help drivers and pedestrians see cyclists at night. As of July 2015, just as many cyclists have lost their lives in collisions on Toronto's streets compared to the entire year of 2014.

Discussion:

The anticipated attendance for the campaign will be approximately 100 participants on each day, based on historic attendance estimations. Those attending will be provided with proper lighting for the bicycle in exchange for taking the time to be educated on the safety factors associated to proper lighting.

This request seeks funds for the purchase of lights from Norco Bicycles. Cycle TO will make the purchase, at cost, with the funds provided, not exceeding the limit of \$4,000. The approximate breakdown is as follows:

4 days x 100 sets of lights x \$10 / set = \$4,000

This request also seeks funds to assist with the promotion, equipment and logistical steps needed to facilitate a successful campaign. Funding for such components as set up and park permits are coordinated entirely by Cycle TO with a request for support from its partners. This additional funding request is being made for \$2,000. This contribution would also go towards appropriately

recognizing the Toronto Police Service as a partner with Cycle TO with its logo being included in all print and electronic marketing materials.

The request for the funding of the 2015 Get Lit Campaign from the Board's Special Fund has been reviewed and meets the criteria as set out in the Board's amended Special Fund policy dealing with Community Outreach (Min. No. P73/2013 refers).

Conclusion:

Partnering with Cycle TO for the Get Lit Campaign provides the Service an opportunity to showcase our relationship with the cycling community and the ongoing work that is being done to create awareness for all issues of traffic safety.

Chief Mark Saunders will be in attendance to respond to any questions that the Board may have regarding this report.

The Board approved the foregoing report.

Moved by: M. Moliner

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P249. SPECIAL CONSTABLES: APPOINTMENTS AND RE-APPOINTMENTS:
TORONTO TRANSIT COMMISSION, TORONTO COMMUNITY
HOUSING CORPORATION, UNIVERSITY OF TORONTO – ST.
GEORGE CAMPUS AND SCARBOROUGH CAMPUS**

The Board was in receipt of the following report August 14, 2015 from Mark Saunders, Chief of Police:

Subject: SPECIAL CONSTABLES: APPOINTMENTS AND RE-APPOINTMENTS
TORONTO TRANSIT COMMISSION, TORONTO COMMUNITY HOUSING
CORPORATION AND; UNIVERSITY OF TORONTO, ST. GEORGE AND
SCARBOROUGH CAMPUS'

Recommendation:

It is recommended that the Board approve the appointments and re-appointments of the individuals listed in this report as special constables for the Toronto Transit Commission, the Toronto Community Housing Corporation and the University of Toronto, St. George Campus, subject to the approval of the Minister of Community Safety and Correctional Services.

Financial Implications:

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

Background/Purpose

Under Section 53 of the *Police Services Act of Ontario*, the Board is authorized to appoint and re-appoint special constables, subject to the approval of the Minister of Community Safety and Correctional Services. Pursuant to this authority, the Board now has agreements with the University of Toronto (U of T), Toronto Community Housing Corporation (TCHC) and Toronto Transit Commission (TTC) governing the administration of special constables (Min. Nos. P571/94, P41/98 and P154/14 refer).

The Service has received requests from the TTC and the TCHC to appoint the following individuals as special constables:

Agency	Name
TTC	Jason Barber
TCHC	Arnold Cheung

The Service also received requests from the U of T to re-appoint the following individuals as special constables:

Agency	Name
U of T, Scarborough Campus	Angela Johnston
U of T, St. George Campus	Monique Altmann
U of T, St. George Campus	Nancy Kim Senior

Discussion:

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

The agreements between the Board and each agency require that background investigations be conducted on all of the individuals who are being recommended for appointment or re-appointment as special constables. The Service's Employment Unit completed background investigations on these individuals and there is nothing on file to preclude them from being appointed or re-appointed as special constables for a five year term.

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

Agency	Approved Strength	Current Complement
TTC		45
TCHC	83	82
U of T, Scarborough Campus	15	15
U of T, St. George Campus	34	31

Conclusion:

The Toronto Police Service continues to work together in partnership with the agencies to identify individuals who may be appointed as special constables who will contribute positively to the safety and well-being of persons engaged in activities on TTC, TCHC and U of T properties within the City of Toronto.

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

The Board approved the foregoing report.

Moved by: C. Lee

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P250. MONTHLY REPORT: BODY-WORN CAMERA PILOT PROJECT
SEPTEMBER 2015**

The Board was in receipt of the following report August 31, 2015 from Mark Saunders, Chief of Police:

Subject: BODY WORN CAMERA PILOT PROJECT: SEPTEMBER 2015

Recommendations:

It is recommended that:

1. the Board receive this report; and,
2. future reports on the Body Worn Camera Pilot Project be submitted on a quarterly basis.

Financial Implications:

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

Background/Purpose:

The Board at its meeting of July 16, 2015, approved the following motions:

- (1) The Chief be requested to provide a monthly public report to the Board, starting with the August 2015 meeting of the Board, on the implementation of the Body-Worn Camera Pilot Project, including any issues, emerging patterns, member feedback and community response; and,*
- (2) The Board direct the Chief to report to the Board at its September public meeting on the feasibility of deploying the cameras during all non-arrest, non-detention, informal interactions with members of the community as well as investigative situations. (P183/15 refers).*

Discussion:

On May 18, 2015, the Service implemented a 12-month pilot project to explore the benefits, challenges, and issues surrounding the use of Body Worn Cameras (BWC) in Toronto.

Using both quantitative and qualitative data, the pilot project will be evaluated to assess how the project was implemented and what results it achieved. And, if appropriate, it will offer recommendations on possible adjustments to assist in achieving the project's stated goals and assist with wider implementation, if such expansion is shown to be desirable and feasible.

The Service's evaluation is being assisted by an external Evaluation Advisory Committee, comprised of evaluation and data specialists. This independent panel of experts is providing advice on, and is monitoring the quality of the evaluation.

The following information is submitted in response to the Board's request for a monthly update on any issues, emerging patterns, member feedback and community response on the BWC pilot project.

Issues:

There have been no new issues that have arisen. The pilot project is continuing with the assistance of the two remaining vendors; Panasonic Canada and Reveal Media (Integrus).

Emerging Patterns:

There are no emerging patterns to report. Service members continue to be engaged in the BWC pilot study and are utilizing the cameras as trained. As of August 28, 2015, the total number of videos recorded was 6,417.

Member Feedback:

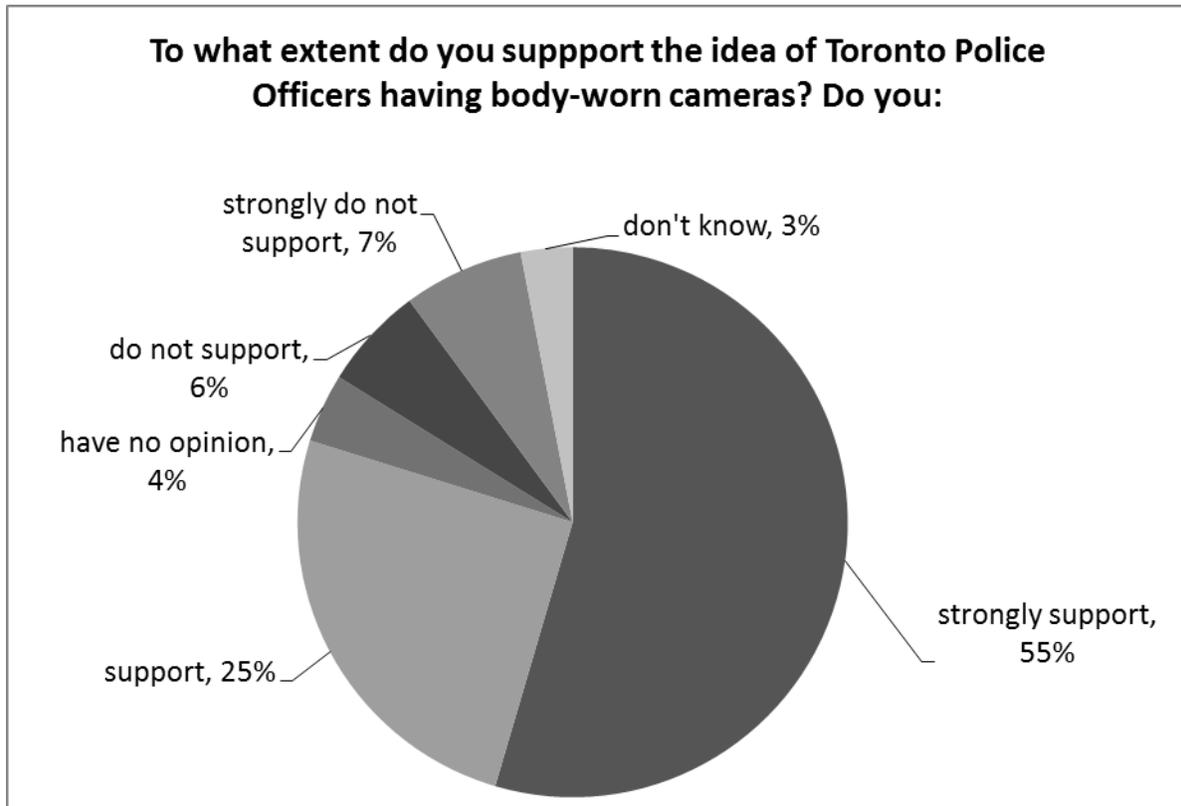
There has been no change in member feedback. Participants in the project remain positive and fully engaged in the pilot.

Community Response:

A survey was delivered to 20,000 randomly selected homes and businesses in Divisions 43 and 55 (pilot divisions) in April 2015. This survey will be repeated in 2016. This survey will assist in the evaluation of the success of the pilot project. Additionally, a link to a similar survey has been posted on the Service's BWC website for ongoing community input during the pilot.

That link can be accessed at: <http://www.torontopolice.on.ca/bodyworncameras>.

The following results were collected as of August 27, 2015, from the on-line survey. It should be noted that there has been a decreased frequency of respondents from the number that responded when the survey was first posted. There has been only a very minor change in the data collected.



On-line results as of 2015.08.27

Deployment of BWCs for all Interactions:

The BWC pilot project implementation team continues to research the feasibility of deploying the cameras during all non-arrest, non-detention, informal interactions with members of the community as well as investigative situations.

This recommendation, if adopted, will essentially require that police officers video record each and every interaction they have with the public, regardless of circumstance. This has the potential to negatively impact:

- The balance between the needs of law enforcement and privacy rights of individuals
- Community policing, trust and police legitimacy
- BWC training and program evaluation
- Costs associated to storage of video recordings

The Service recognized very early in the preliminary assignment phase of the BWC Pilot Project that the use of BWCs by police services has the potential to strengthen the policing profession and improve public trust within communities. The Service also recognized that issues with BWCs are complex and have therefore taken a very careful and deliberate approach to understanding these through a process of research and consultation.

Documentary research included reviewing reports from the Police Executive Research Forum (PERF), the Federal Privacy Commissioner's Guidance on Body Worn Cameras, the PACER report, the Iacobucci report, the inquests into the deaths of Jardine-Douglas, Klibingaitis and Eligon, and various operational findings produced from police services across North America and around the world.

Consultation included, but was not limited to, meetings with the Office of the Information and Privacy Commissioner of Ontario, the Office of the Ontario Human Rights Commission (OHRC), the Ministry of the Attorney General of Ontario (MAG), the PACER Advisory Committee, police services across North America, internal stakeholders from all commands of the Service, the Toronto Police Association (TPA) and most of the Chief's Community Consultative Committees (CCCs) and Community Police Liaison Committees (CPLCs).

Through all of the research and consultation, two consistent themes have emerged:

1. A BWC program must strike a balance between the needs of law enforcement and the privacy rights of individuals
2. Police Services should establish a BWC procedure that clearly identifies the program objectives and the rules governing the program

In designing the scope of the pilot project the Service was methodical in its approach, creating program objectives based on research and consultation and then developed procedural rules for the program.

At its meeting on July 16, 2015, the Board submitted:

"It will be recalled that testing of body-worn cameras was initially recommended in the report of PACER II. Subsequently, the recommendation was echoed by Justice Iacobucci in his report on police interactions with people in crisis. In both instances, the recommendation was to deploy the camera in non-arrest and non-detention situations not involving investigations and not in investigative situations only." (P184/2015 refers).

Chair Mukherjee expressed concern that:

"...the scope of the pilot may not be consistent with the recommendations that are at the heart of the pilot as originally conceived or recommended. This is a significant lacuna." (P184/2015 refers).

It should be emphasized that the scope of the BWC pilot program was influenced by both the PACER and Iacobucci reports. The Service very carefully considered those documents to create the goals and procedural rules that align with the recommendations from both reports. The Service was also very mindful of striking a balance between the needs of law enforcement and the privacy rights of individuals.

PACER Report:

Recommendation No. 11 contained within the PACER report is the only one addressing BWCs, it states:

- That the Service continues to leverage and monitor the In-Car Camera System currently installed in all marked police vehicles, as well as explore the possibility of equipping all uniform Officers with Body Worn Video (Body Cameras).

The rationale accompanying the recommendation reads:

- “As specified in the procedure, the In Car Camera System (ICCS) was employed as a measure to enhance Officer safety, to protect Officers from unwarranted accusations of misconduct, to provide powerful evidence in court, and to provide insight into the effectiveness of the Service training and Procedures (Toronto Police Service, 2012). The same procedure directs officers to use their camera systems in a number of prescribed scenarios, most notably during any investigative interactions with the general public. Several police services have adopted the use of Body Worn Video (BWV) for the same purposes. The Service will continue to monitor the outcomes of those other service’s experiences to determine whether BWV is a viable option for use in the city of Toronto.”

Iacobucci Report:

The Iacobucci report, *Police Encounters with People in Crisis*, contains many recommendations in support of outfitting officers with BWCs. None of the recommendations specifically state that officers should deploy the BWC in non-arrest and non-detention situations- not involving investigations and not in investigative situations only.

The Service’s BWC procedure sets out a rule to ensure that interactions with persons in crisis are recorded. The procedure directs that an officer, when equipped with a BWC shall activate the BWC as soon as reasonably possible, prior to arriving at a call for service or when having made the decision to initiate any investigative contact.

The definition used in the BWC pilot project for “investigative contact” includes “any direct contact between a police officer and a member of the public where that contact is for the purpose of a police investigation. This includes but is not limited to ... interactions with persons in crisis, apprehension under the Mental Health Act (MHA).”

Goals of the BWC Pilot Project:

The goals of equipping front-line officers with BWCs are to:

- Capture a more accurate record of police officer encounters with the public
- Enhance public trust and police legitimacy
- Enhance public and police officer safety
- Enhance bias free service delivery by officers to the public
- Protect officers from unwarranted accusations of misconduct
- Provide improved evidence for investigative, judicial and oversight purposes
- Provide information as to the effectiveness of Service procedures and training

Procedural Highlight:

The Service created procedural rules for all aspects of the program aligned with the goals that were created. Perhaps none more important than the rule outlining when an officer equipped with a BWC is to activate the camera to create a recording, as follows:

When equipped with a BWC, an officer shall activate the BWC as soon as reasonably possible, prior to arriving at a call for service or at a decision to initiate any investigative contact.

A call for service is defined as:

An incident attended by a police officer(s) in response to a call for assistance or service.

An investigative contact is defined as:

Any direct contact between a police officer and a member of the public where that contact is for the purpose of a police investigation. This includes **but is not limited to**, calls for service, investigative detention, apprehension under the MHA, arrests, interactions with persons in crisis, crimes in progress, investigations, active criminals and public disorder issues.

Officers participating in the pilot project shall activate the camera at a call for service or at a decision to initiate any investigative contact. These officers have been trained to understand that a police investigation (*investigative contact*) includes asking a member of the public for personal identifiers, or to explain why they are at a location or address. Officers, by procedure, shall activate the camera during these types of contacts.

The Service is very mindful of the sections in the PACER report, Legality of Collection and Manner of Collection. The excerpts below were used in the creation of the BWC procedure to protect members of the public and officers by requiring that a video record is created to ensure that data collected during that interaction is for a lawful purpose and that the collection of such is conducted in compliance with the OHRC.

Legality of Collection:

All lawyers consulted agree that it is legal for police services to gather, use and retain information, including personal information, from members of the public – as long as it is gathered for legitimate policing purposes and it is gathered lawfully. There is an expectation that the police will proactively collect the information they need to keep the community safe. Information gathering is a necessary adjunct to the statutory duties to preserve the peace, prevent crime, and protect the public and assist victims. The data collection is designed to collect information that is potentially useful in solving crimes or protecting the community. This is a lawful “law enforcement purpose” in line with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and in keeping with the principle and duties codified in the Police Services Act (PSA). All information gathering should be undertaken for a clear and lawful policing purpose.

Manner of Collection:

All lawyers consulted agree that the manner of the data collection creates the most legal risk. Data must be collected for a lawful purpose and in a human rights compliant manner. The Declaration of Principles to the PSA makes it clear that police services are required to conduct their affairs in accordance with the law, having respect for the Charter of Rights and Freedoms, and, that their practises and procedures be respectful and free of bias or racism. Ontario also has a Human Rights Code. Police services must respect its tenets. There are allegations that some data collection is used as a pretext to investigative detention, and, that the information gathered in these stops is on occasion not voluntary. In these cases, where evidence is in fact uncovered, as distinct from data, the admission of evidence may be challenged and discipline may result.

Balancing between the needs of Law Enforcement and Privacy Rights:

There are significant privacy implications with regard to BWCs that need to be weighed against the anticipated benefits. The Federal Privacy Commissioner offers that police services should be guided by a four part test when considering the implementation such a program:

- **Necessity:** There must be a demonstrable operational need that a BWC is meant to address.
- **Effectiveness:** Is it likely that BWCs will be an effective solution to the operational needs that have been identified?
- **Proportionality:** Privacy intrusion must be minimized to the extent possible and offset by significant articulable benefits.
- **Alternatives:** The least privacy invasive measure(s) are the preferred avenue.

The Service is confident that the current pilot program and procedure meets the four part test above and that a balance between the needs of law enforcement and an individual's privacy rights has been struck. Also, that the procedure is in line with our obligations pursuant to MFIPPA and otherwise.

Using a BWC to record all non-arrest, non-detention, informal interactions with members of the community will not stand up to the four part test listed above and is a very broad based, privacy intrusive recommendation that is not in line with the MFIPPA or in keeping with the principle and duties codified in the PSA.

The recommendation to do so, if adopted, does not strike a balance between law enforcement needs and an individual's privacy rights.

Community Policing, Trust and Police Legitimacy:

Directly tied to the concept of police legitimacy is the related concept of public trust. There are many factors which will affect the dynamics of the public-police relationship; however, "the worst enemy of effective policing is the absence of public confidence" (OHRC, 2003).

A key element of community policing is outreach and consultation between officers and the community they serve. Communication is the vehicle by which the community and police exchange information and solve problems. Simple, informal interactions between officers and the community are necessary to help break down barriers and develop trust.

Placing a requirement upon officers to record all non-arrest, non-detention, informal interactions with members of the community has the potential to erect barriers between police and the community.

At community information sessions delivered by the BWC Team prior to the program start date of May 18, 2015, the Service often heard questions and concerns about recording all interactions between police and the community. The community was reassured that the program would be overt, not intended to be used for surveillance, and that there was no intention to record informal / casual interactions between officers and community members.

Recording all informal interactions between officers and members of the public holds the potential to be counterproductive to developing trust in the community. This could be construed generally as surveillance.

For example, if the BWC is activated within a community centre when an officer is having an informal interaction with a youth or youths, this presents the potential for concerning the community or individuals as to what purpose is being served. It might even be interpreted as surveillance by capturing third party associates on video within the community centre, thereby raising the questions as to why is the Service recording this interaction, what lawful purpose does it serve and what will the Service do with video recordings of this type?

The officers assigned to the BWC pilot project have embraced the program, using the cameras exactly as the training intended. A change in the scope of the project, requiring the officers to activate their cameras in all non-arrest, non-detention, informal interactions with members of the community, will likely have a negative impact on that trust.

The potential adoption of this recommendation presents the significant probability of erecting barriers between officers and the community and calls into question our police legitimacy. The obvious question arises what “lawful” purpose supports such an approach?

Training and Evaluation:

The training for the pilot project commenced on March 23, 2015, for all involved officers. This training was comprehensive and included, but was not limited to, the BWC Procedure 15-19 as it relates to activation and deactivation, the law as it relates to public vs. private space recording, and scenario based exercises on those high volume calls for service that officers will experience.

The training reflected an effective partnership with MAG. This partnership is vital to the continuation of the pilot and any changes in the law as it relates to both the use of BWCs, as well as recording in public vs. private spaces. The Service’s procedure is in line with our obligations pursuant to MFIPPA and the Canadian Charter of Rights and Freedoms.

The evaluation of the pilot project commenced prior to the initiation of training, with the community, the officers involved, and both the internal and external working partners. The evaluation has been well designed and has sought independent opinion from three respected external academics to inject a measure of objectivity. The impact of changing the scope of the project at any stage will cause the evaluation to be skewed, thus resulting in the potential for inaccurate data analysis as a consequence.

Financial Impact:

Should BWCs be deployed for all interactions, there is the unavoidable certainty of dramatically increasing the video storage requirements for the pilot and of negatively impacting any future business case considerations.

Current cost estimates (provided by Information Technology) indicate that the average officer will collect approximately 2 gigabytes (GB) worth of data per shift. This number is based on the activation of the cameras for an “investigative purpose”. If officers are required to activate their BWCs for all non-arrest, non-detention, informal interactions with members of the community, that number is estimated to increase substantially.

Information and Privacy Commissioner of Ontario:

The Freedom of Information and Protection of Privacy Act (FIPPA) and MFIPPA protect the privacy of individuals with respect to their personal information held by provincial and local government organizations.

The Information and Privacy Commissioner of Ontario, Mr. Brian Beamish, acts independently of government to uphold and promote open government and the protection of personal privacy.

The Privacy Commissioner's authority includes but is not limited to, conducting research into access and privacy issues, commenting on proposed government legislation and programs and educating the public about Ontario's access and privacy laws.

On July 23, 2015, the Office of the Chief of Police received correspondence from Commissioner Beamish (see Appendix A, with emphasis placed on underlined wording). The correspondence addresses Recommendation No. 2, passed by the Board at its meeting of July 16, 2015 (P184/2015 refers).

Commissioner Beamish cites significant privacy concerns with regard to expanding the scope of the pilot project to include the recording of informal interactions, and that it is not clear that the recording of same is necessary for any law enforcement purpose. It is his opinion that any decision made on the scope or future of the BWC should be considered at the conclusion of the pilot.

Conclusion:

In the design of the BWC pilot project a very careful and deliberate approach to understand the issues surrounding their use was undertaken through a process of research and consultation. The pilot project is currently being well received by our members and the community. The Service is capturing good evidence, creating an accurate record of incidents, protecting the public and officers, and demonstrating police legitimacy.

To implement the proposed recommendation of deploying the cameras during all non-arrest, non-detention, informal interactions represents a change of magnitude that has the potential to completely disrupt what is viewed throughout the Service, the Province and across the country as a model for BWC success, into something very different and problematic.

There is no "significant lacuna", no gap between the goals and procedural rules as outlined for the BWC project and the recommendations from the PACER and Iacobucci reports.

The impact of changing the scope of the project at any stage will cause the evaluation to be skewed, thus resulting in the potential for inaccurate data analysis as a consequence.

It is recommended that the BWC pilot project continue, with the decided goals and procedural rules that were established at the onset of the project. The balance between the needs of law enforcement and privacy rights has, and will continue to be maintained.

It is recommended that the reporting schedule for the BWC pilot project be amended from a monthly to quarterly basis. This will allow for more data regarding issues, patterns and feedback, and will ensure a fulsome and comprehensive report. Although, should any significant issues arise between reports, the Board will be notified.

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

The following persons were in attendance and made deputations to the Board:

- **Mr. Kris Langenfeld; and**
- **Ms. D!ONNE Renée**

Following the deputations, Staff Superintendent Tom Russell, Area Field, and Deputy Chief Federico responded to questions from the Board.

The Board received the deputations and received the foregoing report. The Board approved that the monthly update reports continue.

Moved by: S. Carroll



Information and Privacy
Commissioner of Ontario
Commissaire à l'information
et à la protection de la vie privée de l'Ontario

July 23, 2015

VIA REGULAR & ELECTRONIC MAIL

Mark Saunders
Chief of Police
Toronto Police Service
40 College Street
Toronto, ON M5G 2J3

Dear Chief Saunders:

Re: The Toronto Police Service's body-worn camera pilot project

I am writing in response to the motion passed by the Toronto Police Services Board (the Board) on July 16, 2015 regarding the deployment of body worn cameras (BWCs) by Toronto Police Service officers participating in the Service's pilot project.

The motion directed "the Chief to report to the Board at its September public meeting on the feasibility of deploying the cameras during all non-arrest, non-detention, informal interactions with members of the community as well as in investigative situations" (emphasis added).

As you know, informal interactions are generally distinct from "investigative situations" such as "calls for service" and "investigative contacts" (including investigative contacts that occur in the form of street checks, community engagements or community contacts). In contrast, informal interactions include a range of non-investigative interactions, such as when a member of the public asks a police officer for directions or exchanges pleasantries.

In my view, there are significant privacy concerns associated with broadening the scope of the BWC pilot project to include the recording of informal interactions. BWC systems must be deployed and operated in a manner capable of both enhancing police accountability and respecting privacy rights, including the data-minimization principles that animate Part II of the *Municipal Freedom of Information and Protection of Privacy Act*. Accordingly, law enforcement institutions designing BWC programs should take steps to ensure that privacy intrusions are minimized to the greatest extent possible and offset by significant and articulable benefits. It is not clear that recording informal interactions is necessary for any law enforcement purpose, including the purpose of enhancing police accountability, bias-free policing and public trust. On the other hand, it is clear that recording all such encounters would have a significant impact on personal privacy. I note that my office's support for the BWC project is based, in part, on the understanding that recording would be limited and the need for any changes would be evaluated on completion of the pilot.

.../2



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I also believe that it is premature to consider expanding the scope of data collection in this manner. That decision should be taken once the pilot project has been completed and evaluated. At that time, the Service and the Board will be in a better position to arrive at an informed decision on the scope of its future BWC-related data collection activities.

If it would be helpful to discuss this matter further, please contact my assistant, Patricia Edwards, at 416-326-3936 who will arrange for a mutually convenient time for us to speak.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Beamish', written in a cursive style.

Brian Beamish
Commissioner

cc. Members of the Toronto Police Services Board

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P251. RESPONSE TO BOARD'S CORRESPONDENCE REGARDING *BILL 8 –
PUBLIC SECTOR AND MPP ACCOUNTABILITY & TRANSPARENCY ACT***

The Board was in receipt of correspondence dated July 22, 2015 from Madeleine Meilleur, Attorney General, with respect to Police Services Boards exemption from the *Ombudsman Act*. A copy of the correspondence is appended to this Minute for information.

The Board received the correspondence.

Moved by: C. Lee

Attorney General
McMurtry-Scott Building
720 Bay Street
11th Floor
Toronto ON M7A 2S9
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Our Reference #: MC-2015-3421

July 22, 2015

Dr. Alok Mukherjee
Chair
Toronto Police Services Board
40 College Street
Toronto, ON
M5G 2J3

Dear Dr. Mukherjee:

The Honourable Kathleen Wynne, Premier of Ontario, has forwarded your letter, regarding the application of the recent *Ombudsman Act* amendments to police services boards for my response.

The *Ombudsman Act* is administered by the Ministry of the Attorney General and was recently amended to allow the Ombudsman to receive complaints about municipalities, universities and school boards. The amendments to the *Ombudsman Act*, as they relate to municipalities, will come into force on January 1, 2016.

On the same date, Ontario Regulation 114/15 will also come into force. This regulation exempts certain local boards from the Ombudsman's jurisdiction, including police services boards established under the *Police Services Act*. Police services boards are not included in the Ombudsman's jurisdiction, given that these boards are already subject to oversight by the Ontario Civilian Police Commission. I have enclosed a paper copy of the regulation for your reference. You may also refer to the following link to the regulation, at:

<http://www.ontario.ca/laws/regulation/150114>

Thank you again for writing.

Sincerely,

A handwritten signature in cursive script that reads "m meilleur".

Madeleine Meilleur
Attorney General



Enclosure: Ontario Regulation 114/15

c: The Honourable Kathleen Wynne, Premier of Ontario



Français

Ombudsman Act

ONTARIO REGULATION 114/15

LOCAL BOARDS

Consolidation Period: From May 15, 2015 to the e-Laws currency date.

No amendments.

Note: THIS REGULATION IS NOT YET IN FORCE. It comes into force on January 1, 2016, the day subsection 1 (5) of Schedule 9 to the *Public Sector and MPP Accountability and Transparency Act, 2014* comes into force.

This is the English version of a bilingual regulation.

Exempted local boards

1. The following local boards are exempted from the definition of "local board" in subsection 1 (1) of the Act:

1. A society as defined in subsection 3 (1) of the *Child and Family Services Act*.
2. A board of health as defined in subsection 1 (1) of the *Health Protection and Promotion Act*.
3. A committee of management established under the *Long-Term Care Homes Act, 2007*.
4. A police services board established under the *Police Services Act*.
5. A board as defined in section 1 of the *Public Libraries Act*.

2. Omitted (provides for coming into force of provisions of this Regulation).

Français

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

**#P252. RESPONSE TO BOARD'S CORRESPONDENCE REGARDING AUDIT
OF LEVEL 3 AND 4 SEARCHES OF PERSONS**

The Board was in receipt of the following letter dated August 24, 2015 from Beverly Romeo-Beehler, Auditor General, City of Toronto, advising the Board that she will include the Board's request to audit Level 3 and 4 searches in her 2016 audit workplan. A copy of the correspondence is appended to this Minute for information.

The Board received the correspondence.

Moved by: C. Lee



Auditor General's Office

Beverly Romeo-Beehler
CPA, CMA, B.B.A., JD
Auditor General

Metro Hall
55 John St. 9th Floor
Toronto, Ontario M5V 3C6

Tel: 416-392-8030
Fax: 416-392-3754

August 24, 2015

Dr. Alok Mukherjee
Chair
Toronto Police Services Board
40 College Street
Toronto, ON M5G 2J3

Dear Dr. Mukherjee:

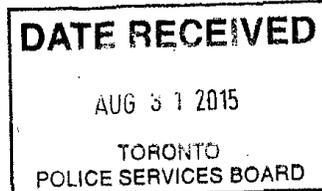
Re: Request for Audit: Toronto Police Service – Level 3 and 4 Searches of Persons

Thank you for your letter of July 31, 2015, requesting the Auditor General to conduct an audit of the level 3 and 4 searches of persons carried out by the members of the Toronto Police Service.

In response to the Toronto Police Services Board's recommendation at the June 18, 2015 Board Meeting (Minute #P152), The Auditor General will include this audit in our 2016 audit work plan.

Best Regards,

Beverly Romeo-Beehler
Auditor General



cg

c: Mark Saunders, Chief of Police, Toronto Police Service

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

#P253. IN-CAMERA MEETING – SEPTEMBER 17, 2015

In addition to the public meeting conducted by the Board today, an in-camera 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 s.35(4) of the *Police Services Act*.

The following members attended the in-camera meeting:

Mr. Andrew Pringle, Chair
Mr. Chin Lee, Vice-Chair & Councillor
Ms. Marie Moliner, Member
Ms. Shelley Carroll, Councillor & Member
Mr. John Tory, Mayor & Member

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 17, 2015**

#P254. ADJOURNMENT

Andy Pringle
Chair