



The following *draft* Minutes of the meeting of the Toronto Police Services Board held on September 28, 2006 are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on August 10, 2006 previously circulated in draft form were approved by the Toronto Police Service Board at its meeting held on September 28, 2006.

MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on **SEPTEMBER 28, 2006** at 1:30 PM in the Committee Room 1, Toronto City Hall, Toronto, Ontario.

PRESENT:

Dr. Alok Mukherjee, Chair
Ms. Pam McConnell, Councillor & Vice-Chair
Ms. Judi Cohen, Member
Mr. John Fillion, Councillor & Member
Mr. Hamlin Grange, Member
The Honourable Hugh Locke, Q.C., Member

ABSENT:

Mr. David Miller, Mayor & Member

ALSO PRESENT:

Mr. William Blair, Chief of Police
Mr. Karl Druckman, City of Toronto - Legal Services Division
Ms. Deirdre Williams, Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P278. AUDIT ISSUES

The Board was in receipt of the following report September 01, 2006 from Alok Mukherjee, Chair:

Subject: **AUDIT ISSUES**

Recommendations:

It is recommended that the Board:

- (1) amend Motion 2 of Board Min. No. P247/06 to authorize the Chief Administrative Officer to review issues of capital and financial controls and project management related to capital projects undertaken and completed from 1997-2004 to make recommendations for any improvement; and
- (2) request the Auditor General, City of Toronto, to review such results and make any necessary additional recommendations as well as to verify implementation of his previous recommendations related to financial controls and project management; and
- (3) approve an extension of time for pending reports dealing with audit issues related to capital projects as well as the feasibility of the Auditor General's office providing independent audit services to the Board to be submitted for the Board's December 7, 2006 meeting.

Background:

At its meeting of August 10, 2006, the Board considered a report from the Chief with respect to the amendment to the Purchase Order for the renovations of the Professional Standards Facility (Min. No. P247/06 refers). At this time, the Board made a number of motions regarding audit issues, including the following:

- 2. **THAT the Board retain an external auditor to review issues of capital and financial controls and project management related to capital projects undertaken in the last certain number of years to make recommendations for any improvement;****
- 3. **THAT the Board request the City of Toronto Auditor General to provide a report on the feasibility of dedicating an auditor from the Auditor General's office to provide permanent and independent audit services directly to the Board;****

At that meeting, the Board also considered a report from the Chief regarding the Service's internal audit and quality assurance process. The Board approved the following motion:

THAT, given that the Board had originally requested that the Chief of Police submit recommendations to the Board regarding changes to the audit process, and that no recommendations for changes have been included in the foregoing report as requested, the Board refer the foregoing report to the Chair and request that he communicate with the appropriate staff and provide a report to the Board containing recommendations for changes to the audit process.

On August 30, 2006, I met with Mr. Jeffrey Griffiths, Auditor General, City of Toronto and Mr. Tony Veneziano, Chief Administrative Officer, to discuss issues related to audit. During this meeting, it was determined that Mr. Veneziano was in the best position to review issues of capital and financial controls and project management related to capital projects undertaken and completed from 1997 to 2004. Mr. Veneziano will review the controls in place and identify any gaps in monitoring, control and accountability. Subsequently, Mr. Griffiths will review the results of Mr. Veneziano's evaluation to verify the controls identified and to make any additional necessary recommendations. This will ensure a thorough and efficient review process.

In addition, we discussed the feasibility of dedicating an auditor from the Auditor General's office to provide permanent and independent audit services directly to the Board. It was determined that, due to competing priorities at the City as well as staff resource concerns, it may not be possible to have an auditor dedicated to this work. However, Mr. Griffiths indicated his understanding of the Board's need and has undertaken to outline alternative options that would allow for audit services to be provided to the Board.

On August 31, 2006, Vice Chair McConnell and I discussed the Board motion requesting me to bring forward recommendations regarding changes to the audit process. We agreed that this matter should be revisited after the Board has considered reports from the Auditor General, City of Toronto, and the Chief, as discussed above.

The Board approved the foregoing with the following amendment:

THAT the reports to be submitted as noted in recommendation no. 3 in the foregoing report be provided to the Board for its *November 27, 2006 meeting* and not December 07, 2006, given that the December meeting has been cancelled.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P279. CITY OF TORONTO AUDIT RESULTS – DECEMBER 31, 2005

The Board was in receipt of the following report August 21, 2006 from William Blair, Chief of Police:

Subject: City of Toronto Audit Results – December 31, 2005

Recommendations:

It is recommended that:

1. the Board receive the City of Toronto Audit Results – December 31, 2005 from Ernst and Young;
2. the Board forward this report to the City's Audit Committee advising the Committee that the Service has taken corrective action on the control deficiency identified by Ernst and Young; and
3. the Board request that, in future, the City Audit Committee forward the Letter of Recommendations pertaining to the Toronto Police Service directly to the Board for its consideration and appropriate action.

Background:

The *Municipal Act* requires that the City of Toronto prepare and publish annual financial statements that consolidate all of the operations for which the City is responsible. The consolidated financial statements include the operations of City departments, as well as agencies, boards and commissions, including the Toronto Police Service.

To ensure the financial statements have integrity and can be relied upon, they are audited by the City's external auditors Ernst & Young LLP. The financial statements must be prepared in accordance with the generally accepted accounting principles as set by the Canadian Institute of Chartered Accountants' (CICA) Public Sector Accounting Board (PSAB).

Comments:

The Ernst & Young auditors provide the City of Toronto Deputy City Manager and Chief Financial Officer with an audit results package containing the following key information:

- Additional information regarding the scope and results of the audit which will help the City Audit Committee perform its duties and responsibilities;
- Items of audit significance discussed with management;

- The dollar value of known and likely audit differences discovered during the audit. The values represent differences between the amounts recorded by management and what the auditors believe should have been recorded under generally accepted accounting principles;
- A Letter of Independence, whereby the auditors declare their independence from the organization and its financial statements; and
- A Letter of Recommendations, outlining perceived internal control deficiencies and recommendations for improving them.

The 2005 audit results package was presented to the City of Toronto Audit Committee at its meeting of June 15, 2006. The Audit Committee accepted and forwarded the audit results to City Council for its meeting of June 27 to 29, 2006.

Recommendation for the Toronto Police Service:

The Toronto Police Services Board is responsible for ensuring that management fulfills its financial reporting responsibilities. The financial results of the Service are consolidated and reported with the City of Toronto. The external auditors have provided an opinion on the statements as a whole. It is therefore important that the Board members see the complete results of the consolidated audit report, including the one recommendation directed at the Service.

The only recommendation addressed to the Toronto Police Service is provided on page 30 of the City of Toronto Audit Results – December 31, 2005. The recommendation relates to the need to maintain a central log of authorized user access for the PeopleSoft and TRMS systems in the Enterprise Resource Management Unit, Human Resources. In order to address this recommendation, a process and log have been created and are being maintained by the user administrator. This recommendation has therefore been implemented.

Conclusion:

It is recommended that the Board receive the City of Toronto Audit Results – December 31, 2005 package from Ernst and Young and advise the City Audit Committee that the external auditor's recommendation pertaining to the Toronto Police Service has been implemented. Finally, consistent with the Board's oversight role, it is recommended that the Board request the City Audit Committee to forward all future letters of recommendation directly to the Board for its consideration and appropriate action.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, and Ms. Diana Brouwer, Executive Director, Ernst & Young will be in attendance to answer any questions from the Board.

The Board approved the foregoing.

City of Toronto

Audit Results – December 31, 2005

Report to Audit Committee of the Council of the City of Toronto

 **ERNST & YOUNG**
Quality In Everything We Do

May 30, 2006

Members of the Audit Committee
of the Council of the City of Toronto

Dear Members of the Audit Committee:

We are pleased to present the results of our audit of the consolidated financial statements of the City of Toronto (the "City" or the "organization") and the status of our final procedures.

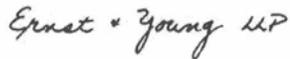
This report to the Audit Committee summarizes the terms of our engagement, the issues of audit significance discussed with management and provides the communications required by our professional standards.

Our audit was designed to express an opinion on the December 31, 2005 consolidated financial statements of the City. In planning the audit we held discussions with management, considered current and emerging business needs, along with an assessment of risks that could materially affect the consolidated financial statements and aligned our audit procedures accordingly. We received the full support and assistance of the City's personnel in conducting our audit.

This report is intended solely for the use of the Audit Committee, Council and management and is not intended to be and should not be used by anyone other than these specified parties. We disclaim any responsibility to any third party who may rely on it. Further, this report is a by-product of our audit of the December 31, 2005 consolidated financial statements and indicates matters identified during the course of our audit. Our audit did not necessarily identify all matters that may be of interest to the City in fulfilling its responsibilities.

We appreciate this opportunity to present the contents of this report with you and answer any questions you may have about these or any other audit-related matters.

Very truly yours,



Martha Tory/Diana Brouwer /Kathi Lavoie
416-943-3678/905-882-3037/905-882-3056

Audit Results – City of Toronto

Required Communications

Generally accepted auditing standards in Canada require the auditor to ensure that the committee of the Board having oversight responsibility for the financial reporting process receives additional information regarding the scope and results of the audit that may assist them in fulfilling their responsibilities.

Area	Comments
<p>Auditors' Responsibilities Under Generally Accepted Auditing Standards (GAAS)</p> <p>As set out in the section on audit approach, we designed our audit to express an opinion on the City's consolidated financial statements.</p> <p>The financial statements are the responsibility of management. Our audit was designed in accordance with GAAS which provides for reasonable, rather than absolute, assurance that the consolidated financial statements are free from material misstatement.</p> <p>As a part of our audit, we obtained a sufficient understanding of the internal control structures to plan our audits and to determine the nature, timing and extent of testing performed.</p>	<p>We anticipate issuing an unqualified audit opinion dated May 5, 2006 for the City upon approval of the financial statements by the City of Toronto Council and completion of certain outstanding procedures. The following procedures are outstanding:</p> <ul style="list-style-type: none">• Management representation letter; and• Various confirmations (legal, liability claims and bank)
<p>Changes to Audit Approach Outlined in Planning Document</p> <p>In our planning document, we indicated that we would conduct our audit in accordance with Canadian generally accepted auditing standards in order to deliver to you our final report on your 2005 consolidated financial statements. Our plan to you indicated that our strategy was to test and rely on controls in connection with City payroll, and City and Police purchases/disbursements accounting streams with substantive procedures covering the remainder of the accounts as the use of confirmations, detailed analytic procedures and specific testing of account balances is the more efficient approach for us to take in those areas.</p>	<p>There were no changes to the audit approach outlined in the planning document.</p>
<p>Adoption of, or Changes in, an Accounting Principle, Including Material Alternative Accounting Treatments Discussed with Management and Acceptability of a Particular Policy used by Management</p> <p>We determine that the Audit Committee is informed about the initial selection of, and any changes in, significant accounting principles or their application when the accounting principle or its application, including alternative methods of applying the accounting principle, has a material effect on the financial statements.</p> <p>In addition, we report to the Audit Committee all alternative accounting treatments within Canadian generally accepted accounting principles (GAAP) for policies and practices related to material items (including recognition, measurement, presentation and disclosure alternatives) that have been discussed with management during the current audit period including ramifications of the use of such alternative disclosures and treatments and the preferred treatment by us.</p>	<p>During the year, management adopted the new requirements for accounting for contingencies in accordance with Canadian generally accepted accounting principles. Refer to the discussion under "Items of Audit Significance Discussed with Management" within this package.</p>

Required Communications

Area	Comments
<p>Sensitive Accounting Estimates and Disclosures The preparation of financial statements requires the use of accounting estimates. Certain estimates are particularly sensitive due to their significance to the financial statements and the possibility that future events may differ significantly from management's current judgments.</p> <p>We determine that Audit Committee is informed about management's process for formulating particularly sensitive accounting estimates and disclosures and about the basis for our conclusions regarding the reasonableness of those estimates.</p>	<p>There are significant judgments and/or estimates required to prepare the financial statements where actual amounts may be significantly different from the estimates. We discuss the more significant accounting estimates further within the "Areas of Audit Emphasis and Items of Audit Significance Discussed with Management".</p>
<p>Major Issues Discussed with Management Including Accounting for Significant Unusual Transactions and for Controversial or Emerging Areas We determine that Audit Committee is informed about the methods used to account for significant unusual transactions and the effects of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.</p>	<p>We are not aware of any significant unusual transactions recorded by the City or of any significant accounting policies used by the City related to controversial or emerging areas for which there is a lack of authoritative guidance.</p>
<p>Significant Audit Adjustments and Unadjusted Differences Considered by Management to be Immaterial We provide Audit Committee with information about adjustments arising from the audit (whether recorded or not) that could in our judgment either individually or in the aggregate have a significant effect on the City's financial statements.</p> <p>We inform Audit Committee about unadjusted audit differences accumulated by us during the current audit period and pertaining to the latest period presented that were determined by management to be immaterial, both individually and in the aggregate, to the consolidated financial statements taken as a whole.</p>	<p>During the course of our audit, we accumulate differences between amounts recorded by the City and amounts that we believe are required to be recorded under generally accepted accounting principles. All accounting differences revealed by the audit were discussed with management to determine whether an adjustment should be recorded.</p> <p>Significant audit differences identified by us have been adjusted by management.</p> <p>There were no unrecorded audit adjustments that could, in our judgment, either individually or in the aggregate, have a significant impact on the consolidated financial statements.</p> <p>Management considered the unadjusted audit differences to be immaterial, both individually and in the aggregate to the consolidated financial statements as a whole. We concur with management's conclusion.</p> <p>Refer to "Summary of Audit Differences" section of this report.</p>
<p>Disagreements with Management</p>	<p>None.</p>
<p>Serious Difficulties Encountered in Dealing with Management when Performing the Audit</p>	<p>None.</p>
<p>Material Weaknesses in Internal Controls</p>	<p>No material weaknesses in internal control were identified.</p>

Required Communications

Area	Comments
<p>Fraud and Illegal Acts We report to Audit Committee fraud and illegal acts involving senior management and fraud and illegal acts (whether caused by senior management or other employees) that cause a material misstatement to the financial statements.</p>	<p>Our audit procedures include ongoing discussions with the Auditor General's Office on instances of fraud and our review of their annual report on fraud to the Audit Committee. We are not aware of any matters that require communication based on our audit procedures performed on the consolidated financial statements.</p>
<p>Consultation with Other Accountants</p>	<p>None of which we are aware.</p>
<p>Other Information in Documents Containing Audited Financial Statements</p>	<p>Once completed, we will review the Annual Report for consistency between the audited consolidated financial statements and other sections of the report.</p>
<p>Related Party Transactions Related party transactions identified by the auditor that are not in the normal course of operations or that involve significant judgments made by management concerning measurement or disclosure must be disclosed to the Audit Committee.</p>	<p>Significant related party amounts that are not eliminated for the Government Business Enterprises are disclosed within the notes to the financial statements. The significant disclosures are with respect to Toronto Hydro and Toronto Parking Authority. In addition, in 2005, there was a sale of street lights from the City to Toronto Hydro which is disclosed in Note 5 in the financial statements. See discussion within the "Areas of Audit Emphasis and Items of Audit Significance Discussed with Management" section.</p>
<p>Major Issues Discussed with Management in Connection with Initial or Recurring Retention</p>	<p>None.</p>
<p>Matters Relating to Component Entities of the Company When the financial statements of a company (primary entity) include financial information from financial statements of a component entity (a subsidiary, investee (other than a portfolio investment), or joint venture, or an entity whose financial information from financial statements is included with those of the primary entity), the auditor communicates with Audit Committee those matters relating to the component entities that in the auditor's judgment are of significance in the context of the primary entity (for example, weaknesses in systems of internal control that have resulted, or could result, in material errors in the primary entity's consolidated financial statements).</p>	<p>The consolidated financial statements of the City reflect the assets, liabilities, revenues and expenditures of the operating fund, capital fund, reserves and reserve funds of the City, and except for the government business enterprises which are accounted for on the modified equity basis of accounting, include all organizations that are accountable for the administration of their financial affairs and resources City Council and are controlled by the City (as noted in note 1 to the consolidated financial statements).</p> <p>All audit differences identified upon performance of the individual audits of the component entities of the City have been discussed with management of that entity and communicated to the audit committee or board of that entity. Any audit differences identified in these entities that met our reporting threshold at the consolidated City level have been included in our detailed listing of unadjusted amounts (refer to "Summary of Audit Differences" section for details).</p> <p>We are not aware of any matters relating to those entities that could have a significant impact on the City's reporting.</p>

Required Communications

Area	Comments				
<p>Auditors' Independence Canadian generally accepted auditing standards (GAAS) require that we communicate at least annually with you regarding all relationships between your organization and Ernst & Young LLP that, in our professional judgment, may reasonably be thought to bear on our independence.</p>	<p>Refer to "Independence Letter" section.</p>				
<p>Other Audit and Non-Audit Services Provided to Your Organization</p>	<p>Audit services provided to the City are in accordance with the request for proposal.</p> <p>From time to time, we have been engaged to perform specified procedures on various subsidy reports prepared by the City; however, fees have been separately negotiated and separate purchase orders have been issued for these engagements.</p> <p>In addition, we were engaged by the City, in accordance with a separate request for proposal, for services with respect to examining the City's asset and liability accounts to identify potential commodity tax recoveries.</p>				
<p>Fees</p>	<table border="0"> <tr> <td data-bbox="876 493 1201 525">Audit (City-only)</td> <td data-bbox="1201 493 1421 525" style="text-align: right;">\$319,000</td> </tr> <tr> <td data-bbox="876 525 1201 577">Commodity tax services recoveries</td> <td data-bbox="1201 525 1421 577" style="text-align: right;">16% of identified</td> </tr> </table> <p>The above fee is in accordance with the City's request for proposal for audit services. The total annual audit fee for the entities listed in the RFP is \$750,000 per year inclusive of expenses and GST. Any additional fees billed for audit related services are disclosed in our reporting package to the other entities. In addition, there are additional fees in the year with respect to some special reports required for Ministry purposes. These special reports generally have a fee of approximately around \$7,500 per report.</p>	Audit (City-only)	\$319,000	Commodity tax services recoveries	16% of identified
Audit (City-only)	\$319,000				
Commodity tax services recoveries	16% of identified				

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

During the course of planning and executing our audit, the following items/matters of audit significance were discussed with management:

Item	Description	Audit Results and Comments
Liabilities, Contingent Liabilities and Contractual Obligations	<ul style="list-style-type: none"> • The City is subject to various legal claims in the normal course of operations. The provisions of the new PSAB Handbook Sections on liabilities, contingent liabilities and contractual obligations require the recognition of contingent liabilities (except for loan guarantees) when an event is likely to occur and is reasonably estimable. • The new Handbook Section may be applied retroactively or prospectively. Management decided to retroactively adopt the changes. • Management has assessed the likelihood of its contingent liabilities occurring, and in those instances where a liability is likely to occur, management has reasonably estimated its liability. • Management engaged the services of Mercer Oliver Wyman to assist in performing management's assessment of insurance related claims and drew upon the expertise of the City's internal Legal Services department in assessing non-insurance related claims. Where necessary, the City also enquired of external legal counsel. 	<ul style="list-style-type: none"> • Our audit procedures tested that all significant contingent liabilities of the City were included in managements' assessment and that managements' estimation process was reasonable. • We concur with the accrual made and the information presented within the consolidated financial statements, including the disclosures in Notes 2 and 16 of the financial statements. • As a result of performing our audit procedures on these amounts, we identified areas where management can strengthen controls and improve efficiencies within its current processes. See "Letter of Recommendations" section for further information.
Significant Accounting Estimates – Employee Benefit Costs	<ul style="list-style-type: none"> • Future employee benefit costs represent a very significant unfunded liability within the City. During 2003, the City contracted the services of Mercer Human Resource Consulting to update the actuarial liability with respect to employee post employment and retirement benefit plans as of December 31, 2002 and projected forward for December 31, 2003 through to 2005. The City has used these projected results provided by Mercer as at December 31, 2005 in recording the future employee benefit liability 	<ul style="list-style-type: none"> • Our audit procedures included testing that new agreements negotiated with employees' unions were considered by Mercer in the projected results as at December 31, 2005. • As a result of the updated valuation by Mercer's for the impact of the new union agreements, it was determined by Mercer's that the liability should increase by \$3,090,000. This adjustment has been included in the 2005 actuarial loss. • Our procedures included testing that the assumptions related to various rates used within the actuarial calculations were reasonable.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Significant Accounting Estimates – Employee Benefit Costs (continued)	<ul style="list-style-type: none"> • There were various new union agreements that were ratified in 2005 and as a result the employee future benefit costs needed to be revisited to ensure there were no material changes. The City hired Mercer's to evaluate the impact of the new union agreements on the City's 2005 operating results. As a result of the review, there were no material adjustments required and as such, the City continued to use the previous projections for recording the changes to the 2005 consolidated financial statements. • We understand that the City will be conducting an updated full valuation of the employee benefits in the upcoming year that will be used for the preparation of the 2006 consolidated financial statements. This new valuation will take into consideration all the current agreements with the City. 	<ul style="list-style-type: none"> • Our procedures included testing that the City was in full compliance with the appropriate accounting principles for the calculation, presentation and disclosure of these liabilities within the consolidated financial statements. • We concur with the accruals made and the information presented within the consolidated financial statements. • We encourage the City to ensure that the updated valuation for 2006 is done on a timely basis and that Mercer's is also aware that some of the entities within the City are reporting on a basis other than the public sector accounting rules, and as such, the accounting for the changes in the report may vary for this reason. The City should provide Mercer's with a list of the entities and what accounting rules are followed by each.
Significant Accounting Estimates – Environmental Liabilities	<ul style="list-style-type: none"> • The provision for closure and post-closure costs for the City's landfill sites is one of the significant unfunded liabilities of the City. Currently, the City records environmental liabilities to the extent they relate to the closure and post-closure costs of their landfill sites. • The accounting rules are very specific as to the recording, presentation and disclosure of these amounts within the consolidated financial statements. • During the year, management identified an error in its calculation of these liabilities. As a result, the 2004 financial statements were restated and disclosed in Note 18 to the financial statements as follows: <ul style="list-style-type: none"> ○ 2004 opening capital fund balance decreased by \$17,584,331 	<ul style="list-style-type: none"> • Our audit procedures tested that the assumptions and rates used in the present value calculations were within our zone of reasonableness. We have tested current year transactions and found no exceptions. We have concluded the accruals are reasonable and the information presented within the consolidated financial statements is adequate. • We have tested management's revised estimation calculations for 2004 and 2003 and concur with the restatement of prior years. • Other environmental liabilities that may exist within the City are accrued to the extent that there is a legal obligation to remediate the properties to a certain level. Accruals beyond this point are not required under the current accounting standards.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
<p>Significant Accounting Estimates – Environmental Liabilities (continued)</p>	<ul style="list-style-type: none"> o 2004 environmental services expenses decreased \$1,226,368 o December 31, 2004 landfill closure and post-closure liabilities increased \$16,357,963 and December 31, 2004 amounts to be recovered increased \$16,357,963 	
<p>Significant Accounting Estimates – Tax Provisions (not including Payments in Lieu of Taxes)</p>	<ul style="list-style-type: none"> • Valuation of property taxes is a complex process within the City due to the number of rules and regulations. The appeal process alone creates many estimates and judgments around the valuation of tax receivables at the end of the year. As at December 31, 2005, the City has made a total provision against taxes in the amount of \$325,741,087 (2004 - \$287,253,448) of which \$272,965,449 (2004 - \$248,954,707) relates to assessments under appeal. The remainder of the provision is for other areas such as contaminated properties, vacancy rebates, charitable rebates and provision against interest charges. • We understand that, in 2004, management performed an analysis based on appeals from 1998-2002 and arrived at a rate of 6.49% as compared to the 7% suggested by MPAC to use in estimating an allowance against taxes for successful appeals. The City has kept the rate at 7% on the basis that most of the history related to residential properties and there was an expected increase in connection with the commercial property assessments that would increase the rate from 6.49% to closer to 7%. Therefore 7% was considered a reasonable basis for providing for an allowance against taxes. • For 2005, management continued to use 7% of the assessed value of the properties under appeal as a basis for the year end provision, however, MPAC has changed its approach to include both appeals and reconsiderations and considers a reasonable provision would not exceed 0.75% of the total assessment base of the City, not just amounts under appeal. 	<ul style="list-style-type: none"> • Our audit procedures include a review of the City's process for estimating the impact of appeals on current receivables recorded by the City. In addition, we correspond directly with the Municipal Property Assessment Corporation (MPAC) on the rate of appeals heard and won to test the reasonability of estimates made by City staff at year end. • Based on the new benchmarks provided by MPAC in evaluating the reasonableness of the provision made, the City has provided for an amount equal to approximately 0.10% of the total assessment base (or 7% of the assessed values of the properties under appeal), which is within the guidelines determined by MPAC. • We concur with the provisions made. • Based on our review of the assumptions used by management, historical experience with collection and subsequent receipts of receivables, we concur with the reasonableness of provisions for taxes receivable made by City staff. • We do encourage management to continue to monitor the history of the City's appeals in order to provide a stronger basis for the provisions made based on their own experience rather than that of MPAC.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
<p>Significant Accounting Estimates – Tax Provisions (not including Payments in Lieu of Taxes) (continued)</p>	<ul style="list-style-type: none"> • Another significant accounting estimate in the taxation area is with respect to vacancy rebates. Application for vacancy rebates relating to 2005 were accepted until February 28, 2006. The City is currently processing 2004 vacancy rebates and will continue to process 2004 and 2005 rebates over the upcoming months. Since vacancy rebates are not processed on a timely basis, the City estimated the 2005 vacancy rebates based on the most recent completed year. As a result, the 2005 vacancy provision was based on processed 2003 applications. • The increase in the total provision against taxes in the current year was the result of significant increases in the assessment values of properties under appeal and the addition of 2005 vacancy rebates in addition to adjustments related to unprocessed 2004 rebates. 	
<p>Significant Accounting Estimates – Payments in Lieu of Taxes</p>	<ul style="list-style-type: none"> • Payments in lieu of taxes are payments made to municipalities by entities that are part of the provincial or federal government for properties that are exempt from property taxation, which mainly consist of Crown properties. These entities can decide whether or not they will pay these amounts and how much they will pay. • Collection history indicates that these entities will pay based on their own methods of calculating the levies, which may include the utilization of their own property assessment database, applying adjustments to the levy such as capping and clawback, and/or budgetary constraints. 	<ul style="list-style-type: none"> • Based on our review of the assumptions used by management, historical experience with collection and subsequent receipts of receivables, we believe some payments in lieu may be collectible and have been overprovided for. We have taken this overprovision to our summary of audit differences, as a judgmental difference. See “Summary of Audit Differences” section.
<p>Significant Accounting Estimates – Water Receivable and Provision</p>	<ul style="list-style-type: none"> • The water accrual at December 31, 2005 captures revenue between the last billing dates to the year-end for each individual account and is based on consumption estimates produced by WMACS multiplied by a seasonal factor as determined by management. 	<ul style="list-style-type: none"> • Based on our review of the assumptions used by management and the subsequent billings for 2005 consumption, we concur with the reasonableness of accruals for water consumption made by City staff.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
<p>Significant Accounting Estimates – Water Receivable and Provision (continued)</p>	<ul style="list-style-type: none"> • The provision for non-collectible water accounts has decreased from the prior year (\$11,400,000 versus \$11,700,000 in 2004). The provision mainly relates to old accounts prior to the new policy adopted in 2003 allowing uncollected charges to be added to the tax roll. In 2005, approximately \$13 million was transferred to the tax roll as compared to \$0.7million in 2004. In addition, the City's collection policy, which involves arrears notices, use of collections agencies and water shut-off, has reduced the need for a provision increase in the current year. • Non-linked water accounts are accounts for tenants who live in multi-residential or condominium units, where the units are registered under the owner of the property. As a result, arrears for these accounts, which are the responsibility of the tenant, cannot be added to the owner's tax roll. The provision relating to these accounts is estimated by applying a percentage based on historical experience to accounts under investigation and applying a similar percentage to an estimate of the year-end water accrual that relates to non-linked accounts. 	<ul style="list-style-type: none"> • We reviewed the detailed outstanding receivables balances in light of the City's collection strategy. Based on our review of the assumptions used by management and historical experience with collection, we concur with the reasonableness of provisions for water receivables made by City staff.
<p>Significant Accounting Estimates – Other Provisions</p>	<ul style="list-style-type: none"> • In addition to the significant provisions and estimates noted above, the City makes provisions against various other receivables outstanding at the end of the year. These receivables include amounts related to user charges, parking tags and various other miscellaneous receivables. 	<ul style="list-style-type: none"> • Through our audit procedures, we review the significant receivable balances that exist at year end and review the support and work done by staff in developing estimates of uncollectible amounts. Since provisions entail a significant amount of judgment, our audit procedures tested that the basis of the estimates used and the ultimate provisions made are reasonable within our professional judgment. We agree that the estimates of the provisions made against the significant balances as at December 31, 2005 are reasonable.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Consolidation	<ul style="list-style-type: none"> • The City's budget and the day-to-day accounting within SAP are prepared on the cash basis. At year end, a process is followed by Accounting Services to ensure that the final numbers for the City's consolidated financial statements are prepared on the accrual basis in accordance with the Public Sector Accounting Board standards, which is the basis of accounting to be followed under the Ontario Municipal Act. This process involves consideration of all appropriate information from the City's information system, other relevant support and information from various departments and the financial statements from each of the City's Agencies, Boards and Commissions (ABC's) that form a part of the consolidated entity. • Each of the ABC's have stand alone accounting systems and report based on the generally accepted accounting principles applicable to their organization, which may not be the same as the principles applied by the City. As a result, consolidation is a complex and manual process. 	<ul style="list-style-type: none"> • Our audit procedures are designed to test that all entities are appropriately accounted for within the consolidated financial statements and that all required entries are made so that the City's financial information is consistent with generally accepted accounting standards applicable to the City. See the discussion below in "Elimination of Inter Entity Balances" for further details on the ABC eliminations. • In addition, through the consolidation process, we do review the audit results of the consolidated entities to ensure we recognize any amounts not adjusted through their statements. One amount for TTC has been recorded on the "Summary of Audit Differences" for 2005. • We have noted that the complexity of the current process increases the potential of errors, and as such, we have included a formal management letter point in 2005. Refer to the "Letter of Recommendations" section for further details.
Elimination of Inter Entity Balances	<ul style="list-style-type: none"> • Part of the City's consolidation process is the elimination of inter entity balances based on the results of the various local agencies, boards and commissions. These eliminations are performed based on the amounts reported within the various agencies, boards and commissions and may not agree in their entirety with the amounts recorded within the City's accounts. • As the City has continued to analyze its inter entity accounts, and through the course of our audit, errors have been identified, some as a direct result of the complex manual adjustments referred to in the consolidation comment above. 	<ul style="list-style-type: none"> • We audit the schedules and information provided to us by Accounting Services in detail and as a result have taken a few items to the "Summary of Audit Differences". Our review of the eliminations that should have occurred between the entities has shown that there is one known error (\$1.9M) and one judgemental error (\$2.4) for amounts that have not been eliminated on the consolidated statements. • While we have satisfied ourselves that there are no material differences in the consolidated financial statements, we have recommended to management that the City continue its efforts in reconciling its inter entity balances on a regular basis, which will ensure account balances are eliminated entirely upon consolidation.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Elimination of Inter Entity Balances (continued)		<ul style="list-style-type: none"> We concur with restatement of prior years' amounts with respect to Toronto Community Housing Corporation, which is described in Note 18 to the financial statements. We concur with the eliminations made as at December 31, 2005.
Sale of Street Lights	<ul style="list-style-type: none"> On December 30, 2005, Toronto Hydro Street Lighting Inc. (THSLI) entered into an Asset Purchase Agreement with the City of Toronto. In accordance with the terms of this agreement, the City, which owns the street and expressway lighting system (SEL) in the City of Toronto, has agreed to sell to THSLI certain of those assets and other rights associated with the street and expressway lighting system for a cash consideration of \$60 million. The effective date of the transaction was December 31, 2005. The transaction was recorded as an increase in property, plant and equipment at the exchange amount of \$60 million in the books of Toronto Hydro and as a reduction in the City's share of net equity in Toronto Hydro (Investment in Government Business Enterprises) as at December 31, 2005. THSLI also entered into a Street and Expressway Lighting Service Agreement, with the City of Toronto. Under this agreement THSLI shall provide street and expressway lighting services to the City including the management and operation of the SEL System and the design, installation, maintenance and repair of the SEL System for an annual fee. 	<ul style="list-style-type: none"> We have reviewed the Assets Purchase Agreement, the Street and Expressway Lighting Service Agreement and the valuation report issued by Deloitte and Touche as part of our audit procedures. We have also assessed the reasonableness of the valuation and assumption used by management in determining the fair value of the assets. Transactions of this nature between related parties would normally be recorded at the carrying value of the vendor. The acquisition of these assets was recorded at exchange amount in the accounts of THSLI since the carrying value of the assets is not recorded on the books and records of the City and the historical cost was not determinable. Toronto Hydro is a government business enterprise that is accounted for on a modified equity basis in the City's financial statements. The modified equity basis does not adjust the accounting of the entity to that of the City's nor are inter-organizational transactions and balances eliminated (such as streetlighting etc.). However, under Public Sector Accounting Rules, inter-organizational gains and losses are eliminated on assets remaining within the government reporting entity at the reporting date. Based on our procedures we concluded the accounting and disclosure for this transaction is appropriate.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Gas Tax	<ul style="list-style-type: none"> • In October 2004, the Province introduced gas tax funding to municipalities for public transit and in June 2005, a joint announcement by the Federal, Provincial, and City of Toronto governments and the Association of Municipalities of Ontario was made in connection with the signing of two federal gas tax funding agreements. • Revenues related to this new funding have been recognized by the City in the amount of \$236 million. 	<ul style="list-style-type: none"> • We have reviewed the agreements and tested that the gas tax funds were used for the purposes intended. The City has directed the use of these funds to transit and since the amounts were spent in the year, all revenues were recognized in the year. No balances remain within the City's obligatory reserve funds, which are shown as deferred revenue on the consolidated statement of financial position, as at December 31, 2005. • Based on our procedures, we believe the accounting and disclosure relating to this funding is appropriate. • Through our review of the agreements, we noted that the City is required to prepare an annual expenditure report relating to this funding which is to be audited by an external auditor. Management will need to ensure they comply with this part of the agreement.
Enwave (Share capital and Income Trust)	<ul style="list-style-type: none"> • Subsequent to Enwave's October year end, the City agreed to a capital call notice dated Nov 2, 2005 from Enwave that requested the City to subscribe for additional shares in order to maintain a 43% ownership of Enwave. • During 2005, Council approved a reorganization plan for Enwave Energy Corporation ("Enwave") as approved by the Enwave Board of Directors. 	<ul style="list-style-type: none"> • We agreed the capital call transaction to a City report for the authorization of the additional share purchase. • As of the audit report date, there has been no reorganization and as such there is no subsequent event disclosure required in the financial statements. • We concur with the accounting and reporting of the Enwave transactions in the 2005 consolidated financial statements.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
<p>Note Receivable – Toronto Hydro</p>	<ul style="list-style-type: none"> • The City holds a note receivable from Toronto Hydro in the amount of \$980 million maturing May 7, 2008 and bears interest at a rate of 6.8% per annum. This note is accounted for as a financial asset in the consolidated statement of financial activities and is disclosed in note 4 to the consolidated statements. • City Council, on February 6, 2006, exercised its option under the terms of the note to extend the maturity date from 2008 to May 6, 2013. • An Ontario Energy Board ["OEB"] directive subsequent to year end permits that Toronto Hydro can only recover 5% interest on debt in its rates charged to customers. Therefore, Toronto Hydro is seeking to revise the interest rate on their promissory note with the City. 	<ul style="list-style-type: none"> • We understand that there are ongoing discussions within the City on the resolution of this matter. • We concur with the note disclosure in Note 4 to the consolidated financial statements. • We agree that the resolution of the interest rate matter is a 2006 issue and is not significant enough to warrant disclosure within the City's 2005 consolidated financial statements as a subsequent event. Any potential rate changes will only apply to 2006 and future years.
<p>Cash</p>	<p>During the course of our audit, we noted various observations with respect to the accounting for and administration of the City's cash accounts:</p> <ul style="list-style-type: none"> • Foreign cash transactions are automatically converted into Canadian dollars by SAP using pre-established foreign exchange rates. During our review of bank accounts, we noted that for one US-dollar account, the conversion rate was manually overridden in SAP, resulting in an incorrect foreign exchange used for the ending cash balance. 	<ul style="list-style-type: none"> • Although the foreign exchange error was immaterial, EY noted that the conversion rates embedded in SAP should not be manually overridden. The application of incorrect exchange rates to larger cash balances could result in a material foreign exchange error in the future.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Cash (continued)	<ul style="list-style-type: none"> • In the Parks, Forestry and Recreation Division, cash receipts are processed by the CLASS system in batches and then uploaded into SAP. During the review of the year-end bank reconciliation, we noted \$6.3M in deposits recorded in the general ledger that could not be traced to CLASS and \$6.4M in deposits recorded in CLASS that could not be traced to the general ledger. The differences are due to time lags in recording credits and refunds in SAP and as a result, CLASS does not reconcile to SAP. • The City has several bank accounts that are treated as petty cash. For one of these accounts, we noted that the year-end balance in the general ledger of \$100,000 was significantly lower than the actual bank balance of \$3.9 million. This difference is due to payments in transit being booked into a general disbursements account rather than the specific general ledger account. 	<ul style="list-style-type: none"> • The net difference of \$0.1million is immaterial to the financial statements as a whole. However, the failure to reconcile cash deposits from CLASS to SAP could lead to errors that may go undetected, resulting in an incorrect cash balance. • The failure to record transactions in the appropriate GL account results in the misstatement of individual cash balances. We recommend that management review the process by which cash transactions are recorded to ensure that GL balances reasonably reflect the bank balance at year-end.
Reserve Funds	<p>During the course of our audit, we noted various observations with respect to the accounting for and administration of the reserve funds:</p> <ul style="list-style-type: none"> • Throughout the year, Council will approve the establishment of various new reserve funds through Council direction or by virtue of an obligatory reserve. In many instances, there are no financial transactions upon this approval - just the approval of the fund so there is a mechanism for tracking funds once they are received. • For 2005, we noted six obligatory funds were approved by Council but had not been set up as at year end. There was no financial activity in any of these funds as at December 31, 2005. 	<ul style="list-style-type: none"> • Although there is no significant impact on the consolidated financial statements for 2005, we do recommend that management adopt a more proactive basis for setting up reserve accounts to ensure that Council direction is being adhered to on a timely basis. By not recording the funds appropriately as they are approved, there is a risk that a fund could be overlooked or transfers are not occurring in the appropriate period.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Reserve Funds (continued)	<ul style="list-style-type: none"> In addition, we noted the approved transfer of the CNEA Prize Fund to the Canadian National Exhibition Association Foundation at the October 2005 Council meeting. The physical transfer of the funds did not occur until after year end although approval was given before year-end. The balance of this fund is \$157,000 and not significant to the City's statements and therefore no adjustment was made at December 31, 2005. 	
Reserves	<ul style="list-style-type: none"> In completing our audit procedures of the Reserve balances, we noted that the Water Stabilization Reserve continues to be in a negative position due to the large withdrawal from the account in 2004. This Stabilization Reserve for financial reporting is combined with the other Water and Wastewater reserves which cumulatively are in a positive position and are reported together in the consolidated financial statements. Since there are insufficient funds in this reserve to fund water and wastewater operations, funds were not transferred from this reserve in 2005. Per the 2005 preliminary reserves and reserve funds variance report, the City expects this deficit to be offset by contributions from water and wastewater operations in future years. The deficiency for 2005 for water operations of \$7,480,281 was to be funded from this reserve, however, instead of creating a larger deficiency in the balance the amount was funded from amounts that were budgeted to be transferred into the water capital reserve fund. 	<ul style="list-style-type: none"> We noted that there was no Council approval for this reallocation of funds - the reallocation was agreed upon by Financial Reporting and Financial Planning management staff of the City. Since this change has no impact on the consolidated statement of financial activities and would at the most only represent a misclassification between the reserve and reserve fund balances as reported on schedule 3 of the consolidated financial statements, we have accepted the transfers as presented.

Areas of Audit Emphasis and Items of Audit Significance Discussed with Management

Item	Description	Audit Results and Comments
Capital Asset Reporting	<ul style="list-style-type: none"> • Included in our 2005 planning package and in previous year's reporting packages to you, we have informed you of upcoming changes to reporting developments that may have a significant impact on the City. Capital asset reporting is a significant upcoming change that will require a lot of time and resources for the City to implement. 	<ul style="list-style-type: none"> • We understand that the City has been proactive with regards to this new standard and is very involved in pilot projects currently underway related to the implementation of the new requirements. We strongly encourage management the City to continue actively addressing this change to ensure that the City is ready for the new reporting requirements. • We also recommend that City staff consider the impact of this new standard on the Agencies, Boards and Commissions. • As management addresses the required changes to implement this new standard, it is important that they maintain an adequate audit trail to permit us to verify the changes as part of our audit process.
Changes to Financial Statements	<p>The significant changes to the 2005 financial statements (as compared to the 2004 presentation) are as follows:</p> <ul style="list-style-type: none"> • Significant accounting policies: <ul style="list-style-type: none"> ○ Claim provisions • Note 2: Change in Accounting Policy • Note 14: Public Liability Insurance removed (see Note 2 and 16) • Note 18: Comparative Consolidated Financial Statements 	We concur with the changes made.

Summary of Audit Differences

During the course of our audit, we accumulate differences between amounts recorded by management and amounts that we believe are required to be recorded under generally accepted accounting principles. Following is a summary of those differences:

	Recording Differences Would Have Increased (Decreased) Municipal Position or Net Revenues	
	2005 \$	2004 \$
Known Audit Differences:		
Overaccrual of deferred revenues	1,957	0
Overaccrual of TTC expenses	1,500	1,500
Overaccrual of Toronto Hydro tax reserves	0	1,720
Underaccrual of provision for taxes	0	(768)
Likely Audit Differences:		
Overaccrual of provision for payment in lieu of taxes	2,571	0
Overaccrual of deferred revenues	915	1,108
Overaccrual of accounts payable	2,483	0
Total Unadjusted Audit Differences Before Turnaround Effect of Prior Year Differences	9,426	3,560
Turnaround Effect of Prior Year Differences in Net Municipal Position	<u>(3,560)</u>	
Total Unadjusted Audit Differences in Income After Turnaround Effect of Prior Year Differences	<u>5,866</u>	

- Management has concluded that these differences are not material, either individually or in the aggregate, to the financial statements taken as a whole.
- In evaluating these differences we considered both qualitative and quantitative factors. Materiality is a matter of professional judgment, but as a general rule is judged in relation to the reasonable prospect of an item's significance in the making of decisions by the readers of financial statements.
- We concur with management's conclusion that these differences are not material to the consolidated financial statements taken as a whole.

Independence Letter

May 30, 2006

Members of the Audit Committee
of the Council of the City of Toronto

Dear Members of the Audit Committee:

We have been engaged to audit the consolidated financial statements of the City of Toronto ("City") for the year ending December 31, 2005. Canadian generally accepted auditing standards (GAAS) require that we communicate at least annually with you regarding all relationships between the City and us that, in our professional judgment, may reasonably be thought to bear on our independence.

In determining which relationships to report, these standards require us to consider relevant rules and related interpretations prescribed by the appropriate provincial institute / ordre and applicable legislation, covering such matters as:

- (a) holding a financial interest, either directly or indirectly, in a client;
- (b) holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
- (c) personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
- (d) economic dependence on a client; and
- (e) provision of services in addition to the audit engagement.

We have prepared the following comments to facilitate our discussion with you regarding independence matters arising since the date of our last letter.

We are not aware of any relationships between the City and us that, in our professional judgment, may reasonably be thought to bear on our independence, that have occurred from April 29, 2005 (the date of our last letter) to May 5, 2006.

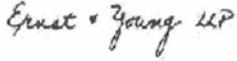
The total fees charged to the City during the period from January 1, 2005 to May 5, 2006 are set out in the Audit Results package.

Independence Letter

GAAS require that we confirm our independence to the audit committee, in the context of the Rules of Professional Conduct of the Institute of Chartered Accountants of Ontario. Accordingly, we hereby confirm that we are independent with respect to City within the meaning of the Rules of Professional Conduct of the Institute of Chartered Accountants of Ontario as of May 5, 2006.

This report is intended solely for the use of the Audit Committee, Council, management, and others within the City and should not be used for any other purposes.

Yours truly,



Martha Tory/Diana Brouwer /Kathi Lavoie
416-943-3678/905-882-3037/905-882-3056

Letter of Recommendations

May 30, 2006

To the Audit Committee of the
of the Council of the City of Toronto

Dear Members of the Audit Committee:

Re: Recommendations to Management for the year ended December 31, 2005

In planning and performing our audit of the consolidated financial statements of the City of Toronto (the "City") for the year ended December 31, 2005, we considered the City's internal control structure to determine our auditing procedures for the purpose of expressing our opinion on the financial statements under Canadian generally accepted auditing standards and not to provide assurance on internal control. Our consideration of internal control for the limited purpose of determining the nature, timing, and extent of our auditing procedures to express an opinion on the City's December 31, 2005 financial statements would not necessarily disclose all deficiencies in internal control over financial reporting and therefore was not designed to determine whether the City's system of internal control is adequate for management's purposes.

Our review of the controls for 2005 did take into consideration various reports issued by the Auditor General in the current year and previous years and we have not repeated his observations and recommendations within this letter. We will continue to monitor observations made by the Auditor General for any impacts the recommendations may have on our planning of subsequent year's audits. We have reviewed the report submitted by management to the February 2006 Audit Committee – Workplan Update (update on issues raised in auditor management letters). We have not repeated the comments within this letter but wish to note that we have reviewed the points and comments made by management within that report. With the exception of two points noted below, we agree with those points considered closed, and we will monitor the remaining outstanding points during the course of future year's audits.

The following points management considered to be closed in their workplan update submitted to Audit Committee for the February 2006 meeting, but are considered to still be open by us:

- 2000 – Finance - Accounting for Contributions for ABC's to the City's Employee Benefit Reserve Funds
- 2003 – Information Technology – SAP Security

The above noted points have been included in this letter and updated for any current information.

The prior year points remaining open and monitored by Finance for future workplan updates are summarized as follows:

- 2000 – Finance - Environmental Liabilities
- 2001 – Information Technology - Disaster Recovery Planning
- 2001 – TPS - Information Technology – Disaster Recovery Planning
- 2001 – TPS - Information Technology – Information Security

Letter of Recommendations

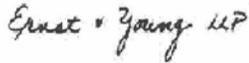
- ✎ 2003 – Finance/WES – Deposits
- ✎ 2004 – Former North York Fence Deposits
- ✎ 2004 – Vacation Accrual Days Not Recorded in SAP

While our purpose was not to provide assurances on the internal control structure, certain matters beyond those referred to above, came to our attention where we feel management can either strengthen controls or improve efficiencies within its current processes. Our study and evaluation disclosed no condition that we believed to be a material weakness but did disclose certain areas for which we believe further review by management is warranted.

All suggestions and comments outlined in the attached memorandum concern systems, accounting or business matters and are not intended to reflect in any way upon your personnel. Recommendations to management for the individual Agencies, Boards and Commissions have been presented to their respective Audit Committees or Boards of Directors and are included within each of their respective "2005 Audit Results Packages" which are forwarded to the City of Toronto Audit Committee at the same time as their respective audited financial statements are forwarded. Other comments observed by us and should be considered by management, are reflected within our discussion in this results package under "Areas of Emphasis and Significant Items Discussed with Management".

We wish to acknowledge the co-operation and courtesy extended to us by your personnel and wish to thank them for their assistance during our audit. If there are any matters included in the memorandum that you would like to pursue at greater length, we would be pleased to discuss them with you.

Very truly yours,



Martha Tory/Diana Brouwer /Kathi Lavoie
416-943-3678/905-882-3037/905-882-3056

2005 – Consolidation Process

Observation

The City's process for consolidating all of its agencies, boards and commissions ["ABC's"] within the City's financial statements is a very complex and manual process. The complexity is created by the nature and volume of these adjustments significantly increases the risk of error.

As part of this process, the City consolidates and eliminates accounts with its ABC's based on the audited financial statements of each of these entities. As the City has continued to analyze its intercompany accounts, errors have been identified, some as a direct result of the complex manual adjustments referred to above.

Recommendation

We recommend that management revisit the consolidation process to find ways to increase the efficiency of this process and, where possible, remove recurring manual entries that could be recorded directly in SAP.

Management Response

The consolidation process will be reviewed during 2006 and improvements will be implemented, where possible, to increase the efficiency of this process.

2005 - Contingent Liability Estimation

Observations and Recommendations

Reconciliation of Data

The City's insurance agents manage the majority of the City's claims and track the progress of these claims in their own databases. These databases are regularly uploaded to the City's STARS database; however, this is occurring less frequently as the City is currently making changes to its system. The last update to the system was on January 25, 2006 for information up to December 31, 2005.

There are inconsistencies that currently exist between information in the City's database and these 3rd parties. These inconsistencies occur as some of the City's claims are managed internally and any updates made by the City are not reflected in the agents' databases. As a result, upon uploading changes from the agents, updated claims information in the system may revert back to the data which exists in the agents' databases. These inconsistencies are identified by the City upon review of the status of the internally managed claims.

As recent changes to the public sector accounting rules require recording of the City's contingent liabilities, it becomes more critical that the City's claims database remains current and reconciled with its agents as these amounts form the basis of a significant accounting estimate that is now recorded in the City's financial statements.

Completeness of Accrual

The City engaged Mercer Oliver Wyman to estimate its contingent liability reserve based on its most significant areas of claims (general liability and automobile liability) and examined the activity of these claims filed on or after January 1, 1998 to December 31, 2005. While this estimation captures the most significant areas, it ignores pre-1997 claims and all property and non-insurance related claims. The contingent liability with respect to these claims was determined through individual claims review and assessment of the likelihood of loss and an estimation of the amount of loss. While the outcome of these claims is more readily estimable and may not require complex estimation valuations, in general, the City should apply the same rigor to all claims in estimating the likelihood of their eventual settlement as these liabilities are now recorded in the City's financial statements.

Management Comments

The conversion of claim records to a web-based system will enable both City staff and the insurance adjuster to access and update claims records. This process, commenced earlier this year, will eliminate the need to reconcile data in two separate systems and is expected to be operational by July 2006.

Claims data was provided to the actuary for the purpose of estimating loss reserves and did not include all outstanding claims due to the loss of some data during the conversion of records to the new web-based system. This situation is not expected to occur in future years.

2005 - Contract Management

Observation

During our testing of controls on purchases, we identified one purchase for which two contracts were created within SAP. Each of these contracts was assigned a unique contract number. When this contract error was identified it was not cancelled and divisions were able to draw on this contract through contract release orders or invoices. When combined, draw downs on the two contracts did not exceed the approved amount of the initial contract, however, the creation of duplicate contracts in error could result in spending in excess of authorized amounts.

Recommendation

The contract number or purchase order should be indicated on the purchase requisition as evidence that a contract or purchase order has been created. There should be a process to follow up and cancel any contracts or purchase orders identified by SAP as created in error so that they are cancelled immediately.

Management Comments

This error occurred when established procedures in the processing of a contract in SAP were not followed. Staff have since been reminded of the correct procedures to be followed in order to help avoid similar problems in the future.

2005 – Document Management System

Observation

We understand that City Council, at its meeting of January 31, 2006, has adopted a clause in the Administration Committee Report 1 with respect to the request for proposal for Document Management System Initial Implementation Solutions. From our understanding of this approved clause and from discussions with management, we understand that the City is looking to implement an electronic records management component to this system whereby, documents are scanned and converted into electronic images to facilitate storage and reference, and the source documents may not be retained after conversion.

Recommendation

We recommend that management ensure there is involvement of the external auditor in the implementation of this new system to the extent that the auditors will need to place reliance on the scanned documents.

The use of electronic evidence in the form of electronic copies of documents creates the need for us to identify, document and evaluate the controls over the creation of such electronic evidence. If our client uses a scanning/imaging system to process source documents, we can print a document or screen capture from this system in lieu of the original document only if we document and test controls over the scanning/imaging of documents that ensure the accuracy and completeness of scanned items.

Management Response

We agree and will involve a number of interested parties, including internal audit, divisional representatives and our external auditors in this process. The requirements of these groups and those of the Canada Revenue Agency will be incorporated in the procedures developed on the use of a document management system.

2005 – Information Technology – SAP User Termination Process

Observation

Notifications to remove terminated employees from SAP are not consistently communicated from the departments of the terminated user to the relevant SAP administrators on a timely basis. In order to compensate for this, a review of the bi-weekly HR termination report and the monthly inactive user report in SAP is carried out by the SAP user administration group. However, this review was not performed consistently throughout the year.

As a result of these two issues, we noted thirty-one cases in which a user account in SAP was not removed within thirty days of the employee's termination date. These cases include high risk terminations such as layoffs and dismissals, and included one user who was not removed until over six months after departure.

Untimely removal of user access increases the risk of inappropriate access to financial transactions and data.

Recommendation

We recommend that the City formalize the termination notification process by making it a requirement within the termination process that the IT department is notified for all employee terminations.

In addition, the requirement for the bi-weekly and monthly reviews for terminated users should be documented to ensure that the review process does occur on a regular basis.

Management Response

We agree with the recommendation. The SAP Competency Centre will work with Accounting Services, Human Resources, and Payroll, Pensions and Benefits to develop and implement formal processes for termination notification, regular reviews, and inactive/terminated user account removal by end of August 2006.

2005 – Information Technology – SAP Configuration – Logging of Changes

Observation

Through our review of SAP configuration settings, we noted that SAP logging is currently not enabled. Failure to log and monitor changes to sensitive configuration information increases the risk that unauthorized or inappropriate activity will not be detected or followed up.

Recommendation

Management should review the feasibility of logging changes to specific sensitive SAP configuration information. Logging provides evidence of changes that can be periodically reviewed for appropriateness.

Management Response

We agree with the recommendation for sensitive configuration tables. Enabling full table logging would significantly affect system performance in the production system given the large number of tables, including many transactional tables, in the SAP system. The SAP Competency Centre, in consultation with the business stakeholders, will identify sensitive configuration tables and enable logging of these tables for monitoring by the third-quarter of 2006.

2005 – Information Technology – TMACS/WMACS Password Settings

Observation

We reviewed the password configuration settings for the TMACS and WMACS applications and identified the following weaknesses:

- The minimum password length for a TMACS or WMACS user account is four characters and does not enforce use of characters other than letters (i.e. numbers or capitals)
- Accounts are not disabled or locked after a user attempts to log-on with an incorrect password
- Users are not prevented from re-using previous passwords when changing their user account passwords.

These issues contribute to an increased risk of unauthorized or inappropriate access to the TMACS / WMACS applications.

Recommendation

We recommend that consideration be given to improving information security by improving password security at the TMACS and WMACS application level. This would involve:

- Enforcing a minimum password length of at least 6 characters;
- Enforcing an account lockout policy to disable or lock user accounts after repeated invalid access attempts; and,
- Enforcing a password history to prevent the re-use of the previous few (i.e. five) passwords.

Management Response

We agree with the recommendation. Enhanced password configuration settings will be implemented for TMACS and WMACS in the third-quarter of 2006.

2005 – Information Technology – Operating System and Data Security

Observation

During the review of the operating system and database configuration used to host the SAP application, we noted a number of configuration settings that could be improved to reduce the risk of unauthorized or inappropriate access to the system and to decrease the likelihood of unauthorized access going undetected.

Details have been provided to management for their follow up.

Recommendation

We recommend that the City review and assess the identified items and consider the feasibility of implementing the recommended improvements.

Management Response

We will review the operating system and database configuration settings identified in the areas of password policy, session timeout, audit logging, and parameter setting and make appropriate improvements.

2005 – TPS – Information Technology – TRMS/Peoplesoft User Administration

Observation

We noted that a central log of authorised user access requests for Peoplesoft and TRMS is not maintained by the user administrators (the ERMS team). The lack of a central log of requests increases the risk that the approvals for access to the applications are not retained.

Recommendation

We recommend that a central log of application access requests be maintained to ensure that all requests to add, change, and remove user access to the TRMS and Peoplesoft applications are retained for audit evidence.

Management Response

The current process for the actioning of user access requests for TRMS and HRMS is for members of the ERMS unit to action access requests from Information Security and assign the correct level of access. This information is currently tracked by maintaining all email requests from Information Security.

Effective, immediately, in addition to maintaining actioned email user access requests, the ERMS unit administrator will maintain a log of these requests.

In addition, the log will include a hard copy of the emailed request.

Update to February 8, 2006 Staff Report to Audit Committee on Update of Issues Raised in Auditor Management Letters

2000 – FINANCE – Accounting for contributions for ABC's to the City's employee benefit reserve funds – updated for current status

This point has been changed to reflect the current status of the observation and recommendation as of our audit report date for 2005. With the exception of the Toronto Community Housing Corporation ["TCHC"] portion as noted below, we agree that the point has been addressed.

Observation

In 2000, with a change in accounting rules for the recognition of employee future benefit costs, we commented on ABC's who had made deposits into the City's employee benefit reserve fund for funding of these costs as they became due. With the change in rules, these entities set up a receivable from the City equal to the amount of the liability recognized. With the exception of TCHC, the City is funding costs related to the ABC's on a cash flow basis. In addition, a report was tabled with Council in May 2005 on the degree of underfunding for these liabilities for the ABC's and a funding strategy to be considered in the 2006 budget process.

TCHC is a consolidated entity within the City with its own shareholder direction. Currently, we understand that there is no resolution on the funding status of the amounts booked as a receivable in TCHC and a payable in the City.

Recommendation

We recommend that the City work with TCHC on resolving this matter in 2006.

Management Comments

Discussions with TCHC staff will be arranged in an effort to resolve this matter in 2006.

Letter of Recommendations

2003 – INFORMATION TECHNOLOGY – SAP Information Security– updated for current status

Our 2003 point has been updated to reflect those areas we still consider to be open. The point related to the logging, has been reissued as a separate point in 2005.

Observation

We reviewed the security within the SAP application and noted that a number of individuals outside of the SAP Competency Centre are able to modify either the SAP system or the access privileges of users within SAP. Although these users may require certain high level access, not all of them require this level of access.

As a general principle, there should be a clear separation of duties between the Information & Technology division and the Finance function. Specifically, IT users should not be granted access to application functionality and business users should not be granted access to IT functions.

As a result of these issues, there is an increased risk of security violations within the SAP system and the potential for unauthorized changes and those changes not being detected.

Recommendation

We acknowledge that there are ongoing changes being made to the IT organization as the SAP Competency Centre continues to formalize processes and take on additional responsibilities in support of the SAP environment. We recommend the security settings in SAP be reviewed and revised as appropriate for these ongoing changes and to enforce a separation of duties between the Information & Technology division and business users. In addition, the access for high level users (those that are not in the SAP Competency Centre) should be reviewed in consultation with the process owners so that users have access only to those functions required to perform their job.

Management Comments

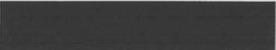
High level access is needed to manage / resolve issues arising from daily operational support. A formalized process has been in place for high level access transactions since Q3 of 2005. All high level access transactions identified in previous audits have been removed from all standard production system security profiles. When a high level access function is required to manage a production issue, an emergency profile with the high-level access is provided on a temporary basis by the business process owner to an individual user. The activity performed by the user using this emergency profile is logged and reviewed. The emergency profile is removed once the production issue is resolved.

Letter of Recommendations

2003 – INFORMATION TECHNOLOGY – SAP Information Security – updated for current status

Management Comments (continued)

An "Information Technology Governance and Organizational Design Review" is underway in 2006. This exercise will include a review of the account roles and responsibilities for the SAP Competency Centre and the key business stakeholders and process owners in the operation and support of installation. Recommendations will be made and an implementation plan will be developed by the fourth-quarter of 2006 that will address the separate duties between the business users and the technical staff in the Information & Technology Division.



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**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P280. RULES REVIEW: REPEAL OF RULES AND APPROVAL OF BOARD
POLICIES**

The Board was in receipt of a report, dated August 22, 2006, from Alok Mukherjee, Chair, regarding a review of the Rules and a request for approval of Board policies. A copy of the report is on file in the Board office.

The Board deferred consideration of the foregoing report to its October 19, 2006 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P281. DEPLOYMENT OF TASERS TO FRONT-LINE SUPERVISORS –
EVALUATION OF THE PILOT PROJECT**

The Board was in receipt of the following report August 14, 2006 from William Blair, Chief of Police:

Subject: DEPLOYMENT OF TASERS FOR FRONT-LINE SUPERVISORS –
EVALUATION OF PILOT PROJECT

Recommendation:

It is recommended that:

1. The Board approve the continuation of Advanced Taser implementation to front-line supervisors.
2. The Board approve the total expenditure of \$951,831.02 (including taxes) for the purchase of 439 Advanced Tasers and accessories and 3512 air cartridges.

Background:

At its March 8, 2005 meeting, the Toronto Police Services Board approved the following motion:

“ THAT the Board consider the continuation of Advanced Taser implementation after receiving the results of the three month interim report on Advanced Taser use in 31, 42, and 52 Division” (Board Minute #P74/05 refers).

As a result, the Service’s Use of Force Review Committee was tasked with developing and implementing a three month Taser pilot project. This project commenced on March 30, 2006 and finished on June 30, 2006. The results of this pilot project have been articulated in this report for the information of the Board.

Training:

Training for Advanced Tasers was conducted throughout the period of February 13, 2006 to March 30, 2006. During this time, sixty-three officers received training and were issued with X26 Advanced Tasers. This included fifty-seven supervisors from the pilot divisions and six supervisors from the Toronto Anti-Violence Intervention Strategy (TAVIS) team operating in the pilot divisions.

All training was provided by a certified master instructor with the Armament Section of the Training Unit. Each officer received a minimum of eight hours of training. The eight hours, which is double the required training set out by the Ministry of Community Safety and Correctional Services, allowed the time for the instructors to ensure the officers absorbed and understood the information they received.

The training curriculum consisted of a theory component within the classroom, practical application including scenario situations, and both a written and practical examination. This training provided members with an understanding of how Tasers work, the effects of their use, practical application, associated use of force legislation and proper handling and safety issues. Officers were also required to fire 3 air cartridges; this again surpasses the Ministry requirement for 2 cartridges to be fired during training.

The training emphasized that the Taser is a less lethal weapon and not a tool of convenience. Its use must be reasonable and justifiable and shall not be used in a punitive or unlawfully coercive manner. Procedure 15-09 "Taser" identifies situations where officers may use the Taser as a use of force option. These include:

- “ – to prevent themselves from being overpowered when violently attacked
- to prevent a prisoner from being taken from police custody
- to disarm an apparently dangerous person armed with an offensive weapon
- to control a potentially violent situation when other use of force alternatives are not viable, or
- for any other lawful and justifiable purpose”.

Throughout the training there was considerable emphasis on accountability and the discipline process for misuse of the Taser was reviewed. Discipline issues experienced in other Services which use Tasers were also discussed and analysed in order to learn from them.

Procedure:

The training syllabus reinforced the principles entrenched within Service Procedure 15-09, entitled "Taser", which came into effect on January 30, 2006. The Board received a copy of the procedure during its meeting on May 6, 2006 (Board Minute C134/06 refers). This procedure was developed by the Use of Force Review Committee comprised of members from the Emergency Task Force, the Armament and Use of Force sections of the Training Unit, divisional officers, Professional Standards, Corporate Services and Corporate Planning. Several members of the Committee were selected due to their expertise and experience in use of force issues and training.

In developing the procedure, the Committee conducted a great deal of research. This included consultations with subject experts and stakeholders, review and analysis of numerous documents pertaining to the use of Tasers, as well as attending seminars and participating in an international working group relative to Tasers.

This procedure defines the three methods of Taser deployment as:

Demonstrated Force Presence means the Taser is drawn to gain compliance of a subject, whether or not the spark and/or laser sighting system is activated;

Drive Stun Mode means the Taser is used in a contact mode by pressing the front of the Taser into the body of a subject and activating it, and;

Full Deployment means the Taser is used wherein the probes are fired at a subject using an air cartridge.

Imbedded within this procedure is a process for recording, monitoring and analyzing the use of Tasers to ensure they are being appropriately used within the confines of their mandate. All use of the Taser must be recorded in the officer's memorandum book. When a Taser has been deployed, a supervisor must be notified and the appropriate forms pertaining to Use of Force completed. The Use of Force Report is reviewed and signed-off by the supervisor, the officer in charge, the unit commander and the training analyst at C.O. Bick College. If at any of the review levels the need for further training is identified, this would be indicated on the form and addressed accordingly.

Each time a Taser is used, the details of that use are stored within its database. The procedure directs that, whenever the Taser is used in a Drive Stun or Full Deployment Mode, the police officer shall arrange to have the stored data downloaded at the Training Unit- Armament Office, as soon as practicable. The information retrieved from the Tasers is cross referenced with the Use of Force reports submitted, to ensure that the downloading is occurring in compliance with the procedure. In addition, the procedure places a responsibility on Unit Commanders to ensure that Tasers assigned to their officers are randomly taken to the Armament Office for retrieval of the information contained within the Taser.

During a review of the pilot project, it was determined that the appropriate checks and balances are in place to ensure members are complying with Procedure 15-09 "Taser" in terms of Taser downloading and completing Use of Force Reports. However, with regard to the requirement for officers to record all Taser use within their memorandum books, it was felt that a verification process should be put in place to ensure members are complying with this procedural requirement. This issue has been noted and will be addressed during the next publication of Procedure 15-09.

Findings:

In keeping with the report by Interim Chief Mike Boyd dated March 1, 2005 (Board Minute P74/05 refers) the summary of the findings from the pilot project include:

- the total number of Taser deployments;
- the nature of the call;
- the circumstances of deployment;
- injuries/non injuries to subjects/police;

- a determination of effective/ineffective usage rates;
- a summary of benefits and identified risks associated to use of the Advanced TASER; and
- the impact, if any, on Emergency Medical Service (EMS) and local hospitals.

The majority of this information has been outlined in chart format for the Board's reference (see Appendix "A").

The intent of the Use of Force Report is to identify any training or policy and procedure issues. As indicated earlier in this report, there is a review process embedded within this form. When reviewing a Use of Force Report for any use of force incident, a unit commander may also wish to review the officer's memorandum book and any other associated documentation. For the purposes of the pilot project and this report, the data collected on Taser use was extracted from the Use of Force reports.

Each use of the Taser during the pilot period of March 30, 2006 to June 30, 2006 was tracked. During this period, there were twenty-two incidents involving Tasers which resulted in twenty-three (23) Taser deployments (during one incident, two (2) supervisors deployed their Tasers in the same manner (Demonstrated Force Presence), therefore, these were classified as one (1) incident). Overall there were eleven (11) incidents where Demonstrated Force Presence was used, six (6) incidents where Drive Stun was used and five (5) incidents where Full Deployment was used.

For analysis purposes, the twenty-two (22) incidents involving Tasers have been categorized using the three modes of deployment. Within each of these categories, this information has been further classified by subject behaviour and presence of weapon. Subject behaviour fell into three groups: assaultive, active resistant and serious bodily harm. The data within the presence of weapon category fell within two groups, none or knife/other. It should be noted that one incident involved a dog, therefore the grouping of knife/other includes teeth and claws.

The findings have been summarized under the modes of deployment headings below.

Demonstrated Force Presence:

In eleven (11) of the twenty-two (22) incidents, the mode of Taser deployment was Demonstrated Force Presence. In eight (8) of these incidents the subjects demonstrated assaultive behaviour and in the other three (3) instances the subjects demonstrated active resistance. A weapon, categorized as knife/other was present in three (3) of the incidents.

During the pilot period, the use of the Taser in Demonstrated Force Presence mode proved beneficial in de-escalating situations where there was violence or the threat of violence toward the police and members of the public. For example, in one incident the subject had a knife, in another a knife was indicated and in a third incident, the subject had a knife and a hammer. The subject with the knife and hammer was holding the knife to a victim's throat and threatening to kill the victim. The mere presence of the Taser brought each of these volatile situations to a close.

No injuries were received by the subjects or the officers as the result of the deployment of the Taser in the Demonstrated Force Presence Mode.

The use of the Taser in Demonstrated Force Presence Mode proved effective in all incidents except one where the subject was engaged in a verbal exchange with another male. Both males ignored the officer's direction and continued to be expressive but not physically violent.

Drive Stun Mode:

In six (6) of the incidents of Taser use during the pilot period, the mode of deployment was Drive Stun. In all six (6) cases, the subjects displayed assaultive behaviour and there was no presence of weapons.

In all six (6) cases where the Taser was deployed in the Drive Stun Mode, an officer was being assaulted. In one of those incidents, the officer was being strangled. In all of these cases, the use of the Taser proved beneficial in quickly and effectively de-escalating the situation.

Three (3) of those cases resulted in no injury to the subjects. In the other three (3) cases, the subjects received a minor skin burn which is expected when a Taser is deployed in this manner. There were no injuries to the officers involved in these incidents where the Taser was used in the Drive Stun Mode.

The use of the Taser in Drive Stun Mode proved effective in all incidents.

Full Deployment Mode:

During the pilot period, the Taser was used five (5) times in Full Deployment Mode. In four (4) of the incidents, the subject demonstrated assaultive behaviour towards the police. The fifth incident involved a dog and there was a threat of serious bodily harm to the police and the public. The Taser proved beneficial in bringing all five (5) of these dangerous incidents to an end.

In the Full Deployment Mode, there are some expected injuries that may result. These injuries are skin punctures from the probes and/or slight minor burns.

In one of the instances where Full Deployment was utilized, the subject did not receive any injuries as the probes did not penetrate their skin. In the other cases there were no injuries to the subjects in addition to those expected when a Taser is deployed in this manner. The officers received no injuries in any incident where the Taser was used in Full Deployment Mode. In all five (5) incidents, the use of the Taser quickly and effectively brought the violence to an end.

Service Procedure 15-09 dictates that in instances in which the Taser is deployed against a person (i.e. Drive Stun or Full Deployment Modes) the officer shall notify Toronto Emergency Medical Services to attend the scene and monitor the person until their arrival. During the pilot, no subject received injuries from a Taser that required more than an on scene examination from Toronto Emergency Medical Services.

The use of the Taser in Full Deployment Mode proved effective in all incidents.

Deployment by Division:

The following chart identifies Taser deployment by month and division.

	31 Division	42 Division	52 Division
April	1	2	4
May	0	3	5
June	1	2	5
Total	2	7	14

Conclusion:

All information downloaded from the Tasers and Use of Force Reports submitted during the pilot project was reviewed for compliance with Service Procedures 15-01 “Use of Force”, 15-09 “Taser” and the Ontario Use of Force Model. All Taser deployment during the pilot project were appropriate uses of force.

The pilot project demonstrated that at times when tactical communication is not enough, the use of Tasers is a viable option. As indicated in this report, the Taser was an effective tool in de-escalating and safely resolving many situations where officer and public safety were at risk.

The Taser proved effective in each of its various modes of deployment. In all twenty-three (23) deployments, there were no injuries to the officers and no additional injuries to the subjects other than those expected with the use of the Taser in the Drive Stun or Full Deployment Mode. In eleven (11) of the incidents, the Tasers were deployed in Demonstrated Force Presence Mode and no contact with the subjects was necessary. The Supervisor merely had to show that they possessed a Taser and the subjects became compliant, requiring no further use of force and avoiding possible injuries to the subjects and officers.

In situations where officers were dealing with subjects that were resistant to pain compliance techniques, the Taser executed in Full Deployment Mode, causing electro-muscular dysfunction, allowed the officers to gain control of the subject instantaneously from a safe distance. This immediate end to the confrontation meant the officers could provide the subject with the medical attention they required and prevented potential injuries to officers and members of the public.

With any use of force equipment, it is imperative that the proper safeguards be put in place to ensure proper use and accountability. The Service recognizes this, and as outlined in this report, has developed and implemented the necessary forms and procedures to ensure the Taser is used only when necessary and members are held accountable for its use.

Upon approval of the continuation of Advanced Taser implementation to front-line supervisors, the Service will purchase four hundred and thirty-nine (439) Advanced Tasers and accessories and three thousand five hundred and twelve (3,512) air cartridges.

Financial Management has indicated that the Board at its meeting of January 11, 2006 approved the revised 2006-2010 Capital Program. The Capital Program identified 1.1. million dollars for Advanced Tasers. The money was to be spent in 2006 (Board Minute #P4/06 refers).

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions concerning this report.

The following persons were in attendance and delivered a presentation to the Board:

- **Deputy Chief Jane Dick, Executive Support Command**
- **Det. Sgt. Richard Hemingway, Corporate Services**
- **Staff Sgt. Peter Button, Training and Education**

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

- **Mr. Don Weitz ***
- **Mr. George Tucker, Toronto Police Association**

* written submission also provided; copy on file in the Board office.

The Board noted that the foregoing report indicates that the Service Procedure governing the use of Tasers identifies the situations where officers may use the Taser as a use of force option including, among others, “for any other lawful and justifiable purpose”. The Board asked for an explanation of “any other lawful and justifiable purpose” and was advised that any situation which leads to the prevention of a suicide would be covered by that description.

The Board also noted that, in a report to the Board dated January 31, 2005, Dr. David McKeown, Medical Officer of Health, indicated that there did not appear to be any studies evaluating long term health effects, if any, of Tasers on individuals who had been exposed to Tasers (Min. No. P74/05 refers). Chief Blair advised the Board that both the Service’s Saving Lives Implementation Committee and the Mental Health Committee are monitoring the use of Tasers by Toronto police officers, including any reports of health implications.

Following a request for a recorded vote, the Board considered the following Motions:

- 1. THAT the Board approve the foregoing report from Chief Blair; and**
- 2. THAT the Board receive the depositions and the written submission from Mr. Weitz.**

The Board voted as follows:

FOR:

**Mr. Grange
Judge Locke
Ms. Cohen
Councillor Filion**

AGAINST:

Councillor McConnell

ABSTAINED:

Dr. Mukherjee

The Motions passed.

TASER Pilot Project

<u>Time/date</u>	<u>Incident</u>	<u>Subject Behaviour</u>	<u>Subject Weapon</u>	<u>Circumstances</u>	<u>Injuries</u>	<u>Force Effective</u>
06/04/02 3:40AM	Drive Stun	Assaultive	None	Subject was assaulting police officers and causing a disturbance.	Taser Burn	Yes
06/04/11 8:30PM	Demonstrated Force Presence	Assaultive	Knife/Edged Weapon	Subject was destroying property inside a variety store.	None	Yes
06/04/14 2:25AM	Full Deployment	Assaultive	None	The subject was involved in a violent fight with other civilians.	None (the probes did not penetrate the skin)	Yes (multiple cycles)
06/04/19 8:30PM	Drive Stun	Assaultive	None	The subject was acting in a violent manner towards the arresting officers.	None	Yes
06/04/24 8:16AM	Full Deployment	Serious bodily harm	Teeth and claws	The dog was a threat to civilians and officers.	Probes penetrated the skin	Yes
06/04/29 3:50PM	Drive Stun	Assaultive	None (attempted to pick up a knife)	E.D.P. male became assaultive and was threatening his family.	None	Yes
06/04/29 10:46PM	Demonstrated Force Presence	Assaultive	Knife indicated	The subject was violent toward officers during arrest.	None	Yes

<u>Time/date</u>	<u>Incident</u>	<u>Subject Behaviour</u>	<u>Subject Weapon</u>	<u>Circumstances</u>	<u>Injuries</u>	<u>Force Effective</u>
06/05/18 7:46PM 2 officers involved multiple TASER use	Demonstrated Force Presence	Assaultive	None	The officers feared that they were going to be violently overpowered by a violent E.D.P.	None	Yes
06/05/23 11:30PM	Full Deployment	Assaultive	None	The subject had been smoking crack. He is infected with HIV, hepatitis C and syphilis. The subject attacked DAS and TFD when they arrived. When TPS arrived the subject continued to act in a violent manner. The officers feared that they would be overpowered.	Probes penetrated the skin	Yes
06/05/28 2:05AM	Demonstrated Force Presence	Active resistant	None	The subject was involved in a physical fight with other males. The officers broke up the fight but the subject was trying to continue the assault on a third party.	None	Yes
06/05/28 2:37AM	Demonstrated Force Presence	Active resistant	None	The subject was encroaching on the officer who was arresting another subject.	None	Yes

<u>Time/date</u>	<u>Incident</u>	<u>Subject Behaviour</u>	<u>Subject Weapon</u>	<u>Circumstances</u>	<u>Injuries</u>	<u>Force Effective</u>
06/05/28 2:38AM	Drive Stun	Assaultive	None	The officer was dealing with a third party when the subject attacked him from behind and tried to strangle him. The subject was brought under control and arrested	Taser burn only	Yes
06/05/28 2:40AM	Drive Stun	Assaultive	None	The subject was being arrested. During the arrest the subject assaulted the police officer.	None	Yes
06/05/28 2:47AM	Demonstrated Force Presence	Active resistant	None	Crowd members and subject were encroaching on the officer while he was dealing with another subject	None	Yes
06/06/04 2:55AM	Demonstrated Force Presence	Assaultive	None	Subject was fighting with another male and refused to stop when directed by the police officer.	None	Yes
06/06/04 2:57AM	Drive Stun	Assaultive	None	Subject was assaultive resisting arrest	Taser burn only	Yes
06/06/04 3:00AM	Demonstrated Force Presence	Assaultive	None	Subject was assaultive during arrest	None	Yes

<u>Time/date</u>	<u>Incident</u>	<u>Subject Behaviour</u>	<u>Subject Weapon</u>	<u>Circumstances</u>	<u>Injuries</u>	<u>Force Effective</u>
06/06/05 2:48PM	Demonstrated Force Presence	Assaultive	Hammer/ Knife	The subject threatened to kill the victim and held a knife to the victim's throat. As the subject was being handcuffed he broke free and ran toward the officer.	None	Yes
06/06/07 9:40PM	Demonstrated Force Presence	Assaultive	None	The subject attempted to escape custody	None	Yes
06/06/17 2:45AM	Full Deployment	Assaultive	None	The subject was assaulting another person	One probe penetrated the skin	Yes
06/06/18 12:55AM	Full Deployment	Assaultive	None	A violent E.D.P. male refused to follow direction and ran aggressively toward the officers.	Probes penetrated the skin	Yes
06/06/18 1:40AM	Demonstrated Force Presence	Assaultive (gestures)	None	The officer attempted to use the TASER as a show of force. The subject was engaged in a verbal exchange with another male. Both males ignored the officers direction and continued to act aggressively toward each other.	None	No The subjects continued to be expressive but not physically violent

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P282. REVIEW OF A COMPLAINT ABOUT TORONTO POLICE SERVICE
POLICY – TPS FILE NO. 2006-EXT-0182**

The Board was in receipt of a report, dated August 10, 2006, from William Blair, Chief of Police, with regard to the review of a complaint related to a policy of the Toronto Police Service. A copy of the report is on file in the Board office.

The Board deferred consideration of the report to its October 19, 2006 meeting.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P283. SUSPENSION OF A POLICE OFFICER WITHOUT PAY

The Board was in receipt of the following report August 18, 2006 from William Blair, Chief of Police:

Subject: SUSPENSION OF A POLICE OFFICER WITHOUT PAY

Recommendation:

It is recommended that, before Bill 103 receives Royal Assent, the Board forward a recommendation to the Minister of Community Safety and Correctional Services to amend subsection 67(1) of the *Police Services Act* of Ontario (*PSA*) to provide chiefs of police with the authority, in certain limited circumstances, to suspend police officers without pay.

Background:

At its closed meeting held on June 15, 2006, the Board received a report from the Chief of Police entitled "Suspension of a Police Officer Without Pay". The Board received that report and noted that the information contained therein was of significant public interest. As such, the Board requested that the Chief provide it with a similar report outlining the history of the issue to be presented at its public meeting on July 10, 2006. (Board Minute No. C157/06 refers). Following that meeting, the Board amended the deadline for the report to be submitted for the meeting in September 2006.

Issue:

The issue of proposing legislative amendments to allow a chief of police to suspend a police officer without pay has been addressed a number of times over the past several years. The following report provides a brief historical overview of the Board and Service's consideration of the issue of unpaid suspensions of police officers and some of the actions that have been taken to address the issue.

Under the current legislation, chiefs of police in Ontario are restricted in their authority to impose suspensions. A chief may suspend a police officer from duty, but does not have the authority to suspend pay. The only exception is if a police officer is convicted of an offence and sentenced to a term of imprisonment. Unlike civilian employees who can be suspended at the first instance without pay, police officers hold a public office and are not compensated for the duties they perform, but rather for the office they hold.

The Board and the Chief take issue with the current structure of the *PSA* because it limits a chief's ability to effectively and efficiently administer his/her police service. In addition, continuing to pay an officer who is alleged to have committed an egregious offence may jeopardize public confidence and frustrate the expenditure of public funds. While the Board and the Chief are guided by the principles of fundamental justice that individuals must be considered innocent until proven guilty, both parties are equally alive to the delicate balance between the public interest and an individual officer's right to his/her day in court.

History of Action Taken:

The Board first formally noted its interest in suspended members at its meeting held in August 1997 when it requested a semi-annual status report on members suspended from the Toronto Police Service. (Board Minute No. 347/97 refers). The Board began receiving those reports and it continued, with interest, to monitor the issue.

The catalyst for action occurred in March 2002 when the Board received the semi-annual Professional Standards report. The Chief of the day, Julian Fantino, advised the Board that a police officer, who had been under suspension for four (4) years, had committed and been disciplined for another act of misconduct. Chief Fantino went on to inform the Board that the *PSA* did not allow for discretionary decision-making by a chief with respect to whether or not to suspend a police officer without pay.

Since then, the Board or the Service or both have submitted numerous recommendations for legislative amendments. In March 2002, the Board sent correspondence to the Ontario Association of Police Services Boards (OAPSB) requesting that it lobby for legislative amendments to allow chiefs of police to exercise limited discretion regarding the suspension of officers without pay. The OAPSB subsequently stated that it did not support the Board's request. The Board also initiated a review of all areas of the *PSA* by a group of Board and Service staff. The Board later received a legal memorandum concerning the issue of suspensions without pay. Based on that submission, the Board forwarded a request to the Ministry of Public Safety and Security in December 2002 outlining the need for legislative change. The OAPSB also received a copy of that correspondence. The province later indicated that it believed the *PSA* to be satisfactory and that it would not contemplate changes. [Note: The previously named Ministry of the Solicitor General was changed to the Ministry of Public Safety and Security and is now known as the Ministry of Community Safety and Correctional Services.]

Further, in late 2003, a joint working group was established, consisting of representatives from the Board and the Service, to examine the collective agreement, the *PSA* and other governing authorities to determine if other recommendations for change could be made. Subsequently, the group's recommendations were forwarded to the Minister of Community Safety and Correctional Services. In that correspondence, the Board highlighted, as priorities, the recommendations made by the joint working group pertaining to suspensions. The Minister declined to act on the recommendations.

The negative responses to the Board's requests for legislative change caused the Board to consider other options. The Board remained cognizant of the negative public perception surrounding officers who continued to be paid during lengthy suspensions from work. Of particular concern were situations where officers had been convicted of offences or terminated following years of paid suspension. In light of this, the Board requested an independent legal opinion to determine if a cost recovery initiative could be implemented. The legal opinion indicated that a cost recovery program was not a viable option at that time. The opinion suggested that unless an agreement could be reached between the Board and the Police Association, amendments to both the legislation and the applicable collective agreements would be required to effect such a program.

Chief Fantino also made attempts to initiate legislative change with negative results. As a result of research conducted in 2002, it became clear that the current legislation in Ontario differs from the legislation governing the Royal Canadian Mounted Police and other provinces, specifically British Columbia, Alberta, Saskatchewan and Quebec. In response to those findings, the Chief sent a letter to the Minister of Public Safety and Security and to the Attorney General for Ontario requesting legislative change to allow chiefs of police in Ontario to suspend police officers without pay in certain limited circumstances.

Finally, as recently as July 2004, Chief Fantino made written submissions to The Honourable Mr. Patrick J. LeSage, Q.C., who had been retained by the provincial government to review and make recommendations with regard to changes to Part V of the *PSA*. One of the Chief's submissions proposed an amendment to the *PSA*, which would enable chiefs to suspend an officer without pay in limited circumstances. That recommendation, however, did not form part of the Honourable Mr. LeSage's recommendations nor was the issue addressed in Bill 103, which was first tabled in November 2005.

Although the Board and the Chief have asked for legislative change on numerous occasions in the past, it is recommended that, while Bill 103 is still at the committee stage, and before it receives Royal Assent, the Board once again forward a recommendation to the Minister of Community Safety and Correctional Services to amend subsection 67(1) of the *PSA* to provide chiefs of police with the authority, in certain limited circumstances, to suspend police officers without pay.

Deputy Chief Jane Dick, Executive Command, will be in attendance to respond to any questions the Board may have in respect of this matter.

Mr. David Wilson, President, Toronto Police Association, was in attendance and made a deputation to the Board about the foregoing report.

cont...d

The Board approved the following Motions:

- 1. THAT the Board approve the foregoing report and that the correspondence to the Minister include the following additional recommendations:**
 - **that, given the complexity of the investigations that police services are required to conduct, section 69(18) of the *Police Services Act* be amended by extending the limitation period from six months to nine months; and**
 - **that the *Police Services Act* be amended to permit a police services board to extend the probationary period for police officers by an additional six months, if necessary**
- 2. THAT the correspondence to the Minister also request a meeting to allow the Chair to discuss the Board's recommendations;**
- 3. THAT a copy of this report be provided to the Ontario Association of Police Services Board along with a request that it support these recommendations and communicate that support to the Minister of Community Safety and Correctional Services; and**
- 4. THAT the deputation by Mr. Wilson be received.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P284. DRAFT 2005 AUDITED FINANCIAL STATEMENTS OF THE SPECIAL
FUND, THE MUSEUM RESERVE FUND AND THE TRUST FUNDS**

The Board was in receipt of the following report August 22, 2006 from William Blair, Chief of Police:

Subject: DRAFT 2005 AUDITED FINANCIAL STATEMENTS OF THE SPECIAL
FUND, THE MUSEUM RESERVE FUND AND THE TRUST FUNDS

Recommendations:

It is recommended that:

1. the Board receive the 2005 Results of the Audit of the Financial Statements of the Special Fund, the Museum Reserve Fund and the Trust Funds, as submitted by the Ernst and Young auditors;
2. the Board approve the draft 2005 audited financial statements of the Special Fund, the Museum Reserve Fund and the Trust Funds; and
3. the Board approve the deletion of the requirement for audited financial statements of the Museum Reserve Fund and the Trust Funds.

Background:

On an annual basis, the Toronto Police Service (TPS) prepares financial statements for the Special Fund, the Museum Reserve Fund and the Trust Funds. The financial statements represent the assets, liabilities and summary of operations for the three funds for the fiscal year noted.

To ensure that the financial statements have integrity and can be relied upon, they are audited by the City's external auditor Ernst & Young LLP. The financial statements must be prepared in accordance with the generally accepted accounting principles as set by the Canadian Institute of Chartered Accountants' (CICA) Public Sector Accounting Board (PSAB).

The financial statements are comprised of the following individual items:

Balance Sheet - Provides a summary of the financial assets, liabilities and fund balances as at the end of the fiscal year.

Statement of Operations and Change in Fund Balances - Provides a summary of the source, allocation and use of monies flowing through the various funds. The net gain or deficiency is important as it represents an addition to or a draw from the fund balance.

Notes to the Financial Statements - Provide information about the organization, the composition of each fund and the accounting policies used to prepare the statements. Notes are an integral part of financial statements.

Comments:

Key highlights relating to the 2005 financial statements of the Special Fund, the Museum Reserve Fund and the Trust Funds are provided below:

Special Fund

- Due from the City of Toronto represents amounts owing to the Special Fund from the TPS. The balance has increased from 2004 in that an accrual was made for auction proceeds earned in November and December 2005 which are not yet received and deposited into the Special Fund.
- Accounts payable represents the audit fee accrual for the 2005 audit. The fee has now been shown against the operations of the Special Fund rather than the Toronto Police Service.
- Proceeds from auction sales represent a full year of activity between the Property and Evidence Management Unit and Rite Auctions.
- Board and Police Service public relations have increased considerably over 2004 as a result of the Board's support of the 2005 Ontario Association of Chiefs of Police and National Black Police Officers Association conferences, the 2006 Federal Bureau of Investigation (FBI) and Law Enforcement Aboriginal and Diversity (L.E.A.D.) conferences, the Hoodling Youth Program, the Toronto Police Association Athletic event and the new 43 Division fitness equipment requirements. All expenditures were approved by the Board prior to being made.

Museum Reserve Fund

- Due from the City of Toronto represents the fund balance being held at the City.
- Professional Services include the 2005 audit fee allocated to the museum reserve and fees paid to a consultant to provide services as a Police Historian.
- The capital recovery represents an amount expensed in the 2004 fiscal year but not actually paid to a vendor providing museum consulting services.

Trust Funds

- Accounts receivable represent 2005 witness fees owing from the Attorney General's office. These amounts were received in 2006.
- The majority of the activity in the Trust Funds for 2005 relates to witness protection fees and costs supported by the Attorney General's office.

Management's role in the preparation of financial statements

Management is responsible for adopting sound accounting policies, maintaining an adequate system of internal control and making fair representations in the financial statements. It is the responsibility of management to prepare the financial statements.

Audits and the role of the external auditor

An audit of financial statements is an independent review and examination of an organization's records and activities. Financial audits exist to ensure that the reported financial information fairly represents the organization's financial position and performance. A financial audit results in the publication of an independent opinion on whether or not the financial statements are relevant, accurate and complete.

An external audit is performed by an outside auditor who does not have any ties to the organization or its financial statements. The auditor examines the financial statements by performing the audit and reporting the results in accordance with generally accepted auditing standards. Based on the audit, the auditor can come to one of four conclusions:

- Unqualified – the audit is sound and no material deficiencies exist in the financial statements.
- Qualified – the auditor did not get a complete look at the audit or the statement does not completely satisfy the general accepted accounting principles.
- Disclaimer – the auditor could not form an opinion on the fairness of the financial statements.
- Adverse - the financial statements do not abide by generally accepted accounting principles.

The audited financial statements of the Special Fund, the Museum Reserve Fund and the Trust Funds all contain a qualification relating to the completeness of revenues. The qualification means that the auditor's abilities to verify revenues were limited to the amounts recorded in the books of account of the three funds. The auditors were not able to determine if any unrecorded revenue exists (for example, cash donations made). The nature of the revenue gives rise to the qualification, not the surrounding internal controls or lack thereof.

Role of the Police Services Board

The Police Service Board acts as both the audit committee and Board of Directors when reviewing and approving the audited financial statements. The Board is responsible for ensuring that management fulfills its responsibility for financial reporting. The audited financial statements should be reviewed by the Board before they are approved. The review should include discussions with the administration and external auditors of significant issues regarding accounting principles, practices, and adequacy of disclosure.

In the past, the Board was presented with the signed, audited financial statements for their information only. The auditors have asked that the Board approve the draft financial statements before they are finalized, signed and released. This practice is consistent with the submission of the City of Toronto's draft audited consolidated financial statements to the City Audit Committee and Toronto City Council.

Request to delete the requirements for audits of the Museum Reserve Fund and Trust Funds

The Museum Reserve Fund was established to maintain monies to be used for the maintenance and betterment of the TPS Museum. Net profits from the gift shop operations form the majority of the contributions to this reserve. Cash donations also contribute to the reserve balance.

The Trust Funds are comprised of three separate funds: the Witness Protection Fund, the Deceased Persons' Fund and the Property and Evidence Management General Fund. The Witness Protection fund maintains a flow through of receipts and disbursements from the Attorney General's office for the protection of witnesses. The Deceased Persons' fund records the transactions relating to money found on deceased persons by police officers. This money is maintained at the Property and Evidence Management unit until it can be disbursed to next-of-kin, estates or trustees. Monies not claimed are transferred to the Special Fund. The Property and Evidence Management General fund relates to found and seized cash.

The recommendation to no longer require audits of the financial statements for the Museum Reserve Fund and Trust Funds is made for the following reasons:

- The balances and fund activities are included in the annual audit of the TPS, as part of the consolidated City of Toronto audit;
- The financial audit attests to the reasonableness of the financial statements, but does not examine the operational appropriateness of transactions;
- There is no legal or other requirement to separately audit the funds;
- There is a savings in audit fees (\$6,000 for the Museum Reserve Fund and \$5,000 for the Trust Funds); and
- The City of Toronto does not require a separate audit of their other reserves and reserve funds.

The Museum Reserve Fund and Trust Funds books of accounts are maintained in the Service financial system, along with all other TPS accounts. The balances and activities pertaining to these funds are audited on a consolidated basis with TPS operations and form a part of the consolidated City of Toronto audited financial statements. Appendix 1 of the audited consolidated City of Toronto financial statements provide a breakdown of the City's reserves and reserve funds, of which the museum fund is a part of and Note 4 includes the Police Trust funds.

Audit opinions are provided in accordance with generally accepting accounting principles, which are the guidelines used by accountants to record and summarize financial transactions. The internal controls and third party support for financial transactions are reviewed as part of the audit function in order for the auditors to provide an opinion. However, audit procedures do not include a review of the appropriateness of revenues, expenses, policies and procedures that relate

to the financial transactions. As a result, the usefulness and value of the attest audit of the information is limited.

The Witness Protection section of Covert Operations in the TPS is accountable to the Attorney General's office for witness expenditures. This reporting requirement is administered by that group and does not rely on the results of the audited financial statements.

Conclusion:

In the past, the Board received the signed, audited financial statements of the Special Fund, the Museum Reserve Fund and the Trust Funds. In discussion with the Ernst and Young auditors, it was determined that the Board should in fact approve the draft financial statements before they are finalized. Approving the statements is an important part of the Board's oversight role.

In addition, the Service has analyzed the need to continue the audit of the Museum Reserve Fund and Trust Funds. It is our opinion that these audits are not required as there is no legal requirement to provide separate statements and the balances and activities of these funds are examined as part of the consolidated audit function performed by Ernst and Young.

After discussions with the Chair, Toronto Police Services Board, it was determined that the Special Fund should continue to be audited by Ernst and Young as there is no other audit performed of the transactions affecting the fund. Proceeds into the Special Fund are to be used for items of public interest so it is important that an attest audit is performed to ensure that transactions are accurate and complete.

Mr. Tony Veneziano, Chief Administrative Officer, Administrative Command, and Ms. Diana Brouwer, Executive Director, Ernst & Young will be in attendance to answer any questions from the Board.

The Board approved the foregoing.

An electronic copy of the Audit results is not available. A paper copy is appended to this Minute for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P285. FEASIBILITY OF ESTABLISHING A WORKPLACE CHILD CARE
FACILITY FOR TORONTO POLICE SERVICE EMPLOYEES**

The Board was in receipt of the following report August 23, 2006 from William Blair, Chief of Police:

Subject: FEASIBILITY OF ESTABLISHING A WORKPLACE CHILD CARE
FACILITY FOR TORONTO POLICE SERVICE EMPLOYEES

Recommendation:

It is hereby recommended that: the Board receive this report for information purposes and allow sufficient time for Compensation and Benefits to conduct a needs analysis survey and report back to the Board at its March 2007 meeting;

Background:

At its meeting on May 18, 2006, the Board considered a report submitted by Chair Alok Mukherjee and approved a recommendation that the Chief of Police conduct a review of the feasibility of establishing a workplace child care facility for Toronto Police Service employees (Board Minute #P141/06). This report will provide a brief synopsis on past efforts made to establish a workplace child care facility for the Service, what has transpired to date, and a proposed approach to determine the feasibility of establishing a workplace child care facility.

History

During the construction phase of Police Headquarters, a licensed child care centre was considered for 40 College Street. At that time, it was determined that a licensed daycare centre would require extremely costly renovations to the Headquarters building since a daycare centre can only be located on or below the second storey of a building. In addition, at least 2,000 square feet of outdoor space, accessible from the building, would have to be allocated for a children's playground. Given the high cost of including a daycare centre at 40 College Street and the poor availability of space, a decision was made not to proceed with the establishment of a licensed daycare centre. In order to assist our members and to provide them with some support in balancing their work and family responsibilities, the Service implemented the following policies/programs:

- Unpaid Family Care Leave of Absence Policy -- Available to members who have a pre-school aged child, a child with special needs, or another family member requiring care.
- Job Share Program -- Available to members with pre-school aged children or other family care responsibilities.

- Reduced Hours Program -- Available to members who may be experiencing difficulties in working their current work schedule due to special family care needs. This includes the care of a child with special needs or the care of another family member who, for reasons of age or infirmity, is dependent on the member for daily care.
- Child Care Registry -- Through the Registry, parents and caregivers were matched according to their desired location and/or shift. The caregivers were primarily relatives and acquaintances of members. Unfortunately, due to a lack of volunteers, the Registry was discontinued.

Current Situation

Presently, given the strong support by both the Board and the Command to assist members in coping with the pressures of coordinating work and family, Compensation and Benefits has undertaken the following:

1. Developed a draft Child Care Needs Survey to identify the nature and extent of child care needs and concerns. This Survey will be distributed to all members of the Service after the peak holiday period in mid September. Once the Survey results have been analyzed, Compensation and Benefits will be in a better position to assess the needs of our members and determine facility size and location, costs, funding options, etc.
2. Held preliminary discussions with the Executive of the Toronto Police Association (TPA) who are in support of any initiative that would alleviate child care pressures experienced by members.
3. Continued to network with other employers who have established on-site daycare centres for guidance on operational and organizational needs, funding arrangements and legal responsibilities.
4. Continued to pursue the possibility of “Emergency Child Care” as an alternative which could be implemented in the short term. This is discussed in more detail later in this report.
5. Explored the feasibility of working in partnership with other agencies or organizations, within the vicinity of Police facilities, that have established daycare centres, such as Ontario Power Generation and City of Toronto.

Feasibility Study

A feasibility study will be conducted using a two-phase approach. The first phase will consist of finalizing the draft Survey, developing a communication strategy, disseminating the Survey to members, analyzing the results, determining the needs, consulting with other units, such as, Facilities Management and Legal Services and providing recommendations on the feasibility of establishing a workplace child care facility in or around Headquarters, 40 College Street. Other options, such as partnerships with neighbouring child care centres and other organizations/agencies, will also be explored further. Compensation and Benefits will require a six month period to report back to the Board with a status update on this phase of the study.

Depending on the Survey results, requisite steps will be taken to examine the facility issues and/or other options, including the engaging of the services of a child care consultant to provide

expert guidance and advice in regard to the development of the program and the establishment of an in-house facility. Preliminary funding will be requested in the 2007 TPS Operating Budget for this purpose.

The second phase would involve seeking alternative sites in other parts of the city, based on the results of the needs analysis, or alternative solutions to ease the child care pressures of members. This phased approach will allow the Service to evaluate the success of a workplace child care facility at headquarters prior to expanding to other parts of the City.

Emergency Child Care Pilot Program

Over the past year, Compensation and Benefits has investigated the possibility of establishing an Emergency Child Care pilot program which would provide members with temporary emergency child care through a licensed child care provider. Presently, there is only one organization, Kids + Company, that has applied to the Ministry of Children and Youth Services for a license to expanded its service to provide child care on a 24 hours a day, 7 days a week (including statutory holidays) basis. The centre anticipates receiving its licence to operate 24/7 within the next four weeks. This 24/7 service will be available at the 160 Bloor Street East (Toronto) location. In total, Kids + Company have 11 locations in the Greater Toronto area that offer emergency child care services during regular business hours (four in the downtown core, two in the north part of the City, two in the east-end, one in the west-end, one in Ajax and one in Oakville).

This emergency child care service would be ideal for members who find themselves in situations where their regular daycare arrangements are suddenly disrupted due to illness of their nanny or babysitter, strikes by school teachers, or other unforeseen circumstances. Compensation and Benefits will establish a process which members will be required to follow if interested in this type of arrangement. By providing access to temporary quality child care for our members, the Service would be assisting members in attaining a better work-life balance by reducing stress in addition to achieving other benefits, such as reduction in absenteeism (including dependent sick leave days), improved morale, and this could serve as a good recruitment and retention tool. Brigitte Faul, Work and Family Care Co-Ordinator, has had informal discussions with some members on this issue and they have been extremely receptive to such a program.

To launch this pilot program, there would be an initial cost to the Service which will be eventually reimbursed by members as the service is used. In order to access their child care services, the Toronto Police Service would be required to register with “Kids + Company” and purchase a minimum block of 200 Group Day Passes at a cost of \$12,000 to be used by members. This works out to a discounted cost of \$60 per visit as opposed to the regular price of \$80. Each pass entitles the bearer to one visit under 10 hours in duration at any Kids + Company site or 1.5 tickets for visits that are between 10 and 13 hours. As members use the child care services, they will be required to reimburse the Toronto Police Service. The logistics of how the monies would be recovered from members is yet to be determined and will require further consideration when the processes are finalized for this pilot program. Kids + Company will be responsible for the administration of the project based on standards determined by the Service resulting in soft-cost savings for the Service.

This pilot program, of course, is subject to the Service providing the initial outlay of \$12,000 from its 2006 operating budget but because this will be a cost-recovery initiative, there is no net impact on the budget. The Ministry of Children and Youth Services has confirmed in writing that Kids + Company is the only child care provider in Toronto that has applied to operate on a 24/7 basis. While a license has not yet been issued, a decision on this will be rendered shortly. Given this confirmation and subject to a license being granted, any agreement negotiated with Kids + Company will be on a sole source basis as no other emergency child care centre offers this service on a 24/7 basis in Toronto. Prior to forming a partnership with Kids + Company, Legal Services will review this matter regarding legal liability and indemnification.

Once the pilot is under way, Compensation and Benefits will monitor the usage of this service, evaluate the success of this pilot program and report back to the Board with results following the completion of one year of the pilot.

The introduction of an Emergency Child Care Pilot Program would ease some of the child care pressures experienced by members. This would be an initiative that could be implemented in 2006 and will provide an immediate alternative to our members who require emergency child care services.

Support of such initiatives demonstrates the forward thinking commitment of the Service and the Board towards child care issues and will serve to position the Toronto Police Service as an employer of choice. Deputy Chief Keith Forde, Human Resources Command, will be available to answer any questions the Board may have.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P286. COMMUNITY DONATION – POLICE HORSE

The Board was in receipt of the following report August 18, 2006 from William Blair, Chief of Police:

Subject: COMMUNITY DONATION: POLICE SERVICE HORSE

Recommendation:

It is recommended that: the Board accept the donation of a horse, valued at \$5,000.00, from David Carson Farms & Auction Services Ltd. for the Toronto Police Service Mounted Unit.

Background:

On Friday, February 24th, 2006, Toronto Police Service mount Brigadier was killed while on patrol in 43 Division. In response to this loss to both the Service and the community, David Carson Farms & Auction Services Ltd. has graciously offered to donate a horse to the Mounted Unit. David Carson Farms & Auction Services Ltd. is a reputable and reliable company that has been in the business of breeding and showing horses across North America for a number of years. David Carson Farms & Auction Services Ltd. has provided horses to numerous police services across North America, including the Newcastle County Police Service, Delaware Police Service and Dover Police Service. The Service, in fact, has purchased a total of 9 horses from them over a period of 10 years.

If the donation is accepted, the Royal Winter Fair and the Toronto Star will run a contest which will encourage community participation in naming the Mounted Unit's newest member. Additionally, the horse will be formally presented to the Service at the Royal Winter Fair, on Saturday, November 4, 2006.

The horse is a 3 year old Belgian Cross gelding, which meets our Service standards. The horse has been checked and approved by the Service veterinarian.

There will be no additional costs to the Service, although the horse must undergo the normal training requirements. This donation would help the Service meet its requirements to replace retiring horses that are no longer serviceable.

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

Deputy A.J. (Tony) Warr, Specialized Operations Command, and Staff Inspector B. Wardle of Mounted & Police Dog Services, will be in attendance to answer any questions.

The Board approved the foregoing along with a request that the Chair send a letter of appreciation to David Carson Farms & Auction Services Ltd.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P287. REQUEST FOR FUNDS: ALLOCATION OF \$100,000 SPECIAL FUND
MONIES EARMARKED FOR YOUTH PROGRAMS**

The Board was in receipt of the following report August 10, 2006 from Alok Mukherjee, Chair:

Subject: Allocation of \$100,000 Special Fund Monies Earmarked for Youth Programs

Recommendations:

It is recommended that:

- (1) the Board approve allocation of \$10,000 to Black Creek Community Health Centre (on behalf of Caring Village) to assist with increased costs incurred for a summer camp held for students who are to be transferred into Westview Centennial Secondary School in the Jane Finch neighbourhood.

At its meeting on August 11, 2005, the Toronto Police Services Board allocated \$100,000 a year for five years - beginning in 2005 - to programs consistent with the Board's mandate. The Board further decided that the funds be allocated in consultation with the City of Toronto's Community Safety Secretariat (Min. No. P271/05 refers). At the September 06, 2005 meeting of the Board, I proposed a process for allocating the funds (Min. No. P308/05 refers).

This project involved several partners in the Jane Finch priority neighbourhood. It clearly meets the criteria set out in my report to the Board (Min. No. P144/06 refers). Although this project is nearing completion, it is being recommended for partial funding to cover additional costs incurred for child care, etc. These additional costs made it possible for the participants' younger siblings to be cared for and, therefore, allowed their parents to work.

The summer camp program was conducted in one of the City's 13 priority neighbourhoods. The students who participated are youth who will be transferred to Grade 9, but not promoted. There is evidence that special attention to these students will increase their chances of remaining in school and reducing their risk of at-risk behaviour. The program, therefore, supports the Toronto Police Services Board's renewed emphasis on crime prevention.

Although the program for the grade 8 students ended on August 11, work will continue with the Westview students hired as mentors, and with the parents into the fall. The plan is to continue to engage parents on how to support their children in the difficult transition from elementary to high school, and to help them understand how to navigate the education system more effectively (especially with respect to suspensions, zero tolerance policy and related issues.). The senior Westview students will continue to mentor and offer tutorial support to the in-coming grade 9 students that they worked with over the summer.

Caring Village Summer Program

The Caring Village Summer program is designed to improve the literacy and numeracy skills of grade 8 students currently enrolled at Brookview and Oakdale Middle schools, who will potentially be transferred (not promoted) to grade 9. The overall goal of the program is to increase the chances of success of these students as they begin their high school tenure at Westview in September 2006. (See Appendix 1 for a more detailed description of the Caring Village and the context for development of this program.)

The program lasted 6 weeks (July 4th - August 11th). Half of each day focused on academics and the other ½ day on recreation, arts and social skills. The maximum enrolment will be 60 students, who will be supported by 10 Westview senior students, who will be mentors, tutors and teaching assistants. Two TDSB teachers will support the academic portion of the program, and two City recreation staff will support the non-academic portion. Two student/parent support workers will outreach and work with parents. A program coordinator will work with the Caring Village/Westview committee to monitor all aspects of the program.

In order to reduce barriers to parents, daily lunch and snacks and TTC tickets will be provided to all students. In addition, summer camp spaces will be sought for younger siblings of students enrolled in the summer program.

PROPOSED BUDGET

BUDGET ITEM	COST	IN-KIND CONTRIBUTION
1. Food		
Students nutrition program	\$21,000*	-
Parent workshops, community events	\$4,000*	-
2. Staff		
Teachers (3)	\$9,000	TDSB
Assistants/tutors (12 students)	\$25,200	Summer Jobs for Youth
Project coordinator, 2 recreation staff	\$5,000	Pks, Forestry & Rec
Student/Parent Support workers (1 Full-time; 2 ½ time)	\$8,000	TDSB, Working Women Community Centre, Black Creek CHC
3. Transportation – student TTC tickets, trips	\$8,000*	-
4. Supplies & Materials	\$2,000	TDSB
5. Summer Camp spaces	\$3,000	York University
6. Miscellaneous costs (entrance fees for trips, etc.)	\$3,000*	-
TOTAL	\$88,200	
Total in-kind contribution		\$52,200
<i>*To be fundraised</i>		\$36,000

Budget notes:

1. Food

a) Lunch & snacks for students - \$10/day, 70 students, 30 days

b) Parent workshops & closing celebration

2. Staff - \$10/hr, 7 hr/day, 12 students, 30 days

3. Transportation - \$3.20/day, 60 students, 30 days; school bus rentals for trips

The Board approved the foregoing noting that the report on the evaluation of the projects funded under this initiative will be submitted to the Board for its meeting in March 2007.

Dr. Mukherjee also noted that he will schedule a public event to hear how the programs funded by the Board are progressing.

Appendix 1 - Jane Finch's Caring Village

Jane-Finch's Caring Village, known in the community as the Caring Village, is a non-profit organization that has been created from a broad-based group of agencies, organizations and residents in the Jane-Finch area that is dedicated to promoting non-violence through education and proactive intervention in the Jane-Finch area to develop a safe and healthy community. The group focuses on providing support to local youth to help them identify constructive alternatives for their education and development. The group's premise is the wisdom that it takes a village to raise a child.

The collaborative strength of the members of the Caring Village is one of its distinguishing features and underlies the unique nature of its work. The group's members include local residents, in addition to representatives from a range of community service providers such as the Working Women Community Centre, Black Creek Community Health Centre, City of Toronto Parks, Forestry and Recreation Division, Community and Legal Aid Services Program (CLASP), York University's Faculty of Education, Toronto Community Housing Corporation and the Toronto District School Board.

Rationale for the Summer Program

In order to assist youth in the Jane-Finch community to overcome the barriers created by the unique circumstances of the community and to embrace the positive features of the community, the Caring Village has been exploring since the latter part of 2005 the potential for establishing a system of structured supports for all youth attending Westview Centennial Secondary School (the public high school serving the Jane-Finch community). These supports would include tutoring, small group and individual mentoring, financial assistance, and the involvement of support workers to liaise between parents, students, the school administration and staff and community resources, in the style of the Pathways to Education program successfully established in Regent Park.

In the course of these broader discussions, the community identified that the students moving from grade 8 to grade 9 had particular need for support if they were to succeed. Thus, it was decided in the spring of 2006 to develop a summer program for several purposes: as a pilot for a broader program; as a preliminary support for youth who were not being well served; and, ultimately, as ongoing support to students once a broader program could be established. The program was intended to draw on the elements of the longer term program, with a focus on academic enrichment.

The program is designed to improve the literacy, numeracy and general learning skills of grade 8 students currently enrolled at Brookview and Oakdale Middle schools, who will move to grade 9 in September 2006. The immediate overall goals of the program are:

- to increase the chances of success of these students as they begin their high school tenure at Westview in September 2006,
- to engage parents in their children's learning and offer support to them, and
- to provide leadership and employment opportunities to youth in the Jane-Finch community.

Vision

The Caring Village's vision for the program is an integrated experience and supportive environment that will help youth to build confidence and provide them with some of the learning tools necessary to learn to their potential. The program is intended to account for the special needs of the diverse Jane-Finch community and empower youth in a way that existing social constructs have prevented. Perhaps most importantly, it is envisioned that the program will re-engage youth in the learning process, giving them the awareness that education can be both enjoyable and relevant.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P288. REQUEST FOR FUNDS: ONTARIO ASSOCIATION OF POLICE
SERVICES BOARDS' 2007 CONFERENCE**

The Board was in receipt of the following report August 28, 2006 from Alok Mukherjee, Chair:

Subject: REQUEST FOR FUNDS: ONTARIO ASSOCIATION OF POLICE SERVICES
BOARDS' 2007 CONFERENCE

Recommendation:

It is recommended that the Board provide \$5,500.00 from the Board's Special Fund to support the hosting of the 2007 Ontario Association of Police Services Boards' ("OAPSB") Conference.

Background:

The Owen Sound Police Services Board from May 3 to May 5, 2007, will host the OAPSB Conference in Owen Sound, Ontario. The theme of the conference will be "The Road Ahead".

The OAPSB conference is one of only two annual opportunities for professional development for Board members and networking with fellow police board members from across Ontario. As such, it is important that the Toronto Board provide financial assistance to help ensure success of the conference.

I have appended a letter, dated July 24, 2006, from Ray McKelvie, Chair of the Owen Sound Police Services Board requesting that we consider providing financial support to the conference.

It is, therefore, recommended that the Board provide \$5,500.00 from the Special Fund to support the hosting of the 2007 OAPSB Conference.

The Board approved the foregoing.

OWEN SOUND
POLICE SERVICES BOARD
922 SECOND AVENUE WEST
OWEN SOUND, ONTARIO
N4K 4M7



TELEPHONE (519) 376-1234
FAX (519) 376-6131

DATE RECEIVED

AUG 16 2006

TORONTO
POLICE SERVICES BOARD

July 24, 2006

Toronto Police Services Board
40 College Street
7th Floor
Toronto, Ontario
M5G 2J3

Dear Chair of the Board:

It is my pleasure to advise you that the Owen Sound Police Services Board will be hosting the 2007 Annual General Meeting and Conference of the Ontario Association of Police Services Board (OAPSB) in Owen Sound from May 3-5, 2007. The theme of the conference will be "*The Road Ahead*".

The OAPSB is a "not-for-profit" volunteer based organization, which represents approximately 150 police boards throughout the province. It exists solely on annual membership dues and funds raised from the annual conference.

The Owen Sound Police Services Board needs your support to ensure a successful conference. In hosting this annual conference, the Owen Sound Police Services Board has the responsibility of providing the conference sponsorship. We are also required to seek out financial assistance for many ancillary costs that hosting such an event entails.

In years past, the success of these conferences was mainly due to the cooperation and support of all policing agencies. To assist the OAPSB, I ask your Police Services Board to consider a donation in support of this conference. A list of sponsorship opportunities is attached for your consideration. Your financial support will be utilized effectively to support the OAPSB mandate and to help defer some of the costs of the conference. All contributions will be duly recognized at the conference.

All contributions should be payable to the Ontario Association of Police Service Boards and forwarded to 10 Peel Centre Drive, Brampton, ON, L6T 4B9.

Whether your board is in a position to contribute to the 2007 OAPSB Conference or not, I encourage you and your members to attend the conference. We are planning a very

interesting and informative agenda and I am sure that you will find the conference a very worthwhile event for your members to attend. Conference information will be available later this year on the OAPSB web site at www.oapsb.ca.

On behalf of the Owen Sound Police Services Board I thank you and your Board members for your consideration of this matter and I look forward to seeing you in Owen Sound in 2007.

Yours truly,



Ray McKelvie, Chair

RM/lk

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P289. 2006 HOURLY RATES FOR LEGAL SERVICES – HICKS MORLEY
HAMILTON STEWART STORIE**

The Board was in receipt of the following report August 02, 2006 from William Gibson, Director, Human Resources Management:

Subject: 2006 HOURLY RATES FOR LEGAL SERVICES -- HICKS MORLEY
HAMILTON STEWART STORIE

Recommendation:

It is recommended that the Board approve the hourly rates for legal services provided by Hicks Morley Hamilton Stewart Storie effective September 1, 2006.

Background:

At its meeting on December 11, 2002 (Board Minute #P333/02 refers), the Board approved the selection of the law firm of Hicks Morley Hamilton Stewart Storie to provide supplementary legal services in the area of employment and labour law issues to the Toronto Police Services Board. The Board also authorized the Chairman to execute an agreement between the Board and the law firm of Hicks Morley Hamilton Stewart Storie to provide legal services for a five-year period from October 1, 2002 to September 30, 2007, inclusive.

The agreement in part states that "*Hicks, Morley acknowledges that the fee estimates set out in paragraph 1 of Schedule "B" are the maximum amounts authorized to be paid by the Board and any invoiced amount for fees in excess of this will require further authorization, which may or may not be forthcoming*". In 2002, the agreed upon rate structure included a "senior partner rate" of \$315 per hour. Since then, the Board has approved two increases to the Hicks Morley hourly rates, i.e. on July 29, 2004 (Board Minute #P226/04 refers) and, August 11, 2005 (Board Minute #P256/05 refers). As a result of these increases, the "senior partner rate" for Hicks Morley's services is currently \$345 per hour. This reflects an overall increase over four years of approximately 9.5%, or an annualized increase of approximately 2.4% over the four years.

During the same period, the Board has negotiated salary increases to its employees, which (compounded) exceed 11%, with a further 3.0% to become effective January 1, 2007. General increases for the broader public service during this period averaged around 3% -3.5% per year.

On July 27, 2006, Labour Relations was in receipt of a letter from Mr. Michael Hines of Hicks Morley Hamilton Stewart Storie proposing the following increases to the hourly rates for the Board's consideration:

Lawyer**Proposed Increase
Effective September 1, 2006**

Senior Partner (16 + years of experience)	Increase of \$15.00 in hourly rate
Partner (7 to 15 years of experience)	Increase of \$10.00 in hourly rate
Senior Associate	Increase of \$5.00 to \$10.00 in hourly rate
Junior Associate	Increase of \$5.00 to \$10.00 in hourly rate
Students	Increase of \$5.00 in hourly rate

Hicks Morley Hamilton Stewart Storie has indicated that this type of increase is necessary to offset escalating expenses at the law firm and, in particular, to ensure that the salary structure for the more junior members of the law firm are comparative with other major firms in the Greater Toronto Area. They further indicate that the current rates represent 76% of the typical top rate they charge their “commercial clients”. The above-proposed rates would raise the Board’s rates to approximately 80% of Hicks Morley’s “commercial rate”.

<u>Lawyer</u>	<u>2005 TPSB Rate (effective August 1, 2005)</u>	<u>2006 Regular “Commercial Rate”(effective January 1, 2006)</u>	<u>Proposed 2006 TPSB Rate (effective September 1, 2006)</u>
Senior Partner (16+ years of experience)	\$345/hr	\$450/hr	\$360/hr
Partner (7 to 15 years of experience)	\$260-\$335/hr	\$340-\$420/hr	\$270-\$345/hr
Senior Associate	\$180-\$250/hr	\$240-\$330/hr	\$185-260/hr
Junior Associate	\$160-\$170/hr	\$230/hr	\$165-\$180/hr
Students	\$115/hr	\$145/hr	\$120/hr

It is hereby recommended that the Board approve the above hourly rates effective September 1, 2006. Funds are available in the Board’s Professional and Consulting Budget Account #PLBRDZZ 4091 (External Lawyers and Planners).

I will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board approved the foregoing and the following Motions:

- 1. THAT the Board waive its policy “Fees for External Legal Counsel” (Minute No. P323/05 refers) with respect to amounts that will be billed by Hicks Morley Hamilton Stewart Storie as a result of the foregoing report;**
- 2. THAT, in future, reports recommending hourly rates for legal services contain the costs grid as set out in the Board’s policy “Fees for External Legal Counsel”; and**
- 3. THAT, given that the current contract for legal services will expire on September 30, 2007, the Service commence the process for the selection of the next contract holder as soon as possible.**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P290. 2006 ENVIRONMENTAL SCAN UPDATE

The Board was in receipt of the following report August 14, 2006 from William Blair, Chief of Police:

Subject: 2006 ENVIRONMENTAL SCAN UPDATE

Recommendation:

It is recommended that: the Board receive the 2006 Environmental Scan Update.

Background:

The Environmental Scan provides a review of the external factors affecting the need for police service and the internal challenges affecting the Service's ability to respond. This document provides a framework for priority setting during the budget process and for strategic planning at all levels of the Service.

Due to the long-term nature of many trends outlined in the Scan, a complete scan process is not carried out each year; a brief update of the chapters is provided for years in which a full Scan is not produced (Board Minute #P5/01 refers). A full Scan document is produced every three years, in line with the requirements of the Adequacy Standards Regulation (Section 30(1)) to produce a Business Plan at least every three years. Given that the next Business Plan will be for 2009-2011, the next complete Environmental Scan is scheduled for 2008.

At this time, the 2006 Environmental Scan Update is provided for the Board's information. It is recommended that the Board receive the 2006 Environmental Scan Update.

The Board received the foregoing report and approved the following Motions:

- 1. THAT the requirement for the Service to produce an Environmental Scan Update be discontinued and that, beginning in 2007, the Service produce a series of periodic updates every year on trends and issues that may impact upon policing;**
- 2. THAT the Service consider establishing a communications strategy so that the new updates are widely available to members of the Service and the public;**
- 3. THAT the Service continue to produce an Environmental Scan once every three years in time for, and to assist in, developing the Board's Business Plan; and**
- 4. THAT the Service provide a formal presentation on the results of the 2006 Environmental Scan Update at the October 19, 2006 Board meeting.**

2006 ENVIRONMENTAL SCAN UPDATE - HIGHLIGHTS

PREFATORY NOTE:

Due to the long-term nature of many trends outlined in the Environmental Scan, and to align with the Service's Business Planning process, a complete Scan is now produced every three years.

For the years in which a comprehensive scanning process is not undertaken, Corporate Planning provides a brief update, mainly statistical, of most chapters.

Given the extended timeframe of much of the information contained within the Scan, this update does not provide extensive analysis of the data or of the various trends noted. Nor does it discuss recommendations/implications for police service.

Detailed discussion, analyses of many of the trends noted in this update, and the recommendations/implications for police service can be found in the 2004 and 2005 Environmental Scans.

I. DEMOGRAPHICS:

- According to Statistics Canada census data, the population of Toronto increased 4.0% between 1996 and 2001, from 2,385,421 to 2,481,494. Estimates indicate only a 1.0% increase in Toronto's population between 2005 and 2006, to a total of 2,724,784.
- In February 2006, the Service introduced its Newcomer Outreach Program. The Program is designed to inform new immigrants about the services offered by police, to help people feel more comfortable accessing those services, and to provide information on rights and responsibilities under Canadian law.
- In April 2006, the City of Toronto conducted its first ever Street Needs Assessment, which involved a survey of homeless people in Toronto, to gather a variety of information, including demographic characteristics, the type of location where the individual was staying, length of time homeless, services that were being used and those that were needed, interest in housing, health, and addiction. Results of the survey are expected in late 2006.
- On May 16th, 2006, the nationwide census was conducted. Census data provides important insight into demographic, social, and economic conditions and trends in Canada, and are also used in planning for the provision of public services, including police services. Results of the census are expected to start to be published in 2007.

II. CRIME TRENDS:

- In 2005, a total of 197,810 non-traffic *Criminal Code* offences occurred in Toronto, representing a slight 0.5% decrease from 2004 and a 1.1% decrease from five years ago.
- Between 2004 and 2005, increases were noted for violent crime (4.7%) and other *Criminal Code* offences (2.5%), while a 3.3% decrease was noted for property crime.
- After a slight decrease in 2004, robberies increased 5.7% in 2005, and increased 14.3% over the past five years, but decreased 5.1% over the past ten years.
- The number of non-sexual assaults increased 3.7% in 2005, was an 11.8% decrease over the past five years, and was a 5.3% increase over the past ten years.
- Sexual assaults increased 5.0% in 2005 compared with 2004, but decreased 4.2% and 4.8% over the past five and ten years, respectively.
- Crimes showing relatively large increases over the past five years included fraud (76.6%), weapons offences (60.9%), homicide (29.5%), and robbery (14.3%). Crimes that showed relatively large decreases included theft of auto (27.6%), theft from auto (22.6%), non-sexual assault (11.8%), and mischief (19.5%).
- While overall crime showed a large decrease over the past ten years (19.0%), the decrease was driven mainly by a considerable decrease in property crime (34.3%). Both violent crime and other *Criminal Code* non-traffic offences increased over the past ten years.
- In terms of number of crimes that occurred per 1,000 population, a clear trend of decrease was seen between 1996 and 1999, after which the overall crime rate remained relatively stable at about 76 to 77 occurrences per 1,000 population, before dropping to around 74 in the past two years.
- In 2005, of the average 73.3 non-traffic *Criminal Code* offences that occurred for every 1,000 population, 12.8 were violent crimes, 41.9 were property crimes, and 18.6 were other *Criminal Code* offences. The overall crime rate was a 1.5% decrease from 2004 and a large 26.0% decrease from ten years ago.
- In 2005, 26.4% of non-sexual assaults, 38.3% of robberies, and 5.6% of sexual assaults involved the use of weapons. Compared to five years ago, the proportions remained similar for non-sexual assault and robbery, while that for sexual assault increased. These proportions represented decreases when compared to ten years ago.
- The proportion of cases involving the use of firearms increased for both assaults and robberies, and was echoed by significant increases in gun-related calls from the public.
- There is indication that the number of marijuana grow-operations increased considerably, most of which are believed related to organised crime.

- Other new developments in criminal activities include the use of technology in committing crimes, such as identity theft, and the use of the stolen information for furthering other crimes, such as fraud.
- The number of persons arrested and charged for *Criminal Code* offences in 2005 was a 2.5% increase from 2004 and a 3.1% increase from 2001. Over the past five years, the number of persons arrested/charged per 1,000 population decreased for violent crime, *Criminal Code* traffic, and drug offences, but increased for property and other *Criminal Code* offences. Males in the younger age groups continued to have the highest arrest rates.
- In 2005, 42, 41, 52, and 14 Divisions were the busiest stations in terms of number of crimes occurred and dispatched calls serviced.
- Relative to eighteen other Canadian cities of ‘comparable’ population size, in 2004, the crime rate in Toronto ranked low (sixteenth) in overall crimes, and ranked fifth and fifteenth in violent crimes and property crimes, respectively. Between 2000 and 2004, Toronto was among the ten cities that had a decrease in the overall crime rate, and was among the fourteen cities that had a decrease in the property crime rate. It was also among the fifteen cities that had a drop in the violent crime rate. Among the seventeen cities with an increase in the per capita cost, Toronto had the seventh smallest increase of 19.7%, compared to the largest increase of 39.1%.

III. YOUTH CRIME:

- To put youth crime in perspective, three issues must be noted. First, a very small proportion of young persons aged 12 to 17 years are involved in criminal activity, and even fewer are involved in violent crimes. Second, youth crime statistics reflect the number of youths arrested for criminal offences, not the actual level of crime involving young offenders. Third, it is believed that only a portion of youth crime is actually reported to police.
- The enumeration of youth crime is different from the enumeration of crimes in general. While crimes in general are counted in terms of number of criminal incidents reported to police, youth crimes are compiled on the basis of arrests, when the age of the suspect can be ascertained. For this reason and a number of other factors, the number of youth crimes recorded is likely lower than the actual number of crimes committed by youth.
- In recognition of the strong provisions for alternative measures contained in the *Youth Criminal Justice Act* (YCJA), proclaimed in April 2003, Statistics Canada revised their reporting of youth criminal activity in Canada to include both youths charged with a criminal offence and youths accused of but not charged with a criminal offence.
- A report to the Department of Justice Canada has concluded that the initial impact of the YCJA was an immediate and significant change in police charging practices with young offenders, consistent with the purpose and provisions of the Act.

- National youth crime statistics showed that, in 2004, 78,100 Canadian youths were charged with a non-traffic criminal incident and a further 101,303 youths were arrested and cleared otherwise. The overall total youth crime rate was 70.4 per 1,000 young persons, a decrease of 10.4% from 78.6 in 1994; the 2004 national youth charge rate was 30.7.
- In Toronto, in 2005, 7,819 young persons were arrested for all types of *Criminal Code* offences, up 3.2% from 2004, but down 2.2% from 2001.
- An overall decrease was noted in the total number of youths arrested for total *Criminal Code* offences over the past five years. The number of youths arrested for a violent offence or other *Criminal Code* offence decreased 7.4% and 9.0%, respectively, however, the number of youths arrested for a property crime increased 6.6%.
- For every 100 youths arrested for *Criminal Code* offences, in 2005, on average, 72 were male and 28 were female, compared to 2001, when 74 were male and 26 were female. Notwithstanding year to year variation, the number of youth arrested over the past five years, indicates a slightly decreasing trend for males and a slightly increasing trend for females.
- In 2005, on average, 48.7 of every 1,000 young persons in Toronto were arrested for a *Criminal Code* offence, including 13.6 arrested for a violent crime, 20.7 for a property crime, and 14.1 for other *Criminal Code* offences. Male youths had an arrest rate almost 3 times that of female youths and the overall rate for youths was almost double that for adults.
- The total number of crimes reported occurring on school premises increased 18.5% from 2004, due to increases in assaults, mischief, harassment/threats, weapons, and theft. Over the past five years, however, crimes occurring on school premises increased only 1.8% and decreased 7.3% over the past ten years. Thefts and non-sexual assaults were generally the most frequently reported crimes.
- In 2005, a total of 671 youths were arrested for drug-related offences, similar to the number in 2004, and below the levels reported prior to 2003. The youth arrest rate for drug offences in 2005 was 3.5 per 1,000 youth population, compared to 3.6 in 2004 and 4.2 in 2001.

IV. VICTIMISATION:

- The Service's 2005 survey of Toronto residents found that 11% of respondents said they had been the victim of a crime in Toronto in the past year, up from 9% in 2004. Almost one-third (30%) of these respondents in 2005 said they did not report the crime to police, down from 35% in 2004.
- Toronto Police Service data indicate that the number of victims of selected violent crimes increased 4.5% from 2004 to 2005, from 32,338 to 33,784 victims, and increased 2.8% from 1996 when there were 32,876 victims.¹ When changes in population were controlled by

¹ This chapter focuses on victimisation related to selected crimes of violence only – homicide, sexual assault (including sexual offences), assault, and robbery.

examining the rate of victimisation, it was found that overall victimisation by these violent crimes increased 3.3% in 2005, from 12.1 victims per 1,000 population in 2004, to 12.5 victims per 1,000 in 2005.

- In each of the ten years between 1996 and 2005, the rate of victimisation for women was lower than the rate for men. The rate of victimisation for both men and women increased between 2004 and 2005, but remained lower than in 1996. In 2005, the rate for women was 11.5 per 1,000 women, up 4.5% from 11.0 per 1,000 women in 2004, but down 10.2% from 12.8 per 1,000 women in 1996. The rate of victimisation for men in 2005 was 13.7 per 1,000 men, which represented a 1.5% increase from 2004 (13.5 per 1,000 men), but a 5.5% decrease from 1996 (14.5 per 1,000 men).
- Consistent with previous years, in 2005, men were more likely than women to be victims of assault, robbery and homicide, while women were at a higher risk than men to be victims of sexual assault. For both men and women in all years analysed, victims of assault accounted for the greatest proportion of victims of the selected crimes of violence, followed by victims of robbery, sexual assault, and then homicide.
- In 2005, when the difference in the size of population at each age was taken into account, those 18-24 years of age were found most likely to be victimised (25.7 per 1,000 population), followed by 12-17 year olds (24.6 per 1,000). Those under 12 years of age and those 65 years of age and older consistently had the lowest victimisation rates.
- The number of calls for domestic assaults attended by officers increased 4.7%, from 4,699 in 2004, to 4,918 in 2005. The number of domestic assault calls recorded in 2005 was 38.9% lower than 1996, when there were 8,046 domestic assault calls.
- The average amount of time spent by officers at these calls continued to increase, from 189.5 minutes (3.2 hours) in 1996 to 345.3 minutes (5.8 hours) in 2004, to 384 minutes (6.4 hours) in 2005.
- In 2005, there were a total of 132 hate crimes reported. This was 19.0% lower than 163 hate crimes in 2004, 24.6% lower than the 175 hate crimes in 1996, and represented the lowest number of hate crimes reported since the Service began to collect such statistics.

V. TRAFFIC:

- In 2005, there were 55,040 reportable collisions, a decrease of 2.4% from the 56,375 reportable collisions in 2004, and a 5.4% decrease from the 58,188 reportable collisions in 1996. The number of reportable collisions in 2005 was the lowest number in the past 10 years.
- In 2005, there were 17,610 property damage collision events attended by police, the lowest number in the past 10 years. This represented an 8.9% decrease from 2004 (19,321 property damage collision events attended) and a 17.9% decrease from 1996 (21,449 events attended).

The average time spent on a property damage collision event was 91.9 minutes, a 1.4% decrease from 93.2 minutes in 2004, but a 42.3% increase from the average of 64.6 minutes spent in 1996.

- In 2005, there were 13,652 personal injury collision events attended by police, a 3.0% increase from the 13,256 events attended in 2004 and a 2.8% increase from the 13,282 events in 1996. The average time spent by officers in 2005 on a personal injury collision event was 241.9 minutes, the longest average time in the past 10 years. The 2005 average time was a 3.9% increase from the 232.9 minutes in 2004 and 36.8% higher than the average of 176.8 minutes spent in 1996.
- In 2005, there were 5,490 Fail-to-Remain events attended by police, a slight 0.5% increase from the 5,463 events attended in 2004 and a 32.6% increase from the 4,141 events in 1996.
- In 2005, 59 people were killed in traffic collisions, a 10.6% decrease from the 66 killed in 2004 and a 22.4% decrease from the 76 killed in 1996. The 59 people killed in 2005 represented the second lowest number of traffic deaths in the past 10 years.
- In 2005, there was a 7.7% decrease in overall number of *Highway Traffic Act* (HTA) offences when compared to 2004. There were 369,795 HTA charges in 2005, compared to 400,635 charges in 2004. The decrease in HTA offences in 2005 may have been related to the Toronto Police Association's job action during contract negotiations in October and November of that year.

VI. CALLS FOR SERVICE:

- Decreases were noted in the number of calls for service over the past two years, after a trend of increase between 1998 and 2003. A total of 1.85 million calls were received in 2005, 0.8% fewer than in 2001 and a 1.2% decrease from ten years ago in 1996.
- In 2005, more than half of the calls (52.2%) were received through the emergency line, with the rest (47.8%) received via the non-emergency line. This compared to 43.3% through the emergency line and 56.7% through the non-emergency line in 1996.
- Over the past ten years, between 1996 and 2005, the number of calls received via the emergency line increased 19.1%, while those received via the non-emergency line decreased 16.8%.
- Less than half (43.1%) of the calls received in 2005 were dispatched for police response, which was a decrease from 2001 (46.2%), but an increase from 1996 (39.7%).
- The number of dispatched calls in 2005 was an 8.1% and 7.5% decrease from 2004 and 2001, respectively, but a 7.1% increase from 1996.

- Response times for both emergency and non-emergency calls have increased in recent years, with a diminished proportion of calls meeting the recommended service standards. The drop in the proportion of non-emergency calls meeting the recommended service standard was particularly large in the past two years compared with previous years.
- The average time required to service a call has increased considerably over the past five years. There was a 30.1% increase in service time for calls overall and a 64.8% increase for Priority 1 calls.
- Between 2001 and 2005, despite a 16% decrease in the number of calls serviced, the 30.1% increase in service time per call caused the total officer time spent on calls to increase by 10%.

VII. URBAN TRENDS:

- On December 12th, 2005, the Provincial Government introduced Bill 51, *The Planning and Conservation Land Statute Law Amendment Act*. This Act includes reforms to the Ontario Municipal Board (OMB) and, if passed, will give local councils and residents more control over development in their community.
- The largest number of major development projects in 2004 occurred within the district of Toronto/East York (102 projects, 28.5%), followed by North York (91, 25.4%), Scarborough (89, 24.6%), and Etobicoke/York (77, 21.5%). Major residential development applications were more evenly distributed in 2004 than in 2003.
- Ridership on Toronto Transit Commission (TTC) vehicles (surface and subway) increased 3.1% between 2004 and 2005, from 418,099,000 riders to 431,200,000. The number of riders in 2005 represented a 15.8% increase over the 372,430,000 riders 10 years ago in 1996.
- In 2005, the TTC annual crime rate was 0.63 offences per 100,000 riders, a 1.6% decrease from 0.64 per 100,000 in 2004, and a 14.9% decrease from 0.74 per 100,000 in 1996.
- According to Toronto Tourism estimates, there were approximately 18.8 million visitors to Toronto in 2005. This represented a 1.6% increase from 18.5 million in 2004.
- The Service attended 1,053 hazardous events in 2005, 0.4% more than the 1,049 hazardous events in 2004, and 12.7% higher than the 934 events in 1996.

VIII. TECHNOLOGY & POLICING:

- The Technological Crimes Unit of the Peel Regional Police has identified a number of issues over the past 12 months, including credit card skimming, video security, seizure of communications devices, and an increase in storage capacity.

- Workload is an issue for the Toronto Police Service's Technological Crime Section. New advances in technology, with its increase in memory size and decrease in physical size and cost, along with increasing seizures of cell phones and personal digital assistants, have a tremendous impact in the amount of time required to conduct examinations and officer workload.
- The Child Exploitation Section (CES) of the TPS Sex Crimes Unit uses the latest computer equipment and software to combat computer-facilitated crimes against children, rescue victims of child sexual abuse, and identify child predators who use the Internet to facilitate the sexual exploitation of children. The number of cases opened increased over 700% between 2001 and 2005.
- According to the PhoneBusters National Call Centre, the source for the collection, analysis, and dissemination of Canadian identity theft complaint data, the number of reported identity theft complaints in Ontario increased 16.7% between 2002 and 2005, and increased 36.8% nationally.
- The current Web threats of pharming and 'evil twins', a wireless version of the phishing scam, mean a potential risk of identity theft for those users of public wireless connections who purchase items online or conduct banking transactions.

IX. POLICE RESOURCES:

- In 2005, the total strength of Toronto Police Service was 7,284 members, up 2.8% from 7,087 members in 2004, and 8.7% from 6,703 members in 1996.
- Between 2004 and 2005, uniform strength increased 2.3% from 5,353 in 2004 to 5,477 in 2005, while civilian strength increased 4.2% from 1,734 to 1,807.² Both uniform and civilian strengths increased 8.7% from 1996.
- Over the past decade, the number of police officers per 100,000 population in Toronto decreased 2.2%, from 204.6 officers in 1996 to 200.1 officers in 2005.
- The median age of uniform officers in December 2005 was 40.0 years, down slightly from 40.1 years in 2004. The proportion of officers over the age of 50 years more than doubled over the past 10 years, from 8.6% in 1996 to 20.6% in 2005.
- In 2005, 35.2% of uniform members had 20 or more years of service; on the other hand, four in ten uniform members (40.2%) had less than ten years service. The average uniform length of service was 16.0 years.

² Uniform strength includes all police officers and 250 cadets-in training. Civilian strength includes all permanent, full-time civilian members with the exception of cadets-in-training and parking enforcement personnel.

- The average age of Primary Response constables was 34.9 years compared to 38.7 years for all constables.³ In 2005, the average length of service for Primary Response constables was 8.3 years compared to 13.2 years for all constables.
- In 2005, there were 231 separations, including 165 retirements – a 2.5% decrease from the 237 separations in 2004, and a 43.8% decrease from the 411 separations in 1996.
- During 2005, 49.9 non-traffic *Criminal Code* offences were reported per constable, a 1.6% increase from the 49.1 reported in 2004 but a 24.5% decrease from 66.1 reported in 1996.
- The actual number of uniform officers assigned to front-line uniform duties in Divisional Policing Command units and specific Operational Services units (e.g. Traffic Services, Marine Unit, etc.), including supervisors, increased 1.4% from 3,312 in 1996 to 3,358 in 2005, but decreased slightly (0.8%) from 3,386 in 2004.
- While the Service's representation of visible minority and female officers remained well below community representation, the proportion consistently increased each year over the past decade; Service representation of Aboriginals (0.8%) exceeds the community representation (0.5%).
- In 2005, the uniform strength was comprised of 1.5% visible minority or Aboriginal women, 13.1% visible minority or Aboriginal men, 14.4% non-minority women, and 71.0% non-minority men.
- Although the representation of female police officers in the Toronto Police Service (15.9%) was below both the national (17.3%) and provincial (16.6%) averages, they were better represented at senior officer and supervisory ranks in Toronto.

X. PUBLIC PERCEPTIONS:

- According to the results of the Service's 2005 community survey, most people (88%) felt their neighbourhoods were safe. Slightly fewer (81%) felt that Toronto in general was safe.
- In previous years, issues related to disorder in their neighbourhoods, such as the homeless, vandalism, and graffiti, were of increasing concern to residents. In 2005, however, people tended to show increasing concern with more serious issues, such as crime, guns, gangs.
- Most high school students in all years surveyed said they felt safe in and around their school at any time of the day, though the proportion decreased slightly in 2005.
- When asked about the level of violence, if any, at their school, the largest proportion of students in all years said that, generally, their school and school grounds weren't violent.

³ Primary Response officers are those officers in the divisions who provide response to calls for service, crisis intervention, targeted patrol/enforcement, short-term problem solving, etc.

- According to the Service's small survey of victims of violent crimes, these victims were more likely than the general community to say that worry about crime kept them from doing things they'd like to do.
- The Service's survey of Toronto residents in December 2005 found that, as in 2004, 88% said they were satisfied with the delivery of police service to their neighbourhood.
- In 2005, people were asked to rank four police functions/activities in order of importance to them and their neighbourhood. Respondents gave the following ranking, in order of importance: responding to emergency calls, investigating crime, visible patrolling in cars, and, lastly, visible patrolling on foot.
- Just under one-third of respondents in both 2004 and 2005 said that they believed that Toronto police officers targeted members of minority or ethnic groups for enforcement.
- The Service's 2005 community survey found that, for those who'd had contact with police during the previous year, almost 9 in 10 (89%) said they felt the officers treated them with respect during the contact, up from 87% in 2004. Of those who'd had police-initiated contact with police, 83% said they felt the officer(s) treated them fairly, up from 78% in 2004.
- Fewer high school students in 2005 said they would feel comfortable talking to police about crime or other problems. Fewer students also felt that the relationship between police and students in their school was good or excellent.
- The small sample of victims of violent crime surveyed were asked about their experience with police. Just over 8 in 10 rated the officers' general professionalism as good or excellent, and just under 8 in 10 said they were satisfied overall with the way police handled their incident.
- The total number of public complaints against the police decreased 10.4% between 2004 and 2005, from 862 complaints in 2004 to 772 in 2005.
- Of the community survey respondents in 2005 who said they'd had experience with the police complaints process, 60% were satisfied with the process. Fewer (54%) said they were satisfied with the outcome.

XI. LEGISLATIVE IMPACTS:

- Bill C-10, *An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act*, received first reading on May 4th, 2006. The Act provides for escalating minimum penalties for offences involving firearms according to the number of previous convictions, if any, and connections to organised crime, if any. The Act also provides for the creation of new offences for breaking and entering or robbery to obtain a firearm.

- In March 2005, the Ontario Court of Appeal clarified Section 489.1 of the *Criminal Code*, deciding that police officers shall make a Return to a Justice when property is seized, with or without a warrant, in a criminal matter.
- Bill 103, *An Act to establish an Independent Police Review Director and create a new public complaints process by amending the Police Services Act*, received first reading on April 19th, 2006. As is specified in its title, the Bill amends the *Police Services Act* by establishing an Independent Police Review Director and creating a new public complaints process.
- Bill 73, *An Act to protect our children from sexual predators by amending Christopher's Law (Sex Offender Registry), 2001*, provides that any resident of Ontario who is known to have been convicted of a sexual offence in a jurisdiction outside Canada be required to register in the Sex Offender Registry and that any person may inspect and make copies of any part of the Registry.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P291. BOUNDARY DIVIDING NO. 12 AND NO. 31 DIVISIONS

The Board was in receipt of the following report August 24, 2006 from William Blair, Chief of Police:

Subject: BOUNDARY DIVIDING NO.12 AND NO.31 DIVISIONS

Recommendation:

It is recommended that: the Board receive the following report for information

Background:

At its meeting of June 15, 2006, the Board received correspondence from City Councillor Frances Nunziata and two independent community and business leaders expressing their concerns and requesting to revise the boundaries for No. 12 and No. 31 Divisions. The Board referred the correspondence to the Chief for review and to report back on any boundary or administrative changes that may take place. (Board Minute #P177/2006 refers).

Comprehensive research is underway to measure the impact, feasibility of border realignments, neighbourhood deployments, staffing, process and structure alignment with all 17 police divisions. At this time a request to revise the boundary dividing No. 12 and No. 31 Divisions will not be undertaken. The Board will be updated at the December 7th Board meeting. Any border realignments will be raised at that time so that further consultations can take place within the affected areas and neighbourhoods to ensure that all interested parties are consulted prior to implementation.

Deputy Chief Kim Derry, Divisional Policing Command will be in attendance to respond to any questions the Board may have.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P292. CLOSED CIRCUIT TELEVISION

The Board was in receipt of the following report August 30, 2006 from William Blair, Chief of Police:

Subject: CLOSED CIRCUIT TELEVISION

Recommendation:

It is recommended that: the Board receive the following report for information

Background:

The Toronto Police Service seeks to utilize Closed Circuit Television (CCTV) as an added tool for the detection and deterrence of crime and enhancing public safety and security. The use of CCTV in the public domain as a crime prevention/deterrent strategy has been extensively utilized in the United Kingdom over the past twenty years and has grown in use across North America.

CCTV can be defined as an electronic monitoring system that makes use of video cameras, connected by means of a “closed” (non-broadcast) circuit to capture, collect, record and or relay visual information about an event unfolding in a given area over time. CCTV is not a panacea to crime prevention however, when integrated into a comprehensive crime management plan and accompanied by appropriate signage it can be used to overtly scan public areas to detect and deter crime.

There are a number of public and private entities currently utilizing CCTV as a means of ensuring security of persons and property. A number of North American cities including Chicago, Washington, and New York, have introduced their own CCTV initiatives. Within the City of Toronto, there are a vast number of businesses currently using CCTV. The University Health Network in Toronto and a number of educational institutions have long used CCTV.

The City of Toronto currently uses CCTV at a number of city owned facilities and has prepared policy to govern its use of CCTV and safeguard privacy rights. This policy states that, “proper video surveillance, where deemed necessary, is one of the most effective means of helping keep City facilities and properties operating in a safe, secure, and privacy protective manner”.

Crime and disorder management is a core function of any policing agency. Effective crime management programs can bring about a re-vitalization of both commercial and residential areas and a general improvement in feelings of community safety. The impact of crime in general can be measured in terms of neighbourhood decay, loss of local businesses and jobs, devaluation of

residential and commercial properties and increased risk of youth involvement in crime resulting far too often in the tragic loss of life.

The Toronto Police Service has more than five years experience in the use of video cameras in support of policing operations including most recently the in-car camera pilot project. Cameras have been deployed as a community safety measure at large-scale events and mass demonstrations where there exists a significant risk to safety and security of members of the public. In 2005, the Toronto Police Service deployed cameras at 19 such events. This included demonstrations by the Ontario Coalition Against Poverty, Caribana, and the state visit of the President of China. As of August 2006, cameras have been deployed at 17 events, including most recently Caribana and Taste of the Danforth festivals. In 2006, notices of such deployments were introduced as a public messaging component of the camera program.

The Ontario Ministry of Community Safety and Correctional Services have agreed to provide \$2 million in partnership funding to support a Toronto Police CCTV program once a final agreement has been ratified. The Toronto Police Service has established an internal committee that is currently researching best practices and experiences from national and international sources. The CCTV program will be based on the guidelines issued by the Information and Privacy Commissioner of Ontario. The process will be driven by crime analysis including community participation and consultation with clear goals and objectives that provide demonstrable results and ultimately improve the safety and quality of life for every citizen. Appropriate governance by way of policy, procedure, and supervision will be set in place to safeguard the protection of privacy and the integrity of the CCTV program.

The Toronto Police Service CCTV program is part of a comprehensive anti-violence crime management plan with clear goals to reduce crime and enhance public safety and security. This initiative will utilize a number of crime and disorder management tools to effectively deter, detect and disrupt criminal activity in pre-identified at-risk areas. Through ongoing crime analysis and community input, CCTV will be deployed only in those areas and during those times where there is a demonstrably higher likelihood of crime being committed and detected. Comprehensive plans will ensure that crime is not simply displaced into another area but is effectively controlled and reduced.

Evaluation of the CCTV program will reflect both quantitative and qualitative analyses to determine the impacts on crime and community perceptions of safety to ensure that established goals are clearly met. The effectiveness of the CCTV program will have clear measurement mechanisms in order to evaluate the expansion, reduction, continuance or discontinuance of the program. The impact on privacy will be assessed through ongoing consultation with the community and liaison with the office of the Information and Privacy Commissioner of Ontario.

On August 14th, 2006, members of the CCTV committee met with Dr. Anne Cavoukian, Ontario Privacy Commissioner, to discuss the Toronto Police Service CCTV proposal and seek guidance on policy. The Privacy Commissioner was encouraged by the Toronto Police Service approach to the development and deployment of CCTV especially as it related to the protection of privacy.

The Toronto Police Service is currently preparing to conduct a test of CCTV utilising all of the proposed methodology and engaging the identified key stakeholders from the community and business. The results anticipated from this test environment will assist in the ongoing development and design of the CCTV program.

It is the intention of the Toronto Police Service to engage our community partners in the lawful exercise of this crime prevention initiative respecting the rights of all individuals to privacy while effectively detecting and deterring crime. Overt observation of public areas by the police is within the parameters established by the Courts and the Freedom of Information and Protection of Privacy Acts. Closed Circuit Television can be a valuable tool to aid in crime prevention and to enhance the quality of life for members of our communities.

Deputy Chief Kim Derry will be in attendance to respond to any questions that the Board may have.

Deputy Chief Kim Derry, Divisional Policing Command, and Staff Sergeant Mark Barkley, Communications Services, were in attendance and responded to questions by the Board about this report.

The Board was advised that the Service intends to conduct tests of CCTV in the Jane and Finch area of No. 31 Division and in northeast Scarborough in No. 41 Division.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P293. SALE OF ITEMS WITH THE TORONTO POLICE SERVICE LOGO

The Board was in receipt of the following report August 24, 2006 from William Blair, Chief of Police:

Subject: SALE OF ITEMS BEARING POLICE LOGOS

Recommendation:

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

Background:

The Auditor General's report on the City of Toronto's Fire Services Operations was adopted by the City's Audit Committee at its meeting of February 22, 2006. The report raises concerns with respect to the potential risk and liability from the sale of clothing bearing the Fire Services logo. The Audit Committee adopted the Auditor General's recommendation that "the City Manager review the current practices of City Division, Agencies, Boards and Commissions selling clothing items with City and/or divisional logos to the public, the associated risk and liability to the city and report to appropriate committees on results and recommend action.

As a result, the Toronto Police Service (TPS) will provide the Toronto Police Services Board with an assessment of risk associated with the public sale of items, clothing or memorabilia displaying the police logo.

This assessment is currently being undertaken by all relevant areas of the Service including Public Information and Legal Services. All considerations are under review, including legal and revenue based implications for the Service in order to provide the Board with a comprehensive risk management strategy.

This strategy will be reported back to the Board at its meeting of December 7, 2006.

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that Board members may have.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P294. STATISTICAL ANALYSIS OF THE DOMESTIC VIOLENCE
QUARTERLY REPORT FOR THE PERIOD JANUARY TO MARCH 2006**

The Board was in receipt of the following report July 26, 2006 from William Blair, Chief of Police:

Subject: STATISTICAL ANALYSIS OF THE DOMESTIC VIOLENCE QUARTERLY
REPORT- JANUARY - MARCH 2006.

Recommendation:

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

Background:

The Board, at its meeting on May 18, 2006, received a board report from the Chief of Police, entitled "Revised Quarterly Reports and Final Report: Domestic Violence" (Board Minute #P162/2006 refers). On that date, Sergeant Lorna Kozmik, Community Mobilization Unit, was in attendance and responded to specific questions posed by the Board. Subsequently, the Board requested that Chief Blair provide an expanded narrative explaining the relevance of the statistical data contained within said report. In accordance with the direction by the Board, the following narrative is provided for Board purview.

Statistical Analysis:

The first quarter of 2006 reflects an increase in domestic related child deaths (Section #8 refers). The Ministry of Community Safety and Correctional Services provincial statistics reveal that there were 3 child related deaths in the province of Ontario for the 2005 calendar year. To date, there have been 8 child related deaths in the province of Ontario, 2 of which have occurred in the City of Toronto.

In response to mounting problems with custody and access decisions, Section 24 of the *Children's Law Reform Act (CLRA)* has been amended to consider violence and abuse. The new CLRA Section 24 states:

Past Conduct

- (3) A person's past conduct shall be considered only,
 - (a) in accordance with subsection (4); or
 - (b) if the court is satisfied that the conduct is otherwise relevant to the person's ability to act as a parent. 2006, c. 1, s. 3 (1).

Violence and Abuse

- (4) In assessing a person's ability to act as a parent, the court shall consider whether the person has at any time committed violence or abuse against,
- (a) his or her spouse
 - (b) a parent of the child to whom the application relates;
 - (c) a member of the person's household; or
 - (d) any child, 2006, c. 1, s. 3 (1).

It is important to note that only one of the involved families of the Toronto homicides had prior police intervention.

The domestic violence community is aware that there needs to be an extensive public awareness campaign launched to encourage the reporting of domestic violence.

Deputy Chief Keith Forde, Human Resources Command, will be in attendance to answer any questions that the Board may have.

The Board received the foregoing.

**TORONTO POLICE SERVICE
DOMESTIC VIOLENCE OCCURRENCES
JANUARY-MARCH
2005/2006 COMPARISONS**

	2005		2006		2005	2006
	Male	Female	Male	Female	Total	Total
1. Domestic Occurrences						
(a) Total Number of Occurrences where charges were laid or warrants sought	-	-	-	-	1318	1285
(b) Number of accused where one party was charged	1074	168	1081	164	1242	1245
(c) Number of accused where both parties were charged <i>(Dual charges –Both parties are charged with assault)</i>	38	38	20	20	76	40
(d) Number of Occurrences where accused held for bail/show cause	M	M	M	M	M	M
(e) Number of occurrences where offences alleged but charges not laid	-	-	-	-	112	106
(f) Number of occurrences where no charges alleged					2643	3080
2. Reasons Charges Not Laid						
(a) No reasonable Grounds	-	-	-	-	112	106
(b) Offender deceased	-	-	-	-	0	0
(c) Diplomatic Immunity	-	-	-	-	0	0
(d) Offender in foreign country	-	-	-	-	0	0
3. Type of Relationship Between Accused & Victim: <i>(Occurrences where charges are laid)</i>						
(a) Female victim – male accused	-	-	-	-	1114	1080
(b) Male victim – female accused	-	-	-	-	158	155
(c) Same sex male	-	-	-	-	31	40
(d) Same sex female	-	-	-	-	15	10

****M-system does not generate these statistics**

**TORONTO POLICE SERVICE
DOMESTIC VIOLENCE OCCURRENCES
JANUARY-MARCH
2005/2006 COMPARISONS**

4. Type of Charges Laid:	2005		2006		2005	2006
	Male	Female	Male	Female	Total	Total
<u>Assault</u>						
(a) Common Assault	819	153	820	134	972	954
(b) Assault with Weapon or Cause Bodily Harm	207	46	199	52	253	251
(c) Aggravated Assault	9	7	7	2	16	9
<u>Sexual Assault</u>						
(a) Sexual Assault	25	0	26	0	25	26
(b) Sexual Assault with Weapon or Cause Bodily Harm	2	0	0	0	2	0
(c) Aggravated Sexual Assault	1	0	1	0	1	1
<u>Breaches</u>						
(a) Breach of Recognizance	18	2	22	0	20	22
(b) Breach of Undertaking	7	1	3	0	8	3
(c) Breach of Remand (CC-s.516; CC-s.517)	0	0	0	0	0	0
(d) Breach of Peace Bond (CC-s.810)	0	1	3	0	1	3
(e) Breach of Probation / Parole	25	0	19	1	25	20
(f) Breach of Restraining Order: <i>Family Act-s.46(2), Children's Reform Act-s.35(2), CC-s.515(4)</i>	0	0	0	0	0	0
<u>Other Charges</u>						
(a) Uttering Threats	278	23	290	14	301	304
(b) Criminal Harassment	102	6	97	11	108	108

****M—system does not generate these statistics**

**TORONTO POLICE SERVICE
DOMESTIC VIOLENCE OCCURRENCES
JANUARY-MARCH
2005/2006 COMPARISONS**

4. Type of Charges Laid (cont'd)	2005		2006		2005	2006
	Male	Female	Male	Female	Total	Total
(c) Mischief	53	8	53	7	61	60
(d) Homicide (<i>Manslaughter & Murder</i>)	3	0	2	0	3	2
(e) Attempted Murder	1	0	4	0	1	4
(f) Choking	14	1	8	0	15	8
(g) Forcible Confinement	42	1	33	0	43	33
(h) Firearms	6	0	1	0	6	1
(i) Other charges not listed above:						
I. Weapons Dangerous C.C.	25	3	17	3	28	20
II. Break & Enter C.C.	13	0	20	0	13	20
III. Theft C.C.	11	4	15	0	15	15
IV. Forcible Entry C.C.	7	2	6	2	9	8
V. Total Other Charges	10	2	38	6	12	44
5. Weapons Used to Commit an Offence or Intimidate						
(a) Firearms	-	-	-	-	10	10
(b) Other weapon	-	-	-	-	229	257

****M--system does not generate these statistics**

**TORONTO POLICE SERVICE
DOMESTIC VIOLENCE OCCURRENCES
JANUARY-MARCH
2005/2006 COMPARISONS**

	2005		2006		2005	2006
	Male	Female	Male	Female	Total	Total
6. Previous Charges: (Excluding Breaches)						
Number of accused with previous charges relating to domestic violence	M	M	M	M	M	M
7. Domestic Violence Adult Homicides:						
(a) Total Number of Domestic Violence adult homicide occurrences	-	-	-	-	3	2
(b) Number of domestic violence homicide adult victims	0	3	0	2	3	2
(c) Number of accused that had prior domestic violence charges involved in domestic violence homicides.	1	0	1	0	1	1
(d) Number of homicides involving the use of a weapon	-	-	-	-	2	1
8. Domestic Violence Related Child Homicides/Attempted Homicides:						
(a) Total number of domestic violence related child homicide occurrences	-	-	-	-	0	0
(b) Number of domestic violence related child homicide victims	0	0	1	1	0	2
(c) Total number of domestic violence related attempted child homicide occurrences	-	-	-	-	0	0

****M—system does not generate these statistics**

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P295. STATISTICAL ANALYSIS OF THE 2005 ANNUAL REPORT ON THE
USE OF TASERS**

The Board was in receipt of the following report August 15, 2006 from William Blair, Chief of Police:

Subject: STATISTICAL ANALYSIS OF THE 2005 ANNUAL REPORT: USE OF
TASERS BY THE TORONTO POLICE SERVICE

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

At its meeting of April 24, 2006, the Board was in receipt of the 2005 Annual Report on the Use of TASERS within the Toronto Police Service. The Board reviewed the data in Appendix A relating to the 66 incidents during which the TASER was deployed by the Emergency Task Force (ETF) and the Public Safety Unit (PSU) during 2005 (Board Minute P117/06 refers).

The Board inquired whether the Service has conducted any analysis on the correlation between the deployment of TASERS and the number of individuals who were subjected to the TASER who may be emotionally disturbed persons (EDP), particularly in the four divisions in which the Mobile Crisis Intervention Team (MCIT) program is operating. The Board further inquired whether any conclusions could be drawn from the fact that there was more TASER deployments in the "old" City of Toronto (11, 14, 51, 52, 53, and 55 Divisions) than in the rest of the city. The Board received the foregoing report and approved the following Motion:

That, with regard to the data contained in the 2005 Annual Report on the Use of TASERS, the Chief of Police provide a further report to the Board containing statistical analysis related to the 2005 deployment of TASERS that occurred in the following divisions: 11, 14, 51, 52, 53, and 55 (Board Minute P117/06 refers).

The following is an outline of the statistical information included within this report:

- Statistical analysis in regard to the 2005 deployment of TASERS that occurred in 11, 14, 51, 52, 53 and 55 Divisions; and
- Statistical analysis in regard to TASER use in divisions where the MICTs are present.

In 2005 there were no TASERS deployed by any divisional officers. Use of the TASER by the Service during 2005 was limited to ETF and PSU personnel. The TASER pilot project for use by front-line supervisors was not initiated in 31, 42 and 52 Divisions until March 30, 2006.

The following information (see Tables #1 and #2) has been extracted from statistics provided by the ETF in Appendix A of the 2005 Annual Report on the Use of TASERS by the Toronto Police Service.

Table #1

TOTAL TASER USE BY ETF and PSU in 2005 (Full Deployment)

Division	Deployments
11 Division	4
14 Division	2
51 Division	7
52 Division	12
53 Division	4
55 Division	4

Table #2

TASER USE BY ETF and PSU in 2005 on EDPs (Full Deployment)

Division	Deployments
11 Division	3
14 Division	2
51 Division	3
52 Division	0
53 Division	2
55 Division	1

The Board inquired if there was any correlation between the deployment of TASERS and the number of individuals who were subjected to the TASER who may be described as EDP, particularly in the four divisions in which the MCITs are operating. MCITs have been operating in 51 Division since October 2000. The program was expanded into 11 and 14 Divisions during November 2005.

The above tables (see Tables #1 and #2) indicate that there is no correlation between TASER use and EDP subjects. In 14 Division, two (2) deployments accounted for 100% of that division's TASER use. 52 Division did not use the TASER on an EDP subject even though they had the highest number of deployments. There have not been enough TASER uses to date to determine a statistically significant correlation.

The ETF attended 527 calls for service in 2005. Of those calls for service, 127 involved EDP subjects. Only 27 of those EDP calls ended in full deployment. The other 100 EDP calls were de-escalated using tactical communication and other force options.

As the MCITs have been operating in 51 Division since 2000 and the program only expanded into 11 and 14 Divisions in late 2005, the only significant statistics are available from 51 Division. In 2005 there were seven (7) full deployments in 51 Division. Only three (3) of the full deployments were on EDP subjects. This would not suggest a disproportionate use of the TASER on EDPs.

Each hospital participating in the MCIT program has an individual Memorandum of Understanding (MOU) with the Service. These MOUs provide that the MCITs will not be sent to calls until police have indicated that the subject is under control or contained and it is safe for them to attend. As TPS Procedure 15-09 indicates that members will not use the TASER on a subject unless that subject is exhibiting assaultive behaviour, it is unlikely that MCIT personnel would be present when a TASER is used.

The Board has requested statistical analysis to explain if there is a disproportionate amount of TASER use in "old" Toronto. The data indicates that TASER use is more a reflection of police deployment. For example, during the summer of 2005 officers from the ETF and PSU were frequently detailed to patrol the downtown core especially the entertainment district. This area characteristically has a high concentration of intoxicated and violent individuals. This type of environment is tactically appropriate for TASER deployments. 52 Division had 12 full deployments in 2005. None of those full deployments were on EDP subjects. The higher concentration of police officers armed with the TASER and the concentration of subjects displaying assaultive behaviour clearly accounts for the higher usage.

Conclusion:

In summary it can be determined, subject to the limited amount of statistical information, that there is no correlation between TASER use and EDPs. It also appears that the statistically higher use of TASERS in the downtown core is due to the concentration of members armed with the TASER and a high frequency of assaultive behaviour occurring in this area.

The MCIT program should not be factored into TASER use as a tactical consideration. They have completely different mandates. TASER use is a tactical option for subjects displaying assaultive behaviour whereas MCITs may only be used in situations when the involved subject is under control or at least contained.

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

Deputy Chief Keith Forde, Human Resources Command, will be in attendance to respond to any questions that the Board may have in regard to this matter.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P296. CANADIAN ASSOCIATION OF POLICE BOARDS – ANNUAL
CONFERENCE**

The Board was in receipt of the following report August 28, 2006 from Alok Mukherjee, Chair:

Subject: CANADIAN ASSOCIATION OF POLICE BOARDS – ANNUAL
CONFERENCE

Recommendation:

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

Background:

The Canadian Association of Police Boards (CAPB) is an organization that works collaboratively and proactively to improve police governance in Canada in order to enhance public safety for all Canadians.

Each year, the CAPB holds a three-day conference and annual general meeting in a different location. This year, the 17th annual meeting and conference was held in Edmonton, Alberta from August 17-19, 2006. I, along with two Board staff members, Joanne Campbell and Sandy Adelson, attended this conference. It provides us both a valuable learning experience and an opportunity to dialogue with colleagues from across the country.

The conference included many interesting sessions, with topics including community policing, understanding the media and the complaints system. I have provided information about some of these sessions below.

I. Plenary Presentations

What is Community Policing?

Edmonton Police Service Chief Mike Boyd spoke about the concept of “community policing.” He noted that the concept started in the mid- to late-80s and that many police agencies were, at first, resistant to the term. He said that many people misunderstood the term, thinking it meant “soft” policing though this was never the intent. He said that, with traditional policing, police organizations operate in isolation; they know about crime and occurrences and can prioritize resources themselves as they know what is best for communities. He compared this with community policing, which he says is both a philosophy and a strategy that provides for problem-solving through collaboration and requires trust building with communities.

Chief Boyd said that it is important to find true community partners and highlighted the importance of working collaboratively with political leaders, social and government agencies, the residential and business community, police and law enforcement and the media. He also discussed intelligence-led policing, which involves using technology to focus resources on crime problems, and spoke about the need to use crime data and information from communities as part of this analysis.

Fixing Broken Windows

Dr. William Sousa, a professor from the University of Nevada, spoke about the “Fixing Broken Windows” project that developed the order maintenance policies for the New York City subway system that many claim were responsible for a drastic reduction in crime. He talked about the project, which included a crackdown on minor offences such as “fare beating” which was subsequently followed by a decrease in subway robberies. This idea of minor offence enforcement was then applied city-wide; increased enforcement of misdemeanor offences was linked to a city-wide decrease in crime. Dr. Sousa noted that some argue that the assertive enforcement of minor offences has been implemented at too great a cost but he countered this by saying that, even beyond a link to violent crime reduction, there is an intrinsic value to greater enforcement of minor offences. Dr. Sousa also stated that evidence suggests that “broken windows policing” reduces crime, especially within a broader problem-solving strategy. He also said that context matters and that order maintenance is much more complex than merely the enforcement of minor offences.

Other sessions included “Walking with the Devil,” which focused on dealing with corruption within police services, a presentation on a 30-year analysis of police service delivery and costing and a presentation regarding the results and recommendations that came from the field testing work of the best practices in police governance with four different sized boards from across Canada.

II. Workshops

Review of the Calgary Police Service Complaints Process

The Calgary Police Commission recently underwent a review of the internal and public complaint process of the Calgary Police Service by Deloitte and Touche and the results were presented at the conference. The purpose of this review was to determine whether the current process is efficient and effective and to articulate the components of a successful complaints process. The review included interviews, public submissions and file reviews of 87 complaint files.

Through the review, it was found that the complaints process was sound and ethical but that efficiency and effectiveness could be improved. The review noted that the public does not have an adequate understanding of the complaints policy, and the fact that there was a lack of opportunity for early intervention and risk management. The review also found that the Service did a good and thorough job and that the police are the most qualified to do the investigations.

Understanding the Media

The goal of this workshop was to address some of the challenges of communicating effectively in stressful situations. The presenter, Wayne Wood, Director of Communications for the Office of the Information and Privacy Commissioner for Alberta, emphasized the importance of developing key messages. He provided practical tips as well as components to be included in communication strategies.

I hope that Board members will find this summary helpful. I also note that, while at the conference, I proposed that the Toronto Police Services Board be given the opportunity of hosting the 2008 conference. Eighteen years ago, the founding conference of CAPB was hosted by TPSB. It has not organized another CAPB conference since. I am pleased to say that my proposal was very favourably received by members of the CAPB Board of Directors. A copy of my letter of invitation to CAPB President Ian Wilms is attached for your information.

The Board received the foregoing.



Toronto Police Services Board

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August 18, 2006

Mr. Ian Wilms
President
Canadian Association of Police Boards
110 Laurier Ave. W.
Ottawa, Ontario
K1P 1J1

Dear Mr. Wilms:

I am writing on behalf of the Toronto Police Services Board to express our interest in hosting the 2008 CAPB Annual Meeting and Conference.

It has been a long time since TPSB has hosted the CAPB. I believe we have the resources, the facilities and, above all, the commitment to promise a very well-organized, interesting and forward looking conference.

August, as you know, is a very good time to be in Toronto, with its many attractions and cultural events. Its central location makes travel to Toronto relatively affordable from all parts of Canada. As a result, I believe we will attract a high level of participation while guaranteeing an interesting stay for delegates' companions.

I am very pleased to say that Mayor David Miller and Chief Bill Blair have communicated to me their personal full support and that of the City and the Police Service for this invitation.

I also intend to invite Chairs of our neighbouring Police Services Boards to join us in planning and organizing the conference. This will ensure

that the event benefits in every way from the collective input of all the GTA boards.

I hope you and the CAPB Board will give our proposal serious consideration. I shall be pleased to answer any questions you may have.

Sincerely,

Alok Mukherjee

Chair

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P297. RESPONSE TO CITY OF TORONTO REQUEST FOR A REPORT –
INFORMATION ON THE REDEPLOYMENT OF 200 POSITIONS TO
DIVISIONAL POLICING**

The Board was in receipt of the following report August 03, 2006 from William Blair, Chief of Police:

Subject: Response to the City Budget Committee request for information on the redeployment of 200 positions

Recommendation:

It is recommended that:

- (1) the Board receive this report, and
- (2) the Board forward a copy of this report to the chair of the City Budget Advisory Committee for information.

Background:

During its considerations relating to the Toronto Police Service 2006 operating budget, the City Budget Advisory Committee requested that the Chief of Police report, prior to the start of the 2007 budget process, on the redeployment strategy which returned 200 positions to divisional policing. Correspondence from the City Clerk's office was received on April 19, 2006 making the request.

The following issues were to be addressed in the report:

- criteria for redeployment,
- whom to redeploy,
- to and from which department,
- which services will be impacted or eliminated to accommodate the redeployment, and
- the resultant impact on base policing activity.

The Toronto Police Service (the Service) has long recognized the front-line (the police officers and support workers in the 17 divisions) as the cornerstone of the organization. This has been recognized repeatedly over the past decade, starting with the *Beyond 2000* strategic planning process that began in the early 1990s.

Divisional personnel, particularly the Primary Response (PRU) and Community Response (CRU) functions, working in uniform, provide the most direct and timely service to the community, whether by responding to emergencies and crises, providing information and advice, or engaging in preventive and proactive efforts with community partners.

For this reason, staffing at the divisional level, and in particular the PRU and CRU functions, must be given careful attention by the Service at all times. Every other element of the Service exists to serve and support the front-line, and while support units must be staffed adequately to do their important jobs; priority must be given to the divisions.

For this reason, one of my first priorities on taking office was to commit to bolstering front-line staffing in a meaningful way. Earlier staffing reviews resulted in some redeployment to field positions, but the number of staff redeployed through such efforts was not ideal. For this reason, I committed to moving 200 additional positions to the PRU and CRU function across the city.

Key elements of the strategy were:

- The *Service Priorities* for 2002-2004, which were extended into 2005, and the current *Service Priorities* (2006-2008), articulate goals for front-line units (as well as their individual members and community partners). Priorities dealing with youth violence and victimization, traffic safety, and community safety and satisfaction in particular create an important mandate for front-line units.
- One of the ways the Service responded to important issues over the past decade was to deploy staff to specialized units and sub-units. Because there was no possibility of increasing the strength of the Service, this additional staffing was often taken from front-line units.
- One effect of these efforts is that the Service now has a greater proportion of police officers out of uniform than is typical for North American policing agencies.
- The process of redeploying to the front-line helped to ensure that staffing levels at support units is appropriate to the needs of the Service and the community *at any given time*. As a result, frequent reassessment of the needs of both frontline and specialized units has become part of the deployment process within the Service.
- The community, including governing bodies such as City Council and the Police Services Board, are clear in their desire that as many police officers as possible should be providing service *visibly* and *in uniform*. The Service shares this perspective.
- I made my intentions clear during my swearing-in ceremony that I intend “to get our officers in uniform and out in the community. People are encouraged to feel safe when they see the police in their neighbourhoods. They want to know their police officers and they want the officers to know them. Together we can and will make a difference...”.

The redeployment initiative was intended to increase the strength of front-line (PRU and CRU) police officers by 200. To limit the impact on *real people*, I approved the movement of some vacant positions from specialized units to the divisions. In other cases individual officers were moved from specialized units or specialized divisional positions to PRU and CRU positions within divisions. Where vacant positions were moved, they were filled by recruits as they were deployed upon graduation.

The following illustrates the priorities and methodology of this initiative:

- *Staffing and Deployment Model:* The Police Services Board at its December 2005 meeting approved, effective January 2006, the adoption of a “demand factor” model to replace the “60-40 Model” as the basis by which police officers are deployed to the divisions across the city (Board Minute C2 for November 2005 refers). Essentially, the new model uses a series of “demand factors” to ensure that workload and service levels are distributed equitably across the city. *The redeployment effort took place within the structure of the new model.*
- *Positions and People:* The movement to the front-line consists of 200 *positions*. Some of those positions were filled by members who moved with the position where possible. Other positions were vacant and where a vacant position was moved, it was filled with a recruit at the earliest opportunity.
 - All redeployed positions went to the PRU or CRU in the divisions.
 - Some moves were indirect, as the Service continued to accommodate members requiring restricted duties. In particular, two sergeant positions were redeployed to constable positions and then assigned to field units, but the members filling those positions continued to be accommodated within their previous units.
 - The process of filling vacant positions started December 2, 2005, continued with the January recruit class, and concluded on May 15, 2006.
- *Positions moved:* Positions were moved either from non-front-line (administrative) positions into divisions, or from specialized positions to the PRU and CRU within the division. This includes:
 - 25 sergeant positions were redeployed to constable positions
 - 85 positions from specialized units were moved to Divisional Policing Command
 - 86 specialized positions within Divisional Policing Command were being moved into the PRU and CRU functions within the Command
 - 4 over-strength positions were eliminated from specialized units and moved to the field

- *Timeframe:* The timeline for the redeployment effort was December 2, 2005, through May 15, 2006. All of the *positions* were moved on December 2, 2005. To allow for the human element of the initiative, the *people* connected with those positions were not moved until 2006 (some in January, some between January and May).
- *Return of some functions to uniform:* In addition to the redeployment of the 200 positions to the divisions, I designated certain job functions to be performed in uniform including all police functions at Forensic Identification Services (50 positions), Employment (47 positions), Training and Education (95 positions) and selected divisional functions such as community service, crime prevention, divisional planner, divisional training sergeant, crime analyst and warrants (110 positions). This moved more than additional 300 police officers into uniform, enhancing our visible presence in the community.

Key results arising from the redeployment initiative include:

- 200 positions have been redeployed to (or within) the PRU and CRU functions of the 17 divisions.
- In priority order, the redeployment of positions was accomplished by
 - moving vacant positions from support units to the PRU and CRU functions within divisions
 - moving administrative and specialized positions occupied by police officers to the PRU and CRU functions within divisions
 - moving specialized positions within divisions to the PRU and CRU functions, and
 - strategically reducing staffing levels within selected support units and moving the positions to the PRU and CRU functions within divisions
- No services provided by the Service to the public were eliminated by this redeployment, although some specialized units were stretched to provide similar levels of service as in the past.
- The expected overall impact to base (front-line) policing in Toronto includes
 - increased numbers and visibility of uniform police officers within the divisions,
 - increased sense of safety from the public,
 - timelier handling of calls for service and neighbourhood issues, and
 - increased activity including numbers of charges (including arrests), persons interviewed, traffic enforcement and directed patrol activities.

I recommend that the Board receive this report and forward it to the Chair of the City Budget Advisory Committee for information.

Deputy Chief Keith Forde, Human Resources Command, will be in attendance to respond to any questions the Board may have in regard to this matter.

The Board received the foregoing and agreed to forward a copy to the City of Toronto – Budget Advisory Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P298. RESPONSE TO CITY OF TORONTO REQUEST FOR A REPORT –
ENFORCEMENT OF THE EXISTING LAWS WITH RESPECT TO
POCKET BIKES**

The Board was in receipt of the following report August 15, 2006 from William Blair, Chief of Police:

Subject: POCKET BIKES - ENFORCEMENT OF THE EXISTING LAWS WITH
RESPECT TO POCKET BIKES

Recommendation:

It is recommended that:

- (1) the Board receive this report for information.
- (2) the Board forward a copy of this report to the Works Committee.

Background:

On May 18, 2006 the Toronto Pedestrian Committee made a series of recommendations to the Works Committee addressing concerns regarding motor vehicles commonly known as “pocket bikes.” On July 5th, 2006 the Works Committee forwarded amended recommendations regarding pocket bikes to City Council.

The Works Committee’s recommendations included the following:

- (B) the Toronto Police Services Board be requested to consider the following Recommendation (4) of the Toronto Pedestrian Committee:

“(4) the Chief of Police be requested to consider the concerns expressed over the enforcement of the existing laws such as the City’s Noise By-law with respect to Pocket Bikes and to strongly encourage the Toronto Police Service to aggressively pursue the operators and request the Courts to charge for infractions, such as insurance charge.”

Enforcement and Legislative Issues:

The term “pocket bike” is commonly used to describe a variety of miniature motorcycles which have been imported into Canada over the last three years. These motorcycles are lightweight, capable of carrying an adult, and can reach speeds of between 50 and 80 km/h. The

manufacturers of these vehicles claim that they are intended exclusively for use in closed-course competition.

The manufacture and importation of motor vehicles, including pocket bikes, is federally regulated by the *Motor Vehicle Safety Act*. The regulation of the manufacture and importation of motor vehicles and motor vehicle equipment under this Act is intended to reduce the risk of death, injury and damage to both property and the environment.

The vast majority of pocket bikes available for sale in Canada are classified by the manufacturers as “competition vehicles.” This is not a prescribed class of vehicle under the Motor Vehicle Safety Act, and, as such, is not regulated by Transport Canada. “Competition vehicles” are designed for use exclusively in closed-course competition and are therefore not required to meet federal equipment and safety standards. Pocket bikes classified in this manner do not require or possess vehicle identification numbers, and therefore cannot be provincially registered.

The inability of individuals to properly register these motor vehicles has raised a legal issue that directly impacts upon the ability of the police to commence enforcement proceedings with respect to registration and insurance violations. In order to lay charges and commence a prosecution, officers must be in a position to prove who rightfully owns the motor vehicle. This is an essential element of charges relating to registration, license plates and insurance. As pocket bikes do not possess vehicle identification numbers and cannot be provincially registered, proving ownership poses a significant hurdle to the prosecution. Due to this legal issue, provincial prosecutors are often not in a position to proceed with such cases.

However, as pocket bikes do meet the definitions of both “motor vehicle” and “motorcycle” under the Highway Traffic Act (HTA), when they are operated on a roadway, albeit illegally, the rules of the road and the laws related to the operation of motorcycles must therefore be complied with. Toronto Police officers have laid a variety of charges relating to pocket bikes under provincial statutes, such as the HTA and the Compulsory Automobile Insurance Act. Charges have been laid for such offences as failing to wear a helmet while operating a motorcycle, driving a motor vehicle without a licence and operating a motor vehicle without proper turn signals, brake lights or head lights. By-laws related to excessive noise may also be applicable in some instances.

The Service has taken a progressive role in addressing enforcement issues associated with new and emerging vehicles such as pocket bikes, through ongoing consultation with the Ministry of Transportation and the Ministry of the Attorney General. The Service maintains representation on the Ontario Traffic Conference Legislation and Enforcement Committee, and the Ontario Association of Chiefs of Police Traffic Committee, which continue to examine these issues and make recommendations relating to policy development.

In response to the portion of the Works Committee’s recommendation that the Service consider making a request to the courts to charge for specific infractions, such as charges relating to insurance, the Service is unable to fulfil this particular portion of the recommendation. Specifically, the Service is unable to recommend that the courts charge for infractions, as it is not the responsibility of the courts to lay charges. If the necessary evidence to lay such charges

exists, it is the responsibility of the investigating officer(s) to lay charges. Furthermore, it is the responsibility of the provincial prosecutor to present the case to the court, and it is the responsibility of the court to hear the evidence and make a determination based on the evidence presented.

The Toronto Police Service, through ongoing enforcement efforts and consultation with various stakeholders, is actively engaged in and supports all efforts focused on controlling the illegal use of pocket bikes in order to ensure the safety of both operators and other road users.

Deputy Chief A. J. (Tony) Warr, Specialized Operations Command, will be in attendance to answer any questions that the Board may have.

The Board received the foregoing and agreed to forward a copy to the City of Toronto – Works Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P299. RESPONSE TO CITY OF TORONTO REQUEST FOR A REPORT –
STATUS OF THE IMPLEMENTATION OF THE HANDHELD PARKING
DEVICES PROJECT**

The Board was in receipt of the following report August 18, 2006 from William Blair, Chief of Police:

Subject: STATUS OF THE IMPLEMENTATION OF THE HANDHELD PARKING
 DEVICES PROJECT

Recommendation:

It is recommended that:

- (1) The Board receive this report for information; and
- (2) The Board forward a copy of this report to the City of Toronto Administration Committee.

Background:

At its meeting of December 8, 9 and 12, 2005, City Council made the following request to the Chief of Police.

Toronto Parking Enforcement Unit:

(180) the Police Chief, in consultation with the Deputy City Manager and Chief Financial Officer, report to the Administration Committee in 2006 on the status of the implementation of the Handheld Parking Devices project.

Project Status:

At its meeting of March 8, 2005, the Board approved the acquisition of a Wireless Parking Ticket Issuance solution from Epic Data Inc. for the Toronto Police (TPS) Parking Enforcement Unit (Minute #P81/05 refers). Upon receiving this approval, the Service, on behalf of the Board, and Epic Data Inc. engaged in contract development negotiations, and on December 21, 2005, they entered into an agreement.

The project commenced in January 2006 and project related hardware was delivered at that time. To date, the project team has successfully conducted the necessary assessment and planning and has developed the detailed design specifications from a business and technical perspective. Additionally, the vendor has delivered preliminary customized software pursuant to the project schedule and TPS has completed the preliminary software testing phase.

Throughout the assessment and planning phases, discussions were ongoing between the City of Toronto Revenue Services Division and the City's contracted banking services provider. Significant testing was completed with the parking ticket paper stock and it was determined that, at this time, the Parking Infraction Notices will not be payable at financial institutions. As a result of this modification to the payment options available to customers, the City of Toronto introduced an on-line-web-payment portal, while maintaining existing payment options including telephone payments, payments by mail or in person at Parking Tag First Appearance Facilities, so as to ensure customer service delivery levels are maintained and/or enhanced. The City issued a media release, advising customers of this change in payment options.

In accordance with the agreement between the Board and the vendor, the documented field trial commenced on July 24, 2006, and will continue for three weeks ending August 11, 2006. In this field trial, forty (40) front line officers are using the handheld equipment and software, and are issuing authentic Parking Infraction Notices. Preliminary information has reaffirmed the initial assumption that there is a learning curve involved in becoming proficient with the new solution.

At the conclusion of the documented field trial, these forty (40) officers will continue to use the solution. This will allow them to gain greater experience in preparation of full implementation to ensure peer assistance is available for new users during full implementation. During this period, the vendor will be required to provide any necessary software updates for testing. The full implementation date is set for September 12, 2006. An updated status report outlining the results from both the field trial and implementation shall be provided to the Board in early 2007.

Upon implementation, all Parking Enforcement Officers will issue parking tickets from a handheld computer device and printer. Through a wireless connection, the handheld computers will communicate in real time with the data collection servers holding parking ticket data. The data collection servers will be interfaced with several City of Toronto and TPS systems, resulting in a more comprehensive and intelligent parking system. The interface to and from the City of Toronto Parking Tag Operations will allow for more real time information sharing. The system will also be connected to permit parking information, street addresses, amber alerts and stolen vehicles. This real time data transfer technology will enhance information sharing, public safety and the ability to provide timelier customer service.

This project is on schedule and within the set budget.

It is recommended that the Board receive this report and forward a copy to the City of Toronto Administration Committee.

Deputy Chief A.J. (Tony) Warr, Specialized Operations Command, will be present at the Board meeting to address any questions that the Board may have.

The Board received the foregoing and agreed to forward a copy to the City of Toronto – Administration Committee for information.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P300. QUARTERLY REPORT – ENTERPRISE CASE AND OCCURRENCE
PROCESSING SYSTEM (ECOPS): MAY – JULY 2006**

The Board was in receipt of the following report September 05, 2006 from William Blair, Chief of Police:

Subject: QUARTERLY REPORT: ENTERPRISE CASE AND OCCURRENCE
PROCESSING SYSTEM (ECOPS) – MAY – JULY 2006

Recommendation:

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

Background:

At its meeting on September 23, 2004, the Board requested that the Chief of Police provide the Board with quarterly reports outlining the progress, efficiency, and future plans with respect to the development the Enterprise Case and Occurrence Processing (eCOPS) records management system (Board Minute #P329/04 refers).

The Board has also requested that an up-to-date financial summary of the costs associated with the on-going development and maintenance of the eCOPS application be included in these quarterly reports (Board Minute #P310/05 refers).

Database Upgrades:

As reported to the Board at its July 10, 2006 meeting, the Websphere Version 5.1 database upgrade was delayed in order to resolve unexpected technical challenges (Board Minute #P226/06 refers).

Information Technology Services specialists have been working with IBM technical experts in an effort to determine the cause of the problems and address them accordingly. The issues have now been largely resolved and the upgrade to Websphere Version 5.1 is targeted for October 2006.

As Websphere envelopes eCOPS, it is a critical infrastructure upgrade. Extensive testing must be performed prior to implementation to confirm that the upgrade will have no impact on the production environment in terms of performance and data entry outcomes.

eCOPS Training:

C.O. Bick College continues to offer training for new users and members who have been reassigned to positions requiring them to enter, validate, and approve eCOPS occurrences. Training for new recruits focuses on the use of eCOPS Wizards to simplify the data entry process. Application users are also encouraged to access the Records Management Services website for eCOPS instruction and guidance.

Help Desk staff have ‘view only’ access to the eCOPS application, as there are legal implications involved in allowing technological support staff to make changes in the production environment. In-depth eCOPS application training has been provided to Help Desk staff to facilitate the availability of adequate telephone support in resolving inquiries from end users.

Records Management Services staff continue to provide telephone assistance to field personnel in resolving complex difficulties that may be encountered in the production environment.

Divisional Quality Control:

Responsibility and accountability for data verification (monitoring, validating, and correcting occurrences, including CPIC and UCR transactions) was rolled out to all field units Service-wide on June 11, 2006 (Board Minute #P226/06 refers). Each division has a dedicated Quality Control Liaison to perform all validations for CPIC priority occurrences, Dashboard offences, and all other eCOPS entries as resources permit.

Records Management Services will continue sampling and checking of the validations that have already been performed in the field. This will aid in identifying the type and frequency of errors, which will be addressed through target training initiatives. As the Divisional Quality Control initiative is in its early stages, particular error patterns are not yet ascertainable.

Mobile Workstations:

Officers have encountered problems publishing in the mobile environment, as well as synchronization errors that may result in the loss of data. Information Technology Services personnel have identified specific actions that can be taken to resolve these issues, which will be implemented in phases.

Financial Summary:

eCOPS Support Operating Costs

<u>Unit</u>	<u>2006 Budget Amount</u>	<u>June 30, 2006 Year-to-Date</u>	<u>Annual %</u>
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eCOPS On-going Support Costs – Base

Information Systems	272,378.69	210,610.99	77%
Systems Operations	69,241.95	40,224.39	58%
Customer Service	68,790.54	34,395.27	50%
TOTAL	\$410,411.18	\$285,230.65	69%

eCOPS Quarterly Releases – Enhancements

Information Systems	815,774.60	333,465.65	41%
Systems Operations	41,930.50	20,965.25	50%
Customer Service	22,930.18	11,465.09	50%
TOTAL	\$880,635.28	\$365,896.00	42%

eCOPS Total Resource Costs

Information Systems	1,076,042.26	544,076.65	51%
Systems Operations	111,172.46	61,189.64	55%
Customer Service	91,720.72	45,860.36	50%
TOTAL	\$1,278,935.44	\$651,126.65	51%

Source: Financial Summary prepared by Information Technology Services

Planning for 2006:

i. CPIC Renewal, Phase I

Development for CPIC Renewal, Phase I, is on schedule in accordance with the compliance date of November 25, 2006 set by the Royal Canadian Mounted Police (RCMP). Although the November date may conflict with other year-end challenges within the Service, CPIC Renewal must be prioritized as compliance is federally mandated.

Extensive integration testing will be conducted by Information Technology Services once the RCMP has ‘frozen’ the test environment. It is anticipated that that will occur on September 25, 2006, which places severe time constraints on Information Technology Services to complete sufficient testing prior to the November implementation. Developers continue to participate in meetings with the RCMP in preparation for CPIC Renewal, during which issues of concern are raised for consideration by the RCMP Implementation Group.

ii. Domain Code Redesign

The domain code redesign will allow designated personnel to add, change and delete (retire) the values (UCR/CPIC codes) contained within the drop down boxes in eCOPS, which will facilitate immediate updates to the records management system and improve data integrity.

The development of this release is on schedule, but the implementation of the new domain codes has been deferred from November 2006 until Q1 2007 due to competing demands associated with implementation of CPIC Renewal.

iii. Print Format

A significant enhancement for users would be an improvement in the eCOPS hard copy report print format. It is one of the top priorities for the eCOPS Development Team; however, limited development resources prohibit the allocation of time to complete the necessary redesign of the eCOPS print format. Therefore, for the balance of 2006, only critical production issues will be addressed.

Conclusion:

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that Board members may have.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P301. QUARTERLY REPORT – MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT COMPLIANCE: APRIL – JUNE
2006**

The Board was in receipt of the following report August 14, 2006 from William Blair, Chief of Police:

Subject: QUARTERLY REPORT APRIL 2006 – JUNE 2006: MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT COMPLIANCE

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

At its meeting on September 23, 2004, the Board made a motion that the Chief of Police provide the Board with quarterly reports identifying the Service’s *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) compliance rates, and further, that the total number of overdue requests be divided into categories of 30, 60, or 90 days, or longer (BM# 284/04 refers).

Under the Act, compliance refers to the delivery of disclosure through the Freedom of Information process within 30 days of receipt of a request for information. The compliance rates for the period April 1, 2006 to June 30, 2006, divided into three categories as stipulated by the Board, are as follows:

Toronto Police Service
Compliance Rates
April 1 – June 30, 2006

30-Day	60-Day	90-Day or longer
77.09%	93.3%	97.2%
Requests to be completed during this time period: 716	164	48
Requests completed: 552	Requests completed: 116	Requests completed: 28
Requests remaining: 164	Requests remaining: 48	Requests remaining: 20

A total of 716 requests were required to be completed within 30 days. The running totals reflect, for the 30, 60, and 90 day (or longer) periods, the number of requests that were actually completed. The number of incomplete files is carried over as ‘requests remaining.’ All numbers shown are based on the number of files it was possible to be compliant with during this period.

A further breakdown of requests received April 1, 2006 to June 30, 2006 is as follows:

Category	Total	Description
Individual / Public	433	- Personal
Business	244	- Witness contact information - Memobook notes re. near-fatal drowning incident - Clients' 911 call
Academic / Researcher	0	
Association/Group	43	- Reports required for families in justice system - Address history reports for residents' association - Reports on subjects requiring housing and employment
Media	2	- Collision report data
Government	4	- Ministries requiring reports on individuals - Memobook notes re. incidents
Other	3	- Domestic occurrence report
Statistics	2	- Report on seized firearms - Domestic violence statistics

The above table reflects the numbers and types of requests received during the entire reporting period. The number of files required to be completed during the reporting period are not reflected.

A breakdown by month of the 30-day compliance rates for this quarterly period is as follows:

April 2006	73.11%
May 2006	76.3%
June 2006	82.54%

Deputy Chief Jane Dick, Executive Command, will be in attendance to answer any questions that Board members may have.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P302. QUARTERLY REPORT – COMPRESSED WORK WEEK SCHEDULING
COMMITTEE: JUNE – AUGUST 2006**

The Board was in receipt of the following report August 18, 2006 from William Blair, Chief of Police:

Subject: QUARTERLY STATUS REPORT: JUNE 2006 - AUGUST 2006 –
COMPRESSED WORK WEEK SCHEDULING COMMITTEE

Recommendation:

It is recommended that: the Board receive the following status report on the Compressed Work Week Scheduling Committee for information.

Background:

At its meeting of December 15, 2005 (Board Minute #P408/05 refers), Chief of Police William Blair was directed by the Board to report quarterly on the progress and workings of the Compressed Work Week Scheduling Committee. This report is in response to that direction.

The Compressed Work Week Scheduling Committee is a joint committee of the Toronto Police Services Board (TPSB) and the Toronto Police Association (TPA). The committee was struck in accordance with Schedule 1 of the Memorandum of Agreement in the 2005 – 2007 Collective Agreement between the TPSB and the TPA. The mission of the Compressed Work Week Scheduling Committee is to jointly study the possibility of a new Compressed Work Week (CWW) system, including the possible modification or continuation of the current CWW system and attempt in good faith to develop one or more alternatives to the existing CWW schedule in accordance with the principles set out in paragraph 8 of Schedule 1.

General Information:

The CWW Parent Committee continues to meet since its inaugural meeting of January 26, 2006. The CWW Joint-Committee meets bi-weekly and will be reporting their research and recommendations in writing to the Parent Committee on September 5, 2006.

In May 2006, the Parent Committee prepared a formal Request for Proposal (RFP) for the selection of a Subject Matter Expert (SME) in accordance with Schedule 1 of the Memorandum of Agreement in the 2005 – 2007 Collective Agreement between the TPSB and TPA.

On June 01, 2006, Purchasing Support Services received one proposal in response to the RFP and on June 02, 2006, the RFP closed with no further submissions. The vendor submitting the proposal was Strategic Direction - Public Safety Resource Allocation and Work Scheduling, a firm based in Neston, United Kingdom. The CWW Parent Committee reviewed the proposal and invited Strategic Direction to Toronto for the purposes of a presentation.

On June 20, 2006, Dr. Sue Woolfenden and Mr. Bill Stevenson, Directors at Strategic Direction gave a presentation to the Parent Committee followed by a question and answer period. On June 27, 2006, the TPA filed correspondence with Maria Ciani, Manager of Labour Relations, indicating their concern that one proposal provided no point of comparison for vendor selection and that further efforts are required to solicit further proposals. The TPA also expressed concern with the review methodology proposed by Strategic Direction.

The CWW Parent Committee is unable to reach consensus concerning the selection of a SME. This matter is referred to Justice George Adams for adjudication.

Deputy Chief Kim Derry, Divisional Policing Command will be in attendance to answer questions from Board members.

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P303. SEMI-ANNUAL REPORT – WRITE-OFF OF UNCOLLECTIBLE
ACCOUNTS RECEIVABLE BALANCES: JANUARY - JUNE 2006**

The Board was in receipt of the following report August 11, 2006 from William Blair, Chief of Police:

Subject: WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE BALANCES
SEMI-ANNUAL REPORT: JANUARY 1, 2006 TO JUNE 30, 2006

Recommendation:

It is recommended that the Board receive the semi-annual report on uncollectible amounts written off.

Background:

At its meeting of May 29, 2003 (Board Minute #P132/03 refers), the Board approved the new Financial Control By-law 147. Part IX, Section 29 – Authority for Write-offs includes the requirement for a semi-annual report to the Board on amounts written off in the previous six months.

Comments:

This report covers write-offs processed during the period of January 1, 2006 to June 30, 2006.

During this period, a number of accounts totalling \$91,530 were written off, in accordance with By-law 147. The write-offs are broken down as follows:

Paid duty administrative fees and equipment rentals	\$17,369
False alarm fees and interest	1,462
Transcriptions and legal documents	1,262
Other	<u>71,437</u>
Total Write-offs Processed (January 1 to June 30, 2006)	\$91,530

Paid Duty Administrative Fees and Equipment Rentals (\$17,369):

Paid duty administrative fees and equipment rentals generate over \$3.5 million per year in recoveries for the Service. The amount of \$17,369 written off in the first six months of 2006 represents 0.5% of the annual recovery amount.

Customers are provided with an invoice for the administrative fee and any equipment rentals after the paid duty has been completed. The TPS Central Paid Duty Office and Financial Management unit work closely with divisions, units and customers to ensure that invoices are sent to the proper location, are accurate and timely. Customers are provided with progressively assertive reminder letters every 30 days if their accounts are outstanding. Customers with balances outstanding over 90 days must make payment arrangements with Financial Management or they can be denied additional duties. This practice is in place for all customers, unless the central paid duty office determines that there are public security reasons for continuing to provide paid duties.

The write-off of paid duty administrative fees and equipment rentals relates mostly to small dollar value and/or customer balances which had been forwarded to the Service's collection agency. The collection agency's staff are equipped with various information resources such as on-line credit bureau access and database networks, which allow them to locate individuals, as well as businesses and their principals.

In all cases, customer accounts that were written off were closed by the collection agency after all collection and trace efforts were exhausted. In most cases, businesses had been dissolved, leaving no assets from which the amounts due to the Toronto Police Service (TPS) could be paid, or the companies had filed for bankruptcy leaving no recourse for TPS as an unsecured creditor.

False Alarm fees and interest (\$1,462):

Financial Management receives false alarm information from the False Alarms unit on a monthly basis. The information identifies monitoring stations which are charged a false alarm fee of \$83.50. Outstanding balances accumulate interest at a rate of 2% per month. The fee and interest are authorized charges according to By-laws 108 and 110.

The balances written off relate mostly to interest charges on false alarm fees. The organizations paid off their outstanding false alarm fee balances, but have not paid the interest portion of the outstanding amount. The balances were forwarded to the Service's collection agency. However, they were not successful in collecting the interest.

The Service recovers approximately \$2 million annually in fees for false alarms and the \$1,462 written off represents 0.08% of the recovered amount.

Transcriptions and legal documents (\$1,262):

Transcriptions and legal documents relate to photographs or transcripts requested by defence counsel and never paid for. At the time the invoices were sent, the fee schedule for disclosures was not clearly identified to the defence attorneys and consequently the amounts owing are in dispute. The receivables are now old (pre-2005) so the likelihood of being collected, even through the collection agency, is minimal.

Units in the Service providing photographs and transcripts are now clearly communicating charges to customers and are ensuring that charges are made to the correct attorney addresses. In addition, a more stringent review of outstanding amounts, including discussions with the units originating the charges and customers ensures that errors are caught and credit notes are provided on a timely basis.

Other (\$71,437):

Approximately \$23,000 of the “Other” category relates to special investigation costs which were never recovered from partner police agencies due to a lack of written agreements. In all cases, the investigations would have continued regardless of the amount to be recovered. In many cases, partial payments were received from one of the partner agencies. The invoices date back to 1997 up to 2003. The balance written off represents disputed amounts.

Approximately \$47,000 of the “Other” amount relates to World Youth day costs that were to be recovered from a partner police agency. The amount was invoiced based on a verbal agreement. Attempts have been made to collect the amount, however, collection has not been possible due to the lack of written support.

Present arrangements between Service units and partner agencies require that written agreements are signed and forwarded to Financial Management before invoices are sent.

Financial Implications:

There are no financial implications as a result of the write-offs processed. The write-off amount of \$91,530 in the first half of 2006 has been charged against the allowance for uncollectible accounts. The current balance in the allowance for uncollectible accounts is approximately \$230,000. The adequacy of this account is analyzed annually and adjusted as required. Any additional provisions required will be charged to the Service’s operating budget.

Conclusion:

In accordance with Section 29 – Authorization for Write-offs of By-law 147, this report provides information to the Board on the amounts written off by the Service during the period January 1, 2006 to June 30, 2006. The write-off of these accounts is an important step in clearing outstanding receivables, where collection efforts have been fully exhausted or where it is determined that the Service could not substantiate the amount owing.

Action has been taken to reduce the risk of amounts owing to the Service from becoming uncollectible and to more aggressively pursue amounts owing. A summary of the Service’s accounts receivable collection procedures was reported to the Board on March 25, 2004 (Board Minute No. P92/04 refers).

The Treasurer, City of Toronto, recently reported to the City Administration Committee on accounts receivable collection procedures and credit protocols that staff are developing to improve accounts receivable collection results and bad debts experienced by various City

divisions. The Service will consider and implement any appropriate mechanisms identified in that report.

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

The Board received the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P304. TORONTO POLICE SERVICES BOARD - 2006 OPERATING BUDGET
VARIANCE REPORT AS AT JULY 31, 2006**

The Board was in receipt of the following report September 07, 2006 from Alok Mukherjee, Chair:

Subject: 2006 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO
POLICE SERVICES BOARD AS AT JULY 31, 2006

Recommendation:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City's Deputy City Manager and Chief Financial Officer, and to the City Policy and Finance (P&F) Committee.

Background:

Toronto City Council, at its meeting of March 29, 30, 2006 approved the Toronto Police Services Board Operating Budget at a net amount of \$1,784,600.

Comments:

As at July 31, 2006, it is anticipated that year-end expenditures will be within the approved budget and therefore no variance is projected. The following chart summarizes the variance by category of expenditure and details by category are provided below. It is important to note that expenditures do not all follow a linear pattern and therefore year-to-date expenditures cannot be simply extrapolated to year end. Rather, the projection of expenditures to year end is done through an analysis of all accounts, taking into consideration factors such as expenditures to date, future commitments expected and spending patterns.

Expenditure Category	Annual Budget (\$Ms)	Actual Expend. to Jul 31/06 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Salaries & Benefits (incl. premium pay)	\$716.9	\$497.5	\$716.9	\$0.0
Non-Salary Expenditures	<u>\$1,067.7</u>	<u>\$391.3</u>	<u>\$1,067.7</u>	<u>\$0.0</u>
Total	<u>\$1,784.6</u>	<u>\$888.8</u>	<u>\$1,784.6</u>	<u>\$0.0</u>

Salaries & Benefits (including Premium Pay)

Expenditures to date are consistent with the estimate and therefore no year-end variance is projected.

Non-salary Budget

The majority of the costs in this category are for arbitrations / grievances and City charge backs for legal services. It should be noted that many of these expenditures are not charged to the Service until the end of the year. No variance is anticipated in these accounts at this time.

Conclusion:

The most significant expenditure risk for the Board is legal costs for arbitration grievances. At this point in time the actual spending does not reflect any concerns; however, this will be monitored closely and reported in the monthly variance reports.

The Board received the foregoing and agreed to forward a copy to the City's Deputy Manager and Chief Financial Officer and to the City's Policy and Finance Committee.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P305. TORONTO POLICE SERVICE – PARKING ENFORCEMENT UNIT:
2006 OPERATING BUDGET VARIANCE AS AT JULY 31, 2006**

The Board was in receipt of the following report September 7, 2006 from William Blair, Chief of Police:

Subject: 2006 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE PARKING ENFORCEMENT UNIT AS AT JULY 31, 2006

Recommendations:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City’s Deputy City Manager and Chief Financial Officer, and to the City Policy and Finance (P&F) Committee.

Background:

Toronto City Council, at its meeting of March 29, 30, 2006 approved the Toronto Police Parking Enforcement Operating Budget at a net amount of \$32.7 Million (M).

Comments:

The following chart summarizes the variance by category of expenditure.

Expenditure Category	Annual Budget (\$Ms)	Actual Expend. to Jul 31/06 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Salaries & Benefits (incl. premium pay)	\$28.3	\$14.9	\$28.3	\$0.0
Non-Salary Expenditures	\$4.4	\$2.2	\$4.4	\$0.0
Total	\$32.7	\$17.1	\$32.7	\$0.0

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)

Staff attrition is in line with the anticipated levels included in the 2006 approved budget. Benefits are also trending to be within the approved budget amounts. As a result, no variance is projected in this category.

Non-salary Expenditures

Expenditures in this category are projected to be on budget.

Conclusion:

As at July 31, 2006, it is anticipated that year-end expenditures will be within the approved budget and therefore no variance is projected.

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

The Board received the foregoing and agreed to forward a copy to the City's Deputy Manager and Chief Financial Officer and to the City's Policy and Finance Committee.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P306. TORONTO POLICE SERVICE - 2006 OPERATING BUDGET
VARIANCE REPORT AS AT JULY 31, 2006**

The Board was in receipt of the following report September 7, 2006 from William Blair, Chief of Police:

Subject: 2006 OPERATING BUDGET VARIANCE REPORT FOR THE TORONTO POLICE SERVICE AS AT JULY 31, 2006

Recommendations:

It is recommended that:

- (1) the Board receive this report; and
- (2) the Board forward a copy of this report to the City's Deputy City Manager and Chief Financial Officer, and to the City Policy and Finance (P&F) Committee.

Background:

Toronto City Council, at its meeting of March 29 and 30, 2006, approved the Toronto Police Service (TPS) Operating Budget at a net amount of \$751.6 Million (M). The budget was subsequently revised upward by \$0.8M to a total of \$752.4M to support a reallocation of the City Insurance Reserve Fund. It should be noted that this change does not result in additional available funds to the Service.

Comments:

The following chart summarizes the variance by category of expenditure.

Expenditure Category	Annual Budget (\$Ms)	Actual Expend. to Jul 31/06 (\$Ms)	Projected Year-End Actual Expend. (\$Ms)	Projected (Under)/Over-Expend. (\$Ms)
Salaries & Benefits (incl. premium pay)	\$712.0	\$390.6	\$710.0	(\$2.0)
Non-Salary Expenditures	<u>\$84.9</u>	<u>\$42.2</u>	<u>\$84.9</u>	<u>\$0.0</u>
Total Gross	<u>\$796.9</u>	<u>\$432.8</u>	<u>\$794.9</u>	<u>(\$2.0)</u>
Revenue	<u>(\$44.5)</u>	<u>(\$34.9)</u>	<u>(\$44.0)</u>	<u>\$0.5</u>
Total	<u>\$752.4</u>	<u>\$397.9</u>	<u>\$750.9</u>	<u>(\$1.5)</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.

As at July 31, 2006, a year-end surplus of \$1.5M is anticipated as discussed below.

Salaries & Benefits (including Premium Pay)

Uniform separations for 2006 are still projected to be 240, compared to the budget of 200 and actual experience of 231 in 2005. Human Resources is currently analyzing the figures, as current trends indicate that this projection may have to be revised upward. At this point in time, a uniform salary savings of \$3.0M is projected.

Court security spending is projected to be overspent by \$1.5M. Court Services staffing is comprised mostly of full time Court Officers who are supplemented by part time Court Officers. Due to a trend towards longer pre-trial hearings and an increase in trial hours per day, Court Services has been compelled to use more part time Court Officers for longer periods of time to ensure court security. In addition, Judges are more security conscious and have the authority to suspend court proceedings if they believe that there is inadequate security. This has resulted in additional court security pressures. The projected year-end over-expenditure is based on year-to-date spending patterns and on the assumption that recent high profile cases will be prosecuted during 2006. The over-expenditure situation in Court Services is being reviewed with a view to identifying actions required to address this budgetary pressure in a sustainable manner.

The premium pay budget for 2006 was reduced by \$0.5M from the 2005 level. The importance of controlling premium pay expenditures has been reiterated to all Unit Commanders. The Service will continue to strictly enforce the monitoring and control of premium pay to achieve the revised funding level. After the first seven months of 2006, actual spending patterns are in line with the revised budget and at this time no variance is projected. However, premium pay is subject to the exigencies of policing and uncontrollable events that could have an impact on expenditures.

The Service also continues to closely monitor spending in the benefits category. Early indications are that the medical and dental benefit accounts will be underspent by the end of the year and therefore a \$0.5M favourable variance is projected at this time.

Non-salary Expenditures

Non-salary expenditures are projected to be on budget.

Gasoline prices have continued to fluctuate at high levels since the beginning of the year. The increase in gasoline prices is significantly higher than what was budgeted for, and the Service is now projecting that gas expenditures will exceed budget by \$0.3M by year-end. This projection is based on realized price increases to date and assumes that the recent stabilization in gas prices

will hold to the end of the year. The projected over-expenditure on gasoline is offset by savings in the other non-salary accounts.

Revenue

An unallocated \$1.5M budget reduction was made at the time of budget approval by City Council. The Service had already made reductions to its operating budget submission and therefore was unable to identify further reductions. As a result, miscellaneous revenue was arbitrarily increased by \$1.5M to accommodate the budget reduction by City Council. Current revenues (excluding this reduction and excluding grants) are projected to be on budget, resulting in an overall \$1.5M shortfall in the revenue category (excluding grants).

Safer Communities Partnership Program

The 2006 operating budget includes \$1.9M net funding for the hiring of an additional 204 police officers under the Safer Communities Partnership Program. The funding is comprised of \$6.3M for salaries, outfitting and recruiting costs. The Service is currently on target to hire the additional staff.

These costs are partially offset by grants from the Province. Grant funding (originally estimated at \$4.4M) has been re-evaluated, in conjunction with the Province. Total grant funding is now estimated at \$5.4M in 2006, resulting in a favourable variance of \$1.0M in the Safer Communities Grant Program.

Conclusion:

As at July 31, 2006, a favourable variance of \$1.5M is projected. Lower salary and benefit expenditures and higher than estimated grant funding have offset pressures related to court security, gasoline price increases and an unallocated budget reduction. Expenditures and revenues will continue to be closely monitored throughout the year, and any changes to the projected variance will be reported on at future Board meetings.

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

The Board received the foregoing and agreed to forward a copy to the City's Deputy Manager and Chief Financial Officer and to the City's Policy and Finance Committee.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P307. EXCHANGE PROGRAM WITH THE JAMAICA CONSTABULARY
FORCE**

The Board was in receipt of the following report September 05, 2006 from William Blair, Chief of Police:

Subject: EXCHANGE PROGRAM WITH JAMAICAN CONSTABULARY FORCE

Recommendation:

It is recommended that: the Board receive the following report for information.

Background:

In March 2006, Commissioner Lucius Thomas and senior staff of the Jamaica Constabulary Force visited the Toronto Police Service. In a meeting with Chief William Blair and Alok Mukherjee Chair of the Police Services Board, Commissioner Thomas proposed a personnel and information exchange between the Jamaica Constabulary Force and the Toronto Police Service. Chief Blair agreed that this would be a worthwhile endeavour and assigned Deputy Chief Tony Warr to follow-up on the proposal.

After some discussion, it has been agreed that the personnel exchange will occur for a period of six months initially. Inspector David McLeod (3671) will be seconded to the Jamaica Constabulary Force and Deputy Superintendent Maurice Mattis will be seconded to Toronto Police Service.

Arrangements have been made for an apartment in Kingston, Jamaica for Inspector McLeod and a vehicle lease is being negotiated.

It is expected that the exchange will commence in October 2006.

There will be a cost to the Toronto Police Service of approximately forty-thousand dollars (\$40,000.00) for Inspector McLeod's accommodation, vehicle and living/travel expenses.

The Jamaica Constabulary Force and the Toronto Police Service are jointly applying to Canadian International Development Agency (CIDA) through the Canadian Cultural Fund (CCF) for funding. Their response has been encouraging.

It is anticipated that by having a Toronto officer "on the ground" in Kingston, and an officer from Jamaica in Toronto, information/intelligence would collectively enhance our abilities to investigate, detect and prevent crimes.

The program will be evaluated before the end of the six-month period to determine the feasibility of extending the program.

Deputy Chief Tony Warr, Specialized Operations Command, will be in attendance to answer any questions that may arise.

The Board inquired about the status of the formal legal agreement that the Service had previously indicated would be submitted to the Board for consideration (Min. No. P38/06 refers).

Chief Blair advised the Board that, rather than a formal legal agreement involving the Board, he is now going to enter into a Memorandum of Understanding with the Chief of the Jamaica Constabulary Force and that a copy will be provided to the Board for information.

The Board received the foregoing and commended Chief Blair and the members of the Service for their work in this initiative.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P308. JETFORMS REPLACEMENT – FORMS MANAGEMENT SYSTEM

The Board was in receipt of the following report September 07, 2006 from William Blair, Chief of Police:

Subject: JETFORMS REPLACEMENT – FORMS MANAGEMENT SYSTEM

Recommendations:

It is recommended that:

1. The Board approve the selection of Bell Canada to provide a new electronic forms management system (Adobe Systems), which includes installation, professional and maintenance services at a maximum cost of \$992,329, including all applicable taxes;
2. The Board authorize the Chair to execute the agreement and related documentation with Bell Canada, pending approval as to form by the City Solicitor; and
3. The Chief, or his designate, notify the City Chief Financial Officer and Treasurer of the specific recommendations contained herein, pursuant to the requirements of Section 65 of the Ontario Municipal Board Act and Board Minute No. P84/03.

Background:

The administrative and operational functions of the Service require the use of forms to record and process information. These forms affect every aspect of the Service's business, criminal investigation and legal processes, and include Toronto Police Service (TPS), provincial and federal forms.

Since 1994 these forms have been created, distributed and maintained with a form management program called JetForms.

The JetForms product is no longer available or supported. A project to replace the Service's forms management program was included in the Service's 2005 – 2009 capital program in the amount of \$1.2 Million (M) (Board Minute #P294/04 refers). Toronto City Council approved this budget at its meeting of February 25, 26, 27, 28 and March 1, 2005.

In 2004, the Service began planning for the upgrade of all desktop computers to the Windows XP operating system. The organization's need to use forms was put at risk when the manufacturer of JetForms no longer supported the product and would not certify it to operate in the Windows XP environment. The lack of support and certification was an important driver in

requesting capital funds in 2005. Subsequent to that request, the technical challenges were overcome and JetForms was able to function in a limited capacity in the Windows XP environment. Overcoming the technical issues took away the immediate urgency of the project, and staff resources were allocated to other Service priority projects. However, there was still a risk that if the JetForms program failed the Service did not have any support. Consequently, in order to ensure that forms continue to be readily available in electronic form, it is important that a reliable and properly supported system be implemented.

Comments:

In July 2005, a team from Corporate Planning and Information Systems began a review of the business requirements for the Service's management of forms with an objective to identify current and future needs for storage, access, workflow and integration with other systems, rather than just considering the replacement of the existing JetForms program. Corporate Planning also began a review of all the forms used within the Service, for both internal and external purposes, with the objective of determining usability and defining naming standards. The business requirements review was completed in October 2005.

Following the completion of the business requirements review, a Request for Proposal (RFP) was drafted. The RFP underwent extensive reviews by various Service Units, to ensure that the solution being sought would meet the current and future needs of the Service and fit our technology infrastructure. RFP No. 1067991-06, was issued on March 31, 2006, with a closing date of May 1, 2006.

There were three respondents to the RFP:

Bell Canada in partnership with Adobe Systems;
VisionMax Solutions; and
Legend Corporation in partnership with Microsoft Corporation.

All responses were evaluated by a team comprised of members from Corporate Planning and Information Technology. The evaluation consisted of an assessment and scoring of each proponent's solution including the written responses, an information session and demonstration of the proposed product's functions and features. The proposals were evaluated on the following criteria:

(1) Compliance with Specifications and Consistency with TPS Architecture (60%)

The selection committee was looking for a solution that best met the business needs of the Service. It assessed the bidder's proposed solution, its robustness, reliability and continued support as well as architecture fit with the Service's technology direction.

(2) Bidder's Record of Performance and Maturity (20%)

The selection committee considered the proponent's ability to deliver the proposed solution and that the proponent had an industry-recognized level of competency within

the Forms/Document Management sector. Maturity in the forms market place was also an important factor, including the bidders' future commitment to the product(s).

(3) Cost of the Proposed Solution (20%)

The selection committee evaluated the proponents' cost submissions in relation to each other.

Two of the three proposals exceeded the approved budget for this project. The one submission that was within the Service's budget was not strong with respect to the other two evaluation criteria.

As a result all three bidders were invited to sessions to clarify their bids with the objective of confirming the basis of their calculations for the required number of software licenses, costs for the conversion of existing forms and functional modules. In addition, the Service revisited the number of forms requiring conversion and how many of these were complex. This exercise resulted in the number of forms being reduced from 800 to approximately 600.

As a result of these clarification sessions, Bell Canada was able to significantly reduce the cost of its proposal. This was due to a substantial reduction of forms conversion costs, due to a better understanding of the number of forms and their complexities, a revised number of Adobe software licenses and deferring the design of a proposed automated workflow process solution. Legend Corporation was able to slightly reduce its bid due to a reduced number of software licenses, while VisionMax did not offer any cost reductions.

Of the three proponents, the Bell/Adobe proposal focused on the well-established Adobe suite of products and best met the needs of the Service. During the information sessions, Bell/Adobe clearly demonstrated an understanding of the proposal and the challenges facing TPS as we move towards an implementation of a Forms Management System. Bell Canada was also able to offer solutions to bring the cost of the project within the allocated budget. Overall, Bell/Adobe received the highest overall score and was the second lowest bidder in terms of cost. Their proposal also offers fixed operating costs for five years after implementation. The projected lifecycle of the proposed Adobe products is five years, before there will be a need for any upgrade.

If the Board approves this contract award, the timeline for completion of the project is estimated to be four to six months, with a targeted implementation by the end of the first quarter of 2007.

Financial Implications:

The total cost of the project, based on the Bell/Adobe proposal and including necessary hardware and operating software, is summarized below:

Professional Services, including forms conversion, training, implementation and project management:	\$706,900
Packaged Software, including licenses and	

first year maintenance and support:	213,171	
PST	17,054	
GST	<u>55,204</u>	
Total Bell Canada Cost		\$992,329
Servers and Operating Software		
(to be acquired from current vendor of record)	\$243,000	
PST	19,440	
GST	<u>14,580</u>	
Total Hardware and Operating Software Cost		<u>277,020</u>
Total Project Gross Cost		\$1,269,349
Less GST Rebate		<u>(\$69,784)</u>
Total Project Net Cost		<u>\$1,199,565</u>

Internal staff costs required for this project are estimated at \$140,000 and consist of the time involvement of the Service's project manager, database analysts, technical support staff, security specialists, forms design specialists, quality assurance, user acceptance testing and training.

The impact on the operating budget will consist of annual maintenance and support costs. The first year costs are included in the cost of the packaged software. The effective date of the second year maintenance is the first anniversary date of the implementation of the system into use at TPS.

The annual maintenance and support costs are summarized below and will be included in the Service's Operating Budget requests for future years, commencing in 2008.

	Year 2 (2008)	Year 3 (2009)	Year 4 (2010)	Year 5 (2011)	Total
Annual Cost	\$34,699.31	\$35,557.49	\$36,075.63	\$36,994.01	\$143,326.44

Due to the late start of the project, the approved capital funding of \$1.2M will not be all spent by the end of this year. This funding was carried forward from 2005 and City capital guidelines do not allow approved funds to be carried over for more than one year. As a result, any unspent funds from the \$1.2M provided in 2006 will be treated as new funds in 2007 and must be requested in the 2007 – 2011 capital program. The packaged software and hardware acquisition will be completed in 2006. However, it is projected that approximately \$550,000 of the professional services will be required in 2007. This amount has been included in the 2007 – 2011 capital program request. All efforts will be made to complete as much of the conversion as possible, including training and implementation work by the end of 2006, to minimize the impact on the 2007 capital budget.

Conclusion:

Bell Canada, in partnership with Adobe Systems, provides the Service with the best solution to fulfil the current and future forms management needs of the Service and achieved the highest overall score. They have the necessary resources to complete the project and have shown a long

term commitment to the products offered. It is therefore recommended that the contract for a new forms management system for the Service be awarded to Bell Canada, in partnership with Adobe Systems.

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

The Board approved the foregoing.

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P309. LEGAL FEES – TORONTO POLICE SERVICES BOARD

The Board was in receipt of the following report September 15, 2006 from Alok Mukherjee, Chair:

Subject: LEGAL FEES – TORONTO POLICE SERVICES BOARD

Recommendation:

It is recommended that the Board approve payment of the Torys account, in the amount of \$10,248.14.

Background:

Attached is a statement of account from the legal firm of Torys in the amount of \$10,248.14 for professional services rendered in connection with the above noted matter. The account is for the period ending May 31, 2006 to July 31, 2006.

I recommend that the Board approve payment of this account from the Board's operating budget.

This report corresponds with additional information provided on the in-camera agenda.

The Board approved the foregoing noting that additional information was considered by the Board at its in-camera meeting (Min. No. C251/06 refers).

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE
TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

**#P310. ALLOCATION OF \$100,000 SPECIAL FUND MONIES EARMARKED
FOR YOUTH PROGRAMS – SCHOOL COMMUNITY ACTION
ALLIANCE: REGENT PARK (SCAARP) SAFE WALK HOME
PROGRAM**

The Board was in receipt of the following report September 18, 2006 from Alok Mukherjee,
Chair:

Subject: ALLOCATION OF \$100,000 SPECIAL FUND MONIES EARMARKED FOR
YOUTH PROGRAMS – SCHOOL COMMUNITY ACTION ALLIANCE:
REGENT PARK (SCAARP) SAFE WALK HOME PROGRAM

Recommendation:

It is recommended that the Board approve the allocation of \$10,000 (through the Toronto
Kiwanis Boys and Girls Club) to the School-Community Action Alliance: Regent Park
(SCAARP) Safe Walk Home Program, a project for young people in the Regent Park
neighbourhood.

Background:

At its meeting on August 11, 2005, the Toronto Police Services Board allocated \$100,000 a year
for five years - beginning in 2005 - to programs consistent with the Board's mandate. The Board
further decided that the funds be allocated in consultation with the City of Toronto's Community
Safety Secretariat (Min. No. P271/05 refers). At the September 06, 2005 meeting of the Board, I
proposed a process for allocating the funds (Min. No. P308/05 refers).

I am recommending that the Safe Walk Program receive urgent bridge funding as it develops
plans to secure sustained funding to continue this innovative initiative. Funding of this program
is consistent with the direction of the Toronto Police Service's deepened focus on crime
prevention, through the leadership of the Community Mobilization Unit. In addition, this
program - with its focus on building community capacity and employment of at-risk youth - is
consistent with the direction of the City of Toronto's Community Safety Plan. The program was
a recipient of one of the Mayor's Community Safety Awards for 2006.

The Board approved the foregoing.

Safe Walk Home Program

The Safe Walk Home Program was born in 2000 to respond to a number of violent incidents that occurred in 1999. Parents are able to enrol their children in the Safe Walk Program and be sure that they will arrive safely at the after-school program of their choice and return home safely after the program. The 310 children who are enrolled in the Program would otherwise not be able to enjoy and benefit from programs at the Regent Park Community Centre, the Kiwanis Boys and Girls Club, the Somali Homework Club, the Bengali Homework Club, the TD Securities Computer Lab and many other community based programs.

In addition, the program hires and trains “at-risk” youth from the local community to be the ‘walkers’. The program has provided these young people with a positive choice, employment skills, an opportunity to work in their community in a positive way and to build positive relationships with the children in the community. It has allowed the children to see their ‘walkers’ as people who can help them as opposed to people for them to fear. (See Appendix 1 for a fuller description of the program.)

I, therefore, recommend that the Board approve the allocation of \$10,000 (through the Toronto Kiwanis Boys and Girls Club) to the School-Community Action Alliance: Regent Park (SCAARP) Safe Walk Home Program, a project for young people in the Regent Park neighbourhood.

Appendix 1 - School-Community Action Alliance: Regent Park (SCAARP) Safe Walk Home

In 1999, SCAARP was formed as an alliance of community agencies and schools operating in and for the residents of Regent Park. The partners of School Community Action Alliance Regent Park (SCAARP) are Regent Park Community Health Centre, Salvation Army - Corps 614, Community Recreation Centres (John Innes, South Regent Park, North Regent Park), Nelson Mandela Park Public School, Dixon Hall, Lord Dufferin School, Toronto Police Service, Regent Park Community Focus Coalition, Toronto Kiwanis Boys and Girls Clubs, Regent Park Resident Council (Safety and Security Committee), Yonge Street Mission, and St. Bartholomew's Children's Centre.

The Toronto Kiwanis Boys and Girls Clubs were chosen as the lead for this partnership based on its demonstrated ability to lead, manage and implement partnership projects. As one of the longest serving community organizations in Regent Park, the Club is well respected.

The formation of SCAARP was precipitated by two major issues. First, there were large cutbacks affecting agencies and especially schools in the community and second, there was the need for a coordinated response to the issues around violence and safety in the community.

Over the years SCAARP has worked on a number of important initiatives including developing stronger and better relations with the Toronto Police Service's 51 Division, coordinating activities for school age children, working to support youth leadership in the community, responding to the effects of social assistance cuts and setting up the Safe Walk Home Program in 2000.

At present, SCAARP has a membership of approximately 15 organizations and schools. At present, the only funding SCAARP receives is a grant from the United Way (\$25,720 per year) to partially cover the costs of the Safe Walk Home Program.

Safe Walk Home is a program which grew out of concrete community needs in Regent Park. When the Program began six years ago, Regent Park was in the midst of the worst violence it had ever experienced. There were many shootings and many young people died. In response, many school age children were required by family members to go directly home after school and stay at home until going to school the next day. This inability to participate had devastating effects on young people.

The Safe Walk Home Program was born to respond to this violence. Parents who enroll their children in the Safe Walk Program can be sure that their children will arrive safely at the after-school program of their choice and arrive home safely after the program.

At present, 310 children are enrolled in the program and there is a waiting list. These are 310 children who would otherwise not be enjoying and benefiting from programs at the Regent Park Community Centre, the Kiwanis Boys and Girls Club, the Somali Homework Club, the Bengali Homework Club, the TD Securities Computer Lab and many other community based programs.

The program hires and trains local at-risk youth to be the 'walkers'. The program has provided these young people with a positive choice, employment skills and an opportunity to work in their community in a positive way. It has allowed them to build positive relationships with the children in the community. It has allowed the children to see their 'walkers' as people who can help them as opposed to people for them to fear.

Budget (Reduced for 2006)

Salaries and Benefits:

Safe Walk Coordinator	\$12,000 + \$1,320 benefits = \$13,320
Safe Walkers	\$31,000 + \$2,480 benefits = \$33,480
Training	\$2,000
Equipment	\$6,000
Miscellaneous	\$ 60
Administration	\$4,115
Total costs	\$58,975

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**#P311. ACQUISITION OF 9 HANNA AVENUE FOR THE NEW TRAFFIC
SERVICES AND GARAGE FACILITY**

The Board was in receipt of the following report September 21, 2006 from Shirley Hoy, City Manager, City of Toronto:

Subject: Acquisition of 9 Hanna Avenue for the New Traffic Services and Garage Facility
(Ward 19 – Trinity-Spadina)

Purpose:

To report on the status of the above-noted transaction.

Recommendations:

It is recommended that this report be received for information.

Background:

At its meeting held on August 10, 2006, the Toronto Police Services Board requested a report from the City Manager on the current status of the negotiations with the three parties involved in this matter and the expected schedule of resolution.

Comments:

It has not been legally possible to complete the 9 Hanna purchase transaction to date because title to the property is subject to an agreement (the “Density Agreement”) in favour of the owner of the adjacent property at 11 Hanna Avenue which places certain obligations and restrictions on the owner of 9 Hanna Avenue concerning the allocation of density between 9 and 11 Hanna Avenue. Given that the City is the statutory planning authority responsible for making decisions as to how density should be appropriately allocated, it would have put the City in a conflict of interest if it had agreed to be bound by the restrictions in the Density Agreement by agreeing to accept the property subject to the Density Agreement. Accordingly, City staff negotiated the agreement of purchase and sale for the property on the basis that the Density Agreement had to be deleted from title on or prior to closing, to which the vendor of 9 Hanna agreed. However, the vendor of 9 Hanna Avenue was unsuccessful in obtaining a release of the Density Agreement from the owner of 11 Hanna Avenue. The vendor subsequently applied to the courts for a court order deleting the Density Agreement from title and was initially successful, but on appeal, the Court of Appeal upheld the validity of the Density Agreement and refused to delete it from title.

As the City was already involved in its own separate negotiations with the owner of 11 Hanna Avenue and GT Fiber Services Inc. (as City Council had previously directed staff to negotiate with the adjoining owner to try to minimize the effect of the existing easements at 11 Hanna affecting 9 Hanna Avenue), the City raised the issue of the Density Agreement directly with the owner of 11 Hanna Avenue. The owner of 11 Hanna Avenue agreed that as part of the arrangement to reconfigure the easements affecting both 9 and 11 Hanna Avenue, it would release the Surplus Density Agreement from title to 9 Hanna Avenue at the time the easements were reconfigured. A letter of intent between the City, the owner of 11 Hanna Avenue and GT Fiber Services Inc. outlining the proposed transaction (including the release of the Density Agreement) was signed in April, 2006 and approved by City Council at its meeting held on April 25, 26 and 27, 2006.

Since that time, City staff has been working diligently with representatives of the owner of 11 Hanna Avenue and GT Fiber Services Inc. to draft and finalize an agreement to give effect to the letter of intent. This has also involved the preparation of new property surveys and soil testing reports and the drafting and negotiation of numerous releases, easements, easement amending agreements, limiting distance agreements and restrictive covenants that will be exchanged between the three parties when the easement transaction closes. The draft agreement, with all of above documents attached, is over 70 pages long.

The draft agreement is very near completion. On September 15th, the City Solicitor circulated a few final amendments to the draft of the agreement that was received on September 13th. GT Fiber's solicitor has now responded that he is in agreement with all of the City Solicitor's amendments. As of the date this report is being written, the solicitor for the owner of 11 Hanna has not yet responded. If the owner of 11 Hanna accepts the City's final amendments, the agreement can be signed immediately. If not, some final negotiation may be necessary. Once the agreement has been signed, the 9 Hanna purchase transaction may then be completed.

Given the foregoing, it is presently estimated that the 9 Hanna transaction will be completed within the next two to four weeks, barring any unforeseen circumstances. It should be noted, however, that until any real estate transaction actually closes, there is always a risk that something unexpected could prevent the closing from proceeding as scheduled. In this regard, I note that there are presently significant realty tax arrears outstanding on 9 Hanna Avenue, which the vendor must pay prior to closing. If the vendor refuses to pay the realty taxes either on or before closing, closing will not be able to proceed as anticipated. In addition, the vendor is in the process of restarting the building systems (which were shut down when the transaction was delayed) so that City staff can conduct a pre-closing inspection to ensure that the building systems and equipment are in good working order as required under the agreement of purchase and sale. If the City's inspection reveals any major problems or deficiencies, this could also cause a further delay in closing.

Conclusions:

Barring any unforeseen circumstances, it is anticipated that the 9 Hanna purchase transaction will be completed within the next month, enabling Toronto Police Services staff to proceed with its move into the building.

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Ms. Jacqueline Vettorel was in attendance and provided the Board with an update on the status of the acquisition of the property located at 9 Hanna Avenue.

The Board received the foregoing report and Ms. Vettorel's update and requested that, if possible, Ms. Vettorel provide the Board with another update at its October 19, 2006 meeting.

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#P312. PEDESTRIAN SAFETY CONCERNS IN TORONTO

The Board was in receipt of a report, dated September 21 2006, from William Blair, Chief of Police, with regard to pedestrian safety concerns in Toronto. A copy of the report is on file in the Board office.

The Board deferred consideration of the foregoing report to its October 19, 2006 meeting and requested that an oral presentation be provided at that time.

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TORONTO POLICE SERVICES BOARD HELD ON SEPTEMBER 28, 2006**

#P313. PUBLIC NOTIFICATION – DISCIPLINARY HEARING DATES

The Board was in receipt of the following report September 27 2006 from William Blair, Chief of Police:

Subject: PUBLIC NOTIFICATION - DISCIPLINARY HEARING DATES

Recommendation:

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

Background:

At its meeting on July 10, 2006, the Board approved the following motion:

“1.) That the Chief of Police provide a report for the August 10, 2006 meeting on the current public notification process for disciplinary hearings and indicate what changes will be implemented to incorporate the Board’s request that a one or two week notification process be developed;”

The following is submitted in response.

Discussion:

The Service, due to its size, operates a full time discipline tribunal set up under the framework detailed in the *Police Services Act*. The staff at the tribunal (known officially as the Trials Office) consists of the Service’s Hearing Officer, Superintendent Neale Tweedy and one clerical support person. A second hearing officer, Superintendent Robert Strathdee, has recently been assigned full time to the Tribunal. The Trials Office reports directly to the Chief of Police. The Service’s tribunal is one of only two permanently operating tribunals in the Province, the Ontario Provincial Police operating the other.

The *Statutory Powers Procedure Act* requires that the tribunal process be a public one. To that end, the Service currently posts on a daily basis a docket outside the tribunal listing the cases appearing that day. Members of the public or media who attend the tribunal can see who is charged, the offence or offences they are charged with and can attend, with some exceptions, all parts of the process in person. After the officer’s first appearance, upon request, copies of the Notice of Hearing are provided. Copies of the decision or judgment are made available in the tribunal the day they are delivered.

This process is similar to that which occurs in the Criminal Court system operated by the Ministry of the Attorney General. Dockets are posted outside each court room detailing the accused and the charges they face on the day of appearance. Copies of the criminal information are available through the administrative office for a fee.

After consultation with the Service's Legal Counsel, the Service is prepared to change the existing public notification process by preparing a docket that includes appearances for one week at a time. This process has been in effect since September 1, 2006.

Members of the public or media who wish to observe the actions of the tribunal can do so by attending the second floor of Police Headquarters, an area to which the public has free access.

I will be in attendance to answer any questions the Board may have on this issue.

The Board received the foregoing.

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#P314. IN-CAMERA MEETING – SEPTEMBER 28, 2006

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:

Chair Alok Mukherjee
Vice-Chair Pam McConnell
The Honourable Hugh Locke, Q.C.
Ms. Judi Cohen
Mr. Hamlin Grange
Councillor John Filion
Mayor David Miller

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#P315. ADJOURNMENT

Alok Mukherjee
Chair